

# UNIFIED DEVELOPMENT ORDINANCE



-THE CITY OF-  
**EASLEY**  
SOUTH CAROLINA

PRESENTED OCTOBER 13, 2025

This document was prepared for the  
**CITY OF EASLEY, SC – 2025**

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# 1. Authority, Jurisdiction and Transitional Provisions

## 1.1. Title

This ordinance shall be known and may be cited as the “Unified Development Ordinance of the City of Easley, South Carolina.” The Unified Development Ordinance shall be referred to henceforth as the “UDO.”

## 1.2. Purpose and Intent

### 1.2.1. *Purpose of Unified Development Ordinance*

A. The purpose of Zoning is to establish standards, procedures, and minimum requirements in accordance with the Comprehensive Plan, to regulate and control the use, bulk, design, and location of land and buildings; the creation and administration of zoning districts; and the general development of real estate in the City of Easley. In addition, it is the purpose of Zoning to:

1. Coordinate and integrate the City's development review process to provide equitable and efficient procedures for the review of proposed developments, the Official Zoning Map amendments, and other provisions contained within Zoning.
2. Ensure proper legal description, identification, monumentation, and recording of real estate boundaries.
3. Guide and regulate orderly, rational, and efficient growth, land development, and land use throughout the City in accordance with the Comprehensive Plan including carefully considered goals, policy statements, and action statements that call for principles and standards which are beneficial to the long-term interest and welfare of the citizens of the City of Easley.
4. Discourage haphazard, premature, uneconomical, or scattered land development and promote, in the public interest, the best utilization of land.
5. Ensure safe and convenient traffic control and movement including a reduction or prevention of congestion of public streets, convenience of access, multiple modes of transportation, and an interconnected and well-planned street system.
6. Encourage development of an economically stable and healthy community.
7. Ensure the provision of adequate utilities.
8. Provide adequate light, air, and safety from fire, flood, and other damages.
9. Provide open spaces for recreation, conservation, and a healthy community.
10. Ensure land development with installation of adequate and necessary physical improvements.
11. Ensure that the citizens and taxpayers of the City of Easley will not have to bear the costs resulting from premature, uneconomical, or inefficient development or use of land.
12. Ensure the purchaser of land {within a subdivision} that necessary improvements have been installed.

13. Protect the established character and social and economic well-being of both public and private property.
14. Facilitate the creation of a convenient, attractive, functional, and harmonious community.
15. Expedite the provision of adequate police, fire protection, disaster evacuation, civil defense and emergency management, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds and other recreational facilities, airports, and other public requirements.
16. Protect against the destruction or encroachment upon historic sites and areas and ensure the protection of these resources.
17. Protect against undue concentration of population and overcrowding of land and/or buildings beyond their carrying capacity through regulations and limitations on the height and bulk of buildings, hereafter erected, as said buildings relate to land area.
18. Establish, regulate, and limit the building or setback lines on or along streets, roads, boulevards, avenues, lanes, alleys, other rights-of-way, and property lines.
19. Regulate and limit the intensity of the use of lot areas and regulate and determine the area and extent of open spaces within the surrounding buildings.
20. Establish standards to which buildings or structures shall conform.
21. Prohibit uses, buildings, or structures that are incompatible with the character of established zoning districts.
22. Protect and enhance the taxable value of land and buildings throughout the City wherever possible.
23. Encourage and assist in the facilitation, attraction, and retention of economic activities that provide desirable employment, expand the tax base, and serve to meet the goals of the Comprehensive Plan.
24. Provide a mechanism so that new growth pays for itself and shares the burden of the provision of public facilities and services with the existing tax base.
25. Provide for the protection and preservation of agriculture, forests, and other environmentally sensitive lands thereby preserving the cultural and natural heritage of The City of Easley.
26. Provide an adequate supply of affordable housing for City residents

#### *1.2.2. Purpose of the Comprehensive Plan*

- A. The Comprehensive Plan, as may be amended, has been adopted by the City of Easley in 2022 shall be amended from time to time, and is recommended to be updated every five years and required to be updated every 10 years. Staff, commissions, boards, and the City Council will refer to the current comprehensive plan during the administration of the UDO. When the UDO promotes specific activities or land use practices or grants the review entity the authority to optionally require certain actions, the comprehensive plan will serve as a

supplementary resource to ensure effective implementation in the daily administration of the UDO. The Comprehensive Plan has been adopted around the following core values and core challenges:

1. Core Values

- a. Strong Sense of Community
- b. Diversity
- c. Resourceful
- d. Connectivity

2. Core Challenges

- a. Manage Growth
- b. Communication
- c. Economic Development
- d. Maintaining Facilities and Infrastructure
- e. Providing for Housing Alternatives (Affordable, Senior)
- f. Improving Land Use Form & Character

*1.2.3. Consistence with and Relationship to Comprehensive Plan*

The regulations and requirements herein set forth have been established in accordance with the Comprehensive Plan with reasonable consideration, among other things, to the prevailing land uses, growth characteristics, future prospects, and the character of the respective districts and their particular suitability for their individual uses and to encourage the most appropriate uses of land throughout the City.

Specifically, Zoning provides regulations to implement applicable goals, policy statements, and action statements of the Comprehensive Plan. References to individual goals, policy statements, and action statements are contained in the various sections and sections of the Zoning Ordinance.

### 1.3. Authority

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This Ordinance is adopted pursuant to the authority granted under the South Carolina Comprehensive Planning Enabling Act of 1994 (S.C. Code of Laws, Section 6-29-310 et seq

Listing these sections of the General Statutes does not imply the exclusion of any other sections that grant or affirm the authority of municipalities to enact ordinances, rules, or regulations similar to those outlined in the Unified Development Ordinance

### 1.4. Jurisdiction and Application of Ordinance

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*1.4.1. Territorial Applicability*

The provisions of Zoning shall apply to all land, water, buildings, structures, and uses thereof located within the City of Easley, South Carolina, as identified on the Official Zoning Map of The City of Easley, South Carolina, excepting those areas to be under the control of the United States of America.

All buildings and structures erected hereafter, all uses of land, water or buildings established hereafter, all structural alterations or reallocations of existing buildings

occurring hereafter, and all enlargements of, additions to, changes in and reallocations of existing uses occurring hereafter shall be subject to all regulations of Zoning which are applicable to the zoning districts in which such buildings, structures, uses, or land are located. Existing buildings, structures, and uses that comply with the regulations of Zoning shall likewise be subject to all regulations of Zoning. Existing buildings, structures, and uses which do not comply with the regulations of Zoning shall be permitted to continue subject to the provisions of §1.5.19, "Non-Conforming Buildings or Uses", of Zoning.

#### *1.4.2. Repealer*

All and any ordinances or part of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

#### *1.4.3. General Prohibition*

- A. No building, no use of any building, structure, or land; and no lot of record which did not now or hereafter exist on the effective date of Zoning shall be created, established, altered, moved diminished, divided, eliminated, or maintained in any manner except in conformity with the provisions of this UDO.
- B. No use of land or buildings shall be allowed except in conformance with the provisions of this UDO.
- C. No plat for the subdivision of any land within the City of Easley shall be filed with or recorded by the Pickens County Register of Deeds until such plat shall have first been submitted to and approved by the City of Easley, according to the procedures set forth by this Ordinance.
- D. No street or public way or land shall be accepted or maintained, nor shall any water lines, sewage, street lighting, or similar improvements be extended or connected, nor shall any permit be issued by any department of the municipality for construction of any building or other improvement in any subdivision established hereafter which has not been approved by the procedures set forth by this Ordinance.

#### *1.4.4. Exemptions*

The following uses are exempt from the application of Zoning:

- A. Electrical transmission lines of one hundred fifty (150) volt or more, poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or any other similar equipment when used for the purpose of distributing service to individual customers, but not including substations, transmission lines, or trunk lines located on or above the surface of the ground, for the distribution to consumers of telephone, cable television or other communications, electricity, gas or water, or for the collection of sewage or surface water.
- B. The height limitations of Zoning shall not apply to gables, scenery lofts, cupolas, barns, silos, farm buildings, residential chimneys, spires, monuments, or fall zones and cables or other similar structures, and necessary mechanical appurtenances; nor to any smokestack or water tank, except that gross height may be limited by other jurisdiction agencies. The limitations shall apply to flagpoles in any residential zone.
- C. All railroad facilities contained within the right-of-way of a railroad company duly recognized by the US Department of Commerce and the South Carolina Department of

Transportation (SCDOT), including railroad tracks, signals, bridges, and similar facilities and equipment and the maintenance and repair work on such facilities and equipment.

## 1.5. Transitional Provisions

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### 1.5.1. *Existing Unlawful Uses and Structures*

A structure or use not lawfully existing at the time of the adoption of Zoning is hereby deemed lawful as of the effective date of Zoning, provided that it conforms to all of the requirements of Zoning. However, if such structure or use does not conform to all of the requirements of Zoning, then such structure or use shall continue to be unlawful hereunder.

### 1.5.2. *Right to Continue Nonconformity*

A nonconformity that is lawfully in existence at the time of the enactment of this Ordinance or any subsequent amendment thereto which may create such nonconformity may be continued and maintained except as otherwise specified herein. No expansion, extension, substitution, enlargement or other change in a nonconforming activity is allowed except as expressly required by law or permitted herein.

### 1.5.3. *Building, Structures, and Signs Rendered Nonconforming*

Where any building, structure, sign, or lot which existed on the effective date of Zoning does not meet all standards set forth in Zoning or any amendment thereto, such building, structure, or lot is hereby deemed non-conforming and shall be controlled by the provisions within Article 3, Nonconformities.

### 1.5.4. *Uses Rendered Non-conforming*

When a lot is used for a purpose which was a lawful use before the effective date of Zoning, and Zoning or any amendment thereto no longer classifies such use as either a permitted use or Special Exception use in the zoning district in which it is located, such use is hereby deemed a nonconforming use and shall be controlled by the provisions Article 3, Nonconformities

### 1.5.5. *Previously Issued Approvals*

- A. Building Permits: Nothing in this Ordinance shall require any change in the plans, construction, size, or designated use of any building, structure, or part thereof, for which a building permit has been granted prior to the adoption of this Ordinance or a change in this Ordinance, provided construction shall start consistent with the terms and conditions of the building permit and proceed to completion prior to the expiration of such approval.
- B. Approved Site Plans: Nothing in this Ordinance shall require a change to a site plan approved prior to the adoption of this Ordinance, provided a building permit is issued within the vested rights period and construction starts consistent with the terms and conditions of the building permit and proceeds to completion without expiration vested rights.
- C. Other Approved Developments: Any other development that has received approval of a development permit or approval of a portion of a development — including any required Traffic Impact Analysis and/or Archaeology Survey — before the effective date of this chapter or any amendment thereto may be carried out in accordance with the terms and conditions of the development permit or approval and the procedures and standards in effect at the time of approval, provided the permit or approval does not expire and

otherwise remains valid. If significant changes are made to the development, associated studies and surveys required as part of the development process shall be redone. If the development permit or approval expires, is revoked (e.g., for failure to comply with time limits or the terms and conditions), or otherwise becomes invalid, any subsequent development of the site shall be subject to the procedures and standards of this Code.

#### *1.5.6. Previously Approved Planned Developments*

- A. Purpose: The intent of this section is to be utilized only for the continuation of previously established and approved Planned Developments before the enactment of this Ordinance.
- B. Minor Plan Amendments Permitted by the Zoning Administrator: The amendment of previously approved PDs shall be approved by the Zoning Administrator, if the amendment results in a development intensity that is no greater than the previously approved intensity in terms of total square feet, total number of units, height, and build-upon area. Additionally, a minor plan amendment shall be limited to technical considerations that could not be reasonably anticipated during the approval process, or any other change that has no material effect on the character of the approved PD development or any of its approved terms or conditions.
- C. Major Plan Amendments Permitted by City Council Approval Only: All major changes not subject to the section above, shall be reviewed by the PC and approved by City Council in accordance with the procedures outlined in Section 7.10.4.
- D. Any existing PD may choose to rezone to a standard City zoning district by going through the rezoning process in accordance with the procedures outlined in Article 4.

### **1.6. Conflict with Other Regulations**

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#### *1.6.1. Interpretation of the Zoning Ordinance*

- A. In interpreting and applying the provisions of Zoning, they shall be held to the minimum requirements for the promotion and protection of public safety, health, convenience, comfort, prosperity, or general welfare, as set forth in the provisions hereof establishing the intent and purpose of Zoning in general and its various Sections in particular.

#### *1.6.2. Conflict with Public and Private Provisions*

Whenever a conflict exists between the provisions of the UDO and the provisions of any other public or private restrictions, the following shall govern:

- A. Other Zoning Regulations  
Whenever the regulations of Zoning require greater width, size of yards, courts, other open spaces, lower height of buildings, smaller number of stores, greater percentage of lot to be left unoccupied, or impose other more restrictive standards than are required in or under any other statute, the regulations and requirements of Zoning shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by Zoning, the provisions of such statute shall govern.
- B. Public Provisions  
These regulations are not intended to interfere with, abrogate, or annul any other rule, regulations, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provisions of these

regulations or any other rule, or other provision of law, whichever are more restrictive, or impose higher standards, shall control, as determined by the Zoning Administrator.

C. Private Provisions

These regulations contained in the zoning ordinance are not intended to interfere with, abrogate, or annul any easement, covenant, or any other private agreement, legal relationship, or restriction such as HOA agreements; provided that, where the provisions of these regulations contained in the zoning ordinance are more restrictive or impose higher standards or regulations than such easement, covenant, or private agreement or restriction, the requirements of these regulations shall govern.

### 1.7. Posting of Street Address

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All improved commercial buildings or properties shall be posted with a street address number assigned by the Pickens County 911 Department. The street address number shall be clearly visible from the street or road.

### 1.8. Severability

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It is the legislative intent of the City Council in adopting this Code that all provisions shall be liberally construed to implement the City of Easley Comprehensive Plan and to guide zoning and development in accordance with the existing and future needs of the City as established in the Comprehensive Plan. If any section, subsection, sentence, clause, or phrase of this Code is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity and continued enforcement of any other provision of this Code. The City Council hereby declares that it would have adopted this Code and any section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases of the Code are declared invalid by a court of competent jurisdiction.

### 1.9. Effective Date

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The effective date of this UDO is [10/13/2025]

## 2. Administration and Development Review Bodies

### 2.1. Zoning Administrator

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#### 2.1.1. *Designation*

The Planning and Zoning Manager will be referred to as the “Zoning Administrator” within this Ordinance. The Zoning Administrator shall be defined as any person or persons designated by the City to fulfill the duties herein.

#### 2.1.2. *Powers and Duties*

The Zoning Administrator shall perform the following duties:

- A. Administer and enforce the provisions of this Ordinance;
- B. Make written interpretations of this Ordinance;
- C. Review and make recommendations on Project Permits where the Building Official has authority;
- D. Review and process Zoning Permits;
- E. Review and process Certificates of Zoning Compliance;
- F. Review and make recommendations on Certificates of Occupancy;
- G. Process applications for Variances and Special Exceptions;
- H. Issue all permits, exception for Project Permits where the Building Official has authority;
- I. Review and act on Minor Development Design Review applications;
- J. Review and make recommendations to the Architectural Review Board on Major Development Design Review applications, and;
- K. Review and make recommendations on preliminary plats, site plans, and final plats.

### 2.2. City Engineer

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#### 2.2.1. *Designation*

The City Engineer shall be appointed by the City Administrator and shall have the following responsibilities:

- A. Assist the Zoning Administrator in review of development applications
- B. Reviewing development plans with the Zoning Administrator.
- C. Assessing project feasibility based on existing, available, and proposed infrastructure.
- D. Providing technical guidance based on best practices.
- E. A contributing member of the Area Coordination Committee.

#### 2.2.2. *Powers and Duties*

- A. Responsibility: The City of Easley's Engineer, appointed by the City Administrator, is responsible for ensuring the safety, sustainability, and quality of construction within the

city, including overseeing construction plans, and conducting inspections to ensure compliance with applicable codes.

B. Powers and Duties:

1. Issuing development approvals in coordination with other City Departments.
2. Issuing stop work orders for development activities not permitted by the City.
3. Providing recommendation and guidance in development review.

## 2.3. Building Official

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### 2.3.1. *Designation*

- A. The City shall have the authority to designate a building official

### 2.3.2. *Powers and Duties*

- A. Responsibility: The Building Official shall be responsible for issuance of construction permits and other matters that reference or impact the building code.

B. Powers and Duties:

1. Conducting inspections of buildings, structures and uses of land to determine compliance with the provisions of this Code.
2. Issuing stop work orders.
3. Issuing construction permits.
4. Issuing Certificates of Occupancy.

### 2.3.3. *Appeals*

## 2.4. Area Coordination Committee

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### 2.4.1. *Establishment and Composition*

- A. The City Zoning Administrator shall designate an Area Coordination Committee (ACC) consisting of the Zoning Administrator, the Building Official, Public Works Director, Fire Chief, Fire Marshal, Stormwater Manager, City Engineer, and Easley Combined Utilities. Representatives from other agencies that have jurisdiction in the project area may be invited at this stage upon determination by City Staff. A traffic engineer may be included on the ACC to review Traffic Impact Study (See TIS section). The Zoning Administrator shall serve as chair of the committee and be responsible for all final decisions of the committee.

### 2.4.2. *Intent*

- A. The Area Coordination Committee (ACC) is designed to provide a comprehensive review of land development applications that involve the dedication, construction, or redevelopment of new streets, utilities, or other infrastructure. The ACC's primary goal is to ensure that these new developments not only exhibit high-quality urban design but also facilitate effective monitoring and oversight by emergency responders, utility providers, and other essential entities. By enforcing zoning compliance and reviewing final plats, the ACC upholds the City's development standards and ensures the long-term viability of these projects. Through their review the ACC advises other bodies of the City such as the

Planning Commission, Architectural Review Board, Board of Zoning Appeals, and City Council.

#### 2.4.3. *Powers and Duties*

##### A. Specific Planning Activities:

1. Review projects where the ACC is specifically referenced within Article 4: Development Review Procedures;
2. Review and make recommendations on Traffic Impact Analysis;
3. Review Preliminary Plat submittals for Major Subdivisions;
4. Review Site Plans connected with Major Certificate of Appropriateness applications; and
5. Any Site Plan Submittals to the Zoning Administrator may be elevated to the ACC.

## 2.5. Planning Commission

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#### 2.5.1. *Powers and Duties*

- A. Authority: Pursuant to S.C. Code 1976, § 6-29, et seq., as amended, there is hereby established a Planning Commission, referred to herein as the PC, for the City, which shall perform all planning functions in the areas of jurisdictional control for the City of Easley.
- B. Territorial Jurisdiction: The PC shall exercise the power set forth in Title 6, Chapter 29 of the South Carolina Code of Laws, as amended, within the municipal boundary in the City of Easley.
- C. Specific Planning Activities: The PC has a duty to engage in a continuing planning program for the physical, social and economic growth, development and redevelopment of the City of Easley. The Easley City Council designates to the Planning Commission the following duties:
  1. Prepare and recommend revisions to the Comprehensive Plan to City Council for adoption.
  2. Review and provide recommendations regarding public projects.
  3. Review and approve, approve with conditions, or deny all applicable subdivision applications.
  4. Site Plan (Preliminary Plat) and Final Subdivision Plat review and approval in coordination with the Zoning Administrator.
  5. Review and provide recommendations to the City Council regarding amendments to the text of this Ordinance.
  6. Review and provide recommendations to the City Council regarding amendments to the Official Zoning Map
  7. Review and provide recommendations to the City Council regarding Annexations.

### 2.5.2. *Membership, Terms, and Compensation*

- A. Number: All commission members shall be nominated by city administration and appointed via vote by the Mayor and City Council. The Planning Commission shall consist of five (5) members.
- B. Appointment: Planning Commissioners shall reside and have primary residence within the City of Easley. Members shall serve until their successors are deemed qualified and appointed and shall meet all the requirements for appointments as outlined within the City of Easley's ordinances and per applicable State Law. No member of the Planning Commission shall be the holder of an Elected Public Office of the City. All appointed members of the Planning Commission shall demonstrate independent judgment and shall be able to prepare for and attend board meetings.
- C. Terms: All terms shall be for three (3) years and shall be staggered with no more than two commissioners with the same term period, unless otherwise noted. All terms shall expire on December 31st of the applicable calendar year.
- D. Vacancies: A vacancy, for any reason, shall be filled for the unexpired term.
- E. Removal: The City Council may remove any appointed member of the PC for cause by majority vote of the Council.
- F. Compensation: Any and/or All members shall serve without pay. Members may be reimbursed for actual expenses incurred in the performance of their duties from available funds approved in advance by the Zoning Administrator.

### 2.5.3. *Officers, Meetings, and Quorum*

- A. Officers: Pursuant to State Statute § 6-29 of the South Carolina Code of Laws, 1976, as amended, shall organize a local Planning Commission. The Planning Commission shall elect a chairperson and a vice-chairperson from its members who shall serve a one (1) calendar year appointment or until re-elected; or until a successor is elected.
- B. Meetings: Meetings of the Planning Commission shall be convened each month within a calendar year, at the request of the Chairperson, and/or at such other times as most of the Planning Commission Members or City Officials may determine. All meetings of the Planning Commission shall be open to the public.
- C. Quorum: A majority of the members appointed shall constitute a quorum.

### 2.5.4. *Rules of Procedure*

- A. The Planning Commission shall use Robert's Rules of Order.
  - 1. The PC shall adopt and retain bylaws and rules of procedure.
  - 2. Commissioners that have a conflict of interest, either perceived or proven through the SC Ethics Commission, shall abstain from voting on the matter that is causing the conflict.

3. In the case of an abstention where there is no conflict of interest, an abstention from voting shall not be considered a vote of approval or denial. Absence from the meeting does not equal an abstention.
- B. Minutes: The Planning Commission shall keep a publicly accessible record of its resolutions, findings, determinations, and minutes of its proceedings, illustrating the vote of each member upon each question, or indicating absence or failure to vote.
- C. Staff: The Planning Commission shall work with City Officials for all applicable projects within the City

## 2.6. Architectural Review Board

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### 2.6.1. *Powers and Duties of the Architectural Review Board*

- A. Territorial Jurisdiction: The Architectural Review Board, referred to herein as the ARB, shall perform all functions defined herein within the area of jurisdictional control within the City of Easley.
- B. Powers and Duties: Review, approve, or deny, all applications subject to Architectural Review as outlined in [Section 4.9](#).

### 2.6.2. *Membership, Terms, and Compensation*

- A. Appointment: Members of the ARB shall be nominated by city administration and appointed via vote by the City Council. Members shall reside and have primary residence within the City of Easley. The ARB shall consist of five (5) members. Four (4) of the five (5) Board members shall have professional backgrounds related to this field, with one representative of each of the following professions sitting on the Board: registered architect, real estate professional, engineer or member of the building trades, and an Easley business owner. The fifth seat is open to members of the public.
- B. Terms: All terms shall be for three (3) years and shall be staggered with no more than two commissioners with the same term period. All terms shall expire on December 31st of the applicable calendar year and members shall continue to serve until their successors are appointed.
- C. Officers: The ARB shall elect a chairperson and a vice-chairperson from its members who shall serve a one (1) calendar year appointment or until re-elected; or until a successor is elected

### 2.6.3. *Rules of Procedure*

- A. The ARB shall use Robert's Rules of Order.
  1. The ARB shall adopt and retain bylaws and rules of procedure.
  2. Board members that have a conflict of interest, either perceived or proven through the SC Ethics Commission, shall abstain from voting on the matter that is causing the conflict.
  3. In the case of an abstention where there is no conflict of interest, an abstention from voting shall not be considered a vote of approval or denial. Absence from the meeting does not equal an abstention.

- B. Vacancies: Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.
- C. Removal: The City Council may remove any member of the ARB for cause.
- D. Compensation: Members shall serve without pay. Members may be reimbursed for actual expenses incurred in the performance of their duties from available funds approved in advance by the Zoning Administrator.

## 2.7. Board of Zoning Appeals

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### 2.7.1. Powers and Duties of the Board of Zoning Appeals

- A. Establishment and Authority: The Board of Zoning Appeals (BZA) is hereby established, pursuant to the authority of § 6-29, et seq., of the South Carolina Code of Laws, as amended, and shall hereafter be referred to as the BZA.
- B. Territorial Jurisdiction: The BZA shall exercise the power set forth in Title 6, Chapter 29 of the South Carolina Code of Laws, as amended, within the municipal boundary in the City of Easley. The City Council may expand the jurisdiction of the BZA by ordinance and/or intergovernmental agreement, in accordance with the provisions of § 6-29 of the South Carolina Code of Laws.
- C. Appeals: The BZA shall entertain and determine appropriate appeals action where it is alleged there is an error in an order, requirement, decision, or determination made by an Administrative Official in the enforcement of this Code.
- D. Variations: The BZA shall hear and decide requests for Variance from the requirements of this Code when strict application of the provisions of the Ordinance would result in unnecessary hardship.
- E. Special Exceptions: The BZA shall permit uses by Special Exception subject to the terms and conditions set forth for such uses in this Ordinance.

### 2.7.2. Membership, Terms, and Compensation

- A. Appointment: All BZA members shall be nominated by city administration and appointed via vote by the Mayor and City Council. The BZA shall consist of five (5) members. The BZA Commissioners shall have a primary residence within the City of Easley. Members shall serve until their successors are deemed qualified and appointed and shall meet all the requirements for appointment as outlined within the City of Easley's ordinances and per applicable State Law. No member of the BZA shall be the holder of an Elected Public Office of the City. All appointed members of the BZA shall have demonstrated independent judgment and shall be able to prepare for and attend board meetings.
- B. Terms: All terms shall be for three (3) years and shall be staggered with no more than two commissioners with the same term period. All terms shall end on December 31st of the applicable calendar year, and members shall continue to serve until their successors are appointed.
- C. Vacancies: Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.

- D. Removal: The City Council may remove any member of the BZA for cause.
- E. Compensation: Members shall serve without pay. Members may be reimbursed for actual expenses incurred in the performance of their duties from available funds approved in advance by the Zoning Administrator.

2.7.3. *Officers, Meetings, Quorum*

- A. Officers: The BZA shall elect a chairperson and a vice-chairperson from its members who shall serve a one (1) calendar year appointment or until re-elected; or until a successor is elected.
- B. Meetings: Meetings of the BZA shall be held at the request of the chairperson, by a majority of the BZA, and at such other times as the BZA may determine. All meetings of the BZA shall be open to the public.
- C. Quorum: A majority of the members appointed shall constitute a quorum.
- D. Witnesses: The chairperson, or in his or her absence, the vice-chairperson, may administer oaths and compel the attendance of witnesses by subpoena.
- E. Rules of Procedure
  - 1. The BZA shall use Robert's Rules of Order.
    - a. The BZA shall retain and adopt bylaws.
  - 2. Commissioners that may have a conflict of interest, either perceived or proven through the SC Ethics Commission, shall abstain from voting on the matter that is causing the conflict.
  - 3. In the case of an abstention where there is no conflict of interest, an abstention from voting shall not be considered a vote of approval or denial. Absence from the meeting does not equal an abstention. Decisions: The concurring vote of three (3) members of the BZA shall be necessary to: reverse any order, requirement, decision, or determination of the Zoning Administrator or Building Official, or to determine in favor of an applicant on any matter upon which it is required to pass judgement, or to affect any variation of this Code. On all appeals, applications and matters brought before the BZA, the BZA shall inform in writing all Parties involved of its decisions and the resolutions, findings, or determinations thereof.
- F. Contempt Penalty: In case of contempt by a Party, Witness, or other person before the BZA, it may certify the action to the Circuit Court, and the Judge of the Court, in open Court or in chambers; after hearing, may impose a penalty as authorized by Law.
- G. Minutes: The BZA shall keep a record of its findings, determinations, and minutes of its proceedings, illustrating the vote of each member upon each question, or indicating absence or failure to vote. The Board shall keep records of its examinations and other Official Actions, all of which shall be immediately filed in the Office of the Zoning Administrator and shall be a public record.
- H. Staff: The BZA shall work with the Zoning Administrator for all projects within the City.

## 2.8. City Council

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### 2.8.1. Powers and Duties

- A. Comprehensive Plan Amendments: To initiate, modify, and adopt a Comprehensive Plan after receiving recommendations from the Planning Commission.
- B. Text Amendments: The City Council shall entertain and approve, approve with conditions, or deny proposed text amendments to this Ordinance.
- C. Map Amendments: The City Council shall entertain and approve or deny proposed amendments to the Official Zoning Map.
- D. Appointments: The City Council shall appoint members to the Planning Commission (PC), Board of Zoning Appeals (BZA), and Architectural Review Board (ARB) after receiving recommended appointments from the City Administrator.
- E. Development Improvements: Upon approval of a final plat, when applicable, the City Council shall determine the acceptance or non-acceptance of all dedicated streets, easements, rights-of-way, public parks, and other public lands as shown on the plat.
- F. Annexations: The City Council shall review and act on all annexations and have final authority on the zoning designation of the annexed parcel(s)

## 2.9. Coordination with Other Governing Bodies

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### 2.9.1. General Administration

- A. Approvals granted by the City of Easley are contingent upon the approval, authorization, permit, or acceptance required of the proposal by any other organization or agency. A copy of the required approval, authorization, permit, or acceptance shall be submitted to the Zoning Administrator, prior to approval of the construction plans, issuance of a final plat approval, or issuance of a Building Permit.

## 3. Nonconformities

### 3.1. Purpose and Intent

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#### 3.1.1. Purpose

- A. The City of Easley recognizes that there are parcels, structures, uses, and other site features within its jurisdiction that do not conform to the requirements of this Ordinance but were lawfully established prior to the Ordinance's adoption. This article shall regulate the continued existence of these features that do not conform to the provisions of this Ordinance.

#### 3.1.2. Intent

- A. As this Ordinance establishes the necessary rules to attain the vision of the adopted comprehensive plan, nonconformities are declared to be incompatible with permitted development. It is the intent of this Article to allow nonconformities to continue until they are removed but not to encourage their survival except under the limited circumstances established in this Article.

### 3.2. Authority to Continue

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Nonconformities are allowed to continue subject to the requirements of this Article.

### 3.3. Determination

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The burden shall be on the landowner or developer to establish an entitlement to continue a nonconformity or to complete a nonconforming project. The Zoning Administrator may issue a Zoning Permit upon acceptance of reasonable proof (i.e. business license, utility bills, tax documents) that the nonconformity was lawfully in existence at the time of the effective date of this ordinance.

### 3.4. Change of Tenancy or Ownership

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Changes of tenancy, ownership, or management of an existing nonconformity are permitted prior to the expiration of a business license and in such cases, the nonconformity shall continue to be subject to the Permitted Use Table, conditional use requirements, and requirements of this Article.

### 3.5. Minor Repairs and Maintenances

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Minor repairs and normal maintenance that are required to keep nonconforming uses, structures, signs, and other site features in a safe condition are permitted, provided the minor repair or maintenance does not extend, expand, or enlarge the nonconforming use, structure, or sign.

### 3.6. Historic Buildings

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- A. Buildings on the National Register of Historic Places shall be considered conforming to this Ordinance as hereinafter provided. This conforming status shall only apply to height, setback, yard, area, and other dimensional requirements. Such findings shall supersede any conflicting standard set forth in the zoning district in which the building is located and shall be applied to the building and the site in making future determinations of conformity as to the existing building or any changes consistent with an approved Certificate of Appropriateness. Notwithstanding anything to the contrary herein, alteration or removal of

architectural features and/or historic fabric considered instrumental in the original National Register designation by the Architectural Review Board may, at the option of the Board, result in the loss of historic designation and conforming status

### 3.7. Legal Nonconforming Uses

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#### 3.7.1. *Change of Use*

- A. A legal nonconforming use shall not be changed to any other nonconforming use unless the requirements in Article 6, Land Use Provisions lists are met.

#### 3.7.2. *Abandonment*

- A. A nonconforming use shall be considered abandoned when:
  - 1. The nonconforming use has been discontinued upon lapse of business license, disconnection from utilities, or cessation of waste services for a period of twelve (12) consecutive months or more.
  - 2. The Nonconforming Use has been replaced by a conforming use.
- B. Once a Nonconforming Use is abandoned, the use's legal nonconforming status shall be terminated and any subsequent use of the property shall comply with the regulations of the zoning district in which it is located.
- C. Exceptions: Unless within the Core Commercial (CC) District, nonconforming residential uses are exempted from the abandonment provisions.

#### 3.7.3. *Expansion and Enlargement*

- A. A Nonconforming Use shall not be expanded.
- B. A Nonconforming Use shall not be extended to any portion of a completed building that was not occupied by that use when it became nonconforming.
- C. A Nonconforming Use shall not be extended to additional buildings, land outside the original building, additional patron space, or additional outdoor space.
- D. A Nonconforming Use of land or outdoor space shall not be extended to cover more land or outdoor space than was occupied by that use when it became nonconforming.
- E. The extent, degree, intensity, or frequency of a Nonconforming Use shall not be increased.
- F. Where a nonconforming use exists, new equipment and processes may be utilized to modernize the operation but not to change the use.

#### 3.7.4. *Damage or Destruction of a Nonconforming Use*

- A. When a building or structure containing a Nonconforming Use is damaged by intent or by neglect, not caused by natural disaster or uncontrollable act, the use shall not be reestablished except in conformity with the regulations this Zoning Ordinance.
- B. When a building or structure containing a Nonconforming Use is damaged by natural disaster or uncontrollable act the use may be restored in as close to conformity with the regulations of this Zoning Ordinance as possible. A Zoning Permit and a Building Permit

shall be obtained within twelve (12) months of the date of occurrence of such damage, and once issued, construction shall be diligently pursued and completed within two (2) years from the date of the occurrence of such damage

### 3.8. Nonconforming Lots

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A Nonconforming Lot is a duly recorded lot of record established prior to adoption of this Ordinance that does not comply with the minimum Lot Area, lot width, or other requirements of this Ordinance.

#### 3.8.1. *Use of Nonconforming Lots*

- A. A nonconforming Lot may be developed to the extent that the development can be accomplished in accordance with the standards set out in this Zoning Ordinance.
- B. This Article shall not protect nonconforming lots that do not have access to a street, or are without street frontage. Owners of such lots shall replat such lots in conformity with the applicable regulations of this Ordinance.

### 3.9. Nonconforming Structures

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A Nonconforming Structure is any building or structure that was legally established but no longer complies with the net density, lot coverage, floor area, height, architectural, and/or other dimensional standards of this Ordinance.

#### 3.9.1. *Modification to Nonconforming Structures*

- A. A nonconforming structure shall not be expanded in any way, except in conformity with this Ordinance, except in cases where the primary building on a lot is nonconforming solely because of a setback encroachment, additions to the structure can be allowed, provided the new addition does not project into the setback. If a proposed addition would encroach into the same setback that already had been encroached upon, the addition can be allowed, provided it projects no further into the setback than the existing structure. In cases where the renovations, repairs, additions, or other improvements evidenced by a building permit that exceed 150% of the current appraised value, the applicant shall come into comply with all other zoning requirements, including nonconforming site features as described in the below section (3.11).

#### 3.9.2. *Use of a Nonconforming Structure*

- A. This Section shall not be construed as prohibiting the conversion of a nonconforming structure which does not meet the minimum dimensional or architectural requirements of this ordinance to another permitted use, so long as the degree of nonconformity is not increased.

#### 3.9.3. *Reestablishment after Demolition, Damage, or Destruction*

- A. If a nonconforming structure is destroyed by fire, explosion, act of God, or the public enemy, the structure may be replaced with a structure identical in size, shape (building footprint), and height, provided it meets all applicable building code requirements. Repairs may be made to any nonconforming structure so long as the extent of any original nonconformity is not increased. In cases where the repairs exceed 150% of the appraised value, the applicant shall compliance with architectural requirements (Article 5) and site features as described in Section 3.11 to the furthest extent practical as determined by the Zoning Administrator.

- B. A nonconforming structure shall not be intentionally demolished and rebuilt as a nonconforming structure.
- C. Time period: A building permit shall be obtained within twelve (12) months of the date of occurrence of such damage, and once issued, construction shall be diligently pursued and completed within two (2) years from the date of the occurrence of such damage.

### 3.10. Nonconforming Signs

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#### 3.10.1. General

- A. Any sign lawfully existing at the time of the enactment of this ordinance or any amendment thereto but which is not permitted either by type of sign, location, or district or which fails to meet the standards or regulations shall be classified as either nonconforming or non-complying as per definitions.

Signs existing on the effective date of this Ordinance which do not conform to the regulations set forth in this Ordinance shall become non-conforming uses and shall be discontinued within a reasonable period of amortization of the sign. Uses of signs, which become non-conforming by reason of a subsequent change in this Ordinance, shall also be discontinued within a reasonable period of amortization of the sign. The period of amortization caused by changes to this Ordinance for signs shall expire on:

1. Advertising signs – January 1st, 2021
2. Business signs – January 1st, 2021

In addition, nonconforming signs shall be removed when the Enforcing Officer utilizing certain appropriate sections of the adopted building code, the Easley Municipal Code, and/or various provisions of this ordinance deem such signs as being dilapidated and constituting a definite health hazard to the public.

#### 3.10.2. Alterations to Nonconforming Signs

- A. Prior to the end of the above referenced amortization period, a nonconforming or non-complying sign may be altered subject to the following conditions:
  1. The non-conforming or non-complying sign structure shall not increase the non-conforming or non-compliant portions of the sign nor shall they be increased to exceed the height and area limits of the site on which it is located.
  2. Alterations are limited to the changing of a copy of a permitted changeable copy sign, or the painting or refinishing of the surface of a sign face or sign structure to maintain an adequate appearance. The alterations of advertising signs which are nonconforming or non-complying shall adhere to all the requirements cited in the Ordinance. In all cases, the business owner shall obtain a sign permit in accordance with the terms of this Ordinance.
  3. A non-conforming or non-complying sign structure, except for billboards, shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this ordinance including all applicable yard, setback, size, and height requirements as stipulated within this ordinance.
  4. Obsolete sign copy shall be removed by covering the sign face, replacing the sign face with a blank sign face, or replacing the obsolete sign copy with sign copy that is not

obsolete. Failure to comply with such notice within the time specified in such notice shall be considered a violation of the terms of this section.

5. All non-conforming signs shall be removed upon a business ceasing operations for more than ninety (90) days. Non-conforming sign structures shall be removed by the owner of the property, his agent, or the person having the beneficial use of the building or structure upon which such sign or sign structure is erected within thirty days after written notification from the Planning and Development Director or his representative. If the location re-establishes a business within ninety (90) days, the sign shall be brought into compliance.
6. All non-conforming signs shall be removed when the current business undergoes a renovation in which the renovation costs is greater than 25% of the property tax value.

### 3.11. Other Nonconformities

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#### 3.11.1. *Nonconforming Sites*

Nonconforming site features are elements of site development such as off-street parking, landscaping, lighting, open space, buffers, or connectivity of compatible uses

##### A. General

1. Alterations of Buildings or Structures: For purposes of this article, the term “alteration of a building or structure” means any alteration, as defined in the Building Code, of a structure lawfully erected.
2. Applicability: If an application for a building permit is submitted for the alteration or renovations of a building or structure on a site that has one or more nonconforming site features, and if the cost of the proposed alteration (as stated in Section 3.9) exceeds 150 percent of the current appraised value or an expansion of 20% of the gross floor area of the building or structure, the applicant shall allot 5% to bring the nonconforming site features into compliance as much as feasible, as determined by the Zoning Administrator
3. Prioritization of Improvements: For the purposes of this article, the Zoning Administration and/or the Planning Commission shall have the following priorities when evaluating a nonconforming site:
  - a. Landscaping and Lighting
  - b. Access, Connectivity, and Circulation
  - c. Parking

## 4. Development Review Procedures

### 4.1. General

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#### 4.1.1. Purpose

- A. The purpose of the Development Review Procedures Article is to provide a clear, transparent, and comprehensive development process that is fair and equitable to all interested Parties, effected neighbors, City Officials, related Agencies, and City Council. This Article will establish an orderly process for the responsible growth, development, revitalization, and expansion of property, lands, and areas within jurisdictional control of the City of Easley.

#### 4.1.2. Applicability

- A. The provisions of this Article shall be applicable to all development activities under the jurisdiction of the City of Easley. The following applications and procedures are defined by this section:
  1. Zoning Permit
    - a. Zoning Verification
    - b. Tree Removal
    - c. Zoning Approval for Building Permits and Certificates of Occupancy
  2. Site Plan Review and Approval
  3. Land Disturbance
  4. Subdivisions, Major and Minor
  5. Certificate of Appropriateness, Major and Minor
  6. Special Exceptions
  7. Variances
  8. Administrative Appeals
  9. Map and Text Amendments

#### 4.1.3. Conformity

- A. The Zoning Administrator shall not issue a Permit or License for any Occupant Use, Structure, or Intended Purpose that conflicts with any provision of this Ordinance. Any Permit, License or Certificate of Occupancy issued found to conflict with the provisions of this Ordinance, whether intentionally or unintentionally, shall be null and void.

#### 4.1.4. Public Notice

- A. In accordance with all applicable State of South Carolina Laws, applications requiring a Public Hearing before the Planning Commission (PC), Board of Zoning Appeals (BZA), Architectural Review Board (ARB), and/or City Council (CC), shall adhere to the following requirements:

1. Advertised Notice: All meetings requiring a public hearing of the Planning Commission (PC), Board of Zoning Appeals (BZA), and Architectural Review Board (ARB) shall be published in a newspaper of general circulation within the City within fifteen (15)-calendar days prior to the Public Hearing. Advertised notice shall contain the property address, parcel number, type of application, and contact phone number.
2. Posted Notice: Agendas for regularly scheduled meetings shall be conspicuously posted on a bulletin board in a publicly accessible place at the office or meeting place of the public body and on a public website maintained by the governing body and/or City at least 24 hours prior to said meetings.
3. (A) Property Posting: For map amendments (rezonings), temporary land use permits, variances, special exceptions, major subdivisions, and annexations, a notice of application sign shall be posted on the subject property in a clearly visible location that can be viewed from each street adjacent to the property. Signs shall be acquired and installed by the applicant in accordance with the Sign Standards in Section 3.B. and 3.C. The applicant is responsible for all costs associated with obtaining and posting the required signs. Signage shall be installed no later than fifteen (15) calendar days prior to the scheduled public hearing. Posted notice(s) shall contain, at a minimum, the property address, parcel number, type of application, and contact phone number for additional information.

(B) Sign Size by Parcel:

1. Parcels under 2 acres: minimum 24" x 36" sign.
2. Parcels 2–10 acres or with frontage greater than 500 feet: (1) 36" x 48" minimum sign for each road frontage. 24" x 36" signs may be used for the remainder of the required signage.
3. Parcels over 10 acres or with frontage greater than 700 feet: oversized board, minimum 4' x 8', constructed of durable material (plywood, corrugated plastic, or equivalent) with clearly legible lettering. (1) minimum 4' x 8' sign for each road frontage. 24" x 36" signs may be used for the remainder of the required signage.

(C) Number and Placement:

1. At least one sign shall be posted per road frontage.
  2. For parcels with frontage exceeding 300 feet, additional signs shall be installed at intervals of not more than 300 feet.
  3. For parcels with multiple road frontages, at least one sign shall be posted on each frontage.
  4. Signs shall be in full public view, outside the right-of-way, positioned to avoid sight-distance obstructions, and oriented toward passing traffic.
4. Mailed Notice: For map amendments (rezonings), variances, special exceptions, major subdivisions, and annexation a notice will be mailed to residents within 500' of the

boundaries of the property in question, no later than fifteen (15)-calendar days prior to the public hearing.

#### 4.1.5. *Notice of Decisions*

- A. Notice of Decisions, or Actual Notice, may consist of facts or conditions observed by the applicant as well as information conveyed orally, by email, or in writing to the applicant. Actual notice all final judgments and/or determinations made by any Board and/or Zoning Administrator are considered served at the hearing in which the final judgement was made. Written notice shall be mailed via United State Postal Service to the Applicant or Appellant within ten (10)-calendar days following the date a judgment and/or determination was rendered. Failure by the City to mail this notice within ten (10) calendar days of the date of the judgement does not constitute a rehearing of the case as it was presented. Copies of all judgments and/or determinations shall be filed within City Offices and available for public viewing during normal business hours.

#### 4.1.6. *Time Limits for Resubmission of Application*

- A. If an application is denied or disapproved because of this Ordinance for any reason, an application for similar and/or identical requests shall not be refiled for a period of one (1) calendar year from the advertised Public Hearing date. Upon petition by the Applicant or Appellant, the Zoning Administrator may permit a refiled of an application no sooner than six (6) months from the original Public Hearing date. Where Public Hearings are not required, applications shall not be refiled for a period of one (1) calendar year from the date of the Notice of Denial.

#### 4.1.7. *Withdrawal of Application*

- A. An application may only be withdrawn upon a joint written request of the record titleholder and applicant. All requests to withdraw shall be given to the Zoning Administrator at least seven (7) days prior to the public hearing. In no event shall an application be withdrawn more than once without prejudicing the right of the applicant to apply for such request within twelve (12) months of the first application.

## 4.2. Application Procedures

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#### 4.2.1. *Pre-Application Conference*

- A. A mandatory pre-application conference with the Zoning Administrator shall be conducted prior any application requiring a public hearing, however may be required for any application requiring review by the Area Coordination Committee (ACC), PC, BZA, ARB, or CC. The Pre-Application conference provides the Zoning Administrator the opportunity to:
  1. Determine which type of development application, or applications, are required. The Zoning Administrator shall determine the order in which these applications are received and reviewed.
  2. Familiarize the developer with the land development approval process of the City of Easley.
  3. Assess the compatibility of the proposed land development with the City of Easley Comprehensive Plan.

4. Apprise the developer of city, state, and federal standards related to the development of land and their potential applicability to the developer's proposal, including but not limited to:
  - a. City of Easley Stormwater and Floodplain Protection Ordinances
  - b. Adopted Building Codes
  - c. Pickens County Engineering Standards
  - d. Water Authority standards for potable water and sanitary sewage.
  - e. State standards for roads and encroachments, as administered by the Department of Transportation (SCDOT).
  - f. State standards for on-site sewage disposal, as promulgated by the Department of Environmental Services (SCDES).
  - g. Federal standards for wetlands and water quality protection, as promulgated by U.S. Army Corps of Engineers.
  - h. Federal standards for endangered species protection, as administered by the South Carolina Department of Natural Resources.

#### *4.2.2. Application Forms and Fees*

- A. Prior to application processing, an application provided by the City shall be completed and accompanied with all required fees, payable to the "City of Easley", and accompanied by any required documentation, information, and/or plans. An application shall be considered incomplete by the Zoning Administrator if any of the above have not been provided or if the Zoning Administrator cites that an application is in noncompliance with the code. The Zoning Administrator shall not process any applications that are incomplete. Fees for applications are set by the City Council and are subject to change by resolution adopted by City Council.

#### *4.2.3. Applications Deadlines*

- A. All applications shall be completed and submitted to the Zoning Administrator in accordance with schedules as determined by the City.

### **4.3. Application Requirements**

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The following general standards for various applications are intended to require only that data/information that is necessary to render an informed decision by the reviewing agency.

#### *4.3.1. Application Descriptions*

- A. Site Analysis: A site analysis is intended to identify the existing conditions of the property in the form of a survey prepared by a licensed South Carolina surveyor. Depending on the application and determination of the Zoning Administrator, a site analysis shall include the following, tree survey to include the species and diameter at breast height (DBH) of existing trees and their location, vegetative boundaries, clear and open areas, topography, existing watercourses, floodplains, federal or state recognized endangered species habitats, and areas of historic, cultural, or archeological significance. This requirement provides the City and the applicant the ability to evaluate the proposed development in order to preserve existing resources and to improve the appearance of the development proposed. It is the

expectation that readily available spatial data, including GIS information, will be sufficient for this survey.

- B. Sketch Plan: The sketch plan shall show in simple line drawing (at a scale of not less than one-inch equals 500') form the proposed layout of streets, lots, buildings, civic spaces, tree coverage, and other features in relation to existing conditions, based upon the size of the tract proposed for development.
- C. Site Plan (syn. Preliminary Plat): The site plan is intended to provide a detailed two dimensional drawing that illustrates all of the required site features, including buildings, parking areas, street locations, street sections, rights-of-way, property lines and setbacks, required or proposed Critical Area buffers, trees proposed to remain and to be removed and tree protection zones, site landscaping and lighting, and all related development calculations (e.g., net density, proposed building areas, number of parking spaces, estimated impervious surface, proposed tree coverage, percentage of open space, photometric plan and Traffic Impact Study) in sufficient detail to show compliance with this Ordinance. The Zoning Administrator may waive certain details listed within this section in cases where a site plan is being used as a preliminary plat for the purposes of a subdivision.
- D. Construction Documents: The construction documents for development design review and subdivision plans shall constitute a full and complete set of engineered drawings necessary for final permitting and horizontal and vertical construction. This includes detailed landscaping plans, lighting plans, road specifications, cross-section of street pavements, grading and drainage plans, utility plans, and stormwater calculations. Review of these documents shall be conducted by the authorized entity and agent having jurisdiction.
- E. Final Plat: The final plat shall be prepared by a registered land surveyor licensed to practice in the State of South Carolina, and shall meet the requirements of the Pickens County Register of Deeds Office. The Final Plat shall constitute an accurate survey of the entire phase as shown on the approved site plan and shall include all the relevant notes and certifications.
- F. As-Built Drawings: The as-built drawings shall show the final installed conditions and specifications for all public infrastructure. The designer of the infrastructure shall certify, under seal, that the installed infrastructure is in compliance with the approved plans and designs and with the requirements of this Ordinance and receives approval from other agencies having jurisdiction.
- G. Building Elevations For Design Review: For certain applications, it shall be necessary to submit scaled drawings of each elevation visible from a public street, civic space, property lines, cardinal directions, or any orientation of the building(s). These drawings shall be in color and shall accurately represent the building heights, floor levels, and building materials, and shall include written identification of building materials and colors. Applicants shall indicate the percentage of each material used on a building's exterior, in the form of a material summary sheet or similar format. In addition, the Zoning Administrator may require a physical model, material boards, and/or up to three drawings from different perspectives that show how the building fits into the context of the block.
- H. Development Phase Plan: The Development Phase Plan or Plans shall show the different section of the development that are planned for phased construction. Phase Plans shall use either Arabic numerals, roman numerals, or the English alphabet to denote different

phases. Phases should be listed in numerical or alphabetical order in correspondence with the order of planned phase development. If a development has multiple types of phase plans, such as utility/infrastructure phase plan, and lot development phase plan, and the phases do not correspond to the same areas, then a different denotation shall be used for each.

## 4.4. Zoning Permit

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### 4.4.1. *Applicability*

- A. No building, sign and/or structure shall be erected, moved, relocated, enlarged, altered or demolished in the jurisdiction of the City of Easley without a zoning permit issued by the Zoning Administrator and which conforms to Ordinances of the City. Additionally, applications for the following actions are governed by a Zoning Permit:
  - 1. Tree Removal (Section 8.6)
  - 2. Home Occupations
  - 3. Converting a residential building to a non-residential use
  - 4. Occupation of an existing structure by a new user and/or change in use type (regardless of use).
  - 5. Approval of permitted accessory or temporary uses
  - 6. New Construction, additions, alterations, and modifications to existing buildings and sites, with applicable approvals from all authorities having jurisdiction.
  - 7. Expansion of use or accessory use
  - 8. Sign Permits
  - 9. Approval of performance guarantee
  - 10. Verification of an existing or proposed use
  - 11. Compliance inquiries regarding existing properties and ongoing or completed projects

### 4.4.2. *Procedure*

- A. Process Type: Administrative
- B. Pre-Application Procedure: Encouraged
- C. Required Application Information: Property and applicant address, zoning information, property authorization, survey, scope of project, and/or other documents required by the Zoning Administrator.
- D. Public Notification: None
- E. Appeals: Appeals of zoning permit applications denied by the Zoning Administrator shall be submitted to the Board of Zoning Appeals within 30 days of the decision.
- F. Permit Validity: Upon the approval of the zoning permit, the applicant shall have 6 months act on the approval. If no action is taken, the permit becomes null and void, and the applicant shall resubmit.

- G. Permit Extension: The Zoning Administrator may grant a single extension of up to 6 months upon submittal by the applicant of sufficient justification for the extension.

## 4.5. Building Permit

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### 4.5.1. *Applicability*

- A. Proposals of construction and reconstruction shall secure a Building Permit from the City of Easley where such is required by the building code adopted by the City of Easley, as amended, except that public utilities installing and repairing transmission lines, poles, and substations shall be exempt.
- B. The purposes of building code administration shall be those found in the building code adopted by the City of Easley, as amended

### 4.5.2. *Procedure*

- A. Process Type: Administrative
- B. Pre-Application Procedure: Encouraged
- C. Required Application Information: Approved Zoning Permit, Approved Certificate of Appropriateness (if applicable), Final Plat, and/or Site Plan prepared by a professional in the building profession, with date and scale showing the actual shape and dimensions of the lot to be built upon; the exact size and location on the lot of existing buildings and structures, and the lines within which the proposed building, structure, or facilities are to be erected, altered, or constructed; the existing and intended use of each building or part of building; the number of families or housekeeping units the building is designed to accommodate; buffer areas; flood and wetland areas; proposed parking; building elevations and such other information with regard to the lot and contiguous land uses as required to determine compliance with and provide for the enforcement of this Ordinance.

The Building Official may make or require inspections at any time during construction to ascertain compliance with the provisions of this Ordinance and other laws that are in force and to ascertain that such building or structure is constructed or erected as indicated on the approved permit application.

- D. Public Notification: None
- E. Appeals: Appeals of building permit applications denied by the Building Official shall be filed with the Building Code Board of Appeals in accordance with the relevant ordinance.
- F. Permit Validity: Upon the approval of the building permit, the applicant shall have 6 months act on the approval. If no action is taken within 6 months, the permit becomes null and void, and the applicant shall resubmit.
- G. Permit Extension: The Building Official may grant extensions in accordance with the established ordinance.

## 4.6. Certificate of Occupancy

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### 4.6.1. *Purpose*

- A. No building, other structure or land shall be used; nor shall any building, structure or land be converted, wholly or in part to any other use, until a Certificate of Occupancy, certifying compliance with this Ordinance has been issued by the Building Official. No Certificate of

Occupancy shall be issued where such use is in violation of the provisions of this Ordinance, or of any other applicable law or regulation.

- B. All public improvements, including those financially guaranteed, in a major subdivision, site plan, or other similar project, shall be completed to the satisfaction of the City of Easley prior to application for a certificate of occupancy for any structure within the development. In the event of a phased land development, each of these systems shall be completed within the current phase and all previous phases.

#### 4.6.2. *Procedure*

- A. Process Type: Administrative
- B. Pre-Application Procedure: Encouraged
- C. Required Application Information: Those materials required for certificate of occupancy review and approval shall be those submitted in application for a building permit and a zoning permit, plus any documentation of field changes necessitated during development or construction. The building official and the zoning Administrator shall be authorized to inspect the site, as needed
- D. Public Notification: None
- E. Appeals: Appeals of Certificate of Occupancy applications denied by the Building Official shall be filed with the **Building Code Board of Appeals in accordance with the relevant ordinance.**

### 4.7. Site Plan Review

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#### 4.7.1. *Purpose*

- A. The Site Plan Review process handled through the Area Coordination Committee (ACC) which is chaired by the Zoning Administrator. The purpose of the Site Plan Review process is to review site plans for development proposals and ensure that these applications conform with all applicable codes and regulations prior to the issuance of land disturbance or building permits. This process aims to include other agencies that have jurisdiction, such as departments of the State, County, and Federal Government.

#### 4.7.2. *Applicability*

- A. This section shall apply to the following:
  - 1. New nonresidential or multi-family development.
  - 2. Site plans associated with subdivisions process shall be reviewed as part of the preliminary plat process (Section **Number**).
  - 3. Renovation, redevelopment, or otherwise improvement of the property that triggers conformance with **Nonconforming Chapter**
  - 4. **Projects receiving approval for Major Certificates of Appropriateness**
- B. Exemptions
  - 1. Construction of a single residential structure on a single site.
  - 2. Public Projects

3. Maintenance and repair not otherwise requiring review as determined by the Zoning Administrator
4. Accessory structures for residentially zoned properties.
5. Accessory structures for nonresidential commercial structure less than 1,200 sq. ft. that are non-habitable structures. Examples are utility, storage, fences, walls, or similar type structures.

#### 4.7.3. *Procedure*

- A. Process Type: Administrative
- B. Pre-Application: Required
- C. Required Application Information: Digital and/or Physical copies of the Site Analysis, Site Plan, Construction Documents, capacity or willingness to serve letters from utilities, statements regarding traffic impacts, and other documents as applicable. If associated with a subdivision or site with multiple building site, evidence of an approved preliminary plat is required.
- D. Review by Staff and ACC: Upon receiving a completed application with all relevant documents, Staff will distribute and coordinate a meeting with available members of the Area Coordination Committee (ACC) to conduct the Site Plan Review. Review of a completed Site Plan Review Application shall take place fifteen (15) business days upon receipt, unless otherwise mutually agreed to by the City and the applicant.
- E. Review by Outside Agencies: Upon determination that the Site Plan conforms with the ordinances of the City, Staff shall distribute the appropriate number of copies or digital plans to applicable outside agencies for review and approval::
  1. South Carolina Department of Transportation (SCDOT)
  2. South Carolina Department of Environmental Services (SCDES)
  3. Applicable Utility Companies (Water, Sewer, Electric, or Gas)
  4. Other applicable Agency Having Jurisdiction.
- F. Public Notification: None
- G. Appeals: Appeals to Site Plan Review decisions regarding regulations of the City of Easley shall be made to the Planning Commission. Appeals shall be filed within ten (10) calendar days of the decision of the Area Coordination Committee.
- H. Permit Validity: See Vested Rights Section.
- I. Permit Extensions: Permit Extensions for Site Specific Development Plans are regulated by Section 4.13 in this article.

## 4.8. Subdivision Review

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### 4.8.1. *Applicable to all Subdivisions*

- A. Land Development Standards: See Article 7 for applicability.

- B. Unlawful to Record Plat without City Approval: It shall be unlawful to offer and cause to be recorded any plan, plat, or replat of land within the jurisdictional authority of the City of Easley with the appropriate County Register of Deeds office having jurisdiction, unless the same bears the endorsement and approval of the City.
- C. Subdivision in Phases: Whenever part of a tract is proposed for platting, and it is intended to subdivide additional parts in the future, or abutting land is in the same ownership, a sketch plan for the entire tract shall be submitted with the plat.
- D. Previously Approved or Recorded Subdivisions: The Zoning Administrator may deny any subdivisions that were approved or recorded within the last 24 months that the Zoning Administrator determined are willfully trying to circumvent these regulations, such as further subdivisions on a previously approved minor subdivision that would have required Major Subdivision review
- E. Design of a subdivision shall take into consideration all existing local and regional plans for the City, and shall be based on the site analysis. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alteration of natural features. The following specific areas shall be preserved to the extent consistent with the reasonable utilization of the site:
  - 1. Unique and/or fragile areas, including wetlands as defined in Sec. 404, Federal Water Pollution Control Act Amendments of 1972, as determined by the U.S. Corps of Engineers.
  - 2. Trees 24" or more in diameter.
  - 3. Lands in flood hazard areas, as determined by the flood insurance rate maps and delineated on Flood Boundary and Floodway Maps for the City of Easley.
  - 4. Historically significant structures and sites, as listed on federal, state, and/or local lists of historical places.
  - 5. The subdivision shall be laid out to avoid adversely affecting ground water and aquifer recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and to mitigate adverse effects of shadow, noise, odor, traffic, drainage, and utilities onto neighboring properties.
  - 6. Where small streams are located within the areas of special flood hazard but where no base flood data has been provided or where no floodways have been provided, the following provisions apply:
    - a. No encroachment, including fill material or structures, shall be located within a distance of the stream bank equal to five times the width of the stream at the top of the bank or 20 feet on each side from the top of the bank, whichever is greater, unless certification by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge
    - b. New construction or substantial improvements of structures shall be elevated or flood-proofed to elevations established in this ordinance

#### 4.8.2. Appeals

- A. Subdivision Plat decisions made by the Zoning Administrator may be appealed to the PC within 30 days of the decision. The PC shall review the Subdivision Plat within 60 days and shall have all the same authority as the Zoning Administrator in such review. The decision of the PC shall be final unless appealed to the circuit court.
- B. Subdivision Plat decisions made by the Planning Commission (PC) may be appealed to the circuit court within 30 days of the decision

#### 4.8.3. Exempt Subdivisions

- A. All development that involves the subdivision of one or more parcels shall be subject to the subdivision approval requirements of this Article, with the following exceptions:
  - 1. The division of land into parcels of 5 acres or more where no new street is necessitated and/or created.
  - 2. Subdivision of land into parcels having existing access of less than 5,000 square feet in area when they are exclusively for the provision of local utilities such as pump stations.
  - 3. The combination or recombination of entire lots of record where no new street or change to existing streets is involved.
  - 4. Combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the ordinance standards.

#### 4.8.4. Minor Subdivision

- A. The Minor Subdivision review process is allowed for those divisions of land that:
  - 1. Combine or recombine portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this code. A nonconforming lot may be included in a lot recombination if the resultant lot becomes closer to conformity.
  - 2. Request to subdivide parcels less than 5 acres in size.
  - 3. Create no new streets nor require the extension or new installation of public utilities.
  - 4. Does not involve any other conditions that require any additional approval(s) from any City board or commission, as determined by the Zoning Administrator.
  - 5. Subdivisions resulting in four or less total lots, unless it requires the creation of a new street to establish access, and is not part of a phased development.
  - 6. Minor Subdivisions are subject to a probationary period. All parcels resulting from a minor subdivision, including the parent parcel, shall be prohibited from subdivision for a two-year period per new parcel. The subdivision of a parcel under probation may be considered by the Planning Commission through the major subdivision process.
- B. Process Type: Administrative
- C. Required Application Information: A preliminary plat. A digital copy in a Portable Document Format (PDF) of the plat are required upon submission, the Zoning Administrator may also request for physical copies for the purposes of distribution to the applicable review entity.

The Zoning Administrator may also require the submittal of a letter from a licensed traffic engineer certifying that the proposed subdivision complies with SCDOT, County, and Local regulations regarding a Traffic Impact Study (TIS). The Zoning Administrator may require additional documents.

- D. Final Plat: Once the Zoning Administrator has determined that the preliminary plat for the Minor Subdivision meets the requirements of the ordinance, the Zoning Administrator shall proceed to Final plat in accordance with Section 4.8.6.

#### 4.8.5. *Major Subdivision*

- A. Major Subdivisions shall include any division of land that does not meet, or exceeds the requirements for Minor Subdivision (Section 4.8.3.). The following types of development require Major Subdivision Approval:
  - 1. Mult-site or multi-parcel commercial and nonresidential subdivisions requiring new streets, infrastructure, and other development applications referenced in Article 7.2.
  - 2. Multi-Family Developments.
  - 3. Manufactured Home Park.
  - 4. Development that uses the Alternative Development Patterns in Article 7.
  - 5. Any subdivision applications may be elevated to review by the Planning Commission as determined by the Zoning Administrator.
  - 6. Any development not listed or described as “Minor” in Section 4.8.3 or otherwise reference as needing Major Subdivision Approval within this Ordinance.
- B. Process Type: Administrative and Planning Commission.
- C. Public Notification: Advertised Notice
- D. Sketch Plan Review:
  - 1. The subdivider shall submit to the Zoning Administrator, a completed application, a digital copy in a Portable Document Format (PDF) of the plat are required upon submission, the Zoning Administrator may also request for physical copies for the purposes of distribution to the applicable review entity.
  - 2. Review By Staff: The Zoning Administrator shall review the submitted sketch plan to determine conformance with this Ordinance. The Zoning Administrator may also require the submittal of a letter from a licensed traffic engineer certifying that the proposed subdivision complies with SCDOT, County, and Local (Section 7.8) regulations regarding a Traffic Impact Study (TIS).
  - 3. Approval of Sketch Plan: After reviewing the Sketch Plan, the Zoning Administrator will advise the applicant within thirty (30) days after application that the Sketch Plan is approved, disapproved, or approved with certain modifications. If approved, said approval shall constitute authorization to prepare and submit a Preliminary Plat. Approval does not authorize the developer to begin the proposed construction or improvements. If the Zoning Administrator fails to act on the Sketch Plan within thirty (30) days after application, the Sketch Plan shall be deemed approved and a certificate,

to that effect, shall be issued by the Planning Commission upon demand; provided, however, that the subdivider may waive this requirement and consent in writing to extension of such period.

E. Preliminary Plat

1. Upon approval of the Sketch Plan, the subdivider shall submit to the Zoning Administrator one (1) physical copy and a digital copy in a Portable Document Format (PDF) of the plat along with an application available at the office of the Zoning Administrator. The Zoning Administrator may also require the submittal of a letter from a licensed traffic engineer certifying that the proposed subdivision complies with SCDOT, County, and Local (Section 7.8) regulations regarding a Traffic Impact Study (TIS). Additional physical copies of the plat or any supplemental information may be requested.
2. Upon determination by the Zoning Administrator that the Preliminary Plat and construction documents conforms with the approved Sketch Plan, the applicant (at the direction of the Zoning Administrator) shall submit an appropriate number of copies of the preliminary plat and construction documents to the Area Coordination Committee (ACC) and applicable outside agencies for review and recommendation:
  - a. Appropriate soil & erosion control agency
  - b. South Carolina Department of Health & Environmental Control
  - c. Appropriate Road AHJ
  - d. Utility Provider
3. After the review by the ACC and applicable agencies, the PC shall review and approve, approve with conditions, or disapprove the preliminary plat within sixty (60) days of receipt of preliminary plat. Unless this time limit is extended by mutual agreement, failing to act within the time limit constitutes approval of the preliminary plat. If a proposed Site Plan (preliminary plat) is determined by the PC to be in conformance with the sketch plan and all applicable provisions of this Ordinance, the PC shall approve the Site Plan, and shall advise the applicant in writing of:
  - a. The conditions of such approval, if any;
  - b. Approval of Preliminary Plat by the City ; and
  - c. The date on which the PC granted approval.
4. Review by Architectural Review Board: If the project requires review by the ARB, building elevations for all buildings proposed shall be presented to the ARB in the form of a Major Architectural Review Application. When design review by the ARB is required, a final plat shall not be approved until the ARB issues a COA for the application.
5. Final Plat: Once the Zoning Administrator has determined that the preliminary plat for the Major Subdivision meets the requirements of the ordinance, the Zoning Administrator shall proceed to Final plat in accordance with Section 4.8.5

#### 4.8.6. *Final Plat*

- A. Procedure: Following the approval of the Preliminary Plat and completion of all required improvements, if the improvements are not paired with a financial guarantee, the applicant shall file with the Zoning Administrator as application for final approval of a subdivision plat. If improvements are going to need a financial guarantee, the requirements of Section 7.3.3 shall be met prior to the issuance of a final plat.
- B. Submittal Requirements: Submittal of final plat application forms accompanied by at least two (2) physical copies and a digital copy in a Portable Document Format (PDF) of the Final Plat with all applicable documentation. The Final Plat shall contain as-built drawings compliant with Section 4.3.1.D. The final plat shall be compliant with the Preliminary Plat.
- C. Review by Staff: Upon determination by the Zoning Administrator that the Final Plat is in conformity with the Preliminary Plat as approved, the applicant shall submit an appropriate number of copies of the Final Plat and As-Built Drawings to the same agencies and City departments which reviewed and approved the Preliminary Plat (Section 4.8.5.E.2). A report from applicable agencies, as determined by the Zoning Administrator and applicable laws, approving the as-built drawings shall be required prior to approval.
- D. Compliance with Ordinance: Land development standards (Article 7) including financial surety if required, shall be in a form satisfactory to the local government attorney and in an accordance with the financial guarantee requirements within this ordinance. The surety shall include a provision that the principal of the surety shall comply with all the terms of the resolution of Final Plat approval as determined by the Planning Commission and shall include, but not be limited to, the performance of all required subdivision and off-site improvements, and that all improvements and land included in the irrevocable offer of dedication shall be dedicated to the local government free and clear of all liens and encumbrances on the premises.
- E. Review by Planning Commission: If the Zoning Administrator determines that the submitted final plat is an alteration from the approved preliminary plat, such as a change of net density, lots, street configuration, or other significant change, the Planning Commission shall review and act on a Final Plat within sixty (60) calendar days after the submittal of the Final Plat, unless otherwise agreed upon by the Zoning Administrator and the applicant. No plat shall be acted upon by the Planning Commission without affording a hearing thereon, notice of time and place of which shall be in the form of actual notice as described in this section. Actual notice to the applicant (either orally, email, or written) shall be given at least five (5) calendar days (excluding holidays) prior to the meeting.
- F. Approval: Upon approval of the Final Plat by the Zoning Administrator, a statement will be placed on the Final Plat by the Zoning Administrator and two (2) copies of the plat returned to the subdivider stating that the subdivision plat as shown has complied with the requirements of the City, and have been approved for recording in the Office of the Registrar of Deeds in Pickens County.
- G. Changes to Final Plat: If it should become necessary to revise a final plat due to a dimensional error, a revised plat shall be submitted to the Zoning Administrator prior to final recording to determine if the revision requires Planning Commission review

## 4.9. Certificate of Appropriateness

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### 4.9.1. *Minor COA (Minor Architectural Review)*

- A. Applicability: A Minor Certificate of Appropriateness (COA) from the Zoning Administrator shall be required for the following construction activities:
  - 1. Repairs, replacements, or renovations of existing buildings, if there is no change in exterior materials or does not involve modification of architectural features.
  - 2. Expansions of existing buildings of less than **20** percent of the building's gross floor area
  - 3. New construction of a residential building, excluding residential developments requiring major subdivision or major architectural review.
  - 4. New construction of non-residential accessory uses, except for those provided in Chapter 3, Nonconformities.
  - 5. Demolition of any structure within any Overlay District. Demolition of a building in the Historic District is classified as a Major Certificate of Occupancy.
  - 6. New construction of fences or walls for non-residential or multi-family uses
  - 7. Any color change to the exterior of a building within the Historic Overlay District
  - 8. Any application, upon determination by the Zoning Administrator, can be sent and reviewed by the Architectural Review Board (ARB) due to its complexity, location, significance, or due to the nature of the proposal.
- B. Process and Approval: Administrative
- C. Pre-Application Procedure: Required
- D. Required Information: Site Analysis, Site Plan, and Building Elevations for Design Review, unless waived by the Zoning Administrator as appropriate. The Zoning Administrator, engineer, or building official may require additional documents.
- E. Public Notification: None
- F. Issuance of COA: After the Zoning Administrator has determined that the application conforms with the Ordinance, a Minor Certificate of Appropriateness will be issued to the applicant.
- G. Appeals: Appeals of the Zoning Administrator shall be heard by the Architectural Review Board. Application for appeal shall be made within 30 days of the decision.
- H. Permit Validity: Upon the approval of the Minor Certificate of Appropriateness application, the applicant shall have 2 years to obtain a Project Permit. Failure to secure Project Permits for the permitted work within this time shall render the compliance void. Any change to the approved plans that has not been authorized by the Zoning Administrator shall invalidate the Minor Certificate of Appropriateness and any subsequent Project Permits.
- I. Permit Extension: The Zoning Administrator may grant up to **one (1), one-year extensions** of the approved COA upon submittal by the applicant of sufficient justification for the extension. Extensions shall be submitted at least 45 days prior to the expiration date of the vested rights period in Section 4.13

- J. Changes to COA after Approval: The Zoning Administrator may inspect or coordinate with the Building Official, or any other Agency Having Jurisdiction (AHJ) to ensure the project is in compliance with the COA. If there are changes to the conditions of approval, the applicant shall return to the Zoning Administrator with a revised application showing the proposed alternations. Any alterations or modifications to the conditions of approval shall be subject to the provisions in Article 11, Enforcement and Violations. In certain instances, the Zoning Administrator may approve changes to a COA if the changes are otherwise fully compliant with the code.

#### 4.9.2. *Major COA (Major Architectural Review)*

- A. Applicability: In the areas designated as Overlays Districts, or as otherwise defined by this section, a Certificate of Appropriateness issued by the Architectural Review Board shall be required for the following applicable development:
  - 1. Any new construction of a nonresidential, mixed-use, or multi-family building.
  - 2. Any modification exceeding 50% of the appraised value, addition to gross floor area, or demolition to a building within the overlay districts.
  - 3. Any new construction, or conversion of an existing building, to a drive-thru establishment.
  - 4. Expansion of non-residential or multi-family buildings by 20 percent or more of the building's area or floor space. Except in the Light Industrial District (LI).
  - 5. Any modifications to the building exterior of a non-residential or multi-family building.
  - 6. Any new or converted multi-family residential building.
  - 7. Any residential building models to be used in a proposed major subdivision (Section 4.8.5).
  - 8. Any application not specifically described as "minor" by Section 4.8.

### 4.10. *Special Exception*

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#### 4.10.1. *Applicability*

- A. Special Exceptions may be made for situations in which proposed land uses are generally compatible with the land uses permitted by-right in a district but require individual review of their location, design, configuration, and other criteria to evaluate the potential for adverse impacts on adjacent property and uses. The Special Exception process ensures the appropriateness of the use at a particular location within a given District.

#### 4.10.2. *Process and Approval*

- A. Process Type: Public Hearing by Board of Zoning Appeals
- B. Required Application Information: All applicable forms as determined by the Zoning Administrator, along with such accompanying material as is required to ensure compliance with the criteria listed in Section 4.10.3.
- C. Required Application Information:
- D. Public Notification: Public notice of all hearings shall be published in a newspaper of general circulation within the City and shall be posted on, or adjacent to, the property

affected, with at least one notice visible from each public street abutting the property fifteen (15) days prior to the public hearing.

- E. Staff Review and Report: The Zoning Administrator shall prepare a staff report that reviews the proposed development considering the Comprehensive Plan, the review criteria listed below, and the requirements of this Code. A copy of the report shall be provided to the Board of Zoning Appeals (BZA) and the applicant before the scheduled hearing.
- F. BZA Hearing
  - 1. The BZA shall hold a public hearing on the Special Exception application.
  - 2. After review of the application and the public hearing, the BZA shall make a written finding and approve, approve with modifications or conditions, or disapprove the request.
  - 3. If approval, or approval with modifications or conditions, is granted, the decision shall be communicated in accordance with Section 4.1.5, and the applicant shall then be authorized to submit any necessary permit(s) and/or application(s) consistent with this Ordinance.

#### *4.10.3. Special Exception Review Criteria*

- A. The BZA may approve an application for a Special Exception where it reasonably determines that there will be no significant negative impact upon residents of surrounding property or upon the general public. The BZA shall consider the following criteria in its review:
  - 1. The proposed uses compatibility with existing land uses in the surrounding area;
  - 2. The harmony of the proposed site plan, circulation plan, and character of the surrounding area;
  - 3. The likely impact on public infrastructure — such as roads, parking facilities, and water and sewer systems —and on public services — such as police and fire protection and solid waste collection— and the ability of existing infrastructure and services to adequately service the proposed use without negatively impacting existing uses in the area and in the City ;
  - 4. The general conformity of the proposed use and designs with the City 's Comprehensive Plan, and any other plans officially adopted by the City ;
  - 5. The likely impact on public health and safety;
  - 6. The potential creation of noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts.

#### *4.10.4. Conditions*

- A. The BZA may impose such conditions and restrictions upon the application as may be necessary to minimize, mitigate, or remove any potential adverse impacts of the proposed use.

#### 4.10.5. *Appeal*

- A. Any party aggrieved by the decisions of the BZA may appeal to the Pickens County Circuit Court within 30 days of the decision

### 4.11. *Variance*

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#### 4.11.1. *General Provisions*

- A. Variances to all ordinance standards may be requested with the following exceptions:
  - 1. No variances to the Table of Permitted Uses or the Accessory Use Table shall be permitted.
  - 2. Variances to the design requirements in an overlay district shall be permitted, however the Administrator shall provide a written recommendation from the ARB to the BZA in the staff report.
  - 3. Variances regarding projects submitted as major subdivision applications are permitted, however the Zoning Administrator shall provide a written recommendation from the PC in the staff report prior to appearing before the BZA for a variance.

#### 4.11.2. *Process and Approval*

- A. **Process Type:** Public Hearing by the Board of Zoning Appeals (BZA). In cases where a variance is requested as described in 4.11.1.A, the applicant shall first receive a recommendation regarding the variance from the Zoning Administrator, prior to seeking a final decision by the BZA.
- B. **Application Requirements:** All applicable forms as determined by Zoning Administrator, along with such accompanying material as is required to ensure compliance with the variance criteria.
- C. **Staff Review and Report:** The Zoning Administrator shall prepare a staff report that shall be provided to the applicant or appellant and the BZA before the scheduled hearing.
- D. **Public Notification:** Public notice of all hearings shall be published in a newspaper of general circulation within the City and shall be posted on, or adjacent to, the property affected, with at least one notice visible from each public street abutting the property fifteen (15) days prior to the public hearing.

#### 4.11.3. *BZA Hearing*

- A. After review of the variance application and the public hearing, the BZA shall approve, approve with conditions, or deny the application.
- B. If approval or approval with conditions is granted, the decision shall be communicated in accordance with 4.1.5., and the applicant shall be authorized to submit any necessary permit(s) and/or application(s).

#### 4.11.4. *Criteria for Approval of Variances*

- A. **Required Findings:** A variance may be granted by the BZA if it concludes that the strict enforcement of any design and performance standard set forth in this Code would result in unnecessary hardship to the applicant, and that by granting the variance, the spirit of this Code will be observed, public welfare and safety will not be diminished, and substantial

justice will be done. A variance may be granted in an individual case of unnecessary hardship only when the BZA makes, and explains in writing, all of the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. The conditions are not the result of the applicant's own actions.
4. Granting of the variance would not substantially conflict with the Comprehensive Plan, other adopted regional plans, and the purposes and intent of this Ordinance.
5. Because of these conditions, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
6. The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the zone will not be harmed by the granting of the variance.

#### *4.11.5. Limitations*

- A. The BZA shall not grant a variance if it would do any of the following:
  1. Allow the establishment of a use not otherwise permitted in the applicable district.
  2. Increase the net density of a use above which is permitted in the applicable district.
  3. Physically extend a nonconforming use of land.
  4. Change the zone boundaries shown on the Official Zoning Map.

#### *4.11.6. Profitability not to be considered*

- A. Profitability shall not be considered grounds for a variance. Nor shall inconvenience or financial disadvantage.

#### *4.11.7. Conditions*

- A. In granting a variance, the BZA may attach to it conditions regarding the location, character, or other features of the proposed building, structure, or use as the BZA considers advisable to protect established property values in the surrounding area, or to promote public health, safety, or general welfare.

#### *4.11.8. Appeal*

- A. Any party aggrieved by the decisions of the BZA may appeal to the Pickens County Circuit Court within 30 days of the decision.

## **4.12. Amendments and Rezoning**

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### *4.12.1. Applicability*

- A. When the public necessity, convenience, general welfare, or good zoning practice justify such action, and after the required review and report by the Planning Commission (PC), the City Council may undertake the necessary steps to amend this Ordinance, and its accompanying map.

#### 4.12.2. *Initiation of Amendments*

- A. A proposed amendment to this Ordinance may be initiated by any member of the City Council, the PC, the Zoning Administrator, or by any person owning property within the City limits, by filing an application with the Zoning Administrator.

#### 4.12.3. *Approval Process*

- A. Requests to amend this Code shall be processed in accordance with the following requirements:
  - 1. Application Procedure: Application forms for code amendment requests shall be obtained from the Zoning Administrator. Completed forms, together with an application fee, plus any additional information the applicant deems pertinent, shall be filed with the Zoning Administrator. Applications for zoning map amendments (rezoning) shall also include:
    - a. Boundary map of the subject property that is prepared and sealed by a registered land surveyor.
    - b. Where applicable, a copy of correspondence illustrating that the applicant has solicited written comments from the appropriate property owners' association regarding the requested amendment. Such correspondence shall encourage the association to direct any comments in writing to the Zoning Administrator and the applicant within 15 calendar days of receipt of the notification.
    - c. Written consent from the owner of the property that is being considered for an amendment. This is required if the applicant is not the City of Easley.
- B. Staff Review and Report
  - 1. The Zoning Administrator shall prepare a staff report that reviews the proposed amendment considering the Comprehensive Plan and the general requirements of this Code. A copy shall be provided to the PC and the applicant before the scheduled public meeting.
  - 2. For amendments where the most intense permitted use in the proposed district would generate more than 50 external trips during the peak hour, a TIS may be required; all road improvements needed to maintain the current level of service shall be identified (based on that analysis), and assurances shall be provided so that all road improvements will be in place so the impacts of the development are accommodated, and the current level of service is maintained.
- C. Planning Commission Recommendation
  - 1. Public Notification: Public notice of all hearings shall be published in a newspaper of general circulation within the City within fifteen (15) days prior to the public hearing. In the case of an amendment to the zoning map, the property shall be posted within fifteen (15) days prior to the public hearing.
  - 2. Hearing by PC: All papers and other data submitted by the applicant on behalf of the amendment request shall be transmitted to the PC. The PC, at regular meetings, shall review and prepare a recommendation for transmittal to the City Council. At such meeting(s), any party may appear in person, by agent, or by attorney. Following action

by the PC, all papers and data pertinent to the application shall be transmitted to the City Council for final action. The PC shall study the proposed amendment, considering all factors that it may deem relevant, including, but not limited to:

- a. Consistency (or lack thereof) with the Comprehensive Plan and other adopted plans of the City or Pickens County;
- b. Compatibility with the present zoning, with conforming uses of nearby property, and with the character of the neighborhood;
- c. Suitability of the property that would be affected by the amendment;
- d. Compatibility with the natural features of — and any archaeological or cultural resources on — the property;
- e. Marketability of the property that would be affected by the amendment; and
- f. Availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property. At the close of the public meeting, the PC shall recommend approval, modified approval, or denial of the amendment.
- g. Upon receipt of a recommendation from the PC, the staff shall have 30 days within which to submit its report of the PC's deliberations and recommendation to City Council. If the PC or its staff fail to submit a report within the 30-day period, it shall be deemed to have recommended approval of the proposed amendment.
- h. If, after three PC meetings, no recommendation has been made (e.g., each meeting has resulted in the request being tabled), the item will proceed to City Council. Staff will prepare a report of the PC deliberations within 30 days of the third PC meeting.

#### D. City Council Hearing

1. Public Notification: Public notice of all hearings shall be published in a newspaper of general circulation within the City within fifteen (15) days prior to the public hearing. In the case of an amendment to the zoning map, the property shall be posted within fifteen (15) days prior to the public hearing.
2. Timing: City Council shall consider the proposed map or text amendment at the earliest reasonable date and shall consider the report of the PC in making a decision.
3. Decision: City Council shall act to approve, approve with modifications, or deny the proposed amendment.
4. Notification of Result: The applicant shall be notified in writing within 15 days of City Council's action.

#### 4.12.4. *Update of Zoning Map*

- A. Following City Council's final action, any necessary changes shall be made to this Ordinance, or to the Official Zoning Map within seven (7) days. A written record of the type and date of such change shall be maintained by the Zoning Administrator. After seven (7) days of the official action, the action by City Council shall be considered official even if the Zoning Administrator fails to make the written change to the appropriate document.

4.12.5. *Update of Unified Development Ordinance*

- A. Following City Council’s final action, any ordinance changes shall follow the adopted procedure for changing the codes of the City of Easley.

4.12.6. *Appeals*

- A. An applicant aggrieved by the amendment decisions of the City Council may appeal to the circuit court within 30 days of the decision

4.13. *Vested Rights and Expiration of Approvals*

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4.13.1. *General*

- A. A vested right pursuant to this ordinance or the Vested Rights Act is not a personal right, but attaches to and runs with the applicable real property. All applicable ordinances, municipal code sections, and regulations relating to zoning, planning and land development within the municipality are subject to this section.

4.13.2. *Definition*

- A. “Site specific development plan”, in addition and as a supplement to the definition set forth in Section 6-29-1520 of the South Carolina Code of Laws, as enacted by Act 287 of 2004, is further defined to mean those documents that comprise a complete application for a zoning permit, certificate of zoning compliance, variance, special exception, planned unit development, sketch plat or sketch plan, or other similar approval that authorizes the landowner to proceed with investment in grading, installation of utilities, streets, and other infrastructure, and to undertake other significant expenditures necessary to prepare for application for a building permit.

4.13.3. *Establishment*

- A. A vested right is established for 2 years upon the final approval of a site-specific development plan (e.g., site plan or subdivision plan) or phased development plan (e.g., PUD) that authorizes the developer or landowner to proceed with investment in grading, installation of utilities, streets, and other infrastructure, and to undertake other significant expenditures necessary to prepare for application for a building permit. An applicant shall have 2 years from final approval to receive a final plat, building permit, or, if no building permit is required, to obtain a Zoning Permit, or other similar plan approval. The following are additional conditions for vested rights.
  1. A vested right in a development plan, plat, or phased development plan shall not attach to the property until all plans have been received, approved and all fees paid in accordance with this ordinance.
  2. A vested right is subject to revocation by the City Council, after notice and public hearing, that there was a material misrepresentation by the landowner or substantial noncompliance with the terms and conditions of the original or amended approval.
  3. A vested plan is subject to later local development regulations that impose additional site plan related requirements, but does not affect allowable types, height as it affects net density or intensity of uses, or net density or intensity of uses.
  4. A vested right may receive up to 5 one-year extensions for good cause upon written request by the landowner to the Administrator and no later than one month prior to expiration, unless otherwise specified in this ordinance.

5. Phased development plans remain subject to review and approval of all phases prior to any portion of the project being vested.
6. In case of projects where more than one building is to be built, the applicant may submit a series of Building Permit applications, if deemed acceptable by the Building Official of the Agency Having Jurisdiction (AHJ). The first application shall be submitted within two years from the date the development plan approval is granted. Each subsequent application shall be submitted within 180 days from the date of issuance of a Certificate of Occupancy for the previous building, whichever shall occur first. The lapse of more than 180 days may cause the expiration of the Development Plan approval unless an extension is approved, upon a showing of good cause for the delay.
7. A vested site-specific development plan or vested phased development plan is subject to later enacted federal, state, or local laws adopted to protect public health, safety, and welfare including, but not limited to, building, fire, plumbing, electrical, and mechanical codes and nonconforming structure and use regulations which do not provide for the grandfathering of the vested right. The issuance of a building permit vests the specific construction project authorized by the building permit to the building, fire, plumbing, electrical, and mechanical codes in force at the time of the issuance of the building permit.
8. The Board of Zoning Appeals does not have the authority to grant a vested right and no such right shall accrue because of their decision
9. If real property having a vested site-specific development plan or vested phased development plan is annexed by the City of Easley, the City Council shall determine, after notice and public hearing in which the landowner is allowed to present evidence, if the vested right is effective after the annexation.
10. The City shall not require that a landowner waive his vested rights as a condition of approval or conditional approval of a site-specific development plan or a phased development plan.

## 5. Zoning Districts

### 5.1. Purpose and Intent

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#### 5.1.1. *Purpose and Intent*

- A. The purpose of this Section is to establish general provisions and guidelines that shall govern all zoning districts and that shall be universally applicable.
1. In order to carry out the purposes of Zoning and to allow a variety of uses in different districts which are appropriate to the character of the individual district, the area of the City of Easley, South Carolina shall be divided into the following general use districts, the boundaries of which shall be shown on the Zoning Map of the City of Easley, South Carolina, as amended.
  2. Lands within the area of the City of Easley, South Carolina also may be classified into one or more of the “overlay districts” or “floating zones.” Where the property is classified in an overlay or floating district as well as a general use district, then the regulations governing development in the overlay or floating district shall apply in addition to the regulations governing development in the underlying general use district. In the event of an express conflict between the standards set forth in this Section and the standards set forth in any Section governing overlay districts that may apply to a particular property, the standards set forth for the overlay or floating district shall apply.

### 5.2. Applicability

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#### 5.2.1. *Applicability*

- A. The requirements herein established shall apply to all land within the incorporated area of the City of Easley. Where there is a conflict between the terms and/or requirements contained in this section and another section contained in Zoning, as amended, or any other ordinance, code, or regulation of the City of Easley, South Carolina, the stricter shall apply.

### 5.3. Allowable Uses

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#### 5.3.1. *Intent of Use Designation*

1. No use shall be established in any zoning district unless it is expressly designated by Zoning as a “permitted use”, “conditional use”, “Special Exception use”, “accessory use”, “Temporary Land Use”, or “temporary or seasonal use” in the district in which the use is to be located, or the Zoning Administrator makes a determination that such use is of the same general character and has the same effect as other uses in the zoning district. The range of uses allowed as “permitted uses”, “conditional uses”, “Special Exception uses”, and “accessory uses” is provided in each zoning district’s regulations.
2. Permitted Uses. The designation of “permitted uses” is established to provide for the location of uses that are considered appropriate within a given zoning district and require no special treatment under this Section different from the provisions generally applying to the zoning district in which the use is located. Only those uses which this Section designates as permitted uses in each district shall be treated as such

3. Conditional Uses. The designation of “conditional uses” is established to provide for the location of uses that are considered appropriate within a given zoning district provided that specific conditions that are designed to minimize the effect of the use or ensure compatibility with adjacent uses shall be met. Only those uses which this Section designates as conditional uses in each district shall be treated as such.
4. Special Exception
  1. The classification of “Special Exception Uses” is established to provide for the location of those uses which are generally compatible with the other land uses permitted in a zoning district but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and the City as a whole, require individual consideration and scrutiny of their location, design, configuration, and/or operation at the particular location proposed. Such individual consideration may also call for the imposition of individually tailored conditions to ensure that the use is appropriate at a particular location and compatible with adjacent uses to the greatest extent possible.
  2. Any unusual or unique circumstances shall be considered which may affect the suitability of each special exception use to the site upon which it is proposed. Additional requirements and conditions may be imposed in a particular instance where deemed to be in the best interest of the general public health, safety, morals, and welfare and for a specific purpose. However, it is the intent of this Section that special exception uses be approved which comply with the conditions imposed herein, which allow reasonable use of the land relative to the character of the area in which the development will occur and which do not hamper ultimate development of the land.
  3. Accordingly, any use designated in this Section as a special exception in an individual zoning district shall not be established without the recommendation of the Board of Zoning Appeals for a special exception. Final approval of special exceptions shall be the responsibility of the Board of Zoning Appeals
5. Accessory Uses. The designation of “accessory uses” is established to provide for the location of uses that are considered appropriate within a given zoning district and generally require no special treatment under this Section different from the provisions generally applying to the zoning district in which the use is located. However, such accessory uses shall be clearly secondary and subordinate to the primary or principal use of the property. Only those uses which this Section designates as accessory uses in each district shall be treated as such.
6. Temporary Uses. The designation of “temporary or seasonal uses” is established to provide for the location of uses that are considered temporary or seasonal in nature. Only those uses which this Section designates as temporary uses in each district shall be treated as such. No use that is classified as a “temporary or seasonal use” in the zoning district in which it is located shall be placed or established on the property without first receiving a temporary or seasonal use permit from the City of Easley Building Codes Department.

## 5.4. Official Zoning Map and Boundaries

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### 5.4.1. Zoning Map

1. The Official Zoning Map of the City of Easley, South Carolina, shall hereinafter be referred to as the “Zoning Map.”

2. The City is hereby divided into the zoning districts listed in Appendix 12.2 and as shown on the Zoning Map, which, along with all notations, references, and other information shown thereon, is hereby incorporated into and made part of Zoning.
3. The Zoning Map shall be located in the office of the Zoning Administrator and shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the City save for subsequent amendments enacted by the City Council and not yet officially recorded on said map

#### 5.4.2. *District Boundaries*

1. Where uncertainty exists as to the boundaries of zoning districts as shown on the Zoning Map, the following rules shall apply:
  1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow center lines of rights-of-way or prescriptive easements. In case of closure of a street or alley, or vacation of an easement, the boundary shall be construed as remaining at its prior location unless ownership of the closure or vacated area is divided other than at the center, in which case the boundary shall be construed as moving to correspond with the ownership, but not beyond any previous right-of-way or easement line.
  2. Boundaries indicated as approximately following platted lot lines shall be construed as following lot lines.
  3. Boundaries indicated as following City limit lines shall be construed as following such City limits.
  4. Boundaries indicated as following railroad lines shall be construed as to be midway in the right-of- way.
  5. Boundaries indicated as following shorelines of bodies of water shall be construed to follow such shorelines. Boundaries indicated as approximately following the center lines of creeks, streams, rivers, canals, or other predominately linear bodies of water shall be construed to follow such center lines. Boundaries indicated as parallel to or concentric with, or extensions of features indicated in Paragraphs (1) through (5) above shall be so construed. Distances and dimensions not specifically indicated on the Zoning Map shall be determined from the Zoning Map by the Administrator and as so noted on the map.
  6. Where areas appear to be unclassified on the Zoning Map, and classification cannot be established by the above rules, such areas shall be classified R-10 until action is taken to amend the Zoning Map.
  7. Where territory is added to the jurisdictional area, it shall be classified as R-10 until action is taken to amend the Zoning Map.
  8. Where natural or man-made features existing on the ground are at variance with those shown on the Zoning Map, the Administrator shall interpret the district boundaries as so noted on the map.
  9. Where uncertainties continue to exist and/or further interpretation is required beyond that presented in the above paragraphs, the question shall be presented to the Administrator for interpretation and as so noted on the map

## 5.5. Zoning Districts

### 5.5.1. Conventional Districts

1. The City of Easley is hereby subdivided into the following districts:

Zoning District	District Description
R-10 R-7.5 RPH-6	<b>One-Family Residential Districts:</b> These districts are intended to foster, preserve and protect areas of the community where the principal use of land is for detached, single-family dwellings and related support facilities.
GR-1	<b>General Residential District:</b> This District is intended to accommodate manufactured home development in concert with single-family, conventional dwellings or in planned parks or courts. It is further intended to foster manufactured home development as an alternative to conventional stick-built housing.
GR-2	<b>General Residential District:</b> This District is intended to accommodate medium density residential development and a variety of housing types on small lots or in project settings.
APT	<b>Apartment Residential District:</b> This District is intended to accommodate higher density residential apartment development. (Apartment complexes will be reviewed and the zoned changed accordingly)
PK	<b>Parks District:</b> The intent of the Parks District is to provide for the identification, preservation, and use of land designated for public park and recreational purposes. The PK District is intended to apply primarily to City-owned parks, recreational facilities, greenways, and related public open spaces that serve the active and passive recreational needs of the community. <sup>(6)</sup>
OI	<b>Office-Institutional District:</b> This District is intended to accommodate office, institutional and residential uses in areas whose character is neither exclusively commercial nor residential in nature. It is designed principally for areas in transition along major streets and for the purpose of ameliorating the consequences of change impacting established residential areas.
NC	<b>Neighborhood Commercial District:</b> This District is intended to meet the commercial and service needs generated by nearby residential areas. Goods and services normally available in this district are of the “convenience variety.” The size of any such districts should relate to surrounding residential markets and the locations should be at or near major intersections.
GC	<b>General Commercial District:</b> The intention of this district is to accommodate the broadest possible range of commercial uses, determined principally by market conditions, while protecting the environment from potential objectionable development.
CC	<b>Core Commercial District:</b> The intent of this intent of this district is to promote the concentration and vitality of commercial and business uses in Core Commercial (CC) Easley. This district is characterized by wall-to- wall development, pedestrian walkways, and public parking lots.
IND	<b>Industrial District:</b> The intent of this district is to accommodate wholesaling, distribution, storage, processing, and manufacturing in an environment suited to such uses and operations while promoting land use compatibility both within and beyond the boundaries of such districts. Toward these ends, residential development is not permitted, nor is the establishment of this district on other than a collector or arterial street.
MED	<b>Medical District:</b> The intent of this district is to create an environment conducive to medical practice and operations, and to concentrate medical facilities and related uses in “complex” settings to better accommodate the needs of the medical profession and those served by it.

<b>PUD</b>	<p><b>Planned Unit Development District:</b> The Intent of the Planned Unit Development District is to encourage flexibility in the development of land to promote its most appropriate use; and to do so in a manner that will enhance the public health, safety, morals, and general welfare. The PUD development is for the combination of commercial and residential uses.</p> <p>Within the PUD zones, regulations adapted to such unified planning and development are intended to accomplish the purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled development on individual lots, to promote economical and efficient land use, provide an improved level of amenities, foster development of cohesive mixed uses, encourage creative design, and promote a better environment.</p> <p>In view of the substantial public advantage of planned unit development, it is the intent of these regulations to promote and encourage mixed use development through the PUD requirements where appropriate in location, character, and timing.</p>
<b>FRD</b>	<p><b>Flexible Review District:</b> The intent of this district is to provide a residential master-planner zoning district that allows innovative design and coordinated development while ensuring that overall development intensity remains compatible with surrounding residential areas and existing density patterns.<sup>(8)</sup></p>

## 5.6. Overlay Districts

### 5.6.1. Purpose and Description

1. An overlay district is a separate set of regulations applicable only to a specific geographic area. An Overlay District may grant additional uses, restrict permitted uses, or impose development requirements differing from those in the underlying zoning district. The underlying zoning district and overlay districts together will control development. Overlay district designations are established below; if the two conflicts, the overlay district takes precedence over the underlying zoning district.
2. Historic Design/TIF Overlay District
  1. The Historic Downtown/TIF District Design Overlay is coded to encourage the redevelopment and expansion of the traditional City center. Main Street shops and public uses define this area. This center is intended to serve as the civic, cultural, and governmental hub of activity for the entire Easley community.
  2. Downtowns traditionally form near the convergence of large, coherent neighborhoods. The downtown should provide higher-density, balanced growth of workplaces, commerce, and new homes at all income levels. The area should balance the needs of pedestrians and automobiles, while also facilitating the provision of regional public transit. Increased street connectivity and accessibility in this area is important since it is the community's commercial, civic, and cultural hub. While allowing an array of permitted building types encourages mixed uses, new development in this area should retain and reinforce the area as the commercial center of the City.
  3. Minimum building heights are established along main corridors to ensure proper spatial definition and encourage strong pedestrian spaces. Transitions from Neighborhood Residential areas should be accomplished through architectural design and streetscape treatment. Individual buildings are encouraged to be mixed vertically with street level commercial and upper level residential. Higher densities of residential development are encouraged. This area is supported by the continued development of a coherent street network constructed to support the traffic demands of both the auto and the pedestrian. Minimum parking requirements may be satisfied using on-street parking,

shared rear-lot parking areas, or small scale parking lots adjacent to buildings

### 3. Transitional Corridor Overlay Districts

1. The Transition Corridor Overlay Districts are coded to provide integration between existing or established neighborhoods and market driven pressures for increased mixed-use development resulting from the location of transportation infrastructure in adjacent areas. Pedestrian-scaled mixed-use development are encouraged that compliment surrounding neighborhoods and are supported by existing and planned transportation networks constructed to support the traffic demands of both the auto and the pedestrian. Corridors of mixed-use buildings typically form entryways into the formalized City Center and promote a higher level of commercial development due to the presence of transportation infrastructure. These districts permit the construction of medium density residential homes and opportunities for various scales of commercial activity along the transportation corridors (SC93, SC 8, and SC 135). The intent of this section is to facilitate mixed-use development that will provide convenient access, minimize traffic congestion, and reduce visual clutter along the transitional corridors in Easley.
2. The architectural guidelines detailed in this section are enumerated to permit the construction of various building types that better relate to the character of the Easley area. To preserve the architectural heritage of Easley, existing residential structures proposed for mixed use along SC 8, SC 93, and SC 135, should be preserved in lieu of new construction

#### 5.6.2. *Intent*

1. Design regulations are not intended to promote the replication of the existing built form of Easley, but to allow imaginative design that is respectful of its neighborhood. The regulations are meant to help achieve good design, not a certain stylistic result. They will also establish a consistent framework for submitting and assessing proposed developments.
2. The Section, General Building Design Principles, is a narrative that is intended to serve as a definition of the architectural building requirements that will be applied to the design overlay districts throughout the City of Easley. This section sets out general principles intended to recognize and preserve the unique character and integrity of the community's special areas and properties while also allowing for their active use. The key architectural elements of building type, style and frontage serve as the essential elements of all district provisions. This includes components such as setbacks, height, detailing and use of a building's public façade. The narrative is intended to serve as a guide to those interpreting the specific requirements of this Section. It does not serve as the requirements themselves and should not be applied as such.
3. All new construction shall conform to the architectural requirements of this Section. The Architectural review board may approve minor variations to this section provided similar materials, configurations, and/or techniques are used that fulfill the intent of this Section. Major variation to building façade requirements due to unique building use requirements may be approved by the Architectural review board, provided the overall pedestrianism of the street is maintained in accordance with all other standards. All variations shall be noted on the final approved plan

#### 5.6.3. *Applicability*

1. The City of Easley specifies the following overlay districts:

1. Historic Design Overlay (OD-TIF) - Applies to properties that are within the Historic Downtown and City's TIF District boundaries
2. Transitional Corridor Overlay Districts
  - a. OD-SC8-S: Applies to properties with frontage along SC Highway 8 that are within the city limits at the time of adoption of this ordinance (Atlantic Avenue to City Limits).
  - b. OD-SC93-S: Applies to properties with frontage along SC Highway 93 that are within the city limits at the time of adoption of this ordinance (Smith Grove Road to Intersection of SC93 and SC 8).
  - c. OD-SC135-N: Applies to properties with frontage along SC highway 135 that are within the city limits at the time of adoption of this ordinance (Main Street to Pierce Lane).

#### 5.6.4. *Interpretation of Terms*

1. These definitions apply to terms related to compliance in the proceeding text:
  1. Appropriate – In some cases, a stated action or design choice is defined as being “appropriate in the text. In such cases, by choosing the design approach referred to as “appropriate,” the reader will follow the guideline. However, in other cases, there may be a design that is not expressly mentioned in the text that also may be deemed “appropriate by the Architectural review board
  2. Consider – When the term “consider” is used, a design suggestion is offered to the readers as an example of one method of how the design guidelines at hand could be met. Applicants may elect to follow the suggestion, but may also seek alternative means of meeting it. In other cases, the reader is instructed to evaluate the ability to take the course recommended in the context of the specific project.
  3. Context – In many cases, the reader is instructed to relate to the context of the project area. The “context” relates to those properties and structures adjacent to, and within the same block as, the proposed project.
  4. Should – If the term “should” appears in a design guideline, compliance is strongly encouraged, but is not required.

#### 5.6.5. *General Building Design Principles*

1. Architectural Style
  1. New buildings should be designed to be respectful in context to the existing built environment, not as explicit reproductions of past historical styles. This regulation does not preclude use of materials, scale or massing found on older buildings. Spatial elements like massing, proportions, scale, setbacks, spaces between buildings, and their relative positions should be used to integrate new development into existing neighborhoods.
  2. Buildings that are stylized to use the building itself as advertising should be discouraged, particularly where the proposed architecture is the result of a “corporate” or franchise style. New construction should provide variety and diversity and express its own uniqueness of structure, location or tenant.

3. When adapting a residence to a commercial use, respect the residential character of the building. Seek uses that are compatible with the traditional character of the building.
  4. Use of trees and flowering plants is strongly encouraged to enhance the pedestrian experience.
2. Orientation
    1. Maintain the alignment of buildings at the sidewalks edge by locating the front building wall at the sidewalk line when feasible. Where a building shall be set back from the sidewalk, use landscape elements to define the sidewalk edge.
    2. Orient the front entrance of the building toward the street and clearly identify the primary entrance. A secondary public entrance to commercial spaces is also encouraged on larger buildings.
    3. Minimize the visual impacts of a parking lot by locating surface lots in the interior of a block whenever possible. Where a parking lot shares a site with a building, place the parking at the rear of the site or beside the building.
3. Scale and Proportion
    1. The patterns, sizes, and shapes of elements, materials, and openings all influence a building's scale. Two important considerations are how these elements relate to human size and how they relate to each other in terms of scale. Proportion is the relationship of one dimension to another and creates visual order among the elements of a building.
    2. Height can lend a building dignity and grace. Conversely, it can contribute to unacceptable bulk and dominance. It is the height in combination with other features that results in a positive or negative outcome. The height and scale of each building should take into consideration its site and existing (or anticipated) neighboring buildings.
    3. Windows, doors, columns, eaves, parapets, and other building components should be proportional to the overall scale of the building. Changes of plane should have clearly delineated material transitions.
4. Setback
    1. Maintain the line of building fronts in a block. The front yard setback of a new building should match the established range of adjacent buildings. Where setbacks are uniform, the new building should be placed in general alignment with its neighbors. In those areas where setbacks vary, new buildings should be placed within 10 feet of the average setback along the block.
5. Façade Articulation and Detailing
    1. Buildings serve to spatially define streets. Proper spatial definition is achieved with buildings or other architectural elements that make up street edges aligned in a disciplined manner with an appropriate ratio of height to width.
    2. Architectural elements like openings, sill details, bulkhead, posts, and other architectural features should be used to establish human scale at the street level.

Buildings should avoid long, monotonous, uninterrupted walls or roof planes on their visible facades. Building wall offsets, including projections, recesses, and changes in floor level should be used to: add architectural interest and variety; relieve the visual effect of a single, long wall; and subdivide the wall into human size proportions. Similarly, roofline offsets should be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. For larger scale developments, the building façade should create repetitive bays, or the façades should be divided into a balanced, yet asymmetrical, composition.

3. All sides of the building should use materials consistent with those on the front if visible from public streets or neighboring properties, and should be carefully designed with similar detailing, and be comparable in quality and materials. Useable porches and stoops should form a predominant motif of the building design and be located along the front and/or side of the home. A porch with a depth of at least six feet and extending along at least 50% of the facade is generally defined as useable. Useable porches are encouraged to bring people out of their homes, encourage more interaction between neighbors, and promote an improved sense of community.

#### 6. Roof Form and Pitch

1. The character of the roof is a major feature of all buildings. When repeated along the street, the repetition of similar roof forms also contributes to the sense of visual continuity. In each case, the roof pitch, its materials, size and orientation are all important to the overall character of the building. New construction should not break from this continuity. New structures and their roofs should be similar in character to their neighbors.
2. Commercial Roofs. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, diamond tab asphalt shingles or similar material
3. The following standards shall apply to roofs for residential buildings:
  - a. The design of new additions should be such that the original character of the building can be clearly seen and should be compatible in scale, materials and character with the main building.
  - b. Any roof-top addition should keep the mass and scale subordinate to the primary building and be in character with the primary structure's design.
  - c. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
  - d. The crawlspace of buildings shall be enclosed.
  - e. Overhanging eaves may expose rafters.
  - f. Flush eaves shall be finished by profiled molding or gutters.
  - g. Water from downspouts should drain away properly.
  - h. All rooftop equipment shall be enclosed in building material that matches the structure or is visually compatible with the structure.

4. Any rooftop addition should keep the mass and scale subordinate to the primary building and be in character with the primary structure's design.
7. Window and Door Proportions and Design
    1. The location of window of door size and location also contributes to a sense of visual continuity along the street. To maintain this sense of visual continuity, a new building should maintain the basic window and door proportions and placement seen traditionally. 2. Windows shall be set to the inside of the building face wall in most cases unless otherwise provided for by the decision of the Architectural review board.
    2. The arrangement of windows and doors on a house also contributes to the character of a district. Most buildings have similar amounts of glass, resulting in a relatively uniform solid to void ratio. This ratio on a new building should be like that of traditional buildings.
    3. Windows shall be vertically proportioned wherever possible. Also, to the extent possible, upper story windows shall be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows.
    4. Skylights shall be flat (non-bubble).
    5. At least 70% of the street level frontages should be in windows or doorways. Street level windows shall be visually permeable. Mirrored glass is not permitted in any location. Faux or display casements are not permitted in lieu of exterior window treatments for the frontage elevation.
    6. No frontage wall shall remain unpierced by a window or functional general access doorway for more than 16 feet.
  8. Building and Street Lighting
    1. The character and level of lighting that is used on a building is a special concern. Traditionally, these exterior lights were simple in character and used to highlight entrances, walkways, and signs. Most fixtures had incandescent lamps that cast a color like daylight, were relatively low intensity and were shielded with simple shade devices. Although new lamp types may be considered, the overall effect of modest, focused light should be continued.
  9. Garages
    1. Garages with front loading bays shall be recessed from the front facade of the house and visually designed to form a secondary building volume. Two car garages visible from the street should be designed with two single doors or visually like two single doors for consistency of visual proportion. All garages with more than two bays should be turned such that the bays are not visible from the street. At no time shall the width of an attached garage exceed 40% of the total building facade. Exception: Corner lots may have garage access (side loaded) from the non-fronting street.
    2. Side Loaded Garages may be permitted on corner lots from the non-fronting street.
    3. Garage doors are not permitted on the front elevation of any multi-family dwelling.

4. New outbuildings should be subordinate to the primary structure on a site, located to the rear of the lot and should be similar in character to those seen traditionally.

#### 10. Signs

1. A sign typically serves two functions: first, to attract attention, and second to convey information, essentially identifying the business or services offered within. If it is well designed, a building front alone can serve the attention-getting function, allowing the sign to be focused on conveying information in a well-conceived manner. All new signs should be developed with the overall context of the building and of the area in mind.

#### 11. Building Materials and Color

1. Building materials of new structures should contribute to the visual continuity of the neighborhood. They should appear like those seen traditionally to establish a sense of visual continuity. While color does not affect the actual form of a building, it can dramatically affect the perceived scale of a structure and it can help to blend a building with its context.
2. Building materials should be like the materials already being used in the neighborhood, or if dissimilar materials are being proposed, other characteristics such as scale and proportion, form, architectural detailing or color and texture, should be used to ensure that enough similarity exists for the building to relate to the rest of the neighborhood.
3. Materials should be selected for suitability to the type of building and design for which they are used. Material or color changes at outside corners of structures, which give the impression of "thinness" and artificiality, are prohibited. Piecemeal embellishment and frequent changes in material should be avoided. Metal buildings should be prohibited except as specifically allowed in the planning area regulations.
4. Commercial building walls shall be brick, cast concrete, stucco, stone, marble, or other materials similar in appearance and durability and in keeping with the traditional architecture of the area. Regular or decorative concrete block may be used on building walls not visible from a public street or as an accent material only. All accessory buildings shall be clad in materials similar in appearance to the principal structure.
5. Residential building walls shall be wood clapboard, wood shingle, wood drop siding, primed board, wood board and batten, brick, stone, stucco, vinyl, or similar material. Accessory buildings with a floor area greater than 150 square feet shall be clad in materials similar in appearance to the principal structure.
6. Accessory buildings, particularly in residential areas, shall be of similar design, materials, and colors as the principal building and should be appropriately landscaped. Vinyl siding is discouraged but may be appropriate for some single-family attached or detached residential structures.
7. Garden walls may be of brick, stone or stucco matching the principal building. Fences shall be vinyl coated chain link, wood, wrought iron, or vinyl. All wood fencing shall have the finished side facing outward towards neighboring properties. Any fence shall be located to ensure the ability to immediately service the gas and electric meters. Both meters shall require 3' clear space on both sides of the meter. If a gate is provided there

shall be an unlocked latch on the outside of the fence and on the same side as the meters.

## 12. Mechanical Screening

1. Utilities that serve properties may include telephone and electrical lines, ventilation systems, utility meters, mechanical equipment, transformers, generators, air conditioners, and similar features or other utility hardware. Adequate space for these utilities should be planned in a project from the outset and they should be designed such that their visual impacts are minimized. Service areas for trash, recycling containers, loading facilities, and site maintenance equipment should be carefully planned as an integral part of a site. At the same time, the visual impacts of service areas should be minimized. When laying out a site, adequate provisions should be made for service areas. They should not simply be in leftover side yards, for example.

## 13. Lighting

1. Street lighting should be used to enhance the pedestrian experience at night by providing a well-lit environment.
2. Light pole and lamp design should be like those used by the City of Easley.
3. Streetlights should convey a pedestrian oriented scale and convey a color spectrum that is like daylight.
4. Exterior lights should be used to accent architectural details, building entrances, signs, and illuminate sidewalks.
5. Minimize the visual impacts of site and architectural lighting using low intensity white lights that are like daylight.
6. Prevent glare by using shielded and focused light sources that focus light downward. Unshielded, high intensity lights sources and those that direct light upward should not be permitted.
7. Shield lighting associated with service areas, parking lots, and parking structures.

### 5.6.6. *Civic Buildings in Overlay Districts*

1. Applicability. Places for Religious Assembly, Schools, Government Offices, other Civic Facilities, or as otherwise determined by the Administrator.
2. Schools, churches, and government buildings should be built so that they shall be of sufficient design to create visual anchors for the community. Civic buildings shall adhere to the provisions as marked below.
3. Materials and Design
  1. Civic building walls should be clad in stone, stucco, brick, and marble or other appropriate material. Decorative cast concrete and wood or vinyl siding may be used as a minority element on facades facing public streets.
  2. Civic roofs shall be clad in slate, sheet metal, corrugated metal, or diamond tab asphalt shingles, or other material similar in appearance and durability.

3. Gutters and down spouts shall be made of copper or galvanized painted metal and do not expel onto the street.
4. The columns, if provided, shall be made of wood or cast concrete or other appropriate material.
5. Stained glass or other decorative window treatments are encouraged.
6. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
7. Flat roofs are allowed, but principal civic buildings adjacent to residential structures are encouraged to have pitched roofs or similar architectural features to ensure compatibility.
8. Windows shall be set to the inside of the building face wall.
9. All rooftop equipment shall be enclosed in building material that matches the structure or is visually compatible with the structure

#### *5.6.7. Light and Heavy Industrial Buildings*

1. Materials
  1. All building walls visible from a public street shall be brick, cast concrete, stucco, stone, marble, decorative concrete masonry unit or other materials similar in appearance and durability.
  2. All accessory buildings shall be clad in materials similar in appearance to the principal structure.
  3. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, diamond tab asphalt shingles or similar material.
  4. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
  5. Skylights shall be flat (non-bubble).
  6. Windows shall be set to the inside of the building face wall in most cases unless otherwise provided for by the decision of the Architectural review board.
  7. All rooftop equipment shall be enclosed in building material that matches the structure or is visually compatible with the structure.

#### *5.6.8. Sign Design in Overlay Districts*

1. Signs should be coordinated with the composition of the overall façade and in proportion to the building such that it does not dominate the appearance.
2. Locate signs on a building such that it will emphasize design elements of the façade itself and fit within existing architectural features.
3. When feasible, place a wall sign such that it aligns with others on the block. If decorative moldings exist that could define a sign panel, locate a flush-mounted sign to fit within the panel formed by the moldings or transom panels.

4. Window signs may be painted on the glass or hung inside the window and should cover no more than 20% of the total window area.
5. Projecting signs may be considered. Small projecting signs should be located near the business entrance, just above the door or to the side of it while large projecting signs should be mounted higher and centered on the façade or positioned at the corner.
6. Signs not attached to buildings should be ground mounted signs that are no more than 20 square feet in area and 5 feet in height. All ground mounted signs shall be located a minimum of five (5) feet behind the street right-of way. No ground-mounted sign greater than five (5) square feet in area shall be located closer than ten (10) feet to any adjacent lot line. A fifteen (15) foot side-yard setback shall be required if the side lot line abuts a residential district. An arm sign may be substituted for a ground mounted sign but shall meet all height and area requirements as provided. The height of a sign shall be measured from the highest point of a sign to the point of ground surface beneath it. Ornamentation such as caps and spires are not included in this measurement. The use of berms or raised landscape areas is only permitted to raise the base of the sign to the mean elevation of the fronting street.
7. Sign materials should be compatible with that of the building façade and should use colors that are compatible with those of the building front.
8. All lighted signs shall have their lighting directed in such a manner as to illuminate only the face of the sign. No commercial sign within 100 linear feet of a pre-existing residential structure may be illuminated between the hours of 12:00 midnight and 6:00a.m. A residence shall be deemed "pre-existing" for purposes of this Section if it has a valid building permit in effect for construction of said structure or if construction of said structure was complete on or prior to the effective date of this provision.
9. Internally illuminated signs, signs with lights inside the sign itself, will be prohibited in the overlay districts.
10. Flashing signs, signs with flashing or reflective disks, signs with flashing lights or lights of changing degree of intensity or color or signs with electrically scrolled messages (except government signs and signs which give time and temperature information) are prohibited. If a time and temperature sign alternates between a time message and a temperature message it shall continuously show one message a minimum of three (3) seconds in time before switching to the other message.

## 5.7. District Development Standards

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### 5.7.1. Administration of Dimensional Standards

1. Minimum Lot Area. Lots proposed in a zoning district shall meet or exceed the minimum land area required. Non-residential lots may be required to be larger than residential lots in a zoning district. A non-residential land use shall not be proposed on an existing lot smaller in area than that required for a non-residential use. Naturally occurring surface water, wetlands, and land within rights-of-way and ingress/egress easements shall not count toward area required to meet minimum lot size.
2. Minimum Lot Width. Lots proposed in a zoning district shall meet or exceed the minimum width required from the front boundary of the lot to the rear of the primary structure. The

planning commission may allow a reduction in minimum lot width by one-third ( $\frac{1}{3}$ ) at the road frontage on the outside of a curved right-of-way boundary, provided the side lot lines are oriented radial to the right-of-way boundary.

3. Minimum Setbacks. All structures on a lot shall be sited a distance equal to or greater than the minimum required setbacks from property boundaries for the district.
4. Maximum Impervious Surface Ratio. The gross floor area of structure shall not exceed the maximum proportion of high ground area specified for the zone in which the site or land development is located. For example, a lot measuring twenty thousand (20,000) square feet in area occupied by structure five thousand (5,000) square feet in gross floor area has a floor/area ratio of twenty-five (25) percent. Wetlands within a surveyed critical line shall not count toward land area for this calculation.
5. Minimum Height. Building height is measured as the vertical distance from the mean grade elevation taken at the fronting street side of a structure to the roof line of a flat roof, the ridge of a pitched roof, or the deck line of a mansard roof. Height requirements for signs, lighting, landscape screens, and all other structures or objects for which a dimensional height requirement is established by this ordinance shall be measured as the vertical distance from the highest ground level at the structure or object's foundation to its highest point. The following are exempt from building height requirements:
  1. Building elements (such as church spires, towers, cupolas, domes, etc.) not intended for human occupancy;
  2. Structures that are an accessory to institutional uses (such stadium press boxes);
  3. Water towers, transmission towers, and observation towers, unless otherwise regulated in this ordinance;
  4. Masts and antennas; and
  5. Mechanical penthouses not exceeding 15 feet in height which are set back at least 20 feet from the front elevation of the building, and not visible from view from the public right-of-way.
6. Maximum Residential Density. The number of dwelling units on a site or land development shall not exceed the maximum per acre of high ground. Wetlands within a surveyed critical line shall not count toward land area for this calculation, except where a permit has been obtained to fill the wetlands.

#### 5.7.2. *District Development Standards (Table)*

1. See the Appendix Article 12.6.

#### 5.7.3. *Encroachments*

1. The features listed below shall be permitted to encroach into a required yard or right-of-way, as applicable. Nothing in this section shall be misconstrued to conflict with any other portion of this Ordinance.
  1. Encroachment over Sidewalks: With approval of the City, County or SCDOT (whichever has authority over a ROW), awnings, arcades, canopies, and galleries, may encroach

over the sidewalk to within 2 feet of the curb, but they shall provide a vertical clearance of at least 8 feet from any sidewalk.

2. Upper Story Encroachments: Bay windows, balconies, and similar features projecting from the principal building may encroach up to 50% of the depth of the front and street side setback. With approval of the City, County or SCDOT (whichever has authority over a ROW), upper-story balconies or bay windows may encroach over the right-of-way a maximum of 3 feet, but they shall provide a vertical clearance of at least 8 feet from any sidewalk.
3. Lower Story Encroachments: Cornices, eave overhangs, chimneys, flues, bay windows, and similar projections (including gutters) may encroach up to 2 feet into any required yard.
4. Covered Porches: Covered porches may encroach a maximum of 8 feet into any required front yard or street side yard setback and to within 5 feet of any interior side or rear yard property line.
5. Uncovered Porches, Decks, Patios, Steps and Stairs: Uncovered and unenclosed porches, decks, patios, steps and stairs, and other similar features may encroach to within 5 feet of any interior side and rear property line. Steps and stairs may encroach up to 100% of the depth of any required street yard setback, but shall not encroach upon any public sidewalk.
6. Walkways and Driveways: Uncovered and unenclosed walkways, and driveways may encroach up to 100% of the depth of any required setback, unless a buffer (Section 7.5) is required.
7. Handicap Ramps and Lifts: Ramps, lifts, fire escapes, or other required accessibility structure by the fire or building code that is attached to the exterior of a building may encroach into any required yard but shall not be closer to any property line than 5 feet. Such features shall not be in a front yard if it is possible to accommodate them in a side or rear yard.
8. Mechanical Equipment: Mechanical equipment such as pool pumps, ventilation systems, heating and air conditioning units, tv antennas, and satellite dishes, and other similar equipment determined by the Zoning Administrator, may encroach up to 25% into a required side or rear yard. Mechanical Equipment shall comply with screening requirements in Section 7.3.9.
9. Fences and Garden Walls: Fences and garden/yard walls may encroach into required setbacks. The design and material requirements for fences are subject to the standards in the overlay district design standards (Section 5.6) when applicable. The support structures for fences shall be located on the inside of the fence, and no fence, wall or hedge shall exceed the following dimensions:
  - a. In all districts fences within the front or street side setback shall be a maximum of 4' in height to ensure that the sight triangle or visual clearance is not obstructed.
    - i. In Industrial zoning districts, parcels fronting a Primary Street may have fences or walls up to 6 feet in height when not within the sight triangle or visual clearance

area as regulated by the Agency Having Jurisdiction (AHJ) or SCDOT. Parcels fronting all other streets may be up to 10 feet in height.

- ii. When residential uses are adjacent to commercial, industrial, or other nonresidential use, the Zoning Administrator may increase this height requirement to 8’.
- b. Side or rear setback of residential districts: Privacy fences or walls shall be a minimum of 6’ and have a maximum height of 8’.
- c. Side or rear setbacks of nonresidential and industrial: Fences or walls may be a maximum of 10’ in height.
- d. Any fence shall be located to ensure the ability to immediately service the gas and electric meters. Both meters shall require 3’ clear space on both sides of the meter. If a gate is provided there shall be an unlocked latch on the outside of the fence and on the same side as the meters.

10. Mailboxes: Mailboxes may encroach into a front setback area

## 6. Land Use Provisions

### 6.1. Purpose and Intent

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#### 6.1.1. *Purpose and Intent*

- A. The use provisions in this chapter indicate which uses and activities are permitted by right, permitted with conditions, permitted by special exception, and prohibited. The provisions are intended to produce the desired development outcomes for each district as set forth in the Comprehensive Plan and in Article 5 – Zoning Districts.

### 6.2. Applicability

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#### 6.2.1. *Applicability*

- A. No land, building or structure, including signs, shall be used or occupied, and no building or sign shall be constructed, altered or moved, unless in conformity with the regulations herein specified for the zoning district.

### 6.3. Table of Permitted Uses

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#### 6.3.1. *Uses Permissions Defined*

- A. The Table of Permitted Uses (Appendix 12.1) assigns one of the following permissions to each use in each district:
  - 1. Permitted Use (P)
  - 2. Conditional Use (C)
  - 3. Special Exception (SE)
  - 4. Prohibited Uses (*blank*)

#### 6.3.2. *Table of Permitted Uses*

- A. See Appendix 12.1

## 6.4. Conditional Use Standards

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### 6.4.1. *Agricultural Uses*

#### A. Horticultural Nursery

1. Lot Size: Minimum 2 acres
2. Sale of Produce: Produce stands shall be setback at least 25 feet from the edge of pavement or the back of curb, and shall be located entirely within private property. If the applicant is not the owner of the property in which the produce stand is located, they shall have written authorization to use the site. The Zoning Administrator may request additional information to ensure health and safety measures are met.
3. Animals: Any use under this classification shall not butcher or otherwise prepare meat for individual sale on-site. All sale of livestock and agricultural products shall adhere to all applicable local, state, and federal regulations.
4. Site Plan: A site plan will be required to show areas for plant sales. Pedestrian and vehicular service and circulation shall be shown and approved by the Administrator.

#### B. Non-commercial Horticultural nursery

1. Operation: Allowable as an accessory use. Apiaries (Beekeeping) shall be permitted in one-family residential lots of at least 0.5 acre if the provisions in this sections can be met.
2. Specific to Apiaries (Beekeeping)
  - a. Location: Shall be in the rear yard, and shall not create a nuisance to adjacent uses. The owner shall live on premises where bees are kept. No colony shall be within 30 feet of adjacent buildings on adjacent lots.
  - b. Size: Shall be a maximum of five colonies, each with one queen.
  - c. Design: A flyway barrier of at least 6 feet in height is required, composed of a fence, wall or opaque vegetations, unless the structures containing bee hives are 80' from the nearest property line. The walls of the barrier shall be oriented towards adjacent uses and buildings. An on-site freshwater source shall be located within 15 feet of the structure.
  - d. Operation: Swarm management techniques shall be implemented. However, such swarm management techniques for potentially hostile hives, including elimination of the hive, shall be made by an authorized or accredited third party. The owner shall retain documentation pertaining to the elimination of a hive for inspection by the City or applicable agency.

#### C. (RV) Parks

1. Lot Size: Minimum of 5 acres
2. Maximum Units: Eight (8) units per acre
3. Maximum Stay: No RV may occupy the park for a period in excess of 90 calendar days in a 120-calendar day period.

4. Individual lots: Each leasable lot for a RV shall be a minimum of 35feet wide.
5. Parking: One off-street parking space per individual leasable lot.
6. Accessory Buildings: No accessory buildings used for bathrooms, utilities or other supporting infrastructure shall be permitted for occupancy.
7. Bathroom: All parks shall have adequate toilet facilities
8. Recreation: All parks shall have a recreational element with access to trail, water feature, picnic tables, playgrounds, or similar feature.
9. Fire Apparatus Access Road: Shall provide fire access roads per South Carolina law.
10. Fire Hydrant: Shall provide fire hydrant systems when served by a public water system. Any requirements by the Fire Marshal for the Agency Having Jurisdiction (AHJ) shall supersede the requirements in this section.
11. Buffer: All RVs within the park shall be setback a minimum of 150 feet from property lines. A Type C landscape buffer, as defined in Article 7, shall be required within this setback.
12. Dumpster: The site shall have adequate, regular trash collection from a centrally located dumpster. The dumpster shall be enclosed and secured to prevent windblown litter or access to animals.
13. Condition of Vehicles: All RVs shall be operable and moveable. Non-operable or immovable vehicles shall be removed from the site within 10 days of non-operability or state of immovability. No RV is permitted to be added-on to, or, be permanently affixed to utilities.

#### 6.4.2. *Residential Uses*

##### A. Attached or Detached, Accessory Dwelling Units or Accessory Apartments

1. General Standards: Design shall be governed by overlay district, if applicable. See 6.5 for additional standards.

##### B. Bed and Breakfasts

1. The inn shall be operated by members of the household living on the premises.
2. A maximum of one Bed and Breakfast Inn shall be permitted on any parcel.
3. The inn shall have no more than 11 guest rooms.
4. The inn shall not require any alteration or change in the essential residential character of the dwelling.
5. The operation of the inn shall involve no exterior storage of materials or supplies.
6. There shall be no exterior displays or signs, except for one on-site sign no larger than twenty square feet stating the name of the inn.
7. The resident operator of the inn shall keep a current guest register, including the names, addresses, and occupancy dates of all guests.

8. The maximum stay for any guests is no more than 30 days.
  9. The inn may only serve meals to registered guests.
  10. The Board of Zoning Appeals shall hold a public hearing to determine if the proposed Bed and Breakfast Inn is consistent with a quiet residential neighborhood, except within the Core Commercial Zoning District
  11. Small functions such as weddings, receptions, teas and baby showers, may be held for groups of up to fifty (50) people, unless shared parking agreement is produced or parking is off-site in a parking lot and a shuttle is present Evidence of these arrangements shall be approved prior to issuance of permit.
  12. To ensure compatibility with surrounding residences, functions shall end no later than 10 p.m., unless otherwise waived or regulated by noise ordinance.
  13. The inn shall provide at least one paved parking space on the property for every two (2) possible guests. Parking spaces shall be located behind the front line of the structure
- C. Day Care Homes, Child (Class I, Class II)
1. Applicability: The following regulations are applicable to the Class I and Class II Day Care Homes.
  2. Shall have a playground or other outdoor recreational equipment.
  3. The playground or outdoor play area shall be enclosed by a fence or wall. All access shall be secured from the exterior. Similar methods for securing outdoor play areas may be considered by the Zoning Administrator if the applicant implements best practices for Crime Prevention Through Environmental Design (CPTED).
  4. Shall receive all applicable Federal, State, and Local licenses, such as a license from the South Carolina Department of Social Services. Proof of approval from applicable agencies shall be provided to the Zoning Administrator at the time of application.
  5. Children who are related by direct blood kin or adoption to the childcare provider shall not be included in the calculation.
  6. Applicable to Day Care, Class I
    - a. A family-based home that receives not less than three (3) and not more than six (6) children nine (9) years of age or younger for care.
  7. Applicable to Day Care, Class II
    - a. A family-based home that receives not less than seven (7) and not more than eighteen (18) children nine (9) years of age or younger for care during any part of the day not exceeding twelve hours in a twenty-four (24) hour period.
- D. Dwelling, Attached Single-Family
1. Maximum Number of Attached Units: No more than 6 attached, single-family units shall be permitted per building.

2. Side Setbacks: Attached Single-Family units are exempt from side setbacks where they are otherwise permitted in this Article and conform to any other applicable regulations. This exemption only applies to the internal units, or those units that share walls more than one unit, the end units shall conform to the side setbacks.
  3. Entrances: All attached single-family dwellings (townhomes, rowhomes, etc.) shall have an independent ingress and egress. Rear access from alleys is encouraged.
  4. Building Design: All applications for attached single-family units shall be subject to review by the ARB in the form of a Major Architectural Review application.
  5. Parking: All parking should be encouraged to be located to the rear and accessed via an alley or rear lane. The design of this alley shall be subject to regulations by the Agency Having Jurisdiction (AHJ).
- E. Dwelling, Detached Single-Family
1. Applicable to **CORE COMMERCIAL (CC)**: Legally conforming detached single-family dwellings are subject to Article 3, Nonconformities. New residences shall have a commercial component, and fall under the live/work use definition. Commercial components include home occupations, short term rentals, day cares or Bed and Breakfast uses. The commercial space shall front the street, the residential portion shall be either in the rear or the second story of the live/work unit.
- F. Dwelling, Three-Family
1. Building Design: Subject to the Overlay District Standards.
- G. Dwelling, Two-Family
1. Applicable to **CORE COMMERCIAL (CC)**: Shall have a commercial component, and fall under the live/work use definition. Commercial components include home occupations, short term rentals, day cares or Bed and Breakfast uses. The commercial space shall front the street, the residential portion shall be either in the rear or the second story of the live/work unit. Building design shall be compatible with surrounding properties in terms of scale, orientation, massing, setback, and material composition. Access from alleys or from the rear is encouraged, when alley is already present and contiguous to the lot alley access is required.
- H. Dwelling, Multi-Family
1. Building Design: Requires a Major Certificate of Appropriateness (Section 4.9.2).
  2. Site Design: Shall be reviewed as a Major Subdivision, unless on a single site.
  3. Buffers: Shall comply to buffer standards in Section 8.3.
  4. Mixed-Use: Multi-family units above first-floor commercial uses are required within the Core Commercial (CC) and Neighborhood Commercial (NC) districts.
  5. Open Space Requirements: Shall provide on-site amenities for residents such as dog parks, gyms, plazas, courtyards or other similar features as permitted by the reviewing entity and in accordance with the Land Development Standards.

6. Security: Shall demonstrate that the premises is sufficiently monitored by video surveillance for the purposes of public safety.

I. Home Occupations

1. Is conducted by no other person than members of the family residing on the premises;
2. Utilizes not more than twenty-five percent (25%) of the total floor area of the principal building;
3. Produces no alteration or change in the character or exterior appearance of the principal building from that of a dwelling;
4. No display or products shall be visible from the street and only articles made on the premises may be sold; except that non-durable articles (consumable products) that are incidental to a service, which service shall be the principle use in the home occupation, may be sold on the premises;
5. Creates no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, traffic hazard, unhealthy or unsightly condition;
6. No mechanical equipment is installed or used except such as is normally used for domestic or office purposes.
7. Storage related to a customary home occupation business is permitted in an accessory building, but the use of an accessory building for a separate commercial use is not permitted.
8. In addition to other uses deemed unacceptable by the Administrator, the following uses shall not be considered home occupations:
  - a. animal hospitals, kennels, or stable;
  - b. dancing schools;
  - c. funeral homes;
  - d. medical or dental offices or clinics;
  - e. hospitals;
  - f. nursery schools;
  - g. restaurants;
  - h. tourist homes
9. Zoning permits shall be required for all home occupations and shall be submitted to City Hall before a business license is issued. Licenses can be revoked upon receipt of complaints from neighboring citizens

J. Manufactured Homes

1. Applicability: Any manufactured home constructed before July 1, 1970, shall be approved by Underwriters' Laboratories and any manufactured home constructed after that time shall meet all applicable state and federal standards

## 2. Design Standards

- a. All manufactured home shall have a permanent and continuous foundation enclosure, unpierced, except for required ventilation and access, shall be installed. The enclosure may consist of brick, or other masonry, or wood.
- b. Any wood framing for foundation skirting shall be constructed with treated lumber. The foundation or skirt shall be in compliance with all applicable codes and regulations.
- c. Any tongue, axles, running lights, and removable towing apparatus shall be removed or screened prior to the issuance of a certificate of occupancy.
- d. Roofs shall be covered with a material that is customarily used on site-built dwellings. The pitch of the main roof shall not be less than 3:12. Minimum overhang of eaves shall be twelve (12) inches.
- e. Exterior siding shall be wood, vinyl, metal horizontal siding, brick, fiber cement board, stucco, or similar materials. Smooth, ribbed, or corrugated metal or plastic panels, exposed plywood, and materials with a high-gloss finish are not permitted.
- f. All such units shall be required to have adequate sanitary facilities with such facilities being properly connected to the sanitary sewer system of the City and be served by a separate electric meter. Exceptions for septic systems may be granted where no existing sanitary sewer system connections are available and approval is granted from the [South Carolina Department of Environmental Services \(SCDES\)](#).
- g. Minimum width of the manufactured home as assembled on the site shall not be less than 20 feet, as measured across the narrowest portion.
- h. All units shall be de-titled so it is properly taxed with the land per City Code.

## K. Manufactured Home Parks

1. Minimum Lot Size: See Manufactured Home Parks in Alternative Development Patterns in Section 7.10.6.

## L. Short Term Rental

1. Applicability: Short Term Rental is the leasing of a room and/or home for a period of 30 days or less.
2. Proximity: The applicant shall provide a list of all other short-term rentals within a 300' radius at the time of application.
3. Maximum units: 3 independently rentable units per dwelling unit.
4. Parking: Shall provide one, independently accessible, on-site parking space per unit rented. No tandem parking permitted.
5. Maximum number of consecutive days short term rental may be rented to a renter: 29
6. Business License: Property owner required to acquire a business license with the City of Easley. Prior to the issuance of a business license, the applicant shall first produce a valid Certificate of Occupancy from the Agency Having Jurisdiction (AHJ). Business

License number shall be displayed on all advertisements and/or bookings for short term rental. Applicant properties may be subject to an inspection by the City of Easley upon application.

7. Contact: Property owner, or resident manager, shall provide the City a contact number that is available 24/7 for contact and immediate response with a responsible agent that can be on site within 1 hour of contact. The property owner or resident manager shall have a primary residence within 40 miles of the use.
8. Guest Registry: The owner or responsible agent shall maintain a guest register to include names, addresses, phone numbers, and dates of occupancy of all guests.
9. Structures Excluded: Campers, Boats, any form of recreational vehicle, mobile or manufactured homes, and structures not intended for permanent residence shall not be used as short-term rentals.

#### 6.4.3. *Commercial Uses*

##### A. Automobile Service Stations, Minor and Major

1. Fuel Sales: Fuel pumps may be an accessory to Automobile Service Stations. Fuel sales as an accessory to Grocery Stores.
2. Screening of Vehicles: All vehicles being stored on the property for the purposes for repair, service, or maintenance shall be in the rear of the building and screened from the public right-of-way, and adjacent property
3. Canopy and Fuel Pumps: Shall be oriented to the side or rear of the principal structure.

##### B. Automobile, ATV, Motorcycle, or Boat Sales and Rental, New and Used

1. Parking of Vehicles: No vehicles shall be stored on an unimproved surface, required buffer, berm, or landscaping feature. No vehicle shall be elevated for the purposes of advertising, by any means, above the parking grade. Vehicles for repair shall be stored in the rear or side, screened from the public right of way, and adjacent property. No vehicle undergoing repair services, under any circumstance, should be on-site for more than 90 days.
2. Service Bay Doors: Repair of vehicles or boats shall occur within an enclosed building. Service bay doors shall not be visible from the public right-of-way. If service bay doors face a residential property, they shall be opaquely screened from view.

##### C. Bars and Nightclubs

1. Location: Shall not be located within 250 feet, as measured from nearest property line, to a One-Family Residential (R-10, R-7.5, and RPH-6) district. Shall not be located within 500 feet of a place for religious assembly or school, unless located within the Core Commercial (CC) District.
2. Accessory: A bar may be considered an accessory to a primary use, such as a hotel or restaurant. When associated with a restaurant, alcohol sales shall not exceed 50% of total sales within a given day. If sales exceed 50% of total sales, then the owner shall apply for a zoning permit from the Administrator as the use has changed.

D. Car Wash, Automatic and Self Service.

1. As an Accessory Use: Automative Car Wash services shall be permitted as an accessory use, however the building shall be located at the rear or side, and access lanes shall be located to not circulated in front of the primary use.
2. Location of Service Areas: Locations of bays for vacuums and other equipment shall be placed on the side or rear of the principal building. Drying fans shall be placed to reduce the impact of noise audible on adjacent property as much as possible.
3. Landscape Standards: Shall conform to all landscape and buffering standards associated with Vehicle Use Areas (VUAs)

E. Catering

1. Operation: The sale of individual meals for general public shall be classified as a full-service restaurant and not a catering service.
2. Home Occupation: If tied to a home occupation, the applicant shall adhere to all requirements of Home Occupations.

F. Check Cashing

1. Location: Shall not be closer than 1,000 linear feet from the nearest check cashing, title loan, pawn shop, or other similar establishment, as determined by the Zoning Administrator.

G. Day Care Center

1. Indoor Area: The building shall contain a minimum of 35 square feet of floor area for each child, based on maximum enrollment.
2. Playground: Outdoor playground equipment is required. All outdoor play areas shall be enclosed by a fence or wall no less than 4 feet in height and shall form the defined perimeter of the play area. Any access points along the fence or wall shall be locked. No play areas shall be permitted in the side or front yard.

H. Convenience Store

1. As an Accessory Use: Shall be permitted in Automobile Service Stations, hotels, and other service or hospitality uses that serve the immediate needs of its patrons.

I. Drive-in Theaters

1. Lighting and Noise: The applicant shall submit documents that demonstrate that the adjacent properties will not be negatively affected by the operation of this use. These documents may be photometric or noise study conducted by a professional with experience within this field.
2. Surface: The surface materials of the use may be made of a pervious material, unless otherwise prevented by the stormwater regulations of the City.
3. Concessions: Beverages and food service may be an accessory use.

4. Site Plan: The applicant shall submit a site plan to ensure compliance with applicable provisions within this ordinance.

J. Drive-through

1. Applicability: Shall apply to all drive-through uses to include but not limited to signage, pick-up and service windows, and lane design. The “drive-through” component of any defined use is defined as an accessory to the primary use. All conditions associate with the primary use shall be met in addition to the regulations associate with these standards.
2. Location: Drive-through, pick-up, or service windows shall be located on the side or rear of the principal use, and shall not face any public right-of-way. Menus shall be located on the side, secondary frontage, or rear of the building.
3. Drive-through lanes design: Lanes shall not be enclosed or bordered by curbs or any physical barrier as it restricts vehicular access. Lanes are encouraged to circulate behind or around the side of the principal use, however may circulate between the building and the primary frontage if adequate screening is provided in the form of a knee wall and/or an appropriate amount of landscaping to screen the lane from the public right-of-way.
4. Stacking: If a stacking lane is designed to handle 6 vehicles or more, the applicant shall provide documentation to the Zoning Administrator showing how the stacking of vehicles shall be contained on-site during peak hours.

K. Dry Cleaning

1. Storage: No outdoor storage or displays are permitted
2. Truck Loading or Delivery Areas: All areas for the purposes of loading, unloading, and deliveries shall be in the rear of the use and be screened from adjoining properties.

L. Funeral Homes

1. Accessory Use: May have an attached crematory, however it shall not be more than 25% of the gross floor area of the funeral home. Crematories are not permitted in residential districts.

M. Garden Center

1. Outdoor Sales and Display: Shall conform to all standards associate with horticultural nurseries, in addition to all other outdoor and display regulations within in 6.4.3.T.

N. General Retail (Neighborhood, Regional Shopping Centers, Specialized)

1. Truck Loading or Delivery Areas: All areas for the purposes of loading, unloading, and deliveries shall be located in the rear of the use and be screened from adjoining properties. If possible, these areas shall be consolidated to one portion of the building or development.
2. Outdoor sales: Items for sale may be permitted against the exterior walls of the use, however it shall not obstruct any pedestrian sidewalks or vehicular circulation
3. Shall not include grocery stores or convenience stores.

4. Maximum Size: The follow shall be maximum sizes for buildings in for different classifications:

- a. **Neighborhood and Specialized**: 9,999 sq. ft. maximum floor area.
- b. **Regional Shopping Center**: No maximum.

O. Grocery Stores

1. Operation: Shall include at least 500 interior sq. ft. of floor area dedicated to the sale of fresh produce.

P. Hardware Store

1. Applicable to **Core Commercial and Neighborhood Commercial**: No outdoor storage of materials, equipment, or vehicles permitted. Items for sale may be permitted against the exterior walls of the use, however it shall not obstruct any pedestrian sidewalks or vehicular circulation.

Q. Hotels or Motels

1. Accessory Uses: Permitted to have any accessory use that is otherwise allowed in the zoning district in which the principal use is located.

2. Types of Accessory Uses: Uses accessory to Hotels shall be bars, restaurants, salons, gyms, and other compatible uses that retain the character of the district as determined by the Administrator.

3. Roof Top Accessories: Roof top amenities shall not count toward the height requirements if otherwise allowed by Building and Fire Code.

4. Location of Accessory Uses: Shall be located on the first floor and have their own separate means of ingress, unless specifically for the utilization of hotel guests. Rooftop, waterfront, or other type of accessory uses that take advantage of scenic views or natural features shall be permitted, if there is no conflict with other regulations within this Ordinance.

5. Operation: No hourly rates shall be permitted. Overnight, weekly, or monthly rates are permitted.

R. Liquor Stores

1. Location: Shall not be located within 300 linear feet of a church or school, except when located within a Core Commercial (CC). Shall not be located within 1,000 linear feet of another liquor store.

S. Microbrewery, Micro-Distillery, Micro-Winery

1. Location: Shall not be located within 250 linear feet of a church or school, except within a Core Commercial (CC) District.

2. Outdoor Recreation: All play areas or outdoor seating areas shall have a defined perimeter. Areas adjacent to roadways or vehicular circulation shall be protected by a fence, vegetation, or combination thereof without obstructing sight triangles.

3. Accessory Uses: Sale of products produced on-site shall be permitted in accordance with all other regulating authorities. May be permitted to have a commercial kitchen that is compliant with all food safety, building, and fire codes.

#### T. Miniature Golf Courses

1. Operation: Shall not operate between the hours of 12:01 a.m. and 6:00 a.m. of any day.
2. Lighting and Noise: The use shall comply with the noise ordinance of the City. Lighting within the course shall be shielded and contained to the course as to not spillover to adjacent properties or become a traffic hazard. The Zoning Administrator may require a photometric plan if deemed necessary.
3. Course Design: Structures, characters, vegetation or other decorative elements shall reflect historical or cultural elements of the City, Region, or State. The course shall be designed with proper safety measures to include, but not limited to, perimeter fencing, barriers around water features, and appropriate interior signage.

#### U. Mixed Use Building

1. Residential dwelling for mixed use buildings shall be placed above to the rear, or to the side of a commercial use. In case of new construction, the residential use may be occupied prior to the commercial use as long as all primary and accessory uses receive the proper zoning approvals and certificate of occupancy.

#### V. Office Building

1. Accessory Uses: An office building may have accessory uses, such as a salon, convenience store, electrical vehicle charging stations, restaurants and other accessory uses that serve the needs of the building's occupants.

#### W. Outdoor Display and Sales

1. Applicability: Shall be required for all uses for outdoor display and sales, unless otherwise specified.
2. Location: Shall be setback at least 50 feet from the road, or placed behind an existing building, or sufficient screen as determined by the Zoning Administrator.
3. Design: Shall be placed on a site that is sufficiently improved to withstand the load of stored materials and vehicles.
4. Site Plan: A site plan shall be required showing the areas of outdoor storage and sales to ensure pedestrian and vehicular circulation.
5. Operation: Outdoor storage as a principal use is not permitted unless as specified in the Industrial category.

#### X. Parking Lots and Garages

1. Applicable to Core Commercial (CC) and Neighborhood Commercial (NC): Shall not be located adjacent to an existing property utilized as a parking lot as its principal use.
2. Storage: Shall be kept free of storage of inoperable vehicles when a parking lot is the principal use for the property. When parking lots are associated with another primary

use, it may be permitted for vehicle storage, however it shall be fully enclosed and screened from view with vegetation, fencing, or combination thereof.

3. Design: Shall be composed of either asphalt, concrete, or pervious materials that can withstand the load of its intended use. In the CC or NC the City may require that the parking garage be design either provide space for commercial spaces, or disguise the appearance of the garage to fit in with the applicable design provisions in this ordinance.

Y. Pet Boarding (Animal Boarding Kennel)

1. Location: All cages or kennels for animals shall be located in the rear of the building.
2. Screening: All kennels shall be opaquely screened from the public right-of-way and adjacent properties. Areas reserved for the exercise and play of animals shall be defined by a 6 feet wall or fence.
3. Operation: Outdoor activity is permitted during daylight hours, animals shall be boarded indoors at night.
4. Compliance with other codes and regulations: Applicant shall comply with all other City, County, State, and Federal Regulations.
5. Applicable to Neighborhood Commercial (NC): All animals shall be within the building. Outdoor kennels are not permitted.

Z. Restaurant, Full Service

1. Design: No flat or parapet roofs, unless the rooftop or top floor is meant for open-air dining. Minimum roof pitch of main roof shall be 4:12.
2. Applicable to Restaurants with pick-up window: Shall not be considered a drive-through (see drive-through facility). Pickup window shall be oriented to the side or rear, unless paired with an area for seating or open space amenity.

AA. Storage, Indoor

1. COA Required: In cases where this is being proposed as a new structure, or occupying an existing structure or use, this use shall require a Major Certificate of Appropriateness by the Architectural Review Board.
2. Storage areas shall be screened from public right-of-way and located to the side and rear.

BB. Tattoo Parlor

1. Location: Shall not be located within 1,000 linear feet of a church or school.

CC. Tobacco Stores

1. Location: Shall not be closer than 1,000 linear feet from the nearest tobacco store
2. Operation: Shall be permitted to operate as a cigar bar (as defined in the NAICS code).

DD. Vape Store

1. Location: Shall not be located closer than 1,000 linear feet from the nearest vape store, school, or place for religious assembly.

EE. Veterinarian

1. Animal Boarding: The keeping of any animals overnight shall be permitted if the animal is kept indoors. If a veterinarian service is associated with pet boarding, see Pet Boarding.
2. Applicable to Core Commercial (CC) and Neighborhood Commercial (NC): Overnight animal boarding is not permitted unless completely inside a building.

6.4.4. *Institutional-Civic-Public Uses*

A. Amphitheaters, Outdoor

1. Operation: The use shall only operate between 8:00am and 10:00pm unless a noise ordinance waiver is granted by the City of Easley. Indoor theaters, see "Theater."
2. Lighting and Noise: The operation of this use shall adhere to the noise ordinance of the City. All lighting shall be design to be sufficiently shielded and directed as to prevent spillover to adjacent properties. The Zoning Administrator may require a photometric plan if deemed necessary.

B. Cemetery and Mausoleums

1. Lot Size: Minimum lot size of 5 acres.
2. Operation: Shall not disrupt the character of the district. No crematorium permitted.
3. Applicable to One-Family Residential Districts: Front yard setback of at least 45'.
4. Allowed One-Dwelling Unit for caretaker and immediate family of owner.

C. Civic and Social Organizations

1. If located in a residential zoning district, the use shall be design to be a residential structure. If locating in an existing commercial (or former nonconforming use) the character of the surrounding neighborhood shall be preserved. In One-Family Residential districts, the Zoning Administrator may require screening or landscaping.

D. Colleges, Universities, Vocational Schools, and Private Schools

1. Site Plan: A master plan for the campus is required. The use is compatible with the district, and adequate provisions for the preservation and use of open space.

E. Farmers Market, Indoor and Outdoor

1. Permit Required: All vendors within an authorized farmer's market shall obtain all applicable licenses (or Temporary Use Permit) to operate within the State of South Carolina and City of Easley. This may be waived if this is a City sponsored market.
2. Operation: Shall operate between 6 a.m. and 10 p.m. and shall be on Saturday and Sunday unless otherwise approved by the City.

3. Hours of Operation: Sales shall be conducted within the property or properties, and shall not obstruct any areas intended for the circulation of pedestrians or vehicles.

F. Government Building or Facility

1. Size: Shall be limited to a 4,000 square foot building footprint within One-Family Zoning Districts.
2. Demonstration of Need: The applicant shall provide all necessary documentation demonstrating the need for the proposed facility as prepared by a person experienced in the same field.
3. Exemptions: Police, Fire or Ambulatory stations are exempt from these standards.

G. Public Utility Stations

1. Design: Shall be designed to blend in to the natural landscape or screened from the public right-of-way.

H. Religious Assembly

1. Minimum Lot Size: 20,000 sq. ft., unless within an existing building.
2. Setbacks: Principal building at least 25 feet from adjacent residentially zoned properties, unless within an existing building.
3. Accessory Uses: Day cares, Sunday schools, and preschools are allowable accessory uses.
4. Preestablished Legal Nonconforming Uses: Distance requirements from bars, tobacco stores, tattoo parlors, and other similar uses shall not apply in the following instances:
  - a. When a place for religious assembly is established in a Core Commercial (CC) and Neighborhood Commercial (CC); and
  - b. When a place for religious assembly is established within the defined proximity of one of the legally established uses. The establishment of a religious assembly shall not render a conforming use nonconforming due to its establishment.

I. Theater

1. Operation: The use shall only operate between 8:00am and 10:00pm unless a noise ordinance waiver is granted by the City. Indoor shows or events are exempted from this requirement.
2. Lighting and Noise: No speaker or lighting fixture shall negatively affect any adjacent residential property. The use shall comply with applicable lighting standards and noise ordinance. Theater search lights as a decoration may be used if the applicant demonstrates compliance with applicable Federal, State, and Local laws. Additionally, search lights shall not be directed at ground level, any buildings or structures, or any vehicles.

6.4.5. *Industrial Uses*

A. Heavy Equipment Rental and Sales

1. **Parking of Vehicles:** No vehicles or equipment shall be stored on an unimproved surface, required buffer, berm, or landscaping feature. No vehicle shall be elevated for the purposes of advertising, by any means, above the parking grade. Vehicles for repair shall be stored in the rear or side, screened from the public right of way, and adjacent property. No vehicle or equipment undergoing repair services, under any circumstance, should be on-site for more than 180 days.
  2. **Service Bay Doors:** Repair of vehicles or boats shall occur within an enclosed building. Service bay doors shall not be visible from the public right-of-way. If service bay doors face a residential property, they shall be opaquely screened from view
  3. **Screening:** All vehicles and equipment being stored overnight on-site shall be located in the rear or side and opaquely screened or located not to be visible from the public right-of-way.
- B. **Repossession Services, Wrecker Service, and Junk Yards**
1. **Storage of Equipment and Vehicles:** No storage of vehicles or equipment shall be in the front yard, or between the buildings and a public right-of-way.
  2. **Screening:** All vehicles and equipment being stored overnight on-site shall be opaquely screened or located not to be visible from the public right-of-way.
  3. **Security:** The applicant shall submit a site plan that includes the location and specification of video surveillance equipment, sufficient screening, and perimeter security. Additionally, the applicant shall be required to employ or have a contract with a license security professional 24 hours a day, seven day a week.
  4. **Street Buffer:** A VAS landscape buffer shall be required between the use and the public right-of-way as specified in Table 8.3.5.
- C. **Storage, Outdoor**
1. See standards for Outdoor Display and Sales.
  2. No junk, inoperable, or vehicles in disrepair may be in the front yard or be visible from the public right of way.
- D. **Telecommunication Facility**
1. Shall adhere to the standards in regarding telecommunications (Section 6.7).
- E. **Heavy Truck Sales and Service**
1. **Storage of Equipment and Vehicles:** No storage of vehicles or equipment shall be in the front yard, or between the buildings and a public right-of-way.
  2. **Screening:** All vehicles and equipment being stored overnight on-site shall be opaquely screened or located not to be visible from the public right-of-way.
- F. **Warehouse (Mini-Warehouse)**
1. **Loading Bays:** All bays used for truck delivery or loading shall be on the rear of the building. In the case where this is not possible, loading areas may be oriented toward the side, however no loading area shall be visible from the public right-of-way.

2. Outdoor Storage: All supplies, non-operable vehicles, and equipment shall be stored in the rear of the building. No storage is permitted between the building and the public right-of-way.

## 6.5. Accessory Uses and Structures

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### 6.5.1. *Accessory Use Permissions Defined*

- A. This Section authorizes the establishment of accessory uses and structures that are incidental and customarily subordinate to principal uses. The City's intent in adopting this section is to allow a broad range of accessory uses. Such uses shall be located on the same site as the principal use and shall comply with the standards set forth in this section to reduce potentially adverse impacts on surrounding lands. Unless otherwise stated, all accessory structures shall conform to the dimensional requirements in the zoning district in which it is located.

### 6.5.2. *General Standards for Accessory Uses*

- A. Minimum Front Setback: Shall not be placed in front of the primary use, and shall observe the front setback in the underlying zoning district or applicable overlay district.
- B. Maximum Size: No accessory structure shall be larger than 1,200 sq. ft. Swimming Pools are exempt from size requirements.
- C. Side and Rear Setbacks: The accessory use shall occupy not more than a total of thirty (30) percent of the required rear and side setback. For accessory units that exceed 15' in height, the side and rear setback shall be 10'.
- D. Height: No accessory structure shall exceed 17' and cannot be larger than the primary structure.
- E. Design: Shall be of similar design, materials, and colors as the principal building and should be appropriately landscaped. Vinyl siding is discouraged but may be appropriate for some single-family attached or detached residential structures.
- F. Maximum Number of Structures: Shall not exceed two detached accessory units per parcel, and shall not exceed a cumulative of 1,600 sq. ft.

### 6.5.3. *Uses Customarily Accessory to Dwellings*

- A. The following accessory structures are permitted within all residential use types defined by the Table of Permitted Uses, Section 6.3:
  1. Private garage.
  2. Open storage space or parking area for motor vehicles provided that such space shall not be used for more than one (1) commercial vehicle licensed as one ton or less in capacity per family residing on the premises.
  3. Shed or tool room for the storage of equipment used in grounds or building maintenance.
  4. Pet House. Kennels used for commercial purposes are prohibited.
  5. Private swimming pool and bath house.

6. Structures designed and used for purposes of shelter in the event of man-made or natural catastrophes.
7. Noncommercial flower, ornamental shrub or vegetable garden or greenhouse

*6.5.4. Uses Considered as a Second Primary Use to a Place of Religious Assembly*

A. The following accessory uses are permitted in conjunction with Places of Religious Assembly (Church, Temple, Synagogue, Mosque, etc.), as defined by the Table of Permitted Uses, Section 6.3:

1. Religious education buildings.
2. Parsonage or parish house, together with any use accessory to a dwelling as specified above.
3. Day Care Homes.
4. After-School Programs.

*6.5.5. Uses Customarily Accessory to Non-Residential, Institutional, and Recreational Uses. (Excluding Industrial)*

A. The following accessory structures are permitted in conjunction with nonresidential use types as defined by the Table of Permitted Uses, Section 6.3:

1. Residential dwellings as Mixed Use Buildings with relevant conditions
2. Completely enclosed building for the storage of supplies, stock, or merchandise.
3. Light manufacturing and/or repair facility incidental to the principal use provided that dust, odor, smoke, noise, vibration, heat, or glare produced as a result or such manufacturing or repair operation is not perceptible from any boundary line, or the lot on which said principal and accessory uses are located and provided such operation is not otherwise specifically prohibited in the district in which the principal use is located.
4. Satellite dishes. A maximum of one (1) per lot and placed in the rear setback only. Such dish shall not be located closer than ten (10) feet from any property line and shall be screened from residential uses by a fence or plantings or combination thereof.

*6.5.6. Uses Customarily Accessory to Retail Businesses, Office Use and Commercial Recreation Facilities*

A. The following accessory structures are permitted within Industrial districts defined by the Table of Permitted Uses, Section 6.3:

1. Watchman or caretaker's one-family dwelling provided that such a dwelling is located on the premises of a permitted use; and, provided a member of the household is employed by the industry as a watchman or caretaker.
2. Dwelling incidental to a permitted agricultural or horticultural use provided that such related dwellings are occupied by persons employed directly on the premises.
3. Retail or wholesale business or service, provided such business or service is incidental to a permitted industrial use, is located on the same premises, and involves no open storage of junk or salvage materials in conjunction with the operation.

4. Private recreation facilities provided such facility is incidental to a permitted use and located on the same premises.

## 6.6. Sexually Oriented Uses

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### 6.6.1. *Purpose and Intent*

- A. It is the purpose of this section to regulate sexually-oriented businesses to promote the health, safety, morals, and general welfare of the citizens of the City of Easley, and to establish reasonable and uniform regulations to prevent the continued deleterious location and concentration of sexually-oriented businesses within the City. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials including sexually-oriented materials. Similarly, it is not the intent or effect of this Ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually-oriented entertainment to their intended market. Neither is it the intent nor effect of this section to condone or legitimize the distribution of obscene material.

### 6.6.2. *Definitions*

- A. Adult arcade means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "certain sexual activities" or "specified anatomical areas".
- B. Adult bookstore or adult video store means 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:
  1. 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
  2. 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 adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas".
- C. Adult cabaret means a nightclub, bar, restaurant or similar commercial establishment which regularly features:
  1. Persons who appear in a state of nudity; or

2. Live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities”; or
  3. 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”.
- D. Adult motel means a hotel, motel or similar commercial establishment:
1. 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 or photographic reproductions; or
  2. Offers a sleeping room for rent for a period that is less than ten (10) hours; or
  3. Allows a tenant or occupant of a sleeping room to sub rent the room for a period of time that is less than ten (10) hours.
- E. Adult motion picture theater means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas”.
- F. Adult theater means a theater concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities”.
- G. Escort means a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.
- H. Escort Agency means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its principal business purposes for a fee, tip, or other consideration.
- I. Establishment means and includes any of the following:
1. The opening or commencement of any sexually-oriented business as a new business;
  2. The conversion of an existing business, whether a sexually-oriented business, to any sexually-oriented business;
  3. The additions of any sexually-oriented business to any other existing sexually-oriented business; or
  4. The relocation of any sexually-oriented business.
- J. Permittee and/or licensee means a person in whose name a permit to operate a sexually-oriented business has been issued, as well as the individual listed as an applicant on the application for a permit.

- K. Nude Model Studio means any place where a person who appears in a state of nudity or displays “specified anatomical area” is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.
- L. Nudity or a state of nudity means the appearance of a person’s genitals, pubic area, vulva, anus, anal cleft or cleavage or buttocks or any simulation thereof; or any portion of a female breast below the horizontal line across the top of the areola at its highest point or any simulation thereof. The definition shall include the appearance of any portion of the entire lower portion of the female breast.
- M. Person means an individual, proprietorship, partnership, corporation, association, or other legal entity.
- N. Semi-nude means a state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.
- O. Sexual encounter center means a business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:
1. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
  2. Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.
- P. Sexually-oriented business means an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, or sexual encounter center.
- Q. Specified anatomical areas means the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.
- R. Specified sexual activities means and includes any of the following:
1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
  2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
  3. Masturbation, actual or simulated;
  4. The fondling, erotic touching, or other such contact with an animal by a human being; or
  5. Excretory functions as part of or in connection with any of the activities set forth in 1 through 4 above.
- S. Substantial enlargement of a sexually-oriented business means the increase in floor areas occupied by the business by more than twenty-five (25) percent, as the floor areas exist.
- T. Transfer of ownership or control of a sexually-oriented business means and includes any of the following:

1. The sale, lease, or sublease of the business;
2. The transfer or securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or
3. The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business.

#### *6.6.3. Classification*

A. Sexually-oriented businesses are classified as follows:

1. Adult arcades;
2. Adult bookstores or adult video stores;
3. Adult cabarets;
4. Adult motels;
5. Adult motion picture theaters;
6. Adult theaters;
7. Escort agencies;
8. Nude model studios; and
9. Sexual encounter centers.

#### *6.6.4. Permit Required*

- A. Operation of a sexually-oriented business requires a valid permit from the City of Easley for the classification of business.
- B. An application for a permit shall be made on a form provided by the City of Easley zoning department. The application shall be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of the total floor space occupied by the business. The sketch or diagram need not be professionally prepared but shall be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six (6) inches.
- C. The applicant shall be qualified according to the provisions of this chapter and the premises shall be inspected and found to be in compliance with the law by the health department, fire department, and building official. The health department, fire department and building office shall complete their inspections and certify same to the Zoning Administrator within twenty-one (21) days of receipt of the application by said Zoning Administrator.
- D. If a person who wishes to operate a sexually-oriented business is an individual, he shall sign the application for a permit as applicant. If a person who wishes to operate a sexually-oriented business is other than an individual, each individual who has a ten (10) percent or greater interest in the business shall sign the application for a permit as applicant. If a corporation is listed as owner of a sexually-oriented business or as the entity which wishes to operate such a business, each individual having a (10) percent or greater interest in the corporation shall sign the application for a permit as applicant.

- E. The fact that a person possesses other types of state, or City of Easley permits and/or licenses does not exempt that person from the requirement of obtaining a sexually-oriented business permit.

#### *6.6.5. Issuance of Permit and Fee*

- A. The City Zoning Administrator shall approve the issuance of a permit to an applicant within thirty (30) days after receipt of an application unless any one or more of the following is found to be true:
  - B. An applicant is under eighteen (18) years of age;
  - C. An applicant is overdue payment to the City of Easley for taxes, fees, fines, or penalties assessed or imposed in relation to a sexually-oriented business;
  - D. An applicant has failed to provide information reasonably necessary for issuance of the permit or has falsely answered a question or request for information on the application;
  - E. An applicant is residing with a person who has been denied a permit by the City of Easley to operate a sexually-oriented business within the preceding twelve (12) months, or residing with a person whose license to operate a sexually-oriented business has been revoked within the preceding twelve (12) months;
  - F. The premises to be used for the sexually-oriented business have not been approved by the health department, fire department, and the building official as being in compliance with applicable laws and ordinances;
  - G. The permit fee required by this Ordinance has not been paid;
  - H. An applicant of the proposed establishment is in violation of or is not in compliance with any of the provisions of this Ordinance; or
  - I. The permit, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, and the address of the sexually oriented business. The permit shall be posted in a conspicuous place at or near the entrance to the sexually-oriented business so that it may be easily read at any time.
  - J. The annual fee for a sexually-oriented business permit is five hundred dollars (\$500) dollars in addition to the City's required business license fee.

#### *6.6.6. Inspection*

- A. An application of permittee shall permit representatives of the law enforcement department, health department, fire department, zoning department or any other City of Easley departments or agencies to inspect the premises of a sexually-oriented business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business.
- B. A person who operates a sexually-oriented business or his agent or employee commits a misdemeanor if he refuses to permit such lawful inspection of the premises at any time it is occupied or open for business.

#### *6.6.7. Expiration of Permit*

- A. Each permit shall expire one year from the date of issuance and may be renewed only by making application as provided in Section 6.6.4. Application for renewal should be made at

least thirty (30) days before the expiration date, and when made less than (30) days before the expiration date, the expiration of the permit will not be affected.

- B. When the Zoning Administrator denies renewal of a permit, the applicant shall not be issued a permit for one (1) year from the date of denial. If after denial, the Zoning Administrator finds that the basis for denial of the renewal permit has been corrected or abated, the applicant may be granted a permit if at least ninety (90) days have elapsed since the date of denial became final.

#### *6.6.8. Suspension of Permit*

- A. The Zoning Administrator may suspend a permit for a period not to exceed thirty (30) days if it is determined that a permittee and/or licensee or an employee of a permittee and/or licensee has:
  - 1. Violated, or is not in compliance with any section of this Ordinance; or
  - 2. Engaged in excessive use of alcoholic beverages while on the sexually-oriented business premises; or
  - 3. Refused to allow an inspection of the sexually-oriented business premises as authorized by this chapter; or
  - 4. Knowingly permitted gambling by any person on the sexually-oriented business premises.

#### *6.6.9. Revocation of Permit*

- A. The Zoning Administrator shall revoke a permit if it is determined that:
  - 1. A permittee and/or his licensee knowingly gave false or misleading information in the material submitted to the zoning department during the application process; or
  - 2. A permittee and/or licensee or an employee has knowingly allowed possession, use, or sale of controlled substances on the premises; or
  - 3. A permittee and/or licensee or an employee has knowingly allowed prostitution on the premise; or
  - 4. A permittee and/or licensee or an employee knowingly operated the sexually-oriented business during a period when the permittee's and/or licensee's permit was suspended; or
  - 5. A permittee and/or licensee or an employee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation or other sexual conduct to occur in or on the permitted and/or license premises; or
  - 6. A permittee and/or licensee is delinquent in payments to the City of Easley or state for any taxes of fees past due.
- B. When the Zoning Administrator revokes a permit, the revocation shall continue for one (1) year, and the permittee and/or licensee shall not be issued a sexually-oriented permit for one (1) year from the date revocation became effective. If, after revocation, the Zoning Administrator finds that the basis for the revocation has been corrected or abated, the

applicant may be granted a permit if at least ninety (90) days have elapsed since the date the revocation became effective.

**6.6.10. *Transfer of Permit***

- A. A permittee and/or licensee shall not transfer his permit to another, nor shall a permittee and/or licensee operate a sexually-oriented business under the authority of a permit at any place other than the address designated in the application.

**6.6.11. *Location of Sexually-Oriented Businesses***

- A. A sexually-oriented business is permitted conditionally, per the standards herein, within the General Commercial District (GCD).
- B. A sexually-oriented business shall not be operated within one thousand (1,000) feet of:
  - 1. A church;
  - 2. A public or private elementary or secondary school;
  - 3. A boundary of any residential district;
  - 4. A public park adjacent of any residential use;
  - 5. A day care center; or
  - 6. The property line of a lot devoted to residential use.
- 7. A sexually-oriented business shall not be operated within one thousand (1,000) feet of another sexually- oriented business.
- C. There shall be no more than one (1) sexually-oriented business in the same building, structure, of portion thereof, or the increase of floor areas of any sexually-oriented business in any building, structure, or portion thereof containing another sexually business.
- D. For the purpose of this Ordinance, measurement shall be made in a straight line, without regard of intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, day care center, or public or private elementary or secondary school, or to the nearest boundary of an affected public park, residential district, or residential lot.
- E. For purposes of Section 6.6.11.b of this section, the distance between any two (2) sexually-oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.
- F. A sexually-oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to the grant or renewal of the sexually-oriented business permit, of a church, public or private elementary or secondary school, public park, day care center residential district, or a residential lot with one thousand (1,000) feet of the sexually-oriented business. This provision applies only to the renewal of a valid permit, and does not apply when an application for a permit is submitted after a permit has expired or has been revoked.

#### *6.6.12. Additional Regulations for Adult Motels*

- A. Evidence that a sleeping room in a hotel, motel, or a similar commercial establishment has been rented and vacated two (2) or more times in a period that is less than ten (10) hours creates a rebuttable presumption that the establishment is an adult motel as that term is defined in this chapter.
- B. A person commits a misdemeanor if, as the person in control of a sleeping room in a hotel, motel, or similar commercial establishment that does not have a sexually-oriented permit, he rents or sub rents a sleeping room to a person and, within ten (10) hours from the time the room is rented, he rents or sub rents the same sleeping room again.
- C. For purposes of this section, the terms “rent” or “sub rent” mean the act of permitting a room to be occupied for any form of consideration.

#### *6.6.13. Regulations for Exhibition of Sexually Explicit Films or Videos*

- A. A person who operates or causes to be operated, a sexually-oriented business, other than an adult motel, which exhibits on the premises in a viewing room of less than one hundred fifty (150) square feet of floor space, a film, video cassette, or other video reproduction which depicts “specified sexual activities” or specified anatomical areas, shall comply with the following requirements:
  - 1. Upon application for a sexually-oriented permit, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of one or more manager’s stations and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A manager’s station shall not exceed thirty-two (32) square feet of floor area. The diagram shall also designate the place at which the permit will be conspicuously posted, if granted. A professionally prepared diagram in the nature of an engineer’s or architect’s blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six (6) inches. The City of Easley Zoning Administrator may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared;
  - 2. The application shall be sworn to be true and correct by the applicant;
  - 3. No alteration in the configuration or location of a manager’s station may be made without the prior approval of the Zoning Administrator or his designee;
  - 4. It is the duty of the owners and operator of the premises to ensure that at least one (1) employee is on duty and always situated in each manager’s station that any patron is present inside the premises;
  - 5. The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager’s station of every area of the premises to which any patron is permitted access for any purpose excluding restrooms. Restrooms shall not contain video reproduction equipment. If the premises has two (2) or more manager’s stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any

patron is permitted access for any purpose from at least one (1) of the manager's stations. The view required in this subsection shall be by direct line of sight from the manager's station;

6. It shall be the duty of the owners and operator, and it shall also be the duty of any agents and employees present in the premises, to ensure that the view area specified in subsection (5) remains unobstructed by any doors, walls, merchandise, display racks or other materials at all times and to ensure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will to be permitted in application filed pursuant to subsection (1) of this section;
7. No viewing room may be occupied by more than one (1) person at any time;
8. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than one (1) foot candle as measured at the floor level; and
9. It shall be the duty of the owners and operator and it shall also be the duty of any agents and employees present in the premises to ensure that the illumination described above is always maintained that any patron is present in the premises.
10. A person having a duty under the above regulations commits a misdemeanor if they knowingly fail to fulfill that duty.

#### 6.6.14. Exemptions

- A. It is a defense to prosecution that a person appearing in a state of nudity did so in a modeling class operated:
  1. By a proprietary school, licensed by the state of South Carolina; a college, junior college, or university supported entirely or partly by taxation;
  2. By a private college or university which maintains and operates education programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
- B. In a structure:
  1. Which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and
  2. Where, to participate in a class a student shall enroll at least three (3) days in advance of the class; and
  3. Where no more than one (1) nude model is on the premises at any one (1) time

## 6.7. Telecommunication Towers

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### 6.7.1. Purpose

- A. The regulations of this section are designed to site communications towers in the City of Easley. The regulations in this section are not meant to conflict with any regulations from a Federal or State agency. It is the intent of this article to allow for the co-existence of communications towers and other land uses balanced with reducing the overall negative impact of communications towers by:

1. Reducing the number of towers by encouraging collocation; and
2. Encouraging the following the mitigation actions:
  - a. The clustering of towers;
  - b. The provision of effective screening; and
  - c. The location of communications equipment on existing structures.

**6.7.2. Dimensional Requirements**

A. Telecommunication Towers are subject to the following requirements as described by the table:

Table 6.7.2: Telecommunication Tower Dimensional Requirements		
Districts	Maximum Height	Setback (from adjacent properties)
Agricultural	150 feet	100 feet
Institutional/Office	150 feet	100 feet
Industrial	225 feet	50 feet

**6.7.3. Exemptions**

- A. The following proposed uses shall require only a zoning permit and/or telecommunications application, to be approved administratively:
1. Colocation. Proposed communications equipment collocating on existing towers and structures without adding to their height.
  2. Roof-Mounted Telecommunication Equipment. Antennas mounted on buildings, water tanks or structures other than a free-standing or guyed communications tower and which do not extend more than 30 feet above the highest part of the structure.
  3. Minor Modifications to Existing Facilities. Modifications to conforming telecommunications facilities that meet the requirements contained herein such as the addition of accessory equipment

**6.7.4. Tower abandonment and removal**

A. A tower that is not used for communication purposes for more than 120 days (with no new application on file for any communication user) is presumed to be out of service and the owner of such tower shall notify City staff and remove the tower within 50 days. Where an owner does not remove an abandoned tower, the City will utilize the surety provided as part of Section 6.7.5.A.12.

**6.7.5. Submittal requirements**

- A. All applications for telecommunications towers shall follow the applicable process as provided in this section. In addition to those requirements, every application shall contain the following items:
1. A site plan showing the location of the tower guy anchors (if any), existing or proposed buildings and structures or improvements, including parking, driveways or access roads, signage, fences and protected trees affected by the proposed construction. Adjacent

land uses shall also be noted on the site plan, with precise measurements noted between the proposed tower and any structures on surrounding properties.

2. The site plan shall show a vegetated buffer, either existing or proposed, that provides an effective screen from public rights-of-way, adjacent property owners, parks, historic properties, and across view corridors.
3. The height and design of the tower, materials to be used, color, and lighting shall be shown on elevation drawings. The applicant shall submit documentation justifying the total height of any communications towers, facility and/or antenna.
4. Setback to the proposed tower including the fall zone. The fall zone shall be determined by an engineer certified by the State of South Carolina in a letter which includes the engineer's signature and seal.
5. A report from a structural engineer registered in South Carolina showing the tower antenna capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIAMA 222 (latest version) standards.
6. Evidence that a valid FCC license for the proposed activity has been issued.
7. The distance between the proposed tower and all other telecommunication facilities serving any property within the City of Easley.
8. A copy of the tower's search ring.
9. To ensure the removal of towers which do not meet requirements for continued use or proper maintenance, a statement of financial responsibility shall be submitted for each tower and a financial surety for anticipated removal costs shall be posted. The surety shall be renewed as necessary to ensure that it is always maintained during the existence of the tower.
10. The applicant shall furnish a visual impact assessment which shall include:
  - a. A zone visibility map which shall be provided to determine locations where the tower may be seen from.
  - b. Pictorial representations of before and after view from key viewpoints both inside and outside the City including, but not limited to, Major Highways and Road; State and Local Parks; Historic Districts' Preserves and historic sites normally open to the public; and any other location where the site is visible to many visitors, travelers, or residents.
  - c. An assessment of the visual impact of the tower base, guy wires and accessory buildings from abutting and adjacent properties and streets.
11. Additional information required by the Zoning Administrator for determination that all applicable zoning regulations are met.
12. The applicant and the owner of record of any proposed wireless telecommunications facility shall, at its cost and expense, be required to execute and file with the City a surety or other form of security acceptable to the City as to type of security and the form and manner of execution, in an amount of at least seventy-five thousand dollars (\$75,000.00) for a wireless telecommunications facility and twenty-five thousand dollars

(\$25,000.00) for a co-location on an existing wireless telecommunications facility or other structure and with such sureties as are deemed sufficient by the City to assure the faithful performance of this Section.

**6.7.6. Conditions**

- A. Where a project may be conditionally approved, the applicant shall show that all conditions below are met:
1. The proposed communications tower, antenna or accessory structure will be placed in a reasonably available location which will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards imposed by applicable communications regulations and applicant's technical design requirements.
  2. The location and height of the proposed tower will not substantially impact the character of property listed in or eligible for the National Register of Historic Places, other significant environmental, cultural, or historical site, officially designated scenic roads or rivers, and that the tower is designed to blend into the environment and minimize visual impact.
  3. The applicant has made every effort to build the proposed tower in such a manner as may allow other telecommunication users to collocate including designing the tower for at least two (2) additional collocations.
  4. The proposed tower is located such that adequate setbacks are provided on all sides to prevent the tower's fall zone from encroaching onto adjoining properties.
  5. Applicant shall show that all applicable health, nuisance, noise, fire, building and safety code requirements are met.
  6. The tower shall be located no closer to a structure on a separate lot than a distance equal to 1 foot for each foot in height of the proposed tower plus 50 feet as measured from the center of the proposed tower.
  7. The proposed tower is illuminated as required by the Federal Communications Commission or Federal Aviation Administration.
  8. Towers shall contain a sign no larger than four square feet to provide adequate notification to persons in the immediate area of the presence of an antenna that has transmission capabilities. The sign shall contain the names of the owners and operators of the antennas, as well as emergency phone numbers. The sign shall be located to be visible from the access point of the site. No other signage, including advertising, shall be permitted on any facilities, antennas, antenna supporting structures or antenna towers, unless required by law.
  9. Proposed towers shall not be located within 1,000 feet of an existing tower unless the applicant certifies and submits satisfactory written evidence such as correspondence, agreements, contracts, etc., that the existing tower does not meet the applicant's structural specifications and the applicant's technical design requirements, or that a collocation agreement could not be obtained at a reasonable market rate. In the event of the situation set forth in this subsection, the clustering of new towers on the same parcel near existing towers is permitted.

10. The applicant has pursued any available publicly owned sites and privately-owned sites occupied by a compatible use, and if not utilized, that these sites are unsuitable for operation of the facility under applicable communications regulations and the applicant's technical design requirements.
11. Applicant shall show by certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules and shall file with the Zoning Administrator a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims up to \$1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the municipality, in form approved by the municipality attorney.
12. Land development regulations, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and all other general zoning district regulations except setback and height, shall apply to the use. Setback and height conditions in this section apply.

B. Special Exception

1. A tower, pole, or antenna may be permitted by special exception granted by the Board of Zoning Appeals after public hearing and find that the special exception meets all the criteria for special exception approval per Section 4.10.

## 6.8. Temporary Uses

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### 6.8.1. *Permits Required*

- A. Unless otherwise provided, all permitted temporary uses listed below shall require a temporary use permit that shall be reviewed and issued by the Zoning Administrator, subject to the procedures outlined in Section 4.4, Zoning Permit. If a use is not on the list below, it is prohibited.

### 6.8.2. *Standards for Temporary Uses*

- A. Permanent changes to the site are prohibited, including tree removal.
- B. All other required permits shall be obtained by the operator.
- C. The applicant shall provide a letter of consent from the owner of record of the property on which the temporary uses are to operate.
- D. The applicant may be required to provide a site plan drawn to scale or showing measurements, which show the property boundaries, the location and dimensions of the proposed temporary use area, existing buildings, existing parking areas and existing driveways and roads. If there will be any temporary structures, such as a tent or stand, they also need to be shown on the site plan.
- E. Setbacks: Setbacks for structures (tents, stands, etc.), items for sale, or parking areas shall be 25 feet from any adjacent property line or street right-of-way.
- F. Surety: For all structures associated with a temporary use, a financial guarantee, surety, cash deposit, or letter of credit shall be posted in the amount of 125% of the cost of the structure, trailer, or building, or amount agreed upon by the Zoning Administrator and applicant. If the temporary use is not removed within the time specified on the zoning permit, this surety shall be called and the City shall remove the temporary structure.

### 6.8.3. *Permitted Temporary Use*

- A. Open lot sale of seasonal produce and plant products including Christmas trees, pumpkin patches, or similar agricultural activity for a period not to exceed 45 consecutive calendar days. Applicant's shall obtain all appropriate Permits as well as all applicable licenses from the City, County, or State.
- B. Temporary real estate sales offices (e.g., construction trailer, model home), in conjunction with an approved subdivision or development project, in any district, for a period not to exceed 1 year unless renewed, provided no cooking or sleeping accommodations are maintained in the structure. These may be renewed, upon written request, for periods of 6 months at a time if the subdivision has an active Project Permit. Only one (1) temporary real estate office shall be allowed per 50 residential units within the development.
- C. For new construction, a contractor's office and equipment sheds, including steel cargo storage containers, in any district districts, for a period of 1 year, provided a Project Permit has been issued for construction on the site, and such facilities are placed on the property to which it is appurtenant
- D. Temporary classroom facilities shall not be located at any school, religious institution, or other similar use, unless a plan for improvements designed to eliminate the temporary classrooms at a time certain in the future has been approved by the Zoning Administrator or appropriate zoning process. Such process shall include a review of a site plan for the temporary classrooms, and may require screening, buffering, or other standards for compliance. Extensions of up to 1-year may be permitted by the Zoning Administrator, upon written request, if the units have not proven to be a nuisance and the plan for elimination is still active.
- E. Portable steel storage containers are permitted in any district for purposes of loading or unloading, for a period not to exceed 180 consecutive calendar days when located on private property. It shall not block access to an existing entryway and points of ingress or egress. Where a container is placed within the right-of-way, prior authorization from the regulating authority shall be obtained.
- F. Fairgrounds shall obtain all required licenses, inspections, certifications from applicable local, state, and federal agencies. In addition, fairground shall be subject to the following:
  - 1. Site Plan: The applicant shall have a site plan showing the location of all amenities, aid stations, restrooms, infrastructure, parking areas, pedestrian pathways, vehicular circulations patterns, signage, lighting, and other similar features deemed necessary by the Zoning Administrator.
  - 2. Liability Insurance: The applicant shall have all applicable and required means of insurance deemed necessary by the City's legal representative.
  - 3. Emergency Services: The applicant shall provide to the applicable Police and Fire authority that all measures of health and safety are being met or exceeded.
  - 4. Access to Utilities: The applicant shall demonstrate adequate access to all utilities.
  - 5. Coordination: The applicant shall obtain a Special Events Permit from the City and ensure the coordination of other applicable approvals relating to this event.

## 7. Land Development Standards

### 7.1. Purpose

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- A. The public health, safety, economy, good order, appearance, convenience, morals, and general welfare require the harmonious, orderly and progressive development of land within the City of Easley. In furtherance of this general intent, the regulation of land development by the City of Easley is adopted for the following purposes, among others:
  - 1. To encourage the development of an economically sound and stable community;
  - 2. To ensure the timely provision of required streets, utilities, other facilities and services to new land developments;
  - 3. To ensure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
  - 4. To ensure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, transportation and other public purposes; and
  - 5. To ensure, in general, the wise and timely development of new areas or redevelopment of areas in harmony with the adopted City of Easley Comprehensive Plan.

### 7.2. Applicability

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#### 7.2.1. *Applicability of Provisions*

- A. Applicability. Any application for land development application defined or outlined in this ordinance, unless exempted by Section 7.2.2. Land uses shall comply with Article 6.

#### 7.2.2. *Exemptions*

- A. Agricultural and silvicultural land management and horticultural practices, or to the construction of on-farm buildings and structures used in farming operations.
- B. Construction or land improvement of a single-family residence or its accessory buildings. A single-family residence property owner may make land improvements on his single lot without an approved erosion and sediment control plan and without obtaining a grading permit.
- C. Mining and mineral resource extraction operations conducted in accordance with a valid mining permit issued by the mining and reclamation division of the land resources commission of the state.
- D. Emergency repairs or maintenance of existing structures and facilities, which require ground to be broken. The person responsible shall notify the Director of Public Works in writing within five working days of such emergency repairs and maintenance actions.
- E. Construction or land improvement by state or federal agencies conducted in accordance with a state or federal land management program.
- F. Construction of transmission lines for electricity, water, telephone, gas, sanitary sewers, storm sewers and other utilities, which require disturbance of less than two acres of natural ground surface.

- G. Construction by public service districts, utility companies, Pickens or Anderson County, and the city when plans for such construction or improvements include a sedimentation control plan, which is certified by a registered professional engineer or architect to be in conformity with this division. A registered landscape architect or tier B land surveyor, as empowered by state law, may certify plans.

### 7.3. General Requirements

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#### 7.3.1. *Surveys/Engineering Plans*

- A. Surveys and Markings. All land subdivisions within the jurisdiction of this Ordinance shall be surveyed, platted and marked in accord with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, as promulgated by the Code of Laws of South Carolina, 1976, Title 40, Chapter 21. This Manual is hereby adopted by reference and is as much a part of this Ordinance as if contained herein.

#### 7.3.2. *Coordination with Agency Having Jurisdiction (AHJ)*

- A. Setbacks from Designated Corridors for Future Planned Projects. It shall be the responsibility of the applicant to ensure that setbacks within a development site are measured from any potential future rights-of-way planned by the State, County, or City. If there are plans to establish specifically-designated streets in an adopted corridor plan or subdivision if the adopted plan shows, at a minimum, the applicant shall work with the applicable entity to propose a compatible connection or improvement in terms horizontal alignment of the future roadway, pedestrian and bicycle amenities, streetscape improvements and necessary right-of-way, and other applicable requirements.
- B. Reservation of land for Institutional Uses. The developer shall engage school districts and other public institutions during the planning stages of a development to determine if the development should reserve land for a new institutional use, such as a school, police substation, fire station, or similar use. The developer shall provide proof of correspondence and include it in the Major Subdivision application.
- C. Bus Stops. The Planning Commission may require the applicant work with the School District to locate optimal areas for school bus stops.

#### 7.3.3. *Improvement Guarantees*

- A. Purpose. Where required improvements have not been completed and certified by the applicant subdivider, improvement guarantees may be provided to ensure the proper installation of such required street, utility, and other improvements. The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the developer.
- B. Optional Guarantee. Before the recording of final subdivision plats, or as a condition of final plat approval, the Planning Commission and/or (where applicable) City Council may require and may accept the following financial guarantees in an amount equal to 125 percent of the cost of installing the improvements. (Financial guarantees for sidewalks are set at 150 percent of the cost of installation). The following are acceptable financial guarantees:
  - 1. Surety. The applicant may obtain a surety from a surety company authorized to do business in the state

2. Prepayment. The applicant may make a prepayment to the City in the full amount of said improvements. Any unexpended funds shall be returned to the applicant
- C. Option to Refuse Guarantee. The City Council shall have the right to refuse any of the above financial guarantees and require construction and installation of all improvements by the subdivider, where:
  1. Past performance of the subdivider is unsatisfactory, or
  2. The selection option is unacceptable.
- D. Allocation of Guarantee. Any funds received from financial guarantees required by this Ordinance shall be used only for the purpose of making the improvements for which said guarantees were provided.
- E. Default of Guarantee. In the event the subdivider fails to install or construct the required improvements during the specified time allotted and in conformity with these regulations, the improvement guarantee shall be forfeited to the City of Easley to be used for the completion of the improvements.
- F. Extension of Guarantee. If it appears to the developer that he may not complete construction of required improvements before expiration of his Improvement Guarantee, it shall be his obligation, at least 45 days prior to said expiration, to submit an extended guarantee to the Director of Public Works, who shall forward said extension request to City Council for approval. Such extension shall be for a period of six months. A maximum of two such extensions shall be allowed.

#### 7.3.4. *Dedication, Acceptance, and Maintenance of Improvements*

- A. Improvements to be Dedicated. The final responsibility for the installation of the improvements required by this Ordinance as the standards impose rests with the subdivider. Upon proper installation of these improvements, the subdivider shall take the final steps to dedicate the improvements and have them accepted by the City Council.
- B. Guidelines for Deed Preparation. The following guidelines are to be observed in the preparation of deeds and similar documents of conveyance to the City of Easley:
  1. Standard deed forms commonly used in the field of property conveyance shall be used.
  2. The following official title for the City shall be used in conveying title to or from the City of Easley, including deeds, easements, leases, and other instruments of title:
    - a. *CITY OF EASLEY, SOUTH CAROLINA, a body politic and corporate and a political subdivision of the State of South Carolina*
  3. A deed conveying streets and/or easements to the City shall include a phrase reading “... and appurtenances to said premises belonging or in any way incident or appertaining” to convey related structures such as drainage structures, catch basins, etc.
  4. A deed shall contain a derivation clause; tax map, block and parcel numbers; and information concerning recordation date, book and page number of the related plat.
  5. All deeds shall be submitted to the Public Works Director to be forwarded to the City Attorney for review and recommendation prior to acceptance of any such deed by City

Council. The time for processing the deed shall not exceed 60 days from the time of receipt by the Public Works Director.

C. Title Certification and Provisions of Affidavit

1. Title Certification. Prior to the acceptance of title to any improvements by City Council, the developer shall provide to Council a title certification by an attorney licensed to practice in the State of South Carolina, certifying that the developer owns fee simple title to such improvements, free and clear of liens and encumbrances. Should said attorney make any exceptions in his certification on title, these shall be specifically recited in the Resolution to be presented to City Council for acceptance of such improvements and the City Council shall specifically recognize these exceptions before accepting legal title to the improvements.
2. In addition, prior to the acceptance of a deed to a newly constructed street by City Council, the developer and the contractor who constructed the road shall provide to Council an affidavit that all construction costs for the road have been paid and that the road is free of all encumbrances. For the purposes of this section, a “newly constructed road” is one that has been completed within two years of the date of the City Council’s consideration of whether to accept the road.

D. Effect of the Recording. Except in the case of private subdivisions, recording the approved final plat constitutes a dedication of all public streets to public use, a dedication of all neighborhood parks and other public areas to public use, and a reservation for possible future public acquisition of such additional areas as may be required by the Planning Commission or the City Council.

E. Effect of Offers of Dedication. The offer to dedicate streets, parks, easements or other areas or portions of them, does not impose any obligation upon the City Council concerning maintenance or improvements until the City Council has made actual acceptance by resolution, by entry, or by improvement. If land is dedicated for public use and such use is not imminent, the subdivider may be permitted to dedicate the land with the privilege of using the surface rights until the City Council is ready to use the land. Such dedication with the temporary privilege of use shall be noted on the final plat.

**7.3.5. Sanitary Sewerage Facilities**

A. Required. All subdivisions and lots within such subdivisions shall be provided with sanitary sewerage facilities conforming to requirements, rules and policies of the South Carolina Department of Environmental Services (SCDES), and approved by said agency. Said facilities shall be “stubbed out” prior to road service.

B. Connection Required. (2) Depending on the number of housing units, residential subdivisions shall be connected to the City’s public sanitary sewer system if public service is available within the following distances:

<b>Size of Development</b>	<b>Distance (linear feet of frontage to nearest sewer connection)</b>
1 unit	200'
2 units	400'
3 units	600'
4 units	800'

5-15+ units	1000'
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- C. If a public system is not in place or cannot be extended, the developer shall provide individual subsurface disposal systems where appropriate, given site density, soil, slope, and other conditions and subject to applicable SCDES regulations.
- D. The sanitary sewer system shall be adequate to handle the necessary flow based on complete development.
- E. Improvement plans and specifications for all disposal systems for which the subdivider is responsible shall be submitted for approval with the Final Plat

#### *7.3.6. Areas Subject to Flooding*

- A. General Standards. If the area being subdivided, or any part thereof, is located within the boundary of a designated Flood Hazard Area, as delineated by FEMA Flood Insurance Rate Maps for the City of Easley, adequate plans and specifications for protection from flooding shall be provided as herein required:
  - 1. Any plat of a subdivision which contains land subject to flooding shall be accompanied by evidence that no appreciable expansion of the area subject to flooding would result from the proposed development of land being subdivided, and that the proposed development will be adequately protected from inundation without appreciable interference with the flow of any watercourse or into an impounding basin. All such evidence including surveys and specifications shall be submitted with the Final Plat, and no Final Plat shall be approved in the absence thereof.
  - 2. In no case shall any fill, levee or other protective works be approved unless sufficient compensation adjustments of waterways, ditches or impounding basins are made to prevent any appreciable expansion of flood hazard areas.
  - 3. The centerline of all streets should be at on or above the FEMA Base Flood Elevation Line.

#### *7.3.7. Fire Hydrants*

- A. Installation Requirements. Fire hydrants shall be installed and spaced throughout each subdivision to maintain a 500' radius between hydrants, unless otherwise dictated or required per the International Fire Code. The Fire Chief for the area in which the subdivision is to be located shall approve the location and spacing of hydrants.

#### *7.3.8. Sediment and Erosion Control*

- A. Required. Unless otherwise provided in this section, the surface of land in the city shall not be disturbed or changed for any purposes whatsoever, except in accordance with an erosion and sedimentation control plan approved by SCDES. A grading permit shall be obtained from the Director of Public Works prior to any grading, construction or land disturbance of any nature. The permit shall be valid for a period of two years.

#### *7.3.9. Road Requirements Prior to Construction*

- A. The following shall be required prior to the sale of any lots:
  - 1. The road base shall be installed.

2. Binder asphalt shall be in place prior to the issuance of permits or the commencement of any construction.
3. The final road surface shall be in place at 85% build out as determined by the Director of Public Works.
4. All deterioration to the road shall be repaired to the satisfaction of the Director of Public Works within 30 days of notification by the Director of Public Works or within a time frame determined by the Director of Public Works if seasonal or weather conditions make the 30-day time frame impractical.

## 7.4. General Lot and Block Standards

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### 7.4.1. Lots

#### A. General Standards

1. No building shall hereafter be erected, altered or moved to occupy a greater percentage of lot area than is permitted within the zoning district in which it is or will be located.
2. No lot shall be reduced in size which will not maintain the total lot area, lot width, necessary yards, courts or other open space, lot area per dwelling unit or other requirements of this article.
3. No part of a yard, court or other open space or off-street parking required in connection with any building for the purpose of complying with the regulations of this article shall be included as part or all the required yard, court, or other open space or off-street parking for another building or structure, except as provided in this article.
4. All lots except those in Exempt Subdivisions, as defined by this Ordinance, shall be accessible by a public street, or by a private street approved as part of a PUD.
5. The lot size, width, depth, shape, grade and orientation shall be in proper relation to street and block design, to existing and proposed topographical conditions, and for the type of development and use contemplated.
6. All lots shall meet the minimum area and dimensional requirements of the zoning district in which they are to be located and should have a minimum of (25) twenty-five feet of frontage on an approved street.
7. Side lot lines shall be approximately at right angles to straight street lines and radial to curved street lines.
8. A fraction of  $\frac{1}{2}$  or more shall be considered a whole unit and rounded up to the nearest whole number.

#### B. Non-Standard Lots

1. Irregular Lots. The location of required setbacks on irregularly shaped lots shall be determined by the Zoning Administrator in accordance with the following provisions:
  - a. Irregular Lot Lines: Generally, side lot lines shall be perpendicular or radial to the street right-of-way, and rear lines should be approximately parallel to fronting right-of-way lines. Irregularly shaped lots shall be permitted at the discretion of the Zoning Administrator when unique site conditions exist.

- b. Irregular Lot Setbacks: The location of required front, side, and rear yards (or setbacks) on irregularly shaped lots shall be determined by the Zoning Administrator, based on the prevailing spacing of buildings on the adjacent parcels. Where questions arise as to appropriateness, the applicant may be requested to provide additional design information.
2. Double- and Triple-Frontage Lots. On lots with two street frontages, not located at a corner, or with three frontages and located at a corner, the front setback will apply to both the street that the building derives its address from, in addition to the opposite, parallel street. This does not apply to lots located on a corner with a rear alley. Double- and Triple Frontage lots shall base their setback regulations based on the street that it derives its address from. Double frontage lots shall be avoided except in commercial zones, where essential to provide separation of residential development from railroad or major street right-of-way or from non-residential uses or where necessary due to topography. Where a railroad or major thoroughfare right-of-way, as shown on the major thoroughfare plan, abuts or runs through any portion of the subdivision, the subdivision plat shall provide for either a minor street or lots backing onto said right-of-way having a minimum depth of two hundred (200) feet.
3. Flag Lots. The use of flag lots in residential subdivisions shall be permitted only if dictated by the terrain. Flag lots shall not be permitted to solely allow an increase in the number of lots, however maybe proposed to reduce the number of access points along a roadway. The access drive to a flag lot shall have a minimum width of 20 feet and shall be a deeded part of the lot so accessed. No two flag lots shall abut or converge at the (poles) street right-of-way.
4. Corner Lots. Corner lots shall be at least five (5) feet wider than interior lots; provided however, the maximum required width of corner lots shall be one hundred (100) feet. The minimum side building setback distances shall be at least the minimum front building setback distance for the side adjacent to the street.
- C. Infill Lot Setbacks. In certain neighborhoods, historic setbacks do not conform to current standards. It is the intent of the UDO to create predictability within blocks and not reduce or enlarge setbacks where existing precedents are present. The Zoning Administrator shall have the authority to determine setback for infill lots to ensure compatibility with adjacent structures unless superseded by an adopted plan.

#### *7.4.2. Blocks*

- A. Residential Block. The following regulations shall be used when designing blocks for residential, or those developments comprised of predominantly residential uses:
  1. Block lengths shall be appropriate to topographic conditions and density to be served, but shall not exceed 1,800 feet in length. Maximum block length in a multi-family area shall not exceed 1,000 feet.
  2. Blocks shall be not less than 300 feet in length.
  3. Where blocks are greater than 800 feet in length, a crosswalk easement may be required by the Planning Commission if necessary to provide proper access to schools, playgrounds, or other public facilities. Where provided, such easement shall be at least

10 feet in width, accompanied with a planting strip for street trees, as well have a paved walk of at least 4 feet in width.

4. Blocks should be of sufficient width to allow for two tiers of lots of appropriate depth, except where reverse frontage lots are required along a major street, or where prevented by the size, topographical conditions, or other inherent conditions of property.
- B. Commercial and Industrial Blocks. Blocks intended for commercial or industrial development may vary from the standards of design detailed above in favor of dimensions more suitable to their prospective use; provided such blocks permit adequate traffic circulation.

#### 7.4.3. *Mailboxes*

- A. Individual Mailboxes. Mailboxes shall be installed according to US Postal Service Standards and Requirements. The location of mailboxes shall be placed within the (3) feet wide utility/planting strip located between the back of curb and the sidewalk when possible.
- B. Cluster or Kiosk Mailboxes. If required by the United States Postal Service, cluster-style mailbox kiosks shall be subject to the design standards of the USPS. Kiosk Mailboxes shall provide on-site parking, either on-site or on-street, accessible for ADA use, an located adjacent to proposed open space feature.
- C. Parking for cluster or kiosk mailboxes. The developer shall include off-street parking for the mail kiosk to include at least one (1) handicap accessible space. The developer is encouraged to place the mail kiosk or cluster adjacent or within a close proximity to amenity or recreational facilities within the subdivision.

## 7.5. Street Design Standards

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### 7.5.1. *Streets*

- A. Circulation and System Design
  1. The street system shall be designed to permit the safe, efficient, and orderly movement of traffic; to meet, but not exceed the needs of the present and future population served; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive streetscape.
  2. In residential subdivisions, the street system shall be designed to serve the needs of the neighborhood, provide alternative routes for local traffic, however discouraging residential street to be use general or peak hour traffic.
- B. Public and Private Streets
  1. All streets shall be public dedicated streets and improved accordingly with the provisions of this Ordinance, except where private streets are allowed pursuant to City Zoning Ordinances, such as for approved PUD's, provided such streets meet the design and construction standards of this section.
- C. Layout and Alignment

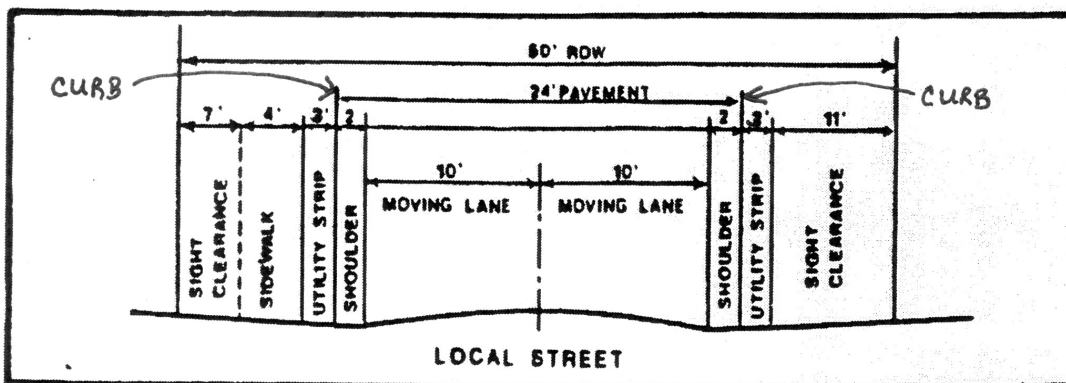
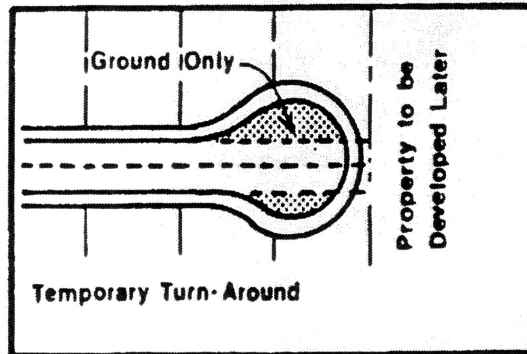
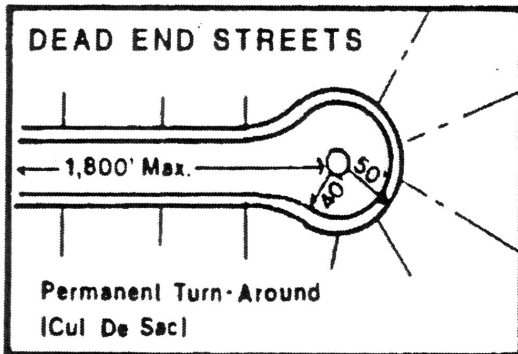
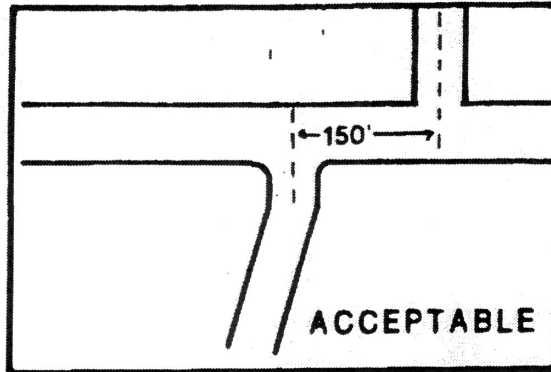
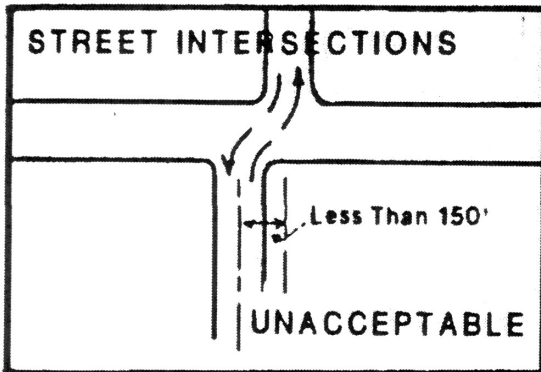
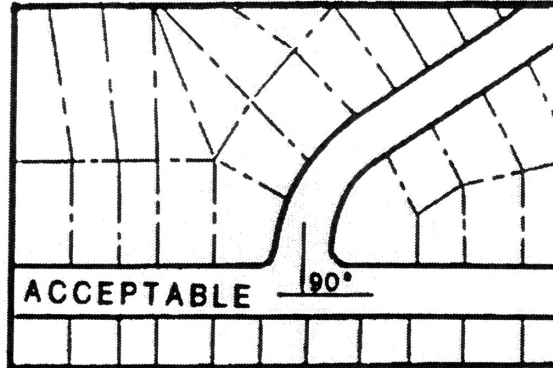
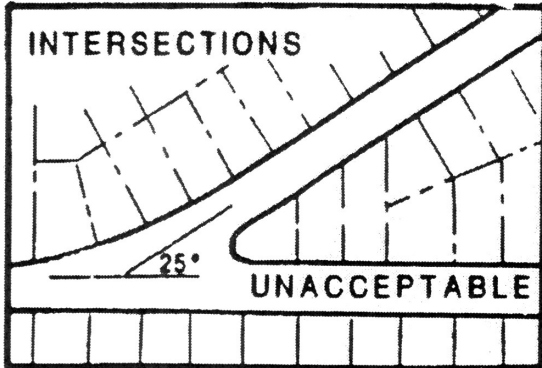
1. Proposed streets shall be coordinated with the street system in the surrounding area and where possible shall provide for the continuation of existing streets abutting the subdivision.
2. All streets shall be opened to the exterior property lines of the subdivision unless permanently terminated by a vehicular turn-around or an intersection with another street.
3. Reserve strips controlling access to streets are prohibited except where their control is placed with the City under conditions approved by the Planning Commission.
4. The arrangement of streets shall be such as will not cause hardship to owners of adjoining property in providing convenient access.
5. Local (minor) streets shall be laid out to discourage their use by through traffic, however shall promote connectivity for local routes. For local streets “T” intersections, and other traffic calming measures, should be used where possible to discourage through traffic and to encourage safety.
6. No new half streets shall be permitted.
7. All streets shall have a minimum turning radius of 30 feet.
8. No plantings more than 4’ (at maturity) shall be placed within 25 feet from the edge of pavement at street intersections. Trees with a canopy above 8’ and visual clearance that satisfies sight triangles may be permitted.

D. Right-of-Way, Lane and Pavement Widths

1. Minimum street right-of-way, lane and pavement widths shall be as follows:

Classification	Lane Width	Pavement	Right-of-Way Width
<b>Local Roads</b>			
Local (Minor) Residential	12’	24’	50’
<b>Collector</b>			
Collector	12’	28’	66’
Collector, With turning lane	12’	40’	66’
<b>Arterial Roads</b>			
Arterial	12’	52’	80’
4-Lane	12’	70’	10’
Controlled Access with service lanes	12’	70’	120’
<b>Other Roads</b>			
Alley	9’	18’	22’
One-way, with media	18’	18’	70’

2. Street Layout Illustrations



E. Intersections

1. Not more than two streets shall intersect at any one point.
2. All streets shall intersect as nearly at ninety (90) degree right angles as possible, subject to variations approved by the Planning Commission upon evidence of good cause. In no case shall streets intersect at angles of less than seventy-five (75) degrees, however.
3. Streets entering upon opposite sides of a given street shall have their center lines directly opposite or shall be offset a minimum distance of 150 feet for local streets and 250 feet for all other streets, measured along the centerline of the streets being intersected, except that street jogs shall not be permitted at arterial and collector street intersections involving continuous traffic movement.
4. Street intersections shall be located at least 150 feet from the right-of-way of any railroad track, measured from the center point of the intersection to the railroad right-of-way line nearest the intersection.
5. Private driveways shall not intersect a public street within 40 feet of an intersection, measured from the street right-of-way.

F. Site Distance

1. Horizontal Curves. Where horizontal curves are used, the minimum sight distance shall comply with the following table:

	<b>Design Speed</b>	<b>Minimum Curve Radii</b>	<b>Minimum Sight Distance</b>
Local	25 mph	150'	250'
Collector	35 mph	250'	350'
Arterial	40 mph	750'	400'

2. Vertical Curves. The minimum length of any vertical curve connecting two different street grades shall be equivalent in feet to the following factor times the algebraic difference in the rates of grade change on the two slopes involved:

	<b>Crest</b>	<b>Sag</b>
Arterial Street	40'	35'
Collector Street	30'	25'
Local Street	20'	15'

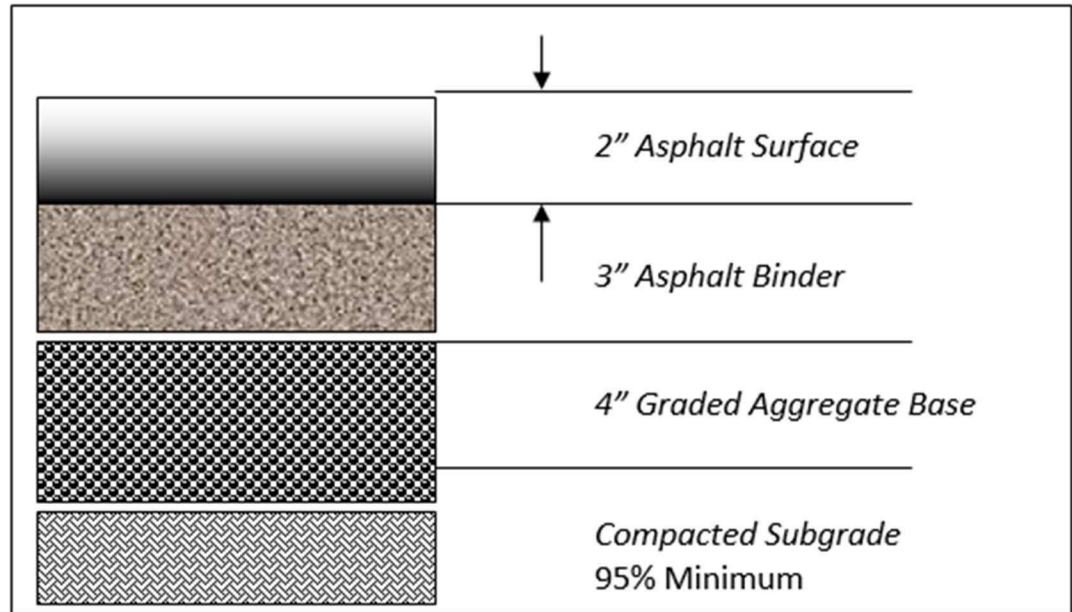
G. Street Improvement Specifications

1. Dimensional Specifications. Street improvements shall adhere to the following specifications as they relate to the level of service depending on the maximum number of lots and trips generated at exit points. Typically local roads and streets and cul-de-sacs have a level of service of 1 to 2. Collector roads and streets have a level of service

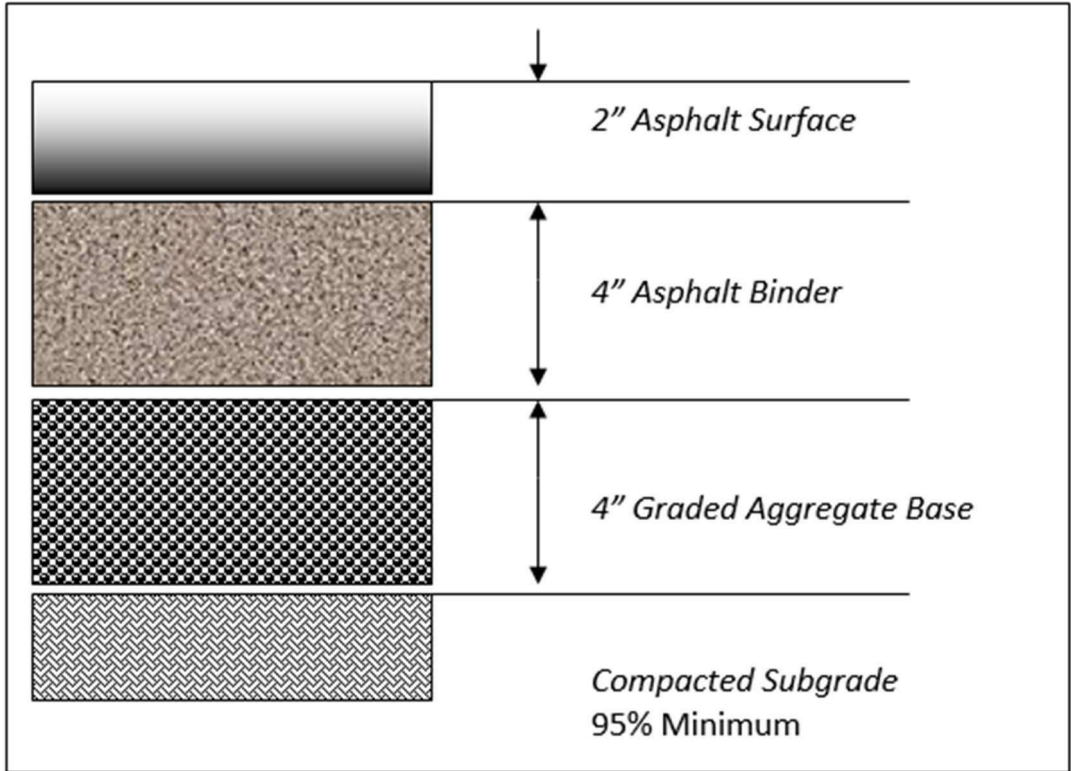
of 3 to 4., and Arterial roads and streets have a level of service of 4 to 5. These are estimates as field conditions may vary

2. Level of service for streets and roads are categorized as follows:

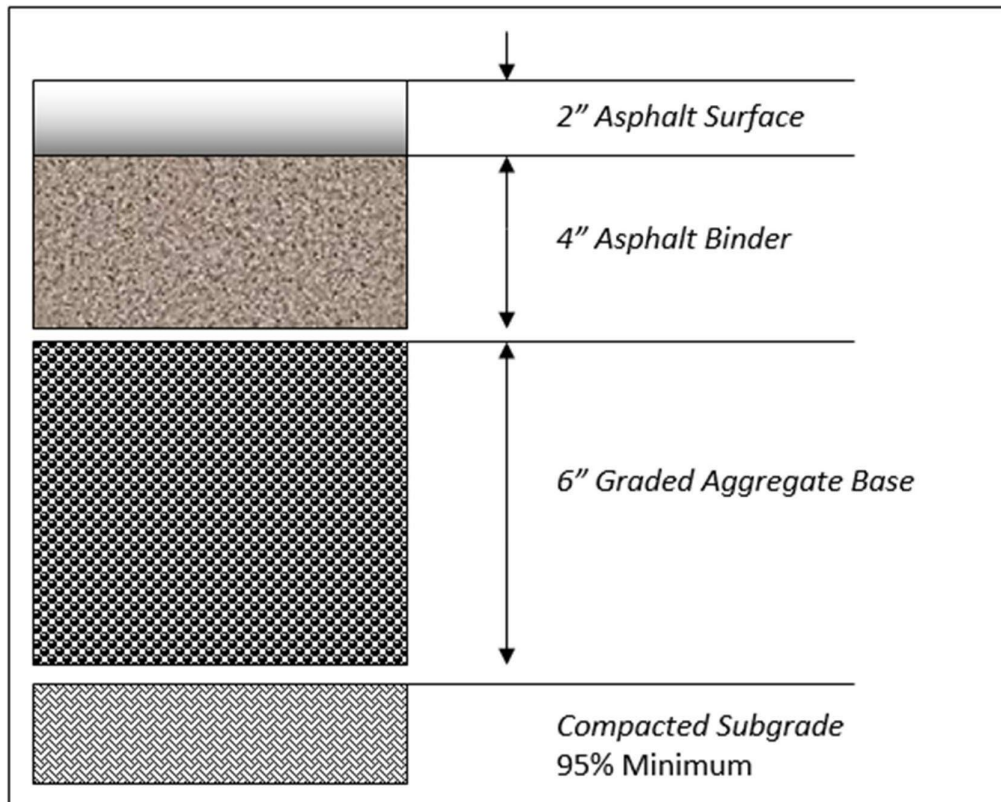
a. Level of Service 2: 1 to 100 lots



b. Level of Service 3: 50 to 200 Lots



c. Level of Service 4: 200+ lots or more intense use than residential



- d. Additional Provisions. All subgrades shall be considered “poor” unless applicant proves otherwise through “proof roll testing,” ~~50,000~~ 60,000 lbs. per tandem vehicle. The subgrade, between lines 18 inches outside the area to be occupied by the pavement structure and curbing, shall be compacted to not less than 95 percent of maximum density except as otherwise provided. The compaction shall be accomplished by using suitable construction procedures and while the subgrade is at a suitable moisture content. Maximum densities will be determined by either AASHTO T 99 (Method A or C as applicable), S.C. T-25, (Method A or C as applicable), or S.C. T-29 as referenced in the Standard Specifications for Highway Construction Manual, Latest Edition of the S. C. Department of Highways and Public Transportation. The Director of Public Works shall review test results for approval.
3. Subgrade
    - a. Shall be constructed as specified in section 208, “Subgrade”, in the SCDHPT specifications, or sound, undisturbed residual soils. In fill areas, all subgrade soils shall be compacted in accordance with section 208.2 “Construction Requirements”, SCDHPT specifications.
      - i. Granular Base Course. The granular base course shall be one of the following types, compacted and tested in accordance with this Section. The minimum compacted thickness requirements are given in the Design Standards Illustrations. (See pages 32-34).
    - b. Sand Clay Base Course as specified in Section 3030, SCDHPT Specifications.
    - c. Soil Aggregate Base Course as specified in Section 302, SCDHPT specifications.
    - d. Macadam Base Course as specified in Section 305, SCDHPT specifications.
    - e. Stabilized Aggregate Base Course as specified in Section 306, SCDHPT specifications.
    - f. Cement Stabilized Base Course as specified in Section 308, SCDHPT specifications.
  4. Asphaltic Base Course. May be used in place of or in conjunction with granular bases. The asphaltic base is to be one of the following types, constructed in accordance with the requirements set forth in the appropriate sections of the most current edition of the SCDHPT specifications. The minimum compacted thickness is given in the Design Standards illustrations. (See pages 32-34)
    - a. Hot Laid Sand Asphalt Base Course as specified in Section 309 of SCDHPT specifications.
    - b. Hot Laid Asphalt Aggregate Base Course as specified in Section 310 of SCDHPT specifications.
    - c. Hot Laid Asphalt Binder Course as specified in Section 403 of SCDHPT specifications.
  5. Surface Course. To be one of the following types while adhering to general specifications set forth in Section 401 of the SCDHPT specifications for asphalt and 501 for Portland Cement.

- a. Hot Laid Asphaltic Concrete Surface Course, Type 3. Types 1, 2, and 4 may be used with the prior authorization of the Director of Public Works. The required compacted thickness is given in the Design Standards illustrations. (See pages 32-34)
  - b. Portland Cement: As specified in Section 501, SCDHPT specifications with a minimum thickness of 8 inches for residential streets and 12 inches for commercial/industrial streets. Reinforcement fabric shall be used.
6. Restrictions on Asphalt Paving Work. Pavement application shall be in accordance with SCDHPT Section 401, Plant-Mix Asphalt, as well as the following standards:
- a. No bituminous surfacing work shall be performed on a wet surface, when the temperature is below 40 degrees Fahrenheit in the shade, or when weather conditions are otherwise unfavorable.
  - b. The mixture shall be delivered and placed in accordance with SCDHPT specifications, Section 401.21 and 401.22, and 401.23, respectively.
  - c. The mixture shall be delivered to the spreader at a temperature between 250 degrees Fahrenheit and 325 degrees Fahrenheit and, except for sand asphalt mixture for base course construction, within 20 degrees Fahrenheit of the temperature set at the plant.
  - d. Where prime coat is used, the prime shall cure for a minimum of 24 hours prior to paving. As specified in Sections 303, 305, 306, and 307 of the latest edition of the SCDHPT specifications.
7. Roadway Cross Sections. All streets developed within the City of Easley Subdivision jurisdiction area shall conform to the typical cross sections shown in the Design Standards illustrations. Super elevation is required for curves in accordance with AASHTO Policy on Geometric Design.
8. Construction Specifications. All streets shall be constructed in accordance with the Standard Specifications for Highway Construction Manual, Latest Edition of the S. C. Department of Highways and Public Transportation, as amended, on file in the office of the Public Works Director. Specifically:
- a. Earthwork shall be completed in accord with Section 200, SCDHPT specifications.
  - b. Base and Sub-bases shall be constructed in accord with Section 300, as applicable to the proposed base course.
  - c. Paving shall be constructed in accord with Sections 400 or 500, as applicable to the proposed paving material.
9. Substitutions. If substitutions of the base, sub-base or paving materials required by Section 403(9)(a) above are proposed, they shall be submitted for approval to the Public Works Director, together with test results to ensure equivalency by an independent testing laboratory satisfactory to the Director of Public Works.
10. Patching of Asphalt. All patching deemed necessary will be done in the following manner: The area of failure will be cleaned out, sided and bottom, to solid, dry adjacent material before it is filled. Before filling, the patched area will be well primed and

tacked. The fill material shall be and approved patching material and compacted upon installation. The finished patch should be left one-quarter to one-half inch above the level of the surrounding pavement.

11. Testing. All required compaction and materials tests shall be performed at the expense of the developer, and in the presence of the Public Works Director and/or a representative for the City Engineer. The roadways will subject to the following:
  - a. Compaction of embankments, subgrade and base courses shall conform to requirements of the most recent edition of SCDHPT Standard Specifications, Sections 205, 208, 302, 303, 305, 306, and 308.
  - b. Compaction and/or sieve analysis tests for subgrade and base course will be at the expense of the developer and shall be performed in a manner acceptable by the Director of Public Works.
  - c. All fill soils deeper than 24" shall be tested for compaction. The frequency of testing will be at the discretion of the Director of Public Works.
  - d. Back fill material placed over all utility trenches, service lines, and storm drain lines installed within the designated road right-of-way shall be compacted to a minimum of 95 % of a Standard Proctor Test (ASTM D-698 or AASHTO T-99). Compaction testing will be at the expense of the developer, and performed in a manner acceptable by the Director of Public Works
12. Inspections. A registered City of Easley engineer, along with the developer's engineer and contractor, shall inspect all phases of construction and certify satisfactory completion of the following steps to the Director of Public Works:
  - a. At completion of clearing and grubbing operations.
  - b. At completion of rough grading.
  - c. At completion of subgrade. All required compaction test results will be reviewed at this time. Tests include:
    - i. 60,000 pound tandem proof roll for the curb line subgrade,
    - ii. 60,000 pound tandem proof roll for the roadway subgrade.
  - d. During final pavement applications.
  - e. Final acceptance inspection.
    - i. In addition, once notified, the Director will inspect the quality of construction of each stage within two working days. This inspection shall be conducted prior to starting construction on the next phase.
  - f. Inspection Fees.
    - i. Initial inspection, completed by a City of Easley registered engineer, shall be at no additional expense to the contractor. However, any subsequent inspections requiring the services of employed or contract personnel of the City of Easley

shall be at the rate of \$250 per man-hour of registered service to complete the required inspection.

- ii. Additional Inspections. There will be a minimum charge to the contractor of at least one man-hour for any work done more than the initial inspection.

### 7.5.2. *Curb and Gutter*

#### A. Applicability, Requirements, and General Standards

1. Curbs and gutters shall be required and installed along both sides of all streets.
2. The concrete shall be batched and mixed in accordance with the provisions of Section 701, Portland Cement Concrete for Structures, SCDHPT specifications.
3. Curbs and gutters shall be constructed in uniform sections 6 to 8 feet in length except where shorter sections are necessary for closure, but none less than 4 feet in length.
4. Forms shall not be displaced during concrete pouring and the concrete shall be spaded or vibrated throughout the entire volume especially against forms and joints. The surface of the concrete shall be floated, troweled, broomed, corners edged and finished to the typical cross-section used.
5. Rollover or Standard Curb and Gutter. This type of curb may be used if it provides a 6-inch face against the pavement and the cross-sectional shape is approved by the Director of Public Works office. Expansion and weakened joints shall be constructed at the same locations as required with formed construction. Weakened joints, spaced at 6-to-8-foot intervals, shall be made by cutting the concrete by an acceptable method. The manner of construction of all joints shall meet the approval of the Director of Public Works office and shall present a workmanlike finish.
6. Construction Specifications. Curbs and gutters shall be constructed in accordance with Section 720 of the Standard Specifications for Highway Construction Manual, Latest Edition, as amended.

#### B. Design Specifications

1. Acceptable curb types are: vertical concrete curbing, or rollover curbing, and are illustrated as follows:

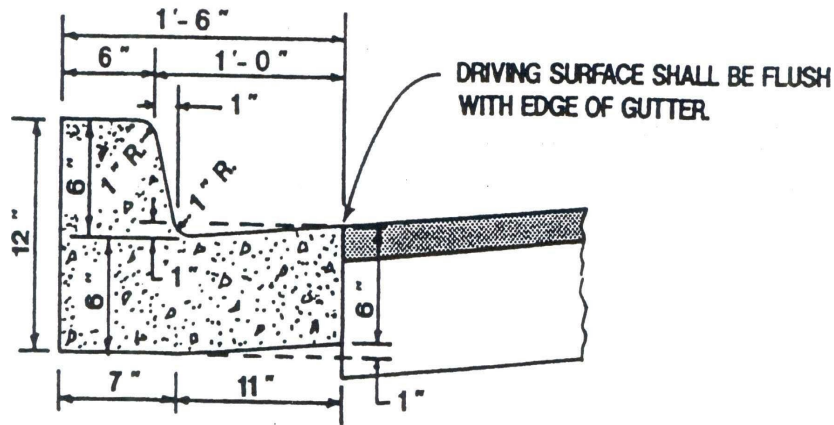


Figure 1: Standard Curb and Gutter

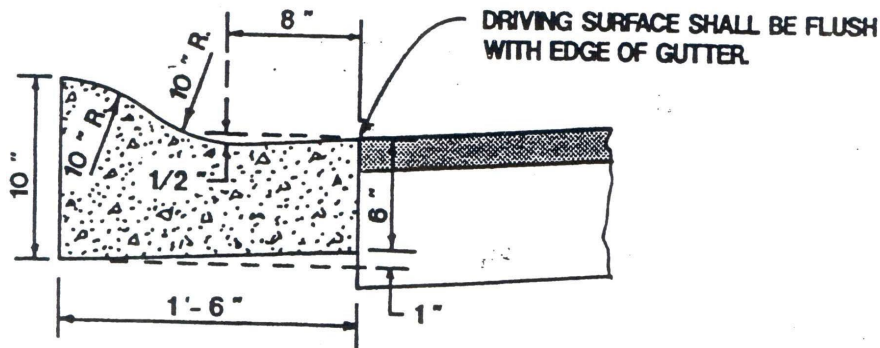


Figure 2: Rolled Curbing

- C. Transition. The transition from one type to the other shall be made only at street intersections with adequate provisions being made for driveway entrances.

### 7.5.3. Drainage

- A. Timing and Consideration. In any subdivision, all drainage should be planned early in the development process. Surface run-off should be handled in such a manner that present and future development property, as well as adjoining properties, will be protected from damage or excessive annual drainage maintenance costs.
- B. Required. Every subdivision shall be served by storm drainage facilities, including storm sewers, manholes, catch basins, culverts, and other facilities required by design criteria on file with the City Engineer or Public Works staff. The developer shall furnish the City Engineer and/or the Director of Public Works with drainage calculations prior to approval of any storm drainage system. Prior to the plat being recorded, drainage easements, preferably along lot lines, with defined widths and locations shall be shown on the plat.
- C. Installation. All drainage facilities shall be designed to serve the entire drainage area in which the facilities are located. All street drains, serving lots in the subdivision, shall be installed by the subdivider.

- D. Open Drainage. Whenever drainage ditches are permitted and used, such ditches shall retain natural design characteristics and be so designed that they do not present a hazard to life and safety

#### *7.5.4. Open Channels*

- A. General Standards. All constructed channels shall be uniform in cross section and fully grassed, including any berms, dikes, and spoil areas along the sides of the channels. The calculated wetted perimeter of the channels cross-section may be riprapped, with the remaining disturbed area temporarily mulched if permanent grassing cannot be established due to weather, season, excessive channel velocities, etc. If a good planting or permanent grassing cannot be established, the developer may sign an agreement that he will be responsible for the channels until such time as they are acceptable by the City Engineer or Director of Public Works.

#### *7.5.5. Catch Basins*

- A. Applicability. Catch basins shall be required to receive surface drainage from roadside gutters or swales into piped or open ditch storm drains. Basins shall be properly sized and spaced along the path of flow as necessary to adequately receive the design discharges from the upstream drainage area. Standard manholes and covers, inside step and gutter gratings may be required for some catch basin installations. Designs for these and other style catch basins are available from the City Engineer.

#### *7.5.6. Culverts*

- A. General Standards
  - 1. All culverts shall be designed to pass the peak run-off from a 25-year rainfall return frequency for a one-hour storm duration. All culverts shall be designed using methods described in the U.S. Department of Transportation Hydraulic Engineering Circular No. 5 or U.S. Department of Agriculture, Soil Conservation Service, engineering Manual.
  - 2. All culverts shall be approved by the City Engineer. All culverts shall be installed in accordance with the state highway department specifications. For some culvert installations, the City Engineer may require special construction at the up and down stream ends of the culvert such as headwalls, riprap, and debris guards.

#### *7.5.7. Construction standards for all pipe work*

- A. Installation. All drain lines shall be laid in accordance with Section 714, Pipe Culverts of the SCDHPT specifications. However, all piping shall be RCP (Reinforced Concrete Pipe), or better. Strict compliance to backfilling and compaction restrictions and regulations will be enforced.
- B. Inspection. The Director of Public Works will be advised of the time the contractor and/or utility companies will be laying and backfilling pipe to perform random inspections. If notification is not given, all work may be required to have inspection holes dug every 50 feet and, upon evaluation by the Director of Public Works, possible total re-excavation and re-compaction will be required. If, upon inspection, backfilling is in progress and no mechanical tamp is on the site, all work done that day will be redone with no test holes accepted.
- C. Subsurface Drainage

1. Where pipe underdrains are required, they shall be installed within 2 ½ feet outside or behind the back of the curb and shall be properly connected to a permanent type drainage outlet such as a catch basin. A minimum of 2 feet of cover shall be provided.
2. Pipe underdrains shall be a minimum of 2 feet below the bottom of the curb and shall be shown on the street profile.
3. Pipe underdrains shall be installed before the base course is placed.
4. In sections where mucking out and backfilling have been done, pipe underdrains shall be installed on both sides of the street.
5. Pipe underdrains shall be covered by washed stone of appropriate size on all sides to a 1-foot minimum dimension and wrapped in geotextile fabric.
6. Pipe underdrains shall be required on both sides of the street in cut sections where the water table is within 2 feet of the centerline subgrade elevation.
7. Pipe underdrains shall be required in addition as determined by the Director of Public Works.
8. Pipe underdrains shall not be covered over until the Director of Public Works has inspected them.
9. Manufactured “strip” or edge drain consisting of a perforated piped core enclosed in non-woven engineering fabric surrounded by granular backfill is an acceptable alternative.

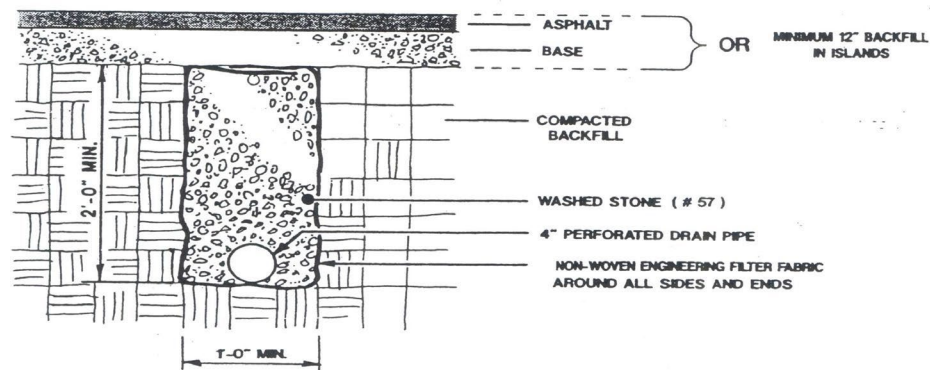


Figure 3: Subsurface Drainage Detail

#### 7.5.8. Alleys

- A. Alleys are not permitted in residential districts, unless the following is true:
  1. To reduce the number of curb cuts on an existing street.
  2. To provide rear access to residential units to reduce the number of driveways on the street.
  3. Alleys shall be privately maintained by a Property or Homeowner’s Association (POA or HOA).

4. Alleys shall not be accepted by the City as a public road. Alleys shall be privately maintained
- B. Paved alleys shall be permitted in commercial and industrial development to provide service access, off-street loading and unloading, drive-through lanes, and parking consistent with and adequate for the uses proposed. Pervious alleys may be utilized for residential uses, only when combined with existing or proposed stormwater infrastructure.
- C. Dead-end alleys should be avoided, but where necessary shall be provided with adequate turn-around facilities at the dead-end, as determined by the Public Works Director and/or Fire Department.

#### *7.5.9. Driveways and Access*

##### A. Residential Subdivisions

1. Residential lots shall not front on or be accessible from the following major arterial streets:
  - a. Highway 93
  - b. Highway 123
  - c. Highway 135
  - d. Highway 8
  - e. Brushy Creek Road
  - f. Crestview Road
  - g. Any roads determined by the Planning Commission
2. Every lot shall have sufficient access to it for emergency vehicles as well as for those needing access to the property in its intended use.
3. Second Entrance. All subdivisions that require a traffic study shall consider a second entrance/exit point to adjacent streets as permitted in this ordinance. At minimum, a street-stub (Section 7.5.14), may be required by the Planning Commission. These entrance and exit points to the subdivision are required to meet additional subbase and surfacing requirements as approved by the Department of Public Works and/or the City's Engineer. In addition, subdivisions serving 85 or more lots shall consider left turning lanes from primary roads designed and installed according to SCDOT specifications

#### *7.5.10. Street lighting*

- A. Applicability. Lighting for safety shall be provided at all street intersections, and between intersections where distance is 500 feet or more, provided that such spacing between intersections shall be not less than 250 feet between streetlights. A lighting plan shall be submitted, it can be incorporated into the signage plan.
- B. Height. The maximum height of streetlights shall not exceed 15 feet, unless otherwise determined by Easley Combined Utilities. No streetlights may overhang the road.

- C. Illumination. Street lighting shall be properly shielded so as not to create a hazard to drivers or a nuisance to residents.

#### 7.5.11. *Street Signage and Names*

##### A. Street Signs

1. Design and placement of traffic signs shall follow state regulations or the requirements specified in the Manual on Uniform Traffic Control Devices for Streets and Highways, published by the U.S. Department of Transportation. Responsibility for installation shall rest with the subdivider.
2. At least two street name signs shall be placed at each four-way street intersection, and one at each "T" intersection. Signs shall be installed under streetlights, where possible, and free of visual obstruction. The design of the street name signs shall be approved by the Public Works Director and shall be of a uniform size and color. A signage plan shall be submitted along with the design plan. (ref. lighting plan).
3. Site information signs in planned developments shall follow a design theme that is related and complementary to other elements of the overall site design.

##### B. Street Names

1. Street names shall be subject to the approval of the Planning Commission. Proposed street names shall be substantially different in sound and spelling from existing streets in the City unless, at a future date, plans call for a tie-in between the proposed street and an existing street.
2. Subdivision names shall be subject to the approval of the Planning Commission and shall not duplicate the name of any recorded subdivision, or of existing established locality names. When a subdivision name has been recorded on a plat, no other name may be used for advertising or sales purposes unless an approved amended plat is recorded, bearing the revised name.

#### 7.5.12. *Sidewalks*

##### A. Applicability. Five-foot-wide sidewalks on each side of the street are required on all residential streets except as follows:

1. In areas where the development density, in terms of gross land area, does not exceed two dwelling units per acre with lots having a minimum of 100 feet of frontage or more.
2. In areas where alternative pedestrian systems are provided. In such cases the elimination of a sidewalk shall be approved by the city planning commission after receiving a recommendation from the engineering and traffic departments. Additionally, the city planning commission shall take into consideration the following basic principles in deciding to eliminate the required sidewalks:
  - a. Pedestrian systems shall be laid out so that they follow the natural path of circulation.
  - b. They should be functional rather than formal in design and layout to serve their intended purpose.

- c. They should have a reasonable relationship to the foreseeable movement desired, parking and community facilities, and should be safe, secure and attractive.
- d. Potential pedestrian, bicycle and vehicular conflicts should be minimized in laying out such a system
- e. Pedestrian circulation systems should be selected to have minimum practical change in grade (elevation) throughout their lengths.
- f. It shall be demonstrated that adequate provisions are made to maintain the pedestrian system on an ongoing basis.
- g. The pedestrian system surface and design shall be consistent with the provisions as set forth in the city's specifications, standard drawings and street design references.

#### B. Sidewalk Design Specifications

1. General Standards. Sidewalks shall be placed parallel to streets, with exceptions permitted to preserve natural features or to provide visual interest where required for pedestrian safety. There shall be a minimum distance of 36 inches between the back of curbing to the edge of sidewalk to provide an area for a planting strip and buffer from vehicular traffic.
2. Minimum Standards. Sidewalks shall be 4 inches thick except at points of vehicular crossing where they shall be at least 6 inches thick. At vehicular crossings, sidewalks shall be reinforced with welded wire fabric mesh or an equivalent.
3. Expansion Joints. Preformed expansion joints three-quarter inch thick, extending the full depth of the concrete, shall be constructed at the locations indicated on the plans and at other locations as follows:
  - a. Whenever a sidewalk is constructed between an adjoining substantial structure on one side and curbing on the other side, an expansion joint shall be formed adjacent to the curbing, especially along driveway entrances.
  - b. An expansion joint shall be placed between the sidewalk and the radius curbing at street intersections.
  - c. When sidewalks are constructed adjacent to existing or new pavements or structures, expansion joints shall be placed to match these existing joints.
  - d. Sidewalks shall be installed in accordance with Section 720 of the Standard Specifications for Highway Construction Manual, Latest Edition, as amended.
4. Contraction Joints. The concrete slabs in sidewalks between expansion joints shall be divided into blocks 5 feet in length by scoring transversely after floating operations are complete. Whenever the sidewalk slabs are more than 5 feet in width, they shall be scored longitudinally in the center. All scoring shall extend for a depth of 1 inch and shall not be less than one-quarter inch or more than one-half inch in width. All scoring shall be edged and finished smooth and true in line.
5. Graded areas shall be planted with grass or treated with other suitable ground cover, and their width shall correspond to that of sidewalks.

6. Sidewalk Financial Guarantee. The financial surety requirement for sidewalk is 150% of the estimated construction costs for all sidewalks required by the provisions of this ordinance. The contractor may secure the surety to allow for installation at the closing stages of phase or complete development of the project. The contractor shall secure approval from the city engineer, and the Director of Public Works to surety sidewalk installation and improvements. The surety procedure is outlined in Section 7.3.3 Improvement Guarantees.

#### 7.5.13. *Cul-de-sacs*

- A. Cul-de-sacs shall be generally discouraged, however may be permitted by the Planning Commission.
- B. Dead-end streets, designed to be permanently closed at one end, shall not exceed eighteen hundred (1800) feet in length in single-family residential areas and one thousand (1000) feet in multi-family or commercial areas. Length shall be measured from the right-of-way of the intersecting street to the center point of the turn-around.
- C. Turn-arounds shall be provided at the closed end of the street and shall have a minimum radius of fifty (50) feet. Pavement width shall have a minimum curb radius of forty (40) feet. A landscape center island may be provided if the sight lines are not obstructed. If such an island is provided, the pavement width of the turn-around shall be a minimum of thirty (30) feet.
- D. To provide connectivity and walkability, public easements for future connections to future developments, public trails, sidewalks, or other amenities may be required by the Planning Commission for cul-de-sacs.

#### 7.5.14. *Connectivity*

- A. New developments shall connect to any existing street stubs from adjacent properties and stub to all adjacent properties. Street stubs shall continue the existing street pattern if applicable.
  1. Exemptions: Street stubs shall not be required where the conditions listed below would prevent connections:
    - a. Topographical conditions (pre-development slopes of 18% or greater)
    - b. Environmental conditions (marshes, floodplains, etc.)
    - c. Property shape
    - d. Property accessibility (existing platted subdivision with no stubs)
    - e. Incompatible adjacent land uses
  2. Location: Where multiple connection opportunities exist, street stub connections shall be prioritized in the site design as follows:
    - a. Adjacent parcels 10 acres or greater in size.
    - b. Adjacent parcels that abut or are traversed by existing or proposed streets.
    - c. To minimize overall access points along an arterial or collector street.

3. Design: Stub streets and streets intended for extension during future phases shall be constructed to extend to the property line or as close to the line as practical. It shall be the responsibility of the second development to construct the connection to an existing stub street. Stub streets shall not exceed 150 feet in length without a paved turnaround (permanent or temporary)
4. Adjacent Parking Areas: Where most feasible, parking areas that are adjacent to each other shall be connected to limit curb cuts and access points along the public right-of-way. This connection shall have a maximum width of 24', with two 12' wide travel lanes

## 7.6. Utilities and Easements

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### 7.6.1. Utilities

#### A. Underground Wiring

1. All electric, telephone, television and other communication lines, both main and service connections, servicing new subdivision shall be provided by underground wiring within easements or dedicated public rights-of-way, installed in accordance with the prevailing standards and practices of the utility or other companies providing such services.
2. Lots that abut existing easements or public right-of-way where overhead electric or telephone distribution supply lines and service connections have previously been installed may be supplied with electric and telephone service from those overhead lines, but the service connections from the utilities' overhead lines shall be installed underground. In the case of existing overhead utilities, should a road widening or an extension of service, or other such condition occur because of the subdivision and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground.
3. Where conditions are such that underground wiring is not practical, the Planning Commission may make an exception; provided, the placement and alignment of poles shall be designed to lessen the visual impact of overhead lines and routed to avoid locations along horizons; that clearing swaths through treed areas shall be avoided by selective cutting and a staggered alignment; that trees shall be planted in open areas and at key locations to minimize the view of poles and alignments; and that alignments shall follow rear lot lines and other alignments, as practical.

#### B. Utility Installations in Streets

1. Permit Required. Prior to constructing any underground pipeline, utility line, cable line, etc., under a paved public street, a permit shall be secured from the office of the Director of Public Works. The request for the permit shall be accompanied by an appropriate drawing and fee, if applicable, showing the location of the proposed utility installation and any other pertinent information necessary to determine conflicts with other utilities as requested by the Director of Public Works.
2. Boring required on Major Streets. Only bored or cased crossings shall be permitted within the paved portion of major or arterial streets, except when soil and other conditions make boring impractical as determined by the Director of Public Works, or when an emergency is deemed to exist. All crossings shall be a minimum of 24 inches below the paved surface unless otherwise approved by the Director of Public Works.

3. **Emergency Cutting.** An emergency shall be deemed to exist when the preservation of the peace, health and safety of the city and its inhabitants is jeopardized. The determination of an emergency shall be made by an official of the utility designated in writing filed with the Director of Public Works. In crossing a major or arterial roadway when it is deemed an emergency, a cut may be made only after written approval by the designated official of the utility, which shall be forwarded to the Director of Public Works within 24 hours after the cut is made. A paving cut permit fee to cover inspection may be charged, and the applicant shall be responsible for permanent repair of the cut in accordance with the current city specifications.
4. **Inspections.** Line, boring or paving cut repairs shall be inspected and approved by the Director of Public Works upon completion of the project and again one year from that date, during which period the permit applicant and/or owner shall remain liable for the cost of repairs and any damages which may be due the city arising from such work.
5. **Surety.** In addition to the permit fee to cover inspection, the applicant for a permit under this article shall file with the city clerk a surety in the sum of \$5,000.00 approved by the Zoning Administrator, City Administrator, and the city attorney as to form.
6. **Payment of costs for construction.** Prior to construction of any underground utility line, pipeline, cable line, etc., under a paved street, the applicant shall agree as a condition of the permit that the underground utility line, pipeline, cable line, etc., shall be constructed at the applicant's sole risk and expense, and that upon demand by the city, when such demand is deemed necessary for a public street purpose, any underground utility line, pipeline, cable line, etc., shall be relocated by the applicant at the applicant's sole expense.

#### **7.6.2. Easements**

- A. **Drainage Easements.** Where a subdivision is traversed by a water course, drainage way, channel or stream, adequate areas for storm water or drainage easements shall be allocated, conforming substantially with the lines of such water course, and of sufficient width to carry off storm water and provide for maintenance and improvement of the water course. Maintenance roads may be required in connection therewith. The location of any surface drainage course shall not be changed without the approval of the Planning Commission.
- B. **Utility Easements.** Adequate areas of suitable size and location shall be allocated for utility easements. The location and size of such easements shall be coordinated with the public and private utilities involved. Where provided alongside or rear lot lines, utility easements shall be not less than 20 feet in width. No structures or streets shall be placed within such easements. Such easements shall be maintained by the property owner(s) and may be used to satisfy yard requirements.
- C. **Maintenance.** The covenant restrictions placed in the deed of a lot, which contains a utility easement, shall stipulate that the City or utility company with lines in such easements shall have full right of access to such easement. The City shall maintain only those easements specifically accepted for public maintenance.

## 7.7. Green and Open Space

### 7.7.1. General Standards

- A. The City and Planning Commission shall require that green and open space be reserved for active recreation, passive recreation, or conservation, where such reservations would be appropriate. Each reservation shall be of suitable size, dimension, topography and general access for the purposes envisioned by the Planning Commission. These areas shall be shown on the Plat and marked “reserved for recreation open space”.
- B. To ensure the orderly development of the community, the subdivider may be required by City Officials or the Planning Commission to reserve and negotiate to sell needed spaces for parks, schools, fire stations and playgrounds, as required by local governmental units, for a period not to exceed thirty (30) days from the date of submission of the Sketch Plan. The reservation period may be extended for one (1) additional thirty (30) day period if a governmental unit files with the Planning Commission a written statement indicating a desire to negotiate.

### 7.7.2. Amount of Green and Open Space Required

- A. Development subject to these standards shall provide open space set-asides in an amount that meets or exceeds the minimum area in this Section, based on the use and the zoning district where the development is proposed. Open space requirements are calculated based on the net acreage of the entire property involved in a development application. If there is a conflict with the requirements herein, this article shall govern.
- B. Green space, or areas dedicated to environmental conservation, tree preservation, or along undevelopable parts of the land, may be used as part of the open space percentage. In no cases shall green space be used more than 25% of the open space requirement.
  1. Example: if 20% open space is required, no more that 5% of the required space can be used as undisturbed green space.
- C. In certain cases, the Planning Commission may allow up to 50% of the open space requirement for green space, if the green space has a pedestrian trail or external connection proposed.
  1. Example: If 20% is required, 10% of that requirement can be used for green space as described, if allowed by the Planning Commission.

Table 7.7.2.A: Required Open Space			
	Minimum Open Space Area		
Size of Development**	Less than 2 acres*	2-5 acres*	Greater than 5 acres*
District			
Conservation or Cluster Development	50%	50%	50%
Manufactured or Mobile Home Communities	20%	30%	30%

One-Family Residential Zones (R-10, R-7.5, or RPH-6) or Planned Unit Developments	20%	20%	25%
General Residential and Apartments (GR1, GR2, and APT)	15%	20%	35%
Core Commercial	5%**	5%**	10%**
General Commercial	5%**	5%**	10%**
Institutional or Office	5%	5%	5%
Industrial	Exempt	Exempt	Exempt
<p><i>*Unless otherwise specified in another section of this ordinance (ex: minimum requirement for a manufactured home community is larger than 2 acres)</i></p> <p><i>**This shall include the total area of a development, including properties involved in future phases (i.e. The entirety of all property(s)) Example: A 10-acre property that is being subdivided for a residential development within an One-Family Residential Zoning District shall allocated 20% or (2 acres) to one or more of the permitted open space types.</i></p> <p><i>**Shall consist of public, or quasi-public, spaces for either pedestrian connections, plazas, or other on-site amenities as determined by the Planning Commission.</i></p>			

**7.7.3. Areas Counted Toward Open Space Requirement**

- A. The features and areas identified as counting toward open space shall be credited towards compliance with the amount of open space required in accordance with Section 7.7.2. above.

Open Space Type	Description
Parks (Active)	A large public green area dedicated for use recreation or gatherings. Area is designed and landscaped.
Plaza	An open space that may be improved, landscaped, or paved, usually surrounded by buildings or streets.
Square	Open space that may encompass an entire block, is located at the intersection of important streets, and is set aside for civic purposes, with landscaping consisting of paved walks, lawns, trees, and civic buildings
Playground	A land use designed principally to offer recreation, passive or active, to the public, particularly children, with the use of structures and or equipment.
Community Garden	A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by the surrounding community.
Pedestrian Passageway	A publicly accessible path that navigates between buildings or developments to encourage pedestrian movement.
Greenway	A linear park, alternative transportation route, or open space conservation area that provides passive recreational

	opportunities, pedestrian and/or bicycle paths, and/or the conservation of open spaces or natural areas.
Trail, or Trail Connection	A way designed for and used by equestrians, pedestrians, and cyclists using nonmotorized bicycles, sometimes a part of a local or regional system, through a natural space(s) and/or landscaped area.

- B. The following areas shall not be counted as green or open space set-aside areas:
1. Private yards not subject to an open space or conservation easement;
  2. Street rights-of-way or private access easements, including sidewalks located within those rights-of-way or easements,
  3. Required buffer that is inaccessible to all residents and not integrated with an accessory to open space features as defined in this Section (such as a pedestrian trail or external connection);
  4. Open parking areas and driveways including parking lot landscaping, unless connected with a pedestrian pathway connecting with trail or external sidewalk;
  5. Land covered by structures, unless accessory to open space features;
  6. Outdoor storage areas; and,
  7. Stormwater basins not located and designed as a site amenity (e.g., with low fencing, trails, vegetative landscaping, gentle slopes, fountain or other visible water circulation device, and pedestrian access or seating) and surrounding areas

**7.7.4. Location**

- A. Open space shall be located within the development site and be easily accessible and useable by occupants and users of the development. Where possible, a portion of the open space should provide focal points for the development through prominent placement or easy visual access from streets.

**7.7.5. Configuration**

- A. Open space shall be compact and contiguous unless a different configuration is needed to continue an existing trail or accommodate preservation of natural features.
- B. If the development site is adjacent to existing or planned public trails, parks, or other public open space area, consideration should be given to adjoining, extending, and enlarging the trail, park, or other public open space area.

**7.7.6. Ownership and Management**

- A. All open space areas shall include deed restrictions, covenants, or other legal instruments that ensure continued use of the land for its intended open space purposes, in perpetuity, and provide for the continued and effective management, operation, and maintenance of the land and facilities.
- B. Responsibility for managing and maintaining open space rests with the owner of the land. In no instance shall the City be responsible for the open and green spaces required within

this section. Failure to maintain open space in accordance with this Section and the development approval shall be a violation of this Ordinance.

#### *7.7.7. Exemptions*

- A. The following development is exempted from the standards in this Section:
  - 1. Residential development defined as minor subdivisions;
  - 2. Utility Uses;
  - 3. Agricultural Uses; and
  - 4. Industrial Uses.

### **7.8. Traffic Impact Study**

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#### *7.8.1. Applicability*

- A. An Traffic Impact Study (TIS) shall be required if a proposed project:
  - 1. Produces 50 peak hour (AM, PM, or Midday) two-way trips or more; or
  - 2. Produces 500 daily (24 hour) two-way trips or more; or
  - 3. A subdivision has 51 lots or more; or
  - 4. Expansion of existing development that would produce additional traffic, meeting or exceeding the thresholds within this section. When determining whether the project meets the threshold, trips from the existing land use shall be included in the trips that are considered “produced” by the project.

#### *7.8.2. Application Process*

- A. A TIS shall be completed as the first step of the project approval process. The TIS is the responsibility of the applicant. All traffic studies shall be prepared under the supervision of, and signed, stamped and dated by, a professional Civil Engineer registered in South Carolina. The City may require the applicant to select a non-bias third-party traffic engineer, either previously identified by the City or that is familiar with the area or region. If the City requires third party review it shall be at the sole expense of the applicant. Coordination with other entities in the county government or South Carolina Department of Transportation (SCDOT) shall be the responsibility of the applicant. All phases of a development are subject to review, and all traffic plans for the entire development shall be integrated with the overall traffic analysis.

#### *7.8.3. Contents of A Traffic Impact Study*

- A. At a minimum a TIS shall include the following:
  - 1. A written narrative describing the proposed land use(s), size, and projected opening date of the project and all subsequent phases.
  - 2. Existing Land Use
  - 3. Proposed Land Uses:
    - a. Location and context
    - b. Description of development

- c. Zoning Characteristics
  - d. Site Plan
4. Contextual Analysis of developments or projects that fit within the following criteria:
- a. Previously approved within the last 12 months of application submittal, or still in the process of development by evidence of active building permits.
  - b. Previously approved developments that are located along the same arterial or collector right-of-way, or that will be otherwise impacted by future or proposed development. Claims of no impact shall be supported by a statement and supplemented by justifying rationale.
  - c. Planned or Ongoing traffic improvements or projects by the Federal, State, or County governments.
5. Analysis
- a. Existing traffic volumes on all roads to be accessed using current SCDOT Annual Average Daily Trip (AADT) counts where possible.
  - b. Traffic flows attributed to result from future developments will use TIS' from those development where available or a justified approximation when not available. Approximation will include development size and major flow patterns that will result.
  - c. Infrastructure Analysis
  - d. Trip generation tables
  - e. Trip distribution patterns
  - f. Turning movement diagrams for peak hours
  - g. Access analysis
  - h. Traffic Control Devices
  - i. Mitigation and Alternatives
  - j. Summary
6. Responsibility for Costs of Improvements: The costs of implementation of an approved mitigation program shall be the responsibility of the applicant. No certificates of zoning compliance or building permits shall be issued unless the provisions of the TIS are met.

## 7.9. Off-site Improvements

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### 7.9.1. Purpose

- A. This Article is intended to ensure a pro rata share allocation of the costs for off-site improvements necessitated by subdivisions.

### 7.9.2. Definition and Principles

- A. As a condition of final subdivision plat approval, the Planning Commission may require an applicant to pay a pro rata share of the cost of providing reasonable and necessary circulation, drainage facilities, and other improvements, including land and easements,

located off-site of the property limits of the subdivision but necessitated or required by the intended use. "Necessary" improvements are those clearly and substantially related to the subdivision in question. The Planning Commission shall provide in its resolution of approval the basis of the required improvements. The proportionate or pro rate amount of the cost of such off-site improvements shall be based on the following criteria.

**7.9.3. Cost Allocation**

**A. Full Allocation**

1. In cases where off-site improvements are necessitated by the proposed subdivision, and where no other property owner(s) receives a special benefit thereby, the applicant may be required at his sole expense and as a condition of approval, to provide and install such improvements.

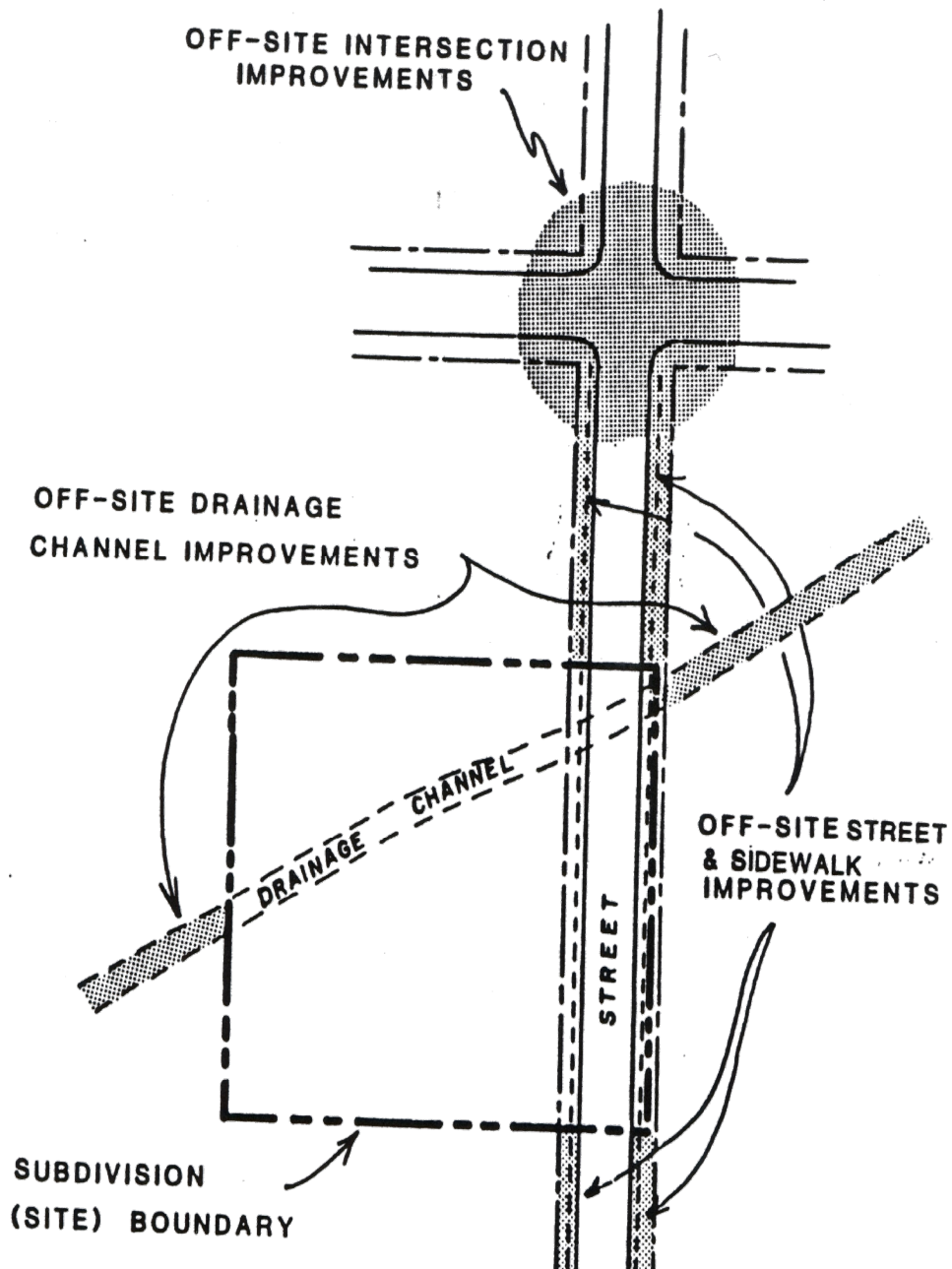
**B. Proportionate Allocation**

1. Where it is determined that properties outside the development will also benefit by the off-site improvement, the following criteria shall be utilized in determining the proportionate share of the cost of such improvements to the developer.
2. Allocation Formula

Table 7.9.3.B.2 – Allocation Formula for Off-site Improvements		
Total cost of enlargement or improvement	Is equal to	Capacity of enlargement or improvement
Developer's Cost	Is equal to	Development generated amounts to be accommodated by the enlargement or improvement.

**7.9.4. Escrow Accounts**

- A. When Required. Where the proposed off-site improvement is to be undertaken at some future date, the monies required for the improvement shall be deposited in a separate interest-bearing account to the credit of the City until such time as the improvement is constructed. If construction of the off-site improvement is not begun within two years of deposit, all monies and interest shall be returned to the applicant.
- B. Offsite Impact Illustration



## 7.10. Alternative Development Patterns

### 7.10.1. Purpose of Section

A. The alternative development options of this section allow for variety in development standards while maintaining the overall character of a neighborhood. These options have several public benefits such as:

1. Allow for development that is more sensitive to the environment;
2. Allow for the preservation of open and natural areas;
3. Promote better site layout and opportunities for private recreational areas;

4. Promote opportunities for workforce housing by allowing for a mixture of lot and building sizes, and
5. Promote energy-efficient development.

#### *7.10.2. Applicability*

- A. The developer or applicant desiring to use these alternative development patterns within this section shall comply with the Major Subdivision application, and if applicable the Certificate of Appropriateness, requirements.

#### *7.10.3. Conflict with Other Regulations*

- A. If there is a conflict between the requirements for alternative development patterns and any other requirement of this Ordinance, the standards of this section take precedence, otherwise these alternative development patterns are subject to all other applicable requirements of this Ordinance.

#### *7.10.4. Planned Developments*

- A. Purpose and Intent: PDs are executed as two different process. First, is a Zoning Map Amendment. Second, Plat and/or plan approvals. These shall be done in accordance with Section 4.12. A complete master plan and written report shall be developed and submitted for approval as part of the rezoning process to determine the desired standards and design of the project. Those documents shall be submitted in accordance with the following standards:
  1. Master Plan: Applicants shall first develop and present a master plan, complying with the Sketch Plan requirements in Section 4.3.1, for the entire parcel(s) which includes, but is not limited to:
    - a. Size: Size, in acres, shall be listed on the master plan. PDs shall have a minimum of 5 acres. If the project is intended to be developed in phases, the master plan shall include all potential phases.
    - b. Districts: Land allocations by land use, including specific modifications to the Ordinance requirements of those districts clearly highlighted.
    - c. Street Layout and Regulating Plan: The design and location of the streets shall be provided. Streets shall conform with the street sections in Table 5.3.11.b of this Ordinance. Additional bicycle and pedestrian circulation shall also be indicated.
    - d. Lot Layout: Proposed subdivisions of property, required open space, street regulating plan, neighborhood structure(s). The PD shall have provisions to allow for a systematic methodology to provide a variety of lot sizes.
    - e. Open Space: The design, location, descriptions, and utilizations of open spaces shall be specified in detail on the master plan.
    - f. Stormwater Requirements: Stormwater shall be considered on a PD-wide basis and the general locations shall be indicated. Floodplain information shall also be included on the master plan.
    - g. Resources: The general location of all historic, cultural, and environmentally sensitive resources shall be depicted on the master plan.

2. Written Report: A written report shall be submitted to explain the type, nature, intent and characteristics of the proposed development, and shall specifically include:
  - a. Site Description: A general description of the proposal, including a detailed description of the site, location, context, and any cultural, environmental and/or historical resources.
  - b. Vision Statement: The goals, tenets, and any special initiatives which the development intends to achieve shall be clearly identified for review and discussion.
  - c. Rationale: A detailed description of the provisions of the Ordinance which prevent the development, as desired, shall be provided. This shall include analysis showing how the general Land Development standards in Article 7, Permitted Use Table in Article 6, and Zoning Districts in Article 5 limit the intended development. Specific descriptions of all amenities, building types, or land uses that are not defined in the Ordinance shall be required.
  - d. Modification to Ordinance: A detailed description of exceptions or variations from the requirements of this Ordinance, per the incompatibilities listed above. All items not explicitly listed as modifications will be subject to the requirements of this Ordinance.
  - e. Land Allocation: Tables showing the total number of acres in the proposed development and the percentage designated for each proposed type of land use, including open spaces, recreation areas, public facilities, wetlands and wetland impacts. This should be coordinated with the Districts as shown in the master plan. If the development is intended to be phased, the phasing plan shall be indicated on the tables.
  - f. Program: A complete development program, including number of residential units and proposed densities, building types, minimum and maximum lot sizes, and square feet and identification of other nonresidential uses.
  - g. Building Design Standards: Guidelines to achieve aesthetics and high-quality development shall be included. These may be further detailed in the covenants after all City approvals have been secured.
  - h. Compatibility Statement: A statement of how the proposed development is consistent with adopted plans and documents of the City of Easley or the Agency Having Jurisdiction (AHJ).
  - i. Traffic Impact Study (TIS): A Traffic Impact Study to be performed as outlined in Section 7.8.
  - j. Interconnectivity: The master plan shall show how the development will enhance interconnectivity within the development, as well as adjacent sites, as aligned with the Land Development Standards of this ordinance.
  - k. Other: Additional relevant information as requested by the Zoning Administrator.
3. Performance Guarantee: Before approval of a PD, the City Council may require a contract with safeguards satisfactory to the City guaranteeing completion of the development plan in a period to be specified by the City, but which period shall not

exceed 5 years unless extended by the City for due cause show. Such a guarantee may include the submission of a financial surety in an amount set by the City.

4. Final Plat: Upon approval of the Rezoning (inclusive of the master plan), the applicant shall proceed towards approval of a Final Plat. Phased Developments within PDs shall apply follow the final plat process for each phase.
- B. Expiration of Approval: The City shall have the right to review a concept plan approved as part of a PD when no building permits have been issued in the past 2 years, and may choose not to issue further permits within the PD until a revised concept plan has been approved.

#### *7.10.5. Conservation or Cluster Subdivisions*

- A. Purpose and Intent: The use of conservation subdivision design seeks to optimize land use in and around the City of Easley, while maintaining a balance between the preservation of agriculturally, environmentally and historically significant areas and allowing reasonable and sustainable growth to continue in the City. New development shall avoid disturbance of areas or elements defined as “sensitive” or “significant”. The use of conservation subdivision design shall not be required, but is encouraged for use on residential subdivisions:
1. Located in areas where conservation of undeveloped and/or agricultural land is desirable, feasible, and meaningful to the preservation of natural, rural, and agricultural places.
- B. Application: The developer/applicant shall supply a completed subdivision application to the Zoning Administrator which shall include a draft of the conservation easement for the portion of the property that will remain as permanent open space or agricultural land and a fully dimensioned site plan, drawn to scale, which shall demonstrate, delineate, and label all of the following in addition to the requirements for a subdivision application:
1. Topography, including areas to be graded, earth movements, drainage provisions, existing contour lines and any proposed new contour lines and any other significant topographical features.
  2. The location and type of sensitive areas deemed to be of agricultural, environmental, or historical significance, as defined in Appendix 12.6: Definitions of this Ordinance. All construction contracts shall include language protecting sensitive areas, agricultural land, areas of conservation, and areas containing sensitive elements.
  3. The location and type of all proposed areas to be preserved as open space or agricultural land, including areas of mitigation and preservation. These areas shall be marked for identification upon site inspection.
  4. Existing zoning, land use(s), and approximate net density of residential uses.
  5. Septic or waste water provisions as provided by SCDES.
  6. For areas of agricultural preservation, a buffer strip of at least seventy-five (75) feet shall be delineated. When possible, existing woodlands should be used, if not, a variety of rapidly growing indigenous trees and shrubs should be planted thickly in the buffer strip.

7. Any other provisions not specifically required or excluded herein, as required by this Ordinance.
- C. Density Requirements: The City of Easley Planning Commission may modify the minimum lot sizes required by that zoning district per conservation subdivision, to allow for a higher net density of units in the development, to conserve open space.
- D. Green and Open Space: Per Section 7.7.2 (50%). The Planning Commission may modify the exchange of open space and green space, but in no case shall the usable open space (active and passive amenities) fall under 25%.
- E. Final Plat Requirements: The subdivider shall submit a Developers Agreement regarding the liability for and maintenance of the open space. In addition, the developer shall include a conservation easement/open space covenant protecting the open space from any further development.

#### *7.10.6. Manufactured Home Parks*

- A. The minimum park or court area shall be Five acres.
- B. The maximum number of manufactured homes per acre shall not exceed five per acre.
- C. The park shall be served by city sewer and water systems, a system of storm drainage, and refuse disposal facilities, not less than 40 feet from any manufactured home.
- D. Roadways, which are not to be dedicated as public streets, shall have a minimum travel width of twenty-four feet exclusive of parking.
- E. Paved roadways shall be required of all parks.
- F. All on-site roadway intersections shall be provided with a streetlight, and interior lights shall be provided at not less than 400-foot intervals.
- G. Each manufactured home stand shall be at least 30 feet from any other stand and at least 20 feet from the right-of-way of any drive which provides common circulation, and 30 feet from any side or rear property line and shall meet the front yard setbacks for the street on which it is to front.
- H. No manufactured home shall have direct access to a public street and will only have access to the roadways within the boundaries of a Mobile Home Park.
- I. Two parking spaces shall be provided for each manufactured home space. Parking shall be provided on the manufactured home lot. Additional off-street parking areas (visitor) shall be provided. The intent is to discourage parking along the roadway. The areas will be owned and maintained by the HOA. Parking areas shall not back into the subdivision main city roadways. The areas shall be within 400 to 500' of any unit.
- J. In the development of a park, existing trees and other natural site features shall be preserved to the extent feasible.
- K. A minimum of 10 percent of the park site shall be reserved and developed for usable recreational purposes or play areas; however, no recreation area shall be less than 500 square feet in area.

- L. Buffer areas shall be provided on the perimeter of the park or court in accord with the requirements of Section 8.3.
- M. Manufactured homes shall be placed on one of the following types of foundations which shall be subject to the approval by the Building Official:
- N. Piers under frame made of masonry construction on 16x16x4" thick foundation.
- O. Masonry curtain -wall foundation of solid continuous construction around the entire perimeter of the manufactured home.
- P. Concrete or masonry footings.
- Q. Foundations shall be so constructed as to prevent settling and accumulation of water under the manufactured home.
- R. All manufactured homes placed on a concrete slab foundation or on a concrete or masonry footing foundation shall be provided with appropriate skirting of solid durable material around the entire perimeter. Each manufactured home shall be securely underpinned and anchored.
- S. Space Numbers: Permanent space numbers shall be provided on each manufactured home space and shall be located so as to be visible from the street or driveway. Signs identifying space locations shall be provided at each street or driveway intersection.
- T. License Required; Revocation: A business license shall be prerequisite to the opening or operation of a manufactured home park in the City of Easley. Said license may be revoked by City Council for a violation of this Ordinance or other applicable ordinance and regulations governing the operation of such uses

*7.10.7. Flexible Review District <sup>(8)</sup>*

A. Intent

The intent of the FRD district is to provide a way for inventive design to be accomplished and to permit development that cannot be achieved through conventional zoning districts due to the parameters required therein.

The FRD is not intended to increase development intensity beyond what would otherwise be achievable through conventional zoning districts. Approval of an FRD in one location shall not be construed as precedent for approval in any other location.

B. Applicability and Permitted Uses

- 1. The FRD shall be applied only to residential developments.
- 2. Non-residential and mixed-use developments shall be regulated through the Planned Development (PD) zoning district.
- 3. Permitted uses within an FRD shall be limited to residential dwelling types and customary accessory uses as approved in the Conceptual Master Plan.

C. Minimum Site Requirements

- 1. Minimum site area shall be ten (10) contiguous acres.
- 2. Multiple parcels may be combined under unified ownership through a recorded unity of title.

#### D. General Development Standards

The standards set forth in the Zoning Ordinance, may serve as a guide for the FRD district. However, variations are permitted. Applicants shall discuss variations with the City of Easley Staff prior to submitting their rezoning application. Planning Staff will ascertain that the characteristics of building height, location, etc. shall be appropriate as related to standards within the district.

#### E. Base Density Limitation

FRD development shall not exceed the lesser of:

1. The highest permitted residential density of any abutting zoning district in the City limits; or
2. The average permitted residential density of all properties in the City limits within five hundred (500) feet of the subject site.
3. If the subject property only abuts a nonresidential zoning district(s) (including NC, CC, GC, MED, OI, or IND), the applicable residential density for purposes of this section shall be based on the R-10 zoning district.

#### F. Infrastructure Capacity Review

Applicants shall submit an Infrastructure Capacity Letter at the concept stage addressing:

1. Water and sewer availability;
2. Roadway access and projected trip generation;
3. Emergency service access.

If adequate capacity is not available, permitted density shall be limited to supportable levels unless improvements are formally committed.

#### G. Application Process and Conceptual Master Plan

##### 1. Pre-Application Conference

Prior to submittal, the applicant shall meet with Planning Staff for a pre-application conference.

##### 2. Rezoning Application

FRD zoning shall be requested through amendment of the official zoning map.

##### 3. Required Submittals

##### a. Conceptual Master Plan, including:

1. Boundary survey and vicinity map;
2. Total acreage;
3. Maximum unit count;
4. Lot size ranges;

5. Building height limits;
6. Open space network;
7. Street and circulation framework;
8. Phasing plan;
9. Amenity locations;
10. Buffering and transitional treatments.

b. Natural Resources Inventory, including:

1. Land cover;
2. Topography at four-foot intervals;
3. Floodplain and stream data;
4. Existing structures.

c. Statement of Intent, including:

1. HOA or maintenance framework;
2. Development schedule;
3. Public improvements;
4. Public facility impacts and agency letters;
5. Architectural character;
6. Landscaping and screening;
7. Stormwater maintenance;
8. Traffic and circulation analysis;
9. Additional relevant information.

4. Planning Commission Review

The Planning Commission shall review the application and provide a recommendation to City Council.

5. City Council Action

City Council may approve, approve with conditions, or deny the application by ordinance.

6. Effect of Approval

Approval of a Conceptual Master Plan authorizes preparation of subdivision plats and detailed site plans consistent with the approved plan

H. Open Space and Amenity Standards

1. Open Space

- a. A minimum of twenty-five percent (25%) contiguous open space shall be provided.

- b. At least fifty percent (50%) of required open space shall be usable.
- c. Open space shall be maintained by an HOA or dedicated to the City, subject to acceptance.

## 2. Amenities

- a. One (1) primary amenity per fifty (50) dwelling units.
- b. One (1) neighborhood-scale amenity per development phase.

Eligible amenities include greenways, playgrounds, clubhouses, pocket parks, swimming pools.

## I. Neighborhood Compatibility Standards

FRD developments shall provide appropriate transitions to adjacent zoning districts, including:

- 1. Height step-downs;
- 2. Enhanced buffers and screening;
- 3. Graduated density;
- 4. Perimeter landscaping.

## J. Development Agreement and Recording

- 1. All FRD projects shall be subject to a recorded Development Agreement.
- 2. The Development Agreement shall specify:
  - a. Maximum unit count;
  - b. Approved density;
  - c. Required amenities;
  - d. Infrastructure commitments;
  - e. Phasing schedule;
  - f. Maintenance responsibilities.
- 3. The approved Conceptual Master Plan, Statement of Intent, and Development Agreement shall be recorded with the Pickens County Register of Deeds.

## K. Subdivision Plats

Approval of the Conceptual Master Plan shall constitute authority for submission of subdivision plats in accordance with the Subdivision Regulations.

## L. Amendments and Changes

1. Minor Changes:  
Design-related changes that do not alter the approved concept may be approved administratively, provided they do not conflict with City Council conditions.
2. Major Changes:  
Changes that alter density, unit count, use, access, boundaries, housing type, or overall character, shall require Planning Commission review and City Council approval.

#### M. Vesting and Expiration

1. FRD approval shall expire if no subdivision or site plan is submitted within twenty-four (24) months.
2. If substantial progress is not made within five (5) years, the property shall revert to its original zoning classification.
3. Adequate progress includes permit submittals, approvals, or infrastructure construction.

#### N. Conformance Requirement

Approval of an FRD does not obligate the City to approve subsequent applications that fail to substantially conform to the approved Conceptual Master Plan and Development Agreement.

## 8. Landscaping, Buffers, and Tree Preservation

### 8.1. Administration

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#### 8.1.1. *Purpose and Intent*

- A. The City of Easley recognizes that healthy natural environments provide important benefits that generally promote public health, safety, order, aesthetics, prosperity, local ecology, and general welfare. In support of these objectives, this ordinance regulates and mitigates the negative impacts of the development on natural resources, such as trees and vegetation, and to preserve and enhance the aesthetic and ecological values of landscapes. Further, this section details requirements that help promote the following:
1. Provision of open space.
  2. Preservation of green space.
  3. Creating an attractive community.
  4. Increase general property values.
  5. Protect scenic and ecologically sensitive resources.
  6. Reduce stormwater volume and pollutants.
  7. Benefit the public health and enjoyment of residents.
  8. Eliminate heat islands.
  9. Shelter and protect habitats for wildlife.
  10. Reduce conflict between different uses and intensity of uses.

#### 8.1.2. *Applicability and Administration*

- A. Except as contained herein, the regulations within this article shall apply to the following:
1. All new development. Redevelopment of parcels, buildings, or structures are subject to Article 3, Nonconformities.
    - a. Expansion by greater than 25% and less than 50% - Only the area within and/or surrounding the new improvements shall be subject to the requirements of this Article.
    - b. Expansion by 50% or greater - The entire site shall be subject to the requirements of this Article.
  2. Development requiring Minor or Major Certificate of Appropriateness.
  3. Regulations pertaining to tree removal shall apply to all properties within the City's jurisdiction.
  4. New parking areas or existing parking areas expanded by more than 50% or by 12 spaces or more.
  5. Other areas within this article that specifically identifies an applicable situation or development.

B. Timing

1. Review for compliance with the standards in this Section shall occur during the applicable development review procedures within Article 4.

C. Landscape Plan Required

1. Section A landscaping plan shall be submitted with an application for development subject to the requirements of this Section. The landscaping plan shall depict the following:
  - a. North Arrow and Scale.
  - b. Topographic information and final grading adequate to identify and properly specify planting for areas needing slope protection.
  - c. Tree survey to include size and species including an identifying numbering system to distinguish between individual trees; the tree number shall be on the tree itself and notated on the survey. In addition, protected trees defined in Section 8.6.2 shall be noted as such on the tree survey, or an accompanying document.
  - d. The location and contours, at one (1) foot intervals, of all proposed berms as landscaped features.
  - e. Property Survey showing the location and dimensions of all existing (to remain) and proposed structures, setback line and required buffer yards, parking lots, driveways, landscaped islands and strips, sidewalks, service areas, screening, fences, walls, berms, above or underground utilities and storm drainage systems, freestanding electrical equipment, recreational facilities, and other freestanding structural features as determined necessary by the City.
  - f. Location of plant material, including name of plants (botanical and common), installation size, spread at time of planting and at maturity, quantities of plants, and other remarks as appropriate to describe plant selection. (Lawns and beds of annual or perennial plants shall be designated by common names only)
  - g. Onsite and abutting land use features [within 50 feet], and use(s) of adjacent parcel(s).
  - h. Protection plan for existing trees that are to be saved.
  - i. Location of irrigation systems.
2. All landscaping plans for nonresidential and multi-family sites having an area greater than one acre shall be prepared by a registered landscape architect.
3. Landscaping plans for sites having an area of one acre or less may be prepared by other design professionals with competency in landscape design when the design is incidental to their work.
4. The Zoning Administrator may approve revisions to landscaping in an approved site plan to accommodate seasonal planting problems or a lack of plant availability as long as:
  - a. There is no significant reduction in the quantity of plant material.

- b. There is no significant change in the size or location of plant materials.
  - c. The plant substitutions are of the same general category and have the same general design characteristics as the materials being replaced.
5. Alternative landscaping plans, plant material, planting methods, or landscape design may be used where unreasonable or impractical situations would result from application of landscaping requirements, or where necessary to protect existing vegetation, or where a more creative plan is proposed which substantially complies with the intent of these requirements. Landscaping requirements may be reduced if existing trees or other types of existing vegetation are preserved, as mentioned in Section 8.2.3. Such alternative landscape plans, materials, or methods may be justified per natural conditions such as streams, natural rock formations, topography, and other physical conditions related to the site. Lot configuration and the presence and location of utility easements may justify an alternative landscaping plan. Alternative landscaping plans shall be reviewed by the Planning Commission for approval.

**8.1.3. *Undeveloped Nonresidential Zoned Parcels***

- A. Undeveloped Commercially Zoned Parcels shall have planted or naturally occurring vegetation maintained by the property owner while vacant, to maintain an attractive appearance. Vegetation shall consist of topographically/geologically appropriate or native grasses, shrubs, trees, live ground cover, annuals, perennials, ornamental grasses or other vegetation that will secure the soil and create an attractive appearance, in compliance with City property maintenance standards.

**8.1.4. *Clearing of Land, Removal, or Disturbance of Trees***

- A. It shall be unlawful for any property located within the City limits to clear land of trees, shrubs, and natural features without receiving approval from the Zoning Administrator. Violations to this requirement shall follow the procedures in Article 11, Violations and Enforcement.

**8.2. General Landscaping Requirements**

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**8.2.1. *Applicability***

- A. The standards herein shall apply to all required landscaping installed in the City unless otherwise exempted.

**8.2.2. *Installation of Required Landscaping***

- A. Unless a financial surety is provided in accordance with the sections below, all landscaping required by this Section shall be installed prior to the issuance of a Certificate of Occupancy and/or any other required permit or approval.
- B. If the season or weather conditions prohibit planting of trees or shrubs, the developer shall provide a an irrevocable letter of credit, or other financial surety in an amount equal to 125 percent of the cost of installing the required landscaping to guarantee the completion of the required landscaping. A zoning permit for the development shall be issued only on approval of the financial surety. All required improvements shall be completed within the period established in the development approval, or within 24 months of the date the developer provides financial surety, whichever period is shorter. The developer may request an extension, and the Zoning Administrator may grant the extension, for good cause shown. The financial surety shall be canceled and/or returned upon completion of

the required landscaping. If the developer fails to complete all required improvements within the period for completion, as may be extended, the Zoning Administrator shall send written notice to the developer identifying the failure(s) and providing the developer a period of 30 days to complete the required improvements. If the required improvements are not completed within the 30-day period, the City may draw on the financial surety to complete the required improvements.

- C. Clustering and/or random spacing of plants and trees is encouraged to produce a natural appearance in the landscape, except where uniformity is required for opaque screening.
- D. Landscaping, including berms, shall be installed, and maintained so as not to interfere with the sight distance requirements of this ordinance or the sight distance needs of vehicular traffic in parking areas and at entrance and exit locations.
- E. Monocultures shall be avoided in formally designed parks, buffers, and screens.
- F. When there is a conflict with the quality, planting requirements, trimming, or removal of vegetation, the applicable ANSI Standards shall apply:
  - 1. ANSI Z60.1 American National Standard for Nursery Stock
  - 2. ANSI Z133.1 American National Standard for Arboricultural Operations
  - 3. ANSI A300 American National Standard for Tree Care Operations

#### *8.2.3. Credit for Existing Vegetation*

- A. Existing vegetation in good health that meets all applicable standards in this Section may be used to satisfy any planting requirements, provided the vegetation visually enhances the aesthetic of the property and is protected before and during development. The Administrator shall use the following guide in determining credits for existing vegetation:
  - 1. One tree 2" – 6" caliper DBH = 1 planted tree.
  - 2. One tree 6" – 10" caliper DBH = 2 planted trees
  - 3. One tree 10" – 15" Caliper DBH = 3 planted trees.
  - 4. One tree larger than 15" caliper DBH = 4 planted trees.

#### *8.2.4. Vegetation Choice, Diversity, and Quality*

- A. The Preferred Plant List shall be consulted when choosing vegetation required per this Article. This list contains species that are either native to Upstate South Carolina, or that perform particularly well in the area, or both, and can be found in Appendix 12.4. This list is not intended to be all-inclusive, but does include common trees and shrubs suitable for use in this region. Professional expertise should be sought to determine the appropriate plant materials for the site's soil, moisture, topography, and microclimate conditions. To use a species not included on the Preferred Plant List, the Administrator or designee shall approve the requested plant as part of the landscape plan review.
- B. Plants considered invasive or non-native shall not be planted within any type of landscape buffer area or interior landscape island; shall not be planted as a street tree or used as hedge vegetation; and shall not be used to meet any requirements within this Article. Use in non-regulated areas is at the discretion of the landowner.

- C. Over-dependence on a single genus may result in extensive loss due to disease, insects or other pests. To ensure a diversity of species, the mix of required vegetation for all development proposals shall include no more than 50% of any single tree or shrub species.
- D. Plant materials shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under state regulations. Therefore, plants shall not be transplanted from the wild.
- E. Xeriscaping shall be encouraged, via the use of drought-tolerant vegetation and the reduction of turf areas. Vegetative groundcover, organic mulch, or inorganic mulch (i.e. recycled materials such as rubber or tire mulch) may be used instead of traditional turf grasses.

**8.2.5. Irrigation**

- A. Except for individual residential uses and existing lots of record, all newly-planted and relocated plant material shall be watered by permanent irrigation systems. Trees shall be watered at a reasonable rate or as needed based on species, size, soil type, and local weather conditions. All other vegetation shall be watered sufficiently to ensure healthy growth and longevity in the landscape.

**8.2.6. Minimum Plant Size and Spacing**

- A. Plants shall be sized according to the Table within this Section, “Minimum Plant Sizes,” to insure buffering and screening at the time of installation.
  1. Shrubs used to comply with the six (6) foot tall screening requirement shall be at least 36” tall at time of planting and shall be a species that will achieve a six (6) foot height within three (3) growing seasons from the time of planting.
  2. Shrubs used to comply with the three (3) foot tall screening requirement shall be at least 24” tall at time of planting and shall be of a species that will achieve a three (3) foot height within three (3) growing season from the time of planting.
  3. Shrubs used to comply with the two (2) foot tall screening requirement shall be at least 18” tall at time of planting and shall be of a species that will achieve a two (2) foot height within three (3) growing season from the time of planting.
  4. Hedges used as buffer screens shall contain at least 75% evergreen species, and shall be planted no farther apart than three (3) feet on center, in order to provide maximum opacity for screening. Depending upon the species, this spacing distance may be increased or decreased, as required by the Zoning Administrator or designee.

Table 8.2.6.A Minimum Plant Sizes		
Plant Material Type	Minimum Plant Size	Minimum Plat Spacing On Center (o.c)
Canopy/Large Tree (Type A)		30’ o.c. from another plant, 15’ o.c. from a building
Canopy/Large Tree (Type A)	2” Caliper	
Understory/Small Tree (Type B or C)		15’-20’ o.c. from another plant, 10’ o.c. from a building
Deciduous	1-1/2” Caliper	
Evergreen	5’ – 6’ Height	

Shrub		3' o.c. from another shrub to form a hedge row, or as approved by the Administrator or designee
Deciduous or Evergreen	36" Height for 6' Tall Screen	
Deciduous or Evergreen	24" Height for 3' Tall Screen	
Deciduous or Evergreen	18" Height for 2' Tall Screen	

B. Alternative Spacing Design

1. The Review Authority shall have the discretion to review and consider alternative spacing designs. Such alternative designs may include a combination of landscaping and screening elements, or the utilization of a diverse planting palette featuring plants of varying heights at both planting and maturity to achieve the desired screening effect.

*8.2.7. Screening of Utilities and Trash Containment Areas*

A. Screening shall be required to conceal specific areas of high visual impact or hazardous areas. The following shall be screened:

1. Dumpsters, trash compactors, or exterior garbage containers (excluding containers or groups of containers with a combined capacity of less than six cubic yards).
2. Recycling drop off centers.
3. Ground level mechanical, electrical, heating and air conditioning equipment (except for single- family detached dwellings).

B. These items shall be screened on all but one side, by a fence or wall, a vegetative hedge, or other suitable opaque enclosure, as determined by the Zoning Administrator or designee. The height of the enclosure shall be one (1) foot taller than the height of the container, but shall not be required to exceed eight (8) feet in height. The open side shall not be visible from the street.

*8.2.8. Landscaping in Easements*

A. Utility easements (e.g., drainage, sewer, gas/electric) are allowed to encroach into as much as 50% of the width of any required landscape or buffer area (LBA, VUA LBA, ILA, street tree planting area), provided that:

1. The required screening can still be achieved.
2. The amount of required landscape material can be provided.
3. The intent of the landscape area is achieved.

B. If work is required within an easement causing removal or damage of any required landscape materials (vegetation, fences, walls, etc.), the property owner shall be responsible for the replacement of materials according to the approved landscape plan. Type 'C' trees may be planted under overhead utility lines at a minimum spacing of 1 tree per 30 feet of linear boundary, if approved by the utility company and the Administrator or designee, to meet tree planting requirements.

## 8.3. Perimeter Buffering and Screening

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### 8.3.1. *Purpose and Intent*

- A. Perimeter buffers are intended to provide spatial separation between uses of differing intensities. Where the buffer requirements herein are in conflict, the greater buffer width and/or plantings shall apply. The purpose of buffer is as follows:
  - 1. To minimize the potential negative impact between adjacent land uses and streets, and to promote land use compatibility.
  - 2. To preserve and retain existing vegetation within required buffers to preserve natural landscapes and native plant species, unless it conflicts or does not comply with the requirements in the buffer table below

### 8.3.2. *Applicability*

- A. Where the rear or side lot line of a lot used for non-residential purposes or three or more dwelling units abuts the rear or side lot line of a lot used for single- or two-family residential purposes, the commercial, industrial, or multi-family development shall provide a buffer screen which meets the requirements of this Section. Screening shall pay particular attention to parking lots, trash receptacles, air-conditioning units, and other, similar unaesthetic or noisy applications.
- B. Where a new use or development is established, or expanded by more than 20 percent, and a buffer is required.
- C. Where a new use or redevelopment is subject to the Nonconformities Article.

### 8.3.3. *General Standards*

- A. General Standards
- B. The use of evergreen trees and plants are strongly encouraged within required buffer areas.
  - 1. Exception: Canopy trees shall be planted unless factors such as overhead utility lines or buffer size require the planting of smaller trees. Such substitutions shall evergreen and drought-tolerant and be approved by the Zoning Administrator.
- C. In addition to the tree planting requirements, a minimum of 40 percent of the buffer area shall be planted in a combination of approved shrubs, annuals perennials, live ground cover, or ornamental grasses.
- D. All areas shall be maintained in a minimum of three inches of mulch or pine straw. Plant materials shall be designed and installed in a manner that provides variability of height at maturity
- E. Spacing and arrangement of plant material shall be primarily based on the mature dimensions of the plants.
- F. The buffer yard should not result in using more than 35% of the available lot and may be reduced accordingly by the Zoning Administrator.
- G. Fences, walls, and berms, and parking area surfaces & driveways shall be maintained in good condition and appearance at all times by the owner.

**8.3.4. Type of Buffers**

- A. A buffer screen may be of three basic types, as listed below:
  1. Visual Screen (V). Intended to enhance privacy and the aesthetic quality of the living environment.
  2. Visual and Acoustic Screen (VA). The intent of this type of screen is to enhance both the visual and acoustic qualities of the adjacent site environment. Although vegetative buffering is frequently preferred, it shall be approved only if it is a dense-growing evergreen, capable of effecting appropriate noise reduction.
  3. Visual, Acoustic, and Separation Buffer (VAS). The intent of this buffer is to provide the maximum in separation from potentially obnoxious land uses or streets with a high traffic volume, by increasing sound attenuation and visual disturbance more than would be provided by screens alone. To be constructed of suitable material mentioned above as an integral part of a “greenbelt” or other dedicated “barrier zone” of such width and overall design as to provide greater screening than otherwise possible.
  
- B. Buffers and/or screens shall be constructed of durable material and designed to obscure the contents of the adjacent yard and otherwise reduce or eliminate the undesirable effects of the adjacent use. The screen may either be totally or substantially solid and shall be constructed of stone, wood, brick, or similar durable material. Plastic sheeting and panels or corrugated sheet metal shall not be utilized as screening. A dense vegetative buffering may be substituted for all or a portion of such fence or wall, provided that such buffering shall not be unsightly at any season, nor create a fire hazard at any season, and that in all seasons it shall be equivalent in its screening effects to a fence a wall. In all instances, attention shall be given to the provision of screening as an integral part of the entire development.

**8.3.5. Applicability of Buffers and Screens**

- A. Required Buffers and Screens: The Table within this section regulates what type of buffer or screen is required between different use types or general categories as defined by the Permitted Use Table.

Table 8.3.5.A. Required Buffer Yard Types						
Proposed Use	Adjacent Use					
	Vacant Land	One-Family Residential	Single Family Attached, Duplex, and Triplex	General Residential and Apartment	Commercial	Highway/Corridor Uses
One-Family Residential	V	N/A	V	VA	VA	VAS

Single Family Attached, Duplex, and Triplex	V	V	N/A	V	VA	VAS
General Residential Districts and Apartment	VA	VA	VA	V	VA	VA
Commercial	VA	VAS	VA	VA	N/A	N/A
Highway/Corridor Uses	VA	VAS	VAS	VA	N/A	N/A
Industrial	VAS	VAS	VAS	VAS	VAS	VAS

B. Composition of Buffers and Screens: Where a buffer is required, the below table regulates the width and required planting within the buffer.

Requirement per 100 linear foot of frontage/shared property lines				
Type of Buffer	Minimum Width	Canopy/Overstory Trees	Understory/Small Trees	Shrubs/Underbrush
Visual (V)	0-5’*	4	6	25%
Visual and Acoustic (VA)	5-15’*	6	10	25%
Visual, Acoustic, and Separation (VAS)**	20’+*	8	12	25%
*Based on review authority analysis based on existing and similar uses based on NAICS classification. Any additional use conditions shall be in addition to the following buffer requirements.				
** A separation buffer shall be required for certain uses as specified in this Ordinance. The minimum depth of a separation buffer shall be 50 feet, measured from the property line of the subject property. The reviewing entity may require a separation buffer of up to 200 feet for industrial, manufacturing, processing, or similar uses as classified by (NAICS)				

C. Height of Screen: Unless otherwise approved by the Administrator or dictated in this Section, all buffer screens shall be at least six (6) feet high above the finished grade, or if composed of planted materials, the screen (tight evergreen hedge) shall be capable of growing to a height of six (6) feet within a period of two (2) years. Screens constructed of other than planted materials shall not exceed eight (8) feet in height. This requirement

notwithstanding, appropriate setback or other modification of screens shall insure that the requirements of site triangles or other visibility standards are not negatively impacted.

- D. Maintenance of Screen. The maintenance and repair of a buffer screen is the responsibility of the owner of the property on which it is placed. It shall, at all times, be maintained in good condition and be routinely painted, trimmed, and repaired by the owner of the property or agent. The area surrounding the screen and the lot line should be landscaped and shall be kept clear of trash and debris.

#### 8.3.6. *Environmentally Sensitive Features*

- A. Lots that are adjacent to or contain one or more protected waterbodies shall incorporate a natural buffer, equal to 25' wide or four times the width of the waterbody at its widest (whichever is greater), along the entire length of the waterbody and shall be calculated from the boundary of the waterbody within the affected property.
- B. Waterbodies include lakes, natural ponds, rivers, streams, and wetlands.
- C. Within this buffer, there shall be no structures, land disturbance, or vegetation removal.
- D. Exceptions:
  - 1. Vegetation removal is allowed for the following reasons:
    - a. Removing dead or dying trees
    - b. Removing invasive species
    - c. Providing an access corridor no wider than 15ft.
    - d. Forestry Activity

### 8.4. Vehicle Use Area Landscape Buffer and Screening (Parking Lot Landscaping)

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#### 8.4.1. *Applicability*

- A. Vehicle use area landscape buffer areas (VUA LBAs) are required around parking lots and other vehicle use areas.

#### 8.4.2. *General Standards*

- A. VUA LBAs shall be free of paved areas, except that sidewalks and driveways shall be allowed to cross the VUA LBAs perpendicularly or at a similar angle.
- B. VUA LBAs shall be placed at the edge of pavement (or back of curb, if present) of the VUA, when the elevation of the VUA is equal to or higher than the adjacent property. When the VUA is constructed at a lower elevation than the adjacent property, the buffer and screen shall be placed at the common property line.
- C. Landscape material within all VUA LBAs shall be protected from injury by vehicles. Curbing and/or wheel stops shall be used to ensure that vehicles cannot trespass more than thirty (30) inches (2.5 feet) into any landscaped area.

#### 8.4.3. *Vehicle Use Area Landscape Buffer Areas*

- A. The Table within this section specifies the types and quantities of plant materials required within each VUA LBAs:

<b>Table 8.3.3.A Vehicle Use Area Landscape Buffer Areas</b>			
<b>When the following:</b>	<b>Adjoins the following:</b>	<b>A minimum LBA of this width is required:</b>	<b>Which shall contain the following material:</b>
Any property containing any VUA.	Any property with any type of residential use or zone.	10 feet wide, if wheel stops are used to keep parked vehicles from overhanging into the LBA. Buffer width shall be 15 feet wide if wheels stops are not used in parking spaces	One tree/50' of lineal boundary of LBA, or fraction thereof, using Type A/Large trees; or one tree/40' of LBA, or fraction thereof, using a mixture of Type B and C/Small trees.  Additionally, add a 6' high continuous screen (hedge, fence, or wall) around the VUA area
Any VUA in any zone; except those found below	Any public or private streets, including all freeways, access easements, access roads, alleys, and any other rights-of-way for vehicular travel.	5 feet wide, if wheel stops are used to keep parked vehicles from overhanging into the LBA. Buffer width shall be 10 feet wide if wheels stops are not used in parking spaces	One tree/50' of lineal boundary of LBA, or fraction thereof, using Type A/Large trees, or one tree/40' of LBA, or fraction thereof, using a mixture of Type A/Large and understory trees.  Additionally, add a 3' high continuous screen (hedge, fence, wall or berm) around the VUA area. - No screen required along freeways. - No trees required along alleys
Any vehicular sales facility, financial institutions with drive-through or ATM facilities, or fast food restaurants with drive-through facilities.	Any public or private streets, including all freeways, access easements, access roads, alleys, and any other rights-of-way for vehicular travel.	5 feet wide, if wheel stops are used to keep parked vehicles from overhanging into the LBA. Buffer width shall be 10 feet wide if wheels stops are not used in parking spaces	One tree/50' of lineal boundary, or fraction thereof, using Large and understory trees, planted in groups or clusters to allow views of displayed vehicles. Additionally, add a 2' high continuous hedge or wall around the VUA area.

			<ul style="list-style-type: none"> <li>- No hedge, fence, wall or berm required along freeways.</li> <li>- No trees required along alleys</li> </ul>
Car, truck, or other vehicle storage lot; loading areas or docks; vehicle bays of service stations, police stations, and fire stations.	<p>Any property with any residential, office, or commercial use or zone.</p> <p>Any public or private streets, including all freeways, access easements, access roads, alleys, and any other rights-of-way for vehicular travel</p>	<p>15 feet wide, if wheel stops are used to keep parked vehicles from overhanging into the LBA.</p> <p>Buffer width shall be 20 feet wide if wheels stops are not used in parking spaces</p>	<p>One tree/50' of lineal boundary of LBA, or fraction thereof, using Type A trees; or one tree/40' of LBA, or fraction thereof, using a mixture of Type B and C/Small and understory trees.</p> <p>Additionally, add a 6' high continuous screen (hedge, fence, wall, or berm) around the VUA area</p>

**8.4.4. VUA Interior Landscape Areas**

- A. Purpose: In addition to all other landscape requirements, all parking lots subject to this Article shall provide and maintain landscaped planting areas within the interior of a parking lot in order to break up the expanse of pavement while mitigating the heat island effect caused by large expanses of pavement.
- B. Exemptions: The standards in this Section shall not apply to parking structures, vehicle display/sales areas, or parking lots with less than five (5) parking spaces.
- C. Applicability: Any parking lot that fits the following description is required to comply with these standards:
  - 1. Adds parking spaces cumulatively to exceed the existence of five (5) parking spaces.
  - 2. All applicable parking areas shall dedicate at least 5% of the impervious area to ILAs and follow the following design:
    - a. Each non-median ILA shall consist of at least 150 square feet and shall be at least nine (9) feet wide in any direction to allow proper root growth.
    - b. ILAs shall be placed at approximately 120-foot intervals within parking space rows. For example, if parking spaces are nine (9) feet wide, then one (1) ILA shall be placed after every 13th parking space. However, planting areas should be distributed as evenly as possible throughout the parking area, so the amount of parking spaces between ILAs may vary for aesthetic purposes.
    - c. Landscape material within all ILAs shall be protected from injury by vehicles. Curbing and/or wheel stops shall be used to ensure that vehicles cannot trespass more than thirty (30) inches (2.5 feet) into any landscaped areas.

- d. A minimum of one (1) Type A/Large shade tree shall be required for every 250 square feet of ILA, or fraction thereof. Therefore, not all ILAs are required to contain trees. The remaining area within an ILA shall be landscaped with shrubs, grass or groundcover.
  - e. All ILA trees shall be located within ILAs.
  - f. Tree and shrub species shall be chosen per the guidelines in Section 8.2.4 Vegetation Choice, Diversity, and Quality.
  - g. No more than fifty percent (50%) of any one species of tree or shrub may used, to ensure variety.
  - h. Trees shall have a clear trunk (no branches) to at least eight (8) feet above the ground for safe vehicular, bicycle, and pedestrian site clearance.
  - i. Shrubs shall maintain a height of not more than two (2) feet tall in ILAs at the end of parking bays for traffic safety. All other ILA shrubs may grow to a maximum height of four (4) feet.
- D. Location: Interior landscape areas (ILAs) shall be located at the end of parking pays and/or within rows of parking spaces to help break up impervious surfaces and aid pedestrian circulation.
- E. Design Specifications: ILAs can be placed between double-row parking spaces as medians, which shall have a minimum width of:
- 1. Five (5) feet for medians with shrubs and Small trees;
  - 2. Ten (10) feet for medians with shrubs and Large trees; or
  - 3. Fifteen (15) feet medians containing a five (5) foot wide sidewalk with Large or Small trees (as defined by the Recommended Plant List) and shrubs on both sides of the sidewalk

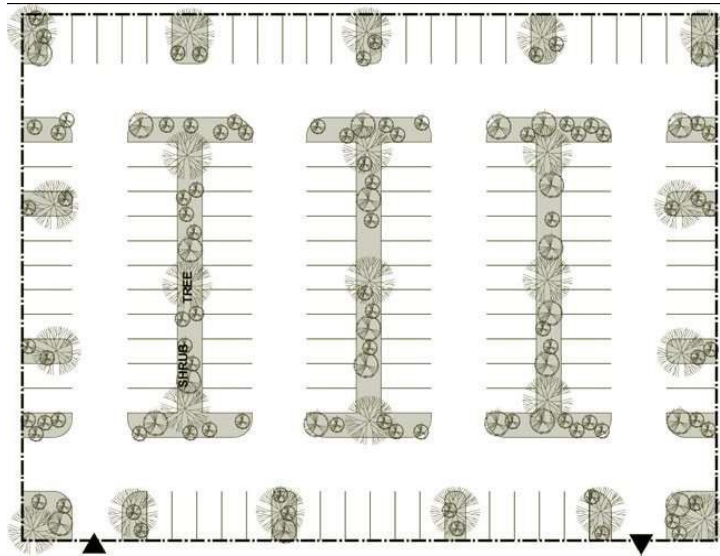


Figure 4: Example of an Interior Landscape Area (ILA) within a parking lot (source: Greenville, SC)

## 8.5. Street Trees

### 8.5.1. Applicability

- A. Street trees shall be required for all development that requires compliance per Section 8.1.2.

### 8.5.2. General Standards

- A. Street trees shall be planted within or adjacent to public or private vehicular rights-of-way. Plantings shall be in coordination with SCDOT. The City may require plantings in a separate easement in unique cases.
- B. Street tree species shall be chosen per the guidelines in Section 8.2.4 Vegetation Choice, Diversity, and Quality.
- C. No more than fifty percent (50%) of any one species of street tree may used, to ensure variety.
- D. Street trees shall be planted at a ratio of not less than one (1) Type A/Large tree per fifty (50) linear feet of right-of-way frontage, or one (1) Type B tree per 40 linear feet, or one (1) Type C tree per 30 linear feet. Type C trees may be used only where utility lines or other site constraints will not allow installation of Type A or Large trees.
- E. Vary the spacing of street trees to add interest and diversity to roadways.
- F. Street trees shall be planted adjacent to the right-of-way/property line boundary, in a minimum six (6) foot wide planting area (or available planting strip), to provide adequate space for proper root growth. Trees shall be planted no farther than fifteen (15) feet from the right-of- way/property line boundary.

- G. All trees planted within a public or private right-of-way shall receive prior approval from the owner of the right-of-way. If approval is not given, then street trees shall be located on the development site, as mentioned in Section F above.
- H. To provide adequate site clearance for pedestrians, bicyclists, and vehicles, plant trees at least fifteen (15) feet away from driveways, thirty-five (35) feet away from minor collector intersections, fifty (50) feet away from major collector intersections, and one hundred (100) feet away from arterial intersections.
- I. Trees shall have a clear trunk (no branches) to at least eight (8) feet above the ground for safe vehicular, bicycle, and pedestrian site clearance.

## 8.6. Tree Protection, Preservation and Mitigation

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### 8.6.1. Purpose and Intent

- A. The purpose and intent of this Section is to protect existing tree cover; facilitate the incremental growth of the City's tree canopy; enhance and preserve the environmental and aesthetic qualities of the City; encourage site design techniques that preserve the natural environment and enhance the developed environment; control erosion, slippage, and sediment runoff into streams and waterways; increase slope stability; improve air quality; protect wildlife habitat and migration corridors; and reduce homeowner energy costs.

### 8.6.2. Applicability

- A. Except as stated herein, the requirements of this Section apply to all land-disturbing activities that require permit for existing and new development, in addition to those activities described by Section 8.1.2.

### 8.6.3. Exemptions

- A. The removal of diseased, dead or naturally fallen trees on previously platted and/or approved lots, as determined by a certified arborist, licensed landscape architect or the Zoning Administrator; or trees that are found to be a threat to the public health, safety, or welfare by a TRAQ certified arborist or the Zoning Administrator.
- B. The selective and limited removal of vegetation or trees under 10 inches diameter at breast height necessary to obtain clear visibility at driveways or intersections, or for the purpose of performing authorized field survey work.
- C. The removal of trees within operationally active utility easements to maintain their intended function.
- D. The removal of trees or vegetation on land that is being used for agricultural and forestry activities, including tree farms and approved forestry management practices, except that if a site is substantially cleared of trees pursuant to legitimate agricultural or forestry activities, no development applications will be accepted for 36 months from the date the clearing is completed. It is the burden of the property owner to prove that any timber harvesting or land clearing is conducted as a commercial timber operation. A forestry plan shall be submitted that demonstrates that the intended forestry activities will contribute to the long-term production of marketable forest products and ensure the continued existence of forests through regeneration. Conducting a timber sale as the sole timber management activity does not constitute a "commercial timber operation."

- E. Residential property consisting of an existing single-family home. Except that Tree Coverage Requirements within Section 8.6.7 shall apply to said property, and trees which the Zoning Administrator determines are fulfilling the required street tree condition (in previously approved subdivisions).
- F. Tree clearing or cutting performed to comply with aeronautic safety requirements mandated by federal or State law or regulation.
- G. The removal of the following types of trees:
  - 1. Pine trees (except for long leaf pines or other protected species) with a DBH of less than 24".
  - 2. Water Oaks
  - 3. Bradford Pears
  - 4. Invasive trees

**8.6.4. *Tree Protection Zone (TPZ).***

- A. Before and during any land disturbance, construction or development, the following measures shall be utilized to protect trees, including tree crowns and roots, designated for retention on development plans. The location of the TPZ fencing and method of construction shall be noted on the site plan.
- B. Prior to clearing/grading/land disturbance, construction, and/or development of a property, the owner shall install all tree and root protection necessary to protect identified canopy and understory trees from damage.
- C. All trees shall be protected with a sturdy and visible fence before any land disturbance begins. At a minimum, such Tree Protection Zone (TPZ) shall be established and be equal to a one-foot radius on the ground for every inch of Diameter at Breast Height (DBH) or the extent of the drip line of each canopy and understory tree to be protected, whichever is greater.
- D. Tree protection fencing shall be installed and remain in place and in good condition until all clearing/grading/land disturbance, development and construction activities are completed.
- E. The TPZ fencing shall be constructed from any material visible and substantial enough to prohibit and keep out vehicles, people, and all other activities associated with the clearing/grading/land disturbance, development and construction process,. Examples include wood posts and rails, chain link fencing, wire fencing and posts, and other substantial materials. Tree protection fencing shall be a minimum of four feet high.
- F. All Tree Protection Zones shall be designated as such with signs posted visibly on all sides of the fenced protection area, with lettering and colors that provide maximum readability in terms of distance and contrast.
- G. No soil disturbance or compaction, stock piling of soil or other construction, paving or landscaping materials, vehicular traffic, or storage of heavy equipment is allowed in the tree protection zones of trees to be retained.

- H. In situations where strict adherence to the provision of tree protection zones is not possible due to factors including, but not limited to, site conditions, overlapping tree protection zones, or grade changes, the Zoning Administrator may, through field determination and consultation, allow modifications to the required tree protection zone.

#### *8.6.5. Tree Inventory.*

- A. The tree inventory and protection plan shall be submitted as part of an application for any land development activity not otherwise exempted.
  - 1. A legible tree inventory shall be submitted as part of an application for any land disturbing permit or activity, including storage or staging of equipment. The inventory shall show all trees greater than 10 inches DBH to be removed (or for residential property consisting of an existing single-family home where title to such property is acquired on or after July 1, 2021, and any tree to be retained. Trees shall be clearly identified on the tree survey as either to be removed or retained. Each tree to be retained should show the critical root zone to determine impacts.
  - 2. The tree inventory shall include any boundary trees, i.e. trees on neighboring properties, which may experience any land disturbance, including storage of equipment or other material, within their critical root zone. In cases where the boundary tree cannot be accessed by a surveyor, the dripline can be substituted for the critical root zone.
  - 3. Invasive tree and prohibited tree species as determined by the Zoning Administrator.
  - 4. Encroachment within the critical root zone, or dripline if the tree cannot be accessed by a surveyor, of trees located on adjacent properties is not allowed without written approval from that adjacent property's owner if the tree is to be impacted. If the limits of disturbance or land disturbance activity may reasonably be expected to occur within the critical root zone, or dripline as defined above, of trees located on adjacent properties, a letter from the tree's owner may be provided in lieu of tree protection for the tree. The letter shall clearly state that the tree's owner is aware of the risk to the tree, that the land disturbing activity may result in the immediate or long-term death or demise of the tree, and that the City is not responsible for any damage or removal of the tree or its parts. The letter shall be signed by the adjacent property owner and included with the tree inventory.

#### *8.6.6. Tree Removal and Replacement*

- A. Development or activity that results in the removal or injury of canopy trees 10 inches or greater in DBH (or for residential property consisting of an existing single-family home, trees that meet the Large tree definition), that are not recognized invasive species shall provide replacement or mitigation equal to or greater than the cumulative DBH of the trees removed and/or injured.
  - 1. Canopy trees required to meet landscape requirements per the Development Code, may be used to meet tree replacement requirements.
  - 2. Tree loss mitigation may be provided by retaining existing canopy trees on site which meet the following criteria:
    - a. Trees over 3 inches DBH;

- b. Native trees are in good health and are free of damage or disease, as verified by a certified arborist; and
  - c. Trees are not a recognized invasive or prohibited species, or of the Pinus species; and
  - d. Trees are not within an active utility easement.
3. For all other parcels and land development applications, the applicant shall submit a tree survey (as described in above section) notating all applicable trees/landscaping to be removed, as well as planned vegetation. For those trees over 10 inches in DBH and trees classified as Heritage trees, the following mitigation schedule shall apply:

Table 8.6.6.A: Tree Replacement and Mitigation Schedule		
Tree Type	Replacement: % of caliper inches	Mitigation: Cost/Caliper Inch
Understory Tree (Small Tree*) 10"-23" DBH	33%	\$20/inch
Canopy Tree (Large Tree*) 24" DBH or more	50%	\$50/inch
Examples:	Approved Replacement:	Approved Mitigation:
	Canopy Tree (Large Tree*): A 24-inch Live Oak tree is approved to be removed. The applicant may choose to plant back four (4) 3-inch Live Oaks (12"), or similar tree, to equal 50% of the tree to be removed	Canopy Tree (Large Tree*): A 24-inch (DBH) Live Oak tree is approved to be removed. The applicant shall pay \$1,200 for the removal of the tree (24" x \$50 = \$1,200)
	Understory Tree (Small Tree*): A 12-inch Live Oak tree is approved to be removed. The applicant may choose to plant back one (1) 4-inch live oak to equal 33% of the tree to be removed	Understory Tree (Small Tree*): A 12-inch tree is approved to be removed. The applicant shall pay \$240 for the removal of the tree (12" x \$20 = \$240) (5)
Replacement location of type "A" canopy trees removed shall be decided by the Zoning Administrator or applicable review entity.		
*Trees defined by the Recommended Plant List in the Appendix 12.4.		

4. In cases where tree mitigation is required but planting is not preferred by the applicant, the Zoning Administrator and/or the City Administrator shall approve a fee-in-lieu-of mitigation via a payment to the City's Tree Fund. Fees shall be based on market rates or quotes for relating to tree mitigation. Fee-in-lieu-of mitigation fees are capped at \$25,000 per acre (excluding tree fines), to be adjusted upward or downward on a pro rata basis based upon the size of the parcel. By way of example, the fee-in-lieu would be capped at \$12,500 for a one-half acre parcel and capped at \$37,500 for a one and one-half acre parcel. This fee in-lieu of shall not exempt the applicant from any landscaping requirements such as buffers, screenings, parking lot landscaping, and other plants

required with the development application. The Tree Fund will be managed by the City and shall be used solely for the purposes of:

- a. New tree purchase and installation by the City.
- b. A percentage of new tree and landscape material and installation costs for affordable housing developments, as defined by SC Code § 31-13-410, and executed via development agreements with the City;
- c. Maintenance of existing tree canopy on public property and rights-of-way;
- d. Purchase of real property for the purposes of tree plantings or dedicated open space;  
or
- e. Administration of the above.
- f. The total tree mitigation fee may be reduced by a percentage equal to the percentage of affordable housing units included within the project as documented by the City.

**8.6.7. Tree Coverage Requirements**

- A. In addition to the standards laid out within this Section, land or property shall maintain a minimum baseline canopy coverage area based on the zoning district and lot size. The Zoning Administrator shall approve the tree coverage plan during the review of the landscaping plan. This canopy can be comprised of existing trees, new trees, or a combination of both, and shall be per the table below:

Table 8.6.7: Tree Coverage Requirements	
Type of Development	Minimum Number of Trees Required*
	1 Large Tree Required
One-Family Residential District	One Large Tree per lot.
Attached Single Family, Two-family, three-family, and multi-plex dwellings	Per 6,000 sq. ft.
Multi-Family (Apartments)	Per 4,000 sq. ft.
Core Commercial	N/A
Office, Commercial, & General Commercial	Per 6,000 sq. ft.
Industrial	N/A
*Approved existing vegetation, buffer trees, street trees, landscaping islands, etc. can all count towards this requirement (Section 8.2.3).	

## 9. Parking and Loading

### 9.1. Purpose and Intent

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#### 9.1.1. *Purpose and Intent of Parking Requirements*

- A. The purpose of this Section is to ensure the appropriate provision of parking and loading facilities in the different zoning districts and different uses allowed by this Ordinance. The standards in this Section are intended to provide for adequate off-street parking and loading and allowing the flexibility to accommodate alternative parking solutions. The standards are also intended to achieve City policies of smart, sustainable growth, walkability, accommodating appropriate infill development, and avoiding excessive paved surface areas. Minimum off-street parking requirements are established within this Unified Development Ordinance. Certain development proposals are required to complete a parking demand analysis. <sup>(3)</sup>

#### 9.1.2. *Applicability*

- A. New Parking. All new off-street parking and loading areas shall comply with the standards of this Section.
- B. Existing Parking. Except as may be otherwise provided, no provisions of this section shall mean that existing vehicle parking shall be removed or modified to meet the standards of this section. Where existing parking areas are non-compliant, they shall be considered non-conforming structures.
- C. Parking Redevelopment. Whenever parking area is redeveloped, it shall be brought into compliance with this section.
- D. New Development. All new development shall provide off-street parking and loading areas in accordance with the standards of this Section.
- E. Use of Parking. Where this section regulates the use of parking spaces, all existing and proposed parking shall comply.

#### 9.1.3. *General Standards*

- A. Parking and Loading to be Provided. All development shall provide off-street parking and loading areas sufficient for their requirements. Such spaces shall be adequate so that no vehicle being parked, loaded, or unloaded in connection with normal operations shall obstruct a public street, walk, alley, or way.
- B. Fee-In-Lieu. If there is a case where the creation of off-street parking is deemed infeasible due to site or legal constraints within the zoning district, the applicant may pay a fee per parking space into a fund, in lieu of the parking requirements, set up by the City for the purposes of establishing public parking. The fee shall be in the amount of \$3,000 per parking space. An application for this request shall be made to the City or Zoning Administrator prior to review by City Council. This fee-in-lieu may be reduced or exempted by City Council. Fee-in-lieu shall not account for more than 20% of the required parking, as defined in Section 9.2.
- C. Maneuvering. No maneuvering area shall be in any public right-of-way.

- D. Off-Street Loading Area Required. Except within Core Commercial zoning district, areas suitable for loading and unloading motor vehicles in off-street locations and specifically designated for this purpose shall hereafter be required at the time of the initial construction. Such off-street loading areas shall have access to an alley or street and shall be provided and maintained in accordance with these requirements.
- E. Traffic Impact Study Required. Developments that require more than one hundred (100) parking spaces based on Section 7.8 shall be required to submit a traffic impact study by the Zoning Administrator prior to approval of the permit.
- F. Storage of Inoperable Vehicles. Off-street parking areas required by this Section shall be used solely for the parking of licensed motorized vehicles in operating condition; Automotive vehicles or trailers of any kind or type without current license plates, if such plates are required, shall not be parked or stored on any property other than in carports or completely enclosed buildings.
- G. Use of Parking. Required parking spaces shall not be used for the sale, lease, storage, dismantling, or service of any vehicles, boats, motor homes, campers, mobile homes, building materials, equipment, or supplies except for farmer's markets and food trucks on a temporary basis.
- H. Maximum Parking. The number of parking spaces should not exceed 120% of the spaces determined by the parking demand study or other method allowed within this ordinance. Parking spaces over the minimum required are encouraged to be composed of substantially permeable material when incorporated in the overall stormwater management plan.
- I. For the purpose of these regulations, an off-street parking space is an area not in a street or alley, permanently reserved for the temporary storage of one automobile and connected with a street or alley by an asphalt or concrete driveway which affords ingress and egress.
- J. Drainage and Maintenance. Off-street parking facilities shall be properly graded for drainage to prevent damage to abutting property and/or public streets and alleys. All surface material for parking spaces and their corresponding access drives shall consist of suitable paving material to prevent the exposure of subsoil. Suitable paving material for parking areas includes asphalt, concrete, porous paving blocks or any other maintenance material approved by the Zoning Administrator that will not result in substantial maintenance problems.
- K. Alternative Materials. Alternative paving materials will be considered only if the material exhibits equivalent load bearing and wear characteristics as concrete or bituminous asphalt. For a paving space to be considered pervious at least five percent of the parking area shall consist of permeable pavement or surface treatment. Stormwater reductions that result from the use of permeable pavement may be considered in any kind of stormwater management plans or requirement for mitigation.

## 9.2. Minimum Off-Street Parking Requirements

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### 9.2.1. *Parking Requirements*

- A. Off-street parking On-site parking shall be provided for each business, residence, institution or other land use in compliance with this subsection. The number of on-site parking spaces required for each type of land use and for handicapped accessibility is set

forth in Table 9.2.1.A and Table 9.3.4. The Zoning Administrator may waive the parking requirements of up to (3) spaces in the OI, NC, GC, CC, MED, IND zoning districts and planned unit development projects. Granting a parking requirement waiver may require additional landscaping or greenspace to be provided by the applicant.

(Table 9.2.1.A) Off-Street Parking Requirements

Use Type	Minimum Spaces Required
<b>Residential</b>	
Single Family / Duplex	2 per dwelling
Multi-Family Dwellings	2.25 per dwelling
All other non-group household living uses	2 per dwelling
Boarding House	2 plus 1 for each bedroom rented
Household Living Uses specifically for elderly or handicapped residents	1 per dwelling unit
<b>Commercial</b>	
Shopping Center	1 per 250 square feet of gross floor area*
Uses located in a commercial shopping center	1 space per 250 sq. ft. of gross floor area*
Stores including Service Establishments	1 per 200 sq. ft. of gross floor area* for the first 10,000 sq. ft. plus 2 per each additional 500 sq. ft.
Auto Repair / Sales	1 space per 300 sq. ft. of gross floor area*
Auto service stations	2 spaces plus 4 for each service bay
Auto washing	2.5 spaces per washing stall
Barber shops and beauty shops	2 for each barber chair or beautician station
Banks, savings, and loans	1 space per 200 sq. ft. of gross floor area*
Churches	1 per 3 seats based upon maximum capacity of place of assembly
Convenience Store	1 per 200 square feet plus vehicle stacking spaces for gasoline service
Day Care Center	1 per staff plus 1 per 10 clients
Drive Through or Take-Out	1 per 100 sq. ft. of building floor area*
Grocery Store	1 per 250 sq. ft. of gross floor area*
Hotels, Motels	1 per unit, plus 4 spaces per 50 units, plus spaces as required for restaurants and other facilities
Indoor/Outdoor Amusement Center	1 per three fixed seats, or one per 300 square feet, whichever is greater
Nightclub or bar	1 per 100 sq. ft. of gross floor area*
Offices: administrative, business and professional	1 space per 200 square feet of gross floor area*
Restaurants: All restaurants except fast food	1 per 3 seats based on maximum capacity
Recreational Facility	1 per 200 square feet of gross floor area*
Retail, general	1 per 200 sq. ft. of gross floor area*
Self-Service Storage	1 per 20 units

Education	
Elementary and Junior High	2 spaces per classroom
Senior High School	1 space for faculty and employees, plus 1 space per 5 students
College	0.5 spaces per faculty members and employees, plus one space per 3 students
Manufacturing	
Manufacturing	1 per person employed on the largest shift plus spaces needed for office use.
Medical	
Health Care Facilities	1 per staff member on largest shift plus:
Hospital	1 per 3 beds based on maximum patient capacity
Nursing Home	1 per 3 beds based on maximum patient capacity
Health Services, Veterinarian and Animal Hospitals	1 per examination room
Group Care Homes and Facilities	1 per 6 beds plus 1 per independent unit (as defined in this UDO), plus 1 per 20 clients
Medical and dental offices and clinics	1 space per 200 square feet of gross floor area*
* Excluding the square footage utilized for restrooms, hallways, stairwells and storage areas	

**9.2.2. Applicable Projects**

- A. Projects exceeding the following thresholds, except those specifically exempted (Section 9.2.3), shall provide a parking demand analysis.
  1. A change of use requiring the issuance of a new certificate of occupancy, as determined by the Zoning Administrator and/or Building Official.
  2. New construction of principle buildings in excess of 4,000 square feet of gross floor area.
  3. Enlargement of existing buildings by 20% of the existing gross floor area. Any additional off-street parking and loading spaces that may be required shall apply only to the expanded or enlarged part of the structure.
  4. The substantial renovation of a principal building with a gross floor area of at least 15,000 square feet and involving a change of use.
  5. Upon request of the Planning Commission or Zoning Administrator during the course of their review

**9.2.3. Exempt Projects**

- A. The following projects shall provide information in their application justifying their proposed parking and demonstrating that public infrastructure will not be burdened per findings of City Staff:
  1. Projects not meeting the thresholds established in Section 9.2.2.

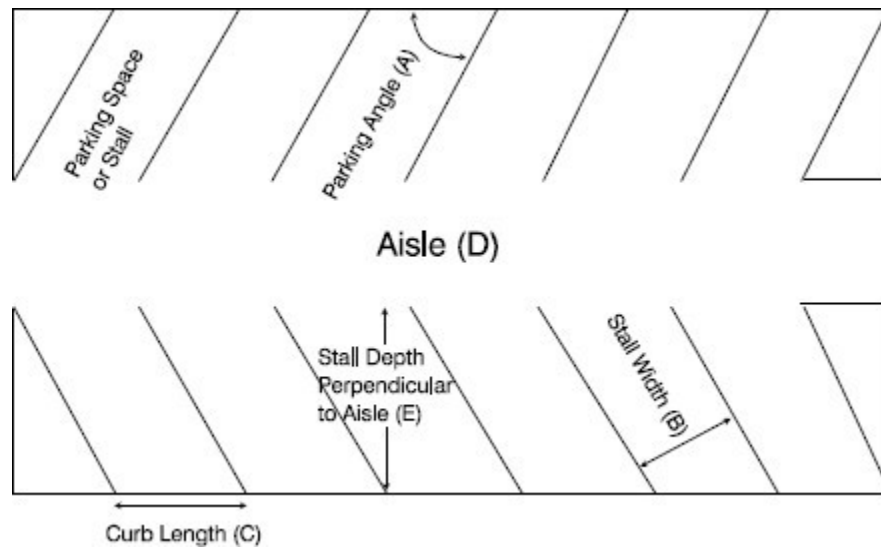
2. Projects within the Core Commercial Zoning District
3. Changing a building's use from one conforming use to another conforming use or when a non-conforming use is converted to a conforming use.
4. All single-family dwellings, accessory dwelling units and two-family dwellings.
5. Roadside Agricultural Stands.
6. A designated building on the National Register of Historic Places, recorded with the State SCDAH, or NPS that undergoes expansions shall not require additional off-street parking or loading facilities.

### 9.3. Parking and Loading Design

#### 9.3.1. Design

A. Parking lot design shall conform to the following standards

Table 9.3.1.A. Parking Space Sizes and Dimensions				
Angle of Parking Space	Width of Stall	Depth of Stall	Min. Aisle Width	Length of Curb
Parallel	8'	22' 0"	12' - 24'	22' 0"
30 Degree	9'	17' 0"	12' - 24'	18' 0"
45 Degree	9'	19' 0"	14' - 24'	12' 9"
60 Degree	9'	20' 0"	18' - 24'	10' 5"
90 Degree	9'	18' 0"	24' - 24'	9' 0"



#### B. Markings

1. All paved parking spaces shall be identified by surface markings and shall be maintained in a manner so as to be readily visible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking, and storage of vehicles. Parallel parking spaces shall be marked with standard 'cross' and 'T' pavement markings. All

striping shall be marked with 4-inch lines. As appropriate, time and use restrictions may apply and signs shall be posted displaying the required information.

C. Backing Movements Prohibited

1. All off-street parking spaces and driveways, with the exception of parking areas for one- and two-family detached dwellings, shall be arranged to require ingress and egress from the lot to a public street by forward motion of the vehicle. For single- and two-family residences only, driveways may be used to satisfy minimum off-street parking requirements, provided that sufficient space is available to satisfy the minimum design standards,

D. Vehicle Queuing Spaces (Vehicle Stacking)

1. Minimum number of Spaces. Off Street queuing (stacking) spaces shall be provided as follows:

<b>Table 9.3.1.D. Vehicle Queuing Areas</b>		
<b>Activity Type</b>	<b>Minimum Queuing Spaces</b>	<b>Measured From</b>
Bank teller lane	4	Teller or window
Automated teller machine (ATM)	3	Teller machine
Restaurant drive-through	8	Order box
Restaurant drive-through	4	Order box to pick-up window
Car wash stall, automatic	6	Entrance
Car wash stall, self-service	3	Entrance
Gasoline pump island	2	Pump island
Other	Determined by Zoning Administrator based on traffic study.	

E. Fire Lanes

1. Off-street parking areas with a capacity for more than 20 vehicles shall delineate fire lanes and post "no parking" markers.

F. Lighting

1. Adequate lighting shall be provided in off-street parking areas. Lighting used to illuminate off-street parking area shall be designed and equipped to cast light down from the fixture head, away from residential properties and public streets so that it may not cause a glare into abutting or adjacent lots. A street Light shall be provided at all proposed roadway intersections.

G. Landscaping

1. See Section 8.4, "Vehicle Use Area Landscape Buffer and Screening."

**9.3.2. Location**

- A. Off-street parking is prohibited in the front yard, unless on a impervious or pervious surface as approved by this ordinance.
- B. Off-street parking spaces shall be separated from walkways, sidewalks, streets, or alleys, and required setbacks by curbing or other protective device approved by the Zoning Administrator. Curb stops shall be provided to ensure that the entirety of the walkway is unencumbered.

**9.3.3. Setbacks.**

- A. Parking areas shall conform to the required setbacks for accessory buildings within the applicable zoning district. Within the Regional Business zoning district and if adjacent to residential district, a fifteen (15) foot setback is required for parking and service drives.

**9.3.4. Accessible Parking**

- A. A portion of the total number of required off-street parking spaces in each off-street parking area shall be specifically designated, located, and reserved for the use by persons with physical disabilities as set out. For more information reference American National Standards Institute (ANSI) A117.1, as adopted by the state of South Carolina.
- B. Any off-street parking area with at least twenty (20) off-street parking spaces shall designate a minimum of ten (10) percent of those spaces as reserved only for the handicapped and clearly mark them for such use. Parking spaces designated to serve handicapped individuals shall be at least 14 feet in width and 20 feet in depth. The space may be 9’ wide if there is a 5’ wide striped access aisle directly adjacent to the space.
- C. Residential Uses. For residential uses, accessible parking shall be provided at the rate of one space per each dwelling unit that is designed for occupancy by the physically disabled.
- D. Nonresidential Uses. For non-residential uses, accessible parking spaces for disabled persons shall be provided at the rate shown in the table below:

<b>Table 9.3.4. Accessible Parking Requirements for Nonresidential Uses</b>	
<b>Total Number of Required Parking Spaces</b>	<b>Number of Required Accessible Spaces</b>
1-25*	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2 percent of total spaces
Above 1,000	20 spaces, plus one space for each 100 over 1,000 spaces or fraction thereof.
*For parking lots of 5 or less spaces, the accessible space shall be provided, but need not be designated as reserved for the physically disabled.	

- E. Accessible parking required by this section shall count towards the fulfillment of the general off-street parking requirements

**9.3.5. *Area and Paving Required for Parking Spaces***

- A. Excluding aisles, maneuvering space, turn-around space, and drives, each required off-street parking space shall measure at least nine (9) feet in width and eighteen (18) feet in length.

**9.3.6. *Landscaping, Buffering, and Screening***

- A. Aisles, islands, and pedestrian walkways shall conform to the requirements of Section 8.4, Landscaping, Buffering and Screening requirements.
- B. Access to Properties. The number and location of all curb-cuts shall be governed by Article 7.
- C. Materials. All off-street parking spaces shall be paved with concrete, asphalt, or another acceptable material as approved by the Zoning Administrator and City Engineer except the following <sup>(2)</sup>:
  1. One and two-family dwelling units;
  2. Instances where residential dwelling units are being converted to commercial, office, or other uses which require less than five (5) parking and loading spaces in order to meet the terms of this Ordinance.

**9.3.7. *Bicycle Parking.***

- A. Any parking area shall provide bicycle racks for 5% of the number of required off-street parking spaces. This applies to parking areas with more than 20 parking spaces

**9.4. Parking Reductions and Alternatives**

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**9.4.1. *Off-Site Parking***

- A. If located off-site, the shared parking spaces shall be located within 900 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided. Off-site parking shall not be used to satisfy required parking for residential uses (except for guest parking), convenience stores, or other convenience-oriented uses. Required parking spaces for persons with disabilities shall not be located off-site.
- B. In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement between the record owners will be required. An attested copy of the agreement between the owners of record shall be submitted to the Zoning Administrator for recording in a form established by the City Attorney. Recording of the agreement shall take place before issuance of a building permit or certificate of occupancy for any use to be served by the off-site parking area. No use shall be continued if the parking is removed unless substitute parking facilities are provided, and the Zoning Administrator shall be notified at least 60 days prior to the termination of a lease for off-site parking.

**9.4.2. *Shared Parking Study.***

- A. A shared parking study that clearly demonstrates the feasibility of shared parking shall be submitted to the Zoning Administrator. The study shall be provided in a form established by the Zoning Administrator. It shall address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the

anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

- B. Agreement for Shared Parking. A shared parking plan (where the minimum required parking spaces are provided off-site) will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be submitted to the Zoning Administrator in a form established by the City Attorney. The agreement shall be recorded with the County Registrar of Deeds before issuance of a building permit for any use to be served by the parking area.

#### *9.4.3. Credit for On-Street Parking*

- A. Legal on-street parking spaces may be used to satisfy the minimum parking space requirements of this Part. The use of on-street parking spaces to satisfy the minimum parking space requirements of this Part, however, in no way limits the use of said parking spaces to customers, employees or visitors of that particular use. Such parking spaces shall be available to the general public. The use of this provision shall be in accordance with the following:
  - 1. If a development creates on-street parking spaces, one (1) created on-street parking space equals two (2) off-street parking spaces required by this ordinance
  - 2. Any on-street parking space used in this manner shall be located on a public street directly abutting and on the same side of the street as the development site.
  - 3. Bus stops, clear zones adjacent to curb cuts and other areas in which parking is prohibited shall not be included in the calculation of on-street parking spaces.
  - 4. On-street parking spaces that are not directly abutting the development site shall not be counted towards the minimum parking space requirements.
  - 5. Uses may count on-street parking spaces that are within the frontage of the lot on public street rights-of-way abutting the subject property towards the off-street motor vehicle parking minimums. For the purposes of this section an on-street parking space shall be a minimum of 20 feet in length. Fractional spaces less than .8 (16 feet) shall not be counted as a parking space.

#### *9.4.4. Tandem Parking*

- A. The Zoning Administrator may approve an off-street parking program utilizing limited tandem parking for commercial and industrial uses provided that the development requires 50 or more parking spaces. No more than 30 percent of the total number of spaces shall be designated as tandem.

#### *9.4.5. Extension of Parking Space into a Residential District*

- A. Required parking space may extend up to one hundred twenty (120) feet into a residential zoning district, provided that:
  - 1. The parking space adjoins a commercial or industrial district;
  - 2. Has its only access to, or fronts upon, the same street as the property in the commercial or industrial district for which it provides the required parking space; and

3. Is separated from abutting properties in the residential district by a twenty (20) foot wide buffer strip with a six (6) foot tall evergreen hedge obscuring the parking lot from view by the residential lots.

## 9.5. Vehicle Cross Access and Pedestrian Circulation

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### 9.5.1. *Cross Access*

- A. Cross access between two (2) or more contiguous sites/land uses shall provide alternative access between compatible land uses that front major/minor thoroughfares so that patrons leaving one (1) business may access adjoining businesses without having to reenter a busy public street system. It is not the intent of this section to reduce the number of driveways beyond what is already allowed in the SCDOT Driveway Manual.
- B. When Required
  1. Any new non-residential developments, as well as any additions of over three thousand (3,000) square feet of gross floor area to existing non-residential developments; and all uses of land without buildings which involve more than forty thousand (40,000) square feet; are all required to provide cross access.
- C. Vehicular Cross Access Exemptions
  1. Cross access will not be required between residential uses, nor will it be required when a property suffers from the following hardships, as determined by the Review Authority:
    - a. The properties do not have common frontages along the same street.
    - b. Significant topography differences in existing or proposed conditions prohibit connectivity.
    - c. Significant natural features exist.
    - d. Other safety and security factors exist.
    - e. Land uses are incompatible.
    - f. Existing infrastructure obstructions prohibit connectivity.
- D. No Obstruction of Access
  1. Once built to the property line (or lease line) from both directions, an access way shall not be blocked off, parked in or obstructed in any way, unless significant redevelopment of the lots involved will be occurring.

### 9.5.2. *Pedestrian Circulation*

- A. Connection to the Street.
  1. The on-site pedestrian circulation system shall connect all adjacent public rights-of-way, adjacent sidewalks, multi-use paths, public spaces to any main building entrance. The connection shall follow a direct route and not involve significant out-of-direction travel for system users.
- B. Connection to Abutting Properties

1. The on-site pedestrian circulation system shall provide connection to existing paths and sidewalks on abutting properties or to the likely location of future paths or sidewalks on those properties. The applicant may pay the City a fee in lieu of sidewalk improvements in certain cases where site or legal constraints prevent the construction of the sidewalk. The fee in lieu will be calculated at 125% of the cost of the improvement. Additionally, when the Administrator determines that no paths or sidewalks exist on a neighboring property or it is not possible to determine the likely location of future path or sidewalk connections or extending a connection would create a safety hazard on either property, no such connection is required.

#### C. Internal Connections

1. The on-site pedestrian circulation system shall connect all buildings on the site and provide connections to other areas of the site likely to be used by pedestrians and non-motorized travel, such as parking areas, bicycle parking, recreational areas, common outdoor areas, plazas, and similar amenity features. The Planning Commission may require additional pedestrian pathways within the parking area.

#### D. Design.

1. For facilities with or that propose more than 30 spaces, required on-site pedestrian circulation facilities shall be designed and constructed in accordance with the following requirements:
  - a. The on-site pedestrian circulation system shall be paved and be at least five feet in width.
  - b. An appropriately sized planting strip, dependent on proposed tree species, shall be provided on both sides of the pedestrian circulation system to accommodate the planting of canopy or understory trees for the purpose of providing shade. One canopy tree shall be planted every 40' or one understory tree every 20', or combination thereof.
  - c. When the on-site pedestrian circulation system crosses driveways, parking areas or loading areas, it shall be clearly differentiated through the use of elevation changes, a different paving material, or other equally effective methods. Striping alone, when not combined with other mentioned or similar methods, does not meet this requirement.
  - d. When the on-site pedestrian circulation system is parallel and adjacent to a motor vehicle travel lane, it shall be a raised path at least six inches above the vehicle travel lane surface or be separated from the vehicle travel lane by a raised curb, bollards, landscaping or another physical barrier. If a raised path is used, the ends of the raised portions shall be equipped with accessible curb ramps.
  - e. The on-site pedestrian circulation system shall be illuminated to ensure that it can be used safely at night by employees, residents, and customers.

## 9.6. Off-Street Loading Requirements

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### 9.6.1. General

- A. Unless otherwise approved by the Zoning Administrator, every building or structure erected and used for business, trade, or industry shall provide space as indicated in this section for the loading and unloading of vehicles, with access to a public street or alley. The spaces shall be arranged so that no vehicle will be required to back onto a public street or way and so that vehicles may maneuver for loading and unloading entirely within the property lines of the premises.
- B. Each off-street loading space shall be least twelve (12) feet wide, forty (40) feet long and fourteen (14) feet high. Such space shall be clear and free of obstruction at all times.
- C. Off-street loading and unloading areas shall in all cases be located on the same lot or parcel of land as the structure they intend to serve

### 9.6.2. Requirements

- A. Off-street loading spaces shall adhere in the following standards:

<b>Gross Floor Area In Structure (Sq. Ft.)</b>	<b>Number of Berths</b>
0 – 25,000	1
25,001 – 50,000	2
50,001 – 100,000	3
100,001 – 150,000	4
150,001 – 200,000	5
Each 100,000 above 200,000	1

- 1. Bus and Truck Terminals. Sufficient spaces to accommodate the maximum number of buses or trucks to be loading, unloading or stored at the terminal at any one time.

## 9.7. Parking and Storage of Certain Vehicles

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### 9.7.1. General

- A. Required off-street parking areas shall be used solely for the parking of licensed, motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, or building materials, except as expressly allowed in this section.

### 9.7.2. Parking of Commercial Vehicles in Residential Districts

- A. Excluding a school or church bus being used for its intended purpose, only one commercial vehicle (any vehicle requires a commercial vehicle designation from the SCDMV) shall be permitted per family within a residential district. The commercial vehicle shall be located to the side or rear of the building on the lot. Oversized vehicles or vehicles used for hauling explosives, gasoline or liquefied petroleum (requiring a placard) shall not be parked or stored in a residential district or on the street.

*9.7.3. Parking of Recreational Vehicles in Residential Zones*

- A. Not more than one recreational vehicle per dwelling may be parked or stored on a lot in any residential zone and shall be located to the side or rear of the building on the lot on which the vehicle is located and shall not be located closer to the street than any adjoining residential structure. In no case shall a Recreational Vehicle be connected to utilities to be used as a permanent dwelling.

## 10. Signs

### 10.1. Purpose and Intent

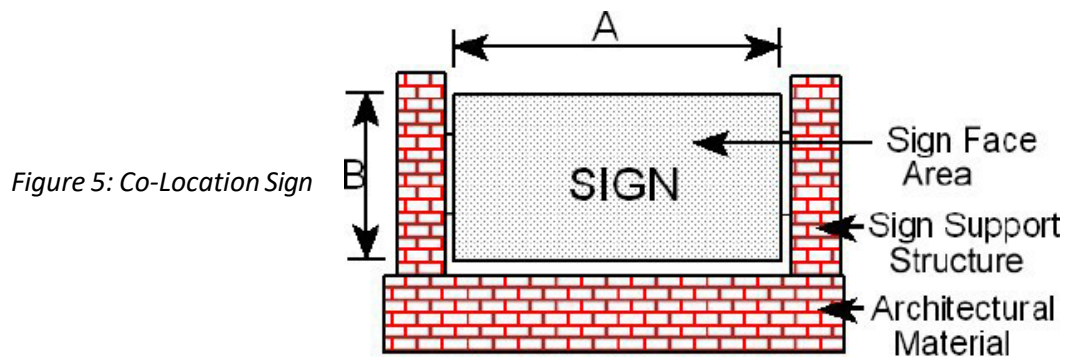
#### 10.1.1. Purpose

- A. Encourage Effective Communication - Encourage the effective use of signs as a means of communication in the City;
- B. Maintain a Pleasing Appearance - Maintain and enhance the pleasing look of the City, which attracts to the City major events of local, regional, and statewide interest;
- C. Attract Business - Preserve Easley as a community that is attractive to business;
- D. Improve Safety - Improve pedestrian and traffic safety;
- E. Minimize Adverse Effects - Minimize the possible adverse effects of signs on nearby public and private property; and
- F. Ensure Compatibility - Ensure that signs in the community are compatible with the high quality image that the City seeks and in which the City continuously invests.

### 10.2. General Standards

#### 10.2.1. Sign Area

- A. The sign face area shall be the advertising display surface of the sign.
- B. In the case of freestanding signs, the sign face area consists of the entire surface area of the sign on which copy could be placed.
- C. The supporting structure or bracing of a sign shall not be counted as part of sign face area unless such structure or bracing is made a part of the sign's message.
- D. Individual uses on adjoining lands may place their individual freestanding signage on a single sign support structure provided the combined sign face area does not exceed the amount of sign face area permitted if the freestanding signs would have been constructed separately. Sign support structures shall comply with the height limits regardless of the number of collocated signage.
- E. Two-Sided Signs. Where a sign has two (2) display faces back-to-back, the area of only one (1) face shall be considered the sign face area. Where a sign has more than one (1) display



$$\text{Sign Area} = (A) \times (B)$$

face, all areas that can be viewed simultaneously shall be considered the sign face area as depicted in Figure 6, Two-Sided Sign:

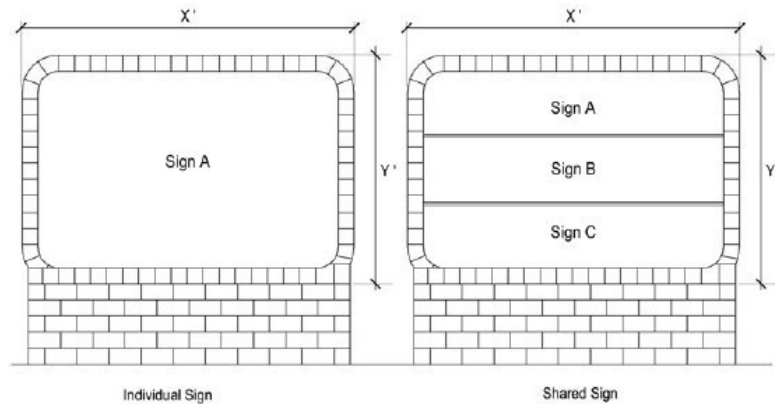
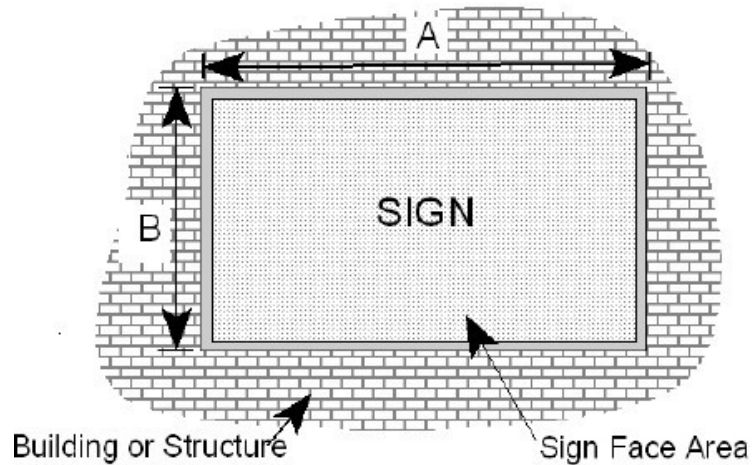


Figure 6: Two-Sided Signs

F. Signs with a Background

1. In the case of a sign whose message is fabricated together with the background which borders or frames that message, the sign face area shall be the total area of the entire background as depicted in Figure 7, Signs with a Background:



$$\text{Sign Area} = (A) \times (B)$$

Figure 7: Signs with a Background

G. Signs with No Border or Frame

1. In the case of a sign whose message is applied to a background which provides no border or frame, sign face area shall be the area of the smallest rectangle that can encompass all words, letters, figures, emblems, and other elements of the sign message as depicted in Figure 8.

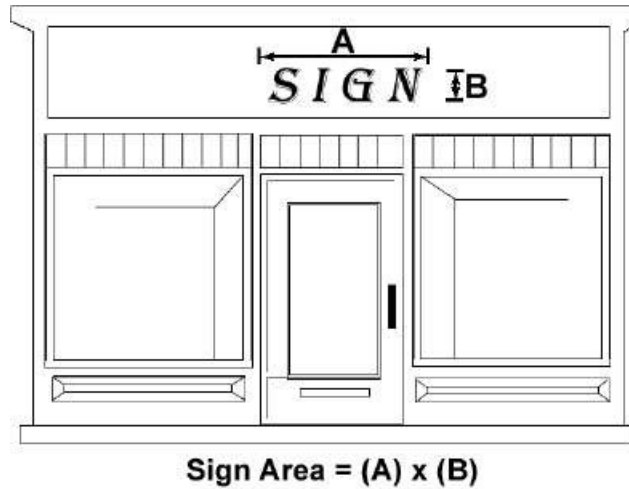


Figure 8: Signs with No Border or Frame

#### 10.2.2. Sign Height

- A. No freestanding sign shall exceed 10' in height as measured from the base of the sign in the OI, NC, CC and MED Districts, or 15' in height as measured from the base of the sign in the GC or IND Districts.
- B. Sign height shall be measured from the base of the sign at normal grade to the highest point of the sign support structure, or sign face, whichever is higher. For the purposes of

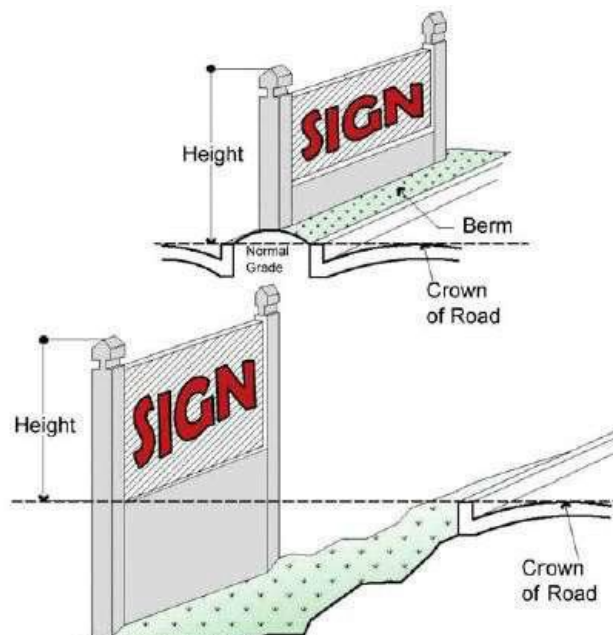


Figure 9: Sign Height

this subsection, “normal grade” shall mean the newly established grade after construction, not including any filling, berms, mounding, or excavating solely for the purpose of locating the sign. In cases where the normal grade is below the grade of the street to which the sign is oriented, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the crown of the adjacent street as depicted in Figure 9.

### *10.2.3. Standards for all Signs*

- A. A permit shall be required for the erection, alteration, or reconstruction of any sign intended for view from the public right-of-way unless otherwise noted and shall be issued by the Zoning Administrator in accordance with this Ordinance. Any conflicts between provisions shall be governed by Section 1.6.
- B. All signs shall be constructed and installed in accordance with the structural and safety requirements of the International Building Code. All signs shall be maintained in sound structural condition. No sign shall be allowed to deteriorate to a condition in which it requires repairs or renovations in an amount that exceeds 50 percent (50%) of its current replacement cost as determined by a licensed sign company. This includes signs which are defaced, missing some or all illumination or characters, and whose finishes or facings are chipping, peeling, cracking, or broken in any way shall be deemed to be in disrepair. Signs that deteriorate to such a condition that they are in violation of this Ordinance shall be either removed or replaced within 60 days. If a sign is replaced, it shall comply with the standards in this section at the time of replacement.
- C. No part of a freestanding sign, while permitted in required setbacks, shall be located closer than ten (10) feet to any property line. An exception may be requested if there is a greater than 20’ distance from the back edge of sidewalk to the Right of way of the subject property.
- D. No signs, except as otherwise provided, shall exceed the height limitations of the district in which they are located.
- E. No sign or lighting device shall be placed or directed to permit the beams and illumination to be directed or beamed upon a public road, highway, sidewalk or adjacent premises or residence, or skyward so as to cause a traffic hazard or nuisance.
- F. The placement of signs shall ensure visibility at intersections and ingress and egress points.
- G. Signage on Corner and Double Frontage Lots
  - 1. Wall signs. With regard to wall sign allowances, if a building, structure, or freestanding canopy faces more than one road frontage, each wall facing a road frontage shall be permitted to have the sign area specified for such building, structure, or freestanding canopy in this Code Section.
  - 2. Ground signs. With regard to ground sign allowances, if a property faces more than one road frontage, each road frontage shall be permitted to have the number of signs and sign area specified for such property in this Ordinance.

3. Transfer of allowances between road frontages. The sign area allotted to one road frontage or building frontage shall not be transferred to another road frontage or building frontage.
- H. Illumination. Signs in nonresidential districts may be illuminated subject to the following standards:
1. Illumination of signs within the Core Commercial, Historic Overlay, or area governed by the Architectural Review Board are governed by those standards.
  2. Exposed bulbs are prohibited except for neon lights meeting the following illumination requirements.
  3. No sign shall change color or intensity.
  4. The brightness and surface illumination shall not exceed:
    - a. Luminous background - 150 foot lamberts
    - b. Indirect Illumination - 50 foot candles
  5. In no event shall the light from any illuminated sign exceed one (1) foot-candle at the property line of any lot that is zoned residential.
  6. The light from any illuminated sign shall be shaded, shielded, or directed downward onto the sign so that the light intensity or brightness shall not adversely affect the surrounding or facing premises nor adversely affect safe vision of operators of vehicles moving on public or private streets or parking areas. Light shall not shine or reflect on or into any residential structure.

#### *10.2.4. Applicability*

- A. General. Unless exempted in accordance with this ordinance, no sign allowed by this section shall be erected, repaired, altered, relocated, maintained, or displayed without first being issued a Sign Permit and complying with the relevant standards of this section.
- B. Responsibility for Compliance. Review for compliance with the standards of this section shall occur at the time of application for a Sign Permit, Site Plan, Minor Subdivision, Preliminary Plat for Subdivision, Planned Development or Zoning Permit, whichever is appropriate.
- C. Termination. If a business discontinues the use of a site, sign faces/message used by the business that were previously erected on the site, or off-premise freestanding signs shall be considered as abandoned and shall be fully removed within one hundred twenty (120) days of vacating the site. General information such as "For Lease" or "For Sale" and contact information is permitted to assist in leasing or selling the site. It shall be the responsibility of the owner of the land to remove all abandoned signs. Abandoned signs may not be leased, rented, or sold for off-site advertising.

## 10.3. Free-Standing Signs

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### 10.3.1. *Applicable to all Ground Signs*

- A. One ground sign is allowed for each developed site, lot or parcel. Where a site or parcel fronts on more than one street, one additional ground sign is permitted for each additional street upon which is fronts.
- B. With regard to ground sign allowances, if a property faces more than one road frontage, each road frontage shall be permitted to have the number of signs and sign area specified for such property in this Ordinance.
- C. Where 2 or more detached buildings occupy the same lot or parcel, only 1 ground sign for the aggregate business shall be permitted per street frontage.
- D. Where 2 or more attached buildings occupy the same site, lot or parcel, only 1 ground sign for the aggregate business shall be permitted per street frontage.
- E. The sign area allotted to one road frontage or building frontage shall not be transferred to another road frontage or building frontage.
- F. Landscaped islands shall be required to be placed around all new signs within 30 days of sign erection. Shrubbery and/or plantings shall not exceed a height that would interfere with foot or vehicle traffic or visibility of the sign. At any time an existing sign is altered or improved, not including regular maintenance, the landscaped island shall be installed in accordance with the requirements for a new sign within 90 days of notification from the Zoning Official.
- G. Free-standing signs shall meet International Building Code structural provisions and UL (Underwriter's Laboratories) electrical requirements.

## 10.4. Building Signs

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### 10.4.1. *Applicable to all Wall Signs*

- A. Allowable Area. If there is no ground sign on the site or developed lot, 1 ½ square feet of wall signage shall be permitted for each lineal foot of the building front of the principal building. If a ground sign is on the site or developed lot, then only 1 square foot of wall signage shall be permitted for each lineal foot of the building front of the principal building.
- B. Double Frontage Lots. With regard to wall sign allowances, if a building, structure, or freestanding canopy faces more than one road frontage, each wall facing a road frontage shall be permitted to have the sign area specified for such building, structure, or freestanding canopy in this Code Section.
- C. Signs on the Front Surface of a Building. The total area of signs on the exterior front surface of a building shall not exceed twenty (20%) percent of the front surface of the building, as long as the figure does not exceed the total amount of sign area permitted within the zoning district where the sign or signs are to be located.
- D. Signs on the Side and Rear Surface of a Building. The total area of signs on a side or rear surface of a building shall not exceed twenty-five (25%) percent of the exterior side or rear surface of the building, respectively, as long as this figure does not exceed the total amount of sign area permitted within the Zoning District where the sign or signs are to be located.

- E. Projecting Signs and Awnings. Wall signs attached flat against a wall may extend not more than twenty-four (24) inches from the wall. Awnings and/or signs projecting from a wall may be located no closer than eighteen (18) inches to a vertical plane at the street curb line. A projecting awning and or sign shall not extend above the top of the structure. In no case shall awnings and/or signs project beyond property lines. Projection signs and awnings shall:
  - 1. Minimum height above grade or sidewalk level of such awning and/or signs shall be at least ten (10) feet;
  - 2. The proposed extension presents no physical threat of safety to pedestrians, motor vehicle drivers and passengers;
  - 3. A detailed drawing signed and sealed by a South Carolina registered engineer, showing point of attachment and supports. Design shall meet the requirements of the current adopted building code requirements for loading such as snow and wind.

## 10.5. Signs in the Central Business District

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### 10.5.1. *Design Guidelines for Signs*

- A. All signs in the Central Business District shall get approval from the City's Architectural Review Board.
- B. Signs should be coordinated with the composition of the overall façade and in proportion to the building such that it does not dominate the appearance.
- C. Locate signs on a building such that it will emphasize design elements of the façade itself and fit within existing architectural features.
- D. When feasible, place a wall sign such that it aligns with others on the block. If decorative moldings exist that could define a sign panel, locate a flush-mounted sign to fit within the panel formed by the moldings or transom panels.
- E. Window signs may be painted on the glass or hung inside the window and should cover no more than 20% of the total window area.
- F. Projecting signs may be considered. Small projecting signs should be located near the business entrance, just above the door or to the side of it. Large projecting signs should be mounted higher and centered on the façade or positioned at the corner:
  - 1. Meets with the approval of the Architectural Review Board.
  - 2. Minimum height above grade or sidewalk level of such awning and/or signs shall be at least ten (10) feet.
  - 3. The proposed extension presents no physical threat of safety to pedestrians, motor vehicle drivers and passengers, or others in lawful use of the right-of-way or public space, or to their property.
  - 4. A detailed drawing signed and sealed by a South Carolina registered engineer, showing point of attachment and supports. Design shall meet the requirements of the current adopted building code requirements for loading such as snow and wind.

5. The proposed extension is compatible in use and design with the right-of-way or public space;
6. Owners and occupants of property located within 100 feet of the proposed encroachment have been sent written notice by mail, facsimile transmission, or e-mail of the proposed encroachment and have been provided an opportunity to respond within ten days of the date notice is sent.
- G. Signs not attached to buildings should be ground mounted signs that are no more than 20 square feet in area and 5 feet in height. All ground mounted signs shall be located a minimum of five (5) feet behind the street right-of way. No ground-mounted sign greater than five (5) square feet in area shall be located closer than ten (10) feet to any adjacent lot line. A fifteen (15) foot side-yard setback shall be required if the side lot line abuts a residential district. An arm sign may be substituted for a ground mounted sign but shall meet all height and area requirements as provided. The height of a sign shall be measured from the highest point of a sign to the point of ground surface beneath it. Ornamentation such as caps and spires are not included in this measurement. The use of berms or raised landscape areas is only permitted to raise the base of the sign to the mean elevation of the fronting street.
- H. Sign materials should be compatible with that of the building façade and should use colors that are compatible with those of the building front.
- I. All lighted signs shall have their lighting directed in such a manner as to illuminate only the face of the sign. No commercial sign within 100 linear feet of a pre-existing residential structure may be illuminated between the hours of 12:00 midnight and 6:00 a.m. A residence shall be deemed "pre-existing" for purposes of this Section if it has a valid building permit in effect for construction of said structure or if construction of said structure was complete on or prior to the effective date of this provision.
- J. Internally illuminated signs, signs with lights inside the sign itself, will be prohibited in the overlay districts.
- K. Flashing signs, signs with flashing or reflective disks, signs with flashing lights or lights of changing degree of intensity or color or signs with electrically scrolled messages (except government signs and signs which give time and temperature information) are prohibited. If a time and temperature sign alternates between a time message and a temperature message it shall continuously show one message a minimum of three (3) seconds in time before switching to the other message. Approved Electronic Message Boards (EMB) are excluded from this clause.

## 10.6. Other Signs

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### 10.6.1. Residential Signs

- A. Within residential districts as delineated by this Ordinance, permanent signs are permitted subject to the provisions as set forth herein.
- B. Signs may be permitted at the main entrances to subdivisions or to planned unit or multi-family developments that consist of thirty-six (36) or more dwelling units subject to the approval of the Easley Zoning Official. One (1) sign may be permitted, on each side of any

entrance, if such sign is on private property. No such sign may be located in a median unless approved by the Easley Zoning Official.

- C. All large residential signs shall be integrally designed as a part of a permanently constructed and maintained wall, fence, or similar feature or shall be a ground sign. All such areas shall be landscaped. A large residential sign shall not exceed seventy-five (75) square feet in size. The maximum height of such sign shall be four (4) feet when constructed as a ground sign. A ground sign which is integrated into a brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four (4) feet in height to a maximum of seven (7) feet.
- D. Any large residential sign and the attendant landscaped area shall be owned and maintained either by the owner/developer or by a legally established homeowner's association. Any lighting on such signs shall be integrated into the entrance feature and shall be subdued and shall light only such sign. No light shall shine or reflect on or into any nearby residential structure. Additionally, the following standards for other signs associated with residential subdivisions:
  - 1. For buildings other than dwellings, one (1) non-illuminated business identification sign or bulletin board per entrance, not exceeding twenty-four (24) square feet in area. Such sign or bulletin board shall be set back at least ten (10) feet from any street right-of-way line.
  - 2. A community facility activity as defined by the this ordinance may have one (1) civic sign constructed as a ground sign and one as a wall sign. A ground sign shall not exceed four (4) feet in height and forty-eight (48) square feet in size. Ground signs which are integrated into a brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four (4) feet in height to a maximum of seven (7) feet. Ground signs may not be located in the right-of-way. Civic signs shall be set back from the street right-of-way a minimum of ten (10) feet.
  - 3. A wall sign shall not exceed thirty-two (32) square feet in size. Civic signs may be illuminated by indirect means or with luminous background. Indirect lighting shall not exceed fifty (50) foot candles, and a luminous background shall not exceed ninety (90) foot lamberts in brightness. In no event shall the light from any sign exceed one (1) foot candle at the lot line.

#### *10.6.2. Electronic Message Boards*

- A. Electronic message boards (EMB) are signs that convey a changing message intended to be viewed off- site or attract the attention of motorists; EMBs intended for on-site viewing located outside of all building setbacks; time and/or temperature signs located outside all building setbacks, and EMBs similar to that of a manually changeable sign face on traditional commercial signage. EMBs are only allowed within the General Commercial and Central Business Districts with the following conditions:
  - 1. Only one such sign shall be permitted per developed lot whether installed as a wall sign or part of a free-standing sign on the site.
  - 2. EMBs shall only display an image that shall remain fixed for at least six (6) seconds. When a message is changed, it shall be accomplished within an interval of two seconds or less.

3. The maximum square footage allowed is 50 square feet.
4. EMBs in the Central Business District shall be constructed with material that is consistent with the façade of the building and use colors that are compatible with those of the building front.
5. EMBs in the Central Business District shall get prior approval of the Architectural Review Board prior to construction.
6. Off-premises advertising is prohibited. This section does not pertain to community announcements and non-profit fundraising information (ex. advertising Easley High School events; United Way annual giving campaign)

#### *10.6.3. Gas Station and Automobile Service Station Signs*

- A. One (1) permanent price sign per street frontage. Such sign shall be affixed to or made part of the permitted pole sign and shall not exceed twenty (20) square feet in size. Such sign shall be setback from the right-of-way a minimum of ten (10) feet.
- B. Two (2) non-illuminated self-service or full-service signs per pump island. Such signs shall not exceed one hundred sixty (160) square inches per sign and shall be located at the ends of the pump island perpendicular to the street. Also, a "pump topper" sign no larger than eighty (80) square inches per sign shall be allowed on each pump.

#### *10.6.4. Murals*

- A. Murals may be painted on the walls of buildings provided that said murals are non-advertising and do not display lewd or illegal portrayals. Murals depicting historical events from the City, the State or the Nation are encouraged. All murals shall receive prior approval from the Planning Commission, or the Architectural Review Board, if the mural will be in the Core Commercial (CC) District, and City Council.

#### *10.6.5. Temporary Signs*

- A. Temporary signs shall be permitted for any lawful activity on a lot or parcel subject to the provisions set forth herein.
- B. General Requirements
  1. A permit shall be required for all temporary signs unless specifically exempted by this ordinance. A permit shall not be required for a temporary sign if a permanent sign permit is submitted with the said temporary sign permit. The temporary sign shall still be reviewed to ensure compliance with the standards herein.
  2. Banners may be used as temporary signs.
  3. One banner shall be permitted per lot, which shall not exceed thirty-two (32) square feet in area or ten (10) feet in height. Such banner may be temporarily placed or attached to a building wall, window, or it may be freestanding between two poles or stakes.
  4. All such signs shall be securely installed or fastened and positioned in place so as not to constitute a hazard of any kind.
  5. No temporary sign shall be displayed on a roof.

6. No temporary sign shall be permitted to project into or over any public street right-of-way, except a banner, ground sign or festoon announcing a fair, festival, parade, special events, activity sign-ups (e.g., basketball registration, football registration, etc....), and Christmas festivities, or similar activity that will be open to the general public unless authorized pursuant to exempt signage provisions.
  7. Temporary signs shall be limited to thirty (30) calendar days. The Zoning Administrator may grant a permit extension not to exceed 180 calendar days.
  8. Display of all temporary signs on a lot or parcel except for those in sections above shall be limited to a maximum of thirty calendar (30) days.
  9. Signs that are not removed after the 30 days will be picked up by the city and the permittee/applicant will be notified to pick up sign and pay a \$10 fee, or will be fined \$100.00.
- C. Display Surface Area, Height, and Illumination
1. Maximum display surface area shall be thirty-two (32) square feet total on any lot except for street banners which shall not be limited.
  2. Maximum height shall be twelve (12) feet, except that banners displayed over a public street shall have a minimum clearance of fifteen (15) feet.
  3. Temporary signs shall not be illuminated except in commercial or industrial districts.
- D. Location of Temporary Signs
1. No temporary sign shall be located closer than ten (10) feet from any public right of way except in zoning districts as established by the this ordinance which have a front building setback established at less than ten (10) feet. In these districts, the front setback for the temporary sign shall be equal to the front setback as established for the zoning district.

#### *10.6.6. Exempt Signs*

- A. A permit is not required for the following types of signs in any zoning district. However, such signs shall conform to the applicable requirements set forth in this Section.
1. Traffic, directional, warning, or information signs authorized by any public agency.
  2. Traffic safety and traffic directional signs (including direction of travel, speed limits, etc.) along private streets and driveways, and in off-street parking lots that are installed per the requirements of the Zoning Administrator and which do not exceed four (4) square feet each.
  3. Public notice signs and signs of a public interest, erected by or on the order of a public entity in the performance of their duty.
  4. One non-illuminated "Hiring", "for sale," "for rent", "for lease", or "for auction" sign not exceeding six (6) square feet in area in residential districts and twenty (20) square feet in other than residential districts and located at least ten (10) feet back from the street right-of-way line, unless attached to the front wall of a building. In addition, realty directional signs not to exceed two (2) square feet are allowed from 6:00 a.m. Friday

until 6:00 a.m. Monday of any calendar week at the intersections or subdivision entrance leading to the property being advertised. Real Estate signs shall be removed within seven (7) days following the property closing. Signs that are not removed will be picked up by the city, the realtor will be notified to pick up the sign and pay a \$10 fee, or will be fined \$100.00

5. Signs erected in connection with elections or political campaigns. Such signs shall be removed within seven (7) days following the election or conclusion of the campaign. No such sign may exceed sixteen (16) square feet in surface area. In accordance with S.C. law, no such political signs shall be placed within two-hundred (200) feet of any building in which an election poll is being conducted. Signs are not permitted in the public right-of-way and shall be confined to private property with the permission of the property owner
6. On site directional signs provided such sign bears no commercial message and does not exceed four (4) square feet in area. Also, signs not oriented or intended to be legible from a public right-of-way, private road or private driveway, including signs or stickers which are designed to be read only from close range (i.e., five feet), attached to a device or structure more than twenty-five (25) feet from the right-of-way of a road, not to exceed four (4) square feet each sign or sticker. Examples include but are not limited to the following: lettering, credit card stickers, and inspection certificates on gasoline pumps; "flammable" signs on enclosures for fuel canisters, and similar information.
7. Signs attached or integrated into a gasoline pump, automatic bank teller machine, or drive through component of a fast food restaurant, which give operational instructions to users, the price of the product, the brand name of the product, or descriptive information about the product. Display/Menu boards located next to drive-through lanes are allowed provided they do not exceed six (6) feet in height or thirty-six (36) square feet in area and shall be limited to one per ordering station.
8. Sandwich Board Signs are permitted in all commercial zoning districts and in the Central Business District. They will be limited to a maximum area of nine (9) square feet in area per side and cannot exceed 42 inches in height. They shall not be placed more than five (5) feet from the front primary entrance of the business and be displayed only during business hours of the business utilizing the sandwich board. Only one (1) sandwich board sign per business shall be permitted and they shall not be permitted within a roadway or public right of way, except in cases where the Administrator may approve a permit for it to be located within a public sidewalk directly adjacent to a business. In such cases it shall not be placed so as to cause the width of the sidewalk to be reduced below four and one-half feet (4'6") in width, nor shall it prevent free ingress or egress from any door, window, or fire escape.
9. Street address identifiers and building identification numbers on multi-tenant buildings located in the OI, NC, GC, APT, CC, IND and MED Districts, which are essential to the location of such buildings as long as such sign does not exceed four (4) square feet of copy area and do not contain a commercial message.
10. Bulletin boards, which are defined as permanent signs which primarily display the name of a noncommercial place of public assembly and announces the upcoming events of that organization but is not intended to be read from the public right of way. To not

require a permit, such a sign shall not exceed 15 (15) square feet of copy area or five (5) feet in height. Signs of this type shall be restricted to one (1) per parcel of land.

11. Signs to identify a new subdivision development or announcing new buildings or projects, erected after the commencement of construction. Signs will not exceed twenty-five (25) square feet in residential districts, or one hundred (100) square feet in non-residential zones. No more than one sign per road frontage is permitted and signs shall be at least 300 feet apart and shall be set back at least ten (10) feet from any street right of way or boundary line of the subdivision land. The signs may not be illuminated and shall be removed prior to the completion of 90% of the development or upon erection of the approved subdivision ground sign, whichever occurs first. Signs that are not removed will be picked up by the city, the developer will be notified to pick up sign and pay a \$50 fee, or will be fined \$250.00.
12. Signs identifying a project under construction which denote the name of the project, the architect, engineer, contractor, owner, etc., as long as such sign does not exceed twenty-five (25) square feet in residential districts, or one hundred (100) square feet in non-residential zones, is not illuminated, and is removed within seven days of completion of the project. Each construction site shall be limited to one construction sign per road frontage. Signs that are not removed will be picked up by the city, the developer will be notified to pick up sign and pay a \$50 fee or will be fined \$250.00.
13. Signs on the interior side of window glass are permitted. Signs may be hung inside the window, painted, affixed, or etched on the glass, or included within stained glass. The signage shall cover no more than 25% of the total window area on the side of the building on which it is displayed. For commercial and institutional zoning districts and uses, such signs can advertise the business, merchandise, services, and/or events within the business/institute or within the community, Help Wanted, Coming Soon, Open/Closed, Going Out of Business, real estate, contractor/builder, auction, warning, directions, short-term personal information/event signs, and expressive/seasonal signs.
14. Decorative flags and banners which contain no commercial message when displayed on a residence or at the entrance to a subdivision or apartment complex.
15. Holiday lights and decorations.
16. Handicapped parking signs, when required per local, state or federal law

**10.6.7. Prohibited Signs**

A. The following Table described which signs are prohibited within the City of Easley.

<b>Table 10.6.7. Prohibited Signs</b>	
<b>Sign Type</b>	<b>Regulation</b>
Imitating Warning Signals	No sign shall display intermittent lights resembling flashing lights used in traffic signals or emergency vehicles. Prohibits use of words like "stop," "danger," or any other misleading phrases or symbols.
Flashing, Animated or Moving Signs	Prohibits flashing, animated, non-stationary, or rotating signs that could cause glare, impair vision, or interfere with driving. Includes signs with kinetic or illusionary motion, flags, and searchlights.

Signs Obscuring Official Signage/Signals	Prohibits signs that interfere with the effectiveness of traffic signs, signals, or devices, such as by providing a background of colored lights that could confuse motorists.
Signs Inside Sight Triangles	Prohibits signs that impede or obstruct vision within a specific area on corner lots, defined by a "sight triangle" to ensure driver visibility.
Certain Attached and Painted Signs	Prohibits signs painted on or attached to trees, fences, poles, rocks, buildings, pavement, or other unapproved structures outside the public right-of-way.
Fluttering Ribbons and Banners	Prohibits fluttering ribbons, banners, and wind-blown devices in certain districts. Restricts placement of banners on or between sign supports, buildings, and poles.
Vehicular Signs	Prohibits signs displayed on parked trailers or other vehicles primarily used for advertising. Permits business logos and identification on vehicles actively used for business purposes.
Portable Signs	Prohibits freestanding portable signs within the City Limits.
Billboards	Prohibits new billboards. Allows existing billboards to be maintained until the structure is destroyed or damaged beyond repair.
Roof Signs	Prohibits all signs on the roofs of buildings.

## 11. Violations and Enforcement

### 11.1. Violations Generally

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#### 11.1.1. Purpose and Intent

- A. The purpose and intent of this article is to establish appropriate and fair procedures and penalties for violations of this Unified Development Ordinance (UDO) which will lead to correction of existing violations and deterrence of future violations, whether intentional or otherwise.

#### 11.1.2. Applicability

- A. This Article shall apply to all development which does not comply with the UDO including any standards, prohibitions, approvals or permits and shall be punishable as provided herein.
- B. This article shall not apply to a legally established nonconformity as provided in Article 3, except that modifications to nonconformities which do not comply with Article 3 shall be subject to this Article.
- C. Unless otherwise provided, permits or development approvals issued on the basis of applications and pursuant to procedures established in Article 4 authorize only the use, arrangement, location, design, net density/intensity, and development set forth in such permits or development approvals, and no other development.
- D. Violations of the UDO shall be applicable to the property where the violation occurred, and shall not be voided by sale or transfer

### 11.2. Enforcement

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#### 11.2.1. Responsible Officer

- A. The Zoning Administrator or any other staff member who is authorized by City Council shall have the authority to enforce the provisions of this Article.

#### 11.2.2. Complaints

- A. Whenever a violation of the UDO occurs or is alleged to have occurred, any person may file a complaint. Such complaint shall state fully the alleged violation, the basis for the allegation, provide any supporting evidence if any, and shall be filed with City Staff, who shall maintain a record of the complaint. The complaint shall be investigated promptly, or as reasonably and practicable, by the Zoning Administrator and the findings documented.

#### 11.2.3. Notice of Violation

- A. Should the responsible officer determine that a violation of the UDO exists, the responsible officer shall notify, in writing, the owner, the owner's authorized agent, and any other person's responsible for the violation. It shall be served by personal delivery or certified mail, return receipt requested. The notice shall be mailed to the property address indicated on the County's official tax notice address of record. Such notification shall serve as a warning notice of a violation. The Notice of Violation shall state the following:
  - 1. The address and TMS number of the land, structure, sign, or object that is in violation of this Ordinance; and,

2. The nature of the violation, the provisions of the UDO being violated, and the necessary action to remove or abate the violation; and,
3. The date by which the violation should be removed or abated (The time period shall be no less than 10 or no more than 30 days, except in emergency cases); and,
4. The penalty for failing to remove or abate the violation, stating that if the violation recurs, the authorized member of City Staff shall issue a violation without further notice.

#### *11.2.4. Failure to Correct*

- A. If the person(s) to whom a Notice of Violation has been provided, in accordance with this Section, fails to remove or abate the violation in the time specified in the notice, the responsible officer shall fill out and sign, as the complainant, a “complaint and information” form and a “notice to appear” in the appropriate court. The notice to appear shall include the following:
  1. The name of the owner of the land subject to the violation, any occupants, and any other person(s) responsible for the violation(s).
  2. The address or legal description of the land on which the violation is occurring.
  3. The nature of the violation.
  4. The provision(s) of this Code being violated.
  5. The date on which the case will be on the court docket for hearing.
  6. Any other information deemed pertinent by the Zoning Administrator.
- B. The original copy of the notice to appear shall be forwarded to the clerk of the court for inclusion on the court’s docket for the date indicated on the notice.
- C. The notice to appear shall be provided to all owners and/or occupants of the land who are in violation of this Code or where violation is occurring. The notice shall be provided by personal delivery or certified or registered mail, return receipt requested,

#### *11.2.5. Remedies and Penalties*

- A. General
  1. Any person violating this Code shall be guilty of a misdemeanor and, upon conviction, shall pay such penalties as the court may decide, as prescribed by state law. Each day such conduct continues shall subject the offender to the liability prescribed in this article.
- B. Additional Remedies
  1. Stop Order: The responsible officer may issue and serve upon a person violating this UDO a “stop order” requiring the person to stop all actions in violation of this UDO, including illegal occupation of a building or structure, performing illegal work, or any other action in violation of this UDO.
  2. Permit Revocation: Any permit, development approval, or other form of authorization required under this UDO may be revoked if the responsible officer determines that:

- a. There is a failure to comply with the approved permit, development approval, plans, specifications, or terms or conditions required under the permit or development approval.
- b. The permit or development approval was procured by false representation.
- c. The permit or development approval was issued in error. Written notice of revocation shall be served upon the landowner, the landowner's agent, or others to whom the permit or development approval was issued, and such notice may be posted in a prominent location at the place of violation. No work or construction shall proceed after service of the revocation notice.

### 3. Civil Remedies

- a. In addition to all other remedies and penalties outlined in this article, the Zoning Administrator may institute an action or proceeding for injunction or mandamus or other appropriate action or proceeding to prevent, abate, or correct a violation of this Code or to prevent the occupancy of a structure or land that is in violation of this Code. Each day a person violates this Code shall be considered a separate offense.

#### C. Remedies Cumulative

1. The remedies provided herein for violations of this Code, whether civil or criminal, shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

#### D. Costs

1. All costs and expenses incurred by the City in removing or abating any violation under this Code may be assessed against the land on which the violation occurs as a lien on the property. Alternatively, the cost of removing or abating the violation may be made part of the judgment, in addition to any other penalties and costs imposed if the person or people charged either pleads guilty or is found guilty of causing, creating, or maintaining a violation.

#### *11.2.6. Appeals*

- A. As provided in Article 4 (Administrative Appeal), the determination of the responsible officer in finding a violation may be appealed to the BZA for an interpretation within 30 days of the date of official notice of the alleged violation.

## 12. Appendices

12.1. Table of Permitted Uses

Type of Use	R-10	R-7.5	RPH-6	GR-1	GR-2	APT	OI	NC	GC	CC	MED	IND	PK <sup>6</sup>
<b>AGRICULTURAL</b>													
Horticultural nursery	SE								P		P		
Agriculture	SE												
Non-commercial Horticultural nursery (no chickens/livestock/kennels)	C	C	C	P	C						P		
Campground													
RV Park												SE	
<b>RESIDENTIAL USES</b>													
Accessory Dwelling Unit													
Accessory Apartment							C	C	C	C			
Bed and Breakfast Residence	SE	SE	SE		SE		SE	SE		C			
Day Care Home, Class I (Children)				C	C		C	C		C			
Day Care Home, Class II (Children)					C		C	C		C			
Day Care, Group Home				SE	SE								
Dwelling, Attached Single Family (Townhouse)			C	P	P		P						
Dwelling, Detached Single Family	P	P	P	P	P		P			C			
Dwelling, Two-Family (Duplex)			C	P	P		P			C			
Dwelling, Triplex or Quadplex			C	P	P		P						
Dwelling, Multi-Family (4+ Units)					P	P	P						
Home Occupation, Customary	C	C	C										
Manufactured Home (on a single site)				C									

Manufactured Home Subdivision				C									
Rooming House or Boarding House					SE	SE							
Short Term Rental										C			
Zero-Lot Line or Patio Home			C	C	C			C					
<b>COMMERCIAL</b>													
Automobile Service Station, Major												P	
Automobile Service Station, Minor								C	C			P	
Automobile Renting and Leasing; Cars, Vans, and Light Trucks										C		P	
Automotive Parts Stores										C	C	P	
Bar or Nightclub								SE	P	P		P	
Car Wash, Automatic or Self Service										C		P	
Check Cashing							SE			C		SE	P
Convenience Store							P	SE	P	P		P	P
Day Care Center (Adult or Child)							C	SE	P			P	P
Drive-thru facility (Drive-In Establishment)							C			P		SE	P
Dry Cleaning							P	SE	P	C		C	P
Financial Institutions							P	C	P	P		P	P
Funeral Homes							P	C	P	C			P
Garden Centers (Outdoor Display and Sales)										P		P	P
General Commercial Use							P	P	P	P		P	P
General Retail, Neighborhood							P	P	P	P		P	P
General Retail, Regional Shopping Centers										P		P	P
General Retail, Specialized							P	P	P	P			P
Grocery Store										P	P	P	P

Hardware Stores								P		P	P	
Hotels/Motels								P	P	P	P	
Indoor/Outdoor Amusement Center								SE			SE	
Liquor Stores							SE		P	P	P	
Microbrewery, Micro-Distillery, Micro-Winery							SE		P	P	P	
Mixed-Use Building							P	P	P	P	P	
Office Building							SE		P	C	P	
Office, Medical							SE	SE	p <sup>(1)</sup>	SE	P	SE
Office, Non-medical (Business, General, Professional)							P	P	P	P	P	
Office Service and Supply Establishment							P	P	P	P	P	
Outdoor Display/Sales									P		C	P
Parking Lots and Garages							P	C	P	C	P	
Pet Boarding (Animal Boarding Kennel)							P	C	P		P	
Recreational Facility, Private/Commercial (Indoor)							P	P	P	P	P	
Restaurant (Full Service, Pick-Up)							P	SE	p <sup>(1)</sup>	P	P	
Sexually Oriented Businesses									C		C	
Storage, Indoor							SE		C		C	
Tattoo Parlor											P	
Tobacco Stores and Cigar Lounges									C		C	
Vape and E-Cigarette Stores									SE		C	C
Veterinarian Clinic or Hospital							P	C	P	C	P	
<b>INSTITUTIONAL, CIVIC, OR PUBLIC</b>												
Amphitheaters, Outdoor								C	P	C	C	P

Cemetery and Mausoleums	C	C						P					
Civic and Social Organizations		C	C	P			P	P	P	P	P		
Community Centers								P	P	P			
Colleges, Universities, and Vocational Schools							C		P			P	
Farmers Market, Indoor							P	P	P	P	P	P	
Farmers Market, Outdoor							P	P	P	P	P	P	
Golf Course									P				
Country Clubs		C		C					P				
Institutional Uses	C	C	C	C	C		P	P	P	P	P	P	
Hospital									P		P		
Nursing Home					SE		C	P	P		P		
Parks and Open Space	C	C	C	C	C		P	P	P	P	P	P	P <sup>(6)</sup>
Public Utility Stations (Public Utilities or Public Utility Uses)	C	C	C	C	C		P	P	P	P	P	P	
Recreational Facility							P	P	P	P	P	P	
Religious Institutions	C	C	C	C	C		P	P	P	P	P	C	
Sports Stadium									P			P	
Temporary Use (Special Event)							P	P	P	P	P	P	
Theater							P	P	P	P	P	P	
Theater, Drive-In									P			P	
<b>INDUSTRIAL</b>													
Animal Shelters												P	
Crematory												P	
Heavy Equipment Rental and Sales												C	
Repossession Services, Wrecker Service, and Junk Yard												C	
Light Manufacturing Establishment												P	

Heavy Manufacturing Establishment											P	
Motor Freight Facility											P	
Storage, Outdoor											P	
Telecommunication Tower								SE			C	
Heavy Truck Sales and Service											P	
Truck and Bus Terminal											P	
Warehouse (Mini-Warehouse)											P	
Wholesale Trade											P	

P = Permitted as-of-right

C = Permitted, if certain conditions are met

SE = Permitted only by Special Exception

Blank cell = Not Permitted

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12.2. Zoning Map

- A. Please see City's website for the most current zoning map: [City of Easley Zoning Map - 2026](#)

## 12.3. Overlay Map

### 12.3.1 Existing

## 12.4 City of Easley Recommended Plant List <sup>(7)</sup>


The following plant list is provided as a recommended (non-exclusive) guide for landscaping, buffering, and site development within the City. These species are native to South Carolina or the Southern Appalachian/Mountain Region and are well-adapted to local soils, climate, and hydrologic conditions.


This list is derived from Clemson University's Carolina Yards Plant Database, filtered to the Mountain Region, and emphasizes species that:

1. Reduce irrigation and long-term maintenance needs
2. Perform well in upland, riparian, and wetland-adjacent conditions
3. Provide seasonal interest and structural diversity
4. Avoid the use of known invasive species

Use of plant species not included on this list may be approved where such species meet the intent of this ordinance and are not identified as invasive by Clemson University Extension or the South Carolina Exotic Pest Plant Council (SCEPPC).










### Key / Legend




 W = Wetland or riparian tolerant











 E = Evergreen or semi-evergreen

 F = Notable fall color or seasonal interest

### Large Trees

Large Trees	
American Beech	Fagus grandifolia)
American Holly	Ilex opaca) 
American Persimmon	Diospyros virginiana)
American Sycamore	Platanus occidentalis) 
Black Tupelo	Nyssa sylvatica)  
Black Willow	Salix nigra) 
Chalk Maple	Acer leucoderme) 
Common Silverbell	Halesia tetraptera)
Downy Serviceberry	Amelanchier arborea) 
Eastern Red Cedar	Juniperus virginiana) 
Eastern White Pine	Pinus strobus) 
Fraser Magnolia	Magnolia fraseri)

Red Maple	Acer rubrum)  
Sassafras	Sassafras albidum) 
Sourwood	Oxydendrum arboreum) 
Tulip-Tree	Liriodendron tulipifera)
White Oak	Quercus alba)
Yellow Oak	Quercus muehlenbergii)
<b>Mid-Sized / Small Trees</b>	
American Hazelnut	Corylus americana) 
American Plum	Prunus americana)
Blackhaw Viburnum	Viburnum prunifolium) 
Bladdernut	Staphylea trifolia)
Eastern Redbud	Cercis canadensis) 
Gray-Stemmed Dogwood	Swida racemosa)
Great Laurel	Rhododendron maximum) 
Highbush Blueberry	Vaccinium corymbosum)  
Oakleaf Hydrangea	Hydrangea quercifolia) 
Piedmont Azalea	Rhododendron canescens)
Red Chokeberry	Aronia arbutifolia)  
Smooth Sumac	Rhus glabra) 
Sparkleberry	Vaccinium arboreum)
Spicebush	Lindera benzoin) 
Winged Sumac	Rhus copallinum) 
Witch-Hazel	Hamamelis virginiana) 
<b>Shrubs</b>	
Adam's Needle	Yucca filamentosa) 
American Snowbell	Styrax americanus)
Arrowwood Viburnum	Viburnum dentatum) 
Atlantic Ninebark	Physocarpus opulifolius)
Bottlebrush Buckeye	Aesculus parviflora)
Buttonbush	Cephalanthus occidentalis) 
Carolina Rose	Rosa carolina)
Coastal Doghobble	Leucothoe axillaris)  
Common Elderberry	Sambucus canadensis) 
False Indigo	Amorpha fruticosa) 
Flame Azalea	Rhododendron calendulaceum) 

Fragrant Sumac	Rhus aromatica) 
Mapleleaf Viburnum	Viburnum acerifolium) 
Mayberry	Vaccinium elliotii)
Mountain Doghobble	Leucothoe fontanesiana) 
Mountain Laurel	Kalmia latifolia) 
Mountain Witch Alder	Fothergilla major) 
New Jersey Tea	Ceanothus americanus)
Oneflower Hawthorn	Crataegus uniflora)
Possumhaw Viburnum	Viburnum nudum) 
Shrubby St. John's-Wort	Hypericum prolificum)
Slender Bush Clover	Lespedeza virginica)
Smooth Azalea	Rhododendron arborescens)
Smooth Hydrangea	Hydrangea arborescens)
Smooth Southern Bush-Honeysuckle	Diervilla sessilifolia)
Snowy Hydrangea	Hydrangea radiata)
Strawberry Bush	Euonymus americanus)
Swamp Rose	Rosa palustris) 
Sweetshrub	Calycanthus floridus)
Virginia Sweetspire	Itea virginica)  
Wild Azalea	Rhododendron periclymenoides)
Winterberry Holly	Ilex verticillata) 



## 12.5 Definitions

Term	Description
A.S.L.A.	The American Society of Landscape Architects.
Abandoned Sign	A permanent principal use sign on property containing a building or activity that has ceased operations. Permanent principal use signs on property shall be considered abandoned when there is clear evidence that a business or activity has vacated the building or grounds; provided, however, that this definition shall not apply to any case where a business or activity is temporarily suspended and there is evidence that the business or activity will resume operations within a six-month period.
Abandonment	The relinquishment of property; a cessation of the use of the property, by the owner or lessee without any intention of transferring rights to the property to another owner or of resuming the use of the property.
Abatement	To abate or diminish. The method of reducing the degree and intensity of pollution or other hazard or nuisance.
Abut	To physically touch or border upon; or to share a common property line but not overlap.
Access	A way or means of approach to provide vehicular or pedestrian physical entrance to a property.
Accessory Building Or Structure	A building or use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building (Also Outbuilding)
Accessory Dwelling Unit	A Separate, self-contained dwellings that include living, sleeping, sanitary, and cooking facilities. An ADU can be located within the principal single-family residential building or in a detached, accessory building on the same lot where the principal single-family dwelling unit is located
Accessory Apartment	A self-contained dwelling that includes living, sleeping, sanitary, and cooking facilities, similar to an Accessory Dwelling Unit. Accessory Apartments are located above or to the rear of a principal nonresidential use.
Accessory Use	See Use, Accessory.
Addition	(1) A structure added to the original structure after the completion of the original; (2) An extension or increase in floor area or height of a building or structure.
Addition (To An Existing Building)	Any walled and roofed expansion to the perimeter of a building to which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.
Adjacent Land, Lot, Or Parcel	See Adjoining Land, Lot or Parcel
Adjacent, Adjoining Lot Or Land	A lot or parcel of land that shares all or part of a common lot line or boundary with another lot or parcel of land or that is directly across a public street or right-of-way.
Adjoining Land, Lot, Or Parcel	A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land. See Abut.
Adult Entertainment	Any one or more of the following described businesses: adult arcade, adult bookstore, adult dancing establishment, adult motion picture booth, adult mini-motion picture theater or drive-in, adult hotel or motel, adult personal service business, and adult theater or drive-in.
Adverse Influence Or Impact	A condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or on off- tract property or facilities.
Advertising Device	Any structure or device erected or intended for the purpose of displaying advertising or for which is designed to or attracts attention to the premises, situated upon or attached to real property. For purposes of this Code Section, an advertising device is a "sign."
Aesthetic	The perception of artistic elements or elements in the natural or created environment that are pleasing to the eye.
Affordable Housing	A sales price or rent within the means of a low- or moderate-income household as defined by State or Federal legislation.
Agricultural Produce Stand	A structure not greater than five hundred (500) square feet for the purpose of seasonal sales of products grown or produced on the premises on which it is located. Also Farm Stand.
Agriculture	The production, keeping, or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops, grains and seed crops, dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds; including grapes, nuts, and berries; vegetables; nursery, floral ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program.
Alley	A minor, permanent, public service way providing a secondary means of public access to abutting property and not intended for general traffic circulation.
Alteration	Any change or expansion in the size, configuration, or location of a structure; or any change or expansion in the use of a structure or lot, from a previously approved or legally existing size, configuration, location, or use.
Alteration Of Building	Any change in the supporting members of a building (such as bearing walls, beams, columns or girders) except such changes as may be required for its safety; any addition to a building; any changes in use from that of one district classification to another; or of a building from one location to another.

Alternative Tower Structure	Man-made trees, clock towers, bell steeples, flag poles, and similar alternative-design mounting structures designed as a location for telecommunications antennas.
Amenities	A natural or created feature that enhances the aesthetic quality, visual appeal, or makes more attractive or satisfying a particular property, place, or area.
Americans With Disabilities Act (Ada)	A 1990 federal law designed to bring disabled Americans into the economic mainstream by providing them equal access to jobs, transportation, public facilities, and services.
Amphitheater	A semi-enclosed structure designed for the enactment of the performing arts or other entertainment uses that include entertainment related facilities and uses.
Amusement Center	Any establishment that allows or provides three (3) or more coin-operated amusement machines for use within one (1) enclosure.
Amusement Parks	Facilities including water parks, skateboard parks, and other outdoor amusement facilities.
Anchor Tenant	The major store or stores within a shopping center.
Animal	Any description of vertebrate, excluding Homo sapiens.
Animal Boarding Kennel	A commercial establishment in which dogs or domesticated animals are housed, groomed, bred, and boarded, or trained all for a fee or compensation.
Animal Control	The Pickens County Animal Control Department.
Animal Hospital	A place where animals are given medical care and the boarding of animals is limited to short term care incidental to the hospital's use.
Animal Shelter	Any facility operated by any governmental entity, humane society, or other organization for the purpose of impounding or caring for animals held under the authority of State law.
Animated Sign	A sign with action, motion, sound, or changing colors which accomplishes such action, motion, sound, or changing colors with or without electrical energy. This includes signs with lights or other illuminating devices that blink, flash, fluctuate, or have a changing light intensity, brightness, or color. This definition does not include a "swinging sign" or "multiple message sign" as defined by this Code Section.
Annexation	The incorporation of land area into an existing community with a resulting change in the boundaries of that community.
Antenna	Any exterior apparatus or device designed to be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based structures.
Appeal	(a) A petition by any person or persons aggrieved to revisit any decision made by a governing or deciding body. (b) A request for a review by the appointed the City of Easley staffs' interpretation of any provision of Zoning or a request for a variance.
Applicant	Any person making a request to the City for any approval, permit, or authorization under the procedures contained in Zoning.
Application	The application form and all accompanying documents and exhibits required of an applicant by an approving authority for development review purposes.
Application For Development	The application form and all accompanying documents required by this Ordinance for approval of a subdivision plat.
Appropriate	In some cases, a stated action or design choice is defined as being "appropriate in the text. In such cases, by choosing the design approach referred to as "appropriate," the reader will be in compliance with the guideline. However, in other cases, there may be a design that is not expressly mentioned in the text that also may be deemed "appropriate by the Design Review Board.
Approval, To Approve	An act by an authorized City Executive or staff member whereby such official finds that an application, plan, or other submittal has been found acceptable in accordance with applicable standards, specifications, and requirements as stated in Zoning, or that criteria has been accepted by such official.
Approve With Conditions	To approve an application, site plan, subdivision plat or other development project or request with specific lawful conditions attached to such approval.
Arcade	A walkway adjacent to a building that is covered by a roof yet is not fully enclosed.
Architectural Feature	A prominent or significant part or element of a building, structure, or site.
Architectural Style	The characteristic form and detail of buildings. Common styles in Easley include Colonial, Neo-Classical, Federal, American Victorian, and Arts & Crafts.
Area Of Sign	The area within a continuous perimeter enclosing the limits of writing, representation, emblem, figure, or character together with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such writing, representation, emblem, figure, or character from the background against which it is placed. For double-faced signs, only the largest display face shall be measured in computing the sign area, or only one face shall be measured in computing sign area if the display faces are the same size. The display of street address on a ground sign, wall, or window shall not be computed in determining the maximum allowable area of a ground, wall, or window sign.
Arterial	A public vehicular way designed to move large volumes of traffic from one point to another.

Attached Home	Rear yard buildings that share common side walls. Attached homes may be townhomes or condominium units.
Auctions	Any place or facility where animals are regularly bought, sold or traded. Individual sales of animals by owners are not auctions as herein defined.
Automobile Renting And Leasing; Cars, Vans And Light Trucks	A building and/or an open area, other than a right-of-way or public parking area, used for display of rental vehicles in operable condition and where no repair work is performed.
Automobile Sales, New Cars, Vans, And Light Trucks	The use of any building, land area, or other premise for the display and/or sale of new automobiles generally and may include light trucks or vans, ATVs, motorcycles, boats, trailers, or recreation vehicles; with vehicle preparation and repair work conducted as an accessory use.
Automobile Sales, Used Cars, Vans, And Light Trucks	The use of any building, land area, or other premise for the display and/or sale of used automobiles generally but may include light trucks or vans, boats, ATVs, motorcycles, trailers, or recreation vehicles and including and vehicle preparation or repair work conducted as an accessory use.
Automobile Salvage And Wrecking Yards	Any place where two or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging of any other goods, articles or merchandise.
Automobile Service Station, Minor	Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels; servicing and repair of vehicles; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories for cars, vans, and light trucks only. Also includes Auto Parts Stores.
Automobile Service Station, Major	Any vehicle repair or service establishment that does not classify as an Automobile Service Station, Minor. Mainly those uses that service or repair heavy trucks (commercial vehicles) and equipment.
Check Cashing	A person or business that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. "Check cashing facility" does not include a state or federally chartered bank, savings association, credit union, or industrial loan company. "Check cashing facility" also does not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cash checks or issue money orders for a minimum flat fee not exceeding 2 dollars as a service that is incidental to its main purpose or business. The term "currency exchange" expressly includes businesses known as "check cashing" facilities
Automobile Storage Yard And Wrecker Service	An establishment used for the short-term storage of damaged or confiscated vehicles. Also Auto Salvage Yard or Junkyard.
Automotive Body Shops	An establishment for restoring auto bodies, painting, or refinishing with all activities carried on entirely within an enclosed building for cars, vans, and light trucks only. See Automobile Service Station, Minor.
Awning	An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.
Awning Sign	An awning that contains letters, numbers, symbols, pictures, logos, or visual display, or other communication, attached, painted on, or made an integral part of an awning. For purposes of this Code Section, "awning signs" shall be considered "wall signs."
Banner	A sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, plastic, or natural or synthetic fabric of any kind with only such material for a backing. For purposes of this Code Section, a "banner" is a "sign."
Bar	Premises used primarily for the sale or dispensing of liquor by the drink for on-site consumption and where food may be available for consumption on the premises as accessory to the principal use. Also, Tavern, Pub or Public House, and Saloon.
Basement	(a) A space having one-half or more of its floor-to-ceiling height above the average level of the adjoining ground and with a floor-to-ceiling height of not less than six and a half (6½) feet. See also Cellar. (b) That portion of a building having its floor sub-grade (below ground level) on all sides.
Bed And Breakfast	Overnight accommodation and a morning meal in a dwelling unit provided to transients for compensation.
Bedroom	A private room planned and intended for sleeping, separated from other rooms by a door, furnished with a closet, and accessible to a bathroom without crossing another bedroom.
Berm	A mound of earth or the act of pushing earth into a mound, usually landscaped and used for screening purposes.
Block	A piece or parcel of land entirely surrounded by public streets, other than alleys, or other major physical barriers
Board Of Zoning Appeals	The appointed Board of Zoning Appeals of the City of Easley, South Carolina authorized to hear and decide on variance applications, administrative appeals, and other duties as determined by Zoning.
Bond	A bond shall be legal tender of the United States of America, a cashier's check, bank official check, bank or postal money order or a bond instrument issued by a surety company in the State of South Carolina.
Boundary	Any line or thing marking a limit; bound; border.
Bridge	A structure built over water, street, railroad, etc., to provide a way across.

Buffer	(a) Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances. (b) An area along some natural feature designated to protect and preserve the essential character of such feature and allow it to be maintained in an undisturbed and natural condition. Also, Buffer Area or Buffer Strip.
Buildable Area	The area of the lot remaining after the dimensional and open space and buffer requirements of Zoning have been met less any land unsuitable for development such as steep slopes, wetlands, flood plains, and the like.
Building	Any structure having a roof supported by columns or by walls and intended for shelter, housing, or enclosure of persons, animals, or chattels. See Structure.
Building Code	Building Code adopted by the State of South Carolina (latest revision)
Building Coverage	The ratio of horizontal area measured from the exterior surface of the exterior walls of the ground floor of all principal and accessory buildings on a lot to the total lot area.
Building Line	That line which represents the distance a building or structure must be set back from a lot boundary line or a street right-of-way line or a street centerline according to the terms of this Ordinance or the Zoning Ordinance. In all cases, the building line of a lot shall be determined to run in the direction in which the lot is located from street right-of-way lines, street centerlines or other lot boundary lines.
Building Marker	Any sign cut into a masonry surface or made of bronze or other permanent material.
Building Mass	The height, width, and depth of a structure.
Building, Commercial	Any type of building other than residential.
Building, Elevated	A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls or breakaway walls.
Building, Height Of	The vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roofs.
Building, Principal	A building in which is conducted the main or principal use of the lot on which said building is situated.
Building, Residential	Any building or unit of a building intended for occupancy as a dwelling but shall not include a hotel or motel.
Building, Site Built (Non-Manufactured)	Any structure or group of structures that encloses a space or spaces for sheltering any occupancy type which utilizes the open construction method, whereby all the installation processes can be readily inspected on site.
Bulk Storage Facility	The storage of chemicals, petroleum products, grains, or other materials in structures for subsequent resale to distributors or retail dealers or outlets.
Business	A corporation, a partnership, a sole proprietor, or any other person or organization carrying on an enterprise for profit.
Caliper	A method of measuring the diameter of a tree trunk for the purpose of size grading or classification. The caliper of the trunk is measured six (6) inches above the ground, up to and including four (4) inch caliper size, and twelve (12) inches above the ground for larger sizes.
Campground	An outdoor venue where mobile or non-permanent lodging is used or provided for recreational, educational, or vacation purposes. Short-Term Rental uses and RV Parks are not included in this definition
Canopy Sign	A sign on a canopy. For purposes of this Code Section, a sign on a canopy is a "wall sign"
Canopy, Attached	A multi-sided structure or architectural projection supported by attachment to a building on one or more sides and also supported by columns at additional points. Signs placed on attached canopies are considered "wall signs" for the purposes of this Code Section.
Canopy, Freestanding	A multi-sided structure or architectural projection supported by columns. Signs placed on freestanding canopies are considered "wall signs" for the purposes of this Code Section.
Capacity, In Persons	The maximum number of persons that can avail themselves of the services or goods of an establishment, at any one time, with reasonable comfort and safety.
Capacity, Roadway	The maximum hourly rate at which vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under the prevailing roadway, traffic, and control conditions.
Car Wash	A structure containing facilities for washing automobiles and automatic or semiautomatic application of cleaner, brushes, rinse water, and heat for drying.
Carport	A roofed structure providing space for the parking of motor vehicles and enclosed on not more than three (3) sides.
Cbd	Central Business District or CBD is the area where economic activity in the form of business services and retail functions as well as government services and cultural events are primarily located.
Cellar	A space with less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than six and a half (6½) feet. See also Basement.

Cemetery and Mausoleums	Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoriums, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery
Central On-Site Sewage Management System	An on-site sewage management system serving more than one building, business, residence or other facility designed or used for human occupancy or congregation.
Certificate Of Occupancy	A Certificate of Occupancy or CO is a permit establishing the right to safe occupancy of a building or structure.
Church	A building(s) or structure(s), not including a residence, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses, and which has been publicly dedicated as a church. Also Place of Worship, Religious Institution.
Circulation, Pedestrian	See Pedestrian. Also, Non-Vehicular Circulation.
Circulation, Vehicular	The movement of vehicles, pedestrians, etc., to go from place to place along a street. Also, Traffic Circulation.
City Center	A compatible mixture of commercial, cultural, institutional, governmental, and residential uses in compact, pedestrian-oriented centers serving as focal points for substantial residential areas. See Central Business District.
Cityhouse	A one-family dwelling in a row of at least two (2) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more vertical common fire-resistant walls. Also, Row Housing.
Civic Club or Organization	Establishments primarily engaged in promoting social welfare activities such as educational, scientific, cultural and health
Civic Uses	Uses intended to serve as public gathering places. Such uses include governmental offices, churches or other places of worship, schools, post offices, and non-profit or charitable clubs and organizations.
Clearing	The removal of vegetation from a property, whether by cutting or other means, but shall not include the ordinary mowing of grass.
Clerk	The City Clerk of the City of Easley, South Carolina.
Club Or Lodge, Private	A building and related facilities owned or operated by a corporation, association, group of individuals, or a single individual established for the fraternal, social, educational, recreational, or cultural enrichment of its members and not primarily for profit.
Cluster Housing	A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to open space, active recreation, preservation of environmentally sensitive areas, or agriculture.
Code Enforcement Officer	An employee of the City of Easley whose primary responsibility is to enforce the regulations of Zoning and require compliance to those who do not heed the Ordinance.
Coin-Operated Amusement Machine	Any amusement machine operated by means of the insertion of a coin, token, or similar object, for the purpose of amusement or skill and for the playing of which a fee is charged. The term does not include vending machines which do not incorporate gaming or amusement features, nor does the term include any coin-operated mechanical musical machines. Also Video Poker.
Collector	A public vehicular way, which filters traffic from local streets and con-ducts it to arterial streets or local traffic generators such as schools, recreation areas, and public parks.
Community Center	A public or quasi-public building designed for and used as a social, recreation, and cultural center. As a part of such recreation centers, there may be included craft rooms, music rooms, game rooms, meeting rooms, auditoriums, swimming pools, and kitchen facilities
Personal Services	Those businesses that cater to the personal needs of the community, including such uses as beauty parlors, dry cleaners, barber shops, and similar.
Commercial Use, General	Those retail commercial uses which benefit from close proximity to each other retailing, finance, and professional and general office activities. Its primary purpose is to group their uses together in a compact area designed to accommodate pedestrian movement. Also referred to as General Commercial Uses.
General Retail, Neighborhood	Those uses which serve the local neighborhood; uses which sell goods and services purchased frequently and generally in small amounts by the public in an intimate, pedestrian-oriented scale; excludes retail establishments selling large and heavy products which require substantial trucking activity; sites developed should be architecturally and proportionately compatible with any adjacent residences or residential developments.
General Retail, Specialized	Those uses that, by their specialized or unique characteristics, set them apart from a general commercial use. Such specialty commercial uses include a landscaping business, an electronics store, an antique store, or battery store.

Any self-propelled or towed vehicle used on public highways in interstate commerce to transport passengers or property when: a.) the vehicle has a gross vehicle weight rating or gross combination weight rating of 12,000 or more pounds; or b.) is used or designed to be used principally for the purpose of conducting business, governmental or non-profit organizational use or for carrying passengers for hire; or c.) has a platform, cabinet, box, rack, compartment, or other facility for transportation of materials, equipment, and items other than the personal effects of private passengers; or d.) the vehicle is designed to transport more than fifteen (15) passengers, including the driver; or e.) the vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the Secretary under the Hazardous Materials Transportation Act. The exception to this definition includes: dually that is designed for pulling camping trailers or other recreational equipment and outfitted with a fifth-wheel type hitch; certified for multi-passengers less than fifteen (15); or temporary on-site loading or unloading purposes,

Commercial Vehicle	
Commercial	The term collectively defining workplace, Office, Retail, and Lodging Functions.
Commission	The City of Easley Planning Commission.
Common Area	Land amenities, certain areas of buildings such as lobbies, corridors, and hallways, central services and utilities, open space, landscaped areas, detention ponds, any other elements and facilities owned and used by all members of development such as a condominium or subdivision and designated in the master deed as common area or elements. Also, Common Elements.
Common Wall	A wall, usually load bearing, that serves in-common two or more separate units of a single building such as a city house, shopping center, apartment building, industrial building or other building where separate tenants are housed under one roof.
Community Character	The image of a community or area as defined by such factors as its built environment, natural features and open space elements, type of housing, architectural style, infrastructure, and the type and quality of public facilities and services.
Community Retail Uses	Retail commercial stores and services which are assigned to serve several neighborhoods making up a community such as: neighborhood retail uses larger than six thousand (6,000) square feet, department store, discount houses, mini-malls, strip shopping centers, home improvements stores, wholesale outlets, clothing and apparel-marts, indoor flea markets, antique malls, sporting good stores, and the like.
Compatibility	Capable of living together harmoniously or getting along well together; in agreement; congruous.
Composting Center	A site or facility in which composting activities defined as "a controlled process of degrading organic matter by microorganisms" takes place under controlled conditions.
Comprehensive Plan	The plan required by the SC Local Government Comprehensive Planning Enabling Act of 1994 most recently adopted by Easley City Council
Condemnation, To Condemn	The exercise by a government agency of the right of eminent domain. (See Eminent Domain).
Conditional Use	See Use, Conditional.
Condominium	A building, or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, individual basis.
Consider	When the term "consider" is used, a design suggestion is offered to the readers as an example of one method of how the design guidelines at hand could be met. Applicants may elect to follow the suggestion, but may also seek alternative means of meeting it. In other cases, the reader is instructed to evaluate the ability to take the course recommended in the context of the specific project.
Construction	The erection of a new building or the alteration of an existing building in connection with its repair or renovation or in connection with making an addition to an existing building and shall include the replacement of a malfunctioning, unserviceable, or obsolete faucet, showerhead, toilet, or urinal in an existing building.
Context	In many cases, the reader is instructed to relate to the context of the project area. The "context" relates to those properties and structures adjacent to, and within the same block as, the proposed project.
Contiguous	Abutting directly on the boundary of, separated by a street other than a controlled access highway from, or separated by a street, railroad, or public utility right-of-way.
Continuance	The postponement or adjournment of proceedings to a later date.
Contour Line	A line on a map or plan joining points that have the same elevation above or below the reference plane.
Contract	Any lease, claim, account, or demand against or agreement with any person, whether express or implied, executed or executory verbal or in writing.
Convenience Store	Any retail establishment with or without fuel sales offering for sale prepackaged food products, beverages, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption.
College, Universities, and Vocational Schools	a community college, college, university, vocational / technical school, trade school, language school, business school, training center, beauty school, culinary school, and comparable advanced or continuing education facilities
Corporation	A group of people organized, under a charter, granting them as a body some of the legal rights, etc. of an individual.

Country Club	Land area and buildings containing golf courses, recreational facilities, a clubhouse, and other customary accessory uses, open only to members and their guests
Covenant	Private deed restrictions or covenants are imposed on land by private landowners. They bind and restrict the land in the hands of present owners and subsequent purchasers. They are enforced only by the landowners involved and not by any City or other public agency.
Covered Porch, Minor	An accessory structure attached to a residence which is less than six (6) square feet and has a roof which is completely attached to the roof of the principal structure without supports from the ground.
Creek	A continuous flowing body of water that is part of a greater system or watershed. See Stream or River.
Crematorium	A licensed facility in which human or animal remains are reduced to ash through thermal processes.
Cul-De-Sac	A street intersecting another street at only one (1) end and designed to be permanently terminated by a vehicular turnaround at or near the opposite end within the preliminary plat area.
Cultural Facility, Private	Establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a society and include museums, art galleries, and botanical and zoological gardens of a natural, historical, educational, or cultural interest.
Culvert	A drain or conduit under a road or embankment.
Cut	A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface. Also, Excavation
Day Care Center, Adult	An establishment providing for the care, supervision, and protection of the elderly or adults who cannot perform these functions for themselves.
Day Care Center, Child	An establishment providing for the care, supervision, and protection of children. Also, Childcare Center, Nursery School.
Day Care Group Home, Adult	A licensed facility for four or more aged, infirm, or disabled adults which is operated during a part of the day only, which provides supplementary care and protection of individuals who reside elsewhere, except a facility or portion of a facility licensed by the South Carolina Department of Environmental Services (SCDES) or the Department of Mental Health, Mental Retardation, and Substance Abuse, and the home or residence of an individual who cares for only persons related to him/her by blood or marriage.
Day Care Home, Child: Class I	A family-based home that receives not less than three (3) and not more than six (6) children nine (9) years of age or younger for care during any part of the day not exceeding twelve hours in a twenty-four (24) hour period.
Day Care Home, Child: Class II	A family-based home that receives not less than seven (7) and not more than eighteen (18) children nine (9) years of age or younger for care during any part of the day not exceeding twelve hours in a twenty-four (24) hour period.
DBH	Diameter at Breast Height, which shall be measure vertically 4.5 feet from the ground. (See Section 7.4.20 TREE DIAMETER.)
Deck	A roofless accessory attached or detached platform without exterior walls, generally constructed of wood, which adjoins a residence. Rails or safety features shall not be deemed to be exterior walls.
Dedication	The transfer of property by the owner to another party.
Deed	A legal document conveying ownership of real property.
Deferral	To postpone an application to a later date.
Delegation Of Authority	Whenever a provision appears requiring the head of a department or some other City officer or employee to do some act or perform some duty, it is to be construed to authorize delegation to professional-level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise,
Denied, To Deny	An act by an authorized City Executive or staff member which prohibits a certain request for development.
Density	The number of families, individuals, dwelling units, households, or housing structures per unit of land. <b>(a) Gross Density:</b> The overall density of a site. <b>(b) Net Density:</b> The density remaining after certain deductions or allowances have been made, such as roadways, infrastructure, natural features, and other considerations.
Derelict Sign	A sign that is dilapidated or in such condition as to create a hazard or nuisance, or to be unsafe or fail to comply with the Building or Electrical Codes applicable in the jurisdiction.
Design Review	The submission to and subsequent review of a site or building design for compliance with this Ordinance.
Design Speed	Planning a street or highway for a vehicle to operate at an assured speed.
Detached Home	All yard or side yard buildings that function as a principal residential for one or two families.
Detention Facility	A permanent structure for the temporary storage of runoff and its subsequent gradual discharge.
Develop Land	To alter the characteristics of a parcel of land in conjunction Path residential, commercial, industrial, or institutional construction or modification.
Developer	Any person or persons owning and proposing to develop or construct on a piece of property. The developer of a real estate development is the individual (or individuals) whose name is on the permit issued by the City of Easley for the development. If no name is on the permit, then the owner of the property is also the developer.

Development	The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance, and any use or extension of the use of land.
Development Regulations	The adopted regulations providing for the subdivision and development of real property within The City of Easley, South Carolina, as amended from time to time by the City Council.
Development, Physical	Means development which includes, but is not limited to site preparation, erection of structure, road construction, well construction, or installation of on-site sewage management systems.
Dimension	Any measurable extent, as length, width, depth, etc.
Directory Sign For Multi-Tenant Development	A sign, distinguished from a project entrance sign, which is allowed on a premise with more than one tenant or occupants of a building. It may be freestanding or a building (wall) sign. Such signs are not usually visible from the public street right-of-way of a development which provides initial access to the property, but rather are located within the development, along a driveway, access way, or parking aisle.
Distance	The measurement in lineal feet from the closest point of one reference such as a lot or building to the closest point of a second or subsequent reference point.
District Perimeter	The boundary of a specific development project.
District, Overlay	A zoning district that encompasses one or more underlying zones and that imposes additional requirements above that required by the underlying zone.
District, Zoning	A part or geographic area within the municipality within which certain zoning or development regulations apply.
Disturbance	Anything that disturbs or creates a nuisance; a departure from normal
Double-Faced Sign	A sign which has two (2) display areas against each other or where the interior angle formed by the display areas is sixty (60) degrees or less, where one face is designed to be seen from one direction and the other face from another direction. Only one face shall be used in computing allowable sign area.
Drainage	The removal of surface water or ground water from land by drains, grading or other means.
Drainage Area	That area contributing runoff to a single point measured in a horizontal plane, which is enclosed by a ridge line.
Drainage Facility	Any component of the drainage system.
Drainage Structures	(a) Any storm drains, collection basins, inlets, berms or other physical construction or provision for the storage or conveyance of stormwater runoff; or (b) A device composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control, or flood control purposes.
Drainage System	The system through which water flows from the land, including all watercourses, water bodies and wetlands.
Drive-thru establishment	An establishment that by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.
Driveway	A paved or unpaved area used for ingress or egress of vehicles, and allowing access from a street to a building or structure or facility.
Driving Range	A tract of land as an accessory use dedicated to driving golf balls off tees into a designated landing area.
Dry Cleaning	A facility used for the cleaning of fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in water or volatile solvents.
Dwelling	A building designed, arranged, or used for permanent living quarters for one (1) or more families; except that a manufactured structure less than thirty-two (32) feet in length shall not be a dwelling. Also, Dwelling Unit, Home, Apartment, Flat.
Dwelling Unit	A dwelling, or portion thereof, providing complete living facilities for one (1) family.
Dwelling, Attached	A one-family dwelling attached to two (2) or more one-family dwellings by common vertical walls.
Dwelling, Detached	A dwelling that is not attached to any other dwelling by any means.
Dwelling, Duplex	A building on a single lot containing two (2) dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.
Dwelling, Multi-Family	A building containing three (3) or more dwelling units and may be located one over the other.
Dwelling, Single-Family Detached	A building containing one (1) dwelling unit and that is not attached to any other dwelling by any means and is surrounded by open space or yards.
Dwelling, Triplex Or Quadruplex	Triplex, a building containing three (3) dwelling units, each of which has direct access to the outside or to a common hall. Quadruplex, four (4) attached dwellings in one (1) building in which each unit has two (2) open space exposures and shares one (1) or two (2) walls with adjoining unit or units.

Easement	A grant or reservation by the owner of land for the use of such land by others for a specific purpose or purposes by the public, the City, a corporation or other persons for specified purposes, and which must be included in the conveyance of land affected by such easement.
Egress	Area used, primarily by vehicular traffic, to exit or leave a site. Also Exit.
Electronic Message Board (EMB)	A permanent sign consisting of text, symbolic imagery, or both, that uses an electronic display created through use of a pattern of lights in a dot matrix configuration allowing the sign face to intermittently change the image without having to physically or mechanically replace the sign face, including an LED (Light Emitting Diode) sign, as distinguished from a static image sign.
Elevation	A vertical distance above or below a fixed reference level; or A fully dimensional drawing of the front, rear, or side of a building showing features such as windows, doors, and relationship of grade to floor level.
Elevation, Finished Floor	The proposed elevation of the land surface of a site after completion of all site preparation work. Also, Grade.
Elevation, Ground	The original elevation of the ground surface prior to cutting or filling.
Employment	Any rendering of services on request, whether paid or unpaid.
Environmentally and Historically Significant Areas	Lands an/or water bodies with significant natural, ecological, scenic, or historic value. These may include, but not limited to, resources under the authority of state or federal agencies.
Erect	To construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish, but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or the normal maintenance or repair of a sign structure
Erosion	The process by which land surface is worn away by the action of wind, water, ice or gravity.
Erosion And Sedimentation Control Plan	A plan for the control of soil erosion and sediment resulting from a land-disturbing activity.
Escrow	A deed, a bond, money, or a piece of property delivered to a third person to be delivered by him to the grantee only upon fulfillment of a condition.
Established	To be set up; cause to happen; to be brought about.
Excavation	Any manmade cavity or depression in the earth's surface, including sides, wall, or faces, formed by earth removal and producing unsupported earth conditions by reasons of the excavation. If installed forms or similar structures reduce the depth-to-width relationship, an excavation may become a trench. See Cut.
Exemption	Those land development activities that are not subject to the requirements contained in Zoning.
Expansion	An increase in the size of an existing structure or use, including physical size of the property, building, parking, and other improvements or structures.
Expressway	A public vehicular way with limited access that could have both at-grade intersections and grade separated interchanges.
External	Pertaining exclusively to the area outside of a specific parcel, lot, or tract of land either developed or suitable for development and not to any area within such parcel, lot, or tract.
F.E.M.A.	The Federal Emergency Management Agency.
Faa	Shall mean the Federal Aviation Administration.
Façade	Front or principal face of a building, any side of a building that faces a street or other open space
Family	One (1) or more related persons or six (6) or less unrelated persons occupying a dwelling and living as a single housekeeping unit, as distinguished from persons occupying a boardinghouse, rooming house, or hotel, as herein defined.
Family Day-Care Home	A customary home occupation which provides, for no more than six (6) persons who are not residents of the premises, care and supervision by a State of South Carolina registered resident adult for less than twenty-four (24) hours per day on a regular basis for compensation.
Farmers Market	An open air structure, other than a roadside stand, used for the retail sale of fresh fruits, vegetables, nuts, grains, eggs, flowers, herbs, or plants. No more than 50% of gross receipts may be derived from the sale of other unprocessed food stuffs; home processed food products such as jams, jellies, pickles, sauces, or baked goods, and home-made handicrafts; and commercially packaged handicrafts or commercially processed or packaged foodstuffs. Produce sold may be grown on the property where the Open Air Market is located or may be trucked in from area farms. Vehicles, boats, and RVs cannot be stored or sold as part of Open Air Market operations
Family Entertainment	Entertainment suitable for family viewing and not of an exclusive adult entertainment nature.
Family, Immediate	An official or appointed official and such official's or appointed official's husband, wife, father, mother, brother, sister, son, daughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandmother, grandfather, stepfather, stepmother, and stepchildren.
Farm Stand	A structure for the display and sale of farm products. Also, Wayside Stand.
Fauna	The animals of a specified region.

Fcc	Shall mean the United States Federal Communications Commission.
Fee	A set amount of money to be paid to the City, pre-set by the City Council, in return for a service or product to be provided or a permit or other document to be issued by Duncan.
Fence Or Wall	An artificially constructed barrier of any durable material or combination of materials erected to enclose, screen, or separate areas.
Fence, Board On Board	A fence consisting of a series of posts and horizontal beams and covered by alternating vertical pickets.
Fence, Chain Link	A fence consisting of a series of jointed metal links secured to steel pipe.
Fha	The United States Federal Housing Administration.
Fill	A portion of land surface to which soil or other solid material has been added; the depth above the original ground.
Filling	The placement of any soil or other solid material, either organic or inorganic, on a natural ground surface or excavation.
Final Plat	The final map of all or a portion of a subdivision, which is presented for final approval.
Financial Institution	A Building or portion of a Building primarily devoted to the provision of financial and/or banking services to customers or clients (e.g., banks, credit unions, savings banks, savings and loan associations, lending establishments, and investment companies).
Flag	A sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, plastic, or natural or synthetic fabric of any kind with only such material for a backing. For purposes of this Code Section, except as otherwise provided herein, a "flag" is a "sign."
Flagpole	A structure used for the elevated display of a flag.
Flea Market	An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.
Flood Plain	The channel and the relatively flat area adjoining the channel of a natural stream or river that has been or may be covered by floodwater.
Floodplain, One Hundred-Year	Those lands subject to flooding, which have at least a one percent (1%) probability of flooding occurrence in any calendar year; the floodplain as shown on the Flood Boundary and Floodway Map as prepared by the Federal Emergency Management Agency (FEMA).
Floor Area Ratio (Far)	The gross floor area of all buildings or structures on a lot divided by the total lot area.
Floor Area, Gross	The sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings but excluding any space where the floor-to-ceiling height is less than six (6) feet.
Floor Area, Net	The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking, or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.
Flora	The plants of a specified region.
Foster Home	A single-family dwelling which provides a family living environment including supervision and care necessary to meet physical, emotional, and social needs of clients. A foster home may serve children or adults.
Fowl	Any warm-blooded, feathered, flying or non-flying animal.
Free Flowing	A river, stream, creek, or other such body of water that flows freely and un-interrupted, except for periods of drought, for a minimum of nine (9) months of the year and is dry for not more than three (3) months of the year. Free flowing shall also apply to creeks or streams that originate from a spring or other groundwater point of origin.
Free Standing	Resting on its own support, without attachment or added support.
Frontage	The lot boundary which coincides with a public thoroughfare or space. The facade of a structure facing the street.
Frontage, Building	The width in linear feet of the front exterior wall of a particular building in which an establishment is located.
Frontage, Lot	That side of a lot abutting on a street; the front lot line.
Frontage, Road	The distance in linear feet of each lot where it abuts the right-of-way of any public street.
Funeral Home	An establishment engaged in undertaking services, such as preparing the human dead for burial and in arranging and managing funerals. This definition includes crematories and mortuaries.
Future Right-Of-Way	The area required for future roadway widening and improvements by the comprehensive plan.
Garage	A structure or any portion thereof in which one (1) or more automobiles are housed, kept, or repaired, not including exhibition or showrooms, or storage of cars for sale.
Gazebo	A free standing, roofed, open sided structure providing a shady resting place.
Gender	Words importing the masculine gender shall be construed to include the feminine and neuter.
Glare	The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.
Golf Course	A tract of land laid out for at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards and that may include a clubhouse and shelter

Governing Authority	The governing authority of the City of Easley is the City Council of the City of Easley.
Grade	The slope of a street, or other public way, specified in percentage (%) terms.
Grade, Existing	The vertical location of the existing ground surface prior to cutting or filling.
Grade, Finished	The final grade or elevation of the ground surface after cutting or filling and conforming to the proposed design.
Grading	Altering the shape of ground surfaces to specified elevations, dimensions and/or slopes; this includes stripping, cutting, filling, stockpiling, and shaping or combination thereof, and shall include the land in its cut or filled condition.
Greenway	A linear open space, either privately-owned or publicly owned, which contains a trail for walking, bicycling, horseback riding, or other passive recreation, but not for use by vehicles for purposes other than maintenance of the greenway. A retail establishment primarily selling fresh or prepackaged foods including meat, produce, and dairy products as well as other convenience and household goods. Note that grocery stores vary from small neighborhood markets of 8000 square feet or less to large superstores more than 100,000 square feet. Also, Food Store, Supermarket
Grocery Store	
Gross Land Area	A term referring to the gross size of a parcel or tract of land prior to subtracting land area for infrastructure, wetlands, steep slopes, and other environmental or codified constraints on the development of such land.
Ground Cover	Any plant material which serves to prevent soil erosion by covering large areas of ground, and which does not grow beyond twelve inches in height.
Ground Sign	A permanently affixed sign which is wholly independent of a building for support (i.e., freestanding). A ground sign may consist of more than one sign panel, provided all such sign panels are attached to or integrated into one sign structure.
Group Home	A dwelling shared by six (6) or less persons, excluding resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. This use shall apply to homes for the physically or emotionally disabled, elderly, and abused persons. As used herein, the term "disabled" shall mean having: (a) A physical or mental impairment that substantially limits one (1) or more of such person's major life activities so that such person is incapable of living independently; (b) A record of having such an impairment; or (c) Being regarded as having such impairment. (d) "disabled" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals. The term "group home for the disabled" shall not include alcoholism or drug treatment center, work release facilities for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration. Also, Personal Care Home.
Guest	Any paying customer of a hotel, motel, restaurant, club, or other hospitality establishment.
Guest House	Dwelling or lodging units for temporary non-paying guests in an accessory building. Also, Guest Cottage.
Gutter	A shallow channel usually set along a curb or the pavement edge of a road for purposes of catching and carrying off runoff water.
Hazardous Material Or Substance	Any substance or material that, by reason of its toxic, caustic, corrosive, abrasive, or otherwise potentially injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.
Hazardous Or Toxic Waste Transfer Station	A facility in which toxic or hazardous waste is brought into the site exclusively for transfer to a larger or smaller vehicle that will transport the waste to another permanent facility.
Hazardous Waste	Solid or liquid waste material resulting from the manufacture or use of pesticides and drugs (other than normal household use); pathological wastes; highly flammable or explosive wastes; toxic wastes; sewage sludge; and other waste material that may be a hazard to the public health, safety, or environment, except radioactive waste materials as defined by the State of South Carolina.
Heavy Manufacturing Establishment	Manufacturing establishments, other than those classified as light manufacturing, including those involving the conversion of raw materials into usable finished products, provided that manufacturing that will generate liquid waste from the manufacturing process or air pollutants shall comply with antipollution standards established by the state, City and City.
Hedge	A row of shrubs or evergreen trees planted to form a continuous visual screen.
Height	Shall mean, when referring to a telecommunications tower or other structure, the distance measured from ground level to the highest point on the tower or other structure, even if said highest point is an antenna.
Height Of Sign	The distance in vertical feet from the ground to the highest point of the sign, whether that highest point is the frame of the sign face or panel or the support of the sign.
Heliport	A field, rooftop, etc., where helicopters land and take off. Also, Helistop, Vertiport.
Holiday Decorations	Displays erected on a seasonal basis in observance of religious, national, or state holidays, which are not intended to be permanent.
Home Occupation, Customary	Any use customarily conducted entirely within a dwelling by members of a family residing therein and the use is clearly incidental to or secondary to the residential use of the dwelling. Also, In-Home Occupation.

Homeowners Association	A community association, other than a condominium association, that is organized in a development in which individual owners share common interests and responsibilities for costs and upkeep of common area and facilities.
Hospital	An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences. Also, Clinic, Sanitarium.
Hotel	A building(s) or other structure(s) kept, used, maintained, advertised and held out to the public to be a place where sleeping accommodations are offered for adequate pay to travelers and guests, whether transient, permanent or residential in which rooms are used for the sleeping accommodations of such guests, which facility also serves food and has one (1) or more public dining rooms, with adequate and sanitary kitchen and a seating capacity of at least eighty (80) persons, where meals area regularly served to such guests and/or to the public at large. Sleeping accommodation and dining rooms shall be accommodated in the same building or in separate buildings or structures used in conjunction therewith that are on the same premises and are a part of the hotel operation. Motels meeting the qualifications set out herein for hotels shall be classified in the same category as hotels. Hotels shall have the privilege of granting franchises for the operation of a lounge, restaurant, or nightclub in their premises; and the holder of such franchise shall be included in the definition of hotel hereunder. See Motel
Horticultural Nursery	Establishments primarily engaged in growing soil or water-based crops of any kind and/or growing nursery stock and flowers, Shrubs, or Trees intended for ornamental or landscaping purposes for wholesale or retail sale in order to be transplanted to a different location. This definition excludes private gardens where flowers, fruit, vegetables, etc. are grown for use/consumption by the residents onsite.
Hud	The United States Department of Housing and Urban Development.
Hydrology	The science dealing with the properties, distribution, and circulation of water and snow.
Hydrology Study	A quantitative measure of increased stormwater runoff from storms of a given storm period or return frequency caused by development on a site.
Indoor/Outdoor Amusement Center	An establishment whose main purpose is to provide the public with an amusing or entertaining activity and where tickets are sold or fees are collected for the activity. Includes, but not limited to, skating rinks, arcades, miniature golf, bowling alleys, skateboard parks, and billiard halls.
Impact Assessment	A study to determine the potential direct or indirect effects of a proposed development, rezoning, or change to a future land use designation on activities, utilities, circulation, surrounding land uses, community facilities, environment, and other factors.
Impervious Surface	Any material that prevents absorption of stormwater into the ground.
Improvement	Anything built, installed, or established by the developer, whether upon, above or beneath the ground, which tends to facilitate the sale of lots and serves those uses proposed for such lots.
Incidental	Subordinate and minor in significance and bearing a reasonable relationship with the primary use.
Individual Sewage Disposal System	A septic tank, seepage tile sewage disposal system or any other approved sewage treatment device serving a single unit.
Inflatable Sign	Any sign that is or can be filled with three (3) cubic feet or more of air or gas.
Infrastructure	Facilities and services needed to sustain industry, residential, commercial, and all other land use activities and shall include water, sewer, natural gas, electric power, streets and roads, communications, public facilities, and other public services.
Ingress	Access or entry to a site or structure.
Installation	The assembly of a modular building on site and the process of affixing the modular building, component, or system to land, a foundation, footings, or an existing building.
Institutional Uses	A non-profit, religious, or public use, such as a church, library, public or private school, hospital, or government owned or operated building, structure, or land used for public purposes.
Interest	Any director or indirect pecuniary or material benefit held by or accruing to an official or appointed official as a result of a contract or transaction which is or may be the subject of an official act or action by or with the City. Unless otherwise provided, the term "interest" does not include any remote interest.
Interior Landscaping Area (IIa)	A planting or landscaping area that is located within a vehicle use area (VUA). It is often peninsular or island-shaped, with the express purpose of mitigating the environmental and visual effects of a VUA.
Internal	Pertaining exclusively to a specific parcel, lot, or tract of land either developed or suitable for development and not to any area outside of such parcel, lot, or tract.
Internally Illuminated Sign	A sign illuminated by an internal light source which is viewed through a translucent panel.
Indoor Storage	A building with outdoor access to internal common area, as opposed to outdoor access to individual storage units.
Issuing Authority	The City of Easley City Council

Junk	Means junk vehicle as defined in Zoning, and parts thereof; any litter as defined in this Section, household appliances; scrap building material; scrap contractors equipment; tanks; casks; barrels; boxes; drums; piping; bottles; glass; old iron; machinery; rags; paper excelsior; hair; mattresses; beds and bedding; and any other kind of scrap or waste material which is for sale or in the process of being dismantled, destroyed, processed, salvaged, kept, handled, displayed, stored, baled, disposed, or other use of disposition.
Junk Vehicle	Any vehicle as defined in this Section which does not have a current license plate registered or that is inoperable on its own capacity. The term "junk vehicle" shall not be deemed to include vehicles having historic or antique value when such vehicles are stored in an enclosed structure, or any agricultural vehicles stored on agriculturally used property.
Junk Yard	Any such use involving the storage or disassembly of wrecked automobiles, trucks, or other vehicles; storage, baling or otherwise dealing in bones, animal hides, scrap metal, used paper, used cloth, used plumbing fixtures and used brick, wood or other building materials. Such uses shall be considered "junk yards" whether or not all or parts of such operations are conducted inside a building or in conjunction with, addition to, or accessory to other uses of the premises. Any automobile which does not bear a current license plate shall be deemed a junked or wrecked automobile; the storage of which is forbidden in any district except those permitted in these regulations and under the conditions prescribed herein.
Jurisdiction	A territorial range of authority, the geographic and legal area where the authority of the City of Easley applies.
Jurisdictional	Having authority over a specific region or area
Kennel	Any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling animals.
Kiosk	A freestanding structure upon which temporary information and/or posters, notices, maps and announcements are posted
Land Clearance	Removal of all trees and/or vegetation from the land surface.
Land Disturbing Activity	Any activity which may result in soil erosion from water or wind and the movement of sediments into State Waters, or onto lands within the State, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices
Land Trust	An organization or entity, usually non-profit in nature, whose function is to acquire and/or manage undeveloped lands for the purpose of providing stewardship in the preservation of such lands. Also, Conservancy.
Land Use	A description of how land is occupied or utilized.
Land Use Permit, Special	A permit approved by the BOARD OF ZONING APPEALS that allows, under special scrutiny and conditions, certain activities on land not zoned for those activities. Also, Special Exception.
Land Use Permit, Temporary	A temporary permit approved by the City Council that allows, under special scrutiny and conditions, certain activities on land not zoned for those activities.
Landfill, Sanitary	A site for solid waste disposal.
Landscape Buffer Area (Lba)	An area that must be set aside, free from development, to accommodate the required landscaping and buffering materials. No gravel, pavement, buildings, or structures shall be allowed within a required LBA, with the exception of fences, walls, and similar structures used for screening and buffering, as described within this Article.
Landscape Plan	A component of a development plan on which is shown: proposed landscape species (such as number, spacing, size at time of planting, and planting details); proposals for protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed decorative features; grade changes; buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by the approving authority.
Landscaping	(a) An expanse of natural scenery; or (b) Lawns, trees, plants, and other natural materials, such as rock and wood chips, and decorative features, including sculpture, patterned walks, fountains, and pools.
Light Manufacturing Establishment	An establishment for production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, testing, or repair of materials, goods or products; however, the manufacturing and production of any product which emits noxious noise, odor or fumes, bulk storage of flammable materials for resale, and other heavy manufacturing uses listed herein, shall not be permitted
Litter	Includes, but is not limited to all sand, gravel, slag, brickbats, rubbish, waste materials, including but not limited to tin or aluminum cans, refuse, garbage, trash, debris, dead animals, weeds, yard or vegetative waste or debris, bottles, scrap glass, scrap metal, junk, junk vehicles, junk vehicle parts, scrap paper, disposable packages, or containers and all other similar materials and any substance of any kind or nature whatsoever and discarded materials of every kind and description that creates a public health, safety, or fire hazard or a public nuisance as defined in this Section.
Litter Receptacle	A container used to hold garbage, litter, trash garbage, and similar items. Also, Garbage Container.
Live Entertainment	Music, comedy, readings, dancing, acting or other entertainment, excluding adult entertainment, performed on the site. This classification includes dancing by patrons to live or recorded music.

Livestock	The term "livestock" as used herein shall mean and include cattle, horses, goats, sheep, swine and other hoofed animals; poultry, ducks, geese and other live fowl; rabbits, mink, foxes and other fur or hide-bearing animals customarily bred or raised in captivity for the harvesting of their skins; and fish and other aquatic species bred or raised for fodder or food whether owned or kept for pleasure, utility or sale.
Living Space, Principal Load	That space in a residential structure used as the primary residence on the lot.
Loading Area	The amount that can be or usually is carried; a measure or weight or quantity varying with the type of conveyance, often used in combination.
Local (Minor)	An area containing off street spaces or berths used for loading or unloading or cargo, products, or materials from vehicles.
Lot	A public or private vehicular way designed to provide access to property abutting the right-of way.
Lot Area	Private: A vehicular way not dedicated for public use or maintenance. A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the public right- of-way of a road or walkway may be included. An easement may be counted when determining the area and dimensions of a lot if the nature of the easement will not eliminate an adequate building site.
Lot Coverage	The area contained within the boundary lines of a lot.
Lot Frontage	The percentage of a lot which may be covered with permitted or accessory building or structures, excluding walks, drives, and other similar uses, and recreational facilities which are accessory to a permitted use.
Lot Line	The length of the front lot line at the street right-of-way line.
Lot Of Record	The length of the front lot line at the street right-of-way line.
Lot, Corner	A line bounding a lot that divides one lot from another or from a street or any other public or private space.
Lot, Cul-De-Sac	A lot that exists as shown or described on a plat or deed in the records of the local registry of deeds.
Lot, Depth	A lot or parcel of land abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.
Lot, Depth Of	A lot or parcel of land fronting on a cul-de-sac and where the front lot line is less than twenty (20) feet.
Lot, Double Front	The horizontal distance between front and rear lot lines.
Lot, Double Frontage	The average distance measured from the front lot line to the rear lot line.
Lot, Flag	A lot, other than a corner lot, abutting upon two (2) or more streets.
Lot, Individual	A lot that has frontage on more than one street.
Lot, Interior	A large lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way or driveway.
Lot, Through	A legal lot used or intended to be used as the site for one (1) business or industry, or for one (1) institution or one (1) office or residential building and not used or intended to be used as the site for an apartment complex, other residential complex, a shopping center, office complex, or other multi-use or multi-owner development.
Lot, Width	A lot, other than a corner lot, which has frontage on only one street other than an alley.
Lot, Width Of	A lot that fronts upon two (2) parallel streets or that fronts upon two (2) streets that do not intersect at the boundaries of the lot.
Lounge	The distance between side lot lines measured at the front building line.
Manufacture	The distance between side lot lines measured at the building line.
Manufactured Home Park	A separate room connected with, a part of and adjacent to a restaurant (as defined herein), or located in a hotel (as defined herein), provided, that in no event shall the seating capacity of the lounge exceed that of its connected restaurant
Manufactured Home Residential District	The process of making, fabricating, constructing, forming, or assembling a product from raw, unfinished, or semi-finished materials. 1
Manufactured Home Subdivision	A lot or a parcel of land upon which two (2) or more manufactured homes are located for subsequent rental or lease for dwelling purposes. Classified using the acronym MHP.
Manufactured Home	A set of zoning districts authorized by zoning that contains manufactured home residential development, both for subdivisions and parks, with compatible accessory and other uses and classified using the acronym GR-1.
	A planned development, similar to a single-family home subdivision, in which manufactured or manufactured homes are permitted as-of-right.
	A new or used structure, transportable in one (1) or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet, built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42, U.S.C. Section 5401, et seq.

Map	The word "map," "zoning map" or "The City of Easley zoning map" means the "Official Zoning Map of The City of Easley, South Carolina." The requirements of the Zoning Map are specified in "Official Zoning Map and District Boundaries" of Zoning
Marquee	A roofed structure attached to and supported by a building and projecting over public or private sidewalks or rights-of-way.
Marquee Sign	A sign painted on, attached to, or hung from a marquee. For purposes of this Code Section, marquee signs shall be considered "wall signs."
Masonry	Brickwork, stonework, stucco on block, adobe, or any combination of these materials.
May	"may" is permissive, however may be required by the reviewing authority.
Recreational Vehicle Park	A lot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicle of the general public as temporary living quarters for recreation or vacation purposes
Merchandise	Things bought and sold; goods, commodities, wares. Also, Product.
Mining	The extraction of minerals, including solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gases.
Microbrewery, microdistillery, and microwinery	is an establishment primarily engaged in the production and distribution of alcoholic beverages. A microbrewery produces beer, ale, or other malt beverages with an annual production not exceeding 15,000 barrels. A microdistillery, also known as a craft or artisan distillery, manufactures wines or liquors with an annual production not to exceed 5,000 gallons. These establishments may feature accessory uses, such as tours, retail sales, and on-site consumption in a taproom or tasting room, which may be operated in conjunction with a restaurant or bar.
Minature Golf Course	An area of land or a building, structure or premises or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf ball driving range
Mixed Use Building or Site	A building or in combination with its accessory buildings service more than 2 uses, including a mixture of residential or nonresidential uses.
Mixed Use Development	The development of a tract of land, building, or structure with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form.
Mobile Home Or House Trailer	A new or used structure, transportable in one (1) or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein and built prior to June 15, 1976; except that field offices of a construction company temporarily parked on the site will be allowed for up to one (1) year, if the construction company notifies the permit department of the mobile home prior to it being parked on the site.
Modular Home Or Building	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. <sup>36</sup> A modular building meets the requirements of the South Carolina Modular Buildings Construction Act (S.C. Code § 23-43). May be referred to as an Industrialized Building
Monument Sign	A sign where the structural part of the sign below the sign face encompasses an area at least forty (40) percent of the area of the sign face but no more than 1.5 times the area of the sign face, and which is composed of brick, stone, or other material approved by the Zoning Official. A monument sign is a ground sign.
Motel	An establishment providing sleeping accommodation with a majority of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building. See Hotel.
Motor Freight Facility	Terminals with the capability of handling a large variety of goods involving various forms of transportation and providing multi-modal shipping capabilities, such as rail to truck and truck to air.
Automotive Part Store	An establishment for the sales of parts, accessories, and other equipment for motor vehicles.
Auomotive Service Station, Minor	A use which provides one or more specialized repair, sales, and/or maintenance functions such as the sale, replacement, installation, or repair of tires, mufflers, batteries, brakes, shock absorbers, instruments, electronics, or upholstery for cars, vans, and light trucks only
Automotive Service Station, Major	A use which provides one or more specialized repair, sales, and/or maintenance functions such as the sale, replacement, installation, or repair of tires, mufflers, batteries, brakes, shock absorbers, instruments, electronics, or upholstery for heavy equipment, trucks, or other like vehicles.
Multiple Message Sign	A sign, displav. or device which changes the message or copy on the sign electronically by movement or rotation of panels or slats.
Natural Ground Surface	The ground surface in its original state before any grading, excavating or filling.
Nature Preserve	Designated areas in which human activities are limited; animal and/or plant communities are protected, maintained, enhanced, and nurtured; and where the natural environment in general is protected from man-made or -influenced changes.
Neighborhood	An area of a community with characteristics that distinguish it from other areas and that may include distinct demographic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features, such as rivers.

Commonly found low scale and low intensity retail uses (square footage not to exceed six thousand [6,000] square feet unless noted below) that offer basic services and frequently purchased goods to the immediate surrounding residential areas such as but not limited to: auto parts store, antique shop, appliance store (home use), bakery, barber and beauty shops, beverage shop, bookstore (but not including adult bookstore), bridal shop, camera shop, china and pottery store, clothing store, dance studio, delicatessen, dog grooming shop, draperies and interior decorating supplies, drug store or hardware store (provided that the gross floor area does not exceed twenty thousand [20,000] square feet total), dry goods store, florist, furniture store, gifts and stationery store, jewelry store, manicurist shop, meat market/butcher shop, millinery store, mimeograph and letter shop, music store, novelty shop, paint store, pedicurist shop, shoe repair shop, shoe store, sporting goods store, supermarket or grocery (provided that the gross floor area does not exceed seventy thousand [70,000] square feet), tailor shop, toy store, variety shop, and video stores.

Neighborhood Retail Uses	
Nightclub	An establishment dispensing liquor and meals and in which music, dancing, or entertainment is conducted. Also known as a bar.
Liquor Store	An establishment primarily engaged in the retail sale of alcoholic beverages for off-premises consumption. This definition includes all retail stores where the sales of alcoholic beverages comprise 49 percent or more of gross sales.
Nonconforming Building Or Structure	A building or structure existing at the time of enactment of these regulations, and which does not conform to the regulations of the district in which it is located.
Nonconforming Lot	A lot existing at the time of enactment of these regulations, and which does not conform to the regulations of the district in which it is located.
Nonconforming Sign	Any sign which lawfully existed on the effective date of this Code Section but which does not conform to the provisions of this Code Section, or which does not comply with this Code Section due to amendments to this Article since the date of erection of the sign.
Nonconforming Use	A building, structure, or use of land existing at the time of enactment of these regulations, and which does not conform to the regulations of the district in which it is located.
Non-Profit Organization	An incorporated organization or group whose charter prohibits profit-making endeavors and which enjoys tax exemption privileges
Number	Words in the singular shall include the plural and words in the plural shall include the singular.
Nursery School Or Kindergarten	A place or institution where one (1) or more children are received and cared for during some portion of the day for compensation and where such children do not have their place of abode and are not related to the owner or operator of such place by blood, marriage, or adoption.
Nursing Home	A home for aged or ill persons in which three (3) or more persons not of the immediate family are provided with food, shelter, and care for compensation; but not including hospitals, clinics or similar institutions devoted primarily to diagnosis and treatment. Also Skilled Nursing Facility
O.S.H.A.	The US Department of Labor, Occupational Safety and Health Administration, or successor agency.
Occupant	The individual, individuals, or entity in actual possession of a premise.
Occupy	The residing of an individual or individuals overnight in a dwelling unit or the storage and use of equipment, merchandise, or machinery in any public, commercial, or industrial building.
Office Building	A room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government and generally furnished with desks, tables, files, and communication equipment.
Office District	A set of zoning districts authorized by zoning that contains low to medium-scale business or office development with compatible accessory and other uses and classified using the acronym OID.
Office Park	A development on a tract of land that contains a number of separate office buildings, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.
Office Service And Supply Establishments	Retail commercial establishments that sell, service and supply small office equipment and supplies such as stores that offer sales of copiers, facsimile machines, typewriters, ribbons, transcribers, dictation equipment, tape, staplers and other general office equipment.
Office, Business, General or Professional	Structure or space wherein business services are performed involving predominately managerial, administrative, professional services or clerical operations such as accounting, law, surveyors, engineers, tax preparation, real estate, stock broker, financial consultant, manufacturers representative, insurance, contractor, employment agencies, advertising or public relations agencies, public opinion, business and other research firms, and national, regional, state and local office headquarters for commercial, manufacturing, or charitable or other corporations or organizations.
Office, Medical	An office or clinic for the private practice of health care professionals licensed by the State of South Carolina. The majority of patient encounters in the office or clinic involve examination, diagnosis, treatment, or surgical procedures on an outpatient basis not extending beyond a 24 hour period. This definition excludes any facilities that have been more specifically defined in this Ordinance
Official Act Or Action	Any executive, legislative, administrative, appointive, or discretionary act of the City Council or appointed official taken pursuant to a regular discharge of such official's or appointed official's official duties.
Off-Site	Not located on the property that is the subject of a subdivision application.

Off-Site Stormwater Management	The design and construction of a facility necessary to control stormwater from more than one development.
On-Premises	All enclosed space within the proprietor's building and any other areas outside the proprietor's building which are under the direct control of the proprietor.
On-Site	Located on the property that is the subject of a subdivision application or on a contiguous portion of street or right-of-way.
On-Site Sewage Management System	A sewage management system other than a public or community sewage treatment system, whether serving single or multiple buildings, manufactured homes, residences or other facilities designed or used for human occupancy or congregation Included are conventional septic tank systems, privies, experimental and alternative on-site sewage management systems that may be approved by the State Department of Environmental Services (SCDES).
On-Site Stormwater Management	The design and construction of systems necessary to control stormwater within an immediate development.
Opaque	Not letting light pass through, not transparent or translucent.
Open Space	Any area which does not consist of buildings, streets, right of ways, parking, or easements, and serves as a passive or active recreational area, as conservation land for important vistas and topographic features
Orientation	The relationship of a building or structure with respect to the property and its natural features, adjacent roadways, adjacent properties, and/or the exposure of the building related to solar heating or wind.
Outbuilding	A separate accessory building or structure not physically connected to the principal building. Also, Accessory Building.
Outdoor Storage	The keeping, in an unenclosed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours.
Outdoor Display/Sales	means an area set aside out of doors, covered or uncovered, to be used in conjunction with an established use or business located in adjacent permanent premises for the display or sale of fresh produce and new goods or merchandise
Overlay District	A set of regulations which add an additional layer of design provisions to an underlying zoning district.
Owner	An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.
Park	A tract of land, designated and used by the public for active and passive recreation.
Park, Public	A tract of land, designated and used by the public for active and/or passive recreation. A public park may include but is not limited to playgrounds, tennis courts, swimming pools, public gardens, nature center, ballfields, and public greenways.
Parking Deck Or Structure	A building or structure consisting of more than one (1) level and used to store motor vehicles. Also Structured Parking.
Parking Lot	An off-street, ground-level open area, usually improved, for the temporary storage of motor vehicles.
Parking Space	A space for the parking of a motor vehicle within a public or private parking area.
Parking, For Vehicles	Shall mean to provide a location for on-site parking of automobiles, trucks, and recreational vehicles (with a manufacturer's towing and/or carrying capacity rating of less than one and one-half [1½] tons). This restriction shall not apply to vehicles parked on church property which are operated exclusively for church use.
Parking, Off-Street	A parking space which is designed for the parking or temporary storage of automobiles and is located outside of a dedicated street right-of-way.
Parking, Shared	The joint use of a parking area for more than one use
Partial Destruction	A building or structure that, because of fire, flood, explosion, or other calamity, requires the rebuilding of less than half of its floor area.
Participate	To take part in official acts, actions, or proceedings personally as an official or an appointed official through approval, disapproval, decision, or the failure to act or perform a duty.
Passive	Taking no active part, inactive.
Pedestrian	Going or done by foot.
Pennant	A small, triangular or rectangular flag or multiples thereof, made of lightweight plastic, fabric, or other material, individually supported or attached to each other by means of a string, rope, or other material and meant to be stretched across or fastened to buildings, or between poles and/or structures, and which is designed to move in the wind. For purposes of this Code Section, pennants are "signs."
Performance Guarantee	Any security that may be accepted by the City as a guarantee that the improvements required as part of an application for a subdivision are satisfactorily completed.
Performing Animal Exhibition	Any spectacle, display, act, or event other than circuses, in which performing animals are used.
Person	Specifically including any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this state, any interstate body, or any other legal entity.

Personal Care Home	A residence providing the protective care of residents who do not require chronic or convalescent medical or nursing care. Personal care involves responsibility for the safety of the resident while inside the building and may include daily awareness by the management of the resident's functioning and whereabouts, making and reminding a resident of appointments, the ability and readiness for intervention in the event of a resident experiencing a crisis, supervision in the areas of nutrition and medication, and the actual provision of transient medical care. A personal care home is limited to sixteen (16) residents excluding staff. See Group Home.
Pet	Any domestic animal owned or kept for pleasure rather than sale, which is an animal of a species customarily bred and raised to live in the habitat of humans and is dependent upon them for food and shelter; except that livestock and wild animals shall not be deemed pets.
Pet Shop	Any person engaged in the business of buying or selling two (2) or more species of live animals with the intent that they be kept as pets.
Pet Boarding	means any premises where any combination of dogs, cats or other household pets, totaling four or more animals, six months of age or older, are kept, boarded or bred for the intention of profit
Phase Or Phasing	Development undertaken in a logical time and geographical sequence.
Planned Unit Development (Pud)	A zoning designation designed to encourage the best possible site plans and building arrangements under a unified plan of development. Also Planned Urban Development.
Planning And Zoning Commission	A body appointed by the mayor and approved by City Council whose duty is to hear and make recommendations on rezoning requests, land use permits, changes to the zoning ordinance and land use regulations, development of the Comprehensive Plan, and consisting of other duties as specified by the City Council. Also, Planning Commission.
Planning Commission	The Easley Planning Commission.
Plat	A map or drawing upon which the subdivider's plan of the subdivision is presented for approval.
Plat, Final	A finished drawing of a subdivision showing completely and accurately all legal and surveying information and certification necessary for recording.
Plat, Preliminary	A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate unquestionably it's workability but is not in final form for recording and the details are not completely computed. An approved planned unit development (PUD) may be considered a preliminary plat if it is processed under the terms of the Zoning Ordinance.
Plaza	An open space that may be improved and landscaped; usually surrounded by streets and/or buildings.
Poolroom	Any public place where a person is permitted to play the game of pool or billiards. The terms "pool" or "billiards" shall include any game played on a table surrounded by an elastic ledge of cushions with balls which are impelled by a cue (Also Pool Hall or Billiard Parlor).
Porch	A projection from the outside wall of a dwelling covered by a roof which can project beyond setback. Roofed open areas may be screened, attached to or part of and with direct access to or from a building.
Portable Sign	Any sign whether on its own trailer, wheels, or otherwise, which is designed to be transported from one place to another. It is characteristic of a portable sign that the space provided for advertising messages may be changed at will by the replacement of lettering or symbols (i.e., a changeable copy sign). Even if the wheels or supports of such sign are removed and the sign converted and attached, temporarily or permanently, to the ground or other structure, said sign shall remain a portable sign. In addition, the following shall be deemed a portable sign: A sign mounted or painted upon a parked vehicle that is positioned for the primary purpose of acting as a sign exposed to the public and is not in use in the ordinary course of carrying out its transportation function.
Portico	A porch or walkway, open to the outside air, that is covered by a roof supported by columns or pillars, typically leading to the entrance of a building. Signs attached to porticos are considered "wall signs" for purposes of this Code Section.
Pre-Application Conference	An initial meeting between developers and the Subdivision Review Committee, which affords developers the opportunity to present their proposals informally.
Pre-Application Discussion	A pre-development, pre-submittal meeting between the owner/developer of a property and the members of the City of Easley staff to discuss the issues and requirements for development. Also, Pre-Application Review.
Preliminary Approval	The conferral of certain rights prior to final approval after specific elements of a subdivision plat have been agreed upon by the Planning Commission and the applicant.
Preliminary Subdivision Plat	A map indicating the proposed layout of a development and related information that is submitted for preliminary approval.
Present/Future Tense	Words used in the present tense include the future tense.
Principal Building Or Use	The primary or predominant purpose for which a lot is occupied and/or used.
Principal Living Space	The primary or main living unit or space on a specific lot of record.
Principal Use Sign	Any notice or advertisement, which is permitted in conjunction with (but not necessarily containing copy specifically related to) a single principal use or single principal building located on the property, and which may display a noncommercial, commercial, or other message, the content of which is not regulated by this Code Section.

Private Deed Restrictions Or Covenants	See Covenant.
Profit	Financial or monetary gain obtained from the use of capital in a transaction or series of transactions; proceeds from property or investments. Also Gain.
Project	A development with the necessary site improvements, on a particular parcel of land.
Project Entrance Sign	A sign located at a discernible entrance into a property consisting of more than one subdivided lot or developed with more than one principal building (e.g., a particular residential subdivision, multi-family residential development, or office or industrial park).
Projecting Sign	A sign projecting more than fourteen (14) inches from the outside wall or walls of any building, or canopy, portico, or awning, upon which it is located (see also figure, "Types of Attached Signs").
Property	Any property, whether real or personal, tangible, or intangible, and includes currency and commercial paper.
Property Line	A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space. Also, Lot Line.
Proprietor	Any person who, as the owner, lessee or proprietor, has under such person's control any establishment, place or premises in or at which such machine is provided for use of play.
Public Agency	Any governmental body (including city, county and state bodies or agencies, and special purpose districts such as fire, water, and sewer districts) that has jurisdiction over property or infrastructure within the City of Easley.
Public Sewer System	Any system, other than an individual septic tank, tile field, that is operated by a municipality, governmental agency, or a public utility for the collection, treatment, and disposal of wastes.
Public Street	Any public right of way used for vehicular traffic that is permanently maintained by the City or State of South Carolina and is open to all traffic.
Public Utilities Or Public Utility Uses	A closely regulated enterprise with a franchise for providing to the public a utility service deemed necessary for the public health, safety, and welfare.
Public Water System	A system other than an individual well, for the public of piped water for human consumption, if such system has at least fifteen (15) service connections, or regularly serves an average of at least twenty-five (25) individuals daily, at least sixty (60) days out of the year
Quorum	A majority of the full, authorized membership of a board or agency unless otherwise specified.
Radioactive	Giving off, or capable of giving off, radiant energy in the form of particles or rays, as alpha, beta, and gamma rays, by the spontaneous disintegration of atomic nuclei and their products.
Recommendation	Advice, council; the act of recommending or calling attention to a thing as suited to some purpose.
Recreational Facility, Private/Commercial (Indoor)	An indoor facility operated for profit, providing recreation, exercise, or personal improvement services to the public, including but not limited to dance studios, martial arts studios, fitness centers, yoga studios, and similar uses.
Recycling Center	A lot or parcel of land, with or without buildings, upon which used materials are separated and processed for shipment for eventual reuse in new products. No smelting or other processing activities are permitted.
Recycling Collection Locations	Metal or heavy-duty plastic containers designed for short-term holding of pre-bagged recyclable items such as tin, aluminum, glass, and paper (no perishable or food items allowed) for scheduled, minimum monthly pickup with no on-premise sorting.
Regional Shopping Centers Retail Uses	And A group of commercial establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.
Religious Institution	An institution in which worship, ceremonies, rituals, and education pertaining to a particular system of beliefs is held. A religious institution may include but not necessarily be limited to the terms chapel, church, mosque, synagogue, or temple. See Church or House of Worship.
Remodeling	To construct an addition or alter the design or layout of a building or make substantial repairs or alterations so that a change or modification of the entrance facilities, toilet facilities, or vertical access facilities is achieved.
Repair Shop, Non-Automotive	Commonly found low intensity repair shops that repair items such as jewelry, cameras, home appliance, televisions, and videocassette recorders.
Stadium	A large, open or enclosed place used for games and major events and partly or completely surrounded by tiers of seats for spectators
Replacement Cost	Cost of replacing a structure or building at current costs at the time of the loss, identical to the one that was destroyed or is being replaced, without application of depreciation.
Research And Development	A use engaged in that involves research and product development of a commercial or industrial nature but not involving actual production processes for the purpose of commercial distribution of such product.
Reside	The act of living in a dwelling unit at a specific point in time.
Responsible Person	Any legally accountable human being.

Restaurant	Any public place, kept, used, maintained, advertised and held out to the public as a place where substantial meals are regularly and actually prepared and served, excluding periods for holidays, vacations and redecorating; having adequate and sanitary kitchen and dining room equipment and personnel and a minimum seating capacity of eighty (80) persons at tables or booths wherein the principal business is the serving of such meals.
Retail Sales, Outdoor	The display and sale of products and services primarily outside of a building or structure, including vehicles, garden supplies, gas, tires and motor oil, food and beverages, boats and aircraft, farm equipment, motor homes, burial monuments, building and landscape materials, and lumber yards.
Retail Sales, Seasonal	The temporary establishment of a retail use during a period for which the commodity sold is only available or appropriate to a specific season or period.
Retention Structure	A permanent structure that provides for the storage of runoff by means of a pool of water.
Retirement Community	Any age-restricted development, which may be in any housing form, including detached dwelling units, apartments, and residences offering private and semi-private rooms.
Right-Of-Way	A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use.
Right-Of-Way (Row)	A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, cross walk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, and other similar uses; or Generally, the right of one to pass over the property of another.
Right-Of-Way, Future	The distance required by the City of Easley shall be as follows: Arterial: One hundred (100) or one hundred twenty (120) foot right-of-way width Major Collector: Eighty (90) foot right-of-way width Minor Collector: Sixty (66) foot right-of-way width
River	A continuous flowing body of water that is part of a greater system or watershed. See Stream or Creek.
Roadway Drainage Structure	A device such as a bridge, culvert, or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material such that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.
Roof Sign	A sign projecting higher than the front building wall or any sign supported by or attached to said roof.
Rooming House Or Boarding House	A dwelling, other than a hotel, motel, lodging house or group home, where meals or housing accommodations, for more than four (4) persons, are provided for hire.
Runoff	The portion of rainfall, melted snow, irrigation water, and any other liquids that flow across ground surfaces and eventually is returned to rivers or streams.
Scale	The relationship between distances on a map and actual ground distances; or The proportioned relationship of the size of parts to one another.
School	Any building or part thereof which is designed, constructed, or used for education or instruction in any branch of knowledge.
Screen	A fence, wall, berm, or hedge that is designed and constructed as a permanent improvement for the purpose of blocking 100% of the view of items on the other side of it.
Screening	A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation; or the removal of relatively coarse floating and/or suspended solids by straining through racks or screens
Seasonal Outdoor Sales	See Retail Sales, Outdoor or applicable temporary uses.
Secondary	Any building, structure or use that is not the primary building, structure, or use. Also Subordinate.
Sediment	Solid material, both mineral and organic, that is in suspension, is being transported or has been moved from its site of origin by air, water, ice, or gravity; the product of erosion.
Sedimentation	The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.
Septage	A waste that is a fluid mixture of partially treated or untreated sewage solids, liquids and sludge of human or domestic waste, present in or pumped from septic tanks, malfunctioning on-site sewage management systems, grease traps or privies.
Septic Tank	An approved watertight tank designed or used to receive sewage from a building sewer and to effect separation and organic decomposition of sewage solids, and discharging sewage effluent to an absorption field or other management system. See Alternative Wastewater Treatment System.
Septic Tank System, Conventional	Includes any septic tank, absorption field and all associated devices and appurtenances intended to be used for disposal by soil absorption but does not include alternative or experimental systems.

Service Establishment, Personal Business	Businesses primarily engaged in providing assistance, as opposed to products, to or individuals, businesses, industry, government, and other enterprises, including personal, business, and repair services including shoe repair, leather goods repair, and small machinery, watch, and instrument repair; health and beauty including nail salon; key duplicating and locksmith; re-upholstery and furniture repair; interior decorators, travel agents, technical and other professional services; educational and tutoring services; membership organizations; and other miscellaneous services including those listed under Standard Industrial Classification Major Group 72 and 73.
Setback	The distance required between a property line and any building or structure, as measured along the shortest straight line between them.
Sexually Oriented Business	A business that primarily offers goods or services featuring sexually explicit materials. Specifically, a business that the display space is used for sexually-oriented materials is considered a sexually-oriented business. This includes various establishments like adult arcades, bookstores, cabarets, motels, and theaters
Sewage	Human excreta, all water-carried wastes, and liquid household waste from residences or commercial and industrial establishments.
Shall	"shall" is mandatory compliance;
Heavy Truck and Equipment Rental and Sales	A facility that sells, rents, or repairs vehicles that are class 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 Vehicle as defined by the Federal Highway Administration (FHWA). For the purposes of this Ordinance, this definition does not include 6-wheel pickup trucks, motor homes, campers, or Recreational Vehicles
Shelter For Victims Of Domestic Violence	A building, or portion thereof, in which residential accommodations are provided on an emergency basis for persons who are victims of abusive treatment.
Shelter, Homeless	Charitable, nonprofit, short-term housing and/or room and board accommodations for poor, transient, or needy individuals or family. Also, Transitional Shelter.
Shopping Center	A group of commercial establishments, planned, constructed, and managed as a total entity, with customer and employee parking provided on-site or nearby, provision for goods delivery separated from primary customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan. Types of shopping centers include: <b>(a)</b> Neighborhood Shopping Center <b>(b)</b> Community Shopping Center <b>(c)</b> Regional and Super-Regional Shopping Center <b>(d)</b> Specialty Shopping Center <b>(e)</b> Storefront Shopping Center
Short Term Rental	A residential dwelling that is offered for rent for a fee and for fewer than twenty-nine consecutive days
Should	If the term "should" appears in a design guideline, compliance is strongly encouraged, but is not required
Shoulder	The graded part of the right-of-way that lies between the edge of the main pavement (main traveled way) and the curb line, ditch and drainageway.
Repossession Service	Establishments primarily engaged in providing monetary debt collection services. This also includes storage of vehicles, equipment, or other items that are repossessed.
Sidewalk Sign	A movable sign not secured or attached to the ground or surface upon which it is located.
Sight Distance	An unobstructed view of the entire intersection and sufficient lengths of the intersecting highway to permit control of the vehicle to avoid collisions.
Sign	Any name, identification, description, display, illumination, or device which is affixed to or represented directly or indirectly upon the exterior of a building, structure, or land in view of the general public which directs attention to a product, place, activity, person, business or institution.
Sign Face	That part of a sign that is or can be used for advertising purposes.
Sign, Animated	A sign with action or motion, with moving characters, or changing color which requires electricity, but not including wind activated elements, such as flags or banners. This definition does not include time and temperature signs.
Sign, Announcement	A single-face non-illuminated professional or incidental sign not exceeding two (2) square feet in area, and attached wholly to a building, window, or door. Such sign only includes emergency information, business hours, credit card honored and other accessory information.
Sign, Area Of	The area within a continuous perimeter enclosing the limits of writing, representation, emblem or any figure or character, together with any frame or other material of color forming an internal part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed; provided, however, any open space contained within the outer limits of the display face of a sign or between any component, panel or strip, or figure of any kind composing the display face shall be included in the computation of the area of the sign, whether such open space be enclosed or not by a frame or border. For projecting or double-faced signs, only one (1) display face shall be measured in computing sign area where the sign faces are parallel or where the interior angle framed by the faces is sixty (60) degrees or less. If the two (2) faces of a double-faced sign area of unequal area, the area of the sign shall be taken as they are of the larger face.
Sign, Building Identification	A fascia sign used to identify or indicate the name of a building.

Sign, Business	A sign identifying the business, service or profession located on the lot on which the sign is erected and/or displayed. Almost all of the message area of a business sign will be devoted to the name of the business (or businesses) on the property and/or the principal product sold or service rendered, but a small part of the sign may be devoted to hours of operation, prices, special sales or information which the owner of the business, service or profession believes is important for the public to know about his business on the site.
Sign, Canopy	A sign either temporarily or permanently affixed to, superimposed upon, or painted on any roof-like structure, which is extended over a sidewalk or walkway or vehicle access area. A flush canopy sign is one that is mounted in such a manner that a continuous plane with the canopy is formed. A hanging canopy sign is one suspended from or beneath the canopy.
Sign, Corner Direction	A corner direction sign is a sign erected at the intersection of two (2) streets which indicates to motorists traveling along one (1) street that they should turn onto the other street in order to reach the property or building shown on the sign.
Sign, Entrance	A freestanding or wall sign identifying a subdivision, residential development, apartment, City house, or condominium complex, a shopping center, or an office or industrial park placed at an entrance to said development.
Sign, Facia	A single face sign which is in any manner attached or fixed flat to an exterior wall of a building or structure, included in this definition shall be individual letters and "box type" (i.e. letters and symbols on an attached backing).
Sign, Flashing	A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked changes in lighting effect. Illuminated signs which indicate the time, temperature, or date shall not be considered a flashing sign
Sign, Free-Standing	A sign which is supported by one or more columns, uprights, or braces in or upon the ground and is not attached to a building and is not mobile or temporary.
Sign, Height	The distance from the ground to the top of the sign as measured between the furthestmost points.
Sign, Identification	A sign identifying the business, shopping center, office, institution, building, development, or use of the property upon which it is placed.
Sign, Illegal Or Illegally Erected	A sign which does not meet the requirements of this code, and which has not received legal nonconforming status.
Sign, Illuminated	A sign designed to give forth artificial light directly or through transparent or translucent material from a source of light within such sign, including but not limited to, neon and exposed lamp signs.
Sign, Indirectly Illuminated	A sign illuminated by an exterior light directed primarily toward such sign and so shielded that no direct rays from the light are visible elsewhere than on the lot where said illumination occurs. If not effectively shielded, such a sign shall be deemed to be an illegal sign.
Sign, Marquee	A sign painted on, attached to, or hung from a marquee.
Sign, Nonconforming	Either illegal (as defined above) or legal which is either: (1) A sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations; or (2) A sign which does not conform to the sign code requirements but for which a special permit has been issued.
Sign, Off-Premises Advertising	A sign which directs attention to a building, profession, product, service, activity, or entertainment not conducted, sold, or offered on the property upon which the sign is located.
Sign, On-Premises	A sign which directs attention to a building, profession, product, service, activity, or entertainment conducted, sold, or offered on the property upon which the sign is located.
Sign, Open House/ Information	A temporary sign that may be placed on a residential lot on which a house or dwelling unit is for sale or rent during any day in which the residence will be open for public inspection.
Sign, Outdoor Advertising	A sign which directs attention to a building, profession, product, service, business, activity, or entertainment not conducted, sold or offered on the premises upon which the sign is located except incidentally. The message carried by an outdoor advertising sign is usually of no importance to the owner of the site and not subject to his control. An outdoor advertising sign is a principal use of the property upon which it is erected and is a structure subject to the yard, setback, height, and other dimensional requirements of the zoning district it is within.
Sign, Permanent Subdivision	A freestanding or wall sign identifying an approved subdivision.
Sign, Political	A temporary sign used in connection with a local, state, or national election or referendum.
Sign, Portable Display	A mobile/temporary, electrical, or non-electrical changeable copy sign that is mounted on a trailer type frame with or without wheels or skids or portable wood or metal frame and not permanently attached to the ground.
Sign, Projecting	A sign which is attached to the building wall, and which extends more than eighteen (18) inches from the face of such wall.
Sign, Public Service	Any sign erected and maintained by public officials, or public agencies, or approved and authorized for use by State or local governmental authorities.
Sign, Residential Development	A temporary sign bearing information about a subdivision or other residential development during the time its lots or homes are being offered for sale or lease.

Sign, Roof	A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and projects above the roof of the building if the building has 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, Rotating	A sign which is designed to revolve by means of electrical power.
Sign, Temporary	A sign which must be removed at either the expiration of a specific number of days or at the time a specific event occurs or within a specific time interval after a specific event occurs.
Sign, Temporary Real Estate Directional	A sign indicating the direction of real estate being offered for sale or rent which must be removed at a specified time or after a specified event or which can only be erected and maintained during limited, specified time intervals.
Sign, Wall	A sign which is in any manner affixed to any exterior wall of a building or structure and which projects not more than eighteen (18) inches from the building or structure wall.
Signable Area	In the case of a wall sign, signable area shall be the building face on which the sign is proposed, excluding windows and doors. In the case of marquees or canopies, signable area shall be the area of the marquee or canopy wall on which the sign is proposed. For window signs, signable area shall be measured and calculated on the basis of the proportion of area within each individual window frame, not the total window area of all building windows visible from a street.
Site	Any tract, lot or parcel of land or combination of tracts, lots, or parcel of land which are in one ownership, or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision, or project.
Site Plan	The development plan for one (1) or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, floodplains, wetlands, waterways, walkways, means of ingress and egress, circulation, utilities, buildings and structures, signs and lighting, berms, buffers, screening devices, surrounding zoning and development, and any other information required by the zoning administrator or the City Council in order that an informed decision can be made.
Sketch Plan	A preliminary presentation and attendant documentation of a proposed sub-division of sufficient accuracy to be used for the purpose of discussion and classification.
Slope	Degree of deviation of a surface from the horizontal, usually expressed in percentage of degrees.
Soil Expert	A person who has been accepted as such by the South Carolina Department of Environmental Services (SCDES) and who has a minimum of five years or more of experience in soil classification and mapping, use of Soil Genesis, Morphology and Classification Technology, is expert at identifying soil features and interpreting their influence on its uses, and who possesses the following credentials: (a) <b>Soil Scientist:</b> A person who holds at least a Bachelor of Science degree with a major in agronomy or related field, has five (5) years or more experience in soil classification and mapping and use of soil genesis, morphology and classification technology and is an expert at identifying soil features and interpreting their influence on its use. (b) <b>Soil Engineer:</b> A person who holds a baccalaureate degree in civil engineering, and a license to practice engineering, in the state of South Carolina
Soil Test	The method used to determine the soil on a proposed development site. The soil is subsequently checked for its suitability for septic system installation.
Solid Waste	Unwanted or discarded material, including waste material with insufficient liquid content to be free flowing.
Special Event	Means a non-routine activity within the City of Easley that brings together a number of people including, but not limited to, a performance, exhibition, festivals, concerts, carnivals, arts and craft shows, meeting, assembly, contest, exhibit, ceremony, parade, or athletic competition for which specific space is requested to be reserved. Special Event shall not include casual park use by visitors or tourists.
Special Exception	A use permitted in a particular zoning district upon showing that such use in a specified location will comply with all the conditions and standards for the location and operation of the use as specified in Zoning and authorized by the approving agency.
Sprawl	Uncontrolled growth, usually of a low-density nature, in previously rural areas and some distance from existing development and infrastructure.
Stabilization	The process of establishing an enduring soil cover of vegetation and/or mulch or other ground cover and/or in combination with installing temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.
Stable, Neighborhood	A facility for the keeping of horses for the private use of the residents of the lot. Such a facility may include the commercial boarding of twenty (20) or fewer horses and no more than one (1) instructor engaged for the purpose of educating and training students in equitation.
Stable, Private	A facility for the keeping of horses for the private use of the residents of the lot. Such a facility may include the commercial boarding of ten (10) or fewer horses and no more than two (2) instructors engaged for the purpose of educating and training students in equitation.
Standard Specifications	Refers to design and construction specifications adopted for use by the City of Easley.
State Waters	All rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural and artificial, lying within or forming a part of the boundaries or the state entirely confined and retained completely upon the property of a single individual, partnership or corporation.

Steeple	A tower rising above the main structure of a building, especially a church or other house of worship, usually capped with a spire.
Storefront	A type of building which is located on the property without a front yard setback and is usually located directly adjacent to the right-of-way or a sidewalk to attract pedestrian business.
Storm Water Detention	A provision for storage of storm water runoff and the controlled release of such runoff during and after a flood or storm.
Stormwater Management	Means: <b>a.</b> for quantitative control, a system of vegetative and structural measures that control the increase in volume and rate of surface runoff caused by manmade changes to the land; and <b>b.</b> for qualitative control, a system of vegetative, structural, and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.
Story	That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including those basements used for the principal use.
Stream Bank	The point where the upward slope of the land from the water surface, or the bottom of a dry excavation intersects with the existing ground elevation or crest of berm, whichever is of higher elevation.
Streamers	See "Pennants."
	<p>A right-of-way for vehicular traffic whether designated as street, highway, thoroughfare, parkway, road, avenue, drive, expressway, boulevard, lane, place, circle or otherwise. Various classifications of street and roads shall be defined as follows:</p> <p><b>Interstate Highway or Expressway:</b> A general road alignment for dedication and use as a public right-of-way to carry large volumes of through traffic at high speeds. These facilities have limited or controlled access to adjoining properties.</p> <p><b>Major Arterial Road:</b> A general road alignment for dedication and use as a public right-of-way. These are thoroughfares providing access into and through the city. Major arterials serve intrastate travel and are usually multi-lane roadways in urban areas. They may have a turning lane or a median. Major arterial roads may also warrant controlled access in certain areas to encourage the through movement of traffic and discourage adjacent development and turning movements which might limit the through traffic carrying capacity of the roadway. Major arterials in rural areas may be two- or four-lane roadways depending upon traffic volumes. Major arterials may provide local access to property abutting the roadway in addition to their primary function which is to move traffic. (Easley Highways 93 &amp; 123).</p> <p><b>Minor Arterial Road:</b> A general road alignment for dedication and use as a public right-of-way. These facilities provide access into and through the city, only to a lesser extent than the major arterials. Minor arterials predominantly serve City traffic and may be two- and four-lane roadways. There is usually no access control on minor arterials. Minor arterials may provide local access to property abutting the roadway in addition to their primary function, which is to move traffic.</p> <p><b>Collector Street:</b> A general road alignment for dedication and use as a public right-of-way. The primary function of these facilities is to provide internal, low-volume traffic circulation and access to abutting properties.</p> <p><b>Sub-Collector:</b> A street whose principal function is to provide access to abutting properties but is also designed to be used or is used to connect minor and local streets with collector or arterial streets. Including residences indirectly served through connecting streets, it serves or is designed to serve at least twenty-six (26) but not more than one hundred (100) dwelling units and is expected to or does handle between two hundred (200) and eight hundred (800) trips per day.</p> <p><b>Local Street:</b> A general road alignment for dedication and use as a public right-of-way. The primary purpose of these roadways is to provide access to abutting properties and connect those properties to the arterial and collector street system.</p> <p><b>Cul-de-Sac:</b> A street with a single common ingress and egress and with a turn-around at the end.</p> <p><b>Dual or Boulevard:</b> A street with opposing lanes separated by a median strip, center island, or other form of barrier, which cannot be crossed except at designated locations.</p> <p><b>Loop:</b> A local street that has its only ingress and egress at two (2) points on the same collector street.</p> <p><b>Alley:</b> A service way providing a secondary means of public access to abutting property and not intended for general traffic circulation.</p> <p><b>Paper:</b> A street that has never been built shown on an approved plan, subdivision plat, tax maps, or official map</p>
Street	
Street Area (Sa)	The area of land within a development used by streets.
Street Classification	A functional system for the classification of public roads and rights-of-way as identified and described in the comprehensive land use plan for the City of Easley, South Carolina adopted by the City Council.
Street, Half	A right-of-way dedicated by a developer along such developer's perimeter property line which, together with a corresponding amount of right-of-way to be added at a subsequent date from adjoining land, comprises the total right-of-way required for a proposed street.
Street, Private	A street that has not been accepted by the City of Easley.
Street, Public	A street that has been accepted by the City of Easley.
Structural Alteration	Any change in either the supporting members of a building, such as bearing walls, columns, beams, and girders, or in the dimensions or configurations of the roof or exterior walls.

Structure	(a) Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground, including but not limited to buildings, towers, smokestacks, and overhead transmission lines. (b) Any structure constructed and used for residence, business, industry, or other public or private purposes or accessory thereto and including tents, lunch wagons, dining cars, trailers, mobile homes, sheds, garages, carports, animal kennels, or structures, storerooms, billboards, signs, gasoline pumps and similar structures, whether stationary or movable.
Stucco	Plaster or cement, either fine or coarse, used for surfacing inside or outside walls or for molding relief ornaments, cornices, etc.
Subdivider	Any person, individual, firm, partnership, association, corporation, estate, or trust, or any group of trusts, or any group or combination of groups acting as a unit, dividing, or proposing to divide land so as to constitute a subdivision as herein defined, including any agent of the subdivider. The division of a tract, parcel or lot into two or more lots or building sites, or other divisions of land for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land involving a new street or a change in existing streets and includes the re-subdivision of land.
Subdivision	
Subdivision Review Committee	A Committee formed to coordinate the processing of all subdivisions within the City of Easley.
Subdivision, Exempt	An exempt subdivision is one that meets the following conditions: Involves the division of land into parcels of five (5) acres or more where no new street is involved, or includes the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this Ordinance and other applicable regulations. Or A subdivision involving cemetery lots. Or A lifetime transfer or conveyance of property from a parent to a child and/or the spouse of any such child, and the lifetime transfer from a parent to a grandchild.
Subdivision, Major	A major subdivision is any subdivision other than an exempt or minor subdivision.
Subdivision, Minor	A minor subdivision is one which does not involve any of the following: (a) the creation of more than a total of five lots; (b) the creation of any new streets; (c) the extension of public water or sewer lines; or (d) the installation of drainage improvements through one or more lots to serve one or more other lots.
Subdivision, Mobile Home	See Manufactured Home Subdivision.
Subordinate	See Secondary.
Substantial Completion	When a project or building is almost finished and activity to complete the project or building is no longer continuing.
Substantial Destruction	Any demolition, destruction, or deterioration, the cost of which equals or exceeds fifty (50%) percent of the fair market value of a structure or building.
Substation, Electrical	A utility building installed by the authorized power company which serves as a branch location for electrical lines.
Surety	Something that makes sure or gives assurance, as against loss, damage, or default; security, guarantee. For the purpose of Zoning, surety shall include a performance bond or certified letter of credit.
Survey	The process of precisely ascertaining the area, dimensions, and location of a piece of land, especially for the purpose of accompanying the legal description of a property.
Surveyor	A person who is registered by the South Carolina State Board of Engineering Examiners to practice land surveying in South Carolina.
Swinging Sign	A sign other than an animated sign as defined by this Article, where the sign copy area is attached to a sign structure in a way that can be set in motion with pressure, and where the sign structure is attached to a building at a height above normal eye level. This term does not include any freestanding signs. A swinging sign may be considered in lieu of permitted wall signage.
Tabling, To Table	To postpone indefinitely the discussion or consideration of an application.
Tattoo Parlor	Any room, space, location, area, structure, or business, or any part of any of these places where tattooing is practiced or where the business of tattooing is conducted and which is licensed by the Department (SC DHEC) as a tattoo facility Temporary signs include but are not limited to banners, emblems, portable signs, inflatables, wind signs including balloons, pennants and streamers or any other sign that moves in the wind (excluding national or state flags), or any other temporary advertising media intended to identify or direct attention to a product, service, place, activity, or business.
Temporary Sign	
Temporary Uses	A use established for a limited duration with the intent to discontinue such use upon the expiration of the time period.
Tent	A temporary or permanent structure having a roof and/or walls of fabric.
Terrain	Ground or a tract of earth, with regard to its natural or topographical features.
Theater	A building or structure, grounds or part thereof devoted to showing motion pictures or for dramatic, dance, musical, or other live performances or lectures
Through Traffic	Traffic traveling to a destination, moving forward without making a stop or turning.
Timber	Harvestable trees and wooded areas.

Timbering	The act of removing harvestable trees and wooded areas for profit
Tiny Home	Housing under 600 SF meeting all current building codes, all rooms shall be habitable.
Tobacco Store	A tobacco retailer whose business exclusively or primarily involves the sale of tobacco products and related goods. Includes cigar shop or lounge. For places that sell e-cigarettes or vaporizers, see "Vape Store" in definitions.
Topography	The configuration of surface features of a region, including its relief and rivers, lakes, and showing relative elevations.
Tourist Home	is a private home or condominium that is not occupied by an owner or manager and is rented, leased, or furnished in its entirety to guests on a daily or weekly basis. Tourist Homes are sometimes called vacation rentals.
Tower, Telecommunications	Shall mean any structure that is designed and constructed primarily for the purpose of supporting one or more telecommunications antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, and the like.
Toxic Waste	Any combination of pollutants, including disease-carrying agents, that, after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, can cause death or disease, mutations, deformities, or malfunctions in such organisms or their offspring and that adversely affect the environment.
Tract	An area, parcel, site, piece of land, or property that is subject of a development application.
Traditional	Based on or established by the history of the area
Trailer, Camping	Shall mean any portable structure or vehicle designed for highway travel which is used or intended to be used for either living, sleeping, cooking, or eating purposes and which does not include all of the following facilities: A flush water closet, a lavatory, a bath or shower, and kitchen sink.
Transaction	The conduct of any activity that results in or may result in an official act or action of the City.
Tree	Any self-supporting woody perennial plant, usually having a main stem or trunk and many branches, and at maturity normally attaining a trunk diameter greater than three (3) inches at any point and a height of over ten (10) feet.
Tree Density Standard	The minimum number of tree density units per acre which must be achieved on a property after development.
Tree Density Unit	A credit assigned to a tree, based on the diameter of the tree, in accordance with Zoning.
Tree Diameter	The cross-sectional dimension of a tree trunk measured at four and one-half (4½) feet above the ground. If a tree has more than one trunk, only the largest trunk shall be used to establish the tree diameter for the tree. Also, DBH (diameter breast high).
Tree Protection Area	Any portion of a site wherein are located existing trees which are proposed to be retained in order to comply with the requirements zoning. The tree protection area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.
Tree Protection Plan	A plan that identifies tree protection areas, existing trees to be retained and proposed trees to be planted on a property to meet minimum requirements, as well as methods of tree preservation to be undertaken on the site and other pertinent information.
Tree, Overstory	These trees compose the top layer or canopy of vegetation and will generally reach a mature height of greater than forty (40) feet. Also Canopy Tree, Shade Tree.
Tree, Understory	Those trees that grow beneath the overstory, and will generally reach a mature height of under forty (40) feet. Also, Ornamental Tree.
Trench	A narrow excavation made below the surface of the ground. In general, the depth is greater than the width, but the width of a trench is not greater than fifteen (15) feet.
Tributary	Of a small creek, river, or stream flowing into a larger one, the smaller stream is considered a tributary.
Truck and Bus Terminal	An area and building where buses or trucks load and unload cargo, freight, or persons and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation. Bus terminals may act as hubs for other modes of transportation modes and services.
Truck, Heavy	Any vehicle equal to or over 33,000 pounds Gross Vehicle Weight (GVW) and/or 24 feet in length or longer including tractor trailers and tractor trailer cabs.
Truck, Light	Any vehicle less than 33,000 pounds Gross Vehicle Weight (GVW) and/or shorter than 24 feet in length.
Large Tree	A large tree that will reach a mature height over fifty (50) feet. Also referred to as an overstory tree, canopy tree or a shade tree. Also referred to as a "Large Tree."
Small Tree	A small tree that will reach a mature height of approximately ten (10) to twenty-five (25) feet. Also referred to as an understory tree. Also referred to as a "Small Tree."
Undevelopable Area	That area of a site that due to physical or legal constraints, such as floodplains, wetlands, steep slopes, etc., cannot be developed. Also, unbuildable area, non-buildable area.
Undisturbed	Shall mean no site disturbance.

Use	The specific purpose for which land or a building is intended, arranged, designed or for which it may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.
Use, Accessory	A use customarily incidental and subordinate to the principal use and located on the same lot with such principal use. Also, Accessory Use.
Use, Conditional	A use allowed in a particular zoning district where the use is not otherwise permitted upon showing that the use will comply with all the conditions and standards of the use as specified in the Zoning Ordinance and authorized by the approving agency. Also, Conditional Use.
Use, Permitted	Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.
Use, Principal	The primary or predominant use of any lot or parcel.
Use, Unique	A use that is unusual or one-of-a-kind that is not listed as an authorized use in the category of uses as set forth in Zoning and that due to its unusual nature should be evaluated on its own special merits rather than to attempt to classify such use as a part of any existing use category.
Use, Unspecified	A use that is not listed either independently or as a part of any existing category of uses as set forth in Zoning. Unspecified uses are not necessarily unique or one-of-a-kind but may have developed as a result of technological innovation, changing values or standards, or some other change or shift in the economy or society.
Use, Temporary Or Seasonal	A use established for a limited duration with the intent to discontinue such use upon the expiration of a time period.
Used/Occupied	The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."
Utilities	The service of electric power, gas, water, telephone, cable tv, etc.
Vape Store	A business that sell or operate establishments relating to vaping products, including electronic cigarettes and related smoking paraphernalia. This use shall capture those uses not defined as tobacco stores or cigar lounges.
Variance	(a) A variance granted for bulk relief that would result in an opportunity for improved zoning and planning that would benefit the community; (b) The modification of any requirement of Zoning such that strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of Zoning.
Vehicle Use Area (Vua)	A vehicle use area (VUA) is any open or unenclosed area used by five (5) or more of any type of vehicle, whether moving or parked, including, but not limited to, parking lots, loading and unloading areas, and vehicle sales, storage, and service areas. Driveways or drive aisles for non-residential uses may be considered to be VUAs, depending upon their impact on adjacent residential uses or zones.
Veterinary Clinic Or Hospital	A clinic or hospital operated by a licensed veterinarian.
Visible	Capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.
Waiver	The relinquishment, delay, or other lessening of modifications, either temporary or permanent, from the requirements of Zoning granted administratively or by the Board of Zoning Appeals.
Wall Sign	A single-sided sign with one visible face applied to or mounted to the wall or surface of a building or structure, the display surface of which if attached to a wall or portico and does not project more than fourteen (14) inches from the outside wall of such building or structure, or if on an awning or canopy, is flush with the material of said awning or canopy (see also figure, "Types of Attached Signs").
Warehouse	A building used primarily for the storage of goods and materials. Includes mini-warehouse or self-storage facilities not defined as Indoor Storage.
Water Supply System, Individual	A system of piping, pumps, tanks, or other facilities, utilizing groundwater to supply a single-family dwelling. See Wells.
Watercourse	Any material or artificial watercourse, stream, river, creek channel, ditch, canal, waterway, gully, ravine or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.
Watershed	The entire land area contributing surface drainage to a specific point (e.g. a water supply intake)
Weeds	Any undesired, uncultivated plant, especially one growing in profusion so as to crowd out a desired crop, disfigure a lawn, etc. For the purposes of Zoning, weeds shall also include grass and /or underbrush in non-agriculturally used property, which is at least eighteen (18) inches tall.
Weeds, Untended	Those plants, shrubs, underbrush, grass, and other uncultivated plants which grow sporadically without care or attention.
Wells	An excavation or opening into the ground by which groundwater is sought or obtained.
Wetlands	An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.
Wholesale Trade	Establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional or professional business users, or to other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies

Wild And Exotic Animals	Include any monkey or other nonhuman primate, such as raccoon, skunk, wolf, squirrel, fox, leopard, panther, tiger, lion, lynx, ferret, bear, wild rabbit, tarantula, wild rodent, and reptiles, including, but not limited to, crocodiles, alligators, snakes, caiman, gavials and wolf- hybrids, and any other animal so designated by the animal
Windblown Or Air-Blown Device	Any device not otherwise specifically defined in this Code Section, that is designed to inform or attract, whether or not such device carries a message, and which all or part of the device is set in motion by wind or mechanically compressed air. For purposes of this Code Section, windblown devices are "signs."
Window Sign	A sign installed on or within two (2) feet of an exterior window or door and intended to be visible from the exterior of the building. Displays which show products or depict services sold on the premises and which are more than two (2) feet from an exterior window or door shall not be classified as window signs (see also figure, "Types of Attached Signs").
Withdrawal With Prejudice	To withdraw an application after the deadline for withdrawal without prejudice constitutes withdrawal with prejudice and is subject to the conditions imposed by "Administrative Mechanisms" of Zoning.
Withdrawal Without Prejudice	To withdraw an application and have no judgment passed on the merits of the application. Such a withdrawal entitles the applicant to reapply to a rezoning of the property as per "Administrative Mechanisms" of Zoning.
Xeriscape	Plants and trees planted in a landscaped area which thrive in dry conditions or do not require irrigation.
Yard	<p>An unoccupied space open to the sky, on the same lot with a building or structure.</p> <p><b>Front:</b> A yard extending the full width of the lot, located between the right of way line and the front line of the building, projected to the side lines of the lot.</p> <p><b>Rear:</b> A yard extending the full width of the lot and situated between the rear lot line of the lot and the rear of the building projected to the side lines of the lot.</p> <p><b>Side:</b> A yard located between the side of the building and the side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.</p> <p><b>Street Side:</b> A yard located on the side of the building, adjacent to a public street or road.</p> <p><b>Court:</b> A yard which is bounded on two (2) or more sides by the walls of a building or structures or the extension of such walls.</p> <p><b>Adjacent to Roads:</b> The yard or yards which has/have frontage on a public street or road.</p> <p><b>Adjacent to Other Nonresidential Districts:</b> A yard which is adjacent to commercial, industrial or other nonresidential land uses or zoning districts which allow such uses.</p> <p><b>Between Buildings:</b> A yard which will exist between two buildings, either on the same lot or on adjoining lots.</p>
Yard Sale	A one- or two-day sale of common household items from a residential lot or lots. Also Garage Sale, Carport Sale, Rummage Sale.
Yard, Required	The open space between a lot line and the yard line within which no structure shall be located except as provided in Zoning.
Zero Lot Line	The location of a building on a lot in such a manner that one (1) or more of the building's sides rest directly on a lot line. Also referred to as a Patio Home.
Zone, Floating	An unmapped zoning district where all the zone requirements are contained in the ordinance and the zone is fixed on the map only when an application for development, meeting the zone requirements, is approved.
Zone, Overlay	A zoning district that encompasses one or more underlying zones and that imposes additional requirements about that required by the underlying zones.
Zoning	The Zoning Ordinance of the City of Easley, South Carolina, as amended from time to time by the City Council, which regulates the location, size, use, and other elements deemed important by the governing body, of the land within the City of Easley.
Zoning Administrator	A staff position in the Planning & Zoning Department responsible for
Zoning Buffer	A buffer, as defined in and required by the Zoning Ordinance or as a condition of zoning approval for a specific property.
Zoning Map	The map or maps that are a part of the Zoning Ordinance and delineate the boundaries of the zone districts known as the "Official Zoning Map of The City of Easley, South Carolina".

## 12.6 Dimensional Standards Table

ZONING DISTRICTS	R-10	R-7.5	RPH6	GR1	GR2	APT	NC	CC	GC	MED	OI	IND
<b>LOT CONFIGURATION</b>												
Lot Width, Minimum	80'	60'	50'	60'	60'	200'	100'	None	50'	100'	50'	100'
Lot Size, Minimum (square feet)	10,000	7,500	4,000	6,000	6,000	5 acres	10,000	None	6,000	20,000	10,000	5 acres
Lot Size, Minimum (non-residential)	20,000	12,000		10,000						20,000	10,000	5 acres
Maximum Lot Coverage	45%	55%	80%	45%	65%	65%	80%	None	92%	80%	80%	80%
<b>PRINCIPAL BUILDING PLACEMENT</b>												
Front Setback, minimum (local roads)	30'	30'	30'	30'	30'	30'	30'	0'	30'	30'	30'	50'
Front Setback, minimum (Collector roads)	40'	40'	30'	40'	40'	40'	40'	0'	40'	40'	40'	50'
Front Setback, maximum	None	None	None	None				10'		None	None	None
Side Setback (Corner)	30'	20'	10'	20'	30'	10'	None	None	10'	30'	20'	50'
Side Setback	10'	10'	0'	10'	10'		10'	0'	6'	15'	10'	25'
Side Setback (non-residential)	50'	40'	10'	40'	40'	10'	10'	None	10'	15'	20'	25'
Rear Setback	25'	15'	20'	15'	15'	10'	15'	25'	15'	25'	15'	25'
Rear Setback (non-residential)	50'	40'	30'	40'			15'	25'	6'	25'	20'	25'
Building Height	45'	35'	35'	35'	35'	50'	35'	50'	50'	50'		60'
<b>ACCESSORY BUILDING PLACEMENT</b>												
Front Setback (from front building line of primary use)	0'	0'	0'	0'	5'	5'	10'	10'	10'	10'	10'	None
Side Setback (Corner)	10'	5'	5'	5'	5'	5'	5'	None	5'	5'	5'	5'
Side Setback	5'	5'	5'	5'	5'	5'	5'	None	5'	5'	5'	5'
Rear Setback	5'	5'	5'	5'	5'	5'	5'	None	5'	5'	5'	5'
Height Maximum is 17'												
<b>DENSITY (D.U. Per Acre)</b>												
(Based on Proposed Development Size)												
Maximum F.A.R. (Non-residential Only)	0.25						0.65				0.65	
0 to 4.99 acres	3	3.25	4	4	4	10						3
5 to 9.99 acres	2.75	3	3.75	4	5	14						3
10 to 24.99 acres	2.5	2.75	3.35	5	6	12						3
25 to 99.99 acres	2.25	2.5	3.25	4	5	10						3
100 to 500 acres	2	2	3.15	4	4	10						3

For Apartment and Multi-Family Building, 20' separation required between buildings  
Commercial condos - no more than 600' of continuous building along frontage

Height exceptions may be permitted by Fire Chief, and waived for institutional and government uses such as hospitals.

Table of Changes:

- <sup>(1)</sup> Amended by Ord. 2026-06: Changed “Office, Medical” from Special Exception (S) to Permitted by Right (P) and “Restaurants (Full Service, Pick-Up) from Not Permitted (blank) to Permitted by Right (P).
- <sup>(2)</sup> Amended by Ord. 2026-06: Amending language in Section 9.3.6.C – Landscaping, Buffering, and Screening
- <sup>(3)</sup> Amended by Ord. 2026-06: Amend Section 9.1.1 – Off-Street Parking Requirements
- <sup>(4)</sup> Amended by Ord. 2026-06: Consolidation of Permitted Use Charts. Section 12.1 “Table of Permitted Uses,” shall be the only reference for permitted uses.
- <sup>(5)</sup> Amended by Ord. 2026-06: Amend Section 8.6.6 – Tree Removal and Replacement to correct mathematical error.
- <sup>(6)</sup> Amended by Ord. 2026-10: Chapter 5, Article 5.5, Section 5.5.1 and Chapter 12, Article 12.1, Table of Permitted Uses, to establish Parks (PK) Zoning District and designate parks and open space as a permitted use.
- <sup>(7)</sup> Amended by Ord. 2026-11: adopting the Recommended Plant List in Section 12.4
- <sup>(8)</sup> Amended by Ord. 2026-14: Adding Section 7.10.07, Flexible Review District (FRD), and amending Section 5.5, Zoning Districts to formally establish the Flexible Review District zoning classification.