

ARTICLE L. DEFINITIONS*

*Cross references: Definitions and rules of construction generally, § 1-1-2.

Sec. 6-3-221. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words used in the present tense shall include the future. The singular number shall include the plural and the plural the singular. The word "building" shall include the words "structure" and "premises." The word "shall" is mandatory and not directory. The words "used" and "occupied" include the words "intended, designed or arranged to be used or occupied." The word "lot" includes the words "plot" and "parcel." The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as individual. Any word not defined in this section shall be as defined in any recognized standard English dictionary.

Access means a means of vehicular approach or entry to or exit from property.

Accessory building means a building subordinate to the principal building on a lot and used for purposes customarily incidental to those of the main building.

Accessory use means a subordinate use which is incidental to and customary in connection with the principal building or use and which is located on the same lot with such principal building or use.

Accessory use means a building subordinate to the principal building on a lot and used for purposes customarily incidental to those of the main building.

Adult uses means any establishment or use whose primary source of revenue is the sale, display, or exhibition of materials, including books, magazines, movies, tapes, photographs, etc., which appeal to prurient interests, contain patently offensive depictions of sexual conduct, and have no serious literary, artistic, political or scientific value; also, any nightclub, bar, restaurant, theater or other commercial establishment which features:

- (1) Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities; or
- (2) Films, motion pictures, videocassettes, slides or other photographic representations which are characterized by the depiction or description of specified sexual activities or specified anatomical areas, excluding, however, "R" rated or "NC17" rated motion pictures.

Animation means the movement or optical illusion of movement of any part of the sign. Also included in this definition are signs having "chasing action" which is the action of a row of lights commonly used to create the appearance of motion. Automatic changeable copy boards are permitted subject to the conditions set forth within Section 6-3-115.

Bed and breakfast inn means an owner-occupied dwelling unit where, for compensation, guest rooms provide short-term lodging, with or without meals being provided.

Boardinghouse means a building, other than a hotel or apartment hotel, where, for compensation and by prearrangement for definite periods, lodging, meals, or lodging and meals are provided for three or more persons.

Buildable width means the width of the lot left to be built upon after the side yards are provided.

Building means any structure having a roof supported by columns or walls for the shelter or enclosure of persons, animals or property.

Building, height of means the vertical distance from the grade to (a) the highest point of a flat roof, (b) the deck line of a mansard roof, or (c) the average height between eaves and ridge for gable, hip and gambrel roofs.

Club means buildings and facilities owned or operated by a corporation, association or person for a social, educational or recreational purpose, but not primarily for profit and not primarily to render a service which is customarily carried on as a business.

Condominium. A condominium is an ownership arrangement, not a land use. It is individual ownership of a unit in a multiunit structure. As such, it is permitted in any residential district where attached residential dwellings are permitted.

Convenience centers or drop-off centers means solid waste management facilities designed and used exclusively for the collection/receipt of personal, non-commercial solid waste subsequently designated for delivery to another solid waste management facility.

Day care facilities include the following:

- (1) **Family day care home.** A family day care home is one in which care is given in a family during the day only for one and not more than seven children, including the day care parents' own children.
- (2) **Group day care home.** A group day care home is one which provides care in a family home during the day only for no more than 15 children, including the day care parents' own children.
- (3) **Day care center.** A day care center shall mean or include any home, center, agency or place, however styled, where children not related to the operator are received for custodial care, apart from their parents, whether for compensation, reward or otherwise, during the day only.
- (4) **Child care center.** A child care center shall mean or include any home, center, agency or place, however styled, where children not related to the operator are received for custodial care, apart from their parents, whether for compensation, reward or otherwise, during part or all of the day or night and upon any number of successive days or nights.

Developed lot or parcel means a lot or parcel which contains \$50,000.00 in commercial, industrial or business improvements, according to records in the tax assessor's office or receipt of a valid building permit.

Distribution center means an establishment used as a central storage facility for the operation of a route delivery service for commodities such as bread, crackers, chips, beverages and similar food products.

District means an area of land wherein regulations of this chapter are uniform.

Dwellings include the following:

- (1) **Single-family, detached.** A residential building containing not more than one dwelling unit, not physically attached to any other principal structure and entirely surrounded by open space or yards within the same lot built to the requirements of the International Building Code.
- (2) **Single-family, detached zero lot line.** A single-family detached zero lot line dwelling is a single-family residence on an individual lot with private yards on three sides. The building is set on one of the side property lines; windows are prohibited on the lot line side. An easement for maintenance on the adjoining lot is one of the requirements for this type of construction.

- (3) *Patio house*. A patio house is a detached single-family residence with one dwelling unit from ground to roof, on an individual lot. Each unit is fully enclosed by a wall located at the property line, creating a private yard between the house and the wall. A portion of the yard shall be a patio.
- (4) *Atrium house*. An atrium house is an attached one-story single-family residence, with private individual access. Each unit shall have a private individual yard or atrium, which shall be entirely enclosed by a wall.
- (5) *Duplex*. A duplex is a building with two dwelling units, each one having only one common wall with the other.
- (6) *Multiplex*. A multiplex is either a single-family attached unit or a multifamily structure. In general, each unit shall have independent outside access to a private yard or access point, or units may share yards and access. Units may be arranged in a variety of configurations, including side-by-side, back-to-back or vertically.
- (7) *Townhouse*. A townhouse is a single-family attached dwelling with one dwelling unit from ground to roof, having individual outside access. Units share common walls and are often designed in rows.
- (8) *Apartment buildings*. Apartments are multifamily structures with individual building dwelling units. They share a common yard area, which is the sum of the required lot areas of all dwelling units within the building. Apartments shall contain three or more dwellings in a single structure.

Flood hazard area means any area of the county so designated by the Department of Housing and Urban Development as part of the Greenwood Flood Insurance Program on FIA Flood Hazard Boundary Maps No. HO1 through HO5. The terms "flood hazard area" and "special flood hazard area" are interchangeable.

Floor area means the square feet of floorspace within the outside line of walls, and includes the total of all space on all floors of a building. It does not include porches, garages or space in a basement or cellar when the basement or cellar space is used for storage or incidental uses.

Floor area ratio means the floor area of the building divided by the area of the lot.

Frontage means all the property on one side of a street or highway between two intersecting streets (crossing or terminating) or between an intersecting street and the terminus of such street or highway, measured along the line of the street, but not including property more than 400 feet distant on either side of the outside building lines of a proposed building or structure.

Garage, private means a detached accessory building or portion of a main building housing the automobiles of the occupants of the premises, but not commercial vehicles.

Garage, public means a building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling, storing or parking motor-driven vehicles. The term shall not include an automotive body repair shop, or a building used for the rebuilding, dismantling or storage of wrecked or junked vehicles.

Governing authority means the governing authority of the county, the City of Greenwood or the Towns of Ninety Six, Ware Shoals, Hodges and Troy, as applicable.

Grade means the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Gross acre includes streets, water bodies, rights-of-way and common open space, if such uses are included in and a part of the total project area.

Home occupation and hobby shop mean any occupation, profession or hobby carried on by any member of the immediate family residing on the premises, provided there is no commodity sold on the premises except those prepared on the premises, and no person is employed other than members of the immediate family residing on the premises. Any equipment used in the home occupation or home hobby shall be in accordance with section 6-3-113.

Image Corridor means a federally numbered highway or state primary highway which shall include but not be limited to the following: US Hwy 246, US Hwy 25, US Hwy 178, SC Hwy 702, SC Hwy 34, SC Hwy 221, SC Hwy 72, SC Hwy 10 and Callison Highway.

Impervious surface. Impervious surfaces are those that do not absorb rain. All buildings, parking areas, driveways, roads and sidewalks, and any areas in concrete and asphalt, shall be considered impervious surfaces within this definition. In addition, other areas determined by the zoning administrator to be impervious within the meaning of this definition will also be classed as impervious surfaces.

Impervious surface ratio is a measure of the intensity of land use. It is determined by dividing the total area of all impervious surfaces within the site by the base site area.

Institution means a nonprofit establishment for public use.

Institutional use means a nonprofit or quasipublic use or institution such as a church, library, public or private school, hospital, or publicly owned or operated building, structure or land used for public purposes.

Junkyard means any area, lot, land, parcel, building or structure or part thereof used for the storage, collection, processing, purchase, sale or abandonment of wastepaper, rags, scrap metal or other scrap or discarded goods, materials or machinery, or two or more unregistered inoperable motor vehicles, or other type of junk.

Kennel means an establishment where small animals are boarded for compensation or where dogs are bred or raised on a commercial scale.

Landscaped area means an area that is permanently devoted and maintained to the growing of shrubbery, grass and other plant material.

Lot means a single parcel or tract of land.

Lot, corner means a lot abutting upon two or more streets at their intersections.

Lot depth means the mean horizontal distance between the front and rear lot lines.

Lot, double frontage means a lot having a frontage on two nonintersecting roads, as distinguished from a corner lot.

Lot, interior means a lot other than a corner lot.

Lot of record means a lot or parcel of land the plat or deed of which has been recorded prior to the adoption of the ordinance from which this chapter is derived.

Lot width means the width of a lot at the front building line.

Manufactured home means a single-family structure that meets the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. Sec. 5401), commonly known as the HUD (U.S. Department of Housing and Urban Development) code, and that is wholly, or in substantial part, fabricated in an off-site manufacturing facility for installation or assembly at the building site, designed to be a permanent residence, and built to the standards of the *Federal Manufactured Housing Construction*

and Safety Standards Act of June 15, 1976. A manufactured home constructed prior to June 15, 1976 shall not be moved into Greenwood County without HUD certification.

Miniwarehouse means a building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized and controlled access stalls or lockers for the dead storage of customers' goods or wares.

Mixed use means a combination of usually separated land uses within a single development, i.e., commercial and residential, or office and residential.

Mobile home means a single-family structure that meets the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. Sec. 5401), commonly known as the HUD (U.S. Department of Housing and Urban Development) code, and that is wholly, or in substantial part, fabricated in an off-site manufacturing facility for installation or assembly at the building site, designed to be a permanent residence, and built to the standards of the *Federal Manufactured Housing Construction and Safety Standards Act of June 15, 1976*. A mobile home constructed prior to June 15, 1976 shall not be moved into Greenwood County without HUD certification.

Mobile home court or park means a parcel or contiguous parcels of land planned and improved for the placement of two or more mobile homes on a transient, temporary or overnight basis or for a period of time less than one year.

Mobile home stand means the part of an individual mobile home lot reserved for the placement of a mobile home.

Modular home means a single-family dwelling which is constructed according to the standards set forth in the local or state building codes, and among other possibilities, may consist of two or more sections transported to the site in a manner similar to a manufactured home, or a series of panels or room sections transported on a truck and erected or joined together on the site. Modular homes may or may not have an integrated chassis. The terms manufactured home and mobile home are not the same as modular home and are not interchangeable.

Nonconforming means lots, structures, uses of land and structures, and characteristics of uses which are prohibited under the terms of this chapter, but were lawful at the date of enactment of the ordinance from which this chapter is derived.

Office means a building or portion of a building wherein services are performed involving predominately administrative, professional, or clerical operations.

Open space ratio is a measure of the intensity of land use. It is arrived at by dividing the total amount of open space within the site by the total site area.

Outdoor advertising display means a structure which advertises, attracts attention to or directs persons to a business activity located on premises other than the premises where the structure is erected. Nationally advertised products or services shall not be deemed to be located on or carried on at the premises of a local retail outlet or branch office.

Permanent sign means any sign that is permanently attached to a building or affixed to the ground for which a permit has been issued, and which complies with all ordinances and regulations applicable to permanent signs.

Planning commission means the joint planning commission of the county.

Portable or temporary sign means any ground sign, device or other representation used in the nature of an advertisement or announcement which is capable of being moved, towed or transported, that is not a permanent sign as defined in this section.

Poultry house means a building or structure where chickens, turkeys, ducks or other domestic birds are raised exclusively for commercial use, and where the structures in which they are housed are not less than 200 square feet in aggregate.

Premises means a lot together with all buildings and structures thereon.

Private Club is an establishment contained within a single building which is only open to members and their accompanying guests, and not to the general public, and which sells alcoholic beverages for on-premise consumption only.

Sign means an identification, description, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land and which directs attention to a product, place, activity, person, institution or business.

- (1) **Ground sign** means any sign erected, constructed or maintained for the purpose of displaying outdoor advertising by means of posters, pictures, and pictorial and reading matter, when such sign is placed upon or affixed in the ground and not attached to any part of a building.
- (2) **Post sign** means any ground sign, letter, word, model sign, device or representation used in the nature of an advertisement or announcement which is supported by one or more stationary uprights, poles, posts or braces placed upon or affixed in the ground and not attached to any part of a building.
- (3) **Roof sign** means any sign erected, constructed or maintained upon the roof of any building. Roof signs are not permitted under the provisions of this chapter.
- (4) **Wall sign** means any painted sign or poster on any surface or plane that may be affixed to the front, side or rear wall of any building. Such signs are sometimes identified as projection signs and shingle signs.
- (5) **Marquee sign** means any sign affixed to a marquee. The marquee shall be a canopy or covered structure projecting from and supported by a building and which extends beyond the building.
- (6) **Directional sign** means an on-premise sign designed to direct and regulate traffic for the safety of the public. It may contain a symbol and/or the wording "Enter" or "Exit".

Sign, abandoned means a sign structure not containing a sign for 120 continuous days or a sign not in use for 120 continuous days, or a sign advertising a business no longer occupying the site on which the sign exists, or to which it refers.

Sign area means the total area of the space to be used for advertising purposes, including the spaces between open-type letters and figures, including the background structure or other decoration or addition which is an integral part of the sign. Sign supports shall be excluded in determining the area of a sign. The area of a double-faced sign shall be measured on one side only.

Solid waste means any garbage, refuse, or sludge from a waste treatment facility, water supply plant, or air pollution control facility and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities. This term does not include solid or dissolved material in domestic sewage, recovered materials, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to NPDES permits under the Federal Water Pollution Control Act, as amended, or the Pollution Control Act of South Carolina, as amended, or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1964, as amended. Also excluded from this definition are application of fertilizer and animal manure during normal agricultural operations or refuse as defined and regulated pursuant to the South Carolina Mining Act, including processed mineral waste, which will not have a significant adverse impact on the environment.

Solid waste management facility means any solid waste disposal area, volume reduction plant, landfill, dump, transfer station, or other facility, the purpose of which is the storage, collection, transportation, treatment, utilization, processing recycling, or disposal, or any combination thereof, of solid waste. The term does not

include a recovered materials processing facility or facilities which use or ship recovered materials, except that portion of the facilities which is managing solid waste.

Specified anatomical areas means:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae; or
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activities means and includes any of the following:

- (1) Fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
- (2) Human genitals in a state of sexual stimulation or arousal;
- (3) Acts of human masturbation, sexual intercourse, or sodomy;
- (4) Flagellation or torture in the context of a sexual relationship;
- (5) Masochism, erotic or sexually oriented torture, beating or the infliction of pain; or
- (6) Erotic touching, fondling, or other such contact with an animal by a human being.

Stockyard means an open or closed compound where livestock is fed, graded, bought, sold or maintained for transfer.

Structure means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, signs and satellite discs.

Structural alteration means any change, except one required by law or ordinance, which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders, not including openings in bearing walls as permitted by other ordinances.

Transfer station means a combination of structures, machinery, or devices at a place or facility where solid waste is taken from collection vehicles and placed in other transportation units, with or without reduction of volume, for movement to another solid waste management facility.

Tree, large means a single or multiple stem tree species normally characterized by the ability to obtain a mature height of greater than 50 feet. (Sec 6-3-221)

Tree, medium means a single or multiple stem tree species normally characterized by the ability to obtain a mature height of between 26 to 50 feet.

Tree, small means a single or multiple stem tree species normally characterized by the ability to obtain a mature height of between 12 to 25 feet.

Yard means an open space, other than a court on a lot, unoccupied and unobstructed from the ground upward except as otherwise provided in this chapter.

Yard, front means a yard across the full width of the lot extending from the front line of the main building to the front line of the lot. On corner lots the front yard shall face the shortest street dimension of the lot, except that, if the lot is square or almost square, i.e., has dimensions in a ratio of from 3:2 to 3:3, then the front yard may face either street.

Yard, side means a yard between the main building and the side line of the lot, and extending from the front yard line to the rear yard line.

Yard, rear means a yard extending the full width of the lot between a principal building and the rear lot line.

Yard width and depth means the shortest horizontal distance from a lot line to the main building.

Zoning administrator means the individual designated to administer this chapter and who is responsible for the enforcement of the regulations imposed by this chapter.

(Ord. No. 13-86, § XII, 12-2-86; Ord. No. 4-89, § I, 2-21-89; Ord. No. 21-90, § VI, 8-7-90; Ord. No. 23-90, §§ II, III, 12-4-90; Ord. No. 3-91, 3-19-91; Ord. No. 15-93, § 2, 11-16-93; Ord. No. 18-94, § II, 10-4-94; Ord. No. 16-95, § II, 10-3-95; Ord. No. 14-99, §§ XXXVII, XXXVIII, 4-20-99; Ord. No. 11-04, § 1, 5-4-04)

Secs. 6-3-222--6-3-230. Reserved.

