Sec. 6-3-49. FA forest agricultural district.

(a) ***Purpose.*** The forest agriculture zoning district is primarily designed to accommodate most agriculture uses and small-scale development in areas with limited or unavailable public infrastructure.

The following sections list permitted uses, conditional uses, special exceptions, and accessory uses that are unique to the FA zoning district. In addition, the FA zoning district also allows all permitted uses, conditional uses, and special exceptions.

(b) ***Regulations applied.*** The following sections contain all permitted uses, conditional uses, special exceptions, and accessory uses that apply to the FA zoning district.

(c) ***Permitted uses.***

(1) Agricultural sales and service.

(2) Animal processing/sales. **[See Ordinance 17-06; 5-31-2006]**

(3) Bait shop.

(4) Barber/beauty shop.

(5) Bed and breakfast.

(6) Blacksmith.

(7) Botanical garden.

(8) Cemetery.

(9) Cemetery, pet.

(10) Ceramic shop.

(11) Christmas tree sales.

(12) Church, temple, or synagogue.

(13) Civic clubs/lodge.

(14) Community center.

(15) Community/neighborhood recreation.

(16) Crop storage and sales.

(17) Dairy product processing.

(18) Driving range.

(19) Fairground.

(20) Feed and seed store.

(21) Field crops.

(22) Flower/gift/card shop.

(23) Forest management area.

(24) Game farm.

(25) Glass, stone and clay products.

(26) Golf course, including clubhouse.

(27) Greenhouse/nursery commercial.

(28) Greenhouse private.

(29) Grove/orchard/vineyard.

(30) Hatchery operation.

(31) Houseboat.

(32) Hunting club/preserve.

(33) Lawn mower repair.

(34) Marina.

(35) Monument and tombstone sales.

(36) Mulch sales/landscaping products.

(37) Other agricultural.

(38) Other recreation.

(39) Outdoor recreation facility.

(40) Park/forest reserve.

(41) Police, fire and EMS stations.

(42) Post office.

(43) Private air strip.

(44) Private recreation area.

(45) Produce stand/shelter.

(46) Public park and playground.

(47) Public utility.

(48) Pulp manufacturing.

(49) Radio/television station mast.

(50) Railroad facility/switching yard.

(51) Saw mill/chipping mill.

(52) Single-family detached.

(53) Swimming pool, public indoor.

(54) Swimming pool, public outdoor.

(55) Tobacco storage and processing.

(56) Truck farm/farmer's market.

(57) Utility substation/station.

(58) Veterinary clinic/office.

(59) Wildlife refuge.

(60) Wood products.

(61) Zoo or wildlife park.

(d) ***Conditional uses.*** The following uses are permitted in the FA districts, provided that the following conditions are met:

(1) Animal production/breeding facility, provided any structure must be at least 100 feet from a residential use. **[See Ordinance 17-06; 5-31-2006]**

(2) Animals/livestock keeping, provided the lot contains no less than five acres and structures for the care, raising and handling of livestock shall be located at least 100 feet from adjacent residential uses. (Sec 6-3-117)

(3) Arts and crafts sales/exhibition, provided the temporary zoning permit is issued for arts and crafts sales and exhibitions as an accessory use to an approved principal use (such as an off-street parking lot). The maximum term for such permit shall not exceed five days, and no more than four such permits may be issued per property, per calendar year.

(4) Automobile repair and body shop, general maintenance and machine shop, and welding shop, provided that: (Sec 6-3-117, See Sec 6-3-118)

a. All lighting is shielded or directed away from adjoining residential properties.

b. Outdoor storage/service areas with more than five vehicles/machines/repair items shall be completely and opaquely screened from adjacent road rights-of way and property lines.

(5) Baseball/softball/soccer park, provided any swimming pool, playground, ball field or game court is located no closer than 50 feet of any adjacent residential property line, including lighting for such uses. All lighting shall be shielded to prevent direct illumination of adjacent residential properties.

(6) Business and professional offices, provided they do not exceed 5,000 square feet in size and that all lighting is shielded to prevent direct illumination of adjacent residential properties. This type development must be located within 1,000 feet from the intersection of two or more state or federal numbered highways.

(7) Carnivals, fairs and other major public gatherings, provided zoning permits for temporary public assembly use and events of public interest such as carnivals, fairs and other major public gatherings and parking for such events are issued for periods not to exceed five consecutive days. No more than five such permits may be issued per property, per calendar year. Temporary permits shall be issued only if adequate parking and sanitary facilities are provided to serve the proposed use or activity.

(8) Child day care, provided a detailed site plan shall be submitted, noting all of the following applicable information:

a. The facility meets the minimum standards set forth by DSS and other applicable licensing agencies, unless this chapter provides higher standards. A letter of approval from DSS will be required for zoning approval.

b. The facility must conform to all applicable standards of any ordinance in effect within the county.

c. No other business enterprise shall be allowed to operate on the same property as the facility.

d. Vehicular entrances, exits and other parking areas shall be located off collector and residential streets rather than arterial roads unless access is not available.

e. One parking space for each employee and one parking space per six children cared for in the facility is provided.

f. An on-site drop-off for children is provided.

g. A minimum of 75 square feet of usable, non-paved outdoor play area per child must be provided. Outdoor areas must be enclosed with a fence that is no lower than four feet in height. All outdoor lighting related to outdoor play areas shall be shielded to prevent direct illumination of adjacent residential properties.

h. The facility must be operated and housed in a permanent structure, which complies with applicable fire codes.

i. The zoning official will conduct an on-site inspection of the facility prior to the granting of the conditional use permit to ensure compliance with the requirements listed above.

(9) Communications tower, a free-standing tower with height not exceeding 300 feet, may be permitted as a conditional use, provided that the following documents are submitted upon application for such use. Any increase in the maximum height may be granted by the board of zoning appeals via a special exception. Please see section 6-3-121 for details.

a. One copy of typical specifications for proposed structures and antennae including description of design characteristics and material.

b. A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land

uses on adjacent property (site plan not required if antennae is to be mounted on an approved existing structure).

c. A current map, or update for an existing map on file, showing locations of applicant's antennae, facilities, existing towers, and proposed towers which are reflected in public records, serving within the city.

d. A report from a structural engineer registered in the state showing the tower antennae capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards.

e. Identification of the owners of all antennae and equipment to be located on the site.

f. Written authorization from the site owner for the application.

g. Evidence that a valid FCC license for the proposed activity has been issued.

h. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.

i. A written agreement to remove the tower and/or antennae within 180 days after cessation of use. In the event of bankruptcy, it will remain the sole responsibility of the tower's owner to remove the tower along with all appendages.

j. Evidence that applicable conditions in the following section are met.

k. Additional information required by the zoning official for determination that all applicable zoning regulations are met.

l. A letter of approval from the FAA.

* Additionally, the applicant must show that all of the following applicable conditions are met:

a. 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. The structure must be painted green or black.

b. Applicant must show that a proposed antennae and equipment cannot be accommodated and function as required by applicable regulations and applicant's technical design requirements without unreasonable modifications on any existing structure or tower under the control of the applicant.

c. Prior to consideration of a permit for location on private property which must be acquired, applicant must show that available publicly owned sites, and available privately owned sites occupied by a compatible use, are unsuitable for operation of the facility under applicable communications regulations and applicant's technical design requirements.

d. Applicant must show that a new tower is designed to accommodate additional antennae equal in number to applicant's present and future requirements.

e. Applicant must show that all applicable health, nuisance, noise, fire, building and safety code requirements are met.

f. A communications tower must not be painted or illuminated unless otherwise provided by state or federal regulations.

g. A permit for a proposed tower site within one mile of an existing tower shall not be issued unless the applicant certifies that the existing tower does not meet applicant's structural specifications and applicant's technical design requirements, or that a collocation agreement could not be obtained.

h. Applicant must show by certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the zoning official a written indemnification of the jurisdiction and proof of liability insurance or financial ability to respond to claims up to $1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the county or other affected municipality, in form approved by the attorney for the affected jurisdiction.

i. 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 chapter apply.

j. A tower must be a minimum distance equal to one-half the height of the tower from property designated historic or architecturally significant, and must be set back from all lot lines distances equal to the district setback requirements of 25 percent of the tower height, whichever is greater.

(10) Construction/storage office provided a temporary zoning permit is issued by the zoning official for appropriate periods of time not to exceed 12-month increments for a nonconforming structure or use incidental to building construction or land development. The structure or use must be removed upon expiration of the permit. The structure must be located on the same site as the permitted project, and must be removed within 15 days after the completion of the project. Structure may be manufactured or modular.

(11) Contractor, general, provided all outdoor storage of materials is completely and opaquely screened from adjacent road rights-of-way and properties.

(12) Convenience store gasoline sales, provided:

a. Lighting shall be shielded to prevent direct illumination of adjacent residential properties.

b. Located along a state or federal numbered highway.

(13) Dairy farming/cattle farming, provided the lot contains no less than five acres and structures for the care, raising and handling of livestock shall be located at least 100 feet from adjacent residential uses. Structures do not include fenced area for grazing. (Sec 6-3-117)

(14) Family adult day care home, provided:

a. A detailed site plan shall be submitted, noting all of the following applicable information.

b. The facility meets the minimum standards set forth by the DSS and other applicable licensing agencies, unless this chapter provides higher standards. A letter of approval from DSS will be required for zoning approval.

c. The facility must conform to all applicable standards of any ordinance in effect within the county.

d. No other business enterprise shall be allowed to operate on the same property as a family day care home.

e. The family day care function must be clearly incidental and secondary to the residential use of the building, and there shall be no advertising of the family day care function on the site or structure.

f. Family day care duties shall be conducted only by persons residing on the premises.

g. Entrances, exits and other parking areas shall be located off collector and residential streets rather than arterial roads unless such access is not available.

h. One parking space for each employee and one parking space per six children cared for in the facility is provided.

i. An on-site drop-off for children is provided.

j. A minimum of 75 square feet of usable, non-paved outdoor play area per child must be provided. Outdoor areas must be enclosed with a fence that is no lower than four feet in height. All outdoor lighting related to outdoor play areas shall be shielded to prevent direct illumination of adjacent residential properties.

k. The family day care operation does not generate any parking or traffic congestion, and any parking spaces needed or required are located in the rear or side yard and in compliance with applicable buffer setback requirements as listed in subsection (h) of this section. Proposals to mitigate negative traffic impacts may be submitted and reviewed by the BZA as part of the consideration of the application for a special exception.

l. The facility must be operated and housed in a permanent structure, which complies with applicable fire codes.

m. The zoning official will conduct an on-site inspection of the facility prior to the granting of the special exception to ensure compliance with the requirements listed above.

n. No more than six adults may be cared for on the site.

(15) Farm equipment sales and service, provided that:

a. All lighting is shielded or directed away from adjoining residential properties.

b. All outdoor service areas (storage of inoperable or worked on vehicles) must be opaquely screened to obstruct the view from road rights-of-way and adjacent properties.

(16) Garage sales/auctions, provided garage sales or auctions of second-hand merchandise which has been used on the premises are conducted on a property as a temporary use. Such sales may be conducted only twice in a calendar year from the same property. Please note that this does not include the auctioning of goods from other sites including but not limited to automobiles, heavy equipment, etc.

(17) Gas station, full service, provided outdoor storage of more than five automobiles shall be completely and opaquely screened from adjacent road rights-of-way and shall be located along a state or federal numbered highway.

(18) Gas station, self service, provided they are located along a state or federal numbered highway.

(19) General merchandise, provided the structure does not exceed 2,500 square feet of gross floor area and is located on a state or federal numbered highway.

(20) Group home, limited, provided such use meets the requirements of applicable state legislation.

(21) Manufactured home, provided a single-family dwelling built according to the Federal Manufactured Housing Construction and Safety Standards (24 CFR 3280) HUD code, provided the structure meets or exceeds the following criteria:

a. The pitch of the roof has a minimum nominal 3/12 pitch and has a type of shingle commonly used in standard residential construction.

b. The exterior siding consists of vinyl or aluminum lap siding, wood, Masonite, or other materials similar to the exterior siding commonly used in standard residential construction.

c. All towing devices, wheels, axles, and hitches must be removed.

d. The manufactured home shall be placed on the lot in such a manner that is compatible with and reasonably similar in orientation to the site-built housing in adjacent or nearby locations.

e. The home must be placed upon a foundation consisting of footings and piers which meet the requirement of the Manufacturer's Installation Manual. In the event that the Manufacturer's Installation Manual is not provided, the home, by law, must be installed according to Section 19-425.39, Manufactured Home Minimum Installation, as promulgated by the South Carolina Manufactured Housing Board. Foundation and anchoring must comply with all applicable requirements of the building code adopted by the local jurisdiction at the time the manufactured home is placed on-site. At a minimum, the following standards shall apply:

1. All piers shall have a minimum dimension of no less than 16 inches by 16 inches.
2. The base of all piers shall have a minimum of a four-inch solid block consisting of two four-inch by eight-inch by 16-inch concrete blocks.
3. If the manufactured home is placed on a poured concrete footing, the solid four-inch base shall not be required.
4. The spacing of piers along the I-beam of the home shall not exceed a distance of eight feet. Should the mobile homeowners manual require spacing of piers closer, the HUD guidelines of the manual shall be followed.
5. Perimeter blocking and marriage wall blocking on all manufactured homes shall be done in accordance with the HUD guidelines in the setup manual.
6. Piers shall not have more than two-inch thickness of wood or wood shims between the top of the pier and the I-beam.

f. Permanent landing and steps with handrails are required at each exterior doorway. The structure must include steps which lead to the ground level. All exterior exits of the home shall have a landing of no less than three feet by three feet in size with 36-inch guardrails.

g. Skirting or a curtain wall, unpierced except for required ventilation and access door must be installed and may consist of brick, masonry, vinyl, block, stone, or similar materials designed and manufactured for permanent outdoor installation. The minimum ventilation requirement shall be one square foot of ventilation per 150 square feet of crawl space. All skirting shall be able to withstand the 80 miles-per-hour wind zone standard set forth in the Standard Building Code. The requirements of this subsection shall be complied with on or before final inspection for this unit is made.

h. All manufactured homes must be connected to a water and sewer system or well and septic tank, whichever is applicable, approved by the county health department. All fresh water lines to the manufactured home must be installed with a gate valve or stop valve in order to cut off water supply at the home, as necessary. All drain lines shall be connected in accordance with the setup manual. If no setup manual is available, drain lines must be connected with proper elevation and fall, as described in the Standard Building Code guidelines. All lines must be properly supported and strapped to prevent sagging and insure drainage. A minimum three-inch cleanout "T" shall be located on the main line leaving the home and located within three feet of the perimeter of the home. The electrical system to the home shall be required to meet the standards set forth in the National Electrical Code.

(22) Mining, provided: (Sec 6-3-117)

a. The hours of operation are limited to daylight hours.

b. Located along a state or federal highway.

c. All structures located at least 100 feet from any residential use.

d. No noise, odors, dust, fumes or vibrations onto adjacent properties.

(23) Mobile home as defined by this chapter, provided it was legally permitted and occupied as a residence located within the county on the effective date of this section. A mobile home not legally permitted and/or occupied as described above shall not be relocated to a new site after the effective date of this section. In addition, no mobile home shall be moved into the county after the effective date of this section. Mobile homes shall be subject to the following set-up requirements:

a. All mobile homes shall be placed on their sites in such a manner that they are compatible with and reasonably similar in orientation to the site-built housing in adjacent or nearby locations.

b. The home must be placed upon a foundation consisting of footings and piers which meet the requirements of the Manufacturer's Installation Manual. In the event that the Manufacturer's Installation Manual is not provided, the home, by law, must be installed according to Section 19-425.39, Manufactured Home Minimum Installation, as promulgated by the South Carolina Manufactured Housing Board. Foundation and anchoring must comply with all applicable requirements of the Building Code adopted by the local jurisdiction at the time the mobile home is placed on-site. At a minimum, the following standards shall apply:

1. All piers shall have a minimum dimension of no less than 16 inches by 16 inches.
2. The base of all piers shall have a minimum of a four-inch solid block consisting of two four-inch by eight-inch by 16-inch concrete block.
3. If the mobile home is placed on a poured concrete footing, the solid four-inch base shall not be required.
4. The spacing of piers along the I-beam of the home shall not exceed a distance of eight feet. Should the mobile homeowners manual require spacing of piers closer, the HUD guidelines of the manual shall be followed.
5. Perimeter blocking and marriage wall blocking on all mobile homes shall be done in accordance with the HUD guidelines in the setup manual.
6. Piers shall not have more than two-inch thickness of wood or wood shims between the top of the pier and the I-beam.

c. Permanent landing and steps with handrails are required at each exterior doorway. The structure must include steps which lead to the ground level. All exterior exits of the home shall have a landing of no less than three feet by three feet in size with 36-inch guardrails.

d. Skirting or a curtain wall, unpierced except for required ventilation and access door, must be installed and may consist of brick masonry, vinyl, block, stone, or similar materials designed and manufactured for permanent outdoor installation. The minimum ventilation requirement shall be one square foot of ventilation per 150 square feet of crawl space. All skirting shall be able to withstand the 80 miles-per-hour wind zone standard set forth in the Standard Building Code. The requirements of this subsection shall be complied with on or before final inspection for this unit is made.

e. All mobile home sites must have individual utility services, including accommodations for on-site water and waste disposal, as stated below:

1. All mobile homes must be connected to the water and sewer system or well and septic tank, whichever is applicable, approved by the county health department.
2. All fresh water lines to the mobile home must be installed with a gate valve or stop valve in order to cut off water supply at the home, as necessary.
3. All drain lines shall be connected in accordance with the setup manual. If no setup manual is available, drain lines must be connected with proper elevation and fall, as described in the Standard Plumbing Code guidelines, or latest applicable code adopted by the jurisdiction.
4. All lines must be properly supported and strapped to prevent sagging and insure drainage.
5. A minimum three-inch clean-out "T" shall be located on the main line leaving the home and located within three feet of the perimeter of the home.
6. The electrical system to the home shall be required to meet the standards set forth in the National Electrical Code.

f. All mobile homes shall have a minimum of one anchor on each side of the home per every 15 linear feet. All single-wide homes are required to have a minimum of two overhead straps if the length is less than 60 feet. All single-wide homes in excess of 60 feet must have three overhead straps. Sectional homes may be anchored by frame ties. For single-wide homes, all built-in, over-the-top tiedown straps shall be located within two feet of each end of the home and at intervals in between as recommended by the home manufacturer, placed at stud and rafter locations. Frame ties must always be used with over-the-top ties. Each strap should be attached to the nearest I-beam that runs the length of the mobile home (never the cross member). The strap should be wrapped around the beam and secured with the buckle or other clamping device. Ties made of galvanized steel strapping shall have a minimum breaking strength of 4,750 pounds or galvanized steel cable with a breaking strength of at least 4,800 pounds. Ties shall have a device that permits ties to be tightened.

(24) Library, provided that a primary or secondary school is located on the same property or a contiguous property as the library.

(25) Outdoor religious events, provided a temporary zoning permits for outdoor religious events such as church revivals, outdoor concerts and parking for such events is issued for periods not to exceed five consecutive days, and no more than five such permits may be issued per property, per calendar year. Temporary permits shall be issued only if adequate parking and sanitary facilities are provided to serve the proposed use or activity.

(26) Outdoor retail sales (non-seasonal), provided that the hours of operation do not extend past 11:00 p.m. and all lighting is shielded or directed away from adjoining residential properties.

Temporary outdoor sales of merchandise shall be permitted as a temporary, accessory use to an approved principal use (such as an off-street parking lot), provided that the maximum term for such permit shall not exceed five days, and no more than four such permits may be issued per lot, per calendar year.

(27) Outdoor retail sales (seasonal), provided that the hours of operation do not extend past 11:00 p.m. and all lighting is shielded or directed away from adjoining residential properties. The sale of Christmas trees and wreaths, fireworks, turkey shoots, and pumpkin sales are authorized where permitted as an temporary use and shall not exceed a total time period of 60 days during a one-year period. This time period shall commence from the first date that such uses, individually or collectively, are approved or established, whichever is first.

(28) Pistol/rifle firing range (commercial), provided: (Sec 6-3-117)

a. No such use shall be located within one mile from any residential use (measured in a straight line).

b. The use shall be oriented away from habitable areas.

c. That appropriate berms or other barriers are constructed to keep projectiles within 20 feet of the targets.

d. That the hours of operation do not extend after 9:00 p.m. or before 8:00 a.m.

(29) Primary/secondary school, provided all structures must be placed not less than 100 feet from any adjacent residential property line.

(30) Recreational vehicle park which consist of more than five (5) campers are required to meet the following conditions:

a. *Location and access.*

1. Recreational vehicle parks shall be located adjacent to an existing public recreational vehicle park, or with direct access to a state or federally numbered highway.
2. No entrance or exit from a recreational vehicle park shall be through a residential or commercial zoning district.

b. *Site conditions.* Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. No portion of the site that is subject to unpredictable and/or sudden flooding, subsistence, or erosion shall be used for any purpose which would expose persons or property to hazards.

c. *Spaces for occupancy, uses permitted, and lengths of stay.* Spaces in recreational vehicle parks may be used by recreational vehicles; as defined herein. Spaces shall be rented by the day or week only, and no recreational vehicle shall remain in the park more than 30 consecutive days.

d. *Site planning and required improvements.* Site planning and required improvements shall provide for:

1. Facilities and amenities appropriate to the needs of the occupants.
2. Safe, comfortable, convenient and sanitary use by occupants under all weather conditions to be expected during periods of occupancy.
3. Protection of occupants from adverse environmental influences such as flood and wind.

e. *Relation of spaces to public streets.* No space shall be located so that any part intended for occupancy for sleeping purposes shall be within 50 feet of the right-of-way line of any major thoroughfare or collector street, or within 25 feet of the right-of-way line of any other street.

(31) Riding stable, provided all structures are located 100 feet from a residential use.

(32) Sales/leasing offices, provided a temporary zoning permit is issued by the zoning official for appropriate periods of time not to exceed 12 month increments for a nonconforming structure or use incidental to building construction or land development. The structure or use must be removed upon expiration of the permit. The structure must be located on the same site as the permitted project.

(33) Solid waste convenience/recycling center, provided: (Sec 6-3-117)

a. The lot is a minimum of one acre in size.

b. Such center is not located within 500 feet of any existing residential use.

c. Setbacks comply with those for the appropriate zoning district.

d. All local, state and federal permits for such use are obtained and copies provided to the zoning official prior to any site work.

e. A drainage and sedimentation plan that shows all off-site runoff is submitted with the zoning request.

f. The proposed facility has direct access off of a collector or arterial street.

g. Any waste material capable of becoming airborne must remain covered and secured at the end of the workday.

h. Prior to beginning any site work, all local, state and federal permits required for such use must be obtained and copies of these permits provided to the zoning administrator.

i. All convenience center sites shall comply with the bufferyard requirements for a general commercial use.

(34) Stockyards, slaughter houses, poultry houses and livestock auction houses, provided: (Sec 6-3-117) **[See Ordinance 17-06; 5-31-2006]**

a. The use shall not be located within 1,000 feet of a residential use.

b. No incineration of animals or animal refuse shall be permitted.

c. The use shall meet the bufferyard requirements for light industrial use.

d. Noise directly related to an auction shall be contained on the premises.

e. The use shall meet all DHEC standards in regards to odors and sanitation.

(35) Tennis club, provided:

a. The club shall be at least 100 feet from adjacent residential properties.

b. Lighting for tennis courts shall be shielded to minimize light and glare from spilling over onto adjacent properties, shall be set for operational hours.

c. All tennis courts shall close on or before 11:00 p.m.

d. All fences around courts shall be at least ten, but no more than 12 feet high.

(36) Ultra-light flight park, provided:

a. The total area of the lot is five acres or more.

b. The landing area is located within the epicenter of the property.

c. The hours of operation are limited to daylight hours.

d. This use must be in connection to and on the same parcel as an existing airport or private airstrip.

(37) Family Subdivision: The purpose of a family subdivision is to allow for the traditional clustering of single family dwellings (including manufactured homes) on a rural tract of land owned by members of the same family while keeping the remainder of the family property available for other uses allowed in the FA district.

a. An owner of property who desires to create a family subdivision must notify the Greenwood County Planning Department, in writing, that he is submitting his tract of land to the provisions of this section.

1. For a period of five years thereafter, no portion of the property may be conveyed to a person who is not related to the owner, or to a present or former spouse of the owner, as either a parent, grandparent, child, grandchild, aunt, uncle, first cousin, nephew, or niece.
2. No owner may cut more than five lots from a single tract of land. A single tract of land is defined as any parcel existing on the Greenwood County tax records on the date this ordinance is enacted.

b. Every lot in a family subdivision must comply with the following standards:

1. All lots created under the provision of this section shall be subject to all setback, height and building space requirements of the zoning district.
2. Each lot created must have an approved septic system or connection to a public sewer service.
3. All lots must be accessible by a public road or private right of way with minimum street frontage of 100 feet. No flag lots shall be allowed.
4. Every lot must have a minimum size of at least one acre.

(e) ***Special exceptions.*** The following uses are allowed in FA zoning districts, if they are permitted by special exception by the joint board of zoning appeals (BZA) using the criteria listed:

(1) Communications tower, a tower, pole, or antenna over 300 feet in height, may be permitted by special exception granted by the joint board of zoning appeals after public hearing and findings of fact based upon the following criteria: (Sec 6-3-121)

a. All application requirements and conditions imposed by this section for conditional uses are met except height limitations and setbacks.

b. If additional tower height is requested, total tower height will not exceed 150 percent of the maximum height permitted in the district as a conditional use.

c. Applicant has demonstrated that additional height above that permitted by conditional use regulations is necessary for service to occupants of an area within the municipality.

d. Setback requirements and such additional conditions are established by the board as it deems necessary to remove danger to health and safety, and to protect adjacent property.

e. The Telecommunications Act of 1996 requires that a denial of a permit be supported by substantial evidence.

f. The board may grant a variance from general zoning district regulations and setback requirements, but may not grant a variance from any other standards imposed for a communications tower or antenna in connection with granting a special exception.

(2) Temporary manufactured home medical hardship in the event of a family medical hardship, a manufactured home may be located on a site as a temporary use by special exception. In making this decision, the board shall consider, at a minimum, the following information:

a. Statement from a licensed physician stating the nature of the medical condition for which the hardship manufactured home is being requested.

b. Statement of the exact nature of the family relationship and the reasons why the temporary manufactured home is needed.

c. A site plan showing the location of the proposed manufactured home and all other structures. The manufactured home must be sited on the same lot as the principle structure and must comply with all dimensional requirements of the district. The manufactured home, when possible, shall be placed behind the principal structure to obstruct the view from road rights-of-way and adjacent land owners.

d. Certification that the manufactured home can be served by an approved sanitary water and sewer system subject to the requirements of the county health department.

The BZA shall permit hardship manufactured homes for medical reasons. The board shall instruct the zoning official to review the status of the dwelling's occupancy once every six months so as to verify that the occupant of the dwelling is the individual for whom the permit was issued and that it is not being used as a rental dwelling. If the illness ceases or the situation changes whereby the hardship no longer exists, the applicant shall move the manufactured home to an appropriate zoning district.

(3) Temporary manufactured home loss of shelter when a single family structure is damaged or destroyed by fire or other natural disaster, a permit may be issued for a temporary manufactured home permit to be used as a temporary dwelling while the house is being repaired or rebuilt. The BZA shall consider, at a minimum, the following information:

a. Documentation that the single-family structure is not otherwise habitable due to the extent damage caused by the fire or other disaster.

b. The nature of the event that damaged or destroyed the structure.

c. Certification that the manufactured home can be served to the requirements of the county health department.

d. A site plan showing the location of the proposed manufactured home and all other structures. The manufactured home must be sited on the same lot as the principle structure and must comply with all dimensional requirements of the district. The BZA shall permit hardship manufactured homes as temporary dwellings. The board shall instruct the zoning official to review the status of the dwelling's occupancy once every six months so as to verify that the occupant of the dwelling is the individual for whom the permit was issued and that it is not being used as a rental dwelling. The temporary permit shall become void 30 days after the issuance of a certificate of occupancy by the building department or one year, whichever is less. At that time the unit shall be moved to an appropriately zoned area and the site restored to its original state.

(f) ***Accessory uses.*** The following accessory structures and uses may be located in FA districts, provided the location meets with all applicable requirements. With the exception of fences or walls, no accessory use shall be located within any required buffer area.

(1) Accessory building or structure, provided that the use is commonly associated with residential use, including, but not limited to: detached, private garages; private kennels; disaster shelters and storage sheds. Such building or structure may be located in rear and side yards only, no closer than ten feet to the rear property line and ten feet to the side property line. Structures shall not be placed within the side or rear setback if the side or rear property lines are adjacent to a street. More than one accessory structure may be added to a property provided that such structures shall not exceed:

a. Thirty-five feet in height or the height of the primary structure, whichever is less.

b. Nine hundred square feet in gross floor area or 30 percent of the required yard if located within the designated side or rear setback, whichever is greater.

(2) Barn, provided the structure is at least 100 feet from the closest residential use.

(3) Boat house, boat dock, or boat lift, provided that the structure is no closer than ten feet from the side property lines. The county engineer must approve construction drawings for these structures if located along Lake Greenwood.

(4) Convent or monastery, provided it is on the same piece of property as the church or house of worship. All applicable setbacks, height restrictions and parking requirements for multifamily must be met. The density for this accessory use shall not exceed four per acre.

(5) Farm labor housing dormitories as an accessory use to agricultural activities, provided that the following conditions are met:

a. Such use shall be setback 100 feet from road rights-of-way and property lines bordering undeveloped parcels. A minimum 200-foot setback shall be required from property lines abutting developed parcels.

b. A minimum 50-foot buffer shall be maintained and planted within the setback area along all interior property lines.

c. Farm labor housing shall be used on a seasonal basis only. It shall not serve as year-round housing.

d. Density shall not exceed one unit per five acres with total units not to exceed 20.

(6) Fences or walls, provided that the fence or wall is located no closer than 18 inches to a street or road right-of-way and does not impede visibility as outlined in section 6-3-110.

(7) Garage or yard sales, provided that such sales be limited to two during each 12-month period for each residence, for a maximum duration of two days per sale.

(8) Private tennis courts, outdoor recreation and picnic facilities provided light is shielded from adjacent properties and applicable parking requirements are met.

(9) Satellite dishes, ham radio towers, and group supported TV antennas, provided the structure, which includes the guide wires, is located in the rear yard, no closer than ten feet to all property lines. The height of a ham radio tower shall not exceed 140 feet.

(10) Swimming pool, private including deck, bath house or cabana, provided the pool is located in the rear or side yard, and that the pool is no closer than ten feet from the nearest property line. Pools shall have all lighting shielded or directed away from adjoining residences.

(11) Other accessory uses appropriate to agricultural and rural uses, as determined by the zoning official.

(g) ***Home occupation.*** A home occupation, as defined in this chapter, may be deemed an accessory use to a residential use, provided that:

(1) A home occupation permit is obtained from the zoning official, and must be renewed if a change in use occurs.

(2) The home occupation is conducted entirely within the principal dwelling unit or accessory building on the property.

(3) The home occupation is clearly incidental and secondary to the principal use of the building.

(4) Does not necessitate or cause the exterior appearance of any structure to be other than residential and is not disruptive of the residential character of the neighborhood.

(5) No more than 25 percent of the total floor area or 500 square feet, whichever is less, shall be used for the home occupation.

(6) The home occupation is conducted only by persons residing on the premises (nonresident employees are not permitted).

(7) There is no outdoor storage of any kind related to the home occupation.

(8) The home occupation or related activities does not create any disturbing or offensive noise, vibration, glare, smoke, heat, odor, fumes, dust, electrical or communication interference in any radio or television receiver, or unhealthy or unsightly condition.

(9) The home occupation does not generate any parking or traffic congestion, and any parking spaces needed or required are located in the rear or side yard.

(10) No display, rental or sale of wholesale or retail goods or other commodity other than those prepared on the premises shall be allowed on the premises.

(11) There is no advertising of the home occupation on the site or structures, except for one non-illuminated sign no larger than one square foot in area, flush mounted against the principal dwelling unit or attached to the mailbox.

(h) ***Design and performance standards.***

(1) *Purpose.* The purpose of this section is to establish design and performance standards for all land, land uses and improvements in the county. The standards promote good planning and design and encourage compatibility between land uses.

(2) *Lot size, density, setback, height and building spacing.* The following table contains dimensional and density requirements for lots and height and spacing requirements for buildings. It is hereby recognized that much of the zoning on the land currently zoned forest/agricultural (FA) was previously zoned rural development district (RDD). It is further recognized that the RDD district allowed multiple structures on one tract of land with lot sizes as small as one acre for residential developments. It is further recognized that commercial developments were required to provide a minimum of two acres. It is further recognized that many residents in the former RDD district utilized this standard, and placed multiple structures on individual tracts of land.

Therefore, it is hereby permitted that a tract of land containing multiple single-family houses or mobile homes legally placed on the tract prior to the adoption of the forest/agricultural (FA) zoning district may be subdivided into lots of one acre or greater. Said lot must contain one of the pre-existing mobile homes or houses. Any new lot not containing a pre-existing, legally placed structure must comply with the minimum lot size required in the FA zone. (A tract of land containing a commercial structure and a single-family house or mobile home can not be subdivided unless two acres of land is subdivided for the commercial establishment and one acre for the residential structure. Further, a tract may not be subdivided in such a way that it leaves a parcel of land less than one acre in size.)

Legally placed is defined as a mobile home or house that was permitted by the building inspection department and/or inspected prior to occupancy. For structures placed prior to the adoption of building codes legally placed is hereby defined as an occupied structure that was connected to power prior to the adoption of the FA zoning district. Proof of power connection must be provided by the local utility provider in order to claim this exemption.

DEVELOPMENT STANDARDS

District	Density-Dwelling Units	Maximum Building Height	Minimum Site Area	Lot Width (Minimum)	Front Yard (Minimum)	Side Yard (Minimum)	Rear Yard (Minimum)
FA	1 per lot	35 ft.	5 Acres	200 ft.	50 ft.	25 ft.	50 ft.

(i) ***Sign regulations.*** All sign requirements for the FA shall conform to the RDD zoning district.

(Ord. No. 31-00, § I, 10-3-00; Ord. No. 15-02, § I, 7-16-02)