

ARTICLE THREE
ZONING AND DEVELOPMENT DISTRICT REGULATIONS

SECTION A: GENERAL

3.a.1. No building, structure, parking lot, or land shall hereafter be used and no building, structure, parking lot or part thereof shall be erected, reconstructed, converted, enlarged, moved, or structurally altered unless in compliance with applicable district regulations set forth in this Ordinance.

SECTION B: R-15 AND R-9 LARGE AND MEDIUM SINGLE-FAMILY LOT RESIDENTIAL DISTRICTS

3.b.1. Purpose: The purpose of these two (2) districts is to recognize the essential suburban living character of significant portions of the City and County of Sumter where low and medium density single-family residential development is the predominant living environment of the existing and future population. Also, changing patterns of work and home environments create incentives to view the single-family dwelling as a center of work and residential living activities.

3.b.2. Permitted Uses: Within the R-15 and R-9 Districts a building, structure or premise shall be used only for the following purpose:

- a. Dwelling, single-family detached, excluding mobile, or manufactured homes;
- b. Horticulture, agriculture, and livestock specialties, with SIC classifications 01 & 02 (SIC Codes 0211 and 025 are not permitted uses in this district);
- c. Neighborhood, community parks and centers; golf courses and similar uses;
- d. Accessory uses such as, bathhouses, cabanas, non-commercial greenhouses, private garages and carports, storage buildings, swimming pools, tool sheds & workshops, and home occupations except home day care;
- e. Signs for which a permit is not required, together with restrictions governing the use of signs in Article Eight, Section I.
- f. Accessory apartments: Subject to the development criteria established in Section 4.g.2.

3.b.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any conditional use identified below.

- a. Single-family attached dwelling;

- b. Townhouse and patio homes (subject to the provisions in the R-6 district);
- c. Bed and Breakfast Inn (only in the R-9 district);
- d. Community Centers;
- e. Golf courses - public and private, with SIC classifications 7992 & 7997;
- f. Swimming & Tennis Clubs, with SIC classification 7997;
- g. Elementary & secondary schools, with SIC classifications 82 & 821;
- h. Libraries, with SIC classification 823;
- i. Nursing & Personal Care Facilities (only in R-9), with SIC classification 805;
- j. Museums & Art Galleries, with SIC classification 841;
- k. Arboreta & Botanical or Zoological Gardens, with SIC classification 842;
- l. Civic, Social, & Fraternal Associations (only in R-9), with SIC classification 864;
- m. Religious organizations, with SIC classification 866;
- n. Public safety facilities or buildings, with SIC classification 922;
- o. Ash gardens (only allowed adjacent to a religious or consecrated facility);
- p. Cemeteries;
- q. Child Day Care (only in R-9) SIC classification 832 & 835;
- r. Adult Day Care (only in R-9) SIC classification 832 & 835.
- s. Home Day Care (R-15 and R-19) as Home Occupation – See section 5.b.1.g

3.b.4. Special Exceptions: Review and approval by the Sumter Zoning Board of Appeals in accordance with Article 5, Section B shall be a requirement before any uses listed below are allowed in these districts:

- a. Communication Towers (SIC 48);
- b. Electric, Gas, and Sanitary Services (SIC 49).

3.b.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply with the R-15 and R-9 Zoning Districts.

a. **Lot Requirements (Minimum)**

| | <u>R-15 District</u> | <u>R-9 District</u> |
|-----------|----------------------|---------------------|
| Lot Area | 15,000 sq. ft. | 9,000 sq. ft. |
| Lot width | 100 ft. | 75 ft. |
| Lot depth | 120 ft.* | 100 ft.* |

Linear feet measured from front lot line to rear lot line. Where lot lines are not parallel, measure by drawing lines from front to rear lines, at right angles to front lot line, every ten feet and average the length of these lines.

b. **Yard and Building Set Back Requirements (minimum)**

| | <u>R-15 District</u> | <u>R-9 District</u> |
|-------------------------|----------------------|---------------------|
| Front | 35 ft (local/coll.) | 35 (local/coll.) |
| 45 ft (all other) | 45 (all other) | |
| Side (2 sides required) | 12 ft. | 10 ft. |
| 50 ft. (non-res.) | 50 ft. (non-res.) | |
| Rear | 25 ft. | 25 ft. |
| 50 ft. (non-res.) | 50 ft. (non-res.) | |

c. **Building Height Requirements (maximum)**

| | <u>R-9-15 District</u> | <u>R-9 District</u> |
|--------------------------|------------------------|---------------------|
| Residential Uses | 35 ft. | 35 ft. |
| all other permitted uses | 45 ft. | 45 ft. |

d. Impervious Surface Ration (Both Districts) .40

Off-street Parking Requirements: Off-street parking requirements for the uses permitted herein are established in Article Eight, Sect. J.

e. **Landscape Requirements:** Landscape requirements for the uses permitted herein are established in Article Eight, Section D.

SECTION C: R-6, SMALL LOT, SINGLE-FAMILY RESIDENTIAL DISTRICT

3.c.1. Purpose: The purpose of this district is to provide for a variety of single-family housing on small lots to meet market demands for smaller lot developments. It is also the intent of this district to balance higher densities with common open space.

3.c.2. Permitted Uses: Within the R-6 District, a building or premise shall be used only for the following purpose:

- a. Single-family, detached dwelling excluding mobile or manufactured homes;
- b. Duplex; Single family attached dwellings, excluding mobile or manufactured homes;
- c. Accessory uses, such as bathhouses, cabanas, non-commercial greenhouses, private garages & carport, storage buildings, swimming pools, tool shed & work shop, and home occupations except home day care;
- d. Signs for which a permit is not required, together with restrictions governing the use of signs in Article Seven, Section G;
- e. Public parks & playgrounds;
- f. Fire protection facilities, with SIC Classification 9224;
- g. Agricultural production - livestock specialties, with SIC Classification 02 (this does not include SIC Code 0211 and 025);
- h. Accessory apartments – subject to the development criteria established in Section 4.g.2.

3.c.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.1.3. shall be a prerequisite to the issuance of a building permit for any conditional use identified below.

- a. Townhouse, patio homes, triplex and quadraplex;
- b. Rooming and boarding house;
- c. Organization hotels, & lodging houses on a membership basis;
- d. Community centers;
- e. Golf courses, public and private with SIC Codes 7992 & 7997;
- f. Elementary school & secondary school with SIC Codes 82 & 821;
- g. Swimming & Tennis club with SIC Code 7997;
- h. Colleges, universities, and professional schools with SIC Code 822;
- i. Libraries with SIC Code 823;
- j. Nursing & Personal Care Facilities with SIC Code 805;
- k. Individual & Family Social Services with SIC Code 83 & 832;

- l. Childcare Services with SIC Code 835;
- m. Residential Care with SIC Code 836;
- n. Museums and Art Galleries with SIC Code 841;
- o. Arboreta & Botanical or Zoological Garden with SIC Code 842;
- p. Religious Organizations with SIC Code 866;
- q. Civic, social, and fraternal organizations with SIC Code 864;
- r. Public Safety facilities with SIC Code 922;
- s. Cemeteries and Ash gardens adjacent to or part of consecrated facilities;
- t. Home Day Care as Home Occupation – See Section 5.b.1.g.

3.c.4. Special Exceptions: Review and approval by the Sumter Zoning Board of Appeals in accordance with Article 5, Section B shall be requirement before any uses listed below are allowed in these districts:

- a. Communication Towers (SIC 48);
- b. Public Utilities and Infrastructure (SIC 49).

3.c.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the R-6 Zoning Districts. See Development Standards - Exhibit 1.

3.c.6. Off Street Parking: Off street parking requirements for the uses permitted or conditionally allowed herein are set forth in Article Eight, Section J.

3.c.7. Landscaping Requirements: Landscaping requirements for uses permitted or conditionally allowed herein are set forth in Article Eight, Section D.

EXHIBIT I DEVELOPMENT STANDARDS FOR USES IN R-6 DISTRICT

| | Non-Residential Uses | Detached Dwellings | Duplex Dwellings | Patio Homes and Zero Lot Line Housing Projects | Townhouses **** | Triplex and quadruplex dwellings |
|---|----------------------|--|---|--|--|---|
| Minimum Lot Area Per Structure (sq. ft.) | N/A | 6,000 | 10,000 | 5,000 | 2,000 | N/A |
| Minimum Site Area | N/A | N/A | N/A | 2 acres | 2 acres | 2 acres |
| Minimum Lot Width | N/A | 60 ft. | 80 ft. | 45 ft. | 16 ft. | 150 ft. |
| Minimum Yards, Per Structure: | | | | | | |
| Front | 25 ft. | 35 ft local/collector 45 ft. all others | 35 ft. local/collector 45 ft. all others | 25 ft. local/collector 45 ft. all others | 15 ft. local/ collector 45 ft. all others | 25 ft. local/collector 45 ft. all others |
| Side | 25 ft. | 8 ft. | 10 ft. | 0/8 ft. * | 0/7.5 ft. ** | 30 ft. |
| Rear | 50 ft. | 20 ft. | 20 ft. | 20 ft. | 20 ft. | 35 ft. |
| Minimum Distance Between Buildings | 30 ft. | N/A | N/A | N/A | 15 ft. | 40 ft. |
| Maximum Impervious Surface Percentage | 45% | 45% | 45% | 45% | 65% | 60% |
| Common Open Space Ratio (% project area) *** | N/A | N/A | N/A | N/A | 20% *** | 25% *** |
| Maximum Density (units per gross acre) | N/A | 7.2 | 14 | 14 | 14 | 16 |
| Maximum Height of Buildings | 45 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. |

* Minimum Side Yard Setback required on one side only.

** Zero between units, seven and a half (7.5) feet between end structure and side property line.

*** For projects with ten (10) or fewer units, no common open space is required.

**** Townhouse buildings shall not exceed eight (8) continuous units.

SECTION D: GENERAL RESIDENTIAL (GR) DISTRICT

3.d.1. Purpose: The purpose of this district is to accommodate higher density residential development and a variety of housing types on small lots.

3.d.2. Permitted Uses: Within the GR District, a building or a premise shall be used only for the following purpose:

- a. Single-family, detached dwelling;
- b. Duplex;
- c. Manufactured homes;
- d. Accessory uses such as bathhouses, cabanas, non-commercial greenhouse, private garage & carport, storage building, swimming pool, tool shed, workshop and home occupations except home day care;
- e. Signs for which a permit is not required, together with restrictions governing the use of signs in Article Seven, Section G,
- f. Public parks & playgrounds;
- g. Fire protection facilities, with SIC Code 9224;
- h. Agricultural production - livestock specialties with SIC Codes 01, 02 (this does not include SIC Codes 0211 and 025);
- i. Accessory apartments – subject to development criteria established in Section 4.g.2.

3.d.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any conditional use identified below.

- a. Single-family semi-detached dwelling;
- b. Mobile Home park;
- c. Townhouse;
- d. Patio home;
- e. Triplex and quadraplexes;
- f. Rooming and boarding house, with SIC code 702;
- g. Organization hotels & lodging houses on a membership basis with SIC Code 704;
- h. Bed and breakfast Inn, with SIC Code 702;

- i. Elementary and Secondary Schools, with SIC Codes 82 and 821;
- j. Colleges, universities and professional schools, with SIC Code 822;
- k. Libraries, with SIC Code 823;
- l. Nursing and personal care facilities, with SIC Code 805;
- m. Individual and family social services, with SIC Code 83 and 832;
- n. Residential care facilities, with SIC Code 836;
- o. Child Care Services, with SIC Code 835;
- p. Museums and Art Galleries, with SIC Code 841;
- q. Arboreta and Botanical Gardens or Zoological Gardens, with SIC Code 842;
- r. Civic, social or fraternal associations, with SIC code 864;
- s. Religious organizations, with SIC Code 866;
- t. Public safety facilities, with SIC Code 922;
- u. Ash gardens and cemeteries adjacent to religious or consecrated facilities only;
- v. Home Day Care as Home Occupation – See Section 5.b.1.g.

3.d.4. Special Exceptions: Review and approval by the Sumter Zoning Board of Appeals in accordance with Article 5, Section B shall be a requirement before any uses listed below are allowed in these districts:

- a. Communication Towers (SIC 48);
- b. Public Utilities and Infrastructure (SIC 49).

3.d.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance; the following minimum requirements shall apply with the GR District. See Development Standards - Exhibit 2.

3.d.6. Special Development Standards for manufactured units or mobile homes: The following development standards shall be required in addition to those found in Exhibit 2;

- a. The mobile home shall be attached to a foundation and securely underpinned and/or anchored in accord with S.C. Manufactured Housing Board Codes. The securing of a unit to a foundation must be inspected and approved by the Building Inspection Division;

- b. Each mobile home shall have skirting constructed of brick, concrete block, vinyl, or wood that extends from the exterior wall to the ground. The axle, tongue, and wheels must be removed if designed to be removed (bolted on);
- c. All mobile homes in Agricultural Conservation (AC) District shall be placed with the longest dimension parallel to the lot frontage. Note: In the agricultural conservation (AC) District, this provision does not apply if all the following conditions are present:
 - 1. Single lot only and;
 - 2. Cannot meet normal side setbacks when placed parallel to the lot frontage and;
 - 3. Lot was surveyed and approved prior to May 3, 1999;

3.d.7. Special Development Standards for Mobile Home Parks: The following development standards shall be required in addition to those found in Exhibit 2:

- a. A mobile home park requires community water, sewer, drainage, and garbage services.
- b. Internal paved roadways shall be required of all parks, and roadways shall have a minimum travel width of eighteen (18) feet exclusive of parking.
- c. No mobile home shall have direct access to a collector or arterial street.
- d. Each mobile home shall meet the off street parking requirements in Article Eight, Section J, Exhibit 21.
- e. A minimum of ten (10%) percent of the park shall be developed for recreational purposes, with no recreation area having less than five (500) square feet in area.
- f. All on-site roadway intersections shall be provided with a street light, and interior lights shall be provided at not less than 400 foot intervals.
- g. Each mobile home site shall be at least 15 feet from any other mobile home and at least 15 feet from the right-of-way of any drive which provides common circulation, and 25 feet from any side or rear property line, and shall meet the front yard setbacks for the street upon which it is located.

3.d.8. Off Street Parking: Off street parking requirements for the uses permitted or conditionally allowed herein are set forth in Article Eight, Section J.

3.d.9. Landscaping Requirements: Landscaping requirements for uses permitted or conditionally allowed are set forth in Article Eight, Section D.

EXHIBIT 2

DEVELOPMENT STANDARDS FOR USES IN GR DISTRICT

| | Non-Residential Uses | Detached Dwellings (1) | Duplex Dwellings | Single Family Semi-Detached Dwelling | Patio Homes and Zero Lot Line Housing Projects | Townhouses **** | Triplex and quadraplex Housing | Mobile Home Park (2) |
|---|----------------------------|----------------------------|----------------------------|--------------------------------------|--|----------------------------|--------------------------------|----------------------------|
| Minimum Lot Area Per Structure (sq. ft.) | N/A | 6,000 | 10,000 | 5,000 | 5,000 | 2,000 | N/A | 5,000 |
| Minimum Site Area | N/A | N/A | N/A | 2 acres | 2 acres | 2 acres | 2 acres | 5 acres |
| Minimum Lot Width | N/A | 60 ft. | 80 ft. | 45 ft. | 45 ft. | 16 ft. | 150 ft. | 45 ft. |
| Minimum Yards, Per Structure: | | | | | | | | |
| Front (local/collector) | 25 ft. 45 ft. all other | 35 ft. 45 ft. all other | 35 ft. 45 ft. all other | 25 ft. 45 ft. all other | 25 ft. 45 ft. all other | 15 ft. 45 ft. all other | 25 ft. 45 ft. all other | 25 ft. 45 ft. all other |
| Side | 25 ft. | 8 ft. | 10 ft. | 0/8 ft. * | 0/8 ft. * | 0/7.5 ft. ** | 30 ft. | 25 ft. |
| Rear | 50 ft. | 20 ft. | 20 ft. | 20 ft. | 20 ft. | 20 ft. | 35 ft. | 25 ft. |
| Minimum Distance Between Buildings | 30 ft. | N/A | N/A | N/A | N/A | 15 ft. | 40 ft. | N/A |
| Maximum Impervious Surface Percentage | 45% | 45% | 45% | 45% | 45% | 65% | 60% | 45% |
| Common Open Space Ratio (% project area) *** | N/A | N/A | N/A | N/A | N/A | 20% *** | 25% *** | 10% Minimum |
| Maximum Density (units per gross acre) | N/A | 7.2 | 14 | 14 | 14 | 14 | 16 | 8 |
| Maximum Height of Buildings | 45 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 45 ft. | 35 ft. |

1. A manufactured housing unit or mobile home shall be considered a detached dwelling, but shall comply with the additional development standards specified in 3.d.5

2. Mobile Home Park: See additional requirements in Section 3.d.6

* Minimum Side Yard Setback required on one side only.

** Zero between units, seven and a half (7.5) feet between end structure and side property line.

*** For projects with ten (10) or fewer units, no common open space is required.

**** Townhouse buildings shall not exceed eight (8) continuous units.

SECTION E: RESIDENTIAL MULTI-FAMILY (RMF) DISTRICT

3.e.1. Purpose: The purpose of this district is to accommodate multi-family development within areas appropriately suited and compatible with surrounding development.

3.e.2. Permitted Uses: Within the RMF District, a building or a premise shall be used for only the following purpose:

- a. Single-family, attached dwelling;
- b. Multi-family apartments;
- c. Triplex and quadraplex;
- d. Organization hotels & lodging houses - on a membership basis;
- e. Accessory uses such as bathhouses, cabanas, non-commercial greenhouses, private garage & carport, storage building, swimming pool, tool shed, workshop, and home occupations except home day care;
- f. Nursing & personal care facilities, with SIC Code 805;
- g. Fire protection, with SIC Code 9224;
- h. Agriculture production - crops, with SIC Code 01;
- i. Agriculture production - livestock specialties, with SIC Code 02 (this does not include SIC Codes 021 and 025);

3.e.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any conditional use identified below.

- a. Single-family semi-detached dwelling;
- b. Townhouse;
- c. Patio home;
- d. Elementary and secondary schools, with SIC Code 82 and 821;
- e. Colleges, universities and professional schools, SIC Code 822;
- f. Libraries, with SIC Code 823;
- g. Home Day Care as Home Occupation – See Section 5.b.1.g;

- h. Residential care facilities, with SIC Code 836;
- i. Child care services, SIC Code 835;
- j. Religious organizations, with SIC Code 866;
- k. Public safety facilities, with SIC Code 922;
- l. Ash gardens and cemeteries adjacent to religious or consecrated facilities only.

3.e.4. Special Exceptions: Review and approval by the Sumter Zoning Board of Appeals in accordance with Article 5, Section B shall be a requirement before any uses listed below are allowed in these districts:

- a. Communication Towers (SIC 48);
- b. Public Utilities and Infrastructure (SIC 49).

3.e.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the entire RMF Zoning District. See Development Standards - Exhibit 3.

3.e.6. Off Street Parking: Off street parking requirements for the uses permitted or conditionally allowed herein are set forth in Article Eight, Section J.

3.e.7. Landscaping Requirements: Landscaping requirements for uses permitted or conditionally allowed herein are set forth in Article Eight Section D.

EXHIBIT 3 DEVELOPMENT STANDARDS FOR USES IN RMF DISTRICT

| | Non-Residential Uses | Single Family Attached Dwellings | Single Family Detached Dwellings | Patio Homes and Zero Lot Line Housing Projects | Townhouses **** | Triplex and Quadruplex Housing | Multi Family Apartments |
|--|----------------------------|----------------------------------|----------------------------------|--|----------------------------|--------------------------------|-------------------------|
| Minimum Lot Area Per Structure (sq. ft.) | N/A | 10,000 | 5,000 | 5,000 | 2,000 | N/A | N/A |
| Minimum Site Area | N/A | N/A | 2 Acres | 2 Acres | 2 Acres | 2 Acres | 2 Acres |
| Minimum Lot Width | N/A | 80 ft. | 60 ft. | 45 ft. | 16 ft. | 150 ft. | 200 ft. |
| Minimum Yards, Per Structure: | | | | | | | |
| Front (local/collector) | 25 ft. 45 ft. all other | 35 ft. 45 ft. all other | 25 ft. 45 ft. all other | 25 ft. 45 ft. all other | 15 ft. 45 ft. all other | 25 ft. 45 ft. all other | 50 ft. all streets |
| Side | 25 ft. | 10 ft. | 0/8 ft.* | 0/8 ft.* | 0/7.5 ft.** | 30 ft. | 50 ft. |
| Rear | 50 ft. | 20 ft. | 20 ft. | 20 ft. | 20 ft. | 35 ft. | 50 ft. |
| Minimum Distance Between Buildings | 30 ft. | N/A | N/A | N/A | 15 ft. | 40 ft. | 30 ft. |
| Maximum Impervious Surface Percentage | 45% | 45% | 45% | 45% | 65% | 60% | 65% |
| Common Open Space Ratio (% project area) *** | N/A | N/A | N/A | N/A | 20% *** | 25% *** | 25% *** |
| Maximum Density (units per gross acre) | N/A | 14 | 14 | 14 | 14 | 16 | 16 |
| Maximum Height of Buildings | 45 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 45 ft. | 45 ft. |

* Minimum Side Yard Setback required on one side only.

** Zero between units, seven and a half (7.5) feet between end structure and side property line.

*** For projects with ten (10) or fewer units, no common open space is required.

**** Townhouse buildings shall not exceed eight (8) continuous units.

EXHIBIT 4
PERMITTED AND CONDITIONAL USES IN THE RESIDENTIAL DISTRICTS

| PERMITTED & CONDITIONAL USES | R-15 | R-9 | R-6 | GR | RMF | SIC |
|--------------------------------------|------|-----|-----|----|-----|-----------|
| Dwelling-Single Family Detached | P | P | P | P | | N/A |
| Dwelling-Single Family Attached | C | P | P | P | P | N/A |
| Bed and Breakfast Inn | | C | | C | | N/A |
| Horticulture, Agriculture, Livestock | P | P | P | P | P | 01/02 |
| Townhouse and Patio Homes | C | C | C | C | C | N/A |
| Neighborhood and Community Parks | P | P | P | P | P | N/A |
| Community Centers | C | C | P | P | C | N/A |
| Golf Courses | C | C | C | | | 7992/7997 |
| Swimming, Tennis Clubs | C | C | C | | | 7997 |
| Public Utility and Infrastructure | S | S | S | S | S | 49 |
| Electrical Services | P | P | P | P | P | 491 |
| Gas Production & Distribution | P | P | P | P | P | 492 |
| Combination of Electric & Gas | P | P | P | P | P | 493 |
| Water Supply | P | P | P | P | P | 494 |
| Sewerage Systems | P | P | P | P | P | 4952 |
| Communication Towers | S | S | S | S | S | 48 |
| Telephone Utility | P | P | P | P | P | 48 |

EXHIBIT 4 (Continued)
PERMITTED AND CONDITIONAL USES IN THE RESIDENTIAL DISTRICTS

| PERMITTED & CONDITIONAL USES | R-15 | R-9 | R-6 | GR | RMF | SIC |
|---|--------------------|-----|-----|----|-----|----------|
| Cable Services | P | P | P | P | P | 484 |
| Schools, Elementary & Secondary | C | C | C | C | C | 82/821 |
| Libraries | C | C | C | C | C | 823 |
| Accessory Uses | P | P | P | P | P | N/A |
| Home Day Care as Home Occupation | C | C | C | C | C | N/A |
| Nursing and Personal Care Facilities | C | C | C | P | P | 805 |
| Museums and Art Galleries | C | C | C | C | | 841 |
| Arborata, Botanical, and Zoological Gardens | C | C | C | C | | 842 |
| Civic and Fraternal Associations | C | C | C | C | | 864 |
| Churches and Religious Organizations | C | C | C | C | C | 866 |
| Public Safety Facilities | C | C | P | P | P | 922 |
| Ash Gardens | C | C | C | C | C | N/A |
| Cemeteries | C-300 ¹ | C | C | C | C | N/A |
| Rooming and Boarding Houses | | | C | C | | 702 |
| Colleges and Universities | | | C | C | C | 822/8221 |
| Child Care Facilities | | C | C | C | | 835 |
| Adult Care Facilities | | C | C | C | | 8322 |

EXHIBIT 4 (Continued)
PERMITTED AND CONDITIONAL USES IN THE RESIDENTIAL DISTRICTS

| PERMITTED & CONDITIONAL USES | R-15 | R-9 | R-6 | GR | RMF | SIC |
|---|-------------|------------|------------|-----------|------------|------------|
| Individual and Family Care | | | C | C | | 8322 |
| Residential Care * | P | P | P | P | P | 836 |
| Manufactured Homes | | | | P | | N/A |
| Mobile Home Park | | | | C | | N/A |
| Single Family Semi-Detached | | | | C | C | N/A |
| Tri-Plex and Quadraplex | | | C | P | P | N/A |
| Multi Family Apartments | | | | | P | N/A |

¹ Use Review in accordance with Section 5.b.1.i of the Ordinance

* State Statutes requires Residential Care Facilities to be treated as Single Family Housing.

SECTION F: PROFESSIONAL OFFICE (PO) DISTRICT

3.f.1. Purpose: The purpose of this district is to accommodate offices, institutional uses and residential uses in areas whose character is neither commercial nor exclusively residential in nature. It is intended principally for areas along major streets.

3.f.2. Permitted Uses: Within the PO District, a building or a premise shall be used for only the following purpose:

- a. Central administrative offices, with Auxiliary SIC Code 1;
- b. Research, development & testing laboratories, with Auxiliary SIC Code 2;
- c. U.S. postal service facilities, with SIC Code 43;
- d. Water supply facilities, with SIC Code 494;
- e. Drug & sundry stores, with SIC Code 591;
- f. Optical good stores, with SIC Code 5995;
- g. Depository and non-depository institutions, with SIC Codes 60 & 61;
- h. Security & Commodity brokers, dealers, and exchange services, with SIC Code 62;
- i. Insurance carriers, agents, and brokers, with SIC Codes 63 and 64;
- j. Real Estate, holding and other investment offices, with SIC Code 65;
- k. Photographic Studios, with SIC Code 722;
- l. Beauty and Barber Shops, with SIC Codes 723 and 724;
- m. Employment Agencies with SIC Code 7361;
- n. Medical and dental offices, with SIC Codes 801, 802, 803, & 804;
- o. Nursing & personal care facilities, with SIC Code 805;
- p. Legal service offices, with SIC Code 81;
- q. Libraries, with SIC Code 823;
- r. Social service facilities and offices, with SIC Code 832;

- s. Child care facilities and residential, with SIC Codes 835 & 836;
- t. Museums, art galleries and botanical gardens, with SIC Codes 841 & 842;
- u. Business associations, professional membership organizations, and labor unions or similar organizations, with SIC Codes 86, 861, 862, 863;
- v. Civic, social, and political organizations, with SIC Codes 864, 865, 869;
- w. Professional offices such as engineering, accounting, research, psychology, and management, with SIC Codes 87, 89;
- x. Government offices such as administrative, executive, legislative, and judicial, with SIC Codes 91, 911, 912, 919, 92, 95, 96, 921;
- y. Fire protection facilities, with SIC Code 9224;
- z. Parks and playgrounds.

3.f.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to issuance of a building permit for any Conditional Use identified below:

- a. Veterinary Services, with SIC Code 074; (Note: Veterinary facilities which specialize in large animals shall be located no closer than three hundred [300] feet to a residential property line, nor one hundred-fifty [150] feet from any other property line. Sheltering and boarding of animals shall be clearly incidental to the veterinary services offered in the facility whether specializing in large or small animals).
- b. Rooming and boarding houses, with SIC Code 702;
- c. Organizational hotels and lodges, with SIC Code 704;
- d. Miscellaneous personal services, massage parlors, and spas, with SIC Codes 729 & 7299;
- e. **Elementary and secondary schools, with SIC Code 821;**
- f. Churches and religious organizations, SIC Code 866;
- g. Ash gardens and cemeteries (Note: provided that the facility or premise is adjacent to or part of a religious or consecrated facility only);
- h. Single-Family attached and detached homes, duplexes, townhouses, patio homes, tri-plex and quadraplex units, and multi-family apartments developed in accordance with Exhibit 5A;

- i. Residential accessory structures, uses, and home occupations as provided for in 3.d.2.d;
- j. Bed and breakfast.

3.f.4. Special Exceptions: Review and approval by the Sumter Zoning Board of Appeals in accordance with Article 5, Section B shall be a requirement before any uses listed below are allowed in these districts:

- a. Communication Towers (SIC 48);

3.f.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the PO District.

a. **Lot Requirements (Minimum)**

Lot width is measured by the linear feet required at the building setback line: The minimum requirement for commercial development is 40 feet.

Depth: N/A

b. **Yard and Building Set Back Requirements (Minimum)**

| | |
|------------------------------|---------------------------|
| | <u>Front Yard Setback</u> |
| From Local/Collector Streets | 35 ft. |

(Note: 20 feet is the required front yard setback from arterial streets when off-street parking spaces are located on the side or rear of buildings. 45 feet is the required front yard setback from arterial streets if the parking is located in front of the building).

| | |
|-------------------------------------|--------------------------|
| | <u>Side Yard Setback</u> |
| From abutting Residential Districts | 30 ft. |

(Note: 5 feet from other districts which are not residential).

| | |
|--------------------------------------|--------------------------|
| | <u>Rear Yard Setback</u> |
| From all types of abutting Districts | 25 ft. |

c. **Building Requirements (Maximum)**

| | |
|--------------------------|--------|
| Building Height | 35 ft. |
| Impervious Surface Ratio | .75 |
| Floor Area Ratio | .65 |

- d. **Off-street Parking Requirement:** Off-street parking requirements for the uses permitted herein or conditionally allowed by action of the Planning Commission are established in Article Eight, Section J.

- e. **Landscaping Requirements:** Landscape requirements for uses permitted herein or conditionally allowed by action of the Planning Commission are established in Article Eight, Section D.

SECTION G: NEIGHBORHOOD COMMERCIAL (NC) DISTRICT

3.g.1. Purpose: This district is intended to meet the commercial and service needs generated by nearby residential development. Goods and services normally available in this district are of a “convenience variety.” The size of the district should relate to the surrounding residential market area.

3.g.2. Permitted Uses: Within the NC District, a building or a premise shall be used for only the following purpose:

- a. Administrative offices, with Auxiliary Code 1;
- b. United States Post Office facilities, with SIC Code 43;
- c. Water supply facilities, with SIC Code 494;
- d. Hardware stores, with SIC Code 525;
- e. Grocery stores, with SIC Code 54;
- f. Convenience stores, with SIC Code 541;
- g. Apparel & accessory stores, with SIC Code 56;
- h. Home furniture, furnishings, & equipment stores, with SIC Code 57;
- i. Eating Places, with SIC Code 5812;
- j. Drug stores, with SIC Code 591;
- k. General merchandise stores such as bicycle and sporting goods, books, stationery, jewelry, toy, photography, gift, luggage, sewing, catalog, etc., with SIC Codes 5941, 5942, 5943, 5944, 5945, 5946, 5947, 5948, 5949, 5961;
- l. Personal service stores such as florist, optical goods, art supplies, telephone stores, pet stores, with SIC Codes 5992, 5993, 5995, 5999;
- m. Banks and lending institutions, with SIC Codes 60 and 61;
- n. Security and commodity brokers, with SIC Code 62;

- o. Insurance agents, real estate, holding investment, with SIC Codes 63 and 64;
- p. Dry cleaners and laundry services, with SIC Codes 7212, 7213, 7215;
- q. Photographic studios, beauty shops, barber shops, with SIC Codes 722, 723, 724;
- r. Shoe repair, shoe shine, hat cleaning, with SIC Code 725;
- s. Miscellaneous personal services, with SIC Code 729;
- t. Video tape rentals, with SIC Code 784;
- u. **Physical Fitness Facilities, with SIC Code 7991;**
- v. Nursing and personal care facilities, child day care, residential care, with SIC Codes 805, 835, 836;
- w. Judicial facilities, police and fire protection facilities, with SIC Codes 92 and 9224;

3.g.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission or accordance with 5.a.3. shall be a prerequisite to issuance of a building permit for any Conditional Use identified below:

- a. Automotive dealers & gasoline service stations, with SIC Code 55;
- b. **Automatic Merchandising Machine Operator, with SIC Code 5962;**
- c. Rooming and boarding houses, with SIC Code 702;
- d. Organization hotels and lodges, SIC Code 704;
- e. Car washes, with SIC Code 7542;
- f. Coin Operated Amusement Devises, with SIC Code 7993;
- g. **Elementary and secondary schools, with SIC Code 821;**
- h. Churches or other religious organizations, with SIC Code 866;
- i. Ash gardens with the same qualifications imposed as set forth in 3.f.3.g;
- j. Single-Family detached and attached units, duplexes, townhouses, patio homes, tri-plexes, quadraplexes, and multi-family apartments developed in accordance with Exhibit 5A;
- k. Parks and playgrounds;
- l. Bed and breakfast;
- m. Mobile Produce Sales (see Section 5.b.1.k.);

3.g.4. Special Exceptions: Review and approval by the Sumter Zoning Board of Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:

- a. Communication Towers (SIC Code 48);
- b. Drinking Places (SIC Code 5813);
- c. Liquor Stores (SIC Code 592);
- d. Amusements and Recreation (Not Classified Elsewhere) (SIC Code 7999).

3.g.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the NC District.

a. **Lot Requirements (Minimum)**

Lot width is measured by the linear feet required at the building setback line: The minimum requirement in the NC District for commercial development is 40 feet.

Depth: N/A

b. **Yard and Building Set Back Requirements (Minimum)**

| | |
|-----------------------------|---------------------------|
| | <u>Front Yard Setback</u> |
| From Local/Collector Street | 35 ft |

(Note: The front yard setback is forty-five [45 ft.] feet from all other streets).

| | |
|-------------------------------------|--------------------------|
| | <u>Side Yard Setback</u> |
| From abutting Residential Districts | 30 ft. |

(Note: 5 feet from other districts which are not residential)

| | |
|--------------------------------------|--------------------------|
| | <u>Rear Yard Setback</u> |
| From all types of abutting Districts | 25 ft. |

c. **Building Requirements (Maximum)**

| | |
|--------------------------|-------|
| Building Height | 35 ft |
| Impervious Surface Ratio | .75 |
| Floor Area Ratio | .65 |

d. **Off-street Parking Requirement:** Off-street parking requirements for uses permitted herein or conditionally allowed by action of the Planning Commission are established in Article Eight, Section J.

e. **Landscaping Requirements:** Landscaping requirements for uses permitted herein or conditionally allowed by action of the Planning Commission are established in Article Eight, Section D.

SECTION H: LIMITED COMMERCIAL (LC) DISTRICT

3.h.1. Purpose: This district is intended to accommodate commercial development along major streets, while promoting land use compatibility by limiting the type and conditions of development.

3.h.2. Permitted Uses: Within the LC District, a building or a premise shall be used for only the following purposes:

- a. Vet Services for Animal Specialties [Small Animals Only], with SIC Code 0742;
- b. Landscape Counseling & Land Planning, with SIC Code 0781;
- c. Administrative offices, with SIC Auxiliary Code 1;
- d. Research, development and testing laboratories, with SIC Auxiliary Code 2;
- e. United State Postal Service, with SIC Code 43;
- f. Travel Agencies, Tour Operators, Arrangement of Transportation, with SIC Code 472;
- g. Water supply facilities, with SIC Code 494;
- h. Paint and Wallpaper – Not Glass, with SIC Code 523;
- i. Hardware stores, with SIC Code 525;
- j. Retail nurseries, lawn & garden supplies, with SIC Code 526;
- k. Food stores, with SIC Code 54;
- l. Convenience Stores, with SIC Code 541;
- m. Apparel & accessory stores, with SIC Code 56;
- n. Home furniture, furnishing & equipment stores, with SIC Code 57;
- o. Eating Places, with SIC Code 5812;
- p. Drug stores, with SIC Code 591;
- q. General merchandise stores as described in 3.g.2.i.; with SIC Codes 5941, 5942, 5943, 5944, 5945, 5946, 5947, 5948, 5949, and 5961;
- r. Personal service stores as described in 3.g.2.j.; with SIC Codes 5992, 5993, 5995, 5999;

- s. Banking, lending institutions, security & broker services, insurance companies, with SIC Codes 60, 61, 62, 63, 64;
- t. Real estate agencies, with SIC Code 65;
- u. Dry cleaners and laundry services as described in 3.g.2.1.; with SIC Codes 7212, 7213, and 7215;
- v. Photographic studios, beauty shops, barber shops, shoe repair, with SIC Codes 722, 723, 724, 725;
- w. Funeral service & crematories, with SIC Code 726;
- x. Miscellaneous personal services, with SIC Code 729;
- y. Advertising Agencies, with SIC Code 7311;
- z. Credit Consumer Reporting, with SIC Code 732;
- aa. Mailing Reproduction, Art & Photography, with SIC Code 733;
- bb. Commercial Art/Graphic Design, with SIC Code 7336;
- cc. Secretarial / Court Services, with SIC Code 7338;
- dd. Help Supply Services, with SIC Code 7363;
- ee. Computer Programming Services, with SIC Code 7371. 7376, 7379;
- ff. Detective Agencies [Except rental of dog for protective service & armored car services], with SIC Code 7381;
- gg. Security System Services, with SIC Code 7382;
- hh. Business Services (Not elsewhere classified) Specifically listed below:
 - Agents & Brokers for Authors and Nonperforming Artists;
 - Appraisers [except real estate];
 - Arbitration and Conciliation Services;
 - Artists' Agents and brokers;
 - Business Brokers [buying and selling business enterprises];
 - Decoration Service for Special Events;
 - Drafting Services;
 - Fundraising on a Contract or Fee Basis;
 - Handwriting Analysis;
 - Interior Decorating Consulting Service [except painters and paper hangers];

Interior Designing Service [except painters and paper hangers];
Lecture Bureaus;
Map Drafting Service, map Making – including aerial;
Message Service / Telephone Answering {except beeper service};
Notary Public, Paralegal Service;
Photogrammetric Mapping Service [not professional engineers];
Photography Brokers, Playwrights' Brokers;
Process Serving Service'
Recording Studios on a Contract or Fee Basis;
Speakers' Bureaus;
Tax Collection Agencies: collecting for a city, county or state; and
Translation Services

- ii. Auto Rental and leasing, with SIC Code 751;
- jj. Car washes, with SIC Code 7542, along with the requirements set forth in 3.g.3.e;
- kk. Auto service except repair, with SIC Codes 754 and 7549;
- ll. Watch, Clock & Jewelry Repair, with SIC Code 7631;
- mm. Video tape rental, with SIC Code 784;
- nn. Dance studios, with SIC Code 791;
- oo. Physical fitness facilities, with SIC Code 7991;
- pp. Offices for health care services, such as doctors, dentists, and nursing, and personal care facilities, with SIC Codes 801, 802, 803, 804, 805;
- qq. Home Healthcare Services, with SIC Code 808;
- rr. Ambulance Services, with SIC Code 4119;
- ss. Legal services offices, with SIC Code 81;
- tt. Educational services, such as libraries, vocational schools, and other schools, with SIC Codes 823, 824, 829;
- uu. Individual & Family Social Services, with SIC Code 832;
- vv. Social Services, such as job training and vocational rehabilitation, child care services, residential care services, with SIC Codes 833, 835, 836;
- ww. Museums & Art Galleries, with SIC Code 841;

- xx. Botanical Gardens, with SIC Code 842;
- yy. Organization facilities for uses such as business, professional, labor, civic, political, governmental and others, with SIC Codes 861, 862, 863, 864, 865, 869, 911, 912, 919, 92, 9224, 95, 96;
- zz. Professional offices and workshops for engineering, accounting, research, artists, authors, geologists, psychologists, with SIC Codes 87, and 89.

Parks & Playgrounds

3.h.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to issuance of a building permit for any Conditional Use identified below:

- a. Mini-warehouses with SIC 4225 (See Section 5.b.1.h. for conditions);
- b. Manned convenience centers and refuse systems, with SIC Code 4953;
- c. Automotive dealers, with SIC Code 55;
- d. Automatic Merchandising Machine Operator, with SIC Code 5962;
- e. Rooming and boarding houses, with SIC Code 702;
- f. Organization hotels and lodges, with SIC Code 704;
- g. Power laundries and dry cleaning plants, with SIC Codes 7211, 7216;
- h. Top and upholstery repair shops with SIC Code 7532 to include only Automotive tops (canvas or plastic), installation, repair, or sales and installation and upholstery repair, automotive. See Section 5.b.1.j. for conditions;
- i. Motion picture theaters, with SIC Code 783;
- j. Coin Operated Amusement Devises, with SIC Code 7993;
- k. **Elementary and secondary schools, with SIC Code 821;**
- l. Religious organizations, with SIC Code 866;
- m. Ash gardens with the same qualifications imposed as set forth in 3.f.3.g;
- n. Single-Family attached and detached units, duplexes, townhouses, patio homes, tri-plexes, and multi-family apartments developed in accordance with Exhibit 5A;
- o. Bed and breakfast;
- p. Mobile Produce Sales (see Section 5.b.1.k);

3.h.4. Special Exceptions: Review and approval by the Sumter Board of Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:

- a. Communication Towers (SIC Code 48);
- b. Drinking Places (SIC Code 5813);
- c. Liquor Stores (SIC Code 592);
- d. Amusements and Recreation (Not Classified Elsewhere) (SIC Code 7999);
- e. Jails/Correctional Facilities (SIC Code 9223);

3.h.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the LC District.

a. **Lot Requirement (Minimum)**

Lot width is measured by the linear feet required at the building setback line: The minimum requirement in the LC District for commercial development is 40 feet.

Depth: N/A

b. **Yard and Building Set Back Requirements (Minimum)**

| | |
|------------------------------|---------------------------|
| | <u>Front Yard Setback</u> |
| From Local/Collector Streets | 35 ft. |

(Note: The front yard setback is 20 feet if the street is an arterial street when off-street parking is provided on the side or rear of a building; 45 feet if the parking is located in front of the building).

| | |
|-------------------------------------|--------------------------|
| | <u>Side Yard Setback</u> |
| From abutting Residential Districts | 30 ft. |

(Note: None required when abutting property in non-residential).

| | |
|--------------------------------------|--------------------------|
| | <u>Rear Yard Setback</u> |
| From all types of abutting Districts | 35 ft. |

c. **Building Requirements (Maximum)**

| | |
|--------------------------|--------|
| Building Height | 35 ft. |
| Impervious Surface Ratio | .80 |
| Floor Area Ratio | .80 |

- d. **Off-street Parking Requirement:** Off-street parking requirements for uses permitted herein or conditionally allowed by action of the Planning Commission are established in Article Eight, Section J.
- e. **Landscaping Requirements:** Landscaping requirements for uses permitted herein or conditionally allowed by action of the Planning Commission are established in Article Eight, Section D.

SECTION I: GENERAL COMMERCIAL (GC) DISTRICT

3.i.1. Purpose: This district is to accommodate the broadest possible range of commercial uses, determined principally by market conditions, while protecting the environment from potentially objectionable uses.

3.i.2. Permitted: Within the GC District, a building or a premise shall be used only for the following purpose:

- a. Agriculture, farm, landscaping, horticulture related services and facilities and auxiliary uses customary thereto, with SIC Codes 071, 072, 076, 078, (Note: Veterinary Services in this classification of uses shall be regulated by the standards set forth in 3.f.3.a.);
- b. Administrative offices, with SIC Auxiliary Code 1;
- c. Research, development, and testing, with SIC Auxiliary Code 2;
- d. Printing, publishing, and allied industries, with SIC Code 27;
- e. Warehouses, with SIC Auxiliary Code 3;
- f. Postal, transportation, communication, facilities and services, with SIC Codes 43, 47, 48;
- g. Water supply facilities, with SIC Code 494;
- h. General retail trade such as: building-hardware-garden supplies, department & food stores, convenience store, automobile sales and service, clothing and home furnishing, eating establishments, drug stores, used merchandise (but not flea markets), specialty and novelty stores (i.e., bicycle, books, stationery, jewelry, hobby & toy, camera & photo, luggage, sewing, and catalog, florist, tobacco, optical, artist supply, pet shops, firewood, monuments), with SIC Codes 52, 523, 525, 526, 53, 54, 541, 55, 56, 57, 5812, 591, 593, 5941, 5942, 5943, 5944, 5945, 5946, 5947, 5948, 5949, 5961, 5992, 5993, 5995, 5999;
- i. Fuel dealers, with SIC Code 598;

- j. Fireworks stands, with SIC Code 5999 (Note: Shall comply with temporary use requirements set forth in 5.c.b.d.);
- k. Banking, lending institutions, security & broker services, insurance companies, with SIC Codes 60, 61, 62, 63, 64;
- l. Real estate agencies, with SIC Code 65;
- m. Hotels, motels, rooming houses, boarding houses and organization hotels, with SIC Code 701, 704;
- n. Dry cleaning and laundry operations & services, with SIC Codes 7212, 7213, 7215, 7217, 7219;
- o. Personal service stores, such as: photo studios, beauty shops, barber shops, shoe repair, funeral services & crematories, miscellaneous personal services (not message parlors & spas), with the following SIC Codes 722, 723, 724, 725, 726, 729;
- p. Business services, with SIC Code 73;
- q. Employment agencies, with SIC Code 7361;
- r. Automotive rental & leasing, auto service (except repairs); miscellaneous repairs, car washes (along with the requirements set forth in 3.g.3.e), with SIC Codes 751, 754, 7542, 7549, 76;
- s. Movie theaters, video rental, and motion picture distribution & allied services, with SIC Codes 782, 783, 784;
- t. Amusement and recreation facilities, dance studios, dance schools, bowling alleys, sports clubs, physical fitness facilities, golf courses, coin operated amusement centers, amusement parks, parks and playgrounds, with SIC Codes 791, 793, 7941, 7991, 7992, 7993, 7996, 7997;
- u. Theatrical Production, with SIC Code 792;
- v. Hospitals, doctors, dentist offices, office & clinics of other health practitioners, medical dental labs, home health services, health and allied services, with SIC Codes 801, 802, 803, 804, 805, 806, 807, 808, 809;
- w. Attorney or legal services offices, with SIC Code 81;
- x. Library, museum, art galleries, botanical gardens, vocational schools, job training offices, and other schools and educational services, with SIC Codes 823, 824, 829, 833, 841, 842;

- y. Individual and family social services, with SIC Code 832;
- z. Child care, residential care, other social services, with SIC Codes 835, 836, 839;
- aa. Professional offices for uses such as: engineering, accounting, research, psychology, etc., with SIC Codes 87, 89;
- bb. Ambulance Services with SIC Code 4119;
- cc. Executive, administrative and judicial offices and facilities for government, with SIC Codes 911, 912, 919, 92, 95, 96;
- dd. Fire protection facilities, with SIC Code 9224;
- ee. Single-Family attached and detached units, duplexes, townhouses, and patio homes developed in accordance with Exhibit 5A;
- ff. Parks and playgrounds;
- gg. National Guard Armory with SIC Code 97;
- hh. General contractors with no outside storage of material or construction equipment, with SIC Code 15.

3.i.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any Conditional Use identified below:

- a. Agriculture, farming, and animal husbandry, with SIC Codes 01, 02, 021, 0212, 0212, 0213, 0214, 0219, 024, 027, 0271, 0272, 0273, 0279, 029; (Note: Refer to Article 5, Section B for conditions and special exceptions);
- b. Animal services, except veterinary, with SIC Code 075;
- c. Local & inter-urban highway passenger transportation and communications, with SIC Codes 40, 41, 42, 4212, 44, 46;
- d. Local trucking without storage (Note: No trucking operations involving waste materials, especially hazardous waste, or activities involving offense odors or excessive noise, shall be allowed in a GC District), with SIC Code 4212;
- e. Mini-warehouses with SIC 4225. See Section 5.b.1.h;
- f. Manned convenience centers and refuse systems, with SIC Code 4953;
- g. Mobile home or manufactured housing unit dealerships, with SIC Code 527;

- h. Flea markets, with SIC Code 593;
- i. **Automatic Merchandising Machine Operator, with SIC Code 5962;**
- j. Rooming and Boarding Houses, with SIC Code 702;
- k. Recreational vehicle parks and camps, with SIC Code 703;
- l. Power laundries/Dry cleaning plants, with SIC Codes 7211/7216;
- m. Industrial Laundries, with SIC Code 7218;
- n. Massage parlors, and spas with SIC Code 7299;
- o. Automobile parking lots, with SIC Code 752;
- p. Automotive repair shops, with SIC Code 753;
- q. **Elementary and secondary schools, with SIC Code 821;**
- r. Religious organizations, with SIC Code 866;
- s. Ash gardens & cemeteries, with the same qualifications imposed as set forth 3.f.3.g.;
- t. Mobile Home Park, with the qualifications established in 3.d.6.;
- u. Triplex, quadraplex, multi-family and group dwelling, developed in accordance with Exhibit 5A (Note: May be included as a mixed use in commercial or office projects);
- v. Specialty Contractors with SIC Code 17 (no outside storage of materials or construction equipment, no overnight parking trailers or heavy trucks.);
- w. Mobile Produce Sales (see Section 5.b.1.k.).

3.i.4. Special Exceptions: Review and approval by the Sumter Zoning Board of Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:

- a. Commercial Kennels (SIC Code 0852);
- b. Communication Towers (SIC Code 48);
- c. Electric, Gas and Sanitary Services (SIC Code 49);
- d. Drinking Places (SIC Code 5813);
- e. Liquor Stores (SIC Code 592);

- f. Adult Uses and Tattoo Parlors (SIC Code 7299);
- g. Racing Track and Operations (SIC Code 7948);
- h. Bingo Parlor/Pool Halls (SIC Code 7999);
- i. Amusement and Recreation (Not Classified Elsewhere) (SIC Code 7999);
- j. Electronic Gaming Establishments (SIC Code 7999);
- k. Jails/Correctional Facilities (SIC Code 9223).

3.i.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the GC District.

a. **Lot Requirement (Minimum)**

No minimum lot width requirement is set forth in the GC District. The minimum lot size for residential use is 6,000 sq. ft. Depth N/A.

b. **Yard and Building Set Back Requirements (Minimum)**

Front Yard Setback

| | |
|--|--------|
| From Local/Collector Streets | 35 ft. |
| (Note: The front yard setback is 20 feet if the street is an arterial street when off-street parking is provided on the side or rear of a building; 45 feet if the parking is located in front of the building). | |

Side Yard Setback

| | |
|--|--------|
| From abutting Residential Districts | 50 ft. |
| (Note: None required when abutting property in non-residential). | |
| For Residential Uses | 8 ft. |

Rear Yard Setback

| | |
|--|--------|
| From all types of abutting Districts | 20 ft. |
| (except abutting residential district) | 50 ft. |

c. **Building Requirements**

(Maximum)

| | |
|--------------------------|-------|
| Building Height | 60 ft |
| Impervious Surface Ratio | .92 |
| Floor Area Ratio | N/A |

d. **Off-street Parking Requirements:** Off-street parking requirements for uses permitted herein or conditionally allowed by action of the Planning Commission are established in Article Eight, Section J.

- e. **Landscaping Requirements:** Landscaping requirements for uses permitted herein or conditionally allowed by action of the Planning Commission are established in Article Eight, Section D.

Change # 1

SECTION J: CENTRAL BUSINESS DISTRICT (CBD)

3.j.1. Purpose: The intent of this district is to promote the concentration and vitality of commercial and residential development in Downtown Sumter. Multi-storied buildings, retail stores, professional offices, and government and health services characterize the district.

3.j.2. Permitted: Within the CBD District, a building or a premise shall be used only for the following purpose:

- a. Agriculture services, such as soil preparation, crop services, farm labor and management services, and landscape and horticultural services, with SIC Codes 071, 072, 076, & 078;
- b. Auxiliary uses, such as central administrative offices, research, development and testing laboratories, warehouses, with Auxiliary SIC Codes 1, 2, 3;
- c. Printing, publishing, & allied industries, with SIC Code 27;
- d. Electronic and other electrical equipment and components except computer equipment, with SIC Code 36;
- e. Optical good stores/miscellaneous manufacturing, with SIC Codes 38 and 39;
- f. Transportation, communication, and utility services, such as transit facilities, postal services, with SIC Codes 43, 47, & 48;
- g. Water supply facilities, with SIC Code 494;
- h. Retail trade activities, such as paint & wallpaper stores, hardware stores, nursery & garden supply, general mercantile stores, food stores, apparel stores, home furnishings, eating places, drug stores, pawn shops, sporting goods & bicycle shops, book stores, stationery shops, jewelry stores, hobby & games stores, camera stores, gift shops, luggage stores, sewing & piece goods stores, catalog & mail order shops, florist shops, tobacco stores, optical goods, pet shops, art supply stores, miscellaneous retail, with SIC Codes 523, 525, 526, 53, 54, 56, 57, 58, 591, 593, 5941, 5942, 5943, 5944, 5945, 5946, 5947, 5948, 5949, 5961, 5992, 5993, 5995, 5999;

- i. Finance, insurance and real estate services, such as, depository and non-depository institutions, security & commodity broker services, insurance carriers, investment offices, with SIC Codes 60, 61, 62, 63, 64, 65;
- j. Hotels and motels, with SIC Code 701;
- k. Personal service establishments, such as laundry & dry cleaners, linen supply services, photographic studios, beauty & barber shops, shoe repair shops, business services, automotive rental, automotive services, car washes, miscellaneous repair, motion picture theaters & film distribution, video tape rentals, with SIC Codes 7212, 7213, 722, 723, 724, 725, 729, 73, 751, 754, 7549, 76, 782, 783, 784;
- l. Employment agencies, with SIC Code 7361;
- m. Amusement and recreation services, such as dance studios, bowling alleys, sports clubs and promoters, physical fitness facilities, coin operated amusement centers, with SIC Codes 791, 793, 7941, 7991, 7993;
- n. All Theatrical Productions, with SIC Code 792;
- o. Membership sports and recreation clubs, with SIC Code 7997;
- p. Health services, such as doctors' medical offices and clinics, dentist offices and clinics, osteopathy doctors offices, offices for health practitioners, nursing & personal care facilities, hospitals, medical & dental laboratories, home health care services, miscellaneous & allied health care services, with SIC Codes 801, 802, 803, 804, 805, 806, 807, 808, 809;
- q. Legal services with SIC Code 81;
- r. Educational services, such as elementary, secondary, colleges & universities, libraries, vocational schools, other schools & educational services, with SIC Codes 823, 824, 829;
- s. Social services, such as individual & family social services, job training & vocational rehabilitation services, child day care services, other social services, with SIC Codes 832, 833, 835, 839;
- t. Residential care facility, with SIC Code 836;
- u. Museums & art galleries with SIC Code 841;
- v. Botanical gardens with SIC Code 842;

- w. Membership Organizations, such as business associations, professional membership organizations, labor unions & similar organizations, civic & fraternal associations, political organizations, other membership organizations, with SIC Codes 861, 862, 863, 864, 865, 869;
- x. Engineering, accounting, research, management, & related services with SIC Code 87;
- y. Miscellaneous services, such as artist, authors, geologists, psychologists, etc., with SIC Code 89;
- z. Public Administration Services, such as executive offices, legislative offices, general government, judicial, public order & safety, courts, fire protection, public finance & taxation, human resources programs, environmental & housing programs, with SIC Codes 911, 912, 919, 92, 9224, 93, 94, 95, 96;
- aa. Parks and playgrounds;
- bb. Second story and above residential uses.

3.j.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any Conditional Uses identified below:

- a. Transportation, communications, with SIC Codes 40, 41, 42, 44, 4212, 46;
- b. Manned convenience and recycling centers with SIC Code 4953;
- c. Convenience Stores with SIC Code 541;
- d. Automotive dealers, with SIC Code 55;
- e. Coin operated laundries, industrial laundries, with SIC Code 702 and 704 from 3.j.2.g., and SIC Codes 7215 and 7218;
- f. Automobile parking lots with SIC Code 752;
- g. Auto repair, with SIC Code 753;
- h. Elementary, secondary, schools, colleges, universities, professional schools, with SIC Code 821 and 822;
- i. Religious organizations with SIC Code 866;
- j. Ash gardens and cemeteries adjacent to a religious or consecrated facility;

- k. Residential uses such as Single-Family (detached & attached), duplex, townhouses, patio homes, triplex & quadraplex, multi-family & group dwellings, bed & breakfast inns developed in accordance with Exhibit 5A;
- l. First floor or detached residential uses.

3.j.4. Special Exceptions: Review and approval by the Sumter Zoning Board of Appeals in accordance with Article 5, Section B shall be requirement before any use listed below is allowed in this district:

- a. Communication Towers (SIC Code 48);
- b. Drinking Places (SIC Code 5813);
- c. Liquor Stores (SIC Code 592);
- d. Jails/Correction Institutions (SIC Code 9223).

3.j.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the CBD District.

- a. **Lot Requirement (Minimum)**
No minimum lot width requirement is set forth in the CBD District. Depth: N/A
- b. **Yard and Building Set Back Requirements (Minimum)**

| | |
|------------------------------|---------------------------|
| | <u>Front Yard Setback</u> |
| From Local/Collector Streets | “None Required” |

Note: Buildings in the CBD are intended to directly abut the sidewalk facing each building.

| | |
|--|--------------------------|
| | <u>Side Yard Setback</u> |
| | “None Required” |

Note: Buildings in the CBD are intended to share common walls with adjacent buildings. However, walkways are encouraged between buildings to provide pedestrian access to rear parking lots.

| | |
|--|--------------------------|
| | <u>Rear Yard Setback</u> |
| | “None Required” |

Note: Rear parking in the CBD may abut the rear portion of each building. However, a ten (10ft) foot parameter (irrigated) landscape bufferyard must be provided where a rear parking lot fronts on a parallel or opposite street abutting the rear portion of a building(s) fronting on Main Street.

- | | | |
|----|------------------------------|------------------|
| c. | Building Requirements | (Maximum) |
| | Building Height | 90 ft |
| | Impervious Surface Ratio | 100% |
| | Floor Area Ratio | N/A |
- d. **Off-street Parking Requirement:** Off street parking is not required in the CBD except where residential uses are provided on site. Article Eight, Section J, details the parking requirements for each residential type use.
- e. **Landscaping Requirements:** Landscaping requirements are not provided for in the CBD except as part of the 10 ft. parameter landscape buffer as set forth in 3.j.4.b. above.

SECTION K. LIGHT INDUSTRIAL-WAREHOUSE (LI-W) DISTRICT

3.k.1. Purpose: The intent of this District is to accommodate wholesaling, distribution, storage, processing and light manufacturing in an environment suited to such uses and operations while promoting land use compatibility both within and beyond the boundaries of such districts.

3.k.2. Permitted: Within the LI-W District, a building or a premise shall be used only for the following purpose:

- a. Uses associated with Agriculture, forestry & fishing, such as crops production, livestock (including beef cattle feed lots, beef cattle, sheep & goats), dairy farms, animal specialties, fur-bearing animals, horses, animal aqua-culture, bee raising, with the following SIC Codes 01, 02, 021, 0212, 0214, 0219, 024, 027, 0271, 0272, 0273, 0279, 029;
- b. Agricultural services such as, soil preparation services, crop services, veterinary services (Note: the provisions set forth in section 3.f.3. of this ordinance for veterinary services shall apply in the LI-W District), farm labor & management services, landscape & horticulture service, forestry, fishing-hunting-trapping, with SIC Codes 071, 072, 074, 076, 078, 08, 09;
- c. Auxiliary Uses, such as central administrative offices, research, development & testing laboratories, warehouses, accessory buildings & uses, with SIC Codes 1, 2, 3;
- d. Construction companies and specialty trade contractors with SIC Codes 15 and 17;
- e. Manufacturing uses specializing in lumber & wood products, furniture and fixtures, printing, publishing & allied industries, fabricated metal products (except machinery & transportation equipment), electronic & other electrical equipment & component (except computer equipment), measuring, analyzing & controlling instruments, photographic, medical and optical goods, watches & clocks, and

- miscellaneous manufacturing industries, with SIC Codes 24, 25, 27, 34, 36, 38, 39;
- f. Truck trailers with SIC 3715;
 - g. Transportation, communications, with SIC Codes 40, 41, 42, 44, 4212, 46, 47, 48;
 - h. Wholesale Trade uses for durable and non-durable goods, with SIC Codes 50, 51, (Except SIC Codes 5015, 5093 and 5154);
 - i. U.S. Postal Services, with SIC Code 43;
 - j. Retail trade activities involving the following types of goods: lumber and building materials, paint, glass & wall paper stores, hardware stores, retail nurseries & lawn and garden stores, convenience stores, fuel dealers, fire wood shops (outdoor storage must be located behind a principal building), fireworks, monuments and tombstone sales, with SIC Codes 52, 523, 525, 526, 541, 598, 5999;
 - k. Water supply facilities, with SIC Code 494;
 - l. Eating places, with SIC Code 5812;
 - m. Personal service establishments such as power laundries, garment pressing & dry cleaning, linen supply, coin operated laundries, dry cleaning plants (except rug cleaning), carpet & upholstery cleaning, industrial laundries, laundry & garment cleaning not elsewhere classified, car washes with SIC Codes 7211, 7212, 7213, 7215, 7216, 7217, 7218, 7219, 7542;
 - n. Photographic studio, with SIC Codes 722;
 - o. Beauty and barber shops, with SIC Code 723 and 724;
 - p. Shoe repair, shoe shine, hat cleaning, with SIC Code 725;
 - q. Funeral homes and crematories, with SIC Code 726;
 - r. Disinfecting and Pest Control Services with SIC Code 7342 including the following: bird proofing, deodorant servicing of rest rooms, disinfecting service; exterminating service; fumigating service; pest control in structures; rest room cleaning service, termite control; and washroom sanitation;
 - s. Heavy construction equipment rental and leasing with SIC Code 7353 including the following: bulldozer rental and leasing; construction equipment, heavy: rental and leasing; crane rental and leasing; earth moving equipment rental and leasing.
 - t. Equipment Rental and Leasing, Not Elsewhere Classified with SIC Code 7359 including only the following: airplane rental and leasing; appliance rental and leasing; coin-operated machine rental and leasing; electronic equipment rental and leasing, except medical and computer; industrial truck rental and leasing; oil field equipment rental and leasing; oil well drilling equipment rental and leasing;

toilets, portable: rental and leasing; tool rental and leasing; vending machines, rental only;

- u. Auto rental, leasing, parking, repair shops, service except repair and miscellaneous repair, with SIC Codes 751, 752, 753, 754, 7549 and 76;
- v. Motion picture distributors, with SIC Code 782;
- w. Video tape rentals, with SIC Code 784;
- x. Professional sports clubs and promoters, with SIC Code 7941;
- y. Miscellaneous amusement & recreation services such as physical fitness facilities, public golf courses, coin operated amusement devices, amusement parks, membership sports & recreation clubs, with SIC Codes 7991, 7992, 7993, 7996, 7997;
- z. Medical and dental labs, with SIC Code 807;
- aa. Home and miscellaneous healthcare, with SIC Codes 808 and 809;
- bb. Libraries, vocational, other schools and education services, with SIC Code 823, 824, and 829;
- cc. Job training and rehabilitation services, with SIC Code 833;
- dd. Child care services with SIC Code 835;
- ee. Other social services, with SIC Code 839;
- ff. Organizational facilities and business associations, with SIC Codes 861, 862, 863, 864, and 865;
- gg. Engineering, accounting, research, with SIC Code 87;
- hh. Public administrative services such as justice, public order & safety uses, and government offices, with SIC Codes 92, 911, 912, 919, 93, 94, 95, 96;
- ii. Fire protection, with SIC Code 9224;
- jj. National Guard Armory with SIC Code 97.

3.k.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any Conditional Uses identified below:

- a. Animal services, except veterinary, with SIC Code 075;
- b. Mini-Warehouses with SIC 4225. See Section 5.b.1.h. for conditions
- c. **Photovoltaic Solar Energy System, Primary or Accessory**, with SIC Code 4911.

- d. Manned convenience centers and recycling refuse systems, with SIC Code 4953; (Note: See 5.b.3.h. for specific guidelines for siting facilities);
- e. Mobile home dealers, with SIC Code 527;
- f. Retail trade activities such as general merchandise stores, food stores, automotive dealers & gasoline service stations, apparel and accessory stores, home furniture, furnishings and equipment stores, with SIC Codes 53, 54, 55, 56, 57;
- g. Miscellaneous retail such as drug & proprietary stores, used merchandise (pawn & flea markets), sporting goods & bicycle shops, book stores, stationery shops, jewelry stores, hobby, toy, and game shops, camera & photography supply houses, gift, novelty & souvenir shops, luggage and leather goods, sewing & piece good stores, mail order & catalog houses, with SIC Codes 591, 593, 5941, 5942, 5943, 5944, 5945, 5946, 5947, 5948, 5949, 5961;
- h. **Automatic Merchandising Machine Operator, with SIC Code 5962;**
- i. Miscellaneous retail not elsewhere classified such as florists, tobacco stores, optical goods, artist supply, auction rooms, stamp and telephone stores, pet shops, with SIC Codes 5992, 5993, 5995, 5999;
- j. Finance and Insurance activities such as depository institutions, non-depository institutions, security & commodity brokers, insurance carriers, with SIC Codes 60, 61, 62, 63, 64;
- k. Commercial Services such as real estate offices, holding & other investment offices, hotel & motel, camping & recreational vehicle parks (Note: recreation trailer parks shall be located no closer than 300 feet from any residential district, and shall have a landscaped or natural buffer as specified in Article Eight, Section J, with SIC Codes 65, 701, and 703;
- l. Miscellaneous personal services, massage parlors & spas, business services, with SIC Codes 729, 7299, 73;
- m. Employment agencies, with SIC Code 7361;
- n. Motion picture theaters, with SIC Code 783;
- o. Amusement and recreation services such as dance studios, bowling alleys, theatrical productions with SIC Codes 791, 792, 793;
- p. Parks & playgrounds;
- q. Offices and clinics of doctors, dentists, doctors of osteopathy, nursing & personal care facilities, hospitals, with SIC Codes 801, 802, 803, 804, 805, 806;
- r. Legal services with SIC Code 81;
- s. Universities, colleges, and professional schools, with SIC codes 822;

- t. Social & civic facilities such as individual & family social services, museums & art galleries, botanical gardens, with SIC Codes 832, 839, 841, 842;
- u. Religious organizations, other membership organizations, management & related services, and services offered by professionals like artists, authors, geologists, etc., with SIC Codes 866, 869, 89;
- v. Ash gardens and cemeteries.

3.k.4. Special Exceptions: Review and approval by the Sumter Zoning Board of Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:

- a. Stockyards (SIC Code 0211);
- b. Commercial Kennels (SIC Code 0752);
- c. Communication Towers (SIC Code 48);
- d. Electric, Gas, and Sanitary Services (SIC Code 49);
- e. Animal Auctions (SIC Code 5154);
- f. Drinking Places (SIC Code 5813);
- g. Liquor Stores (SIC Code 592);
- h. Tattoo Parlors (SIC Code 7299);
- i. Racing Tract and Operations (SIC Code 7948);
- j. Bingo Parlor/Pool Hall (SIC Code 7999);
- k. Amusements and Recreation (Not Classified Elsewhere) (SIC Code 7999);
- l. Electronic Gaming Establishments (SIC 7999);
- m. Jails/Correctional Facilities (SIC Code 9223).

3.k.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the LI-W District.

a. **Lot Requirement (Minimum)**

Lot width is measured by the linear feet required at the building setback line: The minimum lot width requirement for LI-W development is 100 feet.

Depth: 250 feet. (Note: Linear feet is measured from front lot line to rear lot line. Where lot lines are not parallel, measure by drawing lines from front to rear lot lines, at right angles to the front lot line, every ten (10) feet and averaging the length of these lines).

Lot Area: One (1) acre.

b. Yard and Building Set Back requirement (Minimum)

| | <u>Front Yard Setback</u> |
|------------------------------|---------------------------|
| From local/collector Streets | 35 ft. |
| From all other type Streets | 100 ft. |

| | <u>Side Yard Setback</u> |
|--------------------------------------|--------------------------|
| From abutting Residential Districts | 100 ft. |
| From other Districts not Residential | 15 ft. |

| | <u>Rear Yard Setback</u> |
|--------------------------------------|--------------------------|
| From abutting Residential Districts | 100 ft. |
| From other Districts not Residential | 25 ft. |

c. Building Requirements (Maximum)

| | |
|--------------------------|--------|
| Building Height | 60 ft. |
| Impervious Surface Ratio | .80 |
| Floor Area Ratio | NA |

d. Off-street Parking Requirements: Off-street parking requirements for the uses permitted herein or conditionally allowed by action of the Planning commission are established in Article Eight, Section J.

e. Landscaping Requirements: Landscaping requirements for uses permitted herein or conditionally allowed by action of the Planning Commission are established in Article Eight, Section D.

SECTION L: HEAVY INDUSTRY (HI) DISTRICT

3.1.1. Purpose: The intent of this district is to concentrate heavy industrial uses in areas where they will flourish without adversely affecting adjacent less intensive uses, and to preserve prime industrial lands for future industrial development. Toward these ends, residential development is not permitted, nor is the establishment of this district on other than a major road or highway.

3.1.2. Permitted: Within the HI District, a building or a premise shall be used only for the following purpose:

- a. Uses associated with Agriculture, Forestry & Fishing as set forth in 3.k.2.a. of the LI-W District;
- b. Agricultural services as set forth in 3.k.2.b. of the LI-W District;
- c. Auxiliary uses, such as central administrative offices, research, development, and testing and labs, warehouses, oil and gas extraction, with SIC Auxiliary Codes 1, 2, 3 and SIC Code 13;
- d. Construction companies and specialty trade contractors, with SIC Codes 15, 16, 17;
- e. Manufacturing uses involving food and other products, tobacco products, textile mill products, apparel & other finished products made from fabric, lumber & wood products, furniture & fixtures, paper & allied products, chemical & allied products, petroleum refining & related industries, rubber & miscellaneous plastic products, leather & leather products, stone, clay, glass & concrete products, primary metal industries, fabricated metal products, industrial & commercial machinery & computer equipment, transportation equipment, measuring-analyzing & controlling instruments, photographic, medical & optical goods; watches & clocks, and miscellaneous manufacturing industry, with SIC Codes 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, (except SIC Code 2011/2015);
- f. Transportation, communications, highway passenger facilities, motor freight transportation & warehouse facilities, U.S. Post office facilities, water transportation, marinas, public boat docks, transportation by air & airports & terminals, pipelines, except natural gas, transportation services, communications, and water supply systems, with SIC Codes 40, 41, 42, 43, 44, 4212, 45, 46, 47, 48;
- g. Wholesale trade for durable and non-durable goods, with SIC Codes 50, 51, (except SIC Codes 5093 and 5154);
- h. Retail trade activities involving lumber & building materials, paint-glass & wallpaper stores, hardware stores, convenience stores, fuel dealers, fireworks stores, monuments & tombstones, with the following SIC Codes 52, 523, 525, 541, 5541, 598, 5999;
- i. Personal service establishments involving the following uses: power laundries, garment pressing & agents for laundries & dry cleaners, linen supply, dry cleaning plants, carpet & upholstery cleaning, industrial launders, laundry &

garment services not classified elsewhere, with SIC Codes 7211, 7212, 7213, 7216, 7217, 7218, 7219;

- j. Disinfecting and pest control services with SIC Code 7342 including the following uses: bird proofing; deodorant servicing of rest rooms; disinfecting services; exterminating service; fumigating service; pest control in structures; rest room cleaning services; termite control; and washroom sanitation service;
- k. Heavy construction equipment rental and leasing with SIC Code 7353 including the following: Bulldozer rental and leasing; construction equipment, heavy: rental and leasing; crane rental and leasing; earth moving equipment rental and leasing;
- l. Equipment Rental and Leasing, Not Elsewhere Classified with SIC Code 7359 including only the following: airplane rental and leasing; appliance rental and leasing; coin-operated machine rental and leasing; electronic equipment rental and leasing, except medical and computer; industrial truck rental and leasing; oil field equipment rental and leasing; oil well drilling equipment rental and leasing; toilets, portable: rental and leasing; tool rental and leasing; vending machines, rental only;
- m. Business services such as automotive parking, automotive repair shops, miscellaneous repairs, with SIC codes 752, 753, 76;
- n. Educational services such as vocational schools, other schools & educational services, with SIC Codes 824, 829;
- o. Child day care services with SIC Code 835;
- p. Professional services involving engineering, accounting, research, management & related services, with SIC Code 87;
- q. Land Uses involving justice, public order & safety, fire protection with SIC Code 9224;
- r. National Guard Armory with SIC Code 97.

3.1.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any Conditional Uses identified below:

- a. Mining & quarrying of non-metallic minerals, with SIC Code 14;
- b. Mini-Warehouses with SIC 4225. See Section 5.b.1.h. for conditions;
- c. **Photovoltaic Solar Energy System, Primary or Accessory**, with SIC Code 4911.
- d. Manned convenience centers and refuse systems, with SIC Code 4953;

- e. **Automatic Merchandising Machine Operator, with SIC Code 5962;**
- f. Physical Fitness Facilities, with SIC Code 7991;
- g. Home Healthcare Service, with SIC Code 808;
- h. Government Offices, with SIC Code 911, 912, 919, 92;
- i. Facilities associated with public finance, taxation, & monetary policy, with SIC Code 93;
- j. Facilities associated with the administration of human resources programs, with SIC Code 94;
- k. Facilities associated with the administration of environmental quality & housing programs, with SIC code 95;
- l. Facilities associated with the administration of economic programs, with SIC Code 96.

3.1.4. Special Exception: Review and approval by the Sumter Board of Appeals in accordance with Article 5. Section B shall be a requirement before any use listed below is allowed in this district:

- a. Stockyards (SIC Code 0211);
- b. Commercial Kennels (SIC Code 0752);
- c. Metal Mining (SIC Code 10);
- d. Slaughter Houses (SIC Code 2011/2015);
- e. Communication Towers (SIC Code 48);
- f. Electric, Gas, and Sanitary Services (SIC Code 49);
- g. Animal Auctions (SIC Code 5154);
- h. Salvage of Damaged Merchandise (SIC Code 7589);
- i. Outdoor Pistol, Rifle and Skeet Ranges (SIC Code 7999);
- j. Jails/Correctional Facilities (SIC Code 9223).
- k. Residential Care (SIC Code 8361).

3.1.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the HI, Heavy Industry District.

a. **Lot Requirement (Minimum)**

Lot width is measured by the linear feet required at the building setback line: The minimum lot width requirement for HI development is 100 feet.

Depth: 250 feet. (Note: Linear feet is measured from front lot line to rear lot line. Where lot lines are not parallel, measure by drawing lines from front to rear lot lines, at right angles to the front lot line, every ten (10) feet and average the length of these lines).

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Lot Area: One (1) acre.

b. Yard and Building Set Back requirements (Minimum)

Front Yard Setback

| | |
|------------------------------|---------|
| From local/collector Streets | 35 ft. |
| From all other type Streets | 100 ft. |

Side Yard Setback

| | |
|--------------------------------------|---------|
| From abutting Residential Districts | 100 ft. |
| From other Districts not Residential | 15 ft. |

Rear Yard Setback

| | |
|--------------------------------------|---------|
| From abutting Residential Districts | 100 ft. |
| From other Districts not Residential | 25 ft. |

c. Building Requirements (Maximum)

| | |
|--------------------------|---------|
| Building Height | 120 ft. |
| Impervious Surface Ratio | .80 |
| Floor Area Ratio | NA |

d. Off-Street Parking Requirements: Off-street parking requirements for the uses permitted herein or conditionally allowed by action of the Planning Commission are established in Article Eight, Section J.

e. Landscaping Standards: Landscaping requirements for uses permitted herein or conditionally allowed are established in Article Eight, Section D.

SECTION M: MULTI-USE INDUSTRIAL (MUI) DISTRICT

3.m.1. Purpose: The intent of this district is to accommodate a wide range of industrial uses while providing the multiple uses required to support those industries in an environmentally sound, pedestrian oriented neighborhood. The supporting uses could include residential, commercial, medical, educational, and religious uses within a well-designed site that continues to promote land use compatibility beyond the boundaries of such districts.

3.m.2. Permitted: No uses will be permitted outright in this district.

3.m.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with Article 5 of this Ordinance shall be a prerequisite to the issuance of a business license and/or building permit for any Conditional Uses identified below:

- a. Animal services, except veterinary, with SIC Code 075;

- b. Auxiliary Uses, such as central administrative offices, research, development & testing laboratories, warehouses, accessory buildings & uses, with SIC Codes 1, 2, 3;
- c. Construction companies and specialty trade contractors, with SIC Codes 15, 16, 17;
- d. Manufacturing uses involving food and other products, with SIC Codes 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, & 39, (except Sic Codes 2011/2015);
- e. Transportation, communications, highway passenger facilities, motor freight transportation & warehouse facilities, mini-warehouses, U.S. Post Office facilities, water transportation, marinas, public boat docks, transportation by air & airports & terminals, pipelines, except natural gas, transportation services, communications, and water supply systems, with SIC Codes 40, 41, 42, 43, 44, 45, 46, 47, 48, 4225, 4493;
- f. Wholesale trade for durable and non-durable goods, with SIC Codes 50 and 51 (except SIC Code 5015, 5093 and 5154);
- g. Retail trade activities such as general merchandise stores, food stores, automotive dealers & gasoline service stations, apparel and accessory stores, home furniture, furnishings and equipment stores, with SIC Codes 53, 54, 55, 56, 57;
- h. Eating places with SIC Code 5812;
- i. Miscellaneous retail such as drug & property stores, sporting goods & bicycle shops, book stores, stationery shops, jewelry stores, hobby, toy, and game shops, camera & photography supply houses, gift, novelty & souvenir shops, luggage and leather goods, sewing & piece good stores, with SIC Codes 591, 5941, 5942, 5943, 5944, 5945, 5946, 5947, 5948, 5949, 5961;
- j. Miscellaneous retail not elsewhere classified such as florists, tobacco stores, optical goods, artist supply, auction rooms, stamp and telephone stores, pet shops, with SIC Codes 5992, 5993, 5995, 5999;
- k. Finance and Insurance activities such as depository institutions, no-depository institutions, security & commodity brokers, insurance carriers, with SIC Codes 60, 61, 62, 63, 64;
- l. Commercial Services such as real estate offices, holding & other investment offices, hotel & motel, with SIC Codes 65, 701, and 703;
- m. Rooming and boarding houses with SIC Code 702;

- n. Organization, hotels, and lodges with SIC Code 704;
- o. Personal service establishments such as power laundries, garment pressing & dry cleaning, linen supply, coin operated laundries, dry cleaning plants (except rug cleaning), carpet & upholstery cleaning, industrial laundries, laundry & garment cleaning not elsewhere classified, car washes (Note: car washes shall be oriented on a lot so that no open vehicular bays will open on or face a street. Where a car wash occupies a corner lot, a fence or planted strip shall be provided along the street side facing the open bay), with SIC Codes 7211, 7212, 7213, 7215, 7216, 7217, 7218, 7219, 7542;
- p. Photographic studios with SIC Code 722
- q. Beauty and barber shops with SIC Codes 723 and 724;
- r. Shoe repair and shine, hat cleaning with SIC Code 725;
- s. Miscellaneous personal services, massage parlors & spas, business services, and employment agencies, with SIC Codes 73, 729, 7299, 7361;
- t. Auto rental, leasing, repair shops, service except repair and miscellaneous repair with SIC Codes 751, 753, 754, 7549, and 76;
- u. Business services such as automotive parking, automotive repair shops, miscellaneous repairs, with SIC Codes 76, 752, and 753;
- v. Motion picture distributors and video tape rentals with SIC Codes 782 and 784;
- w. Motion picture theaters, with SIC Code 783;
- x. Amusement and recreation services such as dance studios, bowling alleys, theatrical productions with SIC Codes 791, 792, and 793;
- y. Miscellaneous amusement & recreation services such as physical fitness facilities, public golf courses, coin operated amusement devices, amusement parks, membership sports & recreation clubs, with SIC Codes 7991, 7992, 7993, 7996, 7997;
- z. Offices and clinics of doctors, dentists, doctors of osteopathy, nursing & personal care facilities, hospitals, with SIC Codes 801, 802, 803, 804, 805, 806;
- aa. Medical and dental labs with SIC Code 807;
- bb. Home health care with SIC Codes 808 and 809;

- cc. Legal services with SIC Code 81;
- dd. Libraries, vocational, other schools and education services with SIC Codes 823, 824, and 829;
- ee. Social and civic facilities such as individual & family social services, museums & art galleries, botanical gardens, with SIC Codes 832, 839, 841, 842;
- ff. Job training and rehabilitation services with SIC Code 833;
- gg. Child care services with SIC Code 835;
- hh. Organizational facilities and business associations with SIC Codes 861, 862, 863, 864, and 865;
- ii. Religious organizations, other membership organizations, management & related services, and services offered by professionals like artists, authors, geologists, etc., with SIC Codes 866, 869, 89;
- jj. Engineering, accounting, research with SIC Code 87;
- kk. Public administration services and government offices with SIC Codes, 93, 94, 95, 96, 911, 912, and 919;
- ll. Justice, public order and safety with SIC Code 92;
- mm. Fire protection, with SIC Code 9224;
- nn. Single-family detached dwelling excluding manufactured homes;
- oo. Single-family attached dwelling excluding manufactured homes (Duplexes or Townhouses);
- pp. Patio homes, triplex, and quadruplex;
- qq. Multi-family apartments;
- rr. Parks and playgrounds;
- ss. Accessory residential uses such as bathhouses, cabanas, non-commercial greenhouses, private garages and carports, storage buildings, swimming pools, tool sheds, workshops, and home occupations;
- tt. Community centers.

3.m.4. Special Exception: Review and approval by the Sumter Board of Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below in allowed in this district:

- a. Communication Towers (SIC Code 48);
- b. Electric, Gas, and Sanitary Services (SIC Code 49);
- c. Drinking Places (SIC Code 5813);
- d. Amusements and Recreation (Not Classified Elsewhere) (SIC Code 7999).

3.m.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the M-U-I, Multi-Use Industrial District:

a. **Site Plans**

All site plans (original or amended) for this District require Planning Commission approval.

b. **Lot Requirement (Minimum)**

Lot width is measured by the linear feet required at the building setback line. The minimum lot width requirement for MUI development is 300 feet.

Depth: 350 feet. (Note: Linear feet is measured from front lot line to rear lot line. Where lot lines are not parallel, measure by drawing lines from front to rear lot lines, at right angles to the front lot line every ten (10) feet and averaging the length of those lines).

Lot Area: Minimum zoning and site area is ten (10) acres. Individual lot sizes to be determined by the Planning Commission.

c. **Yard and Building Set Back Requirements (Minimum)**

| | |
|------------------|---|
| | <u>Front Yard Setback</u> |
| From all streets | As required by Planning Commission, 35' minimum |

| | |
|--------------------|---|
| | <u>Side Yard Setback</u> |
| From all Districts | As required by Planning Commission, 15' minimum |

| | |
|--|---|
| | <u>Rear Yard Setback</u> |
| | As required by Planning Commission, 25' minimum |

- d. **Building Requirements** (Maximum)
- | | |
|---|-------------------|
| Building Height | 90 ft. |
| Impervious Surface Ratio | .70 |
| Floor Area Ratio | N/A |
| Maximum Residential Density (Residential Areas) | 24 units per acre |
- e. **Off-Street Parking:** Off-street parking requirements for uses conditionally allowed by action of the Planning Commission Staff are established in Article Eight, Section J.
- f. **Landscaping Requirements:** Landscaping requirements for uses conditionally allowed by action of the Planning Commission Staff are established in Article Eight, Section D.

Warning Notice: The following statement must be placed on the final plat and rezoning results letter indicating the seller or developer will inform the buyer of the parcel or individual housing units:

“This property has been zoned for a mixed use development. Houses/residences may be located near a variety of manufacturing and commercial uses. Development may occur in stages with residential uses first. All site plans including buffering and screening will be reviewed and approved by the Sumter Planning Commission.”

SECTION N: AGRICULTURAL CONSERVATION (AC) DISTRICT

3.n.1. Purpose: The intent of this district is to protect and preserve areas of the county which are presently rural or agricultural in character and use, and are uniquely suited to agricultural use. Where urban development is permitted within the district, strict quality standards should be required.

3.n.2. Permitted: Within the AC District, a building or a premise shall be used only for the following purpose:

- a. Uses associated with Agriculture, forestry & fishing as set forth in 3.k.2.a. of the LI-W District;
- b. Agricultural Services as set forth in 3.k.2.b. of the LI-W District;
- c. United States Postal Service, with SIC Code 43;
- d. Public boat docks, with SIC Code 4493;
- e. Residential care facilities, with SIC 836;

- f. Firewood shops, with SIC Code 5999;
- g. Fire protection facilities, with SIC Code 9224;
- h. Single-Family dwellings;
- i. Manufactured Housing/Mobile Homes;
- j. Parks and playgrounds;
- k. Residential Accessory Uses such as bathhouses, cabanas, non-commercial greenhouses, private garage & carport, storage building, swimming pool, tool shed & work shop, home occupation.

3.n.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any Conditional Uses identified below:

- a. Animal services, except veterinary, with SIC Code 075;
- b. Mining & quarrying of nonmetallic minerals (Note: a reclamation and reuse plan must accompany a zoning permit, an approximate operating schedule including times when explosives will be used must be presented, no such use shall be located within 300 feet of any residential use, no explosives shall be used within 2,500 feet of a residential structure unless a variance is obtain from the Planning Commission on a case by case basis, the site must obtained its highway access from a collector or an arterial street, mining and extraction uses permitted by South Carolina Department Health Environmental Control, Division of Mining & Reclamation, which are non-conforming and any extension of such use, operations, activities, or business on such parcel or contiguous parcel where the minerals or the surface rights which are under the same ownership or control on the date of passage of this ordinance shall be exempt from the requirements of this section);
- c. Mini-Warehouses with SIC 4225. See Section 5.b.1.h. for conditions;
- d. Airports, flying fields, and terminals, with SIC Code 458;
- e. Photovoltaic Solar Energy System, Primary or Accessory, with SIC Code 4911.
- f. Manned convenience centers and refuse systems, with SIC Code 4953 (See Section 5.b.3.h.);
- g. Retail nurseries and lawn garden shop, with SIC Code 526;

- h. Automatic Merchandising Machine Operator, with SIC Code 5962;
- i. Commercial Truck and Trailer Parking Lot (C-500), with SIC Code 752 (See Section 5.b.1.n)
- j. Public golf course, with SIC Code 7992;
- k. Membership sports & recreation clubs, with SIC Code 7997;
- l. Educational services such as elementary schools, secondary schools, colleges & universities, vocational schools, and other schools & educational services, with SIC Codes 821, 822, 824, 829;
- m. Child care services, with SIC Code 835;
- n. Membership Organizations with SIC Codes 861, 862, 863, 864, and 865;
- o. Ash gardens;
- p. Cemeteries (C-300) in accordance with 5.n.1 and 5.b.1.i.;
- q. Churches and religious organizations, with SIC Code 866;
- r. Public administrative services such as executive offices, legislative bodies, general government, justice-public order & safety, courts, public finance-taxation & monetary policy, human resources, administration of environmental quality & housing programs, administration of economic programs, with SIC Codes 911, 912, 919, 92, 921, 93, 94, 95, 96;
- s. Bed and Breakfast;
- t. National Guard Armory with SIC Code 97.
- u. Auto Service except Repair, with SIC Code 754.
- v. Mobile Produce Sales (see Section 5.b.1.k.).

3.n.4. Special Exceptions: Review and approval by the Sumter Board of Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:

- a. Stockyards (SIC Code 0211);
- b. Poultry Houses (SIC Code 025);
- c. Swine Farms (SIC Code 0752);

- d. Commercial Kennels (SIC Code 0752);
- e. Metal Mining (SIC Code 10);
- f. Communication Towers (SIC Code 48);
- g. Electric, Gas, and Sanitary Service Change # 17
- h. Poultry Incinerators (SIC Code 4953);
- i. Animal Auctions (SIC Code 5154);
- j. Drinking Places (SIC Code 5813);
- k. Amusements and Recreation (Not Classified Elsewhere) (SIC Code 7999);
- l. Jails/Correctional Facilities (SIC Code 9223).

3.n.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the AC, Agricultural Conservation District:

a. **Lot Requirement (Minimum)**

Minimum lot width requirement in the AC District is 60.
 Depth: There is no minimum lot depth requirement in the AC District.
 Lot Area: 1 acre minimum

b. **Yard and Building Set Back Requirements (Minimum)**

| | |
|-------------------------------------|---------------------------|
| | <u>Front Yard Setback</u> |
| From local/collector Streets | 35 ft. |
| From all other type Streets | 45 ft. |
| | <u>Side Yard Setback</u> |
| For Residential Uses | 12 ft. |
| For Non-Residential Uses | 50 ft. |
| | <u>Rear Yard Setback</u> |
| From abutting Residential Districts | 50 ft. |
| From Non-Residential Districts | 50 ft. |

c. **Building Requirements (Maximum)**

| | |
|--------------------------|--------|
| Building Height | 35 ft. |
| Impervious Surface Ratio | .80 |

| | |
|-------------------------------------|-----|
| Residential Density (Gross Acreage) | 0.5 |
| Floor Area Ratio (Non-residential) | .15 |

- d. **Off-Street Parking:** Off-street parking requirements for uses permitted herein or conditionally allowed are established in Article Eight, Section J.
- e. **Landscaping Requirements:** Landscaping requirements permitted herein or conditionally allowed are established in Article Eight, Section D.

SECTION O: CONSERVATION PRESERVATION (CP) DISTRICT

3.o.1. Purpose: The intent of this district is to recognize, preserve and protect environmentally sensitive areas for future generations.

3.o.2. Permitted Uses: Within the CP District, a building or a premise shall be used only for the following purposes:

- a. Uses associated with Agriculture, forestry & fishing as set forth in 3.k.2.a. of the LI-W District;
- b. Agricultural Services such as soil preparation services, crop services, landscape & horticultural services, fishing, hunting & trapping, with SIC Codes 071, 072, 078, 08, 09;
- c. Parks & playgrounds;
- d. Cemeteries;
- e. Single-family detached dwelling;
- f. Residential care facility, with SIC Code 836;
- g. Mobile Home (all development standards apply).

3.o.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission shall be a prerequisite to the issuance of a building permit for any Conditional Uses identified below:

- a. **Photovoltaic** Solar Energy System, Primary or Accessory, with SIC Code 4911.
- b. RV parks and camps, with SIC Code 703;
- c. Golf courses, public, with SIC Code 7992;
- d. Ash gardens;
- e. Cemeteries (C-300) in accordance with 5.b.1.i.

3.o.4. Special Exception: Review and approval by the Sumter Board of Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:

- a. Communication Towers (SIC Code 48)

3.o.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply with the CP, Conservation Preservation District.

Change # 25

- a. **Lot Requirement (Minimum)**

Minimum lot area in the City of Sumter is 5 acres.

Minimum lot area in the County of Sumter is 5 acres.

Note: Provided, however, notwithstanding any other provision of this ordinance to the contrary, the usual lot size restrictions applicable for CP Districts (in the unincorporated areas of Sumter County) shall not be applicable to the transfer by conveyance, devise, inheritance, or court order from or on behalf of the owner(s) thereof to any child, stepchild, son-in-law, daughter-in-law, grandchild, niece, nephew, sister, brother, parent, stepparent, uncle, aunt, or grandparent of the said owner(s) (inclusive of a transfer pursuant to partition deed or court order) where the lot transferred contains at least two (2) acres of land, where it is demonstrated that there is a good faith intention that the said lot shall be used as the personal residence of the transferee(s) AND where the transferee(s) has/have not previously been transferred any other real property under the provisions of this provision that would have otherwise been prohibited by this ordinance except being permitted by this provision.

- b. **Yard Building Set Back Requirements (Minimum)**

| | |
|-------------------------------------|---------------------------|
| | <u>Front Yard Setback</u> |
| From local/collector Streets | 35 ft. |
| From all other type streets | 45 ft. |
| | <u>Side Yard Setback</u> |
| From abutting Residential Districts | 50 ft. |
| From Non-Residential Districts | 50 ft. |
| | <u>Rear Yard Setback</u> |
| From abutting Residential Districts | 80 ft. |
| From Non-Residential Districts | 80 ft. |

- c. **Building Requirements (Maximum)**

| | |
|---|--------|
| Building Height | 35 ft. |
| Impervious Surface Ratio | .10 |
| Maximum Residential Density (Gross Acreage) | 0.2 |
| Floor Area Ratio | .05 |

- d. **Off-Street Parking:** Off-Street Parking requirements for uses permitted herein or conditionally allowed are established in Article Eight, Section D.

- e. **Landscaping Requirements:** Landscaping requirements permitted herein or conditionally allowed are established in Article Eight, Section D.

EXHIBIT 5
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

| PERMITTED & CONDITIONAL USES | PO | NC | LC | GC | CBD | LI | HI | M-U-I | AC | AC-10 | CP | SIC CODE |
|---|----|----|----|----|-----|----|----|-------|-------|-------|----|--|
| Agriculture, Farming | | | | C | | P | P | | P | P | P | 01, 02, 021, 0212, 0214, 0219, 024, 027, 0271, 0272, 0273, 0279, 029 |
| Stockyards | | | | | | S | S | | S | | | 0211 |
| Poultry Houses | | | | | | | | | S | S | | 025 |
| Swine Farms | | | | | | | | | S | S | | 0213 |
| Soil Preparation Services/Crop Services | | | | P | P | P | P | | P | P | P | 071, 072 |
| Veterinary Services | C | | | P | | P | P | | P | P | | 074 |
| Vet Services for Animal Specialties [Small Animals Only] | C | | P | | | | | | | | | 0742 |
| Animal Services (except veterinary) | | | | C | | C | | C | C-500 | C | | 075 |
| Commercial Kennels | | | | S | | S | S | | S | S | | 0752 |
| Farm Labor & Management Services | | | | P | P | P | P | | C-500 | | | 076 |
| Landscape & Horticultural Services | | | | P | P | P | P | | P | P | P | 078 |
| Landscape Counseling & Land Planning | | | P | | | | | | | | | 0781 |
| Forestry | | | | | | P | P | | P | P | P | 08 |
| Fishing, Hunting & Trapping | | | | | | P | P | | P | P | P | 09 |
| Administrative Offices | P | P | P | P | P | P | P | C | C-200 | | | 1 Auxiliary Code |
| Metal Mining | | | | | | | S | | S | | | 10 |
| Oil & Gas Extraction | | | | | | | P | | C1000 | | | 13 |
| Mining & quarrying of non-metallic minerals | | | | | | | C | | C | C | | 14 |
| Building Construction-general contractors | | | | P | | P | P | C | C-500 | | | 15 |
| Heavy Construction-other than building construction contractors | | | | | | | P | C | C-500 | | | 16 |
| Construction-Special Trade Contractors | | | | C | | P | P | C | C-500 | | | 17 |
| Research, Development testing labs | P | | P | P | P | P | P | C | C-500 | | | 2 Auxiliary Code |
| Food & Kindred Products | | | | | | | P | C | | | | 20 |

Note: Communications Towers are Special Exception in all districts

EXHIBIT 5 (Continued)
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

| PERMITTED & CONDITIONAL USES | PO | NC | LC | GC | CBD | LI | HI | M-U-I | AC | AC-10 | CP | SIC CODE |
|--|----|----|----|----|-----|----|----|-------|-------|-------|----|------------------|
| Slaughter Houses | | | | | | | S | | | | | 2011/2015 |
| Tobacco Products | | | | | | | P | C | | | | 21 |
| Textile Mill Products | | | | | | | P | C | | | | 22 |
| Apparel & Other Finished Products made from Fabric | | | | | | | P | C | | | | 23 |
| Lumber & Wood Products, except furniture | | | | | | P | P | C | | | | 24 |
| Furniture & Fixtures | | | | | | P | P | C | | | | 25 |
| Paper and Allied Products | | | | | | | P | C | | | | 26 |
| Printing & Publishing | | | | P | P | P | P | C | C-500 | | | 27 |
| Chemicals & Allied Products | | | | | | | P | C | | | | 28 |
| Petroleum Refining | | | | | | | P | | | | | 29 |
| Warehouses | | | | P | P | P | P | C | | | | 3 Auxiliary Code |
| Rubber and Misc. Plastic Products | | | | | | | P | C | | | | 30 |
| Leather and Leather Products | | | | | | | P | C | | | | 31 |
| Stone, Clay, Glass, and Concrete Production | | | | | | | P | C | | | | 32 |
| Primary Metals Industries | | | | | | | P | C | | | | 33 |
| Fabricated Metal Products, Except Machinery & Transportation Equipment | | | | | | P | P | C | | | | 34 |
| Industrial & Commercial Machinery & Computer Equipment | | | | | | | P | C | | | | 35 |
| Electronic & Other Electrical Equipment and Components Except Computer Equipment | | | | | P | P | P | C | | | | 36 |
| Transportation Equipment | | | | | | | P | C | | | | 37 |
| Truck Trailers | | | | | | P | P | C | | | | 3715 |
| Optical Goods Stores/Misc. Manufacturing | | | | | P | P | P | C | | | | 38/39 |

EXHIBIT 5 (Continued)
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

| PERMITTED & CONDITIONAL USES | PO | NC | LC | GC | CBD | LI | HI | M-U-I | AC | AC-10 | CP | SIC CODE |
|--|----|----|----|----|-----|----|----|-------|-------|-------|----|---------------------------------|
| Transportation Communications | | | | C | C | P | P | C | | | | 40, 41, 42, 44* 4212, 46 |
| Mini-Warehouses | | | C | C | | C | C | C | C | | | 4225 |
| U.S. Postal Services | P | P | P | P | P | P | P | C | P | | | 43 |
| Transportation by Air | | | | | | | P | C | C | | | 45 |
| Transportation Services | | | | P | P | P | P | C | C-500 | | | 47 |
| Travel Agencies, Tour Operators, Arrangement of Transportation | | | P | | | | | | | | | 472 |
| Telephone Utility | P | P | P | P | P | P | P | P | P | P | P | 48 |
| Communications | | | | P | P | P | P | C | C | C | | 48 |
| Communication Towers | S | S | S | S | S | S | S | S | S | S | S | 48 |
| Cable Services | P | P | P | P | P | P | P | P | P | P | P | 484 |
| Electric, Gas, & Sanitary Services | | | | S | | S | S | S | S | S | | 49 |
| Electrical Services | P | P | P | P | P | P | P | P | P | P | P | 491 |
| Photovoltaic Solar Energy System, Primary or Accessory | | | | | | C | C | | C | C | C | 4911 |
| Gas Production & Distribution | P | P | P | P | P | P | P | P | P | P | P | 492 |
| Combination of Electric & Gas | P | P | P | P | P | P | P | P | P | P | P | 493 |
| Water Supply Facilities | P | P | P | P | P | P | P | P | P | P | | 494 |
| Sewerage Systems | P | P | P | P | P | P | P | P | P | P | P | 4952 |
| Manned Convenience Centers | | | C | C | C | C | C | | C | | | 4953 |
| Poultry Incinerators | | | | | | | | | S | S | | 4953 |
| Wholesale Trade | | | | | | P | P | | | | | 50/51 (Except 5015,5093 & 5194) |
| Motor Vehicle Parts, Used | | | | | | | P | | | | | 5015 |
| Scrap Metal | | | | | | | P | | | | | 5093 |
| Animal Auctions | | | | | | S | S | | S | S | | 5154 |
| Building Materials | | | | P | | P | P | | C-500 | | | 52 |
| Paint, Glass, and Wallpaper | | | | P | P | P | P | | C-500 | | | 523 |
| Paint and Wallpaper – Not Glass | | | P | | | | | | | | | 523 |
| Hardware Stores | | P | P | P | P | P | P | | C-300 | | | 525 |

* Note: 4493 only permitted in AC

EXHIBIT 5 (Continued)
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

| PERMITTED & CONDITIONAL USES | PO | NC | LC | GC | CBD | LI | HI | MUI | AC | AC-10 | CP | SIC CODE |
|---|----|----|----|----|-----|----|----|-----|-------|-------|----|-----------|
| Retail Nurseries & Lawn Garden Shop | | | P | P | P | P | | | C | C | | 526 |
| Mobile Home Dealers | | | | C | | C | | | | | | 527 |
| General Merchandise Stores | | | | P | P | C | | C | C-500 | | | 53 |
| Grocery Stores | | P | P | P | P | C | | C | C-500 | | | 54 |
| Convenience Stores | | P | P | P | C | P | P | C | C-500 | | | 541 |
| Automotive Dealers | | C | C | P | C | C | | C | | | | 55 |
| Fuel Dealers | | | | | | | P | | | | | 5541 |
| Apparel & Accessory Store | | P | P | P | P | C | | C | C-500 | | | 56 |
| Home Furniture, Furnishing Stores | | P | P | P | P | C | | C | C-500 | | | 57 |
| Eating Places | | P | P | P | P | P | | C | C | | | 5812 |
| Drinking Places | | S | S | S | S | S | | S | S | | | 5813 |
| Drug & Sundry Stores | P | P | P | P | P | C | | C | C-500 | | | 591 |
| Liquor Stores | | S | S | S | S | S | | | | | | 592 |
| Used Merchandise & Pawn Shops | | | | P | P | C | | | C-300 | | | 593 |
| Flea Markets | | | | C | | C | | | C-300 | | | 593 |
| Sporting Goods & Bicycle Shops | | P | P | P | P | C | | C | C-300 | | | 5941 |
| Book Stores | | P | P | P | P | C | | C | C-300 | | | 5942 |
| Stationary Shops | | P | P | P | P | C | | C | C-300 | | | 5943 |
| Jewelry Stores | | P | P | P | P | C | | C | C-300 | | | 5944 |
| Hobby, Toy, Game Shop | | P | P | P | P | C | | C | C-300 | | | 5945 |
| Camera, Photo Supply Houses | | P | P | P | P | C | | C | C-300 | | | 5946 |
| Gift, Novelty, Souvenirs Shops | | P | P | P | P | C | | C | C-300 | | | 5947/5948 |
| Sewing, Needle & Piece Goods | | P | P | P | P | C | | C | C-300 | | | 5949 |
| Catalog & Mail Order Houses | | P | P | P | P | C | | C | C-300 | | | 5961 |
| Automatic Merchandising Machine Operators | | C | C | C | | C | C | | C | | | 5962 |
| Fuel Dealers | | | | P | | P | P | | | | | 598 |
| Florist | | P | P | P | P | C | | C | C-300 | | | 5992 |
| Tobacco Stores | | P | P | P | P | C | | C | C-300 | | | 5993 |
| Optical Goods Store | P | P | P | P | P | C | | C | C-300 | | | 5995 |

EXHIBIT 5 (Continued)
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

| PERMITTED & CONDITIONAL USES | PO | NC | LC | GC | CBD | LI | HI | MUI | AC | AC-10 | CP | SIC CODE |
|--|----|----|----|----|-----|----|----|-----|--------------|-------|----|-----------|
| Misc. Retail (i.e. artist supplies, Antenna rooms, stamps, & Telephone stores) | | P | P | P | P | C | | C | C-300 | | | 5999 |
| Firewood Shops | | | | P | | P | | | P | P | | 5999 |
| Pet Shops | | P | P | P | P | C | | C | C-300 | | | 5999 |
| Fireworks | | | | P | | P | P | | C-300 | | | 5999 |
| Monuments & Tombstones | | | | P | | P | P | | C | | | 5999 |
| Depository & Non-Depository Institution | P | P | P | P | P | C | | C | C-300 | | | 60, 61 |
| Security & Commodity Brokers | P | P | P | P | P | C | | C | C-300 | | | 62 |
| Insurance Carriers & Agents | P | P | P | P | P | C | | C | C-300 | | | 63, 64 |
| Real Estate, Holding Investment | P | P | P | P | P | C | | C | C-300 | | | 65 |
| Hotel & Motels | | | | P | P | C | | C | C-300 | | | 701 |
| Rooming & Boarding Houses | C | C | C | C | C | | | C | | | | 702 |
| Recreational Vehicle Parks and Camps | | | | C | | C | | C | C-300 | | C | 703 |
| Organization Hotels & Lodges | C | C | C | P | C | | | C | C-300 | | | 704 |
| Power Laundries/ Dry Cleaning Plants | | | C | C | | P | P | C | C-500 | | | 7211/7216 |
| Agents for Laundry & Dry Cleaners, Linen Supply | | P | P | P | P | P | P | C | C | | | 7212/7213 |
| Coin Operated Laundries | | P | P | P | C | P | | C | C-300 | | | 7215 |
| Carpet & Upholstery Cleaning, Other | | | | P | | P | P | C | C-300 | | | 7217/7219 |
| Industrial Laundries | | | | C | C | P | P | C | | | | 7218 |
| Photographic Studios | P | P | P | P | P | P | | C | C-300 | | | 722 |
| Beauty & Barber Shops | P | P | P | P | P | P | | C | C | | | 723, 724 |
| Shoe Repair, Shoe Shine, Hat Cleaning | | P | P | P | P | P | | C | C-300 | | | 725 |
| Funeral Homes & Crematories | | | P | P | | P | | | <u>C-500</u> | | | 726 |

EXHIBIT 5 (Continued)
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

| PERMITTED & CONDITIONAL USES | PO | NC | LC | GC | CBD | LI | HI | MUI | AC | AC-10 | CP | SIC CODE |
|---|----|----|----|----|-----|----|----|-----|-------|-------|----|----------|
| Miscellaneous Personal Services | C | P | P | P | P | C | | C | C-300 | | | 729 |
| Massage Parlors and Spas | C | | | C | | C | | C | | | | 7299 |
| Adult Uses | | | | S | | | | | | | | 7299 |
| Tattoo Parlor | | | | S | | S | | | | | | 7299 |
| Business Services | | | | P | P | C | | C | | | | 73 |
| Advertising Agencies | | | P | | | | | | | | | 7311 |
| Credit Consumer Reporting | | | P | | | | | | | | | 732 |
| Mailing Reproduction, Art & Photography | | | P | | | | | | | | | 733 |
| Commercial Art / Graphic Design | | | P | | | | | | | | | 7336 |
| Secretarial / Court Services | | | P | | | | | | | | | 7338 |
| Disinfecting and Pest Control Services including the following: bird proofing; deodorant servicing of rest rooms; disinfecting service; exterminating service; fumigating service; pest control in structures; rest room cleaning service; termite control; and washroom sanitation | | | | | | P | P | | | | | 7342 |
| Heavy construction equipment rental and leasing including the following: Bulldozer rental and leasing; construction equipment, heavy: rental and leasing; crane rental & leasing; earth moving equipment rental & leasing | | | | | | P | P | | | | | 7353 |
| Equipment Rental & Leasing, Not Elsewhere Classified including only the following: airplane rental and leasing; appliance rental & leasing; coin-operated machine rental & leasing; electronic equipment rental & leasing, except medical and computer; industrial truck rental & leasing; oil field equipment rental and leasing; oil well drilling equipment rental & leasing; toilets, Portable: rental & leasing; tool rental and leasing; vending machines, rental only | | | | | | P | P | | | | | 7359 |

EXHIBIT 5 (Continued)
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

| PERMITTED & CONDITIONAL USES | PO | NC | LC | GC | CBD | LI | HI | MUI | AC | AC-10 | CP | SIC CODE |
|--|-----------|-----------|-----------|-----------|------------|-----------|-----------|------------|-----------|--------------|-----------|-------------------|
| Employment Agencies | P | | | P | P | C | | C | | | | 7361 |
| Help Supply Services | | | P | | | | | | | | | 7363 |
| Computer Programming Services | | | P | | | | | | | | | 7371, 7376, 7379, |
| Detective Agencies [except rental of dog for protective service & armored care services | | | P | | | | | | | | | 7381 |
| Security System Services | | | P | | | | | | | | | 7382 |
| Salvage of Damaged Merchandise | | | | | | | S | | | | | 7389 |
| Business Services [not elsewhere classified] Specifically listed below: Agents & Brokers for Authors and Non-performing Artists; Appraisers[except real estate]; Arbitration and Conciliation Services; Artists' Agents and Brokers [except performing artists]; Authors' Agents and Brokers; Business Brokers[buying and selling business enterprises]; Decoration Service for Special Events; Drafting Services; Fundraising on a Contract or Fee Basis; Handwriting analysis; Interior Decorating Consulting Service [except painters and paper hangers]; Interior Designing services [except painters and paper hangers]; Lecture Bureaus; Map Drafting Service, Map Making-including aerial; Message Service/Telephone Answering[except beeper service]; Notary Public, Paralegal Service; Photogrammetric mapping Service[not professional engineers]; | | | P | | | | | | | | | 7389 |

EXHIBIT 5 (Continued)
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

| PERMITTED & CONDITIONAL USES | PO | NC | LC | GC | CBD | LI | HI | MUI | AC | AC-10 | CP | SIC CODE |
|--|----|----|----|----|-----|----|----|----------|-------|-------|----|----------|
| Business Services [not elsewhere classified] continued; Photography Brokers, Playwrights' Brokers; Process Serving Service; Recording Studios on a Contract or Fee Basis; Speakers' Bureaus; Tax Collection Agencies: collecting for a city, county or state; and Translation Services | | | P | | | | | | | | | 7389 |
| Auto Rental & Leasing | | | P | P | P | P | | C | C-300 | | | 751 |
| Automotive Parking | | | | C | C | P | P | C | | | | 752 |
| Commercial Truck and Trailer Parking | | | | C | C | P | P | C | C-500 | | | 752 |
| Auto Repair Shop | | | | C | C | P | P | C | C-300 | | | 753 |
| Automotive Tops (Canvas or plastic), installation, repair, or sales and installation; and upholstery repair, automotive ONLY | | | C | | | | | | | | | 7532 |
| Auto Service Except Repair | | | P | P | P | P | | C | C | | | 754/7549 |
| Car Washes | | C | P | P | | P | | | C-300 | | | 7542 |
| Miscellaneous Repairs | | | | P | P | P | P | C | C-300 | | | 76 |
| Watch, Clock & Jewelry Repair | | | P | | | | | | | | | 7631 |
| Motion Picture Dist. | | | | P | P | P | | <u>C</u> | | | | 782 |
| Motion Picture Theaters | | | C | P | P | C | | <u>C</u> | | | | 783 |
| Video Tape Rentals | | P | P | P | P | P | | C | C | | | 784 |
| Dance Studios | | | P | P | P | C | | C | C | | | 791 |
| Bowling Alley's / Theatrical Producers | | | | P | P | C | | C | C-500 | | | 793/792 |
| Professional Sports Clubs & Promoters | | | | P | P | P | | | C-500 | | | 7941 |
| Racing Track and Operations | | | | S | | S | | | | | | 7948 |
| Bingo Parlor / Pool Hall | | | | S | | S | | | | | | 7999 |
| Physical Fitness Facilities | | P | P | P | P | P | C | C | C-300 | | | 7991 |
| Golf Courses, Public | | | | P | | P | | C | C | | C | 7992 |

EXHIBIT 5 (Continued)
PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS

| PERMITTED & CONDITIONAL USES | PO | NC | LC | GC | CBD | LI | HI | MUI | AC | AC-10 | CP | SIC CODE |
|---|----|----|----|----|-----|----|----|-----|-------|-------|----|---------------|
| Coin Operated Amusement Devices | | C | C | P | P | P | | C | C-300 | | | 7993 |
| Amusement Parks | | | | P | | P | | C | | | | 7996 |
| Membership Sports & Rec. Clubs | | | | P | P | P | | C | C | | | 7997 |
| Amusements & Rec. (Not Classified) | | S | S | S | | S | | S | S | | | 7999 |
| Electronic Gaming Establishments | | | | S | | S | | | | | | 7999 |
| Outdoor Pistol, Rifle and Skeet Ranges | | S | S | S | | S | S | S | S | | | 7999 |
| Medical & Dental Offices | P | | P | P | P | C | | C | C | | | 801, 802, 804 |
| Doctor's of Osteopathy | P | | P | P | P | C | | C | C | | | 803 |
| Nursing Care Facility | P | P | P | P | P | C | | C | C-500 | | | 805 |
| Hospitals | | | | P | P | C | | C | | | | 806 |
| Medical & Dental Laboratories | | | | P | P | P | | C | C-300 | | | 807 |
| Home Healthcare Services/Misc. | P | | P | P | P | P | C | C | C | | | 808 |
| Legal Services Offices | P | | P | P | P | C | | C | C | | | 81 |
| Elementary, Secondary Schools | C | C | C | C | C | | | | C | | | 821 |
| Colleges, University, Professional Schools | | | | | C | C | | | C | | | 822 |
| Libraries | P | | P | P | P | P | | C | C | | | 823 |
| Vocational Schools | | | P | P | P | P | P | C | C | | | 824 |
| Other Schools & Education Services | | | P | P | P | P | P | C | C | | | 829 |
| Social Seminars Individual & Family | P | | | P | P | C | | C | C | | | 832 |
| Individual & Family Social Services | | | P | | | | | | | | | 832 |
| Job Training & Rehabilitation Services | | | P | P | P | P | | C | C-300 | | | 833 |
| Child Care Services | P | P | P | P | P | P | P | C | C | | | 835 |
| Residential Care | P | P | P | P | P | | S | | P | | P | 836 |
| Other Social Services | | | | P | P | P | | C | C-300 | | | 839 |
| Museums & Art Galleries | P | | P | P | P | C | | C | C-300 | | | 841 |

EXHIBIT 5 (Continued)
**PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL
INDUSTRIAL, AGRICULTURAL, AND CONSERVATION DISTRICTS**

| PERMITTED & CONDITIONAL USES | PO | NC | LC | GC | CBD | LI | HI | MUI | AC | AC-10 | CP | SIC CODE |
|---|----|----|----|----|-----|----|----|-----|-------|-------|-------|-----------------------------------|
| Botanical Gardens | P | | P | P | P | C | | C | C-300 | | | 842 |
| Organization Facilities & Business Assoc. | P | | P | P | P | P | | C | C | | | 861, 862, 863, 864, 865 |
| Churches & Religious Organizations | C | C | C | C | C | C | | C | C | | | 866 |
| Other Membership Organizations | P | | P | P | P | C | | C | C-500 | | | 869 |
| Engineering, Accounting, Research | P | | P | P | P | P | P | C | C-300 | | | 87 |
| Misc. Services—Artist, Authors, etc. | P | | P | P | P | C | | C | C-300 | | | 89 |
| Government Offices | P | | P | P | P | P | C | C | C | | | 911, 912, 919, 92, 93, 94, 95, 96 |
| Correctional Institutions/Facilities | | | S | S | S | S | S | | S | | | 9223 |
| Fire Protection Facilities | P | P | P | P | P | P | P | C | P | P | | 9224 |
| National Guard Armory | | | | P | | P | P | | C | | | 97 |
| Social Service Facilities & Ash Gardens | C | C | C | C | C | C | | | C | | C | N/A |
| Single Family Detached | C | C | C | P | C | | | C | P | P | P | N/A |
| Single Family Attached | C | C | C | P | C | | | C | | | | N/A |
| Duplex, Residential | C | C | C | P | C | | | C | | | | N/A 2 Acre Minimum |
| Townhouses, Patio Homes | C | C | C | P | C | | | C | | | | N/A |
| Tri-plex & Quadraplex | C | C | C | C | C | | | C | | | | N/A |
| Multi-family Apartments | C | C | C | C | C | | | C | | | | N/A |
| Parks & Playgrounds | P | C | P | P | P | | | C | P | P | P | N/A |
| Cemeteries | | | | | | | | | C-300 | C-300 | C-300 | N/A |
| Mobile Homes | | | | | | | | | P | P | P | N/A |
| Mobile Home Park | | | | C | | | | | | | | N/A |
| Bed & Breakfast | C | C | C | | C | | | | C | C | | N/A |
| Second Story and above Residences | | | | | P | | | | C | | | N/A |
| Ambulance Services | | | P | P | | | | | | | | |
| Produce Sales | | C | C | C | | | | | C | | | |

1. If just a C, then staff review and/or established conditions are used.
2. If C with a distance, the Conditional Use approval is based on the following
 - a. The distances are measured in a straight line from the building walls
 - b. Distances are in feet
 - c. Any movement of the building/site requires a re-evaluation of the distance.
 - d. Any adjacent property that falls within the prescribed distance is an affected property.
 - e. Approval from 2/3 or 67 percent of the effected property owners is required
 - f. Additionally, if any property is occupied by renters, approval from 2/3 or 67 percent of the effected renters is required.
 - g. The applicant is required to contact and secure approval from all effected property owners and/or renters.
 - h. The completed approval document should then be attached to the conditional use.
 - i. Established fees and administrative procedures will be used to approve the conditional use and issue an approval letter.
 - j. A copy of the approval letter will be attached to any associated building permits and business licenses.

EXHIBIT 5A

DEVELOPMENT STANDARDS FOR RESIDENTIAL USES IN COMMERCIAL DISTRICTS

| | Single Family Attached Dwellings | Single Family Detached Dwellings | Duplex Dwellings | Patio Homes and Zero Lot Line Housing Projects | Townhouses **** | Triplex and Quadruplex Housing | Multi-Family Apartments |
|--|--|--|--|--|---|--|-------------------------|
| Minimum Lot Area Per Structure (sq. ft.) | 10,000 | 6,000 | 10,000 | 5,000 | 2,000 | N/A | N/A |
| Minimum Site Area | N/A | N/A | N/A | 2 Acres | 2 Acres | 2 Acres | 2 Acres |
| Minimum Lot Width | 80 ft. | 60 ft. | 80 ft. | 45 ft. | 16 ft. | 150 ft. | 200 ft. |
| Minimum Yards, Per Structure: | | | | | | | |
| Front (local/collector) | 35 ft. local/collector 45 ft all other | 35 ft. local/collector 45 ft all other | 35 ft. local/collector 45 ft all other | 25 ft. local/collector 45 ft all other | 15 ft. local/collector 45 ft. all other | 25 ft local/collector 45 ft. all other | 50 ft. all streets |
| Side | 10 ft. | 8 ft. | 10 ft. | 0/8 ft. * | 0/7.5 ft ** | 30 ft. | 50 ft. |
| Rear | 20 ft. | 20 ft. | 20 ft. | 20 ft. | 20 ft. | 35 ft. | 50 ft. |
| Minimum Distance Between Buildings | N/A | N/A | N/A | N/A | 15 ft. | 40 ft. | 30 ft. |
| Maximum Impervious Surface Percentage | 45% | 45% | 45% | 45% | 65% | 60% | 65% |
| Common Open Space Ration (% project area) **** | N/A | N/A | N/A | N/A | 20% *** | 25% *** | 25% *** |
| Maximum Density (units per gross acre) | 14 | 7.2 | 14 | 14 | 14 | 16 | 16 |
| Maximum Height of Buildings | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 45 ft. | 45 ft. |

* Minimum Side Yard Setback required on one side only.

** Zero between units, seven and on-half feet (7.5 ft.) between end structure and side property lines.

*** For projects with ten (10) or fewer units no common open space is required.

***** Townhouse buildings shall not exceed eight (8) continuous units

SECTION P: AGRICULTURAL CONSERVATION – 10 (AC-10) DISTRICT

3.p.1. Purpose: The intent of this district is to protect and preserve areas of the county which are presently rural or agricultural in character and use, and are uniquely suited to agricultural use.

3.p.2. Permitted: Within the AC-10 District, a building or a premise shall be used only for the following purpose:

- a. Uses associated with Agriculture, forestry, & fishing as set forth in 3.k.2.a. of the LI-W District;
- b. Agricultural services such as soil preparation services, crop services, veterinary services (Note: For small animals – all services shall be in enclosed buildings and no noise or odors shall be detected outside the building(s). For large animals – all facilities shall be located no closer than 300 ft. to a Residential District, nor 150 ft. to any other property line. Adequate measures must be shown that no odor, noise, or drainage shall become a nuisance on adjacent property. No incineration of animal refuse shall be permitted. Sheltering and boarding of animals, including commercial kennels is considered a permitted use), landscape & horticulture services, forestry, fishing, hunting & trapping, with SIC Codes 071, 072, 074, 078, 08, 09;
- c. Public boat docks, with SIC Code 4493;
- d. Firewood shops, with SIC Code 5999;
- e. Cemeteries;
- f. Fire protection facilities, with SIC Code 9224;
- g. Single-Family dwellings;
- h. Manufactured Housing/Mobile Homes;
- i. Parks and playgrounds;
- j. Residential Accessory Uses such as bathhouses, cabanas, non-commercial greenhouses, private garage & carport, storage building, swimming pool, tool shed & work shop, home occupation.

3.p.3. Conditional Uses: Review and approval by the Staff of the Sumter City-County Planning Commission in accordance with 5.a.3. shall be a prerequisite to the issuance of a building permit for any Conditional Use identified below:

- a. Animal services, except veterinary, with SIC Code 075;

- b. Mining and quarrying of nonmetallic mineral (Note: a reclamation and reuse plan must accompany a zoning permit, an approximate operating schedule including times when explosives will be used must be presented, no such use shall be located within 300 feet of any residential use, no explosives shall be used within 2,500 feet of a residential structure unless a variance is obtained from the Planning Commission on a case by case basis, the site must obtain its highway access from a collector or an arterial street, mining and extraction uses permitted by South Carolina Department of Health and Environmental Control, Division of Mining & Reclamation, which are non-conforming and any extension of such use, operations, activities, or business on such parcel or contiguous parcel where the minerals or the surface rights which are under the same ownership or control on the date of passage of this ordinance shall be exempt from the requirements of this section);
- c. **Photovoltaic** Solar Energy System, Primary or Accessory, with SIC Code 4911.
- d. Retail nurseries and lawn garden shop, with SIC Code 526;
- e. Churches and religious organizations, with SIC Code 866;
- f. Cemeteries (C-300) in accordance with 5.b.1.i;
- g. Bed and Breakfast.

3.p.4. Special Exception: Review and approval by the Sumter Board of Appeals in accordance with Article 5, Section B shall be a requirement before any use listed below is allowed in this district:

- a. Swine Farms (SIC Code 0213);
- b. Poultry Houses (SIC Code 025);
- c. Commercial Kennels (SIC Code 0752);
- d. Communication Towers (SIC Code 48);
- e. Electric, Gas, and Sanitary Services (SIC Code 49);
- f. Poultry Incinerators (SIC Code 4953);
- g. Animal Auctions (SIC Code 5154).

3.p.5. Development Standards: Notwithstanding development standards set forth elsewhere by this Ordinance, the following minimum requirements shall apply within the AC-10, Agricultural Conservation – 10 District:

a. **Lot Requirement (Minimum)**

Minimum lot width requirement in the AC – 10 District is 300.

Depth: There is no minimum lot depth requirement in the AC – 10 District

Lot Area: 10 acres minimum

b. **Yard and Building Set Back Requirements (Minimum)**

| | <u>Front Yard Setback</u> |
|-------------------------------------|---------------------------|
| From local/collector Streets | 35 ft. |
| From all other type Streets | 45 ft. |
| | <u>Side Yard Setback</u> |
| For Residential Uses | 50 ft. |
| For Non-Residential Uses | 50 ft. |
| | <u>Rear Yard Setback</u> |
| From abutting Residential Districts | 50 ft. |
| From Non-Residential Districts | 50 ft. |

c. **Building Requirements (Maximum)**

| | |
|-------------------------------------|--------|
| Building Height | 35 ft. |
| Impervious Surface Ratio | .10 |
| Residential Density (Gross Acreage) | 0.1 |
| Floor Area Ratio (Non-residential) | .15 |

- d. **Off-Street Parking:** Off-street parking requirements for uses permitted herein or conditionally allowed are established in Article Eight, Section D

Warning Notice: A statement must be placed on the final plat indicating the seller or designee will inform the buyer prior to purchasing a lot within or adjacent to this district as follows: “Farming activities may occur on adjacent parcels that may create disturbing odors and noise. Livestock and poultry (make noises, cross property lines, smell, cause insects), organic pesticides (manure and compost) and inorganic fertilizer (smell, cross property lines, and can temporarily affect air and water quality), hours of operation (early morning and late night activities occur involving heavy machinery and noisy equipment). In addition, we understand the following: normal farming activities create situations deemed nuisance by individuals not familiar with rural living, no additional liabilities are placed on the farmer; he has no obligation to accommodate our decision to move adjacent to his farm, and no county laws or ordinance exist to assist us in having these issues stopped.”

SECTION Q: PLANNED DEVELOPMENT (PD) DISTRICT

3.q.1. Purpose: The intent of the Planned Development District is to encourage flexibility in the development of land in order to promote its appropriate use; to improve the design, character and quality of new development; to facilitate the provision of streets and utilities; and to preserve the natural and scenic features of open space. The principal feature of a Planned Development is to accommodate mixed uses.

3.q.2. Area and Ownership: In order to qualify as a Planned Development District a project request shall meet the following requirements:

- a. The site should contain not less than five (5) acres and have a minimum width between any two opposite boundary lines of four (400ft.) hundred feet, and must adjoin or have access to at least one major street. The Planning Commission may consider requests for unique projects that are less than five (5) acres where the Planned Development will prove beneficial to surrounding properties.
- b. The site shall be in single ownership or control, or if in several ownerships, the application for amendment to the Zoning Ordinance shall be filed jointly by all of the owners.

3.q.3. Map Designation: A PD District may be established on the Official Zoning Map for the City or County of Sumter in the same manner and in the same form prescribed in Article One, Section T for other zoning districts. The general development plan and administrative review requirements of this section shall not be required for a map amendment. However, such requirements and all additional requirements of this section and Article One, Section T shall be addressed prior to the issuance of a building or development permit.

3.q.4. Planning Requirements: A General Development Plan shall be submitted as a prerequisite to the consideration of all multi-phase development projects. In addition to this requirement, a detail site plan or subdivision plat (preliminary and final) shall be required prior to a request for a building or development permit. The requirements are specified in 9.c.3.

3.q.5. Permitted Uses: Any use proposed by the developer and considered by the Planning Commission as being compatible to other nearby uses within and beyond the proposed PD District may be permitted in such district, upon approval of the Sumter City-County Planning Commission and the City or County Councils of Sumter. A listing of proposed uses including type and number of dwelling units within a particular PD District shall be adopted as part of the regulations applying to that District. After approval by the Planning Commission and the City or County Council, the list of permitted uses (or portion thereof) shall be adopted as part of the regulations applying to that particular PD District. Thereafter, the uses permitted in the District shall be restricted to those listed, approved and adopted.

3.q.6. Private Streets: Private streets may be permitted in an approved PD District, provided such streets meet the design and construction standards for public streets as required in Article Eight, Section E , Guidelines for Utility, Roadway, and Drainage Construction, and approved by the Engineering Department for the City or County of Sumter.

3.q.7. General Design Criteria and Development Standards:

- a. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures, streets and street patterns, and use relationships.
- b. To encourage the use of this district and permit flexibility in urban form, the development standards are set forth as parameters. The following are used as a guideline beyond which development flexibility is not permitted. The guidelines are applicable to the aggregate project site, not to individual parcels or buildings.

However, when the total project is completed, the defined items in this section shall have been achieved, unless a variance on any particular criteria is granted by the Planning Commission in writing and recorded in the minutes of the Planning Commission.

Development Standards

| | |
|---------------------------------|---|
| Maximum Height | 45 feet, except otherwise permitted by the Comprehensive Land Use Plan. |
| Maximum Density | 16 residential units per gross acre |
| Required Open Space | 25 percent of project area* |
| Maximum Imperious Surface Ratio | 60 percent of project area |
| Front Property Line Setback | 40 feet |
| Other Property Line Setback | 30 feet from residential district 10 feet from all other districts |

* Street R-O-Ws which provide street trees, sidewalks and landscaped areas may count the accumulated acreage therein to help off-set the open space requirements listed in 3.o.7.b. Notwithstanding this provision, the open space percentage shall not fall below 25 percent.

- c. Parking requirements for each PD District shall comply with the requirements of Article Eight, Section J. Areas designated for parking shall be physically separated from public streets by suitable barriers against unchannelled motor vehicle ingress and egress. All uses should be located at least fifty (50 ft.) feet from the intersection of any street line and shall be designated in a manner conducive to safe ingress and egress. Access points to public streets shall be no less than three (300 ft.) feet apart.
- d. Landscaping and bufferyards between uses in this district and adjacent uses shall meet the minimum requirements for and between such uses prescribed by Article Eight, Section D. Landscaping and bufferyards may be required by the Sumter City-County Planning Commission between uses within any PD District.

3.q.8. Administrative Procedures:

- a. **Application Stage:** An applicant or owner shall submit his/her plans twenty-two (22) days prior to a regular scheduled meeting of the Sumter City-County Planning Commission. The staff shall review the proposal for compliance and completeness with the Comprehensive Plan and the regulations herein.

The applicants are strongly encouraged to coordinate their entire request with the staff at least 60 days prior to the Planning Commission meeting. Due to the potential complexity of Planned Developments, a recommendation for denial will be forwarded to the Planning Commission and Council if all required items are not submitted by the twenty-two day suspense.

During such study, the applicant shall be notified of any discrepancies, and advised of the willingness of the staff to confer with the applicant for the purpose of assisting in bringing the material submitted into conformity with the requirements of this Ordinance or the Comprehensive Plan.

In the course of such conferences any recommendation for change shall be recorded in writing, with reasons cited, and shall then become part of the record in the application process. Applicants shall indicate, in writing, their disagreements and reasons and such response by the applicant shall be included in the record.

At the conclusion of the review stage, the planning staff shall report to the Planning Commission as to:

1. The type of PD proposed, physical characteristics of the land, relation of the proposed development to the surrounding areas and existing and probable future development;
2. The relationship of the PD proposed to major roads, utilities and other facilities and services;
3. Adequacy of evidence of unified control and suitability of any proposed agreements, contracts, deed restrictions, sureties, dedications, contributions, guarantees, or other instruments, or the need for such instruments, or for amendments in those proposed;
4. The suitability of plans proposed, or the desirability of amendments, with reasons therefore;
5. Desirable specific modifications in regulations or the Comprehensive Plan as applicable in a particular case, based on determinations that such modifications are necessary or justified in the particular case by demonstrating that the public purpose of the PD District or other regulations would be met to at least an equivalent degree by the proposal of the applicant. Based on such findings, the planning staff shall recommend approval of the PD amendment as proposed, approval conditioned on specific stated modifications, or disapproval, with recorded reasons therefore.

- b. **Review Stage:** After the sixty (60) day period for the PD subdivision or site plan application process is concluded, the Planning Commission shall have

thirty (30) days from the Planning Commission meeting, at which the PD application is considered, to prepare a report and make a recommendation to the City or County Councils on a PD application. In making its report, the Planning Commission should consider the following factors:

1. The relationship of the request to the 2020 Sumter City-County Comprehensive Land Use Plan;
 2. Whether the request violates or supports the Plan;
 3. Whether the permitted uses would be appropriate in the area concerned;
 4. Whether adequate public facilities such as roads, water & sewer facilities, drainage facilities, and schools and other public services exist or can be provided to serve the needs of the development.
- c. **City or County Council Action:** Action by the City or County Council shall be provided by amendment generally. City or County Council shall grant or deny the PD application within thirty (30) days from the receipt of the Planning Commission's recommendation.

Either Council may grant the application, may include specific modifications to the proposal or other applicable regulations, or may deny the application. If the amendment is granted, the City or County Council shall approve the application as recommended by the Planning Commission or approve the application with modifications, which shall be binding on the applicant. If modifications are required, the City or County Council shall officially state its reasons in the record.

If an amendment to the Comprehensive Plan is involved, neither Council shall proceed on the PD amendment until the Comprehensive Plan amendment is completed.

If the application is granted, the development shall be required to be in accord with the approved PD, meeting the requirements of these and other regulations, as supplemented or modified by the City or County Council in the particular case as part of the amendment action, and shall conform to any time or priority limitation established by the City or County Council on the beginning or completion of the development as a whole or in specified stages. In taking action to amend the Official Zoning Map(s) to establish the approved PD, City or County Council shall pass upon the adequacy of the application, in form and/or substance relative to any agreements, contracts, deed restrictions, sureties, or other instruments involved, and before development may proceed, such instruments shall be approved by the appropriate city or county officers and departments.

3.q.9. Staff Action on Approved PD Amendments: Once a PD District is established on the official zoning map, no building permit shall be issued therein unless the City or County of Sumter has approved plans and reports for the development as adopted by the City or County council, whole or in stages that are deemed satisfactory in relation to the total development.

Upon approval, building permits shall be issued in such manner as for building permits generally. All plans and reports approved shall be binding on the applicant(s) and any successors in title so long as the PD zoning is applicable.

3.q.10. Changes in Approved Plans: Minor changes in approved final plans and reports may be approved by the planning staff only upon findings identical to those required for original approval. Major changes shall be subject to further amendatory action by the Planning Commission and City or County Council.

SECTION R: AIRFIELD COMPATIBILITY DISTRICTS (ACD)

3.r.1. Purpose: The intent of the ACD is to prevent incompatible land uses or the creation of flight hazards which would impair the utility and public investment of the Shaw Air Force Base and the Sumter Airport.

3.r.2. Types of Districts: With the ACD there are several overlay districts which are shown on the Official Zoning Map(s) as follows:

- a. APZ-1, Accident Potential Zone I;
- b. APZ-2, Accident Potential Zone II;
- c. DNL-1, Day-Night Noise Level Zone I;
- d. DNL-2, Day-Night Noise Level Zone II;
- e. DNL-3, Day-Night Noise Level Zone III;
- f. NA, Noise Attenuation District.

3.r.3. Restrictions Within the Airfield Compatibility Districts: Land designated APZ-1, APZ-2, DNL-1, DNL-2, or DNL-3 may not be used for any purpose other than those indicated by Exhibit 7, and under the conditions attached thereto. Property owners or land users should consult both the text of this Section and the Official Zoning Map to determine the location of properties in question and the limitations imposed thereon by this Section.

3.r.4. Land Use: The use of land within these zones shall be subject to the following safety and performance standards and the requirements of Exhibit 7. Where permitted uses listed by Exhibit 7 are at variance with the applicable residential or non-residential zoning districts within which they are proposed, the more restrictive shall apply.

a. Safety Standards – the concentration of persons per use shall be in compliance with Exhibit 6.

1. Maximum Number of Persons – The maximum number of persons per use shall be a function of the number of hours of operation per day of the use and shall be expressed on an acre per hour basis. Furthermore, a structure or use or contiguous structure or use, shall not accommodate a gathering of individuals, including employees and non-employees, that would result in an average density of greater than twenty-five (25) persons per acre per hour during a 24-hour period or that would exceed fifty (50) persons per acre at any given time.

Such limitations shall be a special condition of the issuance of the building permit and the certificate of occupancy. The occupant of any such premises shall not permit such limitations to be exceeded. The premises shall thereafter continuously be posted with a form of notice of such limitations, as prescribed by the Sumter City-County Planning Commission.

2. Concentrations of Persons Per Acre Standard

| Exhibit 6 | |
|---|--|
| Concentrations of Persons Per Acre Standards | |
| Hours of Operation Per Day | Maximum Persons Allowed Per Acre/During the Day |
| 24 | 25 |
| 23 | 26 |
| 22 | 27 |
| 21 | 28 |
| 20 | 30 |
| 19 | 31 |
| 18 | 33 |
| 17 | 35 |
| 16 | 37 |
| 15 | 40 |
| 14 | 42 |
| 13 | 46 |
| 12 or less | 59* |

*Concentrations of persons per acre cannot exceed 50 persons per acre at any time.
 Note: Fractions in the maximum persons allowed column are rounded to the lowest whole number.

3. Formula – The maximum persons per acre per hour for the duration of Time that persons are expected to be on site during a 24-hour period may be determined as follows:

a. Average densities of persons per hour during a 24-hour period are determined by calculating the number of persons per acre expected on a

site, multiplying by the number of hours they will be on the site, and dividing the total by 24.

Example #1: One 8-hour shift of 30 workers on a one (1) acre site.

30 persons expected x 8 hours on site = 240

$\frac{240}{24}$ = average density of 10 persons per acre per hour during a 24-hour period.

Example #2: Two 8-hour shifts of 30 workers on a one (1) acre site.

30 persons expected x 16 hours on site = 480

$\frac{480}{24}$ = average density of 20 persons per acre per hour during a 24-hour period.

- b. The maximum number of persons allowed per acre per hour is calculated by dividing 24 hours by the number of hours persons will be on the site, and multiplying the results by 25 persons per acre per hour.

Example #3: A use on a one (1) acre site has two 8-hour shifts.

$\frac{24 \text{ hours}}{16 \text{ hours}} \times 25 \text{ persons} = 37.5 \text{ maximum}$

3.r.5. Performance Standards: Height and size requirements shall be evaluated in accord with the “Ordinance Regulating the Height of Structures and other Activities in the vicinity of Shaw Air Force Base,” as adopted October 13, 1981.

- a. Setbacks: As designated for each zoning district.
- b. Off-Street Parking: Off-street parking for uses within this district shall comply with Article 8, Section J as appropriate.
- c. Noise Hazard Signs: Developers for all new major subdivisions will install at their expense a noise notification/warning sign (same as installed by Sumter County on the boundary of the NA) at each entrance to the subdivision before building permits may be issued.

3.r.6. Prohibited Uses: All uses indicated by a “NO” in the applicable sub-zone column of Exhibit 7 are expressly prohibited.

3.r.7. Non-Conforming Uses: The regulations prescribed by this section shall not be construed to require the removal, lowering of the height or other changes or alteration of any structure or use not conforming to the regulations as of December 30, 1991, or otherwise interfere with the

continuance of any non-conforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which has begun or plans or residential plats which have been filed in the Planning Commission Office prior to December 30, 1991.

3.r.8. Permits: Building permits and sign permits shall be required for all construction, in accordance with Section 1.p.1.

- a. Future Uses: Each application for a building permit shall indicate the purpose for which the permit is desired, with sufficient information to determine whether the resulting use or structure would conform to the regulations herein prescribed.
- b. Existing Uses: Any existing non-conforming use or structure may be replaced, substantially altered, or rebuilt in accord with the permit requirements in Article Six, Section A; provided such non-conforming use will not:
 1. Create a flight hazard or use not authorized by this Ordinance, or
 2. Permit a non-conforming use or structure to be made or become a greater hazard to air navigation or less compatible in use than it was on December 30, 1991, or than it is when the application for a permit is made.

3.r.9. Variance Permits: The Sumter City-County Board of Appeals shall have the power to grant variances to the Safety Requirement Standards and/or the Performance Standards Regulations of this Section and to authorize the issuance of variance permits therefor as defined in Article 1, Section H of this Ordinance; provided that the Commander of Shaw Air Force Base, or his designee, shall be notified of any variance being requested and shall be asked for comments on such requests.

3.r.10. Other Ordinance: Adoption of this Ordinance shall not invalidate any existing Ordinance, and shall be used in addition to such Ordinances, such as the “Ordinance Regulating the Height of Structures and other Activities in the Vicinity of Shaw Air Force Base,” as adopted on October 13, 1981.

3.r.11. DNL: No manufactured / mobile homes may be placed inside the DNL lines as developed by the US Air Force and published by the Sumter Planning Commission GIS Department.

NOTE: Existing, approved major subdivisions, and mobile home parks with current county business licenses that have infrastructure in place will be allowed to continue to develop any / all remaining parcels/lots. No new parcels/lots may be added to the subdivision or mobile home park after the adoption of this revision. However, all existing lots/parcels may be fully used/reused or developed. This note applies to both APZ 2s and the DNL restriction. Any subdivision and/or mobile home parcels started after the adoption of these changes must be developed in accordance with all the new regulations.

EXHIBIT 7
AIRFIELD COMPATIBILITY DISTRICT (ACD) USE REGULATIONS
ACD DISTRICTS

| LAND USE CATEGORY | APZ-1 | APZ-2 | DNL-1 65-74 dB | DNL-2 74-79 dB | DNL-3 80+dB |
|---|------------------|------------------|---------------------------|---------------------------|------------------------|
| Single-Family | NO | NO | 30 ⁽¹⁴⁾ | 30 ⁽¹⁴⁾ | 30 ⁽¹⁴⁾ |
| Mobile Homes* | NO | NO | 30 ⁽¹⁴⁾ | 30 ⁽¹⁴⁾ | 30 ⁽¹⁴⁾ |
| Single-Family ** | NO | NO | 30 ⁽¹⁴⁾ | 30 ⁽¹⁴⁾ | 30 ⁽¹⁴⁾ |
| Multi-Family*** | NO | NO | 30 ⁽¹⁴⁾ | 30 ⁽¹⁴⁾ | 30 ⁽¹⁴⁾ |
| Mobile Home Parks | NO | NO | 30 ⁽¹⁴⁾ | 30 ⁽¹⁴⁾ | 30 ⁽¹⁴⁾ |
| Hotels, Motels | NO | NO | 30 ⁽¹⁴⁾ | 35 ⁽¹⁴⁾ | 35 ⁽¹⁴⁾ |
| | | | | | |
| INDUSTRIAL/ MANUFACTURING | APZ-1 | APZ-2 | DNL-1 65-74 dB | DNL-2 74-79 dB | DNL-3 80+dB |
| Food & Kindred Products | NO | YES ¹ | (10) | (12) | (13) |
| Textile Mill Products | NO | YES ¹ | (10) | (12) | (13) |
| Apparel | NO | NO | (10) | (12) | (13) |
| Lumber & Wood Products | YES ¹ | YES ¹ | (10) | (12) | (13) |
| Furniture & Fixtures | YES ¹ | YES ¹ | (10) | (12) | (13) |
| Paper & Allied Products | YES ¹ | YES ¹ | (10) | (12) | (13) |
| Printing, Publishing | YES ¹ | YES ¹ | (10) | (12) | (13) |
| Chemicals & Allied Products | NO | NO | (10) | (12) | (13) |
| Petroleum Refining & Related Industries | NO | YES ¹ | (10) | (12) | (13) |
| Rubber & Plastics | NO | NO | (10) | (12) | (13) |
| Stone, Clay & Glass | NO | YES ¹ | (10) | (12) | (13) |

EXHIBIT 7 (Continued)
AIRFIELD COMPATIBILITY DISTRICT (ACD) USE REGULATIONS
ACD DISTRICTS

| INDUSTRIAL/ MANUFACTURING | APZ-1 | APZ-2 | DNL-1 65-74 dB | DNL-2 74-79 dB | DNL-3 80+dB |
|--|------------------|------------------|---------------------------|---------------------------|------------------------|
| Primary Metals | NO | YES ¹ | (10) | (12) | (13) |
| Fabricated Metals | NO | YES ¹ | (10) | (12) | (13) |
| Professional, Scientific Control Instruments | NO | NO | (10) | (12) | (13) |
| Misc. Manufacturing | YES ¹ | YES ¹ | (10) | (12) | (13) |
| | | | | | |
| TRANSPORTATION, COMMUNICATIONS, UTILITIES | APZ-1 | APZ-2 | DNL-1 65-74 dB | DNL-2 74-79 dB | DNL-3 80+dB |
| Railroad, Rapid Rail | YES ² | YES | (10) | (12) | (13) |
| Motor Vehicle Transportation | YES ² | YES | (10) | (12) | (13) |
| Aircraft Transportation | YES ² | YES | (10) | (12) | (13) |
| Highway & Street ROW | YES ² | YES | (10) | (12) | (13) |
| Auto Parking | YES ² | YES | (10) | (12) | (13) |
| Communications | YES ² | YES | (10) | 30 ⁽¹⁴⁾ | 30 ⁽¹⁴⁾ |
| Utilities | YES ² | YES | (10) | (12) | (13) |
| Landfills & Hazardous Waste | NO | NO | (10) | (12) | (13) |
| | | | | | |

Change # 4

EXHIBIT 7 (Continued)
AIRFIELD COMPATIBILITY DISTRICT (ACD) USE REGULATIONS
ACD DISTRICTS

| COMMERCIAL/RETAIL TRADE | APZ-1 | APZ-2 | DNL-1 65-74 dB | DNL-2 74-79 dB | DNL-3 80+dB |
|--|------------------------|---------------------------|---------------------------|---------------------------|------------------------|
| Wholesale Trade | YES ¹ | YES ¹ | 30 | (12) | (13) |
| Building Materials--Retail | YES ¹ | YES ¹ | 30 | (12) | (13) |
| General Merchandise—Retail | | | | | |
| <10,000 sq. ft./acre | YES ^{1, 11} | YES ^{1, 11} | 30 | (12) | (13) |
| >10,000 sq. ft./acre | NO | NO | 30 | (12) | (13) |
| Food Retail—Groceries | NO | NO | 30 | (12) | (13) |
| Convenience Store - <5,000 sq. ft. | NO | YES^{1,11} | 30 | (12) | (13) |
| Other Food Retail | YES ¹ | YES ¹ | 30 | (12) | (13) |
| Automotive, Marine, Aviation--Retail | YES ¹ | YES ¹ | 30 | (12) | (13) |
| Apparel & Accessories—Retail | NO | YES ¹ | (10) | (12) | (13) |
| Furniture—Home | NO | YES ¹ | 30 | (12) | (13) |
| Furniture—Retail | NO | YES ¹ | 30 | (12) | (13) |
| Eating & Drinking Places | NO | YES ¹ | 30 | (12) | (13) |
| | | | | | |
| SERVICES | APZ-1 | APZ-2 | DNL-1 65-74 dB | DNL-2 74-79 dB | DNL-3 80+dB |
| Finance, Insurance, Real Estate | YES ¹ | YES ^{1, 3} | 30 | 30 | (13) |
| Personal Services | YES ¹ | YES ^{1, 3} | 30 | 30 | (13) |
| Cemeteries | YES ^{1, 3, 4} | YES ^{1, 3, 4} | NA | NA | NA |
| Business Services | YES ¹ | YES ^{1, 3} | 30 | 30 | (13) |
| Warehousing & Storage Services | YES ¹ | YES ¹ | 30 | (12) | (13) |

EXHIBIT 7 (Continued)
AIRFIELD COMPATIBILITY DISTRICT (ACD) USE REGULATIONS
ACD DISTRICTS

| SERVICES | APZ-1 | APZ-2 | DNL-1 65-74 dB | DNL-2 74-79 dB | DNL-3 80+dB |
|---|--------------------|------------------------|---------------------------|---------------------------|------------------------|
| Explosive Storage | NO | NO | 30 | (12) | (13) |
| Repair Services | YES ^{1,3} | YES ^{1,3} | 30 | (12) | (13) |
| Medical & Other Health Services | NO | NO | 30 | 25 | 25 |
| Hospitals | NO | NO | 30 | 25 | 25 |
| Legal Services | YES ¹ | YES ^{1,3} | 30 | 30 | 30 |
| Other Professional Services | YES ¹ | YES ^{1,3} | 30 | 30 | 30 |
| Contract Construction Services | YES ¹ | YES ^{1,3} | 30 | 30 | 30 |
| Government Services | NO | YES ^{1,3} | 30 | 30 | 30 |
| Educational Services | NO | NO | 30 | 30 | 30 |
| Religious Activities | NO | NO | 30 | 30 | 30 |
| | | | | | |
| CULTURAL, ENTERTAINMENT AND RECREATION | APZ-1 | APZ-2 | DNL-1 65-74 dB | DNL-2 74-79 dB | DNL-3 80+dB |
| Cultural Activities | NO | NO | 25 | 30 | 30 |
| Nature Exhibition | YES ⁵ | YES ⁵ | NA | (12) | (13) |
| Entertainment Facilities Indoor/Outdoor | NO | NO | NA | (12) | (13) |
| Internet Sweepstakes Café | NO | YES¹ | 30 | (12) | (13) |
| Sports Activities Indoor/Outdoor | NO | YES ^{5, 6, 7} | NA | (12) | (13) |
| Water & Other Recreation Areas | YES ⁵ | YES ⁵ | NA | (12) | (13) |
| Resort & Group Camps | NO | NO | NA | (12) | (13) |
| Parks & Golf Courses | YES ⁵ | YES ⁵ | NA | (12) | (13) |

EXHIBIT 7 (Continued)
AIRFIELD COMPATIBILITY DISTRICT (ACD) USE REGULATIONS
ACD DISTRICTS

| RESOURCE PRODUCTION EXTRACTION & OPEN LAND | APZ-1 | APZ-2 | DNL-1 65-74 dB | DNL-2 74-79 dB | DNL-3 80+dB |
|---|--------------|--------------|---------------------------|---------------------------|------------------------|
| Agricultural Related Activities | YES | YES | NA | (12) | (13) |
| Dairy & Livestock Farms | YES | YES | NA | (12) | (13) |
| Forestry & Mining | YES | YES | NA | (12) | (13) |
| Fishing, Hunting, and Water Areas | YES | YES | NA | (12) | (13) |
| Permanent Open Space | YES | YES | NA | (12) | (13) |
| | | | | | |

SPECIAL NOTE:

- (A) * Less than or equal to two (2) dwelling units per acre
- ** More than two (2) dwelling units per acre
- *** Including duplex, triplex, and quadruplex

(B) Computations for residential density include road's right-of-ways

(C) dB=Decibels

(D) 25,30 or 35 db – measures to achieve 25, 30, or 35 dB must be incorporated into design and construction of structures in accord with the “Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations,” prepared by the Naval Facilities Engineering Command, Special Advisors for Planning Administration, Office of Environment and Energy; and office of Airport Planning and Programming, Washington, D.C. latest edition.

(E) NA – not applicable

FOOTNOTES:

- (1) Uses compatible only if they do not result in a large concentration of people. A large concentration of people is defined as a gathering of individuals in an area that would result in an average density of greater than 25 people per acre per hour during a 24 hour period, or a single event that would result in the gathering of 50 persons per acre at any time. (See Safety Requirement Standards)

In addition, the following factors need to be considered: Labor intensity, structural coverage, explosive characteristics, air pollution, size of establishment, peak period (including shopper/visitor) concentrations.

- (2) No passenger terminals and no major above ground transmission lines.
- (3) Meeting places, auditoriums, etc. not allowed
- (4) Excludes chapels
- (5) Facilities must comply with Safety Requirements Standards and no high-intensity use of facilities, such as structured playgrounds, ballfields, or picnic pavilions.
- (6) Clubhouse not allowed.
- (7) Concentrated rings with large classes not allowed.
- (8) Includes livestock grazing but excludes feedlots and intensive animal husbandry
- (9) Includes feedlots and intensive animal husbandry.
- (10) Measures to achieve Noise Level Reduction (NLR) of 25 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where the normal noise level is low.
- (11) General Merchandise – Retail compatible provided there are no more than four (4) individual shops under one roof, and / or total gross floor area of one or up to four shops combined does not exceed 10,000 sq. ft per acre, and customer traffic is not expected to exceed 50 per hour.
- (12) Measures to achieve Noise Level Reduction (NLR) of 30 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas, or where the normal level is low.
- (13) Measure to achieve Noise Level Reduction (NLR) of 35 dB must be incorporated into the design and construction of portion of these buildings where the public is received, office areas, noise sensitive areas, or where the normal level is low.
- (14) Mitigation measures to reduce noise within structures in noise contour zones.

SECTION S: RANGE COMPATIBILITY DISTRICTS (RCD)

3.s.1. Purpose: The intent of the RCD is to prevent incompatible land uses or the creation of flight hazards, which would impair the utility and public investment of Poinsett Electronic Combat Range (PECR).

3.s.2. Within the RCD, there are several overlay districts, which are shown on the Official Zoning Map as follows:

- a. DNL-1, Day-Night Noise Level Zone 1;
- b. DNL-2, Day-Night Noise Level Zone 2;
- c. NA, Noise Attenuation District.

3.s.3. Restrictions Within the Range Compatibility Districts: Land designated DNL-1, and DNL-2 may not be used for any purpose other than those indicated by Exhibit 7 and under the conditions attached thereto. Property owners or land users should consult both the text of this Section and the Official Zoning Map to determine the location of properties in question and the limitations imposed thereon by this Section.

3.s.4. Land Use: The use of land within these zones shall be subject to the safety and performance standards in Sections 3.r.4 and the requirements of Exhibit 7.

3.s.5. Performance Standards: Height and size requirements shall be evaluated in accord with the “Ordinance Regulating the Height of Structures and other Activities in the vicinity of Shaw Air Force Base,” as adopted October 13, 1981.

- a. Setbacks: As designated for each zoning district.
- b. Off-Street Parking: Off-street parking for uses within this district shall comply with Article 8, Section J as appropriate.
- c. Noise Hazard Signs: Developers for all new major subdivisions will install at their expense a noise notification/warning sign (same as installed by Sumter County on the boundary of the NA at each entrance to the subdivision before building permits may be issued.)

3.s.6. Prohibited Uses: As indicated in Exhibit 7 for appropriate districts.

3.s.7. Non-Conforming Uses: The regulations prescribed by this section shall not be construed to require the removal, lowering of the height, or other changes or alterations of any structure or use conforming to the regulations as of December 31, 2002, or otherwise interfere with the continuance of any non-conforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any such structure, the construction or alteration of which has begun or plans or residential plats which have been filed in the Planning Commission Office prior to December 31, 2002.

3.s.8. Permits: As described in Section 3.r.8 of this Ordinance.

3.s.9. Variance Permits: The Sumter City-County Board of Appeals shall have the power to grant variances to the Safety Requirements Standards and/or the Performance Standards Regulations of this Section and to authorize the issuance of variance permits therefore as defined in Article 1, Section H of this Ordinance; provide that the Commander of Shaw Air Force Base, or his designee, shall be notified of any variance requested and shall be asked for comments on such requests.

3.s.10. Other Ordinance: Adoption of this Ordinance shall not invalidate any existing Ordinance, and shall be used in addition to such Ordinances, such as the “Ordinance Regulating the Height of Structures and other Activities in the Vicinity of Shaw Air Force Base,” as adopted on October 31, 1981.

SECTION T: NOISE ATTENUATION (NA) DISTRICT

3.t.1. Purpose: The intent of this district is to define areas by physical features, which are prone to exposure to airport and range operations noise and changes in the patterns thereof. Therefore, the purpose of the district is to reduce the noise, which may accrue to the benefit of the health, safety, welfare of the occupants of or those associated with the uses of land therein.

3.t.2. Noise Notification Zone: Noise Notification Zone is hereby created by map action which depicts the area adjacent to Shaw Air Force Base and/or Poinsett Range. This notification would be shown on all plats / building permits and other correspondence regarding construction within the area so designated.

3.t.3. Performance Standards: Height and size requirements shall be evaluated in accord with the “Ordinance Regulating the Height of Structures and other Activities in the vicinity of Shaw Air Force Base,” as adopted October 13, 1981.

- a. **Setbacks:** As designated for each zoning district
- b. **Off-Street Parking:** Off-street parking for uses within this district shall comply with Article 8, Section J as appropriate.
- c. **Noise Hazard Signs:** Developers for all new major subdivisions will install at their expense a noise notification/warning sign (same as installed by Sumter County on the boundary of the NA at each entrance to the subdivision before building permits may be issued.)

SECTION U: AIRPORT OVERLAY DISTRICT (AP)

3.u.1. Purpose: That it is hereby found that an obstruction has a potential for endangering the lives and property of users of Sumter Airport, and property or occupants of land in its vicinity; that an obstruction may affect existing or future instrument approaches of Sumter Airport; and

that an obstruction may reduce the size of areas available for landing, take-off, and maneuvering of aircrafts, thus tending to destroy or impair the unity of Sumter Airport and the public investment therein. Accordingly, it is declared:

1. That the creation or establishment of an obstruction has a potential of being a public nuisance and may injure the region served by Sumter County Airport;
2. That it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented; and
3. The prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of police power without compensation.

It is further declared that the prevention of the creation establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation or the marking and lighting of the obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire lands or interest inland.

3.u.2. Definitions. As used in this Section, unless the context otherwise requires, the following definitions apply:

AIRPORT - Sumter County Public Airport

AIRPORT ELEVATION - The highest point of an airport's usable landing area measured in feet from mean sea level. (182 feet at Sumter Airport)

AIRPORT HAZARD - Any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or is otherwise hazardous to such landing or takeoff of aircraft.

AIRPORT HEIGHT - for the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the Airspace Plan Map, the datum shall be mean sea level elevation unless otherwise specified.

APPROACH SURFACE - A surface longitudinally centered on the extend runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in this section.

CONICAL SURFACE - A surface extending outward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4000 feet.

HORIZONTAL SURFACE - A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plane coincides with the perimeter of the horizontal zone

NON-PRECISION INSTRUMENT RUNWAY - A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal

guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned, and for which no precision approach facilities are planned or indicated on a Federal Aviation Administration (FAA) planning document or military service's military airport planning document.

OBSTRUCTION- Any structure, growth or other object, including a mobile object, which exceeds the limited height set forth in this section.

PERSON - An individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them.

PRECISION INSTRUMENT RUNWAY - a runway having an existing instrument approach procedure utilizing air navigation facilities with both vertical and horizontal guidance, for which a straight-in precision instrument approach procedure has been approved or planned on a Federal Aviation Administration (FAA) planning document or military service's military airport planning document.

PRIMARY SURFACE - A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface of a runway will be that width prescribed in Part 77 of the Federal Aviation Regulations (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

RUNWAY - A defined area on an airport prepared for landing and takeoff of aircraft along its length.

STRUCTURE - An object, including a mobile object, constructed or installed by man, including but not limited to buildings, towers, smokestacks, earth formations and overhead transmission lines.

TRANSITIONAL SURFACES - Surfaces extending outward at 90 degree angles to the runway centerline, and extending at a slope of 7 feet horizontally for each foot vertically from the side of the primary and approach surfaces to where they intersect the horizontal surfaces.

TREE - Any object of natural growth.

VISUAL RUNWAY- A runway intended solely for the operation of aircraft using visual approach procedures, with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan, a military service approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

APPROACH, TRANSITIONAL, HORIZONTAL, AND CONICAL ZONES - These zones apply to the area under the approach, transitional, horizontal, and conical surfaces defined on the Sumter Airport Airspace Plan Map.

3.u.3 Airport Zones. In order to carry out the provisions of this Ordinance, there are hereby created and established certain zones which include all of the land lying within the approach zones, transitional zones, horizontal zones, and conical zones as they apply to a particular airport. Such zones are shown on the Sumter Airport Airspace Plan Map. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

APPROACH ZONE - The inner end of this approach zone coincides with the width of the primary surface and is 1,000 feet wide for Runway 5/23. The Approach Zone for Runway 5 expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway. The Approach Zone for Runway 23 has an inner width of 1,000 feet, an outer width of 16,000 feet, and a horizontal distance of 50,000 feet from the edge of the primary surface (200 feet from the runway threshold). The Approach Zones for Runways 14 and 32 are the same dimensions and they begin at the edge of the primary surface which is the same as the runway threshold for a non-hard surface. The Approach Zones for runways 14 and 32 have an inner width of 250 feet, an outer width of 1,250 feet, and a horizontal distance of 5,000 feet.

TRANSITIONAL ZONES - These zones are hereby established as the area beneath the transitional surfaces. These surfaces extend outward and upward beginning at the sides of the primary surface and extend at a slope of 7:1 to a height of 150 feet (332 feet MSL) above airport elevation. The surface extends at a slope of seven (7) feet horizontally for each foot vertically (7:1) from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional zones for those portions of the precision approach zones which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach zones and at 90 degree angles to the extended runway centerline.

HORIZONTAL ZONE - The horizontal zone is hereby established at 150 feet (332 feet MSL) above airport elevation and defined by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of each runway, and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

CONICAL ZONE - The conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward there from a horizontal distance of 4,000 feet at a slope of 20:1 and to a height of 200 feet above the elevation of the horizontal zone. The conical zone does not include the precision instrument approach zones and the transitional zones.

3.u.4 Airport Zone Height Limitations. Except as otherwise provided in this Ordinance, no structure or tree shall be erected, altered, allowed to grow, or be maintained in any zone created by this Ordinance to the height in excess of the applicable height limit herein established for such

zone. Such applicable height limitations are hereby established for each of the zones in question as follows unless the area falls outside the unincorporated area of Sumter County:

APPROACH ZONE – Slopes upward thirty-four (34) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

Slopes upward one foot vertically for a distance horizontally as described in the *Sumter Airspace Plan beginning at the end of and the same elevation as the primary surface and extending to a horizontal distance as described in the Sumter Airport Hazard Zoning Map.*

TRANSITIONAL ZONES - Slopes upward and outward seven (7) feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the primary surface and the approach zones, and extending to a height of 150 feet above the airport elevation which is 332 feet above mean sea level. In addition to the foregoing, there are established height limits sloping upward and outward seven (7) feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the approach zones, and extending to where they intersect the conical surface.

HORIZONTAL ZONE - One hundred and fifty (150) feet above the airport elevation or a height of 332 feet above mean sea level.

CONICAL ZONE - Slopes upward and outward twenty (20) feet horizontally for each foot vertically beginning at the periphery of the horizontal zone and at one hundred and fifty (150) feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

EXCEPTED HEIGHT LIMITATION - Nothing in this Ordinance shall be construed as prohibiting the growth, construction, or maintenance of any tree or structure to a height up to thirty-five (35) feet above the surface of the land.

Maximum height in Sumter County shall not exceed 480' AGL except for radio and television antenna which should not exceed heights in attached Plan

Where an area is covered by more than one (1) height limitation, the more restrictive limitation shall prevail.

3.u.5. Use Restrictions. Notwithstanding any other provisions of this Ordinance, no use may be made to land or water within any zone established by this Ordinance in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport or otherwise in any way create a hazard or endanger the landing, takeoff, or maneuvering of aircraft to use the airport.

3.u.6. Nonconforming Uses.

REGULATION NOT RETROACTIVE - The regulations prescribed by this Ordinance shall not be construed to require the removal, lowering, or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of this

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Ordinance, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Ordinance, and is diligently prosecuted.

MARKING AND LIGHTING - Notwithstanding the preceding provision of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Sumter Airport Commission to indicate to the operators of aircraft in the vicinity of the airport, the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the Sumter Airport Commission.

3.u.7. Permits.

FUTURE USES - No material change shall be made in the use of land and no structure or tree shall be erected, altered, planted, or otherwise established in any zone hereby created unless a permit therefore shall have been applied for and granted by the Zoning Administrator upon determination that no provisions of this Section and this Ordinance are violated.

- a. However, a permit for a tree or structure of less than 75 feet of vertical height above the ground shall not be required in the horizontal and conical zones or in any approach and transitional zones beyond a horizontal distance of 4,200 feet from each end of the runway except when such a tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for the respective zone.
- b. Each application for a permit shall indicate the purpose for which the permit is desired with sufficient particulars to determine whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.

EXISTING USES - No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

NONCONFORMING USES ABANDONED OR DESTROYED - Whenever the Zoning Administrator determines that a nonconforming tree or structure has been abandoned or more than 60 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

VARIANCES - Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use his property not in accordance with the regulations prescribed in this Ordinance, may apply to the Board of Appeals for a variance from such

regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and relief granted would not be contrary to the public interest but will do substantial justice and be in accordance with the spirit of this Ordinance.

HAZARD MARKING AND LIGHTING - Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the SUMTER Airport Commission at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to pilots the presence of an airport hazard.

EXCEPTIONS

1. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 75 feet in vertical height above the ground, except when, because of terrain, land contour or topographical features, such as tree or structure would extend above the height limits prescribed for such zones.
2. In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4200 feet from each end of the runway, no permit shall be required for any tree or structure less than 75 feet in vertical height above the ground, except when, because of terrain, land contour or topographical features, such as tree or structure would extend above the height limits prescribed for such zones.
3. In areas lying within the limits of the transitional zones, no permit shall be required for any tree or structure less than 75 feet above the ground, except when such tree or structure, because of terrain, land contour or topographical features, would extend above the elevation prescribed for such transition zones.

SECTION V: HIGHWAY CORRIDOR PROTECTION DISTRICT

3.v.1. Purpose: The purpose of the Highway Corridor Protection District is to promote development that is compatible with the function, capacity, and design of major arterial roadways, while remaining sensitive to the relationship of the roads to abutting residential, commercial, and industrial development. Existing residential uses within the District will remain unaffected. The implementation of the Highway Corridor Protection District shall be fulfilled in the manner of an overlay zone.

The Highway Corridor Protection District encompasses the lands within three hundred feet (300 ft.) measure from the centerline (or the depth of the lot to be developed, whichever is greater) on both sides along specific sections of the following streets, roads, or highways within the City and County of Sumter, South Carolina:

- a. Shaw Parkway and Loring Mill Roads;
- b. North Wise (378 to Airport);

- c. Thomas Sumter Highway at Broad Street;
- d. U.S. Highway 378 and the by-pass;
- e. U.S. Highway 15 (Pocalla Road) and North Main Street;
- f. U.S. Highway 521 (Manning Avenue);
- g. U.S. Highway 76 (Florence Highway);
- h. U.S. Highway 401 (Oswego Road)

3.v.2. Highway Corridor Protection District Map: An overlay map of the Highway Corridor Protection District boundaries shall be included as part of this Article.

3.v.3. General Standards: Persons wishing to develop residential subdivisions, commercial or industrial projects with the Highway Corridor Protection District shall comply with the standards as follows:

- a. Development and dimensional standards of the primary zoning district shall be applicable;
- b. The siting and orientation of commercial and industrial buildings and structures on a lot should front and be parallel to the street or highway providing primary accesses thereto, existing lot configuration notwithstanding;
- c. Where feasible, off-street parking should be located in the rear yard area of commercial or industrial projects, or screened by vegetation or berms, if located in the front or side yard area in addition to any other requirements in 8.j.3.k.;
- d. Outdoor sales lots and open storage areas of commercial or industrial projects shall not be permitted, unless adequately screened or removed from public view; Car Dealerships and mobile home sales lots are expressly excluded from this provision, but nevertheless shall meet all requirements for landscaping and buffering as set forth in Article 8, Section D.
- e. Curb cuts should be not less than 1,000 foot intervals, where feasible;

3.v.4. Architectural Standards: All commercial projects in the Highway Corridor Protection District shall submit architectural plans to the Sumter City-County Planning Commission which shows elevations of all portions of buildings with important relationships to public views and vistas, indications as the construction materials, photographs or perspective drawings indicating visual relationships to adjoining properties and spaces, paint and color schemes, and other exhibits and reports the Sumter City-County Planning Commission may require. In addition, all commercial projects shall meet the following standards:

- a. If a new commercial building is proposed, not more than sixty percent (60%) of the facade facing a street may be glass or reflective materials;
- b. A minimum of eighty percent (80%) of the surface materials, excluding doors and windows, shall be brick, stucco, or stone masonry or materials approved by the Sumter City-County Planning Commission. Roof pitch should be compatible with the building structures in the surrounding neighborhood.

3.v.5. Traffic Impact Analysis: The Sumter City-County Planning Commission may determine that the developer and commercial, residential, or industrial project shall evaluate the off-site impacts of site generated traffic. A traffic study reviewed by the S.C. DOT may be required prior to the issuance of a building or occupancy permit.

3.v.6. Approval Authority: When applying for an occupancy permit or building permit in the Highway Corridor Protection District, applicants shall have a site plan or subdivision plan approved by the Sumter City-County Planning Commission if either Major Site Plan or Major Subdivision Plan criteria is met as outlined in Article Seven, Section D. For all requests that fall in the Minor Site Plan or Minor Subdivision criteria, the Planning Staff will be the approval authority for the Highway Corridor Protection District requests. Appeals of Planning Staff decision shall follow the normal procedures and go to the Board of Appeals.

SECTION W: PUBLIC UTILITIES AND PUBLIC SERVICE COMPANIES

3.w.1. Public Utilities and Public Service Companies provide needed local services including water, sewer, electricity, gas, telephone, and cable services. In order to have a minimum impact on their on their operating costs and maintain the maximum tax base, the following provisions/exemptions apply to those utilities and service companies as defined in this Section:

Minor Utilities will be allowed in all zoning district provided Planning Staff has reviewed plans for compliance with the 2030 Comprehensive Plan as required under Section 6-29-540 of the South Carolina Code of Laws.

Major Utilities as defined by the SIC are subject to the use guidance of each district, as set forth in Article III and in Exhibit 5:

- SIC Code 484 Cable Services
- SIC Code 491 Electrical Services
- SIC Code 492 Gas Production & Distribution
- SIC Code 493 Combination of Electric & Gas
- SIC Code 494 Water Supply
- SIC Code 4952 Sewerage Systems
- SIC Code 48 Telephone Utility

Site Criteria

NO minimum lot area requirement for minor utility stations as long as criteria below can be met:

- a. The minimum setback on all sides is 5 feet.
- b. The maximum impervious surface ratio is 75 percent.
- c. Maximum height will be in accordance with zoning district regulation.
- d. Each site must be reviewed by the Planning Staff for sight-triangle compliance and visibility before final approval of the above is approved.
- e. All utilities required to be secured with a fence (minimum 6 foot opaque).
- f. A landscape buffer shall be required screening the area from public view. If area is wooded, applicant shall preserve the natural vegetation to the maximum extent possible and to meet buffering requirement.
- g. The site may be served via a private access easement or driveway.
- h. The site may be owned by the utility provided or may be on leased land from the property owner with a utility easement.

Exclusions from requirement:

Distribution lines and underground utilities are exempt from the above mentioned criteria.

3.w.2. Public Utilities and Public Service Companies operating on property they own may obtain relief from the Zoning Ordinance and Development standards as a Special Exception that may be granted by the Zoning Board of Appeals.

SECTION X: FARMING

3.x.1. General Farming operations, while permitted in all zoning districts, shall meet the following development standards, where applicable

1. A minimum of three (3) acres shall be required for commercial farming operations. No minimum area (acreage) requirements for personal or private farming operations in connection with a residential use.
2. Unless specified elsewhere by these regulations, all accessory and principal building shall meet the minimum yard and setback requirements for the district in which the farming use is located, except that barns, stables, pens, or other animal shelter shall be located no closer than 100 feet to the nearest residential property line.

3. Commercial reduction of inedible animal or vegetable matter on the premise is prohibited, **except that poultry incinerators shall be permitted pursuant to Section 5.b.3.s**
4. Swine/Hog Farms (SIC 0213) area Special Exception allowed only in the AC and AC-10 zoning districts. See Section 5.b.3.L. for specific regulations.
5. Roadside stands may be established for the sale of fruits and vegetables grown on the farm, provided such structures meet all required setbacks.