

## **ARTICLE FOUR**

### **GENERAL AND SUPPLEMENTAL REGULATIONS**

#### **SECTION A: GENERAL**

**4.a.1.** The regulations set forth in this Article clarify, supplement or modify the district regulations in Article Three of this Ordinance.

#### **SECTION B: APPLICATION OF REGULATIONS**

**4.b.1.** The various zoning district regulations established herein are declared to be the minimum requirements necessary to carry out the purpose of this Ordinance. These regulations apply to each class or kind of structure or land, and are the minimum aesthetics standards for all site clearing, development, buildings, structures or alterations to land within the City of Sumter and the unincorporated portion of the County of Sumter.

#### **SECTION C: USE OF LAND, BUILDINGS, OR STRUCTURES**

**4.c.1.** No land, building, or structure shall hereafter be used or occupied and no building or structure shall hereafter be constructed, erected, altered or moved unless in conformity with the regulations herein specified for the zoning districts in which it is or will be located. Uses of land, building or structures are excluded which are not designated as a permitted use or a permitted conditional use or a special exception within the applicable zoning districts.

#### **SECTION D: HEIGHT OF BUILDINGS AND/OR STRUCTURES**

**4.d.1.** No building or structure shall exceed the height specified within each district in Article Three, unless otherwise permitted in this Ordinance. Height shall be measured vertically from the highest point on a structure, excepting any chimney or antenna on a building, to the ground level of the grade where the walls or other structural elements intersect the ground. The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy, monuments, water towers, observation towers, transmission towers, silos, chimneys, smokestacks, conveyors, roof signs, flag poles, masts and aerials, provided that such building or structure is not a hazard to air navigation, and does not penetrate the airspace height zones of the Sumter Airport and Shaw Air Force Base. Where an area is covered by more than one height limitation, the more restrictive limitations shall prevail.

## **SECTION E: DENSITY**

**4.e.1.** No building, structure or land shall hereafter be used or occupied in excess of the prescribed density regulations, nor accommodate a greater number of dwelling units than prescribed for in the zoning district in which it is or will be located.

**4.e.2.** In computing density for large tracts or multi-unit housing projects, the density limits established by the zoning district shall govern. However, densities may be allowed to exceed the maximum on a part of a tract, if the overall density on the total project site does not exceed the limits established by the zoning district. Individual pods of housing development shown on a General Development Plan or Site Plan must be of sufficient size and shape to realistically achieve estimated densities shown for those parcels. The Sumter City-County Planning Commission may require a sketch plan of individual pods shown on a General Development Plan or Site Plan to demonstrate the accuracy of proposed densities on the plan.

## **SECTION F: YARD REGULATIONS**

**4.f.1.** Yards which abut streets shall be measured from the abutting street right-of-way line.

**4.f.2. Yards Abutting Service Lanes:** Whenever a lot abuts upon a service lane (i.e., alley way) one-half (1/2) of the service lane width may be considered as a portion of the required yard.

### **4.f.3. Yards Located on Lots with More Than One Principal Building:**

- a. Unless expressly permitted elsewhere by this Ordinance, only one principal residential structure shall be located on an individual lot of record or combination of two or more lots of record.
- b. Whenever more than one principal building is to be located on a lot, the required yards shall be maintained around the group of buildings, and the buildings shall be separated by a horizontal distance that is at least equal to the height of the highest adjacent building.

### **4.f.4. Front Yards:**

- a. The front yard setback requirements for dwellings shall not apply on any lot where the average setback of existing buildings located wholly or in part within two hundred (200) feet on each side of such lot within the same block and district and fronting on the same side of the street, is less than the minimum required setback. In such cases, the setback on such lot may be less than the required setback, but not less than the average of the setbacks of the aforementioned existing buildings.

- b. Where a lot fronts on two or more nonintersecting streets, or two intersecting streets forming an angle of 60 degrees or less, front yards shall be provided on both streets.
- c. Where the principal building(s) or structure(s) are oriented to face inward, away from the street on which it fronts, said building or structure shall nonetheless observe the required front yard setback for the district in which it is located, and any accessory use(s) prohibited from the required front yards within such districts, also may be prohibited within the required front yard setback from the reoriented use facing away from the street.
- d. Where a frontage is divided among districts with different front yard requirements, the deepest front yard shall apply to the entire frontage.
- e. No structure other than a driveway, sign, fence, gate, sidewalk, or berm shall be erected or permitted to be located in a required front yard area.

**4.f.5. Side Yards:** Where a side yard abuts a street (i.e., corner lot), the minimum side yard requirement shall not be less than fifty (50%) percent required on the lot lying to the rear, when the rear lot faces a side street and no accessory building on said corner lot shall extend beyond the front yard line of the lot to the rear. If, however, the rear lot faces the opposite street, and in fact constitutes another corner lot, then the side yards setback for the district in which the lot is located shall prevail. Provision established herein may be excluded from a Planned Development (PD) which utilizing the Traditional Neighborhood Development (TND) design conventions.

**4.f.6. Side Yard Requirements For Special Housing Types:** In the following residential districts (i.e., R-6, GR) and in the following commercial districts (i.e., GC, LC, NC, and PO), the side yard setback may be waived on one side of the lot, when two semi-detached structures<sup>1</sup> sharing a common wall are placed simultaneously on the alternate side of the same property line to create an effect similar to a duplex on one lot. This may occur when:

- a. The applicant wishes to place simultaneously detached units on the alternate side of the same property line of two adjoining lots held under the same ownership at the beginning of construction; or,

The applicant wishes to subdivide the lot, as well as the existing building through the common wall as long as:

1. The opposite side yard is not less than the minimum side yard setback required within the applicable zoning district, and is perpetually maintained free and clear of any obstructions;

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<sup>1</sup> Definition: Dwelling, Semi-Detached – A single family dwelling attached to one other single family dwelling by a common vertical wall, and each dwelling located on a separate lot.

2. No portion of either dwelling or architectural features project over any property line;
3. The total area of development is in compliance with all area regulations of the corresponding zoning district, including lot area, setbacks, screening, and parking;
4. Each semi-detached structure is constructed on a lot where the minimum lot area and the minimum lot width at the building line is not less than one half (1/2) the minimum requirement of the corresponding zoning districts and all other subdivision regulations are met;
5. Only one (1) accessory building is allowed per semi-detached structure;
6. The common wall located at the zero side yard setback is constructed in accordance with all specifications of the latest addition of the Standard Building Code.

**4.f.7. Structures Projecting into Required Yards:** The following structures within the limits set forth may project into the required yards:

- a. Steps and open porches without roofs shall be allowed in any required yard, but shall not be closer than seven (7) feet to any property line;
- b. Eaves, cornices, gutters, fireplaces, and other minor architectural features projecting no more than twenty-four (24) inches from the main portion of a building shall be allowed to project into any yard;
- c. Ramps, lifts, and access facilities for the handicapped;
- d. Fences, walls and hedges may be erected in any required yard or setback area or along the edge of a property line, provided that no fence, wall or hedge; shall,
  1. impede the vision clearance for driveways or streets as provided in 4.h.1;
  2. include gates that swing outward into sidewalks or public rights-of-way;

**4.f.8. Height, Fencing Materials, and Proximity Regulations for Fences Allowed in Required Yards:** A solid fence or wall not over five (5) feet in height is permitted outright in any side or rear yard provided; that a said fence is no closer than twelve (12”) inches from a street right-of-way line. Where a fence is in fact over five feet in height, said fence may not be permitted within six feet of a structure on an adjacent property. In addition, a solid fence which is over six (6) feet in height must be an additional one (1) foot from the adjacent structure for every foot in height. No fence may exceed eight (8) feet in height. Hurricane, cyclone and wire fences are permitted along any side or rear property line. All solid fences in the front yard setback area will have an exterior finish facing outward.

**4.f.9. Yard Setback Requirements from Railroad Rights-of-Way:** Structures within commercial and/or industrial zones may locate closer to a railroad right-of-way than the typical side or rear yard setback requirement may be in a zoning district. However, the location must be in accordance with the applicable railroad standards and conform to all other pertinent provisions of the Zoning and Development Standards Ordinance.

## **SECTION G: ACCESSORY BUILDINGS AND USES**

**4.g.1. General:** Accessory buildings and uses may be located in required yards under the following conditions.

**4.g.2. Residential Accessory Structures:** Residential accessory structures shall comply with the following:

**a. Conditions & Exceptions:**

1. No accessory building or structure shall be constructed on any residential lot prior to the time of construction of the principal building to which it is accessory. **Exemption: AC Zoning District ONLY with 5 or > acres – See Note on Table Exhibit 8A for required development standards.**
2. Accessory buildings attached to the principal structure by a common roofline or breezeway shall be treated as part of the principal structure and shall meet all principal setbacks for the zoning district in which it is located.
3. Any accessory building 120 sq. ft. in size or smaller (i.e. play houses, well pump houses, and other similar uses) will not be counted as accessory structures however, they must comply with accessory structure 5 ft. minimum setbacks and shall be limited to two (2) per parcel.

**b. Development Standards:**

1. **Maximum Height** – No accessory structure shall exceed the height of 25 ft., the height is the vertical distance between the finished grade along the front of the structure to the highest point of the structure.
2. **Separation Criteria** – No structure shall be located within 10 ft. of the principal structure.
3. **Number** – No residential parcel shall have more than two (2) accessory structures; the aggregate floor area of both structures added together shall not exceed the maximum size allowed under Exhibit 8A.

4. **Location Requirements** – Detached garages shall only be located in the side or rear yard of a parcel and shall be located no further forward on the lot than the principal structure; storage buildings shall be located in the rear yard only.
  5. **Setbacks** – Note: accessory structures over 1200 sq. ft. in size must be a minimum of 10 ft. from all side and rear property lines.
    - a. Interior Lots: Front – N/A; Sides – 5 ft.; Rear – 5 ft.
    - b. Corner Lots: Front: N/A; Interior Side – 5 ft.’ Exterior Side (local collector street) – 17.5 ft; Exterior Side (arterial street) – 22.5 ft.; Rear – 5 ft.
  6. **Maximum Size** – the maximum size of residential accessory structures shall be governed by Exhibit 8A, and shall be based on the gross acreage of the parcel of land on which it is located.
- c. **Accessory Apartments:** Accessory apartments shall be treated as a permitted use on any parcel that’s principal use is single-family detached residential regardless of zoning classification.

**EXHIBIT 8A**

**Maximum square footage of residential accessory structures based on gross acreage**

<b>Acreage</b>	<b>0</b>	<b>0.1</b>	<b>0.2</b>	<b>0.3</b>	<b>0.4</b>	<b>0.5</b>	<b>0.6</b>	<b>0.7</b>	<b>0.8</b>	<b>0.9</b>
<b>**&lt;0.5</b>	See note 1									
<b>0.5</b>	1100	1150	1250	1350	1450	-	-	-	-	-
<b>1.0</b>	1500	1525	1550	1575	1600	1625	1650	1675	1700	1725
<b>2.0</b>	1750	1775	1800	1825	1850	1875	1900	1925	1950	1975
<b>3.0</b>	2000	2025	2050	2075	2100	2125	2150	2175	2200	2225
<b>4.0</b>	2250	2275	2300	2325	2350	2375	2400	2425	2450	2475
<b>≥ 5.0</b>	Exempt, see note 2 & 3									

**NOTES:**

1. **Maximum size for accessory structures on all parcels less than 0.5 acres in size is 1000 sq. ft.**
2. **All parcels over 5 acres in size are exempt from maximum square footage requirements, however, each zoned parcel shall not exceed the maximum impervious surface ratio for the given zoning district.**
3. **Agricultural Conservation (AC Zoning District ONLY) with 5 acres or more are exempt from requirement of having a principal structure on the property in order to build an accessory building on a person’s property. These structures will be treated as principal structures meeting principal setbacks, distance between buildings, maximum height of 35 feet and maximum of two structures per parcel. Access to the structure shall be provided by paved road, gravel or**

**dirt road as long as it provides reasonable access from off a public ROW with approved driveway encroachment permit. Lot shall meet the minimum lot width at the street as setforth in the County Zoning ordinance for all other lots of at least 60 feet.**

**ACCESSORY USE**

**CONDITIONS**

Off-street parking

May be located in required yards in all zoning districts. Off-street parking shall not be allowed in any required bufferyard or within three (3) feet of any property line.

Signs

Must comply with the development standards established in Article 8, Section I: Sign Regulations.

Accessory buildings, including Garages, carports, animal shelters, Storage sheds, etc.

See Section 4.g.2. Where the accessory use is a combined garage and living space (or office use), the second story of the accessory use, when used as a living space or office use, shall not count against the gross floor area limit as established in Exhibit 8A. The number of accessory structures shall not exceed two in any zoning district. The maximum floor area established in Exhibit 8A is the total floor area of all accessory structures; this means that each residential parcel is entitled to a total of two (2) non-exempt accessory structures with a combined total floor area not to exceed the square footage limitations established in Exhibit 8A. No accessory use shall be located in any required bufferyard.

Accessory Apartments

Shall be developed in accordance with 4.g.2 and the following criteria – An accessory living unit (limit one per residential lot) cannot be larger than one thousand square feet (1,000 sq. ft.) nor smaller than three hundred square feet (300 sq. ft.); further, it cannot exceed more than forty percent (40%) of the principal structure’s floor area, nor have more than two (2) bedrooms. There must be at least one parking space per unit. The accessory apartment must be a complete living space with a kitchen and bathroom facility entirely separated from the primary unit. The building’s exterior should give every appearance that it is a single-family house with the exterior finishes matching the exterior finishes of the principal structure. Accessory units may be created as a second story within a detached garage provided that the height of the structure does not exceed the height of the principal structure on the lot.

**ACCESSORY USE**

**CONDITIONS**

Portable on Demand Storage (PODS) units, or other similar portable on demand storage containers such as sea vans

Permitted as a temporary use only. See Article 5, Section C: Temporary Uses. for guidelines

Stockyards, Slaughter Houses, Commercial Poultry Houses and Kennels, and Livestock Auction Houses

These uses are subject to review and approval by the Sumter City-County Board of Zoning Appeals as special exception uses. Referenced uses set forth herein, with SIC Codes 025 and 20, shall not be located closer than one thousand (1,000 ft) feet to any adjacent residential use on a separately platted parcel of land under separate ownership. No incineration of animals or animal refuse shall be permitted on site.

Swimming pools, tennis courts and Recreational uses

May be located in all side and rear yards, provided said uses shall be no closer than ten (10 ft) feet to the nearest property line, and shall not be located in any required buffer yard, and shall have all lighting shielded or directed away from adjoining residences.

Satellite dishes, ham radio towers, and ground supported TV antennas

May be located in required rear yards setbacks in all districts; provided such uses shall be located no closer than ten (10 ft) feet from all property lines, the foundation shall be approved by the Building Official, and said uses shall not be located in any required bufferyard. Furthermore, digital TV dishes shall be allowed on roofs and exterior walls of buildings within all districts.

**4.g.3. Commercial Accessory structures:** commercial accessory structures shall comply with the following:

- a. All accessory buildings shall meet the principal setbacks, shall not exceed the maximum height for the zoning district and shall be treated as principal structures for zoning purposes;
- b. All buildings greater than 200 sq. ft. in size are required to be shown on the commercial site plan and shall be reviewed through the site plan review process;
- c. Any structure 200 sq. ft. or less in size will not be treated as an accessory structure but are limited to two (2) structures per parcel.

**4.g.4. Agricultural Accessory Structures:**

- a. Conditions & Exceptions:

1. Accessory buildings constructed for the exclusive use of sheltering agricultural machinery or storage of agricultural products shall be exempt from the accessory building standards;
2. All agricultural structures shall be treated as principal structures for the purpose of this Zoning Ordinance; agricultural structures shall meet non-residential setbacks and shall meet all other non-residential development criteria for a given zoning district to include maximum height, distance between buildings and impervious surface ratio requirements.

**4.g.5. Accessory Vending Machines:** this applies to vending machine units designed to be freestanding all-weather outdoor units.

- a. Zoning Districts – accessory vending machine units are permitted in all commercial and industrial zoning districts as accessory to established active business or manufacturing uses.
- b. Location – shall not be located within parking lots or required bufferyards, and shall comply with principal setback based on zoning district. Vending units are exempt from the zoning ordinance building separation standards, however, said units shall comply with all applicable Building and fire code standards for structure placement.
- c. Any accessory vending unit placed within the Highway Corridor Protection District (HCPD) design review district shall be reviewed for materials and color compatibility with the development site.
- d. Concrete slab. Units shall be placed on a concrete slab extending a minimum of four (4) feet from the edge of the structure.
- e. Signage. No freestanding sign is permitted. Wall signs shall be capped at 20% of the front wall area.

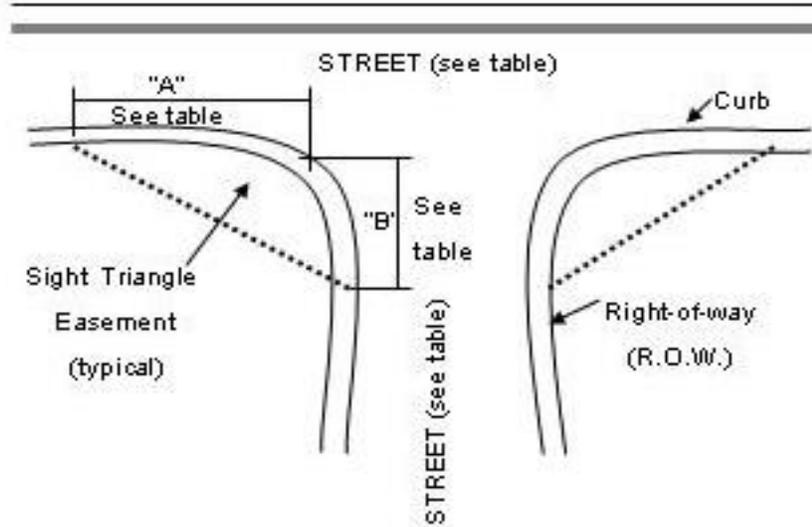
## **SECTION H: VISUAL CLEARANCE AT INTERSECTIONS**

**4.h.1. General:** On any corner lot in any district except in the Central Business District (CBD) no plantings shall be placed or maintained and no fence, building, wall or structure shall be constructed or erected after December 30, 1991, if such planting or structure thereby obstructs vision at any point between a height of three and a half (3 ½ ft) feet and ten (10 ft) feet above upper face of the nearest curb or street center line (if no curb exists). This requirement is established within the sight triangle area bounded on two sides by the street rights-of-way lines, and on the third side by a straight line connecting points on the two street rights-of-way lines as required by the illustration shown herein.

**4.h.2. Removal of Obstructions:** Existing impediments to visual clearance shall be discontinued in accordance with the schedule contained in Article 6. However, structure (i.e., poles) less than twelve (12”) inches in diameter and free-standing signs at least ten (10 ft) feet above ground may be permitted in such visual clearance areas.

## EXHIBIT 8 SIGHT TRIANGLES

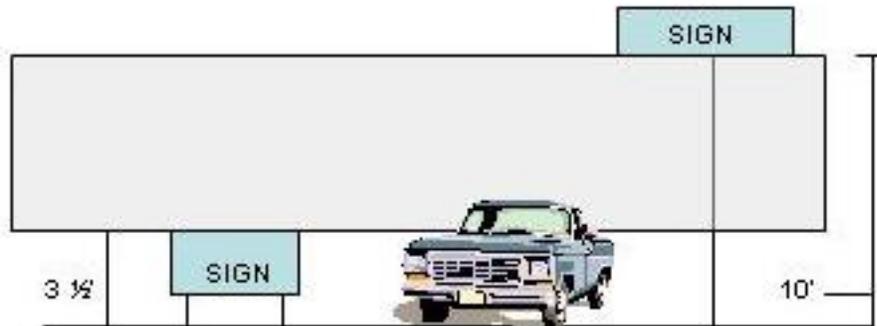
### Visual



### Clearance Illustration

<b>TYPICAL REQUIREMENTS</b> By street type (Measured along R.O.W. Line)		<b>“B” (Distance in Feet)</b>		
		<b>Local</b>	<b>Collector</b>	<b>Arterial</b>
<b>“A”</b>	<b>(Distance in Feet)</b>			
<b>15</b>	<b>Driveway</b>	<b>15</b>	<b>15</b>	<b>15</b>
<b>25</b>	<b>Local Street</b>	<b>25</b>	<b>50</b>	<b>75</b>
<b>35</b>	<b>Collector Street</b>	<b>25</b>	<b>50</b>	<b>75</b>
<b>50</b>	<b>Arterial Street</b>	<b>25</b>	<b>50</b>	<b>75</b>

### Vertical Vision Clearance Area



## **SECTION I: PARKING AND STORAGE OF CERTAIN VEHICLES IN RESIDENTIAL ZONES**

**4.i.1. General:** In order to promote the health, safety, welfare, and aesthetics of residential areas the following rules shall apply:

- a. No commercial buses shall be parked or stored in any residential district unless completely screened from public view;
- b. Semi-tractor trailers or cargo trucks shall not be parked in residential zones except to load and unload at the premise which it is parked and shall not be parked overnight. However, the cab unit without the cargo body may be parked in residential zones;
- c. Automobiles or trailers without a current license plate shall not be parked or stored in any front or side yard on any residentially occupied or zoned property;
- d. Vehicles parked in a commercial or industrial zone which abuts a residential zone may not be closer than twenty-five (25 ft) feet to a residential property.

## **SECTION J: PARKING, STORAGE, OR USE OF CAMPERS OR OTHER MAJOR RECREATIONAL VEHICLES**

**4.j.1.** No recreational equipment shall be parked or stored on any lot in a residential district except in a carport or enclosed building, or immediately adjacent to the side or rear of the principal building, or sufficiently screened from view from the public right-of way. The vehicle may be parked for a period not to exceed 24 hours for purposes of loading or unloading. Such equipment shall observe an eight foot rear yard setback and all other yard requirements set forth within the district in which it is located. No such equipment shall be used for housekeeping purposes when parked or stored on a residential lot, or in any other location not approved for such use, except the housing or temporary guests for a period not to exceed two weeks per year.

## **SECTION K: CONTAINERS AND DUMPSTERS**

**4.k.1.** All exterior dumpsters or exterior garbage containers (excluding containers or groups of containers with a combined capacity of less than six cubic yards) shall be screened on all but one side by a fence or wall, intensive landscaping, or other suitable opaque enclosure. The average height of the enclosure shall be one (1) foot more than the height of the container but shall not be required to exceed eight (8) feet in height. The open side shall be obscured from street visibility to the extent possible.

**4.k.2 Donation Bins** shall be permitted on any commercially used parcel regardless of zoning designation under the following conditions:

- a. Shall not be located on vacant or undeveloped parcels.
- b. No more than 3 donation bins are permitted on a single parcel of property.
- c. No more than 3 donation bins are permitted on any common internally connected commercial center, strip development, or similar land use type regardless of the number of parcels that are part of the development area.
- d. Donation bins shall not be placed within public right-of-way, including any sidewalk located within the public right-of-way.
- e. Within the Highway Corridor Protection District (HCPD), donation bins shall be constructed of painted metal or durable UV-resistant vinyl, fiberglass, or other similar low maintenance material; Prefabricated buildings shall not be converted to donation bin use.
- f. Within the HCPD, the following shall be required for donation bins that are not located within 3 feet of an existing building:
  1. Site Plan Approval
  2. HCPD Approval
- g. If a donation bin is placed in an opaque enclosure, such enclosure may contain a maximum of 9 sq. ft. of signage on 2 sides.
- h. Written permission from the property owner of record is required prior to placement of a donation bin on a property.
- i. The following information shall be clearly displayed on the front or primarily visible side of any donation bin.
  1. For-profit organizations shall have a statement indicating that donation are to a for-profit organization and may not be tax deductible.
  2. Non-profit organization shall have a statement indicating that donation are to a non-profit organization and may be tax deductible.
  3. Name of the donation bin owner, current mailing address and phone number.
- j. Donation bins shall at all-times be maintained in good repair, in a clean condition, free of accumulated materials placed on or outside of the donation bin, and free of graffiti and other unauthorized writing, painting, drawing, or inscriptions.
- k. Donation bin owners shall promptly remove, within 48 hours, any refuse placed on or in the vicinity of the donation bin.

- l. If any donation bin is found to have violated any of the previous requirements, Sumter County is allowed to remove the donation bin from its location 72 hours after written notice is sent to the property owner of record and the donation bin owner via certified mail or personal service.
- m. Written notice will be provided via certified mail to the donation bin owner if a donation bin has been removed from a site by Sumter County. The donation bin owner shall have 30 days from the date stated on such a written notice to reclaim the donation bin.

## **SECTION L: APPEARANCE OF FENCES AND WALLS**

**4.l.1.** All fences and walls used as part of the bufferyard requirements must have a finished side that is facing adjoining property. The interior side of the fence or wall may be finished as owner deems appropriate. Where fences or walls are proposed by the developer, but not required by the applicable bufferyard requirements, they shall be established along the inside line of the bufferyard toward the proposed use, except for ornamental fences or fences to the rear of the property, which may be built on the property line. Security fences and walls also may be established along the outer perimeter of the lot, with the approval of the Zoning Administrator.

## **SECTION M: ACCESS TO COMMERCIAL AND INDUSTRIAL ZONED PROPERTY PROHIBITED FROM RESIDENTIAL ZONES**

**4.m.1.** Where a commercial or industrial zoning district is bounded by a residential zoning district, no portion of the residential zoning district shall be traversed by commercial or industrial vehicles. Access to such industrial or commercial properties, including off-street parking and loading areas, shall be restricted to streets and alleys within the respective commercial or industrial districts in which such uses are located; and no commercial or industrial vehicles or parking in connection with an industrial or commercial use shall occupy a public street or right-of-way separating commercial or industrial districts from residential districts.

## **SECTION N: MINI-WAREHOUSES**

**4.n.1.** Due to the need to better integrate mini-warehouses into the urban fabric of the community, the following standards shall be observed:

- a. Size: mini-warehouse sites shall not exceed four (4) acres.
- b. Lot coverage: coverage of all structure shall be limited to fifty percent (50%) of the total lot.
- c. In/Out: Vehicular ingress-egress shall be limited to one point for each side of the property abutting any street.

- d. Storage only: no business activities other than rental storage units not to exceed 500 square feet per unit shall be conducted on the premises with no outside storage.
- e. Landscaping and screening: Mini-warehouses shall meet all requirements set forth in Article 8, Section D of the Ordinance.