

# CHAPTER B. ZONING REGULATIONS

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# 1. PURPOSE AND AUTHORITY

- A. **Purpose.** It is the purpose of this Section is to define development standards for zoning districts within the City. All land within the City's zoning districts shall be developed in accordance with the standards and regulations in this Section and applicable Sections of this UDO.
- B. **Districts Established.** The City of Sumter is divided into zoning districts, Traditional and Mixed Use. This Section establishes the traditional zoning districts and defines their respective standards. The zoning districts are organized into four (4) generalized categories and established in Table B.2.1 below. The four (4) categories are enumerated below:
1. Residential Zoning Districts
  2. Commercial Zoning Districts
  3. Industrial Zoning Districts
  4. Other Zoning Districts
  5. Mixed Use

## 2. ZONING DISTRICTS

Table B.2.1 Zoning Districts

<b>Zoning Districts</b>		
<b>Residential</b>		
<b>R-15</b>	Residential, Single-Family	Section B.3.1
<b>R-9</b>	Residential, Single-Family	Section B.3.2
<b>R-6</b>	Residential, Single-Family	Section B.3.3
<b>GR</b>	Residential, General	Section B.3.4
<b>RMF</b>	Residential Multi-Family	Section B.3.5
<b>Commercial</b>		
<b>PO</b>	Professional Office	Section B.4.1
<b>NC</b>	Neighborhood Commercial	Section B.4.2
<b>LC</b>	Limited Commercial	Section B.4.3
<b>GC</b>	General Commercial	Section B.4.4
<b>Industrial</b>		
<b>LI-W</b>	Light-Industrial-Warehouse	Section B.5.1
<b>HI</b>	Heavy Industrial	Section B.3.2
<b>Other</b>		
<b>AC</b>	Agricultural Conservation	Section B.6.1
<b>CP</b>	Conservation Preservation	Section B.6.2
<b>Mixed Use</b>		
<b>DTC</b>	Downtown Core	Section B.7.1
<b>IG</b>	Parks and Institutional General	Section B.7.2
<b>DTT</b>	Downtown Transitional	Section B.7.3

## 3. RESIDENTIAL DISTRICTS

The residential zoning districts are intended to provide a safe and healthy environment for residents to live. Uses which are detrimental to the residential nature of these districts are discouraged. More specifically, the residential zoning districts intend to:

1. Implement the Comprehensive Plan;
2. Permit a variety of residential uses, public and institutional uses, and other supporting uses;
3. Offer a range of densities and housing stock to allow for a sustainable mix of residential development, diversity and affordability;
4. Ensure adequate light, air, and privacy for all dwellings;
5. Preserve existing community character while providing for new infill development consistent with the Comprehensive Plan;
6. Discourage uses that would substantially interfere or would be unsupportive of the character of the district. Compatible uses may be permitted per *Section B.14 Permitted Uses*; and

### 3.1 SINGLE-FAMILY RESIDENTIAL (R-15)

The purpose of the R-15 district is to recognize the suburban character of portions of the City of Sumter where low density single-family residential development is the predominant living environment. This district is designed to support the use of land for single-family detached homes within a suburban setting, characterized by medium to large lot subdivisions with consistent housing types and densities. Regulations within this district aim to discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the quiet residential nature of areas included within this district.

Table B.3.1 R-15 District Development Standards Table

R-15 District Development Standards Table			
		Residential Detached	Non-Residential
Building Height (Max) <i>Section B.10(C) Building Height</i>		35 ft.	45 ft.
Density (Max) <i>Section B.10(A) Density and Intensity</i>		2.9 Units/Acre	Not Applicable
Setbacks (Min) <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street) <sup>1</sup>	35 ft. (Local/Collector) 45 ft. (Arterial)	
	Side	12 ft.	50 ft.
	Rear	25 ft.	50 ft.
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	100 ft.	
	Area <sup>2</sup> (Individual Unit) (Min)	15,000 SF	Not Applicable
	Depth <sup>3</sup> (Min)	120 ft.	
	Impervious Surface Ratio (ISR) (Max)	40%	
Additional Standards	<p><sup>1</sup> Refer to <i>Section B.10 Dimensional Requirements</i> for alternate method of determining the front setback.</p> <p><sup>2</sup> Refer to <i>Section B.17 Nonconformities</i> if non-conforming lot of record. Measured in linear feet from front lot line to rear lot line.</p> <p><sup>3</sup> Where lot lines are not parallel, measure by drawing lines from front to rear lines, at rear angles to front lot line, every 10 ft. and average the length of these lines</p> <p>Refer to the SC Building Code for minimum distance between buildings.</p>		

### **3.2 SINGLE-FAMILY RESIDENTIAL (R-9)**

The purpose of the R-9 district is to recognize the character of significant portions of the City of Sumter where medium density single-family residential development is the predominant environment. This district is designed to support the use of land for a variety of housing types within a suburban setting, characterized by medium lot subdivisions. Regulations within this district aim to discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the residential nature of areas included within this district.

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Table B.3.2 R-9 Development Standards Table

<b>R-9 District Development Standards Table</b>				
		<b>Residential</b>		<b>Non-Residential</b>
		<b>Detached</b>	<b>All other Types</b>	
Building Height (Max) <i>Section B.10(C) Building Height</i>		35 ft.		45 ft.
Density (Max) <i>Section B.10(A) Density and Intensity</i>		4.8 Units/Acre	see supplemental table	Not Applicable
Setbacks (Min)  <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street) <sup>1</sup>	35 ft. (Local/Collector) 45 ft. (/Arterial)		
	Side	10 ft.	see supplemental table	50 ft.
	Rear	25 ft.	see supplemental table	50 ft.
Lot  <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	100 ft.	see supplemental table	75 ft.
	Area (Individual Unit) <sup>3</sup> (Min)	9,000 SF	see supplemental table	9,000 SF
	ISR (Max)	40%	see supplemental table	45%
Additional Standards	<p><sup>1</sup> Refer to <i>Section B.10 Dimensional Requirements</i> for alternate method of determining the front setback.</p> <p><sup>2</sup> 0 ft. setback between units, 10 ft. setback between end of structure and side property line.</p> <p><sup>3</sup> Refer to <i>Section B.17 Nonconformities</i> if non-conforming lot of record for nonresidential and single-family detached dwelling uses. All other development types must meet minimum lot area requirements upon establishment.</p> <p>Refer to the SC Building Code for minimum distance between buildings.</p>			

### **3.3 SINGLE-FAMILY RESIDENTIAL (R-6)**

The purpose of the R-6 district is to provide for a variety of housing types on smaller lots and/or support cottage lots within a singular development; may also be utilized within certain limited areas of the City where pre-existing lots meeting these standards and also supports infill residential development. It is the intent of this district to balance higher densities with common open space (Refer to *Section C.1 Parks and Open Space*). The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the residential nature of areas included within this district.

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Table B.3.3 R-6 District Development Standards Table

R-6 District Development Standards Table				
		Residential		Non-Residential
		Detached	Conditional	
Building Height (Max) <i>Section B.10(C) Building Height</i>		45 ft.		
Density (Max) <i>Section B.10(A) Density and Intensity</i>		7 Units/Acre	12 Units/Acre	Not Applicable
Setbacks (Min) <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street)	35 ft. (Local/Collector) 45 ft. (Arterial)		35 ft.
	Side	8 ft.		25 ft.
	Rear	20 ft.		50 ft.
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	50 ft.	45 ft.	Not Applicable
	Area (Individual Lot) (Min)	6,000 SF		Not Applicable
	ISR (Max)	45%		
Additional Standards		Refer to SC Building Code for distance minimum between buildings.		

### 3.4 GENERAL RESIDENTIAL (GR)

The purpose of the GR district is to accommodate higher density residential development and a variety of housing types on small lots. This district is primarily intended to support the provision of housing in older, established areas of the City. It is not intended to support new large acreage residential tract development. The regulations of this district are intended to discourage any use which, because of its

character, would be a nuisance to the development of residences and would be detrimental to the residential nature of areas included within this district.

Table B.3.4 GR District Development Standards Table

GR District Development Standards Table				
		Residential		Non-Residential
		Detached	Conditional	
Building Height (Max) <i>Section B.10(C) Building Height</i>		35 ft.		45 ft.
Density (Max) <i>Section B.10(A) Density and Intensity</i>		10 Units/Acre		Not Applicable
Setbacks (Min) <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street)	35 ft. (Local/Collector) 45 ft. (Arterial)		35 ft.
	Side	8 ft.	0 ft/ 10 ft. <sup>3</sup>	25 ft.
	Rear	20 ft.	20 ft.	50 ft.
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	45 ft.	25 ft.	Not Applicable
	Area (Individual Lot) (Min)	5,000 SF	7,000 SF	Not Applicable
	ISR (Max)	45%		
Additional Standards		<sup>1</sup> Refer too <i>Section B.13 Use Standards</i> for Manufactured Home Park standards.  Refer to SC Building Code for distance minimum between buildings.		

## 3.5 SUPPLEMENTARY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Table B.3.5 Supplementary Residential District Development Standards Table

Supplementary Residential District Development Standards Table							
		Attached	Duplex	Triplex/ Quad	Urban Townhome	Suburban Townhome	Cottage Court
Building Height (Max) <i>Section B.10(C) Building Height</i>		35 ft.					
Density (Max) <i>Section B.10(A) Density and Intensity</i>		14 units/ acre	10 units/ acre	16 units/ acre	20 units/ acre	14 units/ acre	20 units/ acre
Setbacks (Min) <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street) <sup>1</sup>	35 ft.			15 ft.	35 ft.	
	Side	0 / 8 ft.	8 ft.	12 ft.	0 / 8 ft.		
	Rear	20 ft.					
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	30 ft.	60 ft.	80 ft.	16 ft.		
	Area (Individual Unit) <sup>3</sup> (Min)	3,000 SF	8,000 SF	10,000 SF	2,000 SF		2,000 SF
	ISR (Max)	45%	45%	60%	65%		65%

<p>Additional Standards</p>		<p><sup>1</sup> Refer to <i>Section B.10 Dimensional Requirements</i> for alternate method of determining the front setback.</p> <p><sup>2</sup> 0 ft. setback between units, 10 ft. setback between end of structure and side property line.</p> <p><sup>3</sup> Refer to <i>Section B.14 Nonconformities</i> if non-conforming lot of record for nonresidential and single-family detached dwelling uses. All other development types must meet minimum lot area requirements upon establishment.</p> <p>Refer to SC Building Code for distance minimum between buildings.</p>
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### 3.6 RESIDENTIAL MULTI-FAMILY (RMF)

The purpose of the RMF district is to accommodate multi-family development within areas appropriately suited and compatible with surrounding development. However, this district is not intended to restrict the number of dwelling units contained in a building provided there is sufficient area of lot and open space on such lot relative to the number of dwelling units thereon. The regulations of this district are intended to discourage any use which, because of its character, would be detrimental to the residential nature of areas included within this district.

Table B.3.6 RMF District Development Standards Table

RMF District Development Standards Table				
		Residential		Non-Residential
		Detached	Attached	
Building Height (Max) <i>Section B.10(C) Building Height</i>		60 ft. By-right 75 ft. SE <sup>1</sup>		45 ft.
Density (Max) <i>Section B.10(A) Density and Intensity</i>		8 Units/Acre	15 Units/Acre (by-right) 30 Units/Acre (special exception)	Not Applicable
Setbacks (Min/Max) <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street)	15 ft./25 ft. <sup>1</sup>		20 ft.
	Side	10 ft./35 ft. <sup>2</sup>		15 ft.
	Rear	10 ft./35 ft. <sup>2</sup>		10 ft.
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	30 ft.	20 ft.	100 ft.
	Area (Individual Lot) (Min)	2,500 SF	2,000 SF	15,000 SF
	ISR (Max)	60%	60%	70%
Additional Standards		<sup>1</sup> 15 ft. minimum front setback applies if parking is provided to the rear of the building if parking area/garage is recessed or common parking area is provided in lieu of conventional driveway and or garage design. <sup>2</sup> Building height above 60 ft. require setback of no less than 10 ft. along front and where adjacent to single family residential. Refer to SC Building Code for distance minimum between buildings.		

## 4. COMMERCIAL DISTRICTS

- A. The commercial zoning districts are intended to provide a range of office, medical, retail, service, and compatible uses and to implement the Comprehensive Plan. More specifically, the commercial zoning districts intend to:
1. Allow for the development of businesses (retail, restaurant, services, etc.) that meet the needs of residents and visitors in the City of Sumter;
  2. Provide employment opportunities;
  3. Minimize conflicts arising from different uses, such as commercial activities in residential areas; and
  4. Provide for lands that will strengthen the economic base of the City of Sumter in accordance with the Comprehensive Plan.

### 4.1 PROFESSIONAL OFFICE (PO)

The purpose of the PO 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. Residential uses may be permitted as a Conditional Use. Where residential is proposed, it shall comply with the R-6 standards with respect to Lot and Density Standards, Setback and Height Standards, and Other Standards. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of office and medical uses.

Table B.4.1 PO District Development Standards Table

PO District Development Standards Table		
Building Height (Max) <i>Section B.10(C) Building Height</i>		35 ft.
Residential Density (Max) <i>Section B.10(A) Density and Intensity</i>		See R-6 Zoning District & Related Standards
Setbacks (Min) <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street) <sup>1</sup>	35 ft.
	Side	25 ft. (abutting residential) 5 ft. (abutting nonresidential)
	Rear	25 ft.
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	40 ft.
	Area (Min)	Not Applicable
	ISR (Max)	75%
Additional Standards	<sup>1</sup> 20 ft. is the required front yard setback from arterial streets when off-street parking is located on the side or rear of the building(s). 45 ft. is the required front yard setback from arterial streets if parking is located in front of the building(s).	

## 4.2 NEIGHBORHOOD COMMERCIAL (NC)

The purpose of the NC district is to allow for small-scale neighborhood commercial establishments. Specifically, the NC district is intended for commercial uses smaller than 10,000 SF. This district promotes a mix of small-scale commercial, public and institutional, office, and medical uses, and may permit compatible uses as outlined in *Section B.14 Permitted Uses*. Additionally, the district is designed to provide commercial establishments within convenient traveling distance from the neighborhoods they serve, while discouraging developments aimed at attracting customers from outside the immediate area.

Table B.4.2 NC District Development Standards Table

NC District Development Standards Table		
Building Height (Max) <i>Section B.10(C) Building Height</i>		35 ft.
Residential Density (Max) <i>Section B.10(A) Density and Intensity</i>		Not Permitted
Setbacks (Min) <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street)	20 ft. (Local/Collector) 30 ft. (Arterial)
	Side	15 ft. (abutting residential) 5 ft. (abutting nonresidential)
	Rear	25 ft.
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	40 ft.
	Area (Min)	Not Applicable
	ISR (Max)	75%
FAR (Max)		.65

### 4.3 LIMITED COMMERCIAL (LC)

The purpose of the LC district is intended to accommodate commercial development along major streets, while promoting land use compatibility by limiting the type and conditions of development. The LC district allows for medium-scale commercial uses 10,000-35,000 SF which attract a customer base from outside the immediate area. The LC district is designed to accommodate a mixture of commercial, public and institutional, office/medical uses, and may permit compatible uses as permitted in *Section B.12 Permitted Uses*.

Table B.4.3 LC District Development Standards Table

LC District Development Standards Table		
Building Height (Max)		35 ft.
<i>Section B.10(C) Building Height</i>		45 ft. By SE
Residential Density (Max)		Not Permitted
<i>Section B.10(A) Density and Intensity</i>		
Setbacks (Min)	Front (Street)	20 ft. <sup>1</sup> 35 ft. (Local/Collector Streets) 45 ft. (Arterial Streets) <sup>2</sup>
	Side	30 ft. (abutting residential) 0 ft. (abutting nonresidential)
	Rear	35 ft.
Lot	Width (Min)	40 ft.
	Area (Min)	Not Applicable
	ISR (Max)	80%
Additional Standards	<sup>1</sup> 20 ft. is the required front yard setback from arterial streets when off-street parking is located on the side or rear of the building(s). <sup>2</sup> 45 ft. is the required front yard setback from arterial streets if parking is located in front of the building(s).	

## 4.4 GENERAL COMMERCIAL (GC)

The General Commercial Zoning District is established to support a diverse mix of office, medical, retail, service, and compatible commercial uses that serve both residents and visitors of Sumter. This district is intended to facilitate the development of businesses such as retail stores, restaurants, and service providers that meet community needs. Additionally, the uses permitted within the GC district will promote employment opportunities and economic vitality while minimizing land use conflicts, particularly between commercial and residential areas;

Table B.4.4 GC District Development Standards Table

GC District Development Standards Table		
Building Height (Max) <i>Section B.10(C) Building Height</i>		60 ft.
Residential Density (Max) <i>Section B.10(A) Density and Intensity</i>		Not Permitted
Setbacks (Min) <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street)	20 ft. <sup>1</sup> 35 ft. (Local/Collector Streets) 45 ft. (Arterial Streets) <sup>2</sup>
	Side	30 ft. (abutting residential) 0 ft. (abutting nonresidential)
	Rear	30 ft. (abutting residential) 20 ft. (abutting nonresidential)
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	Not Applicable
	Area (Min)	6,000 SF
	ISR (Max)	92%
Additional Standards	<p><sup>1</sup>20 ft. is the required (min) front yard setback from all street types when off-street parking is located on the side or rear of the building(s).</p> <p><sup>2</sup>45 ft. is the required (min) front yard setback from arterial streets if parking is located in front of the building(s).</p>	

## 5. INDUSTRIAL DISTRICTS

- A. The industrial zoning districts are intended to provide a range of industrial and manufacturing uses. More specifically, the industrial zoning districts intend to:

1. Strengthen the economic base of the City of Sumter;
2. Create development standards and building and site design standards which protect neighboring uses from nuisances and potentially harmful effects; and
3. Require landscaping requirements that screen development from the right-of-way and neighboring residential areas.

## **5.1 LIGHT-INDUSTRIAL-WAREHOUSE (LI-W)**

The purpose of the LI-W district is to permit light industrial and manufacturing establishments of varying scales and may permit compatible uses as permitted in *Section B.12 Permitted Uses*. Limited commercial and office/medical uses necessary for the vitality of an industrial district may also commonly be found in the LI-W district.

Table B.5.1 LI-W District Development Standards Table

<b>LI-W District Development Standards Table</b>		
Building Height (Max) <i>Section B.10(C) Building Height</i>		60 ft.
Density (Max) <i>Section B.10(A) Density and Intensity</i>		Not Permitted
Setbacks (Min) <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street)	45 ft. (arterial) 35 ft. (Local/Collector Street)
	Side	50 ft. (abutting residential zoning) 15 ft. (abutting commercial zoning) 15 ft. (abutting industrial zoning)
	Rear	50 ft. (abutting residential zoning) 25 ft. (abutting commercial zoning) 25 ft. (abutting industrial zoning)
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	100 ft.
	Depth (Min) <sup>1</sup>	250 ft.
	ISR (Max)	80%
FAR (Max)		Not Applicable
Additional Standards	<sup>1</sup> 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 10 ft. and averaging the length of these lines.	

## 5.2 HEAVY INDUSTRIAL (HI)

The purpose of the HI district is to concentrate heavy industrial uses in areas where they will flourish without adversely affecting adjacent less intensive uses,. Toward these ends, residential development is not permitted.

Table B.5.2 HI District Development Standards Table

HI District Development Standards Table		
Building Height (Max) <i>Section B.10(C)Building Height</i>		120ft.
Density (Max) <i>Section B.10(A)Density and Intensity</i>		Not Permitted
Setbacks (Min) <sup>1</sup> <i>Section B.10(E)Building Placement (Setbacks)</i>	Front (Street)	100 ft. (Arterial) 35 ft. (local/collector)
	Side	100 ft. (abutting residential zoning) 25 ft. (abutting commercial zoning) 15 ft. (abutting industrial zoning)
	Rear	100 ft. (abutting residential zoning) 25 ft. (abutting commercial zoning) 25 ft. (abutting industrial zoning)
Lot <i>Section B.10(F)Lot Dimensions</i>	Width (Min)	100 ft.
	Area (Min)	1 acre
	ISR (Max)	80%

## 6. OTHER DISTRICTS

### 6.1 AGRICULTURAL CONSERVATION (AC)

The purpose of the AC district is to protect and preserve areas of the City which are presently rural or agricultural in character and use, and/or are uniquely suited to agricultural use.

Table B.6.1 AC District Development Standards Table

AC District Development Standards Table		
Building Height (Max) <i>Section B.10(C) Building Height</i>		35 ft. (By right)
Density (Max) <i>Section B.10(A) Density and Intensity</i>		Not Applicable
Setbacks (Min) <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street)	45 ft. 35 ft. (local/collector streets)
	Side	50 ft.
	Rear	80 ft.
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	Not Applicable
	Area (Min)	5 acres
	ISR (Max)	10%

## 6.2 CONSERVATION PRESERVATION (CP)

The purpose of the CP district is to recognize, preserve and protect environmentally sensitive areas that may require special consideration. This district also encompasses lands and the uses of land, which may be either publicly or privately managed, that preserves natural open spaces. These spaces may or may not be legally protected as conservation areas within the CP district.

Table B.6.2 CP District Development Standards Table

CP District Development Standards Table		
Building Height (Max) <i>Section B.10(C) Building Height</i>		35 ft.
Density (Max) <i>Section B.10(A) Density and Intensity</i>		Not Applicable
Setbacks (Min) <sup>1</sup> <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street)	45 ft. 35' (local/collector streets)
	Side	50 ft.
	Rear	80 ft.
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	Not Applicable
	ISR (Max)	10%
Additional Standards	<sup>1</sup> In any area that is located outside a designated floodplain, but where a stream is located, no building or fill may be located within a distance of the stream bank equal to five times the width of the stream at the top of the bank or 35 feet on each side, whichever is greater.	

# 7. MIXED USE DISTRICTS

## 7.1 DOWNTOWN CORE (DTC)

The purpose of the DTC district is to promote the concentration and vitality of commercial and residential development in Downtown Sumter. This district is characterized by multi-story buildings, retail stores, professional offices, and government and health services.

Table B.7.1 DTC District Development Standards Table

DTC District Development Standards Table		
Building Height (Max) <i>Section B.10(C) Building Height</i>		90 ft.
Density <sup>1</sup> (Max) <i>Section B.10(A) Density and Intensity</i>		Not Applicable
Setbacks (Min) <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street) <sup>2</sup>	Not Applicable
	Side <sup>3</sup>	Not Applicable
	Rear	Not Applicable
Lot <i>Section B.10(F) Lot Dimensions</i>	Width (Min)	Not Applicable
	Area (Min)	Not Applicable
	ISR (Max)	100%
Additional Standards	<sup>1</sup> Density is not regulated by dwelling units per acre but by height and required residential off-street parking. <sup>2</sup> Buildings in the DTC are intended to directly abut the sidewalk facing each building. <sup>3</sup> Buildings in the DTC are intended to share common walls with adjacent buildings.	

## 7.2 PARKS AND INSTITUTIONAL GENERAL DISTRICT (IG)

The purpose of the IG district is to accommodate institutional uses that require a unique approach due to their unconventional nature. Uses in this district primarily include colleges, primary schools and secondary schools, as well as specialized uses such as cultural facilities, parks and open space, as well as government offices. Uses within the IG district are typically arranged in a campus-style setting although not required. Development in this district may include the grouping of multiple institutional buildings, and inter-related public, private, and nonprofit development. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the institutional uses and surrounding residential areas.

Table B.7.2 IG District Development Standards Table

IG District Development Standards Table			
Building Height (Max)		45 ft.	
<i>Section B.10(C) Building Height</i>		55' (By SE)	
Density (Max) <sup>1</sup>		6 Units/Acre	
<i>Section B.10(A) Density and Intensity</i>			
Setbacks (Min) <sup>2</sup>	Front (Street)	15 ft.	
	Side	15 ft. (interior lot)	
		10 ft. (corner lot)	
<i>Section B.10(E) Building Placement (Setbacks)</i>	Rear	10 ft. (interior lot) 20 ft. (through lot)	
Lot <sup>3</sup>	Width (Min)	75 ft.	
	<i>Section B.10(F) Lot Dimensions</i>	Area (Min)	7,500 SF
		ISR (Max)	50%

Additional Standards	<p><sup>1</sup> Where dormitories or similar are provided as part of the use (and approved as part of a master plan there shall be no density limit. All other residential uses in this district are limited to 6 Units/Acre and the R-9 development standards shall apply.</p> <p><sup>2</sup> In any area that is located outside a designated floodplain, but where a stream is located, no building or fill may be located within a distance of the stream bank equal to five times the width of the stream at the top of the bank or 35 feet on each side, whichever is greater.</p> <p><sup>3</sup> Lot width, lot area, ISR requirements only apply to residential dwellings.</p>
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### 7.3 DOWNTOWN TRANSITION DISTRICT (DTT)

The purpose of the DTT district is to act as a gateway to the commercial and residential development in Downtown Sumter. The district allows for urban, high-quality development that features a mixture of uses including civic, entertainment, cultural, mixed-use buildings, detached and attached single-family homes, and mid-sized multi-family and commercial development. Additionally, the DTT aims to create a well-connected urban environment supporting multi-modal transportation.

Table B.7.3 DTT District Development Standards Table

DTC District Development Standards Table		
Building Height (Max)		55 ft. (by-right)
<i>Section B.10(C) Building Height</i>		75 ft. (by SE)
Density (Max)		10 Units/Acre (By Right)
<i>Section B.10(A) Density and Intensity</i>		15 Units/Acre Maximum (SE)
Setbacks (Min/Max)	Front (Street) <sup>1</sup>	0 ft/20 ft.
	Side <sup>2</sup>	0 ft/10 ft.
	Rear <sup>3</sup>	0 ft/50 ft.
Lot	Width (Min)	50 ft.
	Area (Min)	Not Applicable
	ISR (Max)	75%
FAR (Max)		2.0
Additional Standards	<sup>1</sup> 45 ft. may be permitted to accommodate a single row of parking and drive aisle where side and or rear parking is not available <sup>2</sup> 25 ft. may be permitted to accommodate those lots without access to an alley or shared driveway in order to accommodate a driveway where rear serving parking or loading is provided. <sup>3</sup> Except where served by rear parking, not to exceed 100 ft.	

# 8. PLANNED DEVELOPMENT (PD) DISTRICTS

## 8.1 PD STANDARDS

- A. **Purpose.** The intent of the Planned Development District (PD) 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 a mix of uses.
- B. **Area and Ownership.** In order to qualify as a Planned Development District a project request shall meet the following requirements:
1. The site shall be in single ownership or control, or if in several ownerships, the application for amendment to the Ordinance shall be filed jointly by all of the owners.
- C. **Map Designation.** 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 Chapter A shall be addressed prior to the issuance of a building or development permit.
- D. **Planning Requirements.** A General Development Plan shall be submitted as a prerequisite to the consideration of all multi-phase development projects per *Section A.3.3 Rezoning to Planned Development District*. In addition to this requirement, a detailed 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 *Section A.3.3 Rezoning to Planned Development District*.
- E. **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 Council. A listing of proposed uses including type and number of dwelling units within a particular PD

SECTION B.7 – PLANNED DEVELOPMENT (PD) DISTRICTS

District shall be adopted as part of the regulations applying to that District. After approval, 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.

- F. **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 Section Guidelines for Utility, Roadway, and Drainage Construction, and approved by the Engineering Department for the City of Sumter.
- G. **General Design Criteria and Development Standards:**
1. 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.
  2. 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.

Table B.8.1 Planned Development (PD) Development Standards Table

Planned Development (PD) Development Standards Table		
Building Height (Max) <i>Section B.10(C) Building Height</i>	45 ft.  (except otherwise permitted as part of the PD approval)	
Density (Max) <i>Section B.10(A) Density and Intensity</i>	16 Units/Acre	
Setbacks (Min) <sup>1</sup> <i>Section B.10(E) Building Placement (Setbacks)</i>	Front (Street)	40 ft.
	Side	30 ft. (abutting residential zoning) 10 ft. (abutting nonresidential zoning)
	Rear	30 ft. (abutting residential zoning) 10 ft. (abutting nonresidential zoning)
Maximum Impervious Surface Ratio	60%	
Open Space	25%	
Additional Standards	<sup>1</sup> Street rights of way (ROW) which provide street trees, sidewalks and landscaped areas may count the accumulated acreage therein to help off-set the open space requirements listed in <i>Section C.1 Parks and Open Space</i> . Notwithstanding this provision, the open space percentage shall not fall below 25%	

3. Parking requirements for each PD District shall comply with the requirements of *Section C.3 Parking Regulations*. Areas designated for parking shall be physically separated from public streets by suitable barriers against unchanneled motor vehicle ingress and egress. All uses should be located at least 50 ft. from the intersection of any street line and shall be designated in a manner conducive to safe ingress and egress. Access points shall meet the requirements of *Section D Engineering*.

SECTION B.7 – PLANNED DEVELOPMENT (PD) DISTRICTS

4. Landscaping and bufferyards between uses in this district and adjacent uses shall meet the minimum requirements for and between such uses prescribed by *Section C.4 Landscaping, Buffer, and Tree Protection Requirements*. The Sumter City-County Planning Commission may require an alternative landscape plan between uses within any PD District, provided that the intent and standards are met.

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## 9. OVERLAY DISTRICTS

### 9.1 AIRFIELD COMPATIBILITY (ACD) DISTRICTS

- A. **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. It is understood the Sumter Airport is located in unincorporated Sumter County and the following would apply at such a time as the airport and/or lands generally adjacent may be impacted. In the event of a conflict between the following standards and Chapter 7, Article 3 of the Sumter City Code regarding Airport Hazard Regulations, Chapter 7, Article 3 Airport Hazard Regulations shall take precedence.
- B. **Types of Districts.** With the ACD there are several overlay districts which are shown on the Official Zoning Map(s) as follows:
1. APZ-1, Accident Potential Zone I;
  2. APZ-2, Accident Potential Zone II;
  3. DNL-1, Day-Night Noise Level Zone I;
  4. DNL-2, Day-Night Noise Level Zone II;
  5. DNL-3, Day-Night Noise Level Zone III;
  6. NA, Noise Attenuation District.
- C. 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 *Table B.9.2 Airfield Compatibility District (ACD) Use Regulations*, 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.
- D. Land Use. The use of land within these zones shall be subject to the following safety and performance standards and the requirements of *Table B.9.2 Airfield Compatibility District (ACD) Use Regulations*. Where permitted uses listed in *Table B.9.2 Airfield Compatibility District (ACD) Use Regulations* are at variance with the applicable residential or non-residential zoning districts within which they are proposed, the more restrictive shall apply.
1. Safety Standards – the concentration of persons per use shall be in compliance with *Table B.9.1 Concentrations of Persons Per Acre Standards*.

(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.

Table B.9.1 Concentrations of Persons Per Acre Standards

<b>Concentrations of Persons Per Acre Standards</b>	
<b>Hours of Operation Per Days</b>	<b>Maximum Persons Allowed Per Acre/During the Day</b>
<b>24</b>	25
<b>23</b>	26
<b>22</b>	27
<b>21</b>	28
<b>20</b>	30
<b>19</b>	31
<b>18</b>	33
<b>17</b>	35
<b>16</b>	37
<b>15</b>	40
<b>14</b>	42
<b>13</b>	46
<b>12 or less</b>	59
<b>Additional Standards</b>	<p>Concentration of persons per acre cannot exceed 50 persons per acre at any time.</p> <p>Fractions in the maximum persons allowed column are rounded to the lowest whole number</p>

2. **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:

(1) 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.

i. Example #1: One 8-hour shift of 30 workers on a one (1) acre site. 30 persons expected x 8 hours on site = 240

240 = average density of 10 persons per acre per hour during a 24-hour period.

ii. Example #2: Two 8-hour shifts of 30 workers on a one (1) acre site. 30 persons expected x 16 hours on site = 480

480 = average density of 20 persons per acre per hour during a 24-hour period.

(2) 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.

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

24 hours x 25 persons = 37.5 maximum

25 16 hours

E. **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.

1. Setbacks: Front 50 ft.

Rear 50 ft.

Side Interior Side – 20 feet Exterior Side – 50 feet

2. Off-Street Parking: Off-street parking for uses within this district shall comply with *Section C.3 Parking Regulations* as appropriate.

F. **Prohibited Uses.** All uses indicated by a “NO” in the applicable subzone column of *Table B.9.2 Airfield Compatibility District (ACD) Use Regulations* are expressly prohibited.

G. **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.

- H. **Permits.** Building permits and sign permits shall be required for all construction, in accordance with this UDO
1. **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.
  2. **Existing Uses:** Any existing non-conforming use or structure may be replaced, substantially altered, or rebuilt in accord with the permit requirements in *Section B.17 Nonconformities*; 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.
- I. **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 *Section A Administration* 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.
- J. **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.

Table B.9.2 Airfield Compatibility District (ACD) Use Regulations

Land Use Category	APZ-1	APZ-2	DNL-1 65-75	DNL-2 75-80	DNL-3 80+ dB
<b>RESIDENTIAL</b>					
Single-Family	NO	NO	30 <sup>(14)</sup>	30 <sup>(14)</sup>	30 <sup>(14)</sup>
Manufactured Homes*	NO	NO	30 <sup>(14)</sup>	30 <sup>(14)</sup>	30 <sup>(14)</sup>
Single-Family**	NO	NO	30 <sup>(14)</sup>	30 <sup>(14)</sup>	30 <sup>(14)</sup>
Multi-Family***	NO	NO	30 <sup>(14)</sup>	30 <sup>(14)</sup>	30 <sup>(14)</sup>
Manufacture Home Parks	NO	NO	30 <sup>(14)</sup>	30 <sup>(14)</sup>	30 <sup>(14)</sup>
Hotels, Motels	NO	NO	30 <sup>(14)</sup>	35 <sup>(14)</sup>	35 <sup>(14)</sup>
<b>INDUSTRIAL/MAUFACTURING</b>					
Food & Kindred Products	NO	YES <sup>1</sup>	(10)	(12)	(13)
Textile Mill Products	NO	YES <sup>1</sup>	(10)	(12)	(13)
Apparel	NO	NO	(10)	(12)	(13)
Lumber & Wood Products	YES <sup>1</sup>	YES <sup>1</sup>	(10)	(12)	(13)
Furniture & Fixtures	YES <sup>1</sup>	YES <sup>1</sup>	(10)	(12)	(13)
Paper & Allied Products	YES <sup>1</sup>	YES <sup>1</sup>	(10)	(12)	(13)
Printing, Publishing	YES <sup>1</sup>	YES <sup>1</sup>	(10)	(12)	(13)
Chemicals & Allied Products	NO	NO	(10)	(12)	(13)
Petroleum Refining & Related Industries	NO	YES <sup>1</sup>	(10)	(12)	(13)
Rubber & Plastics	NO	NO	(10)	(12)	(13)
Stone, Clay & Glass	NO	YES <sup>1</sup>	(10)	(12)	(13)
Primary Metals	NO	YES <sup>1</sup>	(10)	(12)	(13)
Fabricated Metals	NO	YES <sup>1</sup>	(10)	(12)	(13)

<b>LAND USE CATEGORY</b>	<b>APZ-1</b>	<b>APZ-2</b>	<b>DNL-1 65-75 dB</b>	<b>DNL-2 75-80 dB</b>	<b>DNL-3 80+dB</b>
<b>Professional, Scientific Control Instruments</b>	NO	NO	(10)	(12)	(13)
<b>Misc. Manufacturing</b>	YES <sup>1</sup>	YES <sup>1</sup>	(10)	(12)	(13)
<b>TRANSPORTATION, COMMUNICATIONS, UTILITIES</b>					
<b>Railroad, Rapid Rail</b>	YES <sup>2</sup>	YES	(10)	(12)	(13)
<b>Motor Vehicle Transportation</b>	YES <sup>2</sup>	YES	(10)	(12)	(13)
<b>Aircraft Transportation</b>	YES <sup>2</sup>	YES	(10)	(12)	(13)
<b>Highway &amp; Street ROW</b>	YES <sup>2</sup>	YES	(10)	(12)	(13)
<b>Auto Parking</b>	YES <sup>2</sup>	YES	(10)	(12)	(13)
<b>Communications</b>	YES <sup>2</sup>	YES	(10)	30 <sup>(14)</sup>	30 <sup>(14)</sup>
<b>Utilities</b>	YES <sup>2</sup>	YES	(10)	(12)	(13)
<b>Landfills &amp; Hazardous</b>	NO	NO	(10)	(12)	(13)
<b>COMMERCIAL/RETAIL TRADE</b>					
<b>Wholesale Trade</b>	YES <sup>1</sup>	YES <sup>1</sup>	30	(12)	(13)
<b>Building Materials—Retail</b>	YES <sup>1</sup>	YES <sup>1</sup>	30	(12)	(13)
<b>General Merchandise—Retail</b>					
<b>&lt;10,000 sq. ft./acre</b>	YES <sup>1,11</sup>	YES <sup>1,11</sup>	30	(12)	(13)
<b>&gt;10,000 sq. ft./acre</b>	NO	NO	30	(12)	(13)
<b>Food Retail—Groceries</b>	NO	NO	30	(12)	(13)
<b>Other Food Retail</b>	YES <sup>1</sup>	YES <sup>1</sup>	30	(12)	(13)
<b>Automotive, Marine, Aviation--Retail</b>	YES <sup>1</sup>	YES <sup>1</sup>	30	(12)	(13)
<b>Apparel &amp; Accessories—Retail</b>	NO	YES <sup>1</sup>	(10)	(12)	(13)
<b>Furniture—Home</b>	NO	YES <sup>1</sup>	30	(12)	(13)
<b>Furniture—Retail</b>	NO	YES <sup>1</sup>	30	(12)	(13)
<b>Eating &amp; Drinking Places</b>	NO	YES <sup>1</sup>	30	(12)	(13)

LAND USE CATEGORY	APZ-1	APZ-2	DNL-1 65-75 dB	DNL-2 75-80 dB	DNL-3 80+dB
<b>SERVICES</b>					
Finance, Insurance, Real Estate	YES <sup>1</sup>	YES <sup>1,3</sup>	30	30	(13)
Personal Services	YES <sup>1</sup>	YES <sup>1,3</sup>	30	30	(13)
Cemeteries	YES <sup>1,3,4</sup>	YES <sup>1,3,4</sup>	NA	NA	NA
Business Services	YES <sup>1</sup>	YES <sup>1,3</sup>	30	30	(13)
Warehousing & Storage Services	YES <sup>1</sup>	YES <sup>1</sup>	30	(12)	(13)
Explosive Storage	NO	NO	30	(12)	(13)
Repair Services	YES <sup>1,3</sup>	YES <sup>1,3</sup>	30	(12)	(13)
Medical & Other Health Services	NO	NO	30	25	25
Hospitals	NO	NO	30	25	25
Legal Services	YES <sup>1</sup>	YES <sup>1,3</sup>	30	30	30
Other Professional Services	YES <sup>1</sup>	YES <sup>1,3</sup>	30	30	30
Contract Construction Services	YES <sup>1</sup>	YES <sup>1,3</sup>	30	30	30
Government Services	NO	YES <sup>1,3</sup>	30	30	30
Educational Services	NO	NO	30	30	30
Religious Activities	NO	NO	30	30	30
<b>CULTURAL, ENTERTAINMENT AND RECREATION</b>					
Cultural Activities	NO	NO	25	30	30
Nature Exhibition	YES <sup>5</sup>	YES <sup>5</sup>	NA	(12)	(13)
Entertainment Facilities Indoor/Outdoor	NO	NO	NA	(12)	(13)
Sports Activities Indoor/Outdoor	NO	YES <sup>5,6,7</sup>	NA	(12)	(13)
Water & Other Recreation Areas	YES <sup>5</sup>	YES <sup>5</sup>	NA	(12)	(13)
Resort & Group Camps	NO	NO	NA	(12)	(13)
Parks & Golf Courses	YES <sup>5</sup>	YES <sup>5</sup>	NA	(12)	(13)

LAND USE CATEGORY	APZ-1	APZ-2	DNL-1 65-75 dB	DNL-2 75-80 dB	DNL-1 80+dB
<b>RESOURCE PRODUCTION EXTRACTION &amp; OPEN LAND</b>					
<b>Agricultural Related Activities</b>	YES	YES	NA	(12)	(13)
<b>Dairy &amp; Livestock Farms</b>	YES	YES	NA	(12)	(13)
<b>Forestry &amp; Mining</b>	YES	YES	NA	(12)	(13)
<b>Fishing, Hunting, and Water Areas</b>	YES	YES	NA	(12)	(13)
<b>Permanent Open Space</b>	YES	YES	NA	(12)	(13)

**NOTES:**

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 that individual shops do not exceed 2,500 sq. ft. and that not more than four (4) shops per acre are allowed.
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.

## 9.2 RANGE COMPATIBILITY DISTRICTS (RCD)

- A. **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).
- B. Within the RCD, there are several overlay districts, which are shown on the Official Zoning Map as follows:
1. DNL-1, Day-Night Noise Level Zone 1
  2. DNL-2, Day-Night Noise Level Zone
  3. NA, Noise Attenuation District
- C. **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.
- D. **Land Use.** The use of land within these zones shall be subject to the safety and performance standards specified in this Section.
- E. **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.
1. **Setbacks:**
    - Front 50 ft.
    - Rear 50 ft.
    - Side (Interior) 20 feet (Exterior) 50 ft.
  2. **Off-Street Parking.** Comply with *Section C.3 Parking Regulations* as appropriate.
  3. **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 Zone) at each entrance to the subdivision before building permits may be issued.
  4. **Prohibited Uses.** As indicated in *Table B.9.2 Airfield Compatibility District (ACD) Use Regulations* for appropriate districts.
  5. **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 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.

6. **Permits.** As described in *Section A Administration* of this Ordinance.
7. **Variance Permits.** The Sumter City-County Board of Zoning 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 *Section A Administration* 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.
8. **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.
9. **DNL Lines.** No manufactured home may be placed inside the DNL lines as developed by the US Air Force and published by the Sumter City-County Planning Commission.

NOTE: Existing, approved major subdivisions, and manufactured home parks with current city 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 manufactured 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 manufactured home parcels started after the adoption of these changes must be developed in accordance with all the new regulations.

### 9.3 NOISE ATTENUATION (NA) DISTRICT

- A. **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, and welfare of the occupants of or those associated with the uses of land therein.

- B. **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.

## 9.4 COMMERCIAL CORRIDOR PROTECTION DISTRICT

- A. **Purpose.** The purpose of the Commercial 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 Commercial Corridor Protection District shall be fulfilled in the manner of an overlay zone.
- B. The Commercial Corridor Protection District encompasses the lands within three hundred (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 of Sumter.
1. Shaw Parkway and Loring Mill Rd.;
  2. North Wise Dr. (378 to Airport);
  3. Thomas Sumter Highway at Broad Street;
  4. U.S. Highway 378 and the by-pass;
  5. U.S. Highway 15 (Pocalla Road) and North Main Street;
  6. U.S. Highway 521 (Manning Avenue);
  7. U.S. Highway 76 (Florence Highway);
  8. U.S. Highway 401 (Oswego Road)
  9. Wesmark Boulevard (S. Pike West to Wilson Hall Rd.);
  10. East and West Liberty St. (N. Pike East to Pinewood Rd.);
  11. Carter Rd. (Wilson Hall Rd. to Broad St.);
  12. McCray's Mill Rd. (N. St. Paul Church Rd. to Guignard Dr.)
  13. Main St. (Oakland Ave. to Pike – All of North and South Main);
  14. Guignard Dr. and Guignard Parkway (Wesmark Blvd. to Manning Rd.);
  15. Bultman Dr. (Guignard Dr. to N. Pike West);

16. Alice Dr. (Thomas Sumter Hwy. to W. Liberty St.)
17. Peach Orchard Rd. (Broad St. to Thomas Sumter Hwy.)
18. Wise Dr. (Loring Mill Rd. to N. Pike West);
19. Bypass and Frontage Roads;
20. Wedgefield Rd. (Liberty to Keels Rd.);
21. Boulevard Rd. (E. Liberty to Craig Rd.)
22. Camden Highway (Thomas Sumter Hwy. to Queen Chapel Rd.)
23. Pinewood Rd. (W. Liberty St. to St. Paul Church Rd.)
24. Miller Rd. (Alice Dr. to N. Pike West)
25. Wilson Hall Rd. (Wise Dr. to Broad St.)
26. Jefferson Rd. (Camden Hwy. to N. Main St.)

- C. **Commercial Corridor Protection District Map.** An overlay map of the Commercial Corridor Protection District boundaries shall be included as part of this Section.
- D. **General Standards.** Persons wishing to develop residential subdivisions, commercial, industrial, or billboard projects with the Commercial Corridor Protection District shall comply with the standards as follows:
1. Development and dimensional standards of the primary zoning district shall be applicable;
  2. The siting and orientation of commercial and industrial buildings and structures such as billboards, on a lot should front and be parallel to the street or highway providing primary accesses thereto, existing lot configuration notwithstanding;
  3. 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 *Section C.4 Landscaping, Buffer, and Tree Protection Requirements*;
  4. 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 *Section C.4 Landscaping, Buffer, and Tree Protection Requirements*;
  5. Curb cuts should be not less than 1,000 ft. intervals, where feasible.
- E. **Architectural Standards.** All commercial projects in the Commercial 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.

- F. Applicant shall also submit a landscaping plan and signage plan for the project site. In addition, all commercial projects shall meet the following standards:
1. If a new commercial building is proposed, not more than 60% of the facade facing a street may be glass or reflective materials;
  2. Significant exterior renovations to a building, such as a change of material types, structural design, or additions require review;
  3. A minimum of 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. Building sides clearly visible from street or public view, shall be constructed of above-mentioned materials or heavily mitigated with landscaping and shown on the required landscaping plan as part of their application. Roof pitch should be compatible with the building structures in the surrounding neighborhood.
  4. Signs including billboards shall be fully illustrated through photographs or graphic designs showing the relationship of off-premise and on-premise signs to the specific site and the surrounding locations within 1,000 ft. The signage plan shall consist of all freestanding and building signage. (Shall meet development standards for the underlying zoning district.);
  5. The landscaping plan shall include parking lot, building perimeters, detention ponds, and bufferyards where required.
  6. All proposed fences and / or walls proposed forth the front and / or side yards shall be reviewed as part of the Commercial Corridor Design Approval Request.
- G. **Approval Authority.** When applying for an occupancy permit or building permit in the Commercial 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 *Section A Administration*. For all requests that fall in the Minor Site Plan or Minor Subdivision criteria, the Planning Staff will be the approval authority for the Commercial Corridor Protection district requests. Appeals of Planning Staff decision shall follow the normal procedures and go to the Board of Appeals.

# 10. DIMENSIONAL REQUIREMENTS

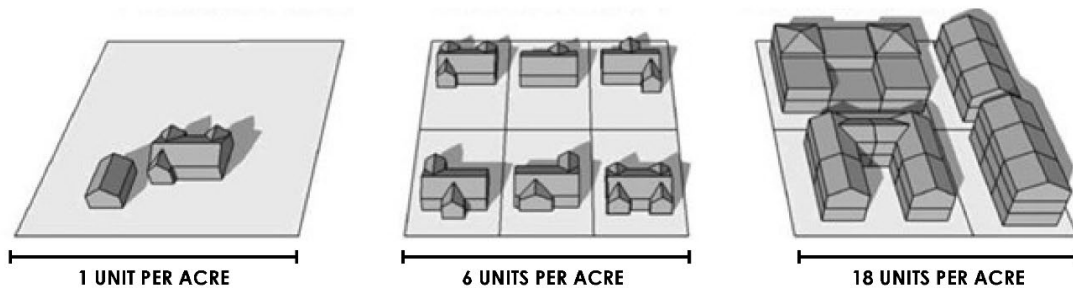
Standards of general applicability shall include the subsections below. These standards shall be defined and make up the requirements of each district's development standards table. Additionally, measurements may be expressed differently throughout this Ordinance i.e. "feet" may be expressed as "ft." or with symbol.

## A. Density and Intensity.

1. **Calculation of Density.** Residential density shall be measured by dwelling units per gross acre (du/ac). For example, if a development of one-hundred (100) acres is entitled to ten (10) dwelling units per acre, the maximum permitted density within the development is one-thousand (1000) dwelling units.

- (1) The City's Comprehensive Plan Housing Policy encourages moderate to high density residential development to be located in areas with existing infrastructure.
- (2) Subdivision, zoning, and site plan review criteria and procedures shall assure that density is consistent with established residential development patterns and provides equitable use of the land.
- (3) Residential Density is calculated as gross density, where the gross acreage includes all lands within the parcel boundaries.

Figure B.10.1 Density



- B. **ISR.** Means the ratio of all nonpermeable surfaces, including ground floor area of structures and all paved surfaces, to the total area of a parcel. ISR is expressed as a decimal number to the nearest hundredth, i.e., a 10,000-square-foot parcel

having 4,000 square feet of paved area and a 1,500-square-foot structure would have an ISR of 0.55 ( $4,000 + 1,500 \div 10,000 = 0.55$ ). Parking and maneuvering areas surfaced with turf block or similar permeable materials shall not be considered impervious in the context of this definition.

C. **Building Height.** Building height shall be defined by the stories of a building and maximum height to allow greater flexibility. Height is also expressed as a measure of “habitable” space(s) primarily and also provide for certain additional, limited heights to allow for appurtenances, architectural features, and similar features (See *Figure B.11.2 Building Height Illustrations*). Each story shall have a maximum height limitation expressed in feet. The measurement of a “story” shall be defined in *Section B.11(D) Measurement of a Story*. Height will be limited to a maximum story allowance in each district’s standard development except where may be otherwise noted.

1. *Figure B.11.2 Building Height Standards:* Standards of general applicability shall include the subsections below. These standards shall be defined and make up the requirements of each district’s development standards table

Figure B.10.2 Building Height Illustrations



#### D. Measurement of a Story.

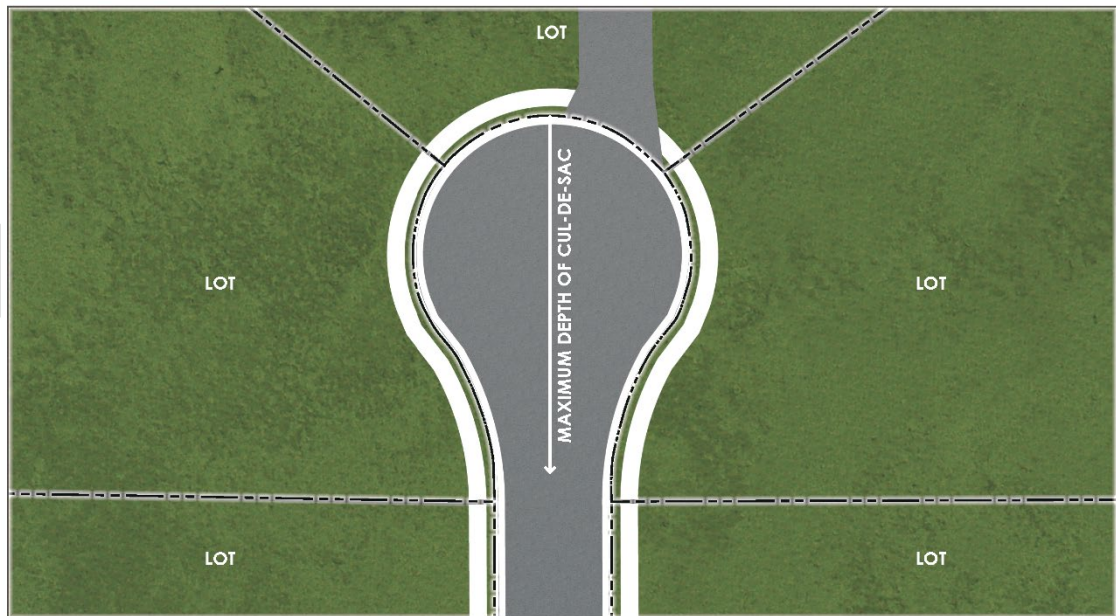
1. For calculating height of a story, the ground floor (i.e. first story) of a structure shall be a maximum of twenty (20) feet. Additional stories shall be a maximum of fifteen (15) feet for each individual story. It is understood certain limited uses including but not limited to single-family detached homes, industrial uses, warehouse distribution, certain flex uses or similar are not limited to the 20' first story height standard.
2. Building heights are limited through the district development standards table for each district per *Section B.3 Residential District Purpose – Section B.8 Planned Development (PD) Districts*. To allow for a wide variety of building designs, requests to modify the allowable height of stories, so long as the maximum permitted height of the structure is not exceeded.
3. Habitable Space.
  - (1) Stories are understood to also include the habitable space of a building excluding rooflines, architectural features or similar. If there is habitable

space on the rooftop of a structure (i.e. an active eating area, pool, or rooftop lounge), it is understood this shall constitute a story as defined in this UDO.

**E. Building Placement (Setbacks).** Building Placement (Setbacks), shall be measured from the nearest part of the applicable building, structure or sign including overhangs, measured perpendicularly to the lot line or street right-of-way line. Setbacks are designated by a front setback requirement, side setback requirements, and a rear setback requirement. Provisions for setbacks for accessory structures are made in each respective district below, or in *Section B.14 Accessory Uses*, of the UDO for each respective use. It is understood, for the purpose of calculating setback requirements and yards, three configurations of lots exist: interior lots, corner lots, and through lots.

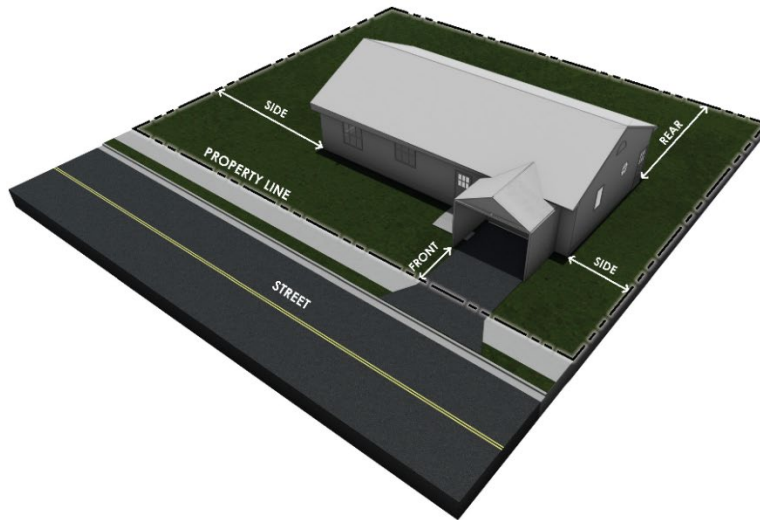
1. Cul-de-sac. A lot which abuts a cul-de-sac street design, featuring a radial primary street yard, shall measure its primary street setback at the point in which the side and front lot lines would have met without rounding.

Figure B.10.3 Typical Cul-de-sac



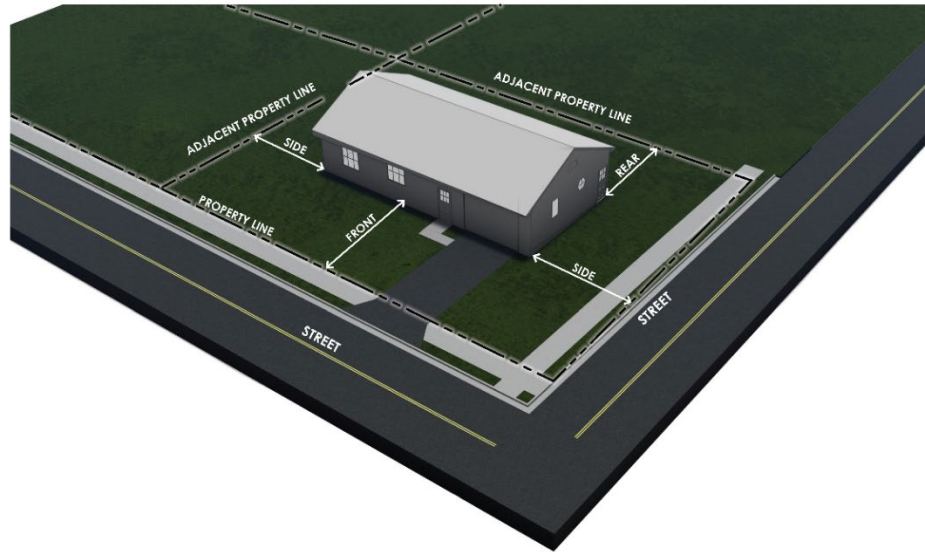
2. Interior Lot. A lot bounded by a street on only one side. For the purpose of setbacks and yards, the street yard shall be recognized as the primary (i.e. front) yard. An interior lot shall have one primary front yard, two side yards, and one rear yard. Orientation of the home, driveway and entrances shall be required respective of the primary front yard.

Figure B.10.4 Setback: Interior Lot



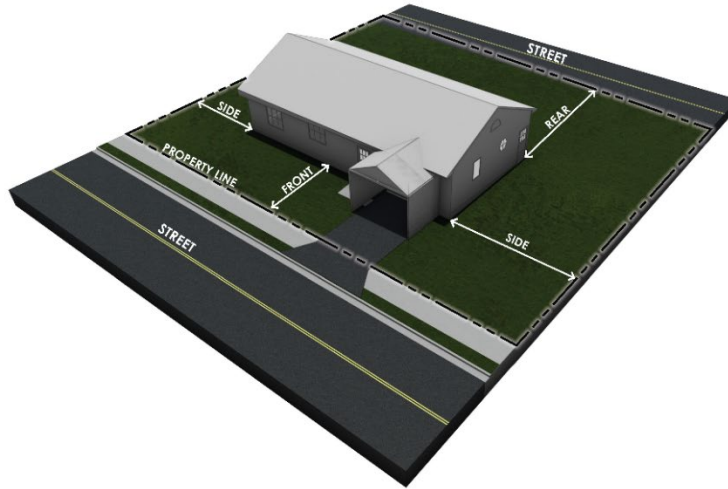
3. **Corner Lot.** A lot located at the intersection of 2 or more streets. The minimum side yard requirement shall not be less than 50% required on the lot lying to the rear, when the rear lot faces a side street and no accessory building on said corner lot shall extend beyond the front yard line of 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.

Figure B.10.5 Setback: Corner Lot



4. **Through Lot.** A lot which has frontage on two parallel streets. Each through lot shall be required to designate its primary front yard, which shall dictate its front setback requirements. Orientation of the house, driveways and entrances on the lot shall be required in the primary front yard and may not be permitted on a non-primary front yard. Additional side or rear yard setbacks may be required for a through lot. If one of the streets is designated as a local street or alleyway, garage access may be permitted from the local street or alleyway.

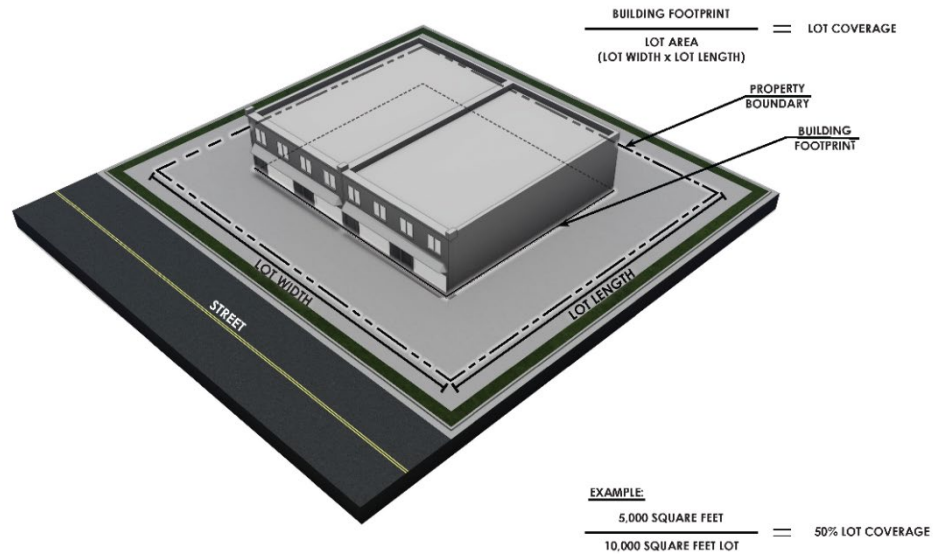
Figure B.10.6 Setback: Through Lot



F. **Lot Measurements.** Lot requirements (Figure B.10.7 Lot Measurements) shall include the following terms defined herein:

1. **Lot.** Lots are parcels of land, either vacant or occupied intended as a unit for the purpose of, whether immediate or for the future, of transfer of ownership or possession or for development.
2. **Lot Width.** Lot width is the distance between the side lot lines (generally running perpendicular to a street) measured at the primary street property line along a straight line or along the chord of the property line.
3. **Lot Depth.** Lot depth is the distance between the front and rear property lines measured along a line midway between the side property lines.

Figure B.10.7 Lot Measurements

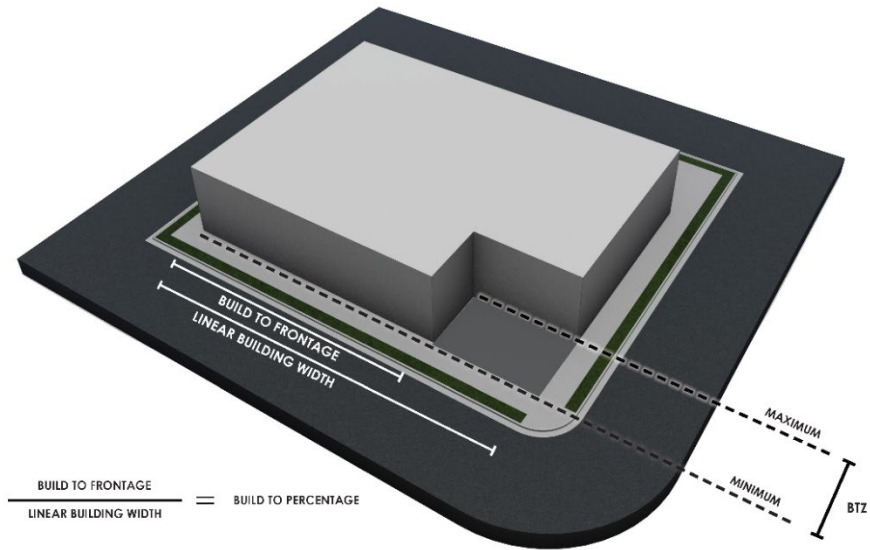
**G. Equipment Considerations.**

1. Mechanical, electrical, and plumbing equipment (including air-conditioning and pool equipment) are exempt from side and rear yard requirements but shall not be located any closer than three (3) feet from the property line.
2. If an identified utility, drainage, or similar easement is present, all equipment may abut without encroaching into the easement.

**H. Frontage.** Also known as the Build To Percentage Requirement, frontage defines the percentage of the width of the building in relationship to the width of the lot. Frontage dictates what percentage of the linear distance of the building façade that must be located along the lot width.

1. **Active Use Areas.** Active Use Areas are defined as those areas along a frontage that provide for active uses such as a forecourt, courtyards, opportunities for outdoor dining, merchandise display, and/or shared gardens. These areas are encouraged and should adhere to the frontage requirements.

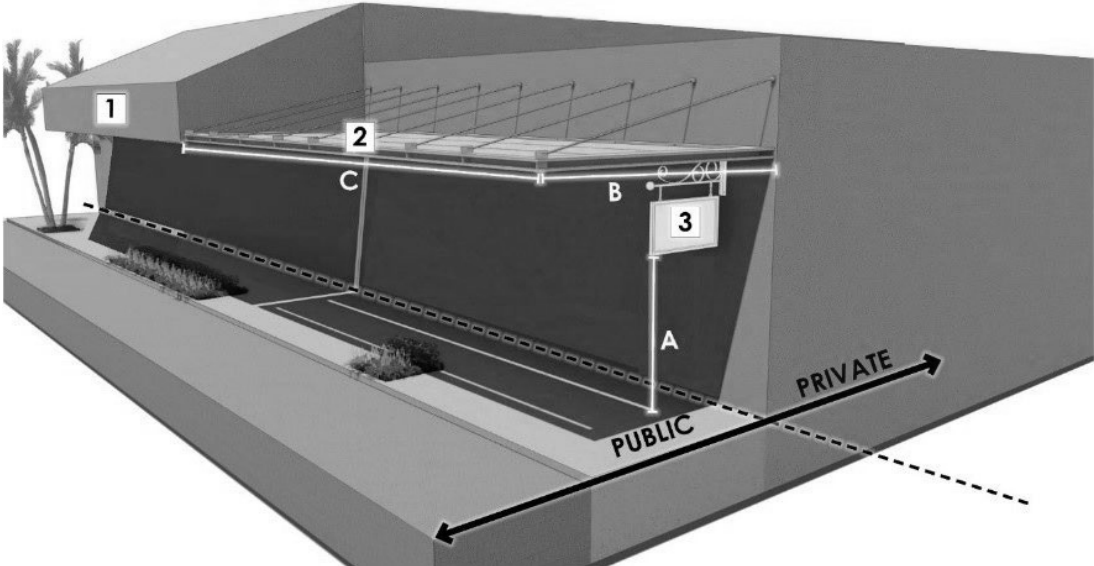
Figure B.10.8 Frontage



- I. **Encroachments.** Encroachments are building elements that are attached to a building and are permitted to exist within the public realm (Figure B.10.9 Encroachments). Encroachments may include architectural elements that are intended to bring the public realm closer to the building.
  1. Awnings, canopies, and projecting signs are the only allowable encroachments into the public realm, provided there are no supporting structures located in the public realm. Awnings may have additional design standards as required by this UDO.
  2. Encroachments are required to comply with a minimum required clearance height (A), maximum encroachment depth (B), and maximum allowed length (C) as displayed in Figure B.10.9 Encroachments.
  3. For reasons of public safety and accessibility, step ramps may also be permitted as encroachments but do not need to meet the requirements of this section.

Figure B.10.9 Encroachments

- |                      |                     |
|----------------------|---------------------|
| <b>ENCROACHMENT:</b> | <b>KEY:</b>         |
| 1. AWNING            | A. CLEARANCE HEIGHT |
| 2. CANOPY            | B. DEPTH            |
| 3. SIGN              | C. LENGTH           |



# 11. APPLICATION OF DISTRICT STANDARDS

- A. The official zoning map of the city is divided into residential zoning districts, nonresidential zoning districts, planned districts, and mixed-use zoning districts (each with their own distinct standards). The zoning map is adopted by reference herein as may be amended by the City from time to time, together with all of the explanatory material thereon.
- B. No changes shall be made in the official zoning map except in conformity with the procedures set forth in this UDO.
- C. The official zoning map is the final authority as to the zoning status of all lands and waters in the City.

# 12. PERMITTED USES

## 12.1 PERMITTED USES TABLE

A. *Table B.2.1 Permitted Uses Table* details the Permitted Uses in each district.

Each use is given one of the following designations.

1. **Permitted (“P”).** These Permitted Uses are permitted by-right in the districts in which they listed.
2. **Special Use (“S”).** These Permitted Uses are permitted by- right in the districts in which they are listed, if they are developed utilizing the standards detailed in *Section B.13 Use Standards* below.
3. **Conditional Zoning (“C”).** These Accessory Uses require the approval of a Conditional Use Permit refer to *Section A Administration* to occur in the districts in which they are listed. These Uses shall also follow any development standards outlined in *Section B.13 Use Standards*.
4. **Not Permitted.** Boxes that do not contain a letter designation are not permitted in the corresponding zoning district



SECTION B.12 – PERMITTED USES

		Single-Family Residential (R-15)	Single-Family Residential (R-9)	Single-Family Residential (R-6)	General Residential (GR)	Residential Multi-Family (RMF)	Professional Office (PO)	Neighborhood Commercial (NC)	Limited Commercial (LC)	General Commercial (GC)	Downtown Core (DTC)	Parks and Institutional General (IG)	Downtown Transitional District (DTT)	Light-Industrial-Warehouse (LI-W)	Heavy Industrial (HI)	Agricultural Conservation (AC)	Conservation Preservation (CP)
Key: P = Permitted Use; C = Conditional Use; S = Special Exemption or Exception	Section																
Townhouse	B.13.2(C)		C	P	P	C											
Duplex Dwelling	B.13.2(D)			P	P	C											
Triplex and Quadplex Dwelling	B.13.2(E)			C	C	C	C	C	C	C	C						
Multi-Family Dwelling	B.13.2(F)				P	P	C	C	C	C	P	P					
Manufactured Home	B.13.2(G)				P												
Manufactured Home Park	B.13.2(H)				C					C							
Group Living	B.13.2(I)	P	P	P	P	P		C	C	C		S					
<b>Public and Institutional Uses</b>																	
Post Office	B.13.3(A)					C	P	P	P	P	P	P	P	P	P	P	
Elementary Schools	B.13.3(B)	C	C	C	C	C	C	C	C	C		S	P			C	
Secondary Schools	B.13.3(C)	C	C			C	C	C	C	C		S	P			C	
Higher Education (College, Junior College, University, Technical)	B.13.3(D)		C	C	C	C		C	C	C		P	P			C	

		Single-Family Residential (R-15)	Single-Family Residential (R-9)	Single-Family Residential (R-6)	General Residential (GR)	Residential Multi-Family (RMF)	Professional Office (PO)	Neighborhood Commercial (NC)	Limited Commercial (LC)	General Commercial (GC)	Downtown Core (DTC)	Parks and Institutional General (IG)	Downtown Transitional District (DTT)	Light-Industrial-Warehouse (LI-W)	Heavy Industrial (HI)	Agricultural Conservation (AC)	Conservation Preservation (CP)
Key: P = Permitted Use; C = Conditional Use; S = Special Exemption or Exception	Section																
Other Educational Facilities	B.13.3(E)							C	C	C	P	P	P			C	
Cemeteries	B.13.3(F)		C	C*	C*		C		P	P				C	P	P	P
Religious Institutions	B.13.3(G)	C	C	C	C	C	P	P	P	P	P	P	P	P	P	C	
Cultural, Library and Museum Facility	B.13.3(H)			C	C		P		P	P	P			C			
Government Offices	B.13.3(I)		C	C	C	C	P	P	P	P	P			C	P	C	
Public Safety	B.13.3(J)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Correctional Facility	B.13.3(K)								S	S				S	S	S	
<b>Commercial Retail Uses</b>																	
Animal Kennels	B.13.4(A)							C	C	S				S	S	S	
Vehicle Sales and Rental Services	B.13.4(B)									P	P			C			
General Equipment Rental Services	B.13.4(C)									P							
Bar/Tavern/Night Club	B.13.4(D)						C	C	P	P	S						
Bed and Breakfast	B.13.4(E)	S	S	S	S		C	C	C	C		P	P				

SECTION B.12 – PERMITTED USES

Key: P = Permitted Use; C = Conditional Use; S = Special Exemption or Exception Section	Single-Family Residential (R-15)	Single-Family Residential (R-9)	Single-Family Residential (R-6)	General Residential (GR)	Residential Multi-Family (RMF)	Professional Office (PO)	Neighborhood Commercial (NC)	Limited Commercial (LC)	General Commercial (GC)	Downtown Core (DTC)	Parks and Institutional General (IG)	Downtown Transitional District (DTT)	Light-Industrial-Warehouse (LI-W)	Heavy Industrial (HI)	Agricultural Conservation (AC)	Conservation Preservation (CP)
Broadcast Facility	B.13.4(F)			S	S	P	P	P	P	P			P	P	P	P
Convenience Store w/ Fuel Sales	B.13.4(G)						C	C	P			P	C	C		
Convenience Store w/o Fuel Sales	B.13.4(H)							C	C			P	C	C		
Crematorium	B.13.4(I)												C	P		
Funeral Home w/ Crematorium	B.13.4(J)					C		P	P			P	C	P		
Funeral Home w/o Crematorium	B.13.4(K)					C		P	P			P	C	P		
Grocery	B.13.4(L)						P	P	P	P	P	P	P	C	C	
Hotel/Motel	B.13.4(M)					C	C	C	P	C		P	C			
Liquor Store	B.13.4(N)						S	S	S	S		P	S			
Major Vehicle Service	B.13.4(O)								C				C	P		
Minor Vehicle Service and Vehicle Part Sales	B.13.4(P)							C	P	C			C	P		
Motor Vehicle Fuel Dealers	B.13.4(Q)								P				C	P		

SECTION B.12 – PERMITTED USES

Key: P = Permitted Use; C = Conditional Use; S = Special Exception	Section	Single-Family Residential (R-15)	Single-Family Residential (R-9)	Single-Family Residential (R-6)	General Residential (GR)	Residential Multi-Family (RMF)	Professional Office (PO)	Neighborhood Commercial (NC)	Limited Commercial (LC)	General Commercial (GC)	Downtown Core (DTC)	Parks and Institutional General (IG)	Downtown Transitional District (DTT)	Light-Industrial-Warehouse (LI-W)	Heavy Industrial (HI)	Agricultural Conservation (AC)	Conservation Preservation (CP)
Outdoor Storage	B.13.4(R)													C	P		
Pawn Shop	B.13.4(S)								P					C			
Private Clubs	B.13.4(T)						S	S	S	S	S		S				
Restaurant, Full service	B.13.4(U)						C	P	P	P	P	P	P	P	C		
Restaurant, Fast Casual	B.13.4(V)								C	P	P		P	C			
Restaurant, w/ Drive Through	B.13.4(W)								C	P			P				
Sexually Oriented Business	B.13.4(X)										S		S	S			
Special Events Facilities	B.13.4(Y)								C	C	C			C		C	
Towing Service	B.13.4(Z)									P	C			C	C		
Tobacco Shop, Class 1	B.13.4(AA)												S				
Tobacco Shop, Class 2	B.13.4(BB)												S				
Retail, Neighborhood (Maximum 5,000 sq. ft)	B.13.4(CC)									P	P	P	P	P			

		Single-Family Residential (R-15)	Single-Family Residential (R-9)	Single-Family Residential (R-6)	General Residential (GR)	Residential Multi-Family (RMF)	Professional Office (PO)	Neighborhood Commercial (NC)	Limited Commercial (LC)	General Commercial (GC)	Downtown Core (DTC)	Parks and Institutional General (IG)	Downtown Transitional District (DTT)	Light-Industrial-Warehouse (LI-W)	Heavy Industrial (HI)	Agricultural Conservation (AC)	Conservation Preservation (CP)
Key: P = Permitted Use; C = Conditional Use; S = Special Exemption or Exception	Section																
Retail, General (Maximum 20,000 sq. ft)	B.13.4(DD)									P	P		P				
Retail, Big Box (Above 20,000 sq. ft)	B.13.4(EE)									C	P		P				
Wholesale Trade	B.13.4(FF)													P	P		
Extended Stays	B.13.4(GG)						C	C	C	P	C		P	C			
BYOB Establishment	B.13.4(HH)						S	S	S	S	S		S	S			
<b>Industrial and Manufacturing Uses</b>																	
Artisanal Manufacturing	B.13.5(A)													P	P		
Brewery	B.13.5(B)									S	P			S	S		
Brewery, Micro	B.13.5(C)									S	P			S	S		
Distillery	B.13.5(D)									S				S	S		
Distillery, Micro	B.13.5(E)									S				S	S		
Flex Facility	B.13.5(F)													P	P		
Industrial- Light	B.13.5(G)													P	P		
Industrial- Heavy	B.13.5(H)														P		

SECTION B.12 – PERMITTED USES

Manufacturing	B.15.5(I)														C	P			
		Single-Family Residential (R-15)	Single-Family Residential (R-9)	Single-Family Residential (R-6)	General Residential (GR)	Residential Multi-Family (RMF)	Professional Office (PO)	Neighborhood Commercial (NC)	Limited Commercial (LC)	General Commercial (GC)	Downtown Core (DTC)	Parks and Institutional General (IG)	Downtown Transitional District (DTT)	Light-Industrial-Warehouse (LI-W)	Heavy Industrial (HI)	Agricultural Conservation (AC)	Conservation Preservation (CP)		
Key: P = Permitted Use; C = Conditional Use; S = Special Exemption or Exception	Section																		
Recycling and Waste Related Services	B.13.5(J)															P			
Salvage Yards	B.13.5(K)															C			
Self-Storage Facilities	B.13.5(L)								C	C					P	P			
Solar Farms	B.13.5(M)														P	P			
Warehouse/Distribution	B.13.5(N)														P	P			
<b>Personal Services Uses</b>																			
Bank/Financial Institution	B.13.6(A)						P	P	P	P	P		P	C					
Car Wash	B.13.6(B)								C	P									
Daycare (Adult and Child), Less than 6	B.13.6(C)											S							
Daycare (Adult and Child), More than 6	B.13.6(D)											S							
Dry Cleaning	B.13.6(E)							P	P	P	P		P	P	P				

		Single-Family Residential (R-15)	Single-Family Residential (R-9)	Single-Family Residential (R-6)	General Residential (GR)	Residential Multi-Family (RMF)	Professional Office (PO)	Neighborhood Commercial (NC)	Limited Commercial (LC)	General Commercial (GC)	Downtown Core (DTC)	Parks and Institutional General (IG)	Downtown Transitional District (DTT)	Light-Industrial-Warehouse (LI-W)	Heavy Industrial (HI)	Agricultural Conservation (AC)	Conservation Preservation (CP)
Key: P = Permitted Use; C = Conditional Use; S = Special Exemption or Exception	Section																
Spa, Day	B.13.6(F)						P	P	P	P	P		P				
Tattoo Parlor	B.15.6(G)									S				S	S		
Personal Services	B.13.6(H)						P	P	P	P	P		P	C			
Professional Office	B.13.6(I)						P	P	P	P	P	P	P				
<b>Medical and Office Uses</b>																	
Animal Care (includes urgent and vet services)	B.13.7(A)						C		P	P				P		P	
Bail Bonding	B.13.7(B)									P				P			
Hospital	B.13.7(C)									P	P	P		C			
Medical/Dental Facility	B.13.7(D)						P	C	P	P	P			C			
Professional Office	B.13.7(E)						P	P	P	P	P		P	P			
Rehabilitative and Mental Health Facility	B.13.7(F)						P		C	C			P				
Urgent Care	B.13.7(G)							C	P	P		S		C			

Key: P = Permitted Use; C = Conditional Use; S = Special Exemption or Exception		Section	Single-Family Residential (R-15)	Single-Family Residential (R-9)	Single-Family Residential (R-6)	General Residential (GR)	Residential Multi-Family (RMF)	Professional Office (PO)	Neighborhood Commercial (NC)	Limited Commercial (LC)	General Commercial (GC)	Downtown Core (DTC)	Parks and Institutional General (IG)	Downtown Transitional District (DTT)	Light-Industrial-Warehouse (LI-W)	Heavy Industrial (HI)	Agricultural Conservation (AC)	Conservation Preservation (CP)
<b>Recreation/Open Space + Entertainment Uses</b>																		
Sports Fields	B.13.8(A)	C	C	C	C	P	P						P					
Amusement/Theme Parks	B.15.8(B)								S	S	S	S			S			
Golf Courses	B.13.8(C)	C	C	C	C						P	C	P		P		C	
Driving Range	B.13.8(D)	C	C	C	C						P	C	P		P		C	
Motor Vehicle Race Track	B.13.8(E)										S				S			
Outdoor Concert Venues	B.13.8(F)																	
Parks, Public	B.13.8(G)	P	P	P	P	P	P	P	P	P	P	P	P	P			C	C
RV Parks/Recreation Camping Facilities	B.13.8(H)																C	C
Shooting Ranges (Indoor)	B.13.8(I)										S		P		S	S	S	
Botanical Garden	B.13.8(J)	C	C	C	C		P		P	P	P				C		P	
Zoo	B.13.8(K)	C	C	C	C		P		P	P	P				C		P	

SECTION B.12 – PERMITTED USES

Key: P = Permitted Use; C = Conditional Use; S = Special Exemption or Exception	Section	Single-Family Residential (R-15)	Single-Family Residential (R-9)	Single-Family Residential (R-6)	General Residential (GR)	Residential Multi-Family (RMF)	Professional Office (PO)	Neighborhood Commercial (NC)	Limited Commercial (LC)	General Commercial (GC)	Downtown Core (DTC)	Parks and Institutional General (IG)	Downtown Transitional District (DTT)	Light-Industrial-Warehouse (LI-W)	Heavy Industrial (HI)	Agricultural Conservation (AC)	Conservation Preservation (CP)
		<b>Utilities and Other Uses</b>															
Airport	B.13.9(A)																
Wireless Communication Towers	B.13.9(B)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Transportation Terminals	B.13.9(C)							P	P	P	P			P			
Utility Facilities, Government	B.13.9(D)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Parking Lots and Structures	B.13.9(E)						P	P	P	P	C	P	S	P	P		

# 13. USE STANDARDS

## 13.1 AGRICULTURAL USES

- A. **Crop Production.** The production of crops, plants, vines, and trees (excluding forestry operations), including but not limited to grain and vegetable farms, horticulture, greenhouses, orchards, tree nurseries, hydroponics, and aquaponics.
1. Uses Not Included.
    - (1) Incidental vegetable gardening or landscaping.
- B. **Livestock.** An open space use dedicated to raising and selling livestock.
1. Examples. A pasture dedicated to raising livestock and associated uses (including livestock auction, milk processing, packing house and similar uses).
  2. Use Standards.
    - (1) The minimum lot area upon which livestock may be kept is one (1) acre.
    - (2) No more than one (1) head of livestock shall be permitted for each one-half (1/2) acre of lot area.
    - (3) No structure shall be closer than 50 feet to the property line except where such property line abuts a street, railroad, or watercourse at least 50 feet in width.
- C. **Breeding and raising stock for sale.** An open space use dedicated to raising and selling livestock.
1. Examples. Examples include pastures dedicated to raising livestock and associated uses (including livestock auction, milk processing, packing house and similar uses).
  2. Use Standards
    - (1) The minimum lot area upon which livestock may be kept is one (1) acre.
    - (2) No more than one (1) head of livestock shall be permitted for each one-half (1/2) acre of lot area.
    - (3) No structure shall be closer than 50 feet to the property line except where such property line abuts a street, railroad, or watercourse at least 50 feet in width.

- D. **Forestry and Logging.** The use of land whereby forests are tended, harvested for commercial purposes, and reforested either by natural or artificial reforestation, and where timber is cut and sorted on-site.
- E. **Nursery, Plant.** An establishment whose primary function is the retail sales of live plants and trees, mulch, compost, and the like to individual customers or wholesale.
1. Accessory Uses. The sale of landscape supplies.
  2. Examples. A plant nursery or tree farm.
  3. Use Standards.
    - (1) Live plants (including ornamentals, fruit and nut crops, and herbaceous plants) included within a nursery shall not be considered outdoor storage.
    - (2) Bulk materials and landscape supplies (including wheelbarrows, hoses and garden tools intended for residential uses) shall be screened.
    - (3) Outdoor storage yards of bulk material (i.e. mulch, compost) shall comply with the standards of *Section B.13.4(R)*. Mulch is defined as any material used as ground covering for the protection and enhancement of the soil.
    - (4) Heavy machinery sales are not permitted.
    - (5) Any landscape supply vehicles or equipment shall be kept a minimum 50 feet from property lines and screened from view from public rights-of-way.
- F. **Farming.**
1. Use Standards.
    - (1) A minimum of 3.0 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 buildings 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 shelters shall be located no closer than 100 ft. to the nearest residential property line.
    - (3) Commercial reduction of inedible animal or vegetable matter on the premise is prohibited.
    - (4) Commercial piggeries (hog raising for other than family use) are permitted only on a farm of at least 10 acres, and no hogs shall be permitted within 150 ft. of any residential use.
    - (5) Roadside stands may be established for the sale of fruits and vegetables grown on the farm, provided such structures meet all required setbacks.

## 13.2 RESIDENTIAL USES

- A. **Dwelling, Single-Family Detached.** A residential building containing 1 dwelling unit, to be occupied by one family. For regulatory purposes, the term is not to be construed as including manufactured/mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.
1. **Accessory Uses.** Accessory uses commonly found are recreational facilities, , piers, and docks and accessory structures such as a garage or shed.  
Permitted home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.
  2. **Examples.** Examples include single family homes on a variety of lot sizes and types.
  3. **Use Standards.**
    - (1) All accessory uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in the side or rear yard.
    - (2) Submission of a floor plan and site plan are required for accessory uses and home occupations.
- B. **Dwelling, Single-Family Attached.** A residential building that may be attached or semi attached, each dwelling unit typically under separate ownership. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, tents, houseboats, or other forms of temporary or portable housing.
1. **Accessory Uses.** Accessory Uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed.
  2. **Use Standards.**
    - (1) Single-Family attached buildings shall be limited to 4 dwelling units for townhouses and 2 unites for single-family attached homes.
    - (2) All accessory and uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.
- C. **Townhouse.** A building consisting of single-family residences attached to one another in which each unit is located on an individually owned parcel, generally within a development containing drives, walks and open space in common area.

1. **Accessory Uses.** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, home occupations, and accessory structures such as a garage or shed.
  2. **Uses Not Included.**
    - (1) Lodging where tenancy is arranged for one (1) week or less is considered a form of transient lodging.
  3. **Use Standards.**
    - (1) Townhomes shall have a minimum of four (4) units and a maximum of eight (8) units.
    - (2) All accessory and uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.
- D. **Dwelling, Duplex.** A single residential building containing two (2) dwelling units, under single ownership. This dwelling type is on a single lot and contains common walls. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.
1. **Accessory Uses.** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed.
  2. **Use standards.**
    - (1) All accessory and uses shall be clearly incidental to permitted principal use.
    - (2) All accessory buildings and pools shall be located in a side or rear yard.
- E. **Dwelling, Triplex or Quadplex.** A residential building containing three (3) or four (4) dwelling units, usually under single ownership, consolidated into a single structure. This dwelling type is on a single lot and contains common walls. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.
1. **Accessory Uses.** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed.
  2. **Use standards.**
    - (1) All accessory and uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.

(2) No more than one (1) driveway access from either a public street or a private street that is part of a Planned Development per lot. This does not apply to existing structures being converted to triplex/quadrplex units where more than 1 street access has been established and has been in existence on or before November 7, 2023. **Note:** *Formal site plan submission required.*

F. **Dwelling, Multifamily.** Multi-family dwelling units are characterized by a building that contains five (5) or more dwelling units, or may consist of upper-story residential in a mixed-use building (i.e. a building that contains a separate use on the bottom floor, and dwelling units on the floors above). This definition includes condominiums or multifamily apartments. Tenancy is arranged for periods longer than one (1) week. Uses where tenancy may be arranged for a shorter period are not considered residential.

1. **Accessory Uses.** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants and guests, piers and docks, and accessory structures such as garage or shed.
2. **Examples.** Uses include living in apartments, condominiums, residential care facility, and apartments.
3. **Uses Not Included.**
  - (1) Lodging where tenancy is arranged for one (1) week or less are considered to be a form of transient lodging (see the commercial categories).
4. **Use Standards.**
  - (1) All multi-family developments shall be required to provide bulk waste containers such as dumpsters.

G. **Manufactured Home.** Manufactured homes are built on a chassis, without permanent foundation, are titled by the SC Dept of Motor Vehicles, and are used as a dwelling unit. These units are portable and built to be towed. Manufactured homes are subject to State standards for safety and occupancy.

1. **Accessory Uses.** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, and accessory structures such as a garage or shed.
2. **Examples.** Examples include any type of park model or travel trailer designed as a dwelling unit, built on an integral chassis, with or without permanent foundation. This term includes mobile homes, park trailers, travel trailers, and similar transportable structures intended to be improved property.

### 3. Use Standards.

- (1) No new manufactured homes older than 20 years at the date of an executed manufactured home certification for new placement is permitted. Manufactured homes being moved from one location within the jurisdiction limits of the City of Sumter to another location within the jurisdiction of the City of Sumter are exempt from the requirements – provided they meet all other standards in this section.
- (2) All manufactured homes shall be attached to a foundation and securely underpinned and/or anchored in accordance with manufacturer's specification. The securing of a unit to a foundation must be inspected and approved by the Sumter City-County Building Department.
- (3) All manufactured homes shall have an unpierced solid curtain wall consisting of brick, stone, stucco, vinyl, wood. The curtain wall must match or be compatible with the color of the exterior siding of the manufactured home. Unfinished wood exterior material, such as plywood or similar materials, are not permitted for use to meet this requirement.
- (4) All manufactured homes shall have at least a 6 inch eave projection on all sides of the structure.
- (5) All manufactured homes shall have a minimum roof pitch of 3:12 or 3 ft. of vertical rise for every 12 ft. of horizontal run.
- (6) All manufactured home lots shall be capable of meeting the minimum off-street parking requirements outlined in *Section C.3 Parking Regulations*.
- (7) All manufactured homes in Agricultural Conservation (AC) district shall be placed with the longest dimension parallel to the lot frontage.

H. **Group Living.** Residential occupancy of a building by a group of people that does not meet the definition of household living. Tenancy is typically arranged for 30 days or more. Generally, group living facilities have a common eating area for residents and residents may receive care, training or treatment.

1. **Accessory Uses.** Accessory uses commonly found are recreational activities, hobbies, and parking of the occupants' vehicles.
2. **Examples.** Uses include boarding house, dormitory, fraternity or sorority house, monastery or convent, single-room-occupancy (SRO) housing, cooperative housing, assisted living facility, community residential care facility, group foster homes, hospice, nursing homes, rehabilitation center, and alternative/post incarceration facility.

## 13.3 INSTITUTIONAL AND PUBLIC USES

- A. **Post Office (Mail and Packages).** Includes any facility which allows customers to mail or deliver letters, packages, and goods. May be publicly or privately owned.
1. **Accessory Uses.** Accessory uses may include a cafeteria for staff, parking for workers and customers, and a parking area for mail or delivery trucks.
  2. **Examples.** United States Postal Services Facilities and commercial mail and delivery services such as storefront FedEx and UPS operations.
  3. **Uses Not Included.** Mail kiosks, lockers, and mailboxes are not subject to use standards and may be permitted as accessory structures.
- B. **Elementary Schools.** This category includes public and private schools, including charter and grades K-6, that provide state mandated basic education.
1. **Accessory Uses.** Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school care.
  2. **Use Standards.**
    - (1) Must meet the curricular teaching certification of instruction approved by the State Board of Education.
    - (2) All mobile or portable classrooms shall be located in rear yards. Administrative approval by the Planning Department may allow the placement inside front or side yards of placement in the rear cannot be accommodated.
- C. **Secondary Schools.** This category includes public and private schools, including charter and grades 7-12, that provide state mandated basic education.
1. **Accessory Uses.** Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school care.
  2. **Use Standards.**
    - (1) Must meet the curricular teaching certification of instruction approved by the State Board of Education.
    - (2) All mobile or portable classrooms shall be located in rear yards. Administrative approval by the Planning Department may allow the placement inside front or side yards of placement in the rear cannot be accommodated.
- D. **Higher Education (College, Junior College, University, Technical).**  
Universities, colleges, or vocational schools are higher learning establishments

that provide post public school (including associate, bachelor, graduate, doctoral), vocational, and technical degrees and skills.

1. **Accessory Uses.** Accessory uses may include associated offices, parking, cafeteria, fitness facility, on and off campus dormitories owned and operated by the school, and on campus.
2. **Examples.** Examples include a trade school, secondary education, career center, vocational college, college, university, satellite campus or satellite branch of a university, college or vocational school.
3. **Use Standards.**
  - (1) All activities associated with a vocational school (or trade school) that cause excess noise or nuisance shall be within a completely enclosed building.
  - (2) University, college, or vocational schools may occur in existing buildings suitable for commercial activity, such as a shopping center.

**E. Other Educational Facilities.** Educational Facilities include but are not limited to test prep, tutoring, professional licensing, specialty services (i.e., nursing) or similar. Uses are understood to be limited in nature both in size and number of students

1. **Standards.**
  - (1) Such facilities may be stand-alone or within a shopping center or inline retail plaza.
  - (2) Shall not include uses generally associated with vocational training unless otherwise approved by the Zoning Administrator (welding, construction, mechanic) or uses which require the outdoor storage of goods and materials or outdoor workstations.

**F. Cemetery.** Any area established for a burial of the dead and dedicated for cemetery purposes.

1. **Use Standards.**
  - (1) Proposed cemetery sites must meet the minimum development standards for the zoning district in which it is to be located.
  - (2) A site plan is to be submitted with the application.
  - (3) Commercial Cemeteries must meet all required development standards.

**G. Religious Institutions.** A facility intended as a house of worship that hosts organized religious services.

1. **Accessory Uses.** Accessory uses may include daycare facilities, schools, and recreational facilities.

2. Examples. A church, temple, mosque, or similar religious house of worship.
- H. **Cultural, Library and Museum Facility.** A facility or site open to the public for cultural services and events operated by the government or a certified non-profit entity.
1. Accessory Uses. Accessory uses may include cafeterias, snack bars, parking, ancillary assembly, retail, or restaurant.
  2. Examples. Examples include community centers, libraries, museums, and historical societies.
- I. **Government Office.** A building, or portion of a building, wherein government activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations and where professional services are rendered. For the purpose of this ordinance “government” includes local, state, and federal government agencies including but not limited to City of Sumter, Sumter County.
1. Accessory Uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
  2. Examples. Examples include city hall buildings, government offices, court houses, public work facilities, municipal governmental buildings.
- J. **Public Safety.** Facilities operated by a public safety agency, commonly governmental, for the purpose of providing safety related services including fire and police, to the general public.
1. Accessory Uses. Accessory uses may include parking, cooking facilities, or holding cells within a police station.
  2. Examples. Public safety facilities including fire stations, police stations, jail/detention/correctional facilities, and emergency communication broadcast facilities.
- K. **Correctional Facility.** A private or government establishment primarily engaged in managing and operating correctional institutions. This establishment is designed for the confinement, correction, and rehabilitation of adult or juvenile offenders sentenced by a court.
1. Accessory Uses. Accessory uses include offices, meeting rooms, cafeteria facilities designed for the use of workers or inmates.
  2. Examples. Examples may include a correctional institution, penitentiary, detention center, prison, and a jail.

## 13.4 COMMERCIAL RETAIL USES

A. **Animal Kennels.** The use of land for the purpose of boarding animals. May include a pet resort which provides day care for pets in addition to grooming and training/classes.

1. Accessory Uses. Outdoor play areas for animals, office, indoor storage, limited retail sales of pet associated items.
2. Examples. Animal kennel or boarding facility, animal shelter.
3. Use Standards.
  - (1) Animal Kennels shall not be located closer than 500 ft. to any adjacent residential use on a separately platted parcel of land under private ownership.
  - (2) All outdoor areas intended for animal use shall be fenced with a minimum six (6) foot fence.
  - (3) Animals shall be kept within an enclosed building between the hours of 10:00PM and 6:00AM.
  - (4) Animal waste shall not be stored closer than ten (10) feet from the property line.

B. **Vehicle Sales and Rental Services.** Establishments that are involved with the sale or lease of automobile (including but not limited to cars and boats), renting of motor vehicles, and display of motor vehicles for sale, lease, or rental.

1. Accessory Uses. Accessory uses may include showroom, associated office and storage, vehicle fueling (only for vehicles for sale or lease, not open to the general public), car wash (only for vehicles for sale or lease, not open to the general public), and limited retail sales of items associated with motor vehicles.
2. Examples. Examples include but are not limited to car dealerships, boat dealerships, motor vehicle dealerships dealing in recreational vehicles, car rental establishments, moving vehicle rental establishments.
3. Use Standards.
  - (1) There shall be XXX maximum of car, boat, other vehicles for sale at any one time.
  - (2) Vehicle display areas shall be an improved surface.
  - (3) Vehicles shall not be displayed in any required buffer.
  - (4) Light fixture heights, where adjacent to residential zoning shall be limited to 12 feet.

(5) The use of loudspeakers or similar noise amplifying device shall be prohibited.

C. **General Equipment Rental Services.** The rental of supplies and large equipment primarily intended for use by construction, general, landscaping, or industrial contractors, including but not limited to hoists, lifts, forklifts, and commercial capacity generators and compressors, but not including car or truck rentals.

D. **Bar/Tavern/Nightclub.** Any establishment whose primary function is the sale of beer, wine, or other alcoholic beverages for consumption on the premises and cannot be licensed as a restaurant under State ABL regulations.

1. Accessory Uses. Ancillary indoor storage, associated office, outdoor patron areas (if permitted under the State A.B.C. regulations), and parking.

2. Examples. Bars, taverns, cocktail lounge.

3. Use Standards

(1) Outdoor entertainment is limited to 10:00PM.

E. **Bed and Breakfast.** Private home offering lodging and breakfast to guests. Accommodations are limited to a maximum of six (6) guestrooms. This type of establishment is primarily a private home offering lodging and breakfast to guests. The appearance and primary function of the home shall remain as a residence, not as a lodging establishment.

1. Accessory Use. Accessory uses customary to single-family residences are permitted.

2. Use Standards.

(1) Owner operator shall reside on premises.

(2) Limit exterior alterations to those necessary to assure safety of the structure or enhance compatibility of the bed and breakfast with the surrounding area.

(3) A maximum of 1 bed and breakfast inn shall be permitted on any one parcel.

(4) Operation of the Bed and Breakfast shall involve no exterior storage of materials or supplies.

(5) The principal use of any such structure or structure shall be residential.

(6) Rooms for sleeping shall be part of the primary residential structure.

(7) Owner must demonstrate that adequate space is available for required off street parking (1 space per bedroom).

- (8) No guest shall occupy the Bed & Breakfast for more than 7 consecutive nights.
- (9) The resident owner shall keep a current guest register including names, addresses and dates of occupancy for all guests.
- (10) Meals may only be served to registered guests.
- (11) A bed and breakfast may not provide and/or be used as a special events facility as defined in this Section.

F. **Broadcast Facility.** Any facility which deals in the broadcasting of television, radio, or satellite programming.

- 1. Accessory Uses. Accessory uses may include (but are not limited to) associated office and parking,
- 2. Example. TV broadcasting station.
- 3. Use Standards.

- (1) Communication Towers associated as an accessory use to the broadcast facility use shall be permitted.

G. **Convenience Store w/ Fuel Sales.** Convenience stores with fueling stations are involved in the retail sales of fuel for motor vehicles, and convenience items including but not limited to food, beverages, tobacco products, and other similar products as its primary sales.

- 1. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, parking, and car wash.
- 2. Examples. Motor vehicle fuel stations with one (1) or more fuel pump selling fuel for motor vehicles and selling items which generally serve the day-to-day retail needs of travelers (i.e. gas station).
- 3. Uses Not Included.
- 4. Use Standards.

- (1) All car washing, waxing, machine powered drying shall be in an enclosed building. Hand washing and drying may be conducted outside of an enclosed building.

- (2) Requires a state-issued permit for the sale and distribution of beer and/or wine.

- (3) Has less than 3,200 square feet in retail space.

- (4) Is open 15 to 24 hours a day.

- H. **Convenience Store w/o Fuel Sales.** Convenience stores involved in the retail sales of convenience items including but not limited to food, beverages, tobacco products, and other similar products as its primary sales.
1. **Accessory Uses.** Accessory uses may include offices, storage or repackaging of goods for on-site sale, parking, and car wash.
  2. **Uses Not Included.**
    - (1) General retail stores (see Retail, General), Motor vehicle fuel stations.
  3. **Use Standards.**
    - (1) Requires a state-issued permit for the sale and distribution of beer and/or wine.
    - (2) Has less than 3,200 square feet in retail space.
    - (3) Is open 15 to 24 hours a day.
- I. **Crematorium.** A facility with a furnace for cremating dead bodies, either animal or human.
- J. **Funeral Home w/ Crematorium.** A facility used for the preparation of the deceased and the display of the deceased for funeral services. The facility includes a furnace for cremating dead bodies, either animal or human. The facility may include space and facilities for embalming and preparation of the dead for burial, performance of autopsies, the storage of caskets and funeral supplies.
1. **Accessory Uses.** Accessory uses may include ancillary indoor storage, associated office, parking, storage of funeral vehicles, crematorium meeting all related laws and regulations and cemetery/mausoleum.
- K. **Funeral Home w/o Crematorium.** A facility used for the preparation of the deceased and the display of the deceased for funeral services. The facility may include space and facilities for embalming and preparation of the dead for burial, performance of autopsies, the storage of caskets and funeral supplies.
1. **Uses Not Included.**
    - (1) Crematoriums.
  2. **Accessory Uses.** Accessory uses may include ancillary indoor storage, associated office, parking, storage of funeral vehicles, crematorium meeting all related laws and regulations and cemetery/mausoleum.
- L. **Grocery.** A store that is primarily engaged in selling food at retail for home preparation and consumption, such as grocery stores, fruit and vegetable markets, and retail bakeries and other specialty food products stores. A grocery store may sell non-food commodities, such as beverages, dairy, dry goods, fresh

produce, and other perishable items, frozen foods, household products, and paper goods; may sell beer and wine for consumption off the premises with the appropriate beverage license.

1. Accessory Use. Accessory uses may include restaurants, fast casual.

M. **Hotel/Motel.** Transient accommodations arranged for short term stays for compensation. This does not include patient transient accommodations, shelters for the homeless or short-term rentals.

1. Accessory Uses. Attached meeting rooms, dining facilities, bar or lounge, restaurant, laundry facility, swimming pool, other recreational facilities.

2. Examples. Examples include hotels and motels.

N. **Liquor Store.** A retail establishment engaged in the sale of packaged alcohol including, beer, ale, wine, and spirits for consumption off premises.

1. Accessory Uses. Accessory uses include temporary, indoor, promotional display and the sale of prepackaged food, tobacco products, and lottery.

2. Use Standards.

(1) This use shall not be within 300 ft. (measured in a straight line from structure to structure) of a residential use, religious institution, school or public playground on a separately platted parcel.

(2) A 6-foot-high fence that is a visual screen will be installed to separate this use from residential uses.

O. **Major Vehicle Service.** Facility dealing in more than minor vehicle service as defined. Major vehicle service includes an auto body shop, repair of motor vehicles components such as engines and transmission.

1. Accessory Uses. Accessory uses may include (but are not limited to) associated office, ancillary indoor storage, towing, outdoor storage of vehicles.

2. Examples. Examples include auto collision repair shops and paint shops.

3. Use Standards.

(1) If located in the GC district or abutting a residential use, a Buffer Type B shall be provided.

(2) No stockpiling of parts or salvaging of vehicle parts.

(3) No storage of impounded vehicles.

(4) All storage of vehicles shall be fenced and prevented from view.

(5) A minimum lot size of 20,000 square feet is required.

P. **Minor Vehicle Service and Vehicle Part Sales.** Minor vehicle service establishments are involved with the limited service including such uses as oil

changes, tire replacement, cleaning/detailing, and the like. Uses including vehicle repairs, autobody repair, painting, engine repair and replacement or similar are understood to be defined as major vehicle service. Vehicle parts sales include the sale of vehicle goods

1. **Accessory Uses.** Accessory uses may include limited sale of parts or vehicle accessories, towing, associated office, parking, repackaging of goods for on-site sale or use.
2. **Examples.** Examples include quick service such as (but not limited to) lubrication, battery sales and installation, auto detailing, minor scratch and dent repair, tire alignment, and fluid replacement.
3. **Use Standards.**
  - (1) No stockpiling of parts or salvaging of vehicle parts.
  - (2) If located in the GC district or abutting a residential use, a Type B Buffer be provided.
  - (3) No storage of impounded vehicles in front yard.
  - (4) All storage of vehicles shall be fenced and prevented from view.
  - (5) A minimum lot size of 20,000 square feet is required.

**Q. Motor Vehicle Fuel Dealer.** An establishment primarily engaged in the retail sale of bottled or bulk liquefied petroleum gas, fuel, oil, coal, wood, or other fuel.

**R. Outdoor Storage.** An outdoor area designated for the extended outdoor storage of cars, boats, other vehicles. This use is not to be confused with commercial parking, which excludes outdoor storage. Outdoor storage is for the extended storage of cars, boats, and other vehicles, machinery, and equipment or material.

1. **Accessory Uses.** Accessory uses may include associated office, parking
2. **Use Standards.**
  - (1) Must be fully screened from public rights-of-way, parking areas, and adjacent properties. Screening may include fences, hedges, or plant material.
  - (2) **Screening.**
    - i. Screening must be opaque and constructed of durable materials
    - ii. Screening must be maintained in good condition and free of damage or deterioration
    - iii. Landscaping buffers may be required based on adjacent land uses
  - (3) All outdoor storage areas must be clearly shown on site plans submitted for review.

- (4) Plans must include screening details, setback compliance, and buffering provisions.
  - (5) Non-compliance may result in enforcement actions or revocation of permits.
- S. **Pawn Shop.** Pawn shops are involved with the retail sales of secondhand merchandise and may offer personal loans secured by consumer goods or other personal property.
1. **Accessory Uses.** Accessory uses may include limited retail sales.
  2. **Examples.** Pawn shops that may deal in items such as coins, jewelry, and secondhand merchandise and deal in personal loans secured by personal property.
- T. **Private Clubs.** Private clubs are used by a group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and constitution and by-laws. Facilities may contain one or more buildings and structures operated only for the benefit of its members and their guests.
1. **Accessory Uses.** Accessory uses may include offices, meeting areas, clubhouses, parking, and restaurants open only to members of the private club.
  2. **Examples.** Private clubs such as fraternal organizations and country clubs.
  3. **Uses Not Included.**
    - (1) Event centers or convention centers catering to outside groups or audiences.
    - (2) Health and fitness facilities (i.e. commercial gym, see general retail).
  4. **Use Standards.**
    - (1) All dumpsters and other building service areas shall be located where they are concealed from view from the public right of way.
    - (2) Meals or beverages shall be sold to members and their guests only.
    - (3) This use shall not be within 300 feet (measured in a straight line from structure to structure) of residential use, church, school, or public playground on a separately platted parcel.
    - (4) A six-foot high fence that is a visual screen will be installed to separate this use from residential uses, where such residential uses are directly adjacent to the property or site containing the use.

- U. Restaurant, Full Service.** Establishments that prepare and sell food for on-premises consumption or off premises consumption. Includes a customer service area consisting of tables, chairs, or customer counters.
1. Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking valet parking facility, bar seating, and limited catering.
  2. Examples. Examples include sit down restaurants such as a diner, café or fine dining restaurants.
  3. Uses Not Included.
    - (1) Drive-throughs are classified in Restaurant, with drive-through.
- V. Restaurant, Fast Casual.** Establishments that prepare and sell food for on-premises consumption or off premises consumption may include a drive-through. Includes a customer service area consisting of tables, chairs, or customer counters.
1. Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating.
  2. Examples. Examples include pizza delivery shops, takeout eating places, fast-food restaurants, takeout sandwich shops, limited-service restaurants.
- W. Restaurant, w/ Drive Through.** Establishments that prepare and sell food for on-premises consumption or off premises consumption including a drive-through. Includes a customer service area consisting of tables, chairs, customer counters.
1. Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating.
  2. Examples. Examples include fast casual, fast food restaurants and any restaurant featuring a drive-through lane.
  3. Use Standards.
    - (1) Menu boards shall be a maximum of thirty-two (32) square feet.
    - (2) Drive-throughs shall comply with the standards of *Section 3.5 Drive-Through Stacking Requirements*.
    - (3) Streetwalls are required at the boundaries of drive aisles along drive-through lanes.
    - (4) Accessory structures such as canopies shall comply with building setback standards per the respective district standards.
    - (5) Crosswalks and crosswalk markings shall be required if pedestrians can cross the drive-through lane between the building and parking areas.

- X. **Sexually Oriented Business.** A nightclub, bar, restaurant, or other similar establishments in which a person appears in a state of sexually explicit nudity or semi-nudity in the performance of their duties. Additionally, a business offering its patrons goods of which a substantial portion are sexually oriented materials. A business in which more than ten percent of the display space is used for sexually oriented materials is presumed to be a sexually oriented business. Defined in State of South Carolina Code of Laws Sections 57-25-120(7) and 57-25-120(9)
1. Accessory Uses. Accessory use may include an associated office.
  2. Use Standards.
    - (1) Nudity, semi-nudity, sexually explicit material/content is prohibited in any outdoor displays including signs.
    - (2) Sexually oriented Business cannot be operated within 1000 feet of:
      - i. A religious institution
      - ii. Public or private elementary or secondary school.
      - iii. A boundary of any residential district.
      - iv. Any outdoor recreational facility at which minors are likely to congregate.
      - v. A lot devoted to residential use.
      - vi. A day care facility.
      - vii. Cemetery.
      - viii. Funeral Home.
      - ix. Another Sexually oriented Business.
- Y. **Special Events Facility** A commercial facility rented to individuals, groups, or organization, and used to host gatherings such as, but not limited to, weddings, receptions, meetings, galas, networking events, and conferences. Special Events Facilities cater to a significant diversity of individuals, groups, and organizations on a contractual basis, with such individuals, groups, and organizations holding unique events on an irregular basis only. Such individuals, groups, and organizations contracting to rent the facility may provide alcoholic beverages for guests in accordance with state law.
1. Uses Not Included.
    - (1) Bar/Tavern/Nightclub.
  2. Use Standards.
    - (1) Special Events Facilities shall require a Special Exception in all zoning districts.

- (2) An on-site manager shall be present and available for the duration of all events occurring at the venue. Updated contact information shall be provided to the Zoning Administrator any time the on-site manager's contact information changes.
- (3) An operation plan shall be submitted with the conditional use application describing generally how the facility will operate. Substantive changes to the operational plan shall require additional Zoning Administrator approval. The operational plan shall include, at a minimum, the following items:
  - i. Maximum capacity of the facility, based on building and fire code;
  - ii. Contact information for the on-site facility manager;
  - iii. Types of events anticipated/marketed;
  - iv. Anticipated annual number of events;
  - v. How solid waste will be disposed of;
  - vi. A floor plan of the facility showing the square footage and use of each room;
  - vii. A plot plan showing building footprint, property lines, parking areas, delineated outdoor event space (if applicable). A formal site plan submission may be required by the Zoning Administrator.
  - viii. Vehicular access to the site shall be adequate in terms of width, vertical clearance, and construction to support emergency vehicles in accordance with applicable Fire Code, as determined by the Sumter City-County Fire Inspector.

Z. **Towing Services.** An establishment providing the service of transporting individual motor vehicles and providing temporary storage of the vehicles, whether operable or temporarily inoperable, in an impound yard or storage.

1. Uses Not Included.

(1) Junk or salvage yard

2. Use Standards

(1) The number of vehicles stored on-site shall be limited to 10 vehicles.

(2) Vehicles shall not be stored for more than 90 days.

(3) Vehicles shall be stored to the rear of the principal structure behind a wooden fence or masonry wall that is at least 8 feet in height.

AA. **Tobacco Shop, Class 1.** An establishment that, as a substantial portion of the use, entails the retail sales of tobacco products including, but not limited to, CBD products, cigarettes, cigars, chewing tobacco, shisha, unformed or loose

tobacco, and/or similar products. For the purpose of this definition, a substantial portion of the use is established if:

1. At least 20% of the establishment's floor area open and accessible to customers is used for the display and/or stocking of tobacco products as provided herein; or
2. At least 40% of the sign area of the establishment's on-site signage that is visible from public rights-of-way advertises tobacco products as provided herein. Tobacco Shops (Class 1) are allowed by special exception in the DTT District. However, no tobacco shop (class 1) shall be located within a 500-foot radius of an existing or approved school. This measurement shall be made from the exterior wall of the proposed tobacco shop (class 1) to the nearest exterior wall of any existing or approved school. No tobacco shop (class 1) shall be located within any certified redevelopment area.

**BB. Tobacco Shop, Class 2** An establishment that entails the retail sales of any of the following tobacco smoking apparatus: water pipes; hookah pipes; bowls; water bong; or similar products. Tobacco Shops (Class 2) are allowed by special exception in the DTT District. No tobacco shop (class 2) shall be located within a one-half mile (2,640 foot) radius of an existing or approved tobacco shop (class 1) or tobacco shop (class 2). No tobacco shop (class 2) shall be located within a 500-foot radius of the following:

1. An existing conforming use single-family dwelling located in any district.
2. Any single-family residential zoning district; and
3. An existing or approved school, church, park or multi-family use.
4. The measurements shall be made from the exterior wall of the proposed tobacco shop (class 2) to the nearest exterior wall of any existing or approved tobacco shop (class 1 or 2), existing conforming use single-family dwelling located in any district, or existing or approved school, church or multi-family use. The measurement shall be made from the exterior wall of the proposed tobacco shop (class 2) to the nearest property line of any single-family residential zoning district or park. No tobacco shop (class 2) shall be located within any certified redevelopment area.

**CC. Retail, Neighborhood (Maximum 5,000 sq. ft).** General retail sales and services establishments involved in the sale, lease or rent of new or used products and services intended to provide for residents of the immediate area. Neighborhood retail shall be a maximum 5,000 square feet for a single use.

1. **Accessory Uses.** Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
2. **Examples.** Establishments selling, leasing, or renting consumer, home, and business goods including general merchandize, art supplies, bicycles, clothing, dry goods, electronic equipment, furniture, garden supplies, groceries, hardware and home improvement goods, household products, jewelry, pet food, printed material, stationary, and similar retail consumer goods.
3. **Use Standards.**
  - (1) Drive-through establishments are not permitted including but not limited to pharmacies/drug stores, restaurants, and financial institutions, etc.

**DD. Retail, General (Maximum 20,000 sq. ft).** General retail sales and services establishments involved in the sale, lease or rent of new or used products and services intended to provide for residents of the immediate area. General retail shall be a maximum 20,000 square feet for a single use.

1. **Accessory Uses.** Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
2. **Examples.** Establishments selling, leasing, or renting consumer, home, and business goods including general merchandize, art supplies, bicycles, clothing, dry goods, electronic equipment, furniture, garden supplies, groceries, hardware and home improvement goods, household products, jewelry, pet food, printed material, stationary, and similar retail consumer goods.

**EE. Retail, Big Box (Above 20,000 sq. ft).** Big Box retail sales and services establishments involved in the sale, lease or rent of new or used products and services intended to provide for residents of the regional area. Big Box retail shall permit a range of uses and sizes; however, no single use may exceed 100,000 square feet except where approved by Variance. This does not apply to uses which when aggregated exceed 100,000 square feet.

1. **Accessory Uses.** Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
2. **Examples.** Large retail stores, shopping malls, shopping centers.

**FF. Wholesale Trade.** Firms involved in the sale or rent of products to industrial or commercial businesses only. Not intended for private customers. Uses emphasize on-site sales or order taking. Firm may or may not be open to the general public. Sales to private customers and general public are not permitted

1. **Accessory Uses.** Accessory uses may include (but are not limited to) accessory medical clinic, ancillary indoor storage, associated office, cafeteria, day care for employee use, parking, repackaging of goods, showroom, warehouse, residential unit for security purposes
2. **Examples.** Sale of machinery, janitorial supplies, restaurant equipment supplies
3. **Use Standards.**
  - (1) Outdoor storage yards shall comply with the standards of *Section B.13.4(R)*. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

**GG. Extended Stays.** A residential or lodging facility designed and operated to accommodate guests for periods typically exceeding one week, but not intended for permanent residency. These facilities may include amenities such as kitchenette, laundry services, and workspace areas to support longer-term occupancy.

1. **Accessory Uses.** Accessory uses may include (but are not limited to) recreational facilities, parking lots, garages, sheds.
2. **Minimum Stay Duration.** Tenancy must exceed seven (7) consecutive days. Lodging arranged for one week or less is considered transient and regulated separately under commercial lodging standards.
3. **Parking and Access.**
  - (1) Off-street parking must be provided in accordance with *Section C.3 Parking Regulations*.
  - (2) Controlled access through a central lobby is encouraged; external individual room access may be restricted depending on district.

**HH. BYOB Establishment.** A commercial venue—such as a restaurant, lounge, or event space—that permits patrons to bring their own alcoholic beverages for personal consumption on the premises. These establishments do not sell or serve alcohol but may allow consumption under specific conditions.

1. **Accessory Uses.** Accessory uses may include (but are not limited to) outdoor patios, entertainment areas, and limited food preparation or catering services.
2. **Use Standards.**
  - (1) BYOB establishments must comply with all applicable state and local laws regarding alcohol consumption.

- (2) This use shall not be located within 300 feet of a residential use (except in designated areas of the DTC), church, school, or public playground, measured in a straight line from structure to structure.
- (3) A six-foot high visual screening fence is required when adjacent to residential properties.
- (4) The establishment must maintain control over the premises to ensure responsible consumption and prevent public disturbances.

## 13.5 INDUSTRIAL AND MANUFACTURING USES

- A. **Artisan Food and Beverage Manufacturing.** A small-scale fabrication or production use by skilled workers which involves or assembly of food or goods with no noxious by-products. May include a showroom or ancillary sales of products
1. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, parking or similar; residential unit(s) for employees and or associated services (i.e., night watchman) may not exceed one (1) dwelling unit per acre and shall only be allowed for employees or associated services and not rental to the general community
  2. Examples. Small scale fabrication of arts, 3-D printing, crafts, food or beverages for packaged sales, welding, sculpting, arts and crafts, pottery, and small-batch bakeries.
  3. Use Standards.
    - (1) Manufacturing activities may be no larger than 20,000 sq. ft. GFA.
    - (2) Accessory retail and/or wholesale sales, training, and/or education, are allowed.
    - (3) All production activities must be located within a completely enclosed structure adequately constructed to limit emission of odor, noise or vibration detrimental to other uses or properties in the area.
    - (4) All storage shall be within an enclosed building, tank, or silo, or screened from view by fences, walls, or landscaping. Stored items shall not be stacked to a height that exceeds the height of the screening.
    - (5) Sales, service, product consumptions, and outdoor activities shall only occur between 6:00 a.m. and 10:00 p.m. if the establishment is adjacent to a residential use.

(6) Shipping and receiving activities shall only occur during operating hours between 6:00 a.m. and 10:00 p.m.

B. **Breweries.** Any establishment where malt liquors are manufactured and packaged on-premise, manufacturing more than 15,000 barrels of malt liquor on its licensed premise each calendar year.

1. Accessory Uses. Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, beer garden, parking, valet parking facility, tasting room.

2. Use Standards.

(1) Outdoor entertainment is limited to 10:00 PM.

C. **Breweries, Micro.** Any establishment where malt liquors are manufactured and packaged on-premises or off-premises, manufacturing no more than 15,000 barrels of malt liquor on its licensed premise each calendar year. One-barrel equals 31 gallons

1. Accessory Uses. Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, beer garden, parking, valet parking facility, tasting room

2. Use standards

(1) Outdoor entertainment is limited to 10:00 PM in all zoning districts other than the DTC.

D. **Distillery.** A manufacturer who distills, blends, and bottles alcoholic liquors on the licensed premises with an alcohol content greater than seventeen percent and who produces more than one hundred twenty-five thousand cases per year at the licensed premises.

1. Accessory Uses. Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, parking, valet parking facility, tasting room.

2. Use Standards.

(1) Outdoor entertainment is limited to 10:00 PM in the XXX zoning district.

E. **Distillery, Micro.** A manufacturer who distills, blends, and bottles alcoholic liquors on the licensed premises with an alcohol content greater than 17 percent and who produces a maximum, quantity of one hundred twenty-five thousand cases per year at the licensed premises.

1. Accessory Uses. Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, parking, valet parking facility, tasting room.

2. Use Standards.

- (1) No noxious odors or noise may escape the parcel on which the use is situated;
- (2) A tasting room is provided;
- (3) Food is served;
- (4) No "cover" or similar admission charge is collected for entrance; and
- (5) No music is permitted in outdoor seating and bar areas after 11:00 PM

F. **Flex Facility.** Uses which take place within a building, allowing for a mixture and/or range of office, warehouse uses research and development uses. Flex use buildings allow for a combination of offices, wholesale, and light manufacturing with proportions of each use subject to the needs of a user.

1. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
2. Examples. Flex use buildings typically in an industrial park or business park environment

G. **Industrial – Light.** Any business or establishment which deals in light industrial uses including light manufacturing (such as assembly, printing, repair), research and development, and self-service storage

1. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
2. Examples. Monument sales and manufacturing, landscaping contractor, clothing manufacturing, publishing firm, bottling, lawn or tree service, sheet metal, stone, or concrete products (but not concrete manufacturing), commercial packing for fruits and vegetables, trailer storage or freight facility, sale or rental of machinery and heavy equipment.
3. Exemptions. Heavy industrial or noxious uses such as concrete manufacturing.
4. Use Standards.
  - (1) Storage shall be in an enclosed building or an outdoor storage area which is screened/fenced. A minimum six (6) feet opaque screen or fence is required around the outdoor storage area.

- H. **Industrial – Heavy.** Any business or establishment that involves dangerous, noxious, offensive uses. Uses may involve smoke, odor, noise, vibration, or threats to safety and general wellbeing of the public
1. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
  2. Use Standards.
    - (1) All buildings shall be subject to the setbacks in *Section B.5.2 Heavy Industrial (HI)*.
    - (2) Outdoor storage yards shall not be located closer than 25 feet to any public street or property line. Outdoor storage yards shall be completely enclosed by an opaque fence or wall not less than 8 feet. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.
- I. **Manufacturing.** Manufacturing includes use types involved in the manufacturing, processing, fabrication, packing, or assembly of goods. Products may be finished or semi-finished and are generally made for the whole sale market, made for transfer to the other plants, or made to order for firms or consumers.
1. Accessory Uses. May include limited retail sales and wholesale sales, offices, cafeterias/eating establishments, warehouses, storage area, repair facilities, truck fleets, parking for employees.
- J. **Recycling and Waste Related Services.** Any facility which deals in the recycling, disposal, or elimination of used materials or waste.
1. Accessory Uses may include (but are not limited to) associated office, outdoor storage associated with principal use, parking.
  2. Examples. Landfill, recyclable material storage, recycling facility, solid or liquid waste transfer or composting.
  3. Use Standards.
    - (1) The referenced uses shall not be located closer than 1,000 feet to any residential district, church, school, historical place, or public park, nor within 400 feet of an existing residential use not in a residential district. It is further provided however, that any manned convenience center (i.e., recycling center) shall not be located within 100 feet of any residential use, church, school, historical place or public park, and not within 50 feet of any property line.

- (2) Manned convenience center shall have gravel or paved surfaces in all driving, parking and loading areas, and must be located on and have direct access from an arterial or collector road
  - (3) Manned convenience centers must be entirely enclosed within an 8-foot-high security fence.
  - (4) All uses within this category shall be screened in such a fashion as not to be visible from off-site. Screening may be accomplished by any combination of fencing, walls, berms, or landscaping approved by the Board of Appeals upon the recommendation of the Zoning Administrator.
  - (5) No material shall be placed in open storage or areas in such a manner that it is capable of being transported by wind, water, or other causes.
- K. **Salvage Yards.** Any use dedicated to the storage and dismantling of vehicles, scrap metal and associated waste.
- 1. Accessory Uses. Accessory uses may include (but are not limited to) associated office, cafeteria, parking.
  - 2. Use Standards.
    - (1) All buildings shall be setback a minimum of fifty (50) feet from property line
    - (2) Outdoor storage yards shall not be located closer than twenty-five (25) feet to any public street or property line. Outdoor storage yards shall be completely enclosed by an opaque fence or wall not less than eight (8) feet.
    - (3) No material, refuse or items within storage yard shall be visible from a public street.
- L. **Self-Storage.** A structure or premises where the principal use is the indoor storage of personally owned items and goods, for a fee or charge.
- 1. Examples. Includes self-storage facilities.
  - 2. Use Standards.
    - (1) Self-storage facilities shall be located on a minimum lot size of 1 acre.
    - (2) Building height shall be limited to 2 stories; where adjacent to a residential district the district standards will apply.
    - (3) Commercial activity which offers the sale of any item, personal property, or service and/or the conducting of any business other than the leasing of storage units is prohibited. The sale of customary equipment for moving and loading/unloading of supplies such as tape, straps, boxes, and similar items may be permitted in the main office only.
    - (4) Residential use (i.e. dwelling) within a storage unit is prohibited.

- (5) Outdoor storage is prohibited (other than the storage of recreational vehicles).
- (6) Required parking spaces shall not be utilized for the storage of recreational vehicles

M. **Solar Farms.** An area of land designated for the purpose of deploying solar power generating panels and devices to create electric energy.

1. Accessory Uses. Associated office, parking, outdoor storage of related equipment.
2. Uses Not Included.
  - (1) Personal solar energy systems for private residential dwelling unit use. These are permitted as an accessory use for residential dwellings.
3. Use Standards.
  - (1) A minimum setback of XXX ft. from all property lines.
  - (2) A minimum 50 ft. wide landscape buffer containing evergreen vegetation screening is required to obscure solar energy systems from public rights of way and residential uses on adjacent parcels.
  - (3) Any portion of the solar farm or array shall not exceed 15 feet in height.

N. **Warehouse/Distribution.** A facility primarily engaged in the storage and distribution of manufactured product, supplies, and equipment with little to no sales on site. May also include truck terminals or similar where semi-trucks, trailers and or high-cube/box trucks may be utilized for the transportation of goods; may also include areas for truck, trailer, etc., parking and storage.

1. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
2. Examples. Warehousing, distribution centers, truck terminals, fulfillment centers for online retailers, fulfillment centers are intended to provide deliveries to homes.
3. Use Standards.
  - (1) The parking and storage of commercial class trucks and loading docks must be located to the rear or side of the facility;
  - (2) Landscape requirements outlined in *Section C.4 Landscaping, Buffer, and Tree Protection Requirements*.
  - (3) Facilities must have direct access to an arterial or collector roadway. Access for commercial class trucks via local roads is prohibited.

## 13.6 PERSONAL SERVICES USES

- A. **Bank/Financial Institution.** Banks and financial institutions characterized by activities conducted in an office setting and generally focusing on personal or financial services. Drive-throughs are permitted.
1. Accessory Uses. Accessory uses may include parking for use of employees and customers.
  2. Examples. Bank, financial institution, credit unions, and similar financial establishments.
  3. Use Standards.
    - (1) Crosswalks and crosswalk markings shall be required if pedestrians can cross the drive-through lane between the building and parking areas.
- B. **Carwash.** Commercial establishments which allow for the washing of motor vehicles and vehicle cleaning services.
1. Accessory Uses. Accessory uses may include parking, retail sales of items associated with the cleaning of motor vehicles.
  2. Examples. Full-service carwash, self-service carwash facilities.
  3. Use Standards.
    - (1) All washing, waxing, machine powered drying shall be in an enclosed building.
    - (2) No vehicle bays or openings shall face a residential use.
- C. **Day Care (Adult or Child), Less than 6.** An establishment dedicated to the care of 6 or less adults or children in a protected, supervisory setting. May require additional state permits.
1. Accessory Uses. Accessory uses may include ancillary indoor storage, outdoor play areas, associated office, parking, cafeteria.
  2. Use Standards.
    - (1) May be accessory to principal use in R-15, R-9, and R-6.
    - (2) Areas dedicated for drop off and pick up must be included for site plan or permit request for a day care.
    - (3) Outdoor recreation areas or playgrounds shall be fenced with a minimum six (6) foot fence.
- D. **Daycare (Adult or Child), More than 6.** An establishment dedicated to the care of 6 or more adults or children in a protected, supervisory setting. May require additional state permits

1. **Accessory Uses.** Accessory uses may include ancillary indoor storage, outdoor play areas, associated office, parking, cafeteria.
  2. **Use Standards.**
    - (1) Areas dedicated for drop off and pick up must be included for any site plan or permit request for a day care.
    - (2) Outdoor recreation areas or playgrounds shall be fenced with a minimum six (6) foot fence.
- E. **Dry Cleaning.** Establishment dedicated to onsite cleaning of clothes, offering the renting of on-site equipment for the cleaning, and washing of laundry to individual customers or pick-up dry-cleaning services. These establishments are intended to offer personal services to individual customers and not wholesale dry cleaning.
1. **Accessory Uses.** Accessory uses may include ancillary indoor storage, associated office, parking.
- F. **Spa, Day.** An establishment that provides wellness and beauty treatments.
1. **Standards.**
    - (1) All employees performing services to customers shall be a licensed professional with the state.
    - (2) All employees' licenses shall be displayed in the establishment or provided on request.
- G. **Tattoo Parlors.** Any establishment that practices the inserting of permanent markings of coloration, or the producing of scars, upon or under human skin through puncturing by use of a needle or any other method. Micro-blading and temporary tattoos are not considered to constitute as a tattoo parlor.
1. **Standards.**
    - (1) A six-foot fence that is a visual screen will be installed to separate this use from residential uses.
    - (2) A Tattoo Parlor cannot be operated within 500 feet of:
      - i. A religious institution.
      - ii. Public or private elementary or secondary school.
      - iii. Any outdoor recreational facility at which minors are likely to congregate.
      - iv. A lot devoted to residential use.
- H. **Personal Services.** Establishments that cater to personal services for a community. May also provide personal services or entertainment or provide product repair or services for consumer and business goods.

1. **Accessory Uses.** Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
  2. **Examples.** Examples include barbers, hair salons, nail salons, tanning facilities, day spa, personal care services, animal grooming, product repair or services for consumer and business goods (i.e. computer repair shop, watch repair).
- I. **Professional Office.** A building, or portion of a building, wherein activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations and, where in the case of professions such as dentists, physicians, lawyers or engineers, the facility where such professional services are rendered.
1. **Accessory Uses.** Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
  2. **Examples.** Examples include professional services such as lawyers, accountants, engineers, architects, real estate agents, travel agencies, employment agencies, data processing, sales offices, and similar uses.
  3. **Uses Not Included.**
    - (1) Offices that are part of and/or located with a firm in another category are considered accessory to the firm's principal activity.
    - (2) Contractors and others who perform services off-site are included in the office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

## 13.7 MEDICAL AND OFFICE USES

- A. **Animal Care.** A facility where animals are provided medical care. Animals may be boarded or stay overnight within a completely enclosed building.
1. **Accessory Uses.** Accessory uses may include parking, limited retail sales of animal goods, limited sale of medicine and prescriptions for animal use, associated office, ancillary indoor storage.
  2. **Examples.** Vet clinic, private veterinarian practice, animal hospital.
  3. **Uses Not Included.**
    - (1) Animal boarding is classified as Animal Kennel.
  4. **Use Standards.**

- (1) Veterinary facilities specializing in large animals shall be located no closer than 300 ft. to a residential property line, nor closer than 150 ft. from any other property line.
  - (2) Sheltering and boarding of animals shall be clearly incidental to the veterinary services offered in the facility whether specializing in large or small animals.
  - (3) All outdoor areas for animals must be fenced.
  - (4) Outdoor activity is permitted only during the day.
- B. **Bail Bonding.** A licensed professional or company that provides bail bonds.
- C. **Hospital.** An establishment which primarily engages in providing medical treatment, including (but not limited to) diagnostic services, surgical services, as well as continuous nursing services.
1. **Accessory Uses.** Accessory uses may include cafeterias, day care facilities, health facilities, parking, pharmacy, other amenities primarily for the use of employees.
  2. **Examples.** Examples may include a hospital or freestanding emergency room with ambulatory care.
- D. **Medical/Dental Facility.** A facility engaged in the examination, diagnosis, and treatment of medical, dental, chiropractic, ophthalmologic, pediatric care, or other health care practices.
1. **Accessory Use.** Accessory uses may include parking and office.
  2. **Examples.** Examples include dentist or orthodontics offices, doctor offices, medical clinics, medical labs, and dental surgery centers.
  3. **Uses Not Included.**
    - (1) Overnight facilities for patients.
  4. **Use Standards.**
    - (1) Indoor waiting area is required so that patients are not allowed to queue for services outdoors.
- E. **Professional Office.** A building, or portion of a building, wherein activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations and, where in the case of professions such as dentists, physicians, lawyers or engineers, the facility where such professional services are rendered.
1. **Accessory Uses.** Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

2. **Examples.** Examples include professional services such as lawyers, accountants, engineers, architects, real estate agents, travel agencies, employment agencies, data processing, sales offices, and similar uses.
3. **Uses Not Included.**
  - (1) Offices that are part of and/or located with a firm in another category are considered accessory to the firm's principal activity.
  - (2) Contractors and others who perform services off-site are included in the office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

**F. Rehabilitative and Mental Health Facility.** A healthcare facility that provides substance abuse treatment and/or mental health services. Such facilities provide overnight, yet short-term, care and treatment and may include sleeping rooms for healthcare providers and members of the patients' families.

1. **Accessory Uses.** Accessory uses commonly found are recreational activities, cafeteria, café, dining hall, hobbies, parking of the occupants' vehicles, facilities for staff.
2. **Examples.** Examples includes inpatient drug and alcohol treatment facilities and inpatient mental health services.

**G. Urgent Care.** A walk-in medical establishment offering care for injuries or illnesses requiring immediate care, but not serious enough as to require hospital care.

1. **Accessory Uses.** Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
2. **Examples.** Examples include urgent care facilities without ambulatory care. If ambulatory care is included, the use will be considered a hospital use.

## **13.8 RECREATION/OPEN SPACE + ENTERTAINMENT USES**

**A. Sports Fields.** A designated outdoor area specifically designed and maintained for the purpose of playing sports such as soccer, baseball, softball, football, rugby, or similar athletic activities.

- B. Amusement/Theme Parks.** An outdoor facility designed for entertainment purposed which may include structures or buildings, motorized or non-motorized rides, games, and booths for the conduct of sporting events or games.
1. **Accessory Uses.** Accessory uses may include office, retail and other commercial uses commonly established in such facilities and related parking facilities.
- C. Golf Courses.** Parks are uses of land for playing golf, improved with trees, greens, fairways, hazards, and other similar improvements.
1. **Accessory Uses.** Accessory uses may include a driving range and lodging.
- D. Driving Range.** An area, whether public or private, designed for practicing golf techniques, specifically for driving golf balls from a central tee location.
1. **Uses Not Included.**
    - (1) Miniature golf courses and full golf courses
  2. **Use Standards.**
    - (1) The depth of a driving range along the driving axis shall be not less than three hundred fifty (350) yards measured from the location of the tees and the breadth not less than two hundred (200) yards at a distance of three hundred fifty (350) yards from the tees. The depth of the driving range may be reduced to three hundred (300) yards if a fence designed to stop rolling balls is installed at the far end of the driving axis.
    - (2) Any lighting shall be oriented away from adjacent residential properties.
- E. Motor Vehicle Race Track.** See *Section B.15.9*.
- F. Outdoor Concert Venues.** Use of open-air venues for hosting musical performances or concerts.
1. **Examples.** Examples include stadiums, amphitheaters, parks.
- G. Parks, Public.** Parks are uses of land which allow for recreation for the general public or land intended to provide opportunities for the enjoyment, conservation or preservation of natural features and resources
1. **Accessory Uses.** Accessory uses may include maintenance facilities, concessions, caretaker's quarters, and parking.
  2. **Examples.** Examples include parks, preservation areas, playgrounds, and recreational trails.
- H. RV Parks/Campground Facilities.** RV Parks/Campground Facilities are uses of land for locating trailer, tent, tent trailer, recreational vehicle, pickup camper, van or other similar device used for camping.
1. **Examples.** Examples include campgrounds, trailer parks, and camps.

2. **Accessory Structures.** Management headquarters, recreational facilities, toilets, dumping stations, showers, coin operated laundry facilities, recreational vehicle and boat storage areas, stores, restaurants, and personal services.
- I. **Shooting Ranges (Indoor).** Facilities that are designed and operated for the use of rifles, shotguns, pistols, or any other weapons including firearms, air guns, and airsoft guns.
  1. **Standards.**
    - (1) All shooting activities must be indoor only.
    - (2) Must be located in stand-alone building, cannot be in planned center, strip developments, share walls or parking.
    - (3) All indoor shooting ranges shall be of soundproof construction whereby sound from discharge of any firearm and the impact of projectile shall not be plainly audible across any adjoining property line.
    - (4) Sale and consumption of alcoholic beverages on-site is prohibited.
- J. **Botanical Garden.** Land where trees, shrubs, and/or other living plants are grown, exhibited or labeled for scientific, education, conservation, or passive, recreational purposes, not including the harvest of plants or their produce.
- K. **Zoo.** A facility, indoor or outdoor, where animals are kept for viewing by the public.
  1. **Accessory Uses.** Accessory uses may include office, retail, and other commercial uses commonly established in such facilities and related parking structures.

## 13.9 UTILITIES AND OTHER USES

- A. **Airport.** A place where aircraft may take off or land, discharge or receive cargo or passengers, be repaired or serviced, take on fuel, or be stored. The place shall include landing areas, runways, and other facilities designed, used, or intended to be used for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces, as well as terminals, parking facilities, and passenger loading and unloading areas.
  1. **Accessory Uses.** Accessory uses include offices, eating establishments, eating and drinking establishments, convenience stores, and similar uses.

- B. Wireless Communication Tower.** Any tower, pole or similar structure of any size that supports wireless communication antenna for commercial or governmental use
1. Use Standards. Additional design and development standards relating to communication towers in respective districts can be found in Section B.13.12(U).
- C. Transportation Terminals.** Facilities for loading and unloading areas for passenger terminals for bus or train service.
1. Examples. Examples include airports, helicopter landing facilities, bus passenger terminals, and train depots.
  2. Uses Not Included.
    - (1) Bus passenger stations for local service such as mass transit stops and park-and-ride facilities (see Utility Facilities, Government below)
- D. Utility Facilities, Government.** Utility facilities both major utilities, which are infrastructure services providing regional or community wide services, and minor utilities, which are infrastructure services that need to be located in or near the neighborhood where the service is provided.
1. Examples. Examples include water towers, pump stations, lift stations, public transit park and ride facilities, and electrical substations.
  2. Use Standards.
    - (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 operating costs and maintain the maximum tax base, the following provisions/exemptions apply to those utilities and service companies as defined in this Section.
    - (2) Minor support facilities for public utilities will be allowed in all zoning districts provided Planning staff has reviewed plans for compliance with the Comprehensive Plan as required under Section 6-29-540 of the South Carolina Code of Laws.
    - (3) Minor Site Criteria. No minimum lot area requirement for minor utility stations as long as criteria below can be met:
      - i. The minimum setback on all sides is 5 ft.
      - ii. The maximum impervious surface ratio is 75%.
      - iii. Maximum height will be in accordance with zoning district regulations.

- iv. Each site must be reviewed by the Planning Staff for sight-triangle compliance and visibility before final approval of the above is approved.
- v. All utilities required to be secured with a fence (minimum 6-foot-high opaque).
- vi. A Type B buffer type 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.
- vii. The site may be served via a private access easement or driveway.
- viii. The site may be owned by the utility provided or may be on leased land from the property owner with a utility easement.

(4) Exclusions from requirement. Distribution lines and underground utilities are exempt from the above-mentioned criteria.

(5) 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.

**E. Parking Lots and Structures.** A surface parking area or structure which is commercial available to the public, but may also be used to accommodate employees, customers, and clients. No extended parking beyond overnight parking is permitted unless associated with transportation facilities such as an airport, rail, or bus terminal.

- 1. Accessory Uses. Valet parking, parking booth, vehicle charging units.
- 2. Examples. Examples include a commercial parking lot or parking garage.
- 3. Exceptions.
  - (1) Outdoor storage of vehicles, boats, other vehicles, machinery, or equipment (see outdoor storage.)
- 4. Use Standards.
  - (1) A parking structure may feature additional accessory uses such as first floor retail, or rooftop amenities such as a restaurant in mixed-use districts.
  - (2) No extended parking beyond overnight parking is permitted unless associated with transportation facilities such as an airport, rail, or bus terminal.

## 13.10 SPECIFIC CONDITIONS AND STANDARDS FOR CONDITIONAL USES AND SPECIAL EXCEPTIONS

- A. **Criteria for Review.** The following guidelines and criteria shall be implemented by the Zoning Administrator and/or the Sumter City-County Zoning Board of Appeals if a case is referred to the Board by the Zoning Administrator. Additionally, the Board shall be guided by *Section A Administration* in addition to the requirements set forth herein.
1. That ingress and egress to the proposed use be provided with reference to automotive and pedestrian safety and convenience, traffic generation flow and control, and access in case of fire or catastrophe, such as not to be detrimental to existing or anticipated uses, either adjacent to or in the vicinity of the proposed use;
  2. The off-street parking and loading areas, where required or proposed by the applicant, be designed and provided in harmony with adjacent properties;
  3. That refuse and service areas be adequately screened so as not to be visible from adjacent property or public rights-of-way and shall be located in such a way as not to create a nuisance to adjacent properties;
  4. That screening, buffering or separation of any nuisance or hazardous feature be provided with reference to type, dimensions and character, and be fully and clearly represented on the submitted plans, to protect adjacent properties;
  5. That proposed signs and exterior lighting be provided so as not to create glare, impair traffic safety, or be incompatible with adjacent properties;
  6. That the affected site shall be suitable in terms of size, shape and topographic conditions to accommodate the proposed use, building or project and to insure compatibility and the safety and welfare of area residents.
  7. **Home Day Care as a Home Occupation** – The following Conditional Use process will be used for initial review of this use and anytime the number of children receiving care exceeds 6 out-of-home children:
    - (1) The home day care applicant will contact all abutting property owners, including those properties across the street, and provide them details of the proposed home occupation of home day care and the number of

children involved. 75% of those property owners must agree to the proposed use.

- (2) The approval document and DSS forms will be submitted with the Conditional Use Request and Fee.
  - (3) If the number increases from at or below 6, the above process will be repeated.
  - (4) Appeals of the Conditional Use will be filed in accordance with this regulation.
8. **Automatic Merchandising Machine Operators, (NAICS 445132), vending machines** - the following additional review criteria shall apply when reviewing conditional uses for stand-alone retail sales from vending machines. A commercial site plan application with plans developed in accordance with *Section A.2 Procedures and Review Processes*. Landscape plans and building elevations shall be submitted to address the following criteria:
- (1) Minimum Development Standards
    - i. General Commercial (GC): In the GC district there shall be sufficient lot area to meet principal setbacks for the structure as required in *Section B.4.4 General Commercial (GC)*, in addition to the areas required for landscaping/buffering, parking, site access and drive aisles.
    - ii. Light Industrial-Warehouse (LI-W): proposed development in the LI-W district shall comply with the full standards as outlined in *Section B.5.1 Light-Industrial-Warehouse (LI-W)*.
    - iii. Heavy Industrial (HI) – proposed development in the HI district shall comply with the full standards as outlined in *Section B.5.2 Heavy Industrial (HI)*.
  - (2) Landscaping/Buffering. Landscaping shall be provided in accordance with *Table C.4.1 Landscape Yard Determination*. For landscaping and buffering purposes this use is classified as “Commercial”. All submitted plans shall meet the full requirements of *Section 4 Landscaping, Buffer, and Tree Protection Requirements*.
  - (3) Parking/Access. Site access shall be limited to one access driveway per street frontage. All parking areas shall be paved with concrete curb and gutter and designed to meet the full development standards of *Section C.3 Parking Regulations*.

- (4) Sidewalks. Sidewalks shall be installed along the street frontage of the development site where existing sidewalks are adjacent.
  - (5) Exterior Appearance. All rooftop mechanical equipment shall be screened on all four sides with an all-weather, durable material. Vending units located within the Commercial Corridor Protection District (CCPD) shall be veneered with materials that comply with *B.9.4 Commercial Corridor Protection District*. 80% of the exterior surface materials, excluding doors and windows, shall be brick, stucco or stone masonry. Any stair units constructed to access the interior of the vending unit shall be painted to match the exterior of the unit.
  - (6) Signage.
    - i. Wall signage shall be capped at 10% of the front wall area. The front wall is defined as the face of the vending unit from which merchandise is dispensed.
    - ii. Freestanding Signage stand-alone vending units are permitted 1 freestanding sign per street frontage and must comply with the standards set forth for the General Commercial (GC) district as outlined in *Section C.2 Sign Regulations*.
9. **Special Event Facilities (NAICS 81299):** The following conditions apply to all Event Venues for conditional use approval:
- (1) An on-site manager shall be present and available for the duration of all events occurring at the venue. Updated contact information shall be provided to the Zoning Administrator any time the on-site manager's contact information changes.
  - (2) An operation plan shall be submitted with the conditional use application describing generally how the facility will operate. Substantive changes to the operational plan shall require additional Zoning Administrator approval. The operational plan shall include, at a minimum, the following items:
    - i. Maximum capacity of the facility, based on building and fire code;
    - ii. Contact information for the on-site facility manager;
    - iii. Types of events anticipated/marketed;
    - iv. Anticipated annual number of events;
    - v. How solid waste will be disposed of;
    - vi. A floor plan of the facility showing the square footage and use of each room;

vii. A plot plan showing building footprint, property lines, parking areas, delineated outdoor event space (if applicable). A formal site plan submission may be required by the Zoning Administrator.

(3) Vehicular access to the site shall be adequate in terms of width, vertical clearance, and construction to support emergency vehicles in accordance with applicable Fire Code, as determined by the Sumter City-County Fire Inspector.

**10. Artisan Food and Beverage Production (NAICS 3113, 3114, 3115, 3118, 3119, and 312):** The following conditions apply to all artisan food and beverage manufacturing uses for conditional use approval:

(1) Manufacturing activities may be no larger than 20,000 sq. ft. GFA;

(2) The facility must meet all requirements outlined in *Section B.13 Use Standards*.

(3) Accessory retail and/or wholesale sales, training, and/or education, are allowed;

(4) All production activities must be located within a completely enclosed structure adequately constructed to limit emission of odor, noise or vibration detrimental to other uses or properties in the area;

(5) All storage shall be within an enclosed building, tank, or silo, or screened from view by fences, walls, or landscaping. Stored items shall not be stacked to a height that exceeds the height of the screening;

(6) Sales, service, product consumptions, and outdoor activities shall only occur between 6:00 a.m. and 10:00 p.m. if the establishment is adjacent to a residential use;

(7) Shipping and receiving activities shall only occur during operating hours between 6:00 a.m. and 10:00 p.m.;

**11. Single-Family Attached Dwellings** The following conditions apply to all single- family attached dwelling units for conditional use approval:

(1) Submission of a floor plan and site plan are required.

**12. Duplex Dwellings:** The following conditions apply to all duplex dwelling units for conditional use approval:

(1) Submission of a floor plan and site plan are required.

**13. Triplex/Quadrplex Dwellings:** The following conditions apply to all triplex/quadrplex dwelling units for conditional use approval:

(1) No more than one access from either a public street or a private street that is part of a Planned Development per lot. This does not apply to existing

structures being converted to triplex/quadrplex units where more than 1 street access has been established and has been in existence on or before November 7, 2023.

Note: Formal site plan submission required per *Section A.2 Procedures and Review Processes*.

**13.11 ENUMERATION OF CERTAIN HAZARDOUS AND/OR POTENTIALLY DISRUPTIVE LAND DEVELOPMENT ACTIVITIES: THE FOLLOWING USES SHALL BE REVIEWED BY THE SUMTER CITY-COUNTY BOARD OF APPEALS, AND IF APPROVED, SHALL BE CLASSIFIED AS A PERMITTED SPECIAL EXCEPTION:**

- A. Stockyards, poultry houses, commercial kennels, slaughterhouses, and animal auction houses (NAICS 112112, 1123, 11299, 3116, or 4245);
- B. Mining and extraction operations (NAICS 212);
- C. Telecommunications Towers (NAICS 517);
- D. Sewerage Treatment Plants (NAICS 221);
- E. Electric Substations (NAICS 221);
- F. Jails & Correctional Facilities (NAICS 561210 or 92214);
- G. Hazardous Waste and Nuclear Waste Transfer, Storage, and Treatment and/or Disposal Sites (NAICS 5621 or 5622);
- H. Resource Recovery Facilities, Solid Waste Storage and Transfer Facilities, Waste Tire and Treatment Sites, Composting Facilities, Manned Convenience Centers and Incinerators (NAICS 5629);
- I. Sanitary Landfills and Inert Dump Sites (NAICS 5621 or 5622);
- J. Recyclable Material Merchant Wholesalers (NAICS 423930);
- K. Drinking Places/Bottle Club/Night Clubs (NAICS 7224);
- L. Liquor Stores (NAICS 44532);
- M. Tattoo Parlors (NAICS 81299);

- N. Used Motor Vehicle Parts Merchant Wholesalers, Junkyards (NAICS 42314);
- O. Vehicular race and testing tracks (NAICS 711212);
- P. Amusements and Recreations (not classified). This includes but is not limited to Bingo Parlors, Pool Halls, and pistol, rifle, or skeet shooting range (NAICS 7132 or 7139);
- Q. Bed and Breakfast Inns (NAICS 721191);
- R. Security & commodity brokers; insurance carriers & agents; real estate; employment agencies; legal services; accounting, tax preparation, bookkeeping, and payroll services, tutoring services & adult education; architectural, engineering, and related services or specialized design services (NAICS 523, 524, 525, 531, 5411, 5412, 5413, 5414, or 5419)

**13.12 SPECIAL DESIGN REVIEW CRITERIA FOR APPLICABLE ITEMS: DUE TO THE UNUSUAL NATURE OF SOME OF THE OPERATIONS ASSOCIATED HEREIN, THE FOLLOWING SHALL BE REQUIRED OF THE DEVELOPMENT AND/OR INCLUDED IN ANY REVIEW PROCESS:**

- A. **Sanitary Land Fills and Inert Dump Sites** (NAICS 5621 or 5622):
  - 1. No such uses shall be located within 1,000 feet (measured in a straight line) of any existing residential, religious, educational, medical, or public use;
  - 2. An engineering firm with specific land fill expertise shall render a written opinion that, to the best of their professional judgement, the rock formations and/or artificial liners being used to contain the waste are impermeable and that the surrounding ground water sources will not be contaminated. A permit from the South Carolina Department of Health and Environmental Control (DHEC) shall accompany the zoning application;
  - 3. A drainage and sedimentation plan shall accompany the request, showing off-site run-off;

4. The facility shall be effectively buffered and screened in accordance with an approved method sanctioned by the Zoning Board of Appeals upon the recommendation of the Zoning Administrator.

**B. Hazardous Waste and Nuclear Waste Transfer, Storage, and Treatment and/or Disposal Sites (NAICS 5621, 5622 or 5629):**

1. Shall be located no closer (measured in a straight line) than 1,000 feet to any existing residential, recreational, religious, educational or public use; no closer than 1,500 feet to any navigable stream (measured in a straight line), no closer than 2,500 feet to any lake, pond or reservoir used or scheduled to be used as a direct or connecting source of public drinking water, and disallowed in any water source, wetlands or flood plain areas;
2. The facility shall be effectively buffered and screened in accordance with an approved method sanctioned by the Zoning Board of Appeals upon the recommendation of the Zoning Administrator;
3. The zoning application shall be accompanied by an environmental impact statement, prepared by an engineering firm with specific expertise in environmental safety and environmental quality issues and approved by the South Carolina Department of Health and Environmental Control (DHEC);
4. In the zoning application written documentation shall be submitted disclosing the hazardous waste materials to be handled and the approximate quantity to be accommodated over the life of the facility;
5. The applicant shall comply with all requirements imposed by the Zoning Board of Appeals on the property in the final adjudication of the submitted application.

**C. Vehicular Racing and Testing Tracks (NAICS 711212):**

1. No such use shall be located within 1,500 feet of any residential use (measured in a straight line);
2. The proposed facility shall have direct access off of a paved road meeting the criteria of a collector or arterial road.

**D. Mining and Extraction Operations (NAICS 212)**

1. A zoning permit application shall be accompanied by a reclamation and reuse plan once mining operations are completed. Also, an approximate operating schedule shall be submitted with the zoning permit application which shall include times when explosives will be used.
2. Mining and extraction operations shall not be located less than 300 feet from any residential use. When explosives are to be used the minimum distance

shall become 2,500 feet. If a modification to the distance regulation is approved by the Zoning Board of Appeals, then specific measures shall be established to mitigate the affects of mining and extraction operations.

3. Access to a mining or extraction site shall be from a paved road meeting the criteria of a collector or arterial road.
4. Mining and extraction uses that are non-conforming but which were previously permitted by agencies of the State of South Carolina prior to the enactment of this Ordinance, or mining and extraction activities, or business on such parcel or contiguous parcel where the mineral 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.

**E. Outdoor Pistol, Rifle or Skeet Range (NAICS 71399):**

1. The site shall not be located within 1,000 feet (measured in a straight line) of any residential use, nor within 2,500 feet (measured in a straight line) at and between a 45 degree angle on either side of the direction of fire, of any residential use on the down range side of said use.
2. The site shall be oriented away from habitable areas.

**F. Stockyards, Poultry Houses, Commercial Kennels, Slaughterhouses, and Animal Auction Houses (NAICS 112112, 1123, 11299, 3116, or 4245):**

1. Stockyards, Poultry Houses, Hog/Pig Farming, Slaughterhouses, and Animal Auction Houses shall not be located closer than 1,000 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.
2. Commercial Breeding Kennels, Animal Shelters, Dog Pounds, and Overnight Pet Boarding/Kenneling/Sitting Services shall not be located closer than 500 ft. to any adjacent residential use on a separately platted parcel of land under separate ownership.

**G. Resource Recovery Facilities, Solid Waste Storage and Transfer Facilities, Waste Tire and Treatment Sites, Composting Facilities, Manned Convenience Centers, and Incinerators (NAICS 5629):**

1. The referenced uses shall not be located closer than 1,000 feet to any residential district, church, school, historical place, or public park, nor within 400 feet of an existing residential use not in a residential district. It is further provided however, that any manned convenience center (i.e., recycling center) shall not be located within 100 feet of any residential use, church,

- school, historical place or public park, and not within 50 feet of any property line;
2. Manned convenience center shall have gravel or paved surfaces in all driving, parking and loading areas, and must be located on and have direct access from an arterial or collector road;
  3. Manned convenience centers must be entirely enclosed within an 8 foot high security fence.
  4. All uses within this category shall be screened in such a fashion as not to be visible from off-site. Screening may be accomplished by any combination of fencing, walls, berms, or landscaping approved by the Board of Appeals upon the recommendation of the Zoning Administrator.
  5. No material shall be placed in open storage or areas in such a manner that it is capable of being transported by wind, water, or other causes.
- H. Used Motor Vehicle Parts Merchant Wholesalers, Junkyards (NAICS 42314):**
1. Referenced uses shall not be located closer than 500 feet to any residential use, church, school, historical place or public park;
  2. That no material because it is discarded and incapable of being re-used in some form shall be placed in open storage;
  3. That no material shall be placed in open storage in such a manner that it is capable of being transported by wind, water, or other causes;
  4. That all paper, rags, cloth and other fibers, and activities involving the same materials, other than loading and unloading, shall be within fully enclosed buildings;
  5. All materials and activities not within fully enclosed buildings shall be enclosed by a structure approved by the Board of Appeals upon the recommendation of the Zoning Administrator.
- I. Video Poker (Video Games – Coin Operated Amusement Devices with payout) (NAICS 7132);**
1. Principal Use:
    - (1) 1 parking space per 50 sq. ft. Gross Floor Area (GRA)
  2. Accessory Use:
    - (1) 5 or less machines
    - (2) At least 2,000 sq. ft. of Gross Floor Area (GFA)
    - (3) Less than 40% of gross income from machines
    - (4) Located in zoning districts where the principal use is a permitted use or an allowed Conditional Use as defined by the district regulations.

3. For all video games
  - (1) Machines shall be at least 300 feet from a house of worship, a public or private elementary, middle or secondary school, a public or private kindergarten, a public playground or park, a public vocational or trade school or technical education center, or a public or private college or university.
- J. **Tattoo Parlors** (NAICS 81299);
  1. The referenced use shall not be located within 500 feet of a residential use, church or religious institution, public or private school, public park or playground, or any other tattoo parlor.
- K. **Recyclable Material Merchant Wholesalers** (NAICS 423930);
  1. This use shall not be within 1,500 feet of a residential use, church, school or public playground on a separately platted parcel.
  2. A 6 ft tall security fence shall enclose the entire use.
- L. **Drinking Places/Bottle Clubs/Night Clubs** (NAICS 7224);
  1. This use shall not be within 300 feet (measured in a straight line from structure to structure) of residential use (except in the portion of the Central Business District outlined in blue on the Sumter Central Business & Historic Preservation Downtown Design Review District Map attached to this ordinance – see Appendix D), church, school, or public playground on a separately platted parcel.
  2. A six-foot high fence that is a visual screen will be installed to separate this use from residential uses, where such residential uses are directly adjacent to the property or site containing the use.
- M. **Liquor Stores** (NAICS 44532);
  1. This use shall not be within 300 ft. (measured in a straight line from structure to structure) of a residential use, church, school or public playground on a separately platted parcel.
  2. A 6 foot high fence that is a visual screen will be installed to separate this use from residential uses.
- N. **Bingo Parlor / Pool Hall** (NAICS 7132);
  1. This use shall not be within 150 ft. (measured in a straight line from structure to structure) of a church, school or public playground that is on a separately platted parcel under different ownership.
- O. **Jails / Correctional Facilities** (NAICS 561210 or 92214);

1. Site review must include an Environmental Impact Analysis and disclosure of emergency procedures.
2. Use shall not be within 2,500 feet (measured in a straight line from structure to structure) of a residential use, church, school, or public playground that is on a separately platted parcel under different ownership.
3. Access shall be from arterial roads only.
4. Proper fencing and screening at the property line as well as internal security requirements.

**P. Bed and Breakfast Inns (NAICS 721191);**

1. Shall be owner occupied with the owner-operator residing on premises.
2. Limit exterior alterations to those necessary to assure safety of the structure or enhance compatibility of the bed and breakfast with the surrounding area.
3. A maximum of 1 bed and breakfast inn shall be permitted on any one parcel.
4. Operation of the Inn shall involve no exterior storage of materials or supplies.
5. The principal use of any such structure or structures shall be residential.
6. Rooms for sleeping shall be part of the primary residential structure.
7. Owner must demonstrate that adequate space is available for required off street parking (1 space per bedroom).
8. No guest shall occupy the Bed & Breakfast for more than 7 consecutive nights.
9. The resident owner shall keep a current guest register including names, addresses and dates of occupancy for all guests.
10. Meals may only be served to registered guests.

**Q. Security & commodity brokers; insurance carriers & agents; real estate; employment agencies; legal services; accounting, tax preparation, bookkeeping, and payroll services, , tutoring services & adult education; architectural, engineering, and related services & research; or specialized design services(NAICS 523, 524, 525, 531, 5411, 5412, 5413, 5414, or 5419).**

1. A site plan and landscape plan must be submitted showing the following:
  - (1) Ingress and egress to the proposed use be provided with reference to automotive and pedestrian safety and convenience, traffic generation flow and control, and access in case of fire or catastrophe, such as not to be detrimental to existing or anticipated uses, either adjacent to or in the vicinity of the proposed use;

- (2) Off-street parking areas must be located in the side or rear yard. The off-street parking and loading areas shall be designed and provided in harmony with adjacent properties;
- (3) Refuse and service areas must be located in the side or rear yard and must be adequately screened with solid fencing and/or vegetation so as not to be visible from adjacent property or public rights-of-way. All refuse areas shall be located in such a way as not to create a nuisance to adjacent properties;
- (4) All proposed HVAC and air conditioning units must be located at the rear façade or in a non-visible area of the secondary façade. All existing and proposed units must be adequately screened with solid fencing and/or vegetation so as not to be visible from adjacent property or the public rights-of-way. Window air conditioning units shall be installed at secondary or rear façades rather than the primary façade.
- (5) A minimum 10 ft. landscape buffer must be provided along all side and rear property lines. Screening and buffering shall be provided with reference to type, dimensions and character of the proposed use, and be fully and clearly represented on the submitted plans, to protect adjacent properties. Buffer yards shall be planted accordingly:
  - i. Existing healthy vegetation shall be retained;
  - ii. Existing trees shall be protected and retained, if removal is necessary, two trees must be planted for every one tree removed;
  - iii. 3 canopy trees, 6 evergreen trees and/or shrubbery and 3 understory trees per 100 linear feet or a solid brick wall a minimum of 6 ft. in height;
  - iv. All plant materials shall be native to the South Carolina Midlands to ensure their health and longevity.
- (6) Proposed signs and exterior lighting shall be provided so as not to create glare, impair traffic safety, or be incompatible with adjacent properties. Freestanding signs shall not be taller than 5 ft. in height or larger than 6 sq. ft. in size.
  - i. Signs which flash, are animated, or rotate shall not be permitted.
- (7) New construction shall be compatible with adjacent buildings in terms of size, scale, and character. Maximum building size is not to exceed 5,000 sq. ft. gross floor area. Building elevations meeting the following criteria must be submitted:

- i. New construction must maintain the rhythm of door and window openings of adjacent structures;
- ii. Primary facades shall not have blank walls or walls with only one door or window opening;
- iii. Window and door openings shall not exceed the height and width ratios of adjacent buildings by more than 10%;
- iv. Roof forms and orientation should be consistent with adjacent buildings;
- v. Primary entrances must be oriented towards the street;
- vi. New buildings on corner lots may have entrances located on both street façades;
- vii. Exterior entrance staircases and/or fire escapes for second floors shall not be placed on primary façades;
- viii. New construction shall be compatible in height with adjacent structures. New construction shall vary no more than 10% with the average building height along its block.
- ix. Setbacks –
  - a. Front setbacks for new construction shall be consistent with adjacent structures.
  - b. Side and rear setbacks shall be in accordance with zoning district regulations for non-residential uses.

**R. Sewage Treatment Plants (NAICS 221);**

1. Site review must include an Environmental Impact Analysis and disclosure of emergency procedures.

**S. Electric Substations (NAICS 221);**

1. Site review must include an Environmental Impact Analysis and disclosure of emergency procedures.

**T. Mobile Produce Sales (NAICS 445230);**

1. Mobile Produce Sellers shall be permitted under the following condition:
  - (1) To operate on private property or on designated public property that is located within the GC zoning districts. The cart and all items associated with any mobile produce selling operation must be removed from the premises during non-business hours.
  - (2) To operate only on property on which there is located at least one active, permitted Primary Use. Under no circumstances shall a Mobile Produce

Seller be issued a permit to operate on property that is uninhabited or vacant.

- (3) To operate only within designated parking areas on private property only so long as the minimum parking requirements for the primary use located on the property are met, or within a designated Mobile Produce sales area on a sidewalk or on private property where such designated Mobile produce sales areas are set aside expressly for the use. If the mobile produce seller is to be located within a designated Mobile produce sales area on private property, a zoning visit shall be required prior to the issuance of a permit to ensure that the size and location of the Mobile sales area is in conformity with all other requirements for the primary use, including parking, landscaping, ingress and egress, and vehicular circulation.
- (4) To operate only with the maintenance and use of a litter receptacle that is made available for the patrons' use. Excessive litter caused by product packaging or other associated products of the Mobile Vendor operation may result in revocation of zoning approval to operate.
- (5) To operate only in a self-contained manner and without the utilization of any outside power source.
- (6) To operate only with such signage as may be attached to the cart, vehicle, or device (not to exceed 2 sq. ft.) and without any further signage used to advertise the business, including portable signs or signs affixed to any structure.
- (7) To operate and to sell only such permitted merchandise as is listed herein. Permitted merchandise shall be limited to produce, (meaning fresh fruits, vegetables, and other plant materials or plant byproducts such as herbs, spices, edible mushrooms, and honey. Items specifically banned from being sold by Mobile produce sellers include, cigarettes, cigars, and any product containing tobacco.
- (8) The sale of produce from a cart or vehicle such as a truck is permitted so long as the produce remains in the vehicle until sold. No produce may be sold from a tractor trailer.
- (9) To operate only with the appropriate licensing as required by SC DHEC and the Sumter City Business License Department, including a background check and any other requirements for Mobile Vendor operations of the City and the State of South Carolina.

- (10) To operate upon written permission of the property owner.
- (11) To operate only when all conditions listed have been met. There shall be no temporary licensing of Mobile Produce Sellers until such conditions are met. Only duly licensed operators shall be permitted.

**U. Communication Towers and Antennae:** These regulations will permit the placement of communication towers and antennae in locations which will allow telecommunication services to be rendered in conformity with the authority specified in the Federal Telecommunications Act of 1996. A communications tower and/or antenna may be treated as a conditional use without further review by the Zoning Board of Appeals upon the determination by the Zoning Administrator that all applicable conditions in this Ordinance are met. If the Board reviews a case and imposes additional conditions, the use is listed as a permitted special exception after a public hearing.

1. Districts in which communication towers and antennas are conditionally permitted with specified height limitations:
  - (1) Residential: Towers and antennas are always special exceptions in all residential districts and must be approved by the Board of Appeals.
  - (2) Commercial: Free-standing or guyed tower with height not to exceed 180 ft, and heights exceeding 180 feet requires a Special Exception from the Board of Appeals.
  - (3) Industrial: Free-standing or guyed tower with height not exceeding 320 ft. is permitted; heights exceeding 320 ft. require a permitted special exception permit from the Zoning Board of Appeal.
  - (4) Conservation: Same as residential.
  - (5) Agricultural Conservation: Same as industrial.
2. Permitted Height Above Structures in All Districts: Tower and/or antenna mounted on buildings, water tanks, or structures other than a free-standing or guyed communications tower must not exceed more than 30 ft. above the highest part of a structure.
3. Variances: Variances from conditions imposed by this Section may not be granted by the Zoning Board of Appeals. However, variances from other general regulations, not a part of this section may be granted under standards set forth in *Section A Administration*.
4. Application Requirements: The applicant for a permit for construction of a communications tower or the placement of a communications antenna on an existing structure other than a tower previously permitted must file with the

Zoning Administrator an application accompanied by a fee of \$500.00 and the following documents:

- (1) Specifications: 1 copy of typical specifications for the proposed structure and/or antenna, including description of design characteristics and materials;
  - (2) Site Plan: A plan drawn to scale showing property boundaries, tower location, tower height, guide wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property (note: a site plan is not required if an antenna is mounted on an approved existing structure);
  - (3) Tower Location Map: A current map, or updated existing map showing the location of the applicant's antenna, facilities, existing towers, and proposed towers which are reflected in the public records serving any property within the City of Sumter, South Carolina;
  - (4) Antenna Capacity – Wind Load: A report from a structural engineer registered in South Carolina showing the tower antenna capacity by type and number and a certification that the tower is designed to withstand wind in accordance with ANSI/EIA/TIA 222 (latest revision) standards;
  - (5) Antenna Owners: Identification of the owners of all antennae and equipment to be located on site;
  - (6) Owner Authorization: Written authorization from the site owner for the application;
  - (7) FCC License: Evidence that a valid FCC license for the proposed activity has been issued;
  - (8) Visual Impact Analysis: A line of site analysis showing visual and aesthetic impacts on adjacent residential districts;
  - (9) Removal Agreement: A written agreement to remove the tower and/or antenna within 180 days after cessation of use;
  - (10) Conditions Met: Evidence that applicable conditions in *Section A Administration* are met.
5. Conditions: Applicant must show that all of the following conditions are met:
- (1) Location and Visual Impact: The proposed tower, antenna or accessory structure will be placed on site in such a manner that it will minimize the visual impact on the surrounding properties;

- (2) Inability to locate on existing structures: The applicant must show that a proposed antenna and equipment cannot be accommodated and function as required by applicable regulations and the applicants' technical design requirements without unreasonable modifications on any existing structure or tower under control of applicant, or to locate on an available and suitable nearby tower at reasonable costs (i.e., at or below local area rent average);
- (3) Necessity for location in residential district: The applicant must show that the portion of the city and/or county intended to receive coverage cannot be adequately served by a communications tower or antenna placed in a non- residential district for valid technical reasons;
- (4) Public property or other private property not suitable: Prior to consideration of a permit for location on private property which must be acquired, the applicant must show that available publicly owned sites, and available privately owned sites occupied by a compatible use, are unsuitable for operation of the facility under applicable communications regulations and the applicant's technical design requirements;
- (5) Design for multiple use: Applicants must show that a new tower is designed to accommodate additional antennae equal to applicant's present and future requirements;
- (6) Safety Codes Met: Applicant must show that all applicable health, nuisance, fire, building, and life safety code requirements are met;
- (7) Paint and illumination: A communications tower must not be painted or illuminated unless otherwise required by state or federal regulations;
- (8) Distance from existing tower: A permit for a proposed tower site within 1,000 ft. of an existing tower shall not be issued unless the applicant certifies that the existing tower does not meet the applicants' structural specifications and design requirements, or that a co-location agreement could not be obtained;
- (9) Indemnity and claims resolution: The applicant must show by certification from a registered professional engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the Zoning Administrator a written indemnification of the City of Sumter and proof of liability insurance or financial ability to respond to claims up to \$1,000,000.00 in the aggregate which may arise from the operation of the

facilities during its life, at no cost to the city and in a form approved by the City Attorney.

- (10) Minimum Setback:
    - i. Residential Zoning: A tower on residentially zoned properties must be set back from all lot lines by distances equal to the district setback requirement or 100% of the tower height, whichever is greater.
    - ii. Non-Residential Zoning: Towers located on non-residentially zoned properties must be set back from all lot lines by distances equal to the district setback requirement or the tower's fall zone, whichever is greater. Fall zones less than the full height of the tower shall be determined by an engineer licensed in the state of South Carolina in a letter that includes the engineer's signature and seal.
  - (11) Technical Assistance: Prior to issuing a permit, the Zoning Administrator may make use of professional technical services to determine if the standards in *Section 13 Use Standards* are met;
  - (12) Maintenance: The communications tower shall be maintained by common corrosion control procedures so it continuously maintains a minimum visual impact on surrounding properties.
6. Applicant may appeal to the Zoning Board of Appeals as follows:
- (1) Failure of the Zoning Administrator to act within 30 days upon the submission of a completed application meeting the requirements in *Section A.2 Procedures and Review Processes*. (unless extended by agreement), which may be consider to be a denial of a permit; and therefore, is the basis for an appeal to the Board.
  - (2) Applicant may appeal for a variance from the general zoning district regulations, setback requirements in this section, but not from any other conditions in this section. Towers exceeding height limitations may be permitted by Special Exception.
7. Special Exception: A tower, pole, or antenna may be permitted by Special Exception together with the findings considered in *Section A Administration* after a public hearing along with the following criteria:
- (1) All application requirements and conditions imposed by this Ordinance are met except height limitations and setbacks;
  - (2) If additional tower height is required, the total tower height will not exceed 150% of the maximum height permitted in the district.

- (3) The applicant has demonstrated that additional height above that permitted by the regulations is necessary for service to occupants of an area within the City of Sumter;
- (4) Setback requirements and additional conditions are established by the Zoning Board of Appeals as it deems necessary to remove dangers to public health and safety and to protect adjacent property;
- (5) Prior to approving a permit by Special Exception or on appeal from the Zoning Administrator, the Board may make use of professional technical services to determine that the standards in this Ordinance are met.

V. **Manufacturing and Processing Plants:** The purpose of this section is to prevent land or buildings from being used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable or hazardous condition. As a practical matter, the enforcement of this section must result as a response to complaints because a violation cannot be known or remedied before it occurs. Therefore, industries shall be made cognizant of the following provisions and shall be required to sign a “compliance guarantee” as a condition for the issuance of a building permit.

1. **Vibration:** No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments or at any point beyond the lot line. In industrial parks vibration beyond the lot line within the industrial parks, which only effects neighboring industries or commercial enterprises, shall not be a violation of this ordinance. Vibration emanating from construction activities between 7:00 a.m. and 9:00 shall be exempt from these regulations;
2. **Fire and Explosives:** All activities and all storage of flammable and explosive materials shall be provided with adequate safety devices against the hazards of fire and explosions, including adequate firefighting and fire suppression equipment;
3. **Noise:** All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. In no event shall the sound pressure level of noise radiated continuously from a facility exceed at the lot line the values; in any octave band or frequency. Sound pressure level shall be measured with a Sound Level Meter and an Octave Band Analyzer that conforms to specifications published by the American Standards Association.
4. **Air Pollution:** The emission of visible smoke, dust, dirt, fly ash, particulate matter from any pipes, vents, or other openings, or from any other source into

- the air, shall comply with the regulations of the Environmental Quality Control Division of SC DHEC.
5. Odor: There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at the property line. In industrial parks odor beyond the lot line within the industrial park, which only effects neighboring industries and commercial enterprises, shall not be a violation of this ordinance. Notwithstanding, any process which may involve the creation or emission of any such odor shall be provided with both a primary and secondary safeguard system so that control may be maintained in the event of failure of the primary system.
  6. Glare: There shall be no direct or sky reflected glare, whether from floodlights, high temperature processing, combustion, welding or otherwise, so as to be visible in any residence.
  7. Fumes and Vapor: There shall not be emission of any fumes or vapors of a noxious, toxic, or corrosive nature which can cause damage or irritation to health, animals, vegetation, or to any form of property.
  8. Heat, Cold, Dampness or Movement of Air: Activity which could produce any adverse effects on the temperature, motion, or humidity of the atmosphere beyond the lot line shall not be permitted.
  9. Toxic Matter: The measurement of toxic matter shall be at the ground level or habitable elevation and shall be the average of any twenty-four (24) hour sampling period. The release of any airborne toxic matter shall not exceed the quantities permitted for those toxic materials currently listed in threshold limit values established by SC DHEC.
  10. Exterior Illumination: All operations, activities, and uses shall be conducted so as to comply with the performance standards governing exterior illumination in *Section C.7 Lighting*. The pattern of light pooling from each light source shall be carefully considered to avoid throwing light on adjacent properties. Light sources shall comply with light intensities indicated in *Section C.7 Lighting*.
- W. **Compliance Guarantee:** The applicant for a manufacturing or processing plant shall acknowledge in writing their understanding of the performance standards. The applicant shall also indicate their agreement to conform with such standards at all times. Any violation after the fact shall constitute a violation of this Ordinance and shall be treated accordingly

# 14. ACCESSORY USES AND STRUCTURES

## 14.1 PURPOSE

The purpose of this Section is to authorize the establishment of accessory uses and structures that are incidental, customarily associated with, and subordinate to principal uses. The city's intent is to allow a broad range of accessory uses provided such uses are located on the same lot as the principal use and comply with the performance criteria set forth in this section.

## 14.2: GENERAL STANDARDS

- A. Accessory uses shall be consistent with all standards in the district for the principal use.
- B. Uses and structures, with the exception of Accessory Dwelling Units, shall:
  - 1. Be accessory and clearly incidental and subordinate to permitted uses and structures;
  - 2. Be located on the same lot as the permitted uses or structures and structures shall be placed to the rear or side of the principal structure;
  - 3. Not involve operations or structures inconsistent with the character of the principal use or principal structure served; and
  - 4. Not likely to attract visitors in larger numbers than would normally be expected.
- C. No accessory structure shall be erected within five (5) feet of property lines.
- D. An accessory use or structure shall only be allowed when a principal use and structure exists.
- E. Accessory structures shall contribute to maximum building coverage requirements.
- F. Accessory structures, are limited to a maximum twenty-five (25) feet in height.
- G. An accessory structure sharing one or more common walls with the principal building shall be considered part of the principal building for purposes of this ordinance and must meet all yard requirements applied to the principal building.
- H. Mailboxes and any structure less than one (1) foot above grade are exempt from accessory use standards.

## 14.3 SPECIFIC STANDARDS

A. **Residential Accessory Structures.** Residential accessory structures shall comply with the following conditions:

1. 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.
- (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 2 per parcel.

2. Development Standards without Site Plan Review:

- (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) Number – No residential parcel shall have more than 2 accessory structures.
- (3) 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 shall be located in the rear yard only.
- (4) Setbacks – setbacks shall be as follow in the table below

SECTION B.14 – ACCESSORY USES AND STRUCTURES

Table B.14.1 Residential Accessory Structures Setbacks

All accessory structures ≤ 1,200 sq ft in total area		
	Interior Lot	Corner Lot
Front	N/A	N/A
Side	5 ft	5 ft
Exterior Side	N/A	17.5 ft (local/collector) 22.5 ft (arterial)
Rear	5 ft	5 ft
All accessory structures > 1,200 sq ft in total area		
	Interior Lot	Corner Lot
Front	N/A	N/A
Side	10 ft	10 ft
Exterior Side	N/A	17.5 ft (local/collector) 22.5 ft (arterial)
Rear	10 ft	10 ft

(5) Maximum Size – the maximum size of residential accessory structures shall be governed by Table B.14.2 and shall be based on the gross acreage of the parcel of land on which it is located.

Table B.14.2 Maximum SF of Residential Accessory Structures Based on Gross Acreage

Maximum SF of Residential Accessory Structures Based on Gross Acreage										
Acreage	0	0.1	0.2	0.3	0.4	0.5	0.6	0.7	0.8	0.9
** < 0.5 <sup>1</sup>										
0.5	1100	1120	1140	1160	1180	-	-	-	-	-
1.0	1200	1225	1250	1275	1300	1325	1350	1375	1400	1425
2.0	1450	1475	1500	1525	1550	1575	1600	1625	1650	1675
3.0	1700	1725	1750	1775	1800	1825	1850	1875	1900	1925
4.0	1950	1975	2000	2025	2050	2075	2100	2125	2150	2175
>5.0 Exempt <sup>2</sup>										

<sup>1</sup> Maximum size for accessory structures on all parcels less than 0.5 acres in size is 1,000 sq. ft.

<sup>2</sup> All parcels 5 acres in size or greater in size are exempt from maximum square footage requirements, however, each zoned parcel shall not exceed the maximum impervious surface ratio for the zoning district in which the parcel is located, and there shall not be more than two (2) detached residential accessory structures over 120 sq. ft. in area

## 3. Development Standards with Site Plan Review:

- (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) Setbacks – setbacks shall be as follows in the table below

Table B.14.3 Residential Accessory Structures Setbacks

All accessory structures ≤ 1,200 sq ft in total area		
	Interior Lot	Corner Lot
<b>Front</b>	N/A	N/A
<b>Side</b>	5 ft	5 ft
<b>Exterior Side</b>	N/A	17.5 ft (local/collector) 22.5 ft (arterial)
<b>Rear</b>	5 ft	5 ft
All accessory structures > 1,200 sq ft in total area		
	Interior Lot	Corner Lot
<b>Front</b>	N/A	N/A
<b>Side</b>	10 ft	10 ft
<b>Exterior Side</b>	N/A	17.5 ft (local/collector) 22.5 ft (arterial)
<b>Rear</b>	10 ft	10 ft

- (3) Number – The number of structures shall not be limited, however; all structures shall be shown on the scaled site plan prepared by a design professional.
- (4) Maximum Size – There shall be no maximum size restriction for the residential accessory structure however all structures shall observe the required setback based on the building size.
- (5) Impervious Surface – Under no circumstances shall a parcel be permitted to exceed the established impervious surface ratio based upon the zoning district impervious surface ratio standards established in *Section B.2 Zoning Districts*.
- i. Parcels boundary based upon a survey of record.
  - ii. Scale and north arrow.
  - iii. Floodplain Data.
  - iv. Location of all existing and proposed buildings and structures, this

SECTION B.14 – ACCESSORY USES AND STRUCTURES

shall include but not be limited to houses, storage structures, and recreational amenities (i.e. pools, basketball courts, tennis courts, outdoor kitchens, firepits, etc.)

- v. Location of all existing and proposed areas of concrete asphalt and any other impervious surface that prevents water from directly percolating into the ground. This shall include driveways, parking areas, concrete aprons, walkways, sidewalks, patios, etc.
- vi. Site Data table showing:
  - a. Zoning district designation
  - b. Zoning district development standards including setbacks and impervious surface standards.
  - c. Principal structures existing building setbacks
  - d. Accessory structures setbacks in accordance with *Section B.3.1 – Section B.3.5*.
  - e. Impervious surface calculations based on the existing and proposed conditions

(6) Accessory Dwelling Units. See Section C.7 Accessory Dwelling Units (ADUs).

- B. **Off-street parking.** May be located in required yards in all zoning districts. Off-street parking shall not be allowed in any required buffer yard.
- C. **Signs.** Must comply with the development standards established in *Section C.2 Sign Regulations*.
- D. **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 *Section B.17 Temporary Uses* for guidelines.
- E. **Swimming pools, tennis courts and recreational uses.** May be located in all side and rear yards, provided said uses shall be no closer than 10 ft. 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
- F. **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 10 ft. from all property lines, the foundation shall be approved by the Building Official, and said uses shall not be located in any required buffer yard. Furthermore, digital TV dishes shall be allowed on roofs and exterior walls of buildings within all districts
- G. **Agricultural accessory buildings.** All Agricultural Accessory buildings

constructed for the exclusive use of sheltering agricultural machinery or storage of agricultural products shall be exempt from the accessory building standards;

1. All agricultural structures shall be treated as principal structure 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.

**B. Commercial accessory buildings.** Commercial 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;

1. Site Plan Requirement

- i. Any accessory building exceeding 200 square feet in gross floor area must be clearly shown on a site plan and is subject to formal review and approval through the Site Plan Review Process administered by the local planning authority.

2. Exemption for Small Structures

- i. Accessory structures that are 200 square feet or less in gross floor area:
- ii. Do not require site plan approval, provided they meet all applicable zoning and setback requirements.
- iii. Are limited to a maximum of two (2) such structures per parcel.
- iv. Must be located in the rear or side yard and not within any easement or required buffer zone.
- v. Must be architecturally compatible with the principal structure and constructed with permanent materials.

**C. Drive-Through Facilities.**

1. Drive-through facilities shall be designed to avoid obstructions to pedestrian circulation along sidewalks or between parking spaces.
2. Canopies, awnings, or roofs over drive-through lanes shall be similar in appearance and consist of the same building materials as the principal building.
3. Drive-through facilities shall comply with all stacking requirements of *Table C.3.6 Required Stacking Distances*.

**D. Outdoor Display.** Outdoor display, defined as the outdoor display of products available for sale, including soft drink dispensing machines, propane gas storage racks, outdoor merchandise, and the like, is permitted as an accessory use for commercial uses. Outdoor display shall comply with the standards below:

SECTION B.14 – ACCESSORY USES AND STRUCTURES

1. Outdoor display shall be removed and placed in a fully enclosed structure at the end of every business day. Due to their commercial and pedestrian oriented nature, propane storage racks, soft drink dispensing machines, and ice storage bins, may remain outside overnight.
2. Outdoor display shall only be displayed in front or on the side of the primary façade and may not extend more than five (5) feet from the building. Outdoor display areas shall not be placed in any drive aisles, parking spaces, loading zones, or fire lanes.
3. No more than twenty-five (25) percent of the horizontal length or maximum ten (10) feet of the façade, whichever is lesser, shall feature outdoor display items. Outdoor display areas shall not inhibit pedestrian travel paths (i.e. sidewalks). ADA accessibility shall be maintained.

**E. Outdoor Seating.** Outdoor seating may be permitted as an accessory use for any eating establishment, subject to the following standards:

1. Hours of operation for the outdoor seating area shall be the same as the restaurant.
2. Food preparation shall take place within the enclosed building and not in the open air.
3. Outdoor seating shall be limited to active use areas designated on a site plan or through a request form as designated by the City.
4. No objects may be placed along publicly traversed sidewalks which form a barrier to pedestrian movement.
5. The visual design of tables, chairs, umbrellas, canopies, or similar furnishings for outdoor seating areas shall be of high-quality design, craftsmanship, be retained in good condition, and shall be compatible with adjacent uses.

**K. Outdoor Entertainment.** Outdoor entertainment may be permitted as an accessory use for restaurants and also establishments where the principal use is the manufacturing of malt liquor or alcoholic liquors intended for sale and consumption on the premises. Outdoor entertainment may also be permitted as an accessory use of outdoor principal uses including Farmers' Markets and Parks. The use of parking areas, driveways, loading/unloading facilities, public sidewalks, or similar shall not be permitted.

**L. Bicycle Parking.** Bicycle parking racks may be in any district. No advertising signs shall be permitted on such structures. Setback requirements are waived for bicycle racks.

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- M. **Donation Boxes.** Donation boxes may be in any district and are limited to one donation box per lot. Donation boxes are shall not be located within 500 feet of each other within the NC zoning district. Donation boxes shall not be located on vacant lots.
- N. **Vending Machine Units.** Vending machine units designed to be freestanding, all-weather outdoor units. Vending machines shall not be located on vacant lots.

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# 15. TEMPORARY USES

## 15.1 PURPOSE

The intent of this section is to permit the temporary uses customarily accompanying the erection of permitted structures, or the establishment of permitted uses, or the accomplishment of permitted operations, as necessary to such work not substantially injurious to the public health, safety, or welfare. It is also the intent to permit customary uses of open land and of existing buildings and surrounding land which are temporary in nature.

## 15.2 STANDARDS

### A. Contractor's Office/Equipment Shed/Construction Site Trailers.

1. Contractors' Office and Trailers are allowed when accessory to a construction project or a new development.
2. Such use shall be limited to a period not to exceed the duration of the active construction phase of such project or the active selling and leasing of space in such development.
3. No such use shall contain any sleeping or cooking accommodations.
4. No such trailer, unit, or office shall be used as the general office or headquarters of any firm.

### B. Portable Mobile Classrooms.

1. **Accessory Allowance.** Mobile Classroom units shall be allowed accessory to any School, Elementary, School, High, School, Middle and Place of Worship uses only.
2. **Location.** Mobile Classroom units shall be located to the rear or interior side of the principal building.
3. **Design Standards.**
  - (1) Screening shall be provided for Mobile Classrooms.
  - (2) Mobile Classroom units shall be placed on a masonry foundation and all wheels, axles, hitches, and other mobile appurtenances shall be removed.
  - (3) **Number.** A maximum of nine (9) Mobile Classroom units shall be allowed on a school and/or place of worship site concurrently.

- (4) **Connectivity.** Mobile Classroom units shall be connected to the principal building via pedestrian walkways.

**C. Portable on Demand Storage (POD).**

1. Only one POD may be located on a lot at a time.
2. No portion of any container may extend onto the public right-of-way, including but not limited to sidewalks, parkways, streets, or alleys.
3. The POD shall not exceed eight feet in width, 16 feet in length and eight feet in height, or 1,024 cubic feet.
4. Every POD must be locked and secured when not being loaded or unloaded.

**D. On-site storage/Temporary Dumpster.**

1. **On-Site Storage.** A portable on-site storage unit is any container designed for the storage of personal property and for transport by commercial vehicle that is typically rented to owners or occupants of property for their temporary use. A portable on-site storage unit is not a building or structure and shall not be used as an accessory structure on a permanent basis in a residential district.

(1) Associated with a Building Permit. A portable on-site storage unit can be located on a residential property without a temporary use permit while the property is the job address listed on an active building permit issued by the Planning and Zoning Department.

(2) No Associated Building Permit. A portable on-site storage unit shall require a temporary use permit, according to *Section A Administration* if it is located on a residential property for more than sixty (60) days.

Temporary Use Permit may be renewed with approval from the Zoning Administrator.

- i. No more than one (1) portable on-site storage unit shall be located on a single lot or parcel of land.
- ii. A portable on-site storage unit may be located in a driveway, a designated parking area or behind a dwelling.

2. **Temporary Dumpster.** SA temporary dumpster is for the sole purpose of collecting and removing refuse generated from the same property of the dumpster location.

(1) Associated with a Building Permit. A temporary dumpster can be located anywhere on a residential property without a temporary use permit while the property is the job address listed on an active building permit issued by the Planning and Development Department.

(2) No Building Permit. A temporary dumpster shall require a temporary use permit, if it is located on a residential property for more than ninety (90) days. Temporary Use Permit may be renewed with approval from the Zoning Administrator. Only one (1) dumpster shall be allowed per residence.

**E. Outdoor Sales, Seasonal Sales.** Outdoor seasonal sales are permitted on a lot in commercial, mixed-use, planned development zoning districts approved for commercial uses, subject to the following standards:

- (1) Seasonal sales shall be limited to seasonal agricultural products such as Christmas trees, pumpkins, and living plants.
- (2) Outdoor seasonal sales shall be limited in duration to a maximum of sixty (60) continuous days from the date the temporary use permit is issued.
- (3) All products, equipment and related materials shall be removed from the site within five (5) days following the sale.
- (4) Seasonal Sales areas shall not block vehicular circulation and movement of emergency vehicles.
- (5) Seasonal Sales areas shall not block pedestrian walkways in a manner which reduces the width of that walkway to less than five feet.
- (6) Seasonal Sales hours of operations shall be limited to between 8 a.m. and 9 p.m.
- (7) Seasonal Sales operators shall notify the fire department of the duration, location, and nature of seasonal sale activities a minimum of thirty (30) days prior to the commencement of the seasonal sales activity.
- (8) Seasonal Sales shall not be located in a fire lane.

**F. Special Events.** A special event includes, but is not limited to arts and craft shows, cultural events, musical events, concerts and stage shows, celebrations, festivals, fairs, carnivals, circuses, or outdoor civic, religious or non-profit events.

1. No premise shall be the site of a special event exceeding a collective total of twenty (20) days or, three (3) individual weekends, or both, within any one (1) calendar year. In this context, a weekend shall constitute three (3) consecutive days.
2. A special event sponsored by a town, the County or the State shall be allowed to extend beyond the collective total of twenty (20) days or, three (3) individual weekends, or both within one (1) calendar year.
3. A special event not exceeding the collective total of days and weekends shall receive a temporary use permit. Special events exceeding the collective total

of days and weekends shall receive a Special Use Permit from the Board in accordance with *Section A Administration*.

4. Circuses and carnivals, on a temporary basis, not to exceed seven days, subject to special events ordinance application.

Table B.15.1 Temporary Use Duration Limits

Temporary Use Duration Limits			
Temporary Use	Maximum Duration per Period	Maximum Separation of Periods	Maximum Duration per Year
Contractor's Office/Trailer	n/a	1 year	n/a
Mobile Classroom	n/a	1 year	n/a
Portable On Demand Storage (PODS)	60 days	n/a	60 days, with the exception of renewal application
Outdoor Display/Sale of Merchandise	60 days	n/a	120 days and limited to four periods per year
On-site storage/ Temporary Dumpster	60 days	n/a	60 days, with the exception of renewal application
Outdoor Sales, Seasonal Sales	60 days	n/a	120 days and limited to four period per year
Special Events	As determined by Special Use Permit	As determined by Special Use Permit	As determined by Special Use Permit

## 15.3 TEMPORARY USES TABLE

B. *Table B.15.3 Temporary Uses Table* detail the permitted Temporary Uses in each district. Each use is given one of the following designations.

1. **Permitted ("P")**. These Temporary Uses are permitted by-right in the districts in which they listed.
2. **Special Use ("S")**. These Temporary Uses are permitted by- right in the districts in which they are listed, if they are developed utilizing the standards detailed in *Section B.13 Use Standards* above.

C. **Not Permitted.** Boxes that do not contain a letter designation are not permitted in the corresponding zoning district.

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TEMPORARY USES																	
Key: P = Permitted Use; C = Conditional Use; SE = Special Exemption	Single-Family Residential (R-15)	Single-Family Residential (R-9)	Single-Family Residential (R-6)	General Residential (GR)	Residential Multi-Family (RMF)	Professional Office (PO)	Neighborhood Commercial (NC)	Limited Commercial (LC)	General Commercial (GC)	Downtown Core (DTC)	Parks and Institutional General (IG)	Downtown Transitional (DTT)	Light-Industrial-Warehouse (LI-W)	Heavy Industrial (HI)	Agricultural Conservation (AC)	Conservation Preservation (CP)	Notes
	Carnivals/Circus									SE	SE	SE		SE	SE		
Religious Meetings in a tent							P	P	P				P	P			Not to exceed 60 days
Christmas Tree Open Lot Sales							P		P				P	P			Not to exceed 45 days
Firecracker/Firework Stands							P	P	P				P	P			Not to exceed 30 days
Contractor's Office/Equipment Shed	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	For the period covering a construction phase of a project not to exceed 1 year
Temporary Retail Sales							P	P	P	P			P	P			Not to exceed 60 days
Potable Classrooms	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	For cultural facilities, community facilities, educational facilities, or religious complexes, for a period not to exceed 1 year
Caretaker Mobile Home							P	P	P	P			P	P			To provide continuous security for commercial and industrial uses
Construction Site Trailers	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Temporary Office Trailer	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Portable on Demand Storage (PODS)	P	P	P	P	P	P	P	P	P	P	SE		P	P			
Mobile Vendors and Concession Operators								SE	SE				SE	SE			
Farmer's Market					SE		P	P	P	SE	SE	SE					
Outside storage of merchandise which is for sale							P	P	P				P	P			
Produce Stand							SE	SE	SE		SE				SE	SE	
On-site storage/temporary dumpster	P	P	P	P	P	P	P	P	P	P	SE		P	P			
Food truck									P	P	P		P	P			Subject to provisions of 16.1
Outdoor Sales (seasonal sales)							P	P	P	SE	SE		SE	P			

# 16. FOOD TRUCK ORDINANCE

## 16.1 FOOD TRUCKS

### 16.1.1 PURPOSE

The purpose of this section is to regulate mobile food trucks and food vending in the City of Sumter to ensure the health, safety, and general welfare of residents and visitors.

### 16.1.2 DEFINITIONS

- A. **Food Truck.** A licensed, motorized vehicle or mobile food unit licensed by the state that is designed and equipped to serve food and beverages.
- B. **Mobile Food Vendor.** Any person or persons who operates or sells unprepared food and/or beverages from a stationary cart, food truck, or trailer. Mobile food vendors shall not mean selling from a stand or booth.
- C. **Signage.** For purposes of this Ordinance, signage means a manufactured banner or rigid sign which is attached to a food truck and may not exceed 32 square feet.

### 16.1.3 LICENSE AND PERMIT REQUIRED

- A. **License.** It shall be unlawful for a person, firm, or corporation to engage in the business of a mobile food vendor within the City of Sumter, without the appropriate licensing as required by SC Department of Agriculture and the Sumter City-County Business License Department including a background check and any other requirements for mobile vendor operations for the City of Sumter, and the State of South Carolina.
- B. **Permit.** Mobile food vendors must obtain a Temporary Use Permit from the City of Sumter Zoning Administrator prior to operating within city limits. The permit process includes the issuance of a display sticker and requires the following:
  - 1. Submission of a Valid SCDOA Permit. The applicant must provide a current permit issued by the South Carolina Department of Agriculture (SCDOA).
  - 2. Photographic Documentation. Clear photographs of the food truck or cart must be submitted, showing all sides and any branding or signage.
  - 3. Compliance Agreement. The applicant must agree in writing to comply with all requirements outlined in this section of the ordinance.

### **16.1.3 DURATION OF LICENSE**

- A. Each Mobile Food Vendor Permit shall be issued for one calendar year beginning [DATE] and shall expire on [DATE]. A change of the business address must be reported to the Zoning Administrator ten days prior for approval for the license to be valid at the new address. Failure to obtain the approval of the Mobile Food Vendor Permit of the change of address shall invalidate the permit.

### **16.1.4 PERMITTED LOCATIONS AND HOURS OF OPERATION**

- A. **Location.** Food trucks shall be eligible for Temporary Use under the following conditions:
1. To operate on private property or designated public property within the GC, LC, LI-W, IG, DTT and HI zoning districts only.
  2. To operate only on a property on which there is located at least one active, permitted Primary Use. Under no circumstances shall a mobile food vendor be issued a permit to operate on property that is uninhabited or vacant.
- B. **Hours of Operation.** The operation of food trucks is limited to the hours between 7:00 am and 12:00 am (midnight), unless a special events permit has been issued.

### **16.1.5 PROHIBITED LOCATIONS**

- A. Food trucks are prohibited from operation on or within public rights-of-way, including streets, sidewalks, and alleyways.

### **16.1.6 PERMITTED FOOD AND BEVERAGES**

- A. Permitted food and beverages shall be limited to edibles and hot and/or cold beverages containing no alcohol content, unless a special license has been obtained from the South Carolina Department of Revenue. Edibles with alcohol which are not regulated by the South Carolina Department of Revenue alcoholic beverage licensing, including alcohol suspended in frozen form, gelatin, fruit, or other food product are prohibited to be sold from food trucks.
- B. Items specifically banned from being sold by mobile vendors include cigarettes, cigars, and any product containing tobacco.

### **16.1.7 REQUIREMENTS**

- A. **Accessory Uses.** Accessory uses include (but are not limited to) chairs, tables, tents, and shade structures. Accessory structures must be:
1. Temporary in nature and removed daily at the close of business.

2. Located within 10 feet of the food truck and must not obstruct pedestrian pathways or ADA access.
  3. Kept clean and free of debris, grease, and trash throughout operating hours.
  4. Placement and Safety
    - (1) Be placed within 15 feet of any fire hydrant.
    - (2) Block sight triangles, required parking spaces, or emergency access routes.
    - (3) Be located in easements, required buffers, or setback areas as defined by zoning.
- B. Parking.** Required parking for the Primary Use shall be minimally impacted by mobile vending operations. In addition:
1. Mobile vending units and any associated equipment or accessory items shall not block drive aisles, fire lanes, loading zones, or access to designated parking spaces.
  2. All operations must maintain clear and unobstructed vehicular circulation throughout the site.
  3. Placement of the vending unit must comply with site-specific traffic flow and safety requirements as determined by the Zoning Administrator.
- C. Prohibits Operations on Municipal Property.**
1. Mobile vending operations are prohibited on municipally owned property unless one of the following conditions is met:
    - (1) The operation occurs as part of an approved event officially sanctioned by the City of Sumter.
    - (2) The vendor has received explicit approval to operate on a designated municipal site that has been formally identified and approved for mobile vending activities.
  2. Any vending activity conducted outside of these conditions shall be considered unauthorized and subject to enforcement actions, including revocation of permits and fines.
- D. Garbage disposal.** The food truck operator/mobile food vendor shall keep all areas within ten (10) feet of the food truck and any associated customer or dining areas clean of grease, trash, paper, cups, cans or other debris associated with the food truck.
1. Each operator is responsible for properly disposing of solid waste associated with food truck operation and any outdoor dining areas prior to leaving a location. City maintained trash receptacles shall not be used for this purpose.

2. Garbage and/or recycling receptacles must be made available for patron use and removed from the site daily by the mobile food vendor.
- E. **Signage.** Signage shall be permitted on the vehicle only to identify the name of the product or vendor, and the posting of prices and is not to exceed 32 square feet.
1. Unattached banners or rigid signs are not permitted.
  2. Words and decorations painted onto a food truck are not considered signage for the purpose of this ordinance.
- F. **Department of Agriculture requirements.** Food trucks must meet all applicable Department of Agriculture regulations for mobile food units and possess a valid Department of Agriculture permit where applicable.
- G. **Routine Inspections.** Any food truck that has been issued a notice of health violation by any department of the State of South Carolina, which remains uncorrected upon a subsequent inspection, shall have its license revoked.
- H. **Prohibited Conduct.** No mobile food vendor of a food truck shall:
1. Leave any vehicle unattended or overnight;
  2. Leave from a location without disposing of all remaining trash or refuse remaining from sales and/or any items related to operation;
  3. Sell anything other than that for which a license to vend has been issued;
  4. Discharge fat, oil, grease, or waste water into the sanitary sewer system. All waste shall be properly disposed of at a designated disposal location; or
  5. Operate any loudspeaker, public address system, radio, sound amplifier, or similar device to attract the attention of the public.

# 17. NONCONFORMITIES

## 17.1 PURPOSE

The purpose of this Section is to regulate and limit the continued existence of nonconforming uses of land, vacant lots, structures and improvements that were lawfully established before the effective date of this Ordinance, or a subsequent amendment thereto, but that do not conform to the standards and requirements of this Ordinance or subsequent amendment. Such uses of land, vacant lots, structures and improvements are collectively referred to as “nonconformities.” It is the general policy of the City to allow nonconformities to continue to exist. The purpose and intent of this Section is to recognize the interests of property owners in continuing to use the land, but to preclude the expansion of a nonconformity and establish reasonable parameters for the reconstruction or reestablishment of a substantially destroyed or discontinued nonconformity.

- A. **Applicability.** This Section applies to nonconformities created by initial adoption of, or amendments to, this Ordinance unless otherwise expressly provided by provisions in this Ordinance. Any use of land or a building is considered nonconforming if:
1. The use is not permitted in the zoning district in which it is located; and,
  2. Existed as of Effective Date. Legally existed as of the effective date of this Ordinance and the effective date of subsequent amendments thereto.
- B. **Determination of a Nonconformity.** The burden of establishing that a nonconformity lawfully exists shall be the responsibility of the person who owns or rents the property upon which the nonconformity exists. Evidence that may be used to prove the legal status as a lawful nonconformity may include proof of business license, utility statements, business transaction receipts, tax returns, or other documentation. The Zoning Administrator shall determine whether a nonconformity is lawful.
- C. **Ownership Changes.** No change of title or possession of property shall be construed to prevent the continuance of the nonconformity.
- D. **Increases in a Nonconformity.** A nonconformity shall not be expanded, intensified, or enlarged except as provided by this Section and or applicable State Law.

## 17.2 NONCONFORMING USES

### 17.2.1 DEFINITION

- A. **Nonconforming Use.** A nonconforming use is a use of land, buildings, and/or structures that was lawfully established before the effective date of this Ordinance, or a subsequent amendment thereto, but does not comply with the use standards applied by this Ordinance or the subsequent amendment.

### 17.2.3 REQUIRED ALTERATIONS OR REMODELING

In the interest of the public safety and health, structural alterations or remodeling required by any public law, and so ordered by a public officer in authority, shall be permitted. This shall not be construed to permit any structural alterations that will increase the floor area of the structure.

### 17.2.4 DISCONTINUANCE OF NONCONFORMING USES

- A. **Applicability.** Any nonconforming use which has been discontinued shall not thereafter be reestablished. Any structure or land formerly devoted to a nonconforming use, which has been discontinued, shall not again be devoted to any use other than those uses permitted in the applicable district.
1. **Definition.** The term “Discontinuance” , as it pertains to nonconforming uses, shall mean the voluntary termination or cessation of a use for a continuous period of not less than six (6) months.

### 17.2.5 ACCIDENTAL DESTRUCTION

If a Nonconforming Use is discontinued due to fire or other natural causes, the Nonconforming Use may be reestablished within 6 months after the fire or other natural cause.

### 17.2.6 CHANGE OF NONCONFORMING USE

If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same NAICS classification. Wherever a nonconforming use of land or buildings has changed to a more restricted use or to a conforming use, such use shall not thereafter be changed back to a less restricted or nonconforming use

## 17.3 NONCONFORMING SITES

### 17.3.1 DEFINITION

A. **Nonconforming Site.** Any structure, building, house, shed, accessory dwelling, or improvement on real property, or any parcel, lot, or unimproved real property, that does not comply with Development Standards.

**Project.** Any improvement, upfit, renovation, rehabilitation, restoration, removal, or addition to a structure or lot that occurs after a discontinuance and within twelve (12) months following the resumption of operations or business activity at such structure or lot.

### 17.3.3 DISCONTINUANCE OF NONCONFORMING SITES

A. **Applicability.** Any nonconforming site which has been discontinued shall comply with this Section.

B. **Definition.** The term “Discontinuance”, as it pertains to nonconforming sites, shall mean the voluntary termination or cessation of a use or activity on a nonconforming site for a continuous period of not less than eighteen months (18) months.

### 17.3.4 PROJECTS AT NONCONFORMING SITES

A. Any Project at a Nonconforming Site subject to discontinuance and not subject to the more stringent requirements of *Section B.17.3 Nonconforming Sites* must comply with the following requirements:

1. Any Project with a total cost of 25% or less of the most current fair market value of the structure, dwelling, or improvement, as determined by the Sumter County Tax Assessor, shall not be required to increase their compliance with Development Standards, but must establish compliance with all Fire and Building Codes.
2. Any Project with a total cost of between 25% and 75% of the most current fair market value of the structure, dwelling, or improvement, as determined by the Sumter County Tax Assessor, must achieve a comparable percentage compliance with Development Standards as determined by the Zoning Administrator, and must establish compliance with all Fire and Building Codes.
3. Any Project with a total cost of greater than 75% of the most current fair market value of the structure, dwelling, or improvement, as determined by the

Sumter County Tax Assessor, must achieve full compliance with Development Standards, and must establish compliance with all Fire and Building Codes.

4. A private fair market assessment prepared by a qualified fee appraiser and acceptable to the zoning administrator may be utilized in lieu of the Tax Assessor determination.

### **17.3.5 ACCIDENTAL DESTRUCTION**

A Nonconforming Site may be altered, extended, or replaced if razed by fire or other natural causes, provided such alteration, extension, or replacement does not increase the degree of nonconformity with Development Standards in any respect, except for certain non-conforming sites subject to *Section 17.3.6 Required Improvements For Certain Nonconforming Structures And Improvements*.

### **17.3.6 REQUIRED IMPROVEMENT FOR CERTAIN NONCONFORMING STRUCTURES AND IMPROVEMENTS**

If the structures and improvements devoted to the following uses are or become nonconforming with respect to one or more development standards by virtue of adoption of this ordinance or subsequent amendment, the nonconforming structure and improvements shall meet the development standards and time periods for compliance contained in the sections of this ordinance specified below:

- A. *Section B.13.2(H) Manufactured Home Park*
- B. *Section B.13.5(L) Salvage Yards*
- C. *Section B.13.5(J) Recycling and Waste Related Services*

## **17.4 NONCONFORMING LOTS**

### **17.4.1 DEFINITION**

- A. Nonconforming Lot. A nonconforming lot is a lot that was lawfully created before the effective date of this Ordinance, or a subsequent amendment thereto, but does not conform to the lot standards applied by this Ordinance or the subsequent amendment.

### **17.4.2 USE OF NONCONFORMING LOTS**

- A. Nonconforming Lots may be used subject to the following requirements:

1. If an existing lot of record is not of sufficient size to conform to the dimension requirements of the zoning district (minimum lot area, minimum lot width) such lot may be used as a building site without need for a variance from the Board of Zoning Appeals provided all other minimum development standards including can be met, with the following noted exceptions:
2. Lots of record in the R-6 & GR districts that contain a single-family detached dwelling that received Certificate of Occupancy approval on or prior to November 7, 2023 and that are in compliance with all applicable district standards pertaining to the lot and to the single-family detached dwelling on the lot may be converted to a duplex, triplex, or quadraplex dwelling without need for a variances to lot area, lot width, and building setbacks from the Board of Zoning Appeals for said applicable district housing type requirements. This exception does not exempt such a development on a nonconforming lot from complying with all other applicable requirements of the UDO.

#### **17.4.3 CHANGES TO NONCONFORMING LOTS**

The boundaries, lot lines, shape, or size of a nonconforming lot may only be changed if it makes the lot more conforming.

#### **17.4.4 COMMON OWNERSHIP OF ADJACENT LOTS**

If a project on a nonconforming lot cannot meet minimum building setback requirements, and the owner of said nonconforming lot also owns an adjacent lot that shares a common parcel boundary unseparated by public right-of-way that could be combined with the nonconforming lot in such a manner as to allow compliance with building setback requirements, than the owner must combine the two lots into a single lot prior to undertaking a building project.

## **17.5 NON-CONFORMING MOBILE & MANUFACTURED HOMES**

#### **17.5.1 NON-CONFORMING MANUFACTURED HOMES**

Any legally established manufactured home located within the jurisdiction of the City of Sumter may be moved to another property, parcel, or lot within jurisdiction of the City of Sumter in accordance with the applicable zoning district development

standards outlined in *Section B.13 Use Standards* or may remain in continuous use on the property in which they are currently located. (See Note Below).

**Note:** Manufactured homes that do not conform with the age and design standards in *Section B.13.2(G)* may still be moved to another property, parcel, or lot within jurisdiction of the City of Sumter subject to all other applicable zoning district development standards.

### **17.5.2 NON-CONFORMING MOBILE HOMES**

Mobile homes, as defined by *Section A.5 Definitions*, may not be installed on any property, parcel, or lot within the jurisdiction of the City of Sumter. Existing mobile homes may remain in continuous use on the property in which they are currently located.