

# B

## Zoning

- B.1 Purpose & Authority
- B.2 Zoning Districts
- B.3 Residential District
- B.4 Commercial District
- B.5 Industrial District
- B.6 Other Districts
- B.7 Mixed Use Districts
- B.8 Permitted Standards
- B.9 Use Standards
- B.10 Planned Development  
(PD) Districts
- B.11 Overlay Districts
- B.12 Dimensional  
Requirements
- B.13 Accessory Uses &  
Structures
- B.14 Temporary Uses
- B.15 Food Trucks & Mobile  
Vending
- B.16 Nonconformities

# 1. PURPOSE AND AUTHORITY

- A. **Purpose.** 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 5 generalized categories and established in Table B.2.1 below. The 5 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

<b>Table B.2.1 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.5.2
<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

A. 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; and
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.8 Permitted Uses*.

### 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			
		Residential Detached	Non-Residential
Building Height (Max) <i>Section B.12(C) Building Height</i>		35 ft.	45 ft.
Density (Max) <i>Section B.12(A) Density and Intensity</i>		2.9 Units/Acre	Not Applicable
Setbacks (Min) <i>Section B.12(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.12(F) Lot Dimensions</i>	Width (Min) <sup>2</sup>	100 ft.	125 ft.
	Area <sup>2</sup> (Individual Unit) (Min)	15,000 SF	Not Applicable
	Impervious Surface Ratio (ISR) (Max)	40%	80%
Additional Standards	<sup>1</sup> Refer to <i>Section B.12 Dimensional Requirements</i> for alternate method of determining the front setback.		

	<p><sup>2</sup> Refer to <i>Section B.16 Nonconformities</i> if non-conforming lot of record. Measured in linear feet from front lot line to rear lot line.</p> <p>Refer to the SC Building Code for minimum distance between buildings.</p>
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### **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.



Table B.3.2 R-9 District Development Standards Table

		Residential		Non-Residential
		Detached	All Other Types	
Building Height (Max) <i>Section B.12(C) Building Height</i>		35 ft.	See <i>Table B.3.6</i>	45 ft.
Density (Max) <i>Section B.12(A) Density and Intensity</i>		4.8 Units/Acre		Not Applicable
Setbacks (Min) <i>Section B.12(E) Building Placement (Setbacks)</i>	Front (Street) <sup>1</sup>	35 ft. (Local/Collector) 45 ft. (/Arterial)		35 ft. (Local/Collector) 45 ft. (/Arterial)
	Side	10 ft.		50 ft.
	Rear	25 ft.		50 ft.
Lot <i>Section B.12(F) Lot Dimensions</i>	Width (Min)	75 ft.		100 ft.
	Area (Individual Unit) <sup>2</sup> (Min)	9,000 SF		Not Applicable
	ISR (Max)	40%		80%
Additional Standards	<p><sup>1</sup> Refer to <i>Section B.12 Dimensional Requirements</i> for alternate method of determining the front setback.</p> <p><sup>2</sup> Refer to <i>Section B.16 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.7 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.

Table B.3.3 R-6 District Development Standards Table				
		Residential		Non-Residential
		Detached	All Other Types	
Building Height (Max) <i>Section B.12(C) Building Height</i>		35 ft.	See <i>Table B.3.6</i>	45 ft.
Density (Max) <i>Section B.12(A) Density and Intensity</i>		7 Units/Acre		Not Applicable
Setbacks (Min) <i>Section B.12(E) Building Placement (Setbacks)</i>	Front (Street) <sup>1</sup>	35 ft. (Local/Collector) 45 ft. (Arterial)		35 ft. (Local/Collector) 45 ft. (Arterial)
	Side	8 ft.		25 ft.
	Rear	20 ft.		50 ft.
Lot <i>Section B.12(F) Lot Dimensions</i>	Width (Min) <sup>2</sup>	60 ft.		Not Applicable
	Area (Individual Lot) (Min) <sup>2</sup>	6,000 SF		Not Applicable
	ISR (Max)	45%		80%
Additional Standards		<p><sup>1</sup> Refer to <i>Section B.12 Dimensional Requirements</i> for alternate method of determining the front setback.</p> <p><sup>2</sup> Refer to <i>Section B.16 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>		

### 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.

Table B.3.4 GR District Development Standards Table				
		Residential		Non-Residential
		Detached	All Other Types	
Building Height (Max) <i>Section B.12(C) Building Height</i>		35 ft.	See Table B.3.6	45 ft.
Density (Max) <i>Section B.12(A) Density and Intensity</i>		8.7 Units/Acre		Not Applicable
Setbacks (Min) <i>Section B.12(E) Building Placement (Setbacks)</i>	Front (Street) <sup>1</sup>	35 ft. (Local/Collector) 45 ft. (Arterial)		35 ft. (Local/Collector) 45 ft. (Arterial)
	Side	8 ft.		25 ft.
	Rear	20 ft.		50 ft.
Lot <i>Section B.12(F) Lot Dimensions</i>	Width (Min)	50 ft.		Not Applicable
	Area (Individual Lot) (Min) <sup>2</sup>	5,000 SF		Not Applicable
	ISR (Max)	45%		80%
Additional Standards		<p><sup>1</sup> Refer to <i>Section B.12 Dimensional Requirements</i> for alternate method of determining the front setback.</p> <p><sup>2</sup> Refer to <i>Section B.16 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>		

### 3.5 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.3.5 RMF District Development Standards Table**

		Residential			Non-Residential
		Detached	Multi-Family	All Other Types	
Building Height (Max) <i>Section B.12(C) Building Height</i>		35 ft.	See <i>Table B.3.6</i>	See <i>Table B.3.6</i>	45 ft.
Density (Max) <i>Section B.12(A) Density and Intensity</i>		10 Units/Acre			Not Applicable
Setbacks (Min) <i>Section B.12(E) Building Placement (Setbacks)</i>	Front (Street) <sup>1</sup>	35 ft. (Local/Collector) 45 ft. (Arterial)			35 ft. (Local/Collector) 45 ft. (Arterial)
	Side	8 ft.			25 ft.
	Rear	20 ft.			50 ft.
Lot <i>Section B.12(F) Lot Dimensions</i>	Width (Min)	45 ft.			Not Applicable
	Area (Individual Lot) (Min) <sup>2</sup>	5,000 SF			Not Applicable
	ISR (Max)	45%			80%
Additional Standards		<sup>1</sup> Refer to <i>Section B.12 Dimensional Requirements</i> for alternate method of determining the front setback. <sup>2</sup> Refer to <i>Section B.16 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. Refer to SC Building Code for distance minimum between buildings.			

### 3.6 SUPPLEMENTARY RESIDENTIAL DISTRICT

## DEVELOPMENT STANDARDS

Table B.3.6 Supplementary Residential District Development Standards Table								
		Attached	Duplex	Triplex / Quad	Suburban Townhome	Urban Townhome	Suburban Multi-Family	Urban Multi-Family
Building Height (Max) Section B.12(C) Building Height		35 ft.					60 ft.	60 ft. (75 ft. by Special Exception)
Density (Max) Section B.12(A) Density and Intensity		14 Units/Acre	10 Units/Acre	16 Units/Acre	14 Units/Acre	20 Units/Acre	16 Units/Acre	38 Units/Acre
Setbacks (Min) Section B.12(E) Building Placement (Setbacks)	Front (Street) <sup>1</sup>	35 ft. (Local/Collector) 45 ft. (Arterial)			15 ft. <sup>2</sup>	15 ft.	20 ft. <sup>3</sup>	10 ft.
	Side	0 / 8 ft. <sup>4</sup>	8 ft.	12 ft.	0 / 8 ft. <sup>4</sup>		20 ft. <sup>5</sup>	10 ft.
	Rear	20 ft.					25 ft. <sup>6</sup>	15 ft.
Lot Dimension Section B.12(F) Lot	Width (Min)	30 ft.	60 ft.	80 ft.	16 ft.		200 ft.	Not Applicable
	Area (Ind. Unit) (Min)	3,000 SF	8,000 SF	10,000 SF	2,000 SF		Not Applicable	Not Applicable
	Site Area (Min)	Not Applicable			2 Acres	Not Applicable	2 Acres	Not Applicable
	ISR (Max)	45%	45%	60%	65%		60%	95%
Additional Standards	<p><sup>1</sup> Refer to Section B.12 Dimensional Requirements for alternate method of determining the front setback.</p> <p><sup>2</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</p>							

	<p>driveway or garage design. 35 ft. front setback applies to local/collector streets if this criteria is not met. 45 ft. front setback applies to arterial streets if this criteria is not met.</p> <p><sup>3</sup> 20 ft. front setback if parking is located to side of rear of building. 35 ft. front setback is parking is located in front of building.</p> <p><sup>4</sup> 0 ft. setback between units, 8 ft. setback between end of structure and side property lines.</p> <p><sup>5</sup> 20 ft. side setback <u>if not</u> adjacent to single-family residential dwellings. 50 ft. side setback if adjacent to single-family residential dwellings.</p> <p><sup>6</sup> 25 ft. rear setback <u>if not</u> adjacent to single-family residential dwellings. 50 ft. rear setback if adjacent to single-family residential dwellings.</p> <p>Refer to SC Building Code for distance minimum between buildings.</p>
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## 3.7 MANUFACTURED HOME SUPPLEMENTARY DEVELOPMENT STANDARDS

Table B.3.7 Supplementary Manufactured Home Development Standards			
	Manufactured Home On Individual Lot of Record <sup>1</sup>	Manufactured Home Park <sup>2</sup>	
Building Height (Max) <i>Section B.12(C) Building Height</i>	See Applicable District Standard	See Applicable District Standard	
Density (Max) <i>Section B.12(A) Density and Intensity</i>		8 Units/Acre	
Setbacks (Min) <i>Section B.12(E) Building Placement (Setbacks)</i>		Front (Street) <sup>1</sup>	35 ft. (Local/Collector) 45 ft. (Arterial)
		Side	25 ft.
		Rear	25 ft.
Lot <i>Section B.12(F) Lot Dimensions</i>		Width (Min)	45 ft.
		Area (Ind. Unit) (Min)	5,000 SF
		Site Area (Min)	5 Acres
		ISR (Max)	45%

<p>Additional Standards</p>	<p><sup>1</sup> A manufactured home meeting the standards outlined in Chapter B.13.2 (G) shall be considered a single family detached dwelling. An accessory dwelling unit (ADU) shall not be established on a lot where a manufactured home is the principal use.</p> <p><sup>2</sup> Manufactured home parks must comply with the standards outlined in <i>Section B.9.2 (H)</i>. All individual manufactured homes in such parks must comply with the standards in <i>Section B.9.2 (G)</i>.</p> <p>Refer to SC Building Code for distance minimum between buildings.</p>
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## 3.8 RESIDENTIAL INFILL DEVELOPMENT STANDARDS

A. **Intent.** The intent of the Residential Infill Regulations is to accommodate and encourage compatible development and redevelopment in existing residential neighborhoods, while reinforcing the established character of the neighborhood and mitigating potential adverse impacts on adjacent properties. These regulations are intended to respect the historic development patterns within neighborhoods with respect building orientation, frontage, scale and massing, setback, and access/parking location. For the purposes of this Section, Comparative Sample is defined as a group of existing homes within the immediate vicinity—typically along the same block face or within 300 feet—used to establish baseline measurements for key design elements such as:

1. Setbacks (minimum and maximum street and side setbacks),
2. Building orientation and massing,
3. Encroachments and access (driveway) patterns.

B. **Applicability.**

1. The standards contained within this section apply to any building in a residential district where one of the following are present:
  - (1) A grouping of the homes within the immediate neighborhood, along the same block(s) and are representative of the generalized development pattern of the neighborhood.
    - a. A Comparative Sample is used and can be defined, it shall include at least 4 of the principal buildings, within 300 feet of and oriented toward the same street as the subject lot. The sample need not be equally distributed on either side of the subject lot. When a comparative sample of 4 principal buildings cannot be derived, then historic structure data, including building footprints, aerial photography and/or survey records may be used. If no such data exists, the underlying zoning district applies.

- (2) Where an official survey demonstrates the location of an existing detached or attached house, and that building has been in that location within the last 365 days.
  - a. Comparative sample setbacks are measured from the outer wall of preexisting principal buildings within the comparative sample.
2. These regulations apply to residentially zoned property within the infill overlay district as identified on the Official City of Sumter Zoning Map.
3. Conversions of existing residential structures to multifamily uses are permitted consistent with Section B.8 Permitted Uses.

**C. Setbacks.**

1. The setbacks for principal buildings shall be determined by the Comparative Sample context as outlined in the following subsections:
  - (1) Front: The proposed building may be located no closer than the smallest primary street setback in the comparative sample but no less than 10 ft.
  - (2) Side: no closer than 5 ft.
    - a. Side setback reduction only applies to existing lots of record that do not meet the underlying zoning district's minimum dimensional standards for width.
    - b. Where a building addition is proposed to a detached or attached house, the established side setback for the existing principal building shall prevail.
    - c. At least one side must meet the district's minimum setback requirement.
  - (3) Rear: no closer than the smallest rear setback in the comparative sample but no less than 10 ft.
    - a. Rear setback reduction only applies to existing lots of record that do not meet the underlying zoning district's minimum dimensional standards for depth and/or area.

**D. Parking**

1. When locating closer than the district minimum front setback, parking must be provided to the side or rear of the structure, with no parking in the front yard.

# 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.

<b>Table B.4.1 PO District Development Standards Table</b>		
<b>Residential Development Standards</b>		
See <i>Table B.3.6</i> For Allowed Residential Uses		
<b>Commercial Development Standards</b>		
Building Height (Max)		35 ft.
<i>Section B.12(C) Building Height</i>		
Setbacks (Min)	Front (Street)	20 ft. <sup>1</sup> 35 ft. (Local/Collector) <sup>2</sup> 45 ft. (Arterial) <sup>3</sup>
	Side	25 ft. (Abutting Residential) 5 ft. (Abutting Nonresidential)
	Rear	25 ft.
Lot	Width (Min)	40 ft.
	Area (Min)	Not Applicable
	ISR (Max)	75%
<i>Section B.12(F) Lot Dimensions</i>		
Additional Standards	<p><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).</p> <p><sup>2</sup>35 ft. is the required front yard setback from local/collector streets when off-street parking located in front of the building(s).</p> <p><sup>3</sup>45 ft. is the required front yard setback from arterial streets if parking is located in front of the building(s).</p> <p>Refer to SC Building Code for distance minimum between buildings.</p>	

## 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, medical, and residential uses. This district may permit compatible uses as outlined in *Section B.8 Permitted Uses*. Certain residential use types may be permitted as a Conditional Use. Additionally, the district is designed to provide commercial establishments within convenient traveling distance from the neighborhoods they serve.

<b>Table B.4.2 NC District Development Standards Table</b>		
<b>Residential Development Standards</b>		
See <i>Table B.3.6</i> For Allowed Residential Uses		
<b>Commercial Development Standards</b>		
Building Height (Max) <i>Section B.12(C) Building Height</i>	35 ft.	
Setbacks (Min) <i>Section B.12(E) Building Placement (Setbacks)</i>	Front (Street)	20 ft. (Local/Collector) 30 ft. (Arterial)
	Side	15 ft. (Abutting Residential) 5 ft. (Abutting Nonresidential)
	Rear	20 ft.
Lot <i>Section B.12(F) Lot Dimensions</i>	Width (Min)	40 ft.
	Area (Min)	Not Applicable
	ISR (Max)	75%
Additional Standards	Refer to SC Building Code for distance minimum between buildings.	

## 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.8 Permitted Uses*. Certain residential use types may be permitted as a Conditional Use.

<b>Table B.4.3 LC District Development Standards Table</b>	
<b>Residential Development Standards</b>	
See <i>Table B.3.6</i> For Allowed Residential Uses	
<b>Commercial Development Standards</b>	
Building Height (Max) <i>Section B.12(C) Building Height</i>	35 ft.
Setbacks (Min) <i>Section B.12(E) Building Placement (Setbacks)</i>	Front (Street) 20 ft. <sup>1</sup> 35 ft. (Local/Collector) <sup>2</sup> 45 ft. (Arterial) <sup>3</sup>
	Side 30 ft. (Abutting Residential) 0 ft. (Abutting Nonresidential)
	Rear 35 ft.
Lot <i>Section B.12(F) Lot Dimensions</i>	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> 35 ft. is the required front yard setback from local/collector streets when off-street parking located in front of the building(s). <sup>3</sup> 45 ft. is the required front yard setback from arterial streets if parking is located in front of the building(s). Refer to SC Building Code for distance minimum between buildings.

## 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. Certain residential use types may be permitted as a Conditional Use.

<b>Table B.4.4.4 GC District Development Standards Table</b>		
<b>Residential Development Standards</b>		
See <i>Table B.3.6</i> For Allowed Residential Uses		
<b>Commercial Development Standards</b>		
Building Height (Max)		60 ft.
<i>Section B.12(C) Building Height</i>		
Setbacks (Min)	Front (Street)	20 ft. <sup>1</sup> 35 ft. (Local/Collector) <sup>2</sup> 45 ft. (Arterial Streets) <sup>3</sup>
	Side	30 ft. (Abutting Residential) 0 ft. (Abutting Nonresidential)
	Rear	30 ft. (Abutting Residential) 20 ft. (Abutting Nonresidential)
Lot	Width (Min)	Not Applicable
	Area (Min)	Not Applicable
	ISR (Max)	92%
Additional Standards	<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). <sup>2</sup> 35 ft. is the required front yard setback from local/collector streets when off-street parking located in front of the building(s). <sup>3</sup> 45 ft. is the required (min) front yard setback from arterial streets if parking is located in front of the building(s). Refer to SC Building Code for distance minimum between buildings.	

# 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.8 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.

<b>Table B.5.1 LI-W District Development Standards Table</b>		
<b>All Development Types</b>		
Building Height (Max) <i>Section B.12(C) Building Height</i>		60 ft.
Density (Max) <i>Section B.12(A) Density and Intensity</i>		Not Permitted
Setbacks (Min) <i>Section B.12(E) Building Placement (Setbacks)</i>	Front (Street)	45 ft. (arterial) 35 ft. (Local/Collector)
	Side	50 ft. (Abutting Residential Zoning) 15 ft. (Abutting Commercial/Industrial Zoning)
	Rear	50 ft. (Abutting Residential Zoning) 25 ft. (Abutting Commercial/Industrial Zoning)
Lot <i>Section B.12(F) Lot Dimensions</i>	Width (Min)	100 ft.
	Depth (Min) <sup>1</sup>	250 ft.
	ISR (Max)	80%
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.  Refer to SC Building Code for distance minimum between buildings.	

## 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.

<b>Table B.5.2 HI District Development Standards Table</b>		
<b>All Development Types</b>		
Building Height (Max) <i>Section B.12(C) Building Height</i>		120ft.
Density (Max) <i>Section B.12(A) Density and Intensity</i>		Not Permitted
Setbacks (Min) <i>Section B.12(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/Industrial Zoning)
Lot <i>Section B.12(F) Lot Dimensions</i>	Width (Min)	100 ft.
	Area (Min)	1 Acre
	ISR (Max)	80%
Additional Standards		Refer to SC Building Code for distance minimum between buildings.

# 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		
All Development Types		
Building Height (Max) <i>Section B.12(C) Building Height</i>		35 ft.
Density (Max) <i>Section B.12(A) Density and Intensity</i>		0.2 Units/Acre
Setbacks (Min) <i>Section B.12(E) Building Placement (Setbacks)</i>	Front (Street)	45 ft. (Arterial) 35 ft. (Local/Collector)
	Side	50 ft.
	Rear	80 ft.
Lot <i>Section B.12(F) Lot Dimensions</i>	Width (Min)	Not Applicable
	Area (Min)	5 Acres
	ISR (Max)	10%
Additional Standards		Refer to SC Building Code for distance minimum between buildings.

## 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.

<b>Table B.6.2 CP District Development Standards Table</b>		
<b>All Development Types</b>		
Building Height (Max) <i>Section B.12(C) Building Height</i>		35 ft.
Density (Max) <i>Section B.12(A) Density and Intensity</i>		Not Applicable
Setbacks (Min) <i>Section B.12(E) Building Placement (Setbacks)</i>	Front (Street)	45 ft. (Arterial) 35' (Local/Collector)
	Side	50 ft.
	Rear	80 ft.
Lot <i>Section B.12(F) Lot Dimensions</i>	Width (Min)	Not Applicable
	ISR (Max)	10%
Additional Standards		Refer to SC Building Code for distance minimum between buildings.

# 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.

<b>Table B.7.1 DTC District Development Standards Table</b>		
<b>All Development Types</b>		
Building Height (Max) <i>Section B.12(C) Building Height</i>		90 ft.
Density <sup>1</sup> (Max) <i>Section B.12(A) Density and Intensity</i>		Not Applicable
Setbacks (Min) <i>Section B.12(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.12(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 for residential uses. <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. Refer to SC Building Code for distance minimum between buildings.	

## 7.2 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.

<b>Table B.7.2 DTC District Development Standards Table</b>		
<b>All Development Types</b>		
Building Height (Max) <i>Section B.12(C) Building Height</i>	55 ft. (by-right) 75 ft. (by SE)	
Density (Max) <i>Section B.12(A) Density and Intensity</i>	10 Units/Acre  15 Units/Acre Maximum (By Special Exception)	
Setbacks (Min/Max)  <i>Section B.12(E) Building Placement (Setbacks)</i>	Front (Street) <sup>1</sup>	0 ft Minimum  20 ft. Maximum
	Side <sup>2</sup>	0 ft Minimum  10 ft. Maximum
	Rear <sup>3</sup>	0 ft Minimum  50 ft. Maximum
Lot <i>Section B.12(F) Lot Dimensions</i>	Width (Min)	50 ft.
	Area (Min)	Not Applicable
	ISR (Max)	75%
FAR (Max)	2.0	
Additional Standards	<p><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.</p> <p><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.</p> <p><sup>3</sup> Except where served by rear parking, not to exceed 100 ft.</p> <p>Refer to SC Building Code for distance minimum between buildings.</p>	

## 7.3 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 and or ownership patterns. 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. This district is not intended to restrict a campus-style approach where multiple uses or entities are organized under a unified master plan. For such projects, the City may require documentation demonstrating unified control or written consent from all affected property owners.

<b>Table B.7.3 IG District Development Standards Table</b>		
<b>All Development Types</b>		
Building Height (Max)		45 ft.
<i>Section B.12(C) Building Height</i>		55' (By SE)
Density (Max) <sup>1</sup>		6 Units/Acre
<i>Section B.12(A) Density and Intensity</i>		
Setbacks (Min)	Front (Street)	15 ft.
	Side	15 ft. (Interior Lot) 10 ft. (Corner Lot)
	Rear	10 ft. (Interior Lot)
Lot <sup>3</sup>	Width (Min)	75 ft.
	Area (Min)	7,500 SF
	ISR (Max)	50%
<i>Section B.12(F) Lot Dimensions</i>		

<p>Additional Standards</p>	<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> Lot width, lot area, ISR requirements only apply to residential dwellings.</p> <p>Refer to SC Building Code for distance minimum between buildings.</p>
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# 8. PERMITTED USES

## 8.1 PERMITTED USES TABLE

*Table B.8.1 Permitted Uses Table* details the Permitted Uses in each district. Each use is given one of the following designations.

- A. **Permitted (“P”).** These Uses are permitted subject to applicable use specific requirements of Chapter B.9.1 – B.9.9.
- B. **Conditional (“C”).** These uses are subject to applicable use specific requirements of Chapter B.9.1 – B.9.9, and the conditional use criteria in Chapter B.9.10.
- C. **Special Exception (“S”).** These uses are subject to applicable use specific requirements of Chapter B.9.1 – B.9.9, and BZA review and approval pursuant to Chapter A.
- D. **Not Permitted.** Boxes that do not contain a letter designation are not permitted in the corresponding zoning district.

**TABLE B.8.1 PERMITTED USE TABLE**

<b>Key:</b> <b>P = Permitted Use;</b> <b>C = Conditional Use;</b> <b>S = Special Exception</b>	<b>Section</b>	<b>R-15</b>	<b>R-9</b>	<b>R-6</b>	<b>GR</b>	<b>RMF</b>	<b>PO</b>	<b>NC</b>	<b>LC</b>	<b>GC</b>	<b>DTC</b>	<b>DTT</b>	<b>IG</b>	<b>LI-W</b>	<b>HI</b>	<b>AC</b>	<b>CP</b>
<b>Agricultural Uses</b>																	
Farming – Crop Production	B.9.1(A)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Commercial Livestock	B.9.1(B)															P	
Domestic Livestock	B.9.1(C)	P	P	P	P	P	P	P	P	P				P	P	P	P
Stockyards, Poultry Houses, Pig/Hog Farming, slaughterhouses, and Animal Auction Houses	B.9.1(D)															S	
Forestry and Logging <i>(Exempt Activities Under SC Code Law Section 48-23-205 Only)</i>	B.9.1(E)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Nursery, Plant & Landscaping	B.9.1(F)								C	P				P		C	
<b>Residential Uses</b>																	
Single Family Detached Dwelling	B.9.2(A)	P	P	P	P	C	C				C	C	C			P	
Single Family Attached Dwelling	B.9.2(B)		C	C	C	C	C				C	C	C				
Suburban Townhouse	B.9.2(C)		C	C	C	C	C	C	C	C			C				
Urban Townhouse	B.9.2(D)			C	C	C	C	C	C	C	C	C	C				
Duplex Dwelling	B.9.2(E)		C	P	P	C	C					C	C				
Triplex and Quadplex Dwelling	B.9.2(F)		C	C	C	C	C	C	C	C	C	C	C				
Suburban Multi-Family Dwelling	B.9.2(G)					P			P	P		P	P				
Urban Multi-Family Dwelling	B.9.2(H)					P			P	P	P	P	P				
Manufactured Home	B.9.2(I)				P											P	
Manufactured Home Park	B.9.2(J)				C					C							
Group Home	B.9.2(K)	P	P	P	P	P											
Home Occupation	B.9.2(L)	P	P	P	P	P	P	P	P	P	P	P	P			P	
Upper story Residential	B.9.2(M)									P	P	P					

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<b>Key:</b>																	
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<b>S = Special Exception</b>																	
Section	R-15	R-9	R-6	GR	RMF	PO	NC	LC	GC	DTC	DTT	IG	LI-W	HI	AC	CP	
<b>Public and Institutional Uses</b>																	
Post Office	B.9.3(A)				C	P	P	P	P	P	P	P	P	P	P	P	
Elementary Schools	B.9.3(B)	C	C	C	C	C	C	C	C		P	P			C		
Secondary Schools	B.9.3(C)	C	C			C	C	C	C		P	P			C		
Higher Education (College, Junior College, University, Technical)	B.9.3(D)		C	C	C		C	C	C	P	P	P			C		
Other Educational Facilities	B.9.3(E)						C	C	C	P	P	P			C		
Commercial Cemetery	B.9.3(F)	C	C	C	C	C		P	P				C	P	P	P	
Religious Cemetery	B.9.3(G)	C	C	C	C	C		P	P				C	P	P	P	
Private Cemetery	B.9.3(H)	C	C	C	C	C		P	P				C	P	P	P	
Religious Institutions	B.9.3(I)	C	C	C	C	C	P	P	P	P	P	P	C		C		
Cultural, Library and Museum Facility	B.9.3(J)	C	C	C	C		P	P	P	P	P	P	C				
Government Offices	B.9.3(K)	C	C	C	C	C	P	P	P	P	P	P	P	P	C		
Public Safety	B.9.3(L)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Correctional Facility	B.9.3(M)												S	S	S		
Mobile Classrooms	B.9.3(N)	C	C				C	C	C		C	C			C		
<b>Commercial Retail Uses</b>																	
Animal Kennels	B.9.4(A)							C	C				C	C	C		
Vehicle Sales and Rental Services	B.9.4(B)							C	P		C		C				
General Equipment Rental Services (No Outside Storage)	B.9.4(C)							P	P		P		P	P			
General Equipment Rental Services (w/Outside Display Areas)	B.9.4(C)								P				P	P			
Bar/Tavern/Night Club/Private Club	B.9.4(D)							S	S	S	S		S				
Bed and Breakfast Inn	B.9.4(E)	S	S	S	S		C	C	C	C	C						

**TABLE B.8.1 PERMITTED USE TABLE**

Key: P = Permitted Use; C = Conditional Use; S = Special Exception	Section	R-15	R-9	R-6	GR	RMF	PO	NC	LC	GC	DTC	DTT	IG	LI-W	HI	AC	CP
Convenience Store w/ Fuel Sales	B.9.4(G)								C	P		C		C	C		
Convenience Store w/o Fuel Sales	B.9.4(H)							C	P	P	P	P		C	C		
Crematorium	B.9.4(I)						C		P	P	C	P		P	P		
Funeral Home	B.9.4(J)						C		P	P	C	P		P	P		
Grocery	B.9.4(K)							P	P	P	P	P	P	P	C	C	
Hotel/Motel	B.9.4(L)							C	C	P	P	P		C			
Extended Stays	B.9.4(M)						C	C	C	P	C	P		C			
Liquor Store	B.9.4(N)								S	S	S	S		S			
Major Vehicle Service	B.9.4(O)									C		C		C	P		
Minor Vehicle Service and New Vehicle Part Sales	B.9.4(P)								C	P	C	C		C	P		
Motor Vehicle Fuel Dealers	B.9.4(Q)									P				P	P		
Outdoor Storage	B.9.4(R)													C	P		
Pawn Shop	B.9.4(S)								C	P		C		C			
Restaurant, Full service	B.9.4(T)						C	P	P	P	P	P		P			
Restaurant, Fast Casual	B.9.4(U)							C	C	P	P	P		C			
Restaurant, w/Drive Through	B.9.4(V)								C	P		P		C			
Sexually Oriented Business	B.9.4(W)													P	P		
Special Events Facilities	B.9.4(X)									S	S	S		S			
Towing Service	B.9.4(Y)									P		C		C	C		
Tobacco/Vape Shop	B.9.4(Z)								S	S		S		S			
Retail, Neighborhood (Maximum 5,000 sq. ft)	B.9.4(AA)							C	P	P	P	P	P	P			
Retail, General (5,000 sq. ft to 20,000 sq. ft)	B.9.4(BB)								P	P	P	P					
Retail, Big Box 20,00 sq. ft. to 250,000 sq. ft. sq. ft)	B.9.4(CC)								C	P		C					

**TABLE B.8.1 PERMITTED USE TABLE**

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<b>Section</b>	<b>R-15</b>	<b>R-9</b>	<b>R-6</b>	<b>GR</b>	<b>RMF</b>	<b>PO</b>	<b>NC</b>	<b>LC</b>	<b>GC</b>	<b>DTC</b>	<b>DTT</b>	<b>IG</b>	<b>LI-W</b>	<b>HI</b>	<b>AC</b>	<b>CP</b>	
Retail, Big Box (more than 250,000 sq. ft.)	B.9.4(DD)								S								
Wholesale Trade	B.9.4(EE)								C				P	P			
Automatic Merchandising Machine Operators	B.9.4(FF)								C				P	P			
<b>Industrial and Manufacturing Uses</b>																	
Artisanal Manufacturing	B.9.5(A)									C	C		P	P			
Brewery	B.9.5(B)												S	P			
Brewery, Micro	B.9.5(C)								C	C	C		P	P			
Distillery	B.9.5(D)												S	P			
Distillery, Micro	B.9.5(E)								C	C	C		P	P			
Flex Facility	B.9.5(F)									C	C		P	P			
Industrial- Light	B.9.5(G)												P	P			
Industrial- Heavy	B.9.5(H)													P			
Manufacturing	B.9.5(I)												C	P			
Sanitary Land Fills, Inert Dump Sites	B.9.5(J)													S			
Hazardous Waste, Nuclear Waste Transfer, Storage, and Treatment and/or Disposal Sites	B.9.5(K)													S			
Resource Recovery Facilities, Solid Waste Storage and Transfer Facilities, Waste Tire and Treatment Sites, Composting Facilities, Manned Convenience Centers, Incinerators, and Recycling Facilities	B.9.5(L)												S	S			
Salvage Yards	B.9.5(M)													S			
Self-Storage Facilities	B.9.5(N)								C	C			P	P			
Solar Farms	B.9.5(O)												S	P			
Warehouse/Distribution	B.9.5(P)												P	P			

**TABLE B.8.1 PERMITTED USE TABLE**

<b>Key:</b> <i>P = Permitted Use;</i> <i>C = Conditional Use;</i> <i>S = Special Exception</i>	<b>Section</b>	<b>R-15</b>	<b>R-9</b>	<b>R-6</b>	<b>GR</b>	<b>RMF</b>	<b>PO</b>	<b>NC</b>	<b>LC</b>	<b>GC</b>	<b>DTC</b>	<b>DTT</b>	<b>IG</b>	<b>LI-W</b>	<b>HI</b>	<b>AC</b>	<b>CP</b>
Mining and Extraction Operations	B.9.5(Q)														S		
<b>Personal Services Uses</b>																	
Bank/Financial Institution	B.9.6(A)						P	P	P	P	P	P		C			
Car Wash	B.9.6(B)								C	P		C		P			
In-Home Day Care	B.9.6(C)	P	P	P	P	P	P	P	P	P	P	P				P	
Daycare (Adult and Child)	B.9.6(D)		C	C	C	C	P	P	P	P	C	P				C	
Dry Cleaning/Laundromat	B.9.6(E)							P	P	P	P	P		P	P		
Spa, Day	B.9.6(F)						P	P	P	P	P	P		P			
Tattoo Parlor	B.9.6(G)									S				S	S		
Personal Services	B.9.6(H)						P	P	P	P	P	P		C			
Bail Bonding	B.9.6(I)									P		P		P			
<b>Medical and Office Uses</b>																	
Animal Care (includes urgent and vet services)	B.9.7(A)						C		P	P		P	P	P		P	
Residential Care	B.9.7(B)					P	P	P	P	P	P	P					
Nursing Home	B.9.7(C)					P	P	P	P	P	P	P					
Hospital	B.9.7(D)									P	P	P	P	C			
Medical/Dental Facility	B.9.7(E)						P	C	P	P	P	P	P	C			
Professional Office	B.9.7(F)			S			P	P	P	P	P	P	P	P	P	C	
Rehabilitative and Mental In-Patient Health Facility	B.9.7(H)								C	C				C			
Urgent Care	B.9.7(I)							C	P	P		C	S	C			
<b>Recreation/Open Space + Entertainment Uses</b>																	
Sports Fields	B.9.8(A)	C	C	C	C	P	P			P			P			P	P
Amusement/Theme Parks	B.9.8(B)									S	S			S			
Golf Courses	B.9.8(C)	C	C	C	C					P	C		P	P		C	C
Driving Range	B.9.8(D)	C	C	C	C					P	C		P	P		C	C

**TABLE B.8.1 PERMITTED USE TABLE**

<b>Key:</b> <b>P = Permitted Use;</b> <b>C = Conditional Use;</b> <b>S = Special Exception</b>	<b>Section</b>	<b>R-15</b>	<b>R-9</b>	<b>R-6</b>	<b>GR</b>	<b>RMF</b>	<b>PO</b>	<b>NC</b>	<b>LC</b>	<b>GC</b>	<b>DTC</b>	<b>DTT</b>	<b>IG</b>	<b>LI-W</b>	<b>HI</b>	<b>AC</b>	<b>CP</b>
Motor Vehicle Race or Testing Track	B.9.8(E)									S				S	S		
Outdoor Concert Venues	B.9.8(F)									S	S	S	C	S	S		
Parks, Public	B.9.8(G)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
RV Parks/Recreation Camping Facilities	B.9.8(H)								C	C			C			C	C
Shooting Ranges (Indoor)	B.9.8(I)									C			C	P	P		
Botanical Garden	B.9.8(J)	C	C	C	C		P		P	P	P	P	P	C		P	P
Zoo	B.9.8(K)									S			S	S		P	
Bingo Parlor	B.9.8(L)									S				S			
Pool Hall	B.9.8(M)									S				S			
Fairgrounds	B.9.8(N)								S	S			P	S			
<b>Utilities and Other Uses</b>																	
Airport	B.9.9(A)												P		P		
Wireless Communication Towers	B.9.9(B)	S	S	S	S	S	C	C	C	C	S	S	C	C	C	C	
Transportation Terminals	B.9.9(C)								P	P	P	P	P	P	P		
Utility Facilities, Government	B.9.9(D)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Sewer Treatment Plants	B.9.9(E)						S	S	S	S			S	S	S	S	
Electric Substations	B.9.9(F)	S	S	S	S	S	S	S	S	S		S	S	S	S	S	
Parking Lots and Structures	B.9.9(G)						P	P	P	P	C	C	P	P	P		
<b>Key</b>																	
<i>P = Permitted use subject to applicable use specific requirements of Chapter B.9.1 – B.9.9</i>																	
<i>C = Conditional use subject to applicable use specific requirements of Chapter B.9.1 – B.9.9, and the conditional use criteria in Chapter B.9.10</i>																	
<i>S = Special exception use subject to applicable use specific requirements of Chapter B.9.1 – B.9.9, and the special exception criteria in Chapter A.2.2.9.2</i>																	

# 9. USE STANDARDS

## 9.1 AGRICULTURAL USES

A. **Farming, 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. **Commercial Livestock.** An open space area use dedicated to commercially raising, and breeding, livestock for commercial purposes, which may include associated building and shelters.

1. *Uses Not Included:*

(1) Stockyards, Poultry Houses, Slaughterhouses, Animal Auction Houses.

2. *Use Specific Standards:*

(1) The minimum lot area upon which livestock may be kept is 1 acre. Not applicable to fowl.

(2) No more than 1 head of livestock shall be permitted for each 0.5 acre of lot area for large livestock (horses, cows, etc.). No more than 8 head of livestock for each 0.5 acre of lot area for medium sized livestock (sheep, goats, etc.). No requirement for fowl.

(3) Areas where livestock are kept shall be enclosed with a fence

(4) Structure for livestock sheltering/housing is required.

(5) No structure shall be closer than 50 feet to the property line.

B. **Domestic Livestock.** An open space use dedicated to keeping livestock that are not being used for commercial purposes.

1. *Examples:* Keeping of horses, goats, chickens, etc. for domestic purposes only.

2. *Uses Not Included:*

- (1) Breeding livestock. Commercial Livestock. Fowl.
- (2) Fowl regulated by City Code of Ordinances Article 1, Section 14.2.

3. *Use Specific Standards:*

- (1) The minimum lot area upon which livestock may be kept is 1 acre. Not applicable to fowl.
- (2) No more than 1 head of livestock shall be permitted for each 0.5 acre of lot area. Not applicable to fowl. No more than 8 head of livestock for each 0.5 acre of lot area for medium sized livestock (sheep, goats, etc.). No requirement for fowl.
- (3) Areas where livestock are kept shall be enclosed with a fence.
- (4) *Structure for livestock sheltering/housing is required.*
- (5) No livestock sheltering/housing structure shall be closer than 50 feet to the property line.

C. **Stockyards, Poultry Houses, Pig/Hog Farming, Slaughterhouses, and Animal**

**Auction Houses.** Commercial livestock uses deemed as potentially hazardous or disruptive land use activity.

1. *Use Specific Standards:*

- (1) Stockyards, Poultry Houses, Slaughterhouses, and Animal Auction Houses shall not be located closer than 1,000 feet to any adjacent residential use (animal enclosure to structure) on a separately platted parcel of land under separate ownership. No incineration of animals or animal refuse shall be permitted on-site.
- (2) Use requires a minimum site area of 10 contiguous acres.
- (3) Areas where livestock are kept shall be enclosed with a fence.
- (4) Structure for livestock sheltering/housing is required.
- (5) No structure shall be closer than 50 feet to the property line.

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.

1. *Use Specific Standards:*

(1) Forestry and Logging activities covered under SC Code of Law Section 48-23-205 are exempt from regulations contained in this Ordinance and permitted in all zoning districts.

(2) Forestry and Logging activities not covered under SC Code of Law Section 48-23-205 must obtain tree protection approvals pursuant to *Section C.5.16 Tree Preservation/Protection* prior to forestry and logging activities taking place.

2. *Exceptions:*

(1) Removal of trees on an individual lot of record with an established residential use is not considered forestry and logging.

E. **Nursery, Plant and Landscaping.** 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 Specific Standards:*

(1) Live plants (including ornamentals, fruit and nut crops, and herbaceous plants) included within a nursery shall not be considered outdoor storage.

(2) 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.

(3) Heavy machinery sales are not permitted.

## 9.2 RESIDENTIAL USES

A. **Dwelling, Single-Family Detached.** A residential building containing 1 dwelling unit, to be occupied by 1 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. *Use Specific 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.

B. **Dwelling, Single-Family Attached.** A structure with 2 attached single-family dwelling units, with each dwelling joined to at least 1 other dwelling along a single lot line and separated from other attached in the series by an unpierced common wall from ground to roof.

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 Specific Standards:*

(1) Single-Family attached buildings shall be limited to 2 dwelling units per building.

(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.

(3) Submission of a floor plan and plot plan are required.

C. **Dwelling, Suburban Townhouse.** A series of at least 3 to 8 single-family dwelling units, with each dwelling joined to at least 1 other dwelling along a single lot line and separated from other attached dwellings in the series by an unpierced common wall from ground to roof. Suburban townhome dwellings are intended to be established where the suburban form is a primary characteristic of the surrounding 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 1 week or less is considered a form of transient lodging.

3. *Use Specific Standards:*

(1) Suburban Townhomes shall have a minimum of 3 units and a maximum of 8 units.

(2) All townhome units shall front on either a public street or a private street that is part of a Planned Development.

(3) All accessory buildings and uses shall be clearly incidental to permitted principal use.

(4) Maximum 1 accessory building per unit.

(5) All accessory buildings and pools shall be located in a rear yard.

(6) Minimum site area to establish a suburban townhome development is 2 acres.

(7) Individual suburban townhome units shall not have individual access onto publicly owned and maintained streets.

(8) Auxiliary parking at the rate of 1 space per 4 units must be provided. Auxiliary parking must be located off-street.

(9) A common landscaping plan identifying the location, species, caliper (trees), gallon size (shrubs), sodding area, and height at time of planting for all plantings to be installed at the front and sides of all units. Sodding must be used for ground cover for all previous area to the front and sides of all townhome structures, except for planted landscape bed areas.

(10) Submission of site plan and floor plan is required.

D. **Dwelling, Urban Townhouse.** A series of at least 3 to 8 single-family dwelling units, with each dwelling joined to at least 1 other dwelling along a single lot line and separated from other attached dwellings in the series by an unpierced common wall from ground to roof. Urban townhome dwellings are an infill development housing type primarily employed within the traditional/historic areas of the city typically characterized by a grid street network.

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. *Use Specific Standards:*

- (1) Urban Townhomes shall have a minimum of 3 units and a maximum of 8 units.
- (2) All townhome units shall front on either a public street or a private street that is part of a planned development.
- (3) Individual front drive access urban townhome units is prohibited.
- (4) All accessory and uses shall be clearly incidental to permitted principal use.
- (5) All accessory buildings and pools shall be located in the rear yard.
- (6) Auxiliary parking at the rate of 1 space per 4 units must be provided. Auxiliary parking must be located off-street.
- (7) Provision of a common parking area(s) to the rear or side of units is required.

A common landscaping plan identifying the location, species, caliper (trees), gallon size (shrubs), sodding area, and height at time of planting for all plantings to be installed at the front and sides of all units. Sodding must be used for ground cover for all previous area to the front and sides of all townhome structures, except for planted landscape bed areas.

- (8) Submission of site plan and floor plan is required.

E. **Dwelling, Duplex.** A single building on 1 parcel of land that is designated, constructed, and used for 2 separately contained dwelling units. 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 Specific 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.
  - (3) Submission of a floor plan and plot plan are required.

- F. **Dwelling, Triplex or Quadplex.** A residential building containing 3 or 4 separately contained dwelling units on 1 parcel of land. 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 Specific 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) Maximum 1 driveway access to public street permitted per structure.
    - (3) No additional driveway access shall be permitted for structures being converted to triplex/quadruplex use where a driveway has already been established.
    - (4) Floor plan and site plan submission required.
- G. **Dwelling, Suburban Multifamily.** Multi-family dwelling units are characterized by a building that contains 5 or more dwelling units on 1 parcel of land. This definition includes condominiums or multifamily apartments. Suburban multi-family dwellings are intended to be established where the suburban form is a primary characteristic of the surrounding area.
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, and apartments.
  3. *Use Specific Standards:*
    - (1) All multi-family developments shall be required to provide commercial bulk waste containers.
- H. **Dwelling, Urban Multifamily.** Urban multi-family dwelling units are characterized by a building that contains 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). Urban multi-family dwellings are an infill development housing type primarily employed within the traditional/historic areas of the city typically characterized by a grid street network. This definition includes condominiums or multifamily apartments.

1. *Exceptions:* Units located in a vertical mixed-used situation within the DTC or DTT district are considered Urban Multi-Family Dwellings regardless of the number of units.
2. *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.
3. *Examples:* Uses include living in apartments, condominiums, and apartments.
4. *Use Specific Standards:*
  - (1) All multi-family developments shall be required to provide bulk waste containers such as dumpsters.

- I. **Manufactured Home.** A manufactured home is a transportable structure of 1 or more sections built on a permanent metal chassis and designed to be towed. This term shall not include modular dwellings placed on permanent foundations, nor shall it include travel trailers, motor homes, campers, or similar units designed for recreation or other short-term use. Manufactured homes have been constructed after June 15, 1976 and have the United States Department of Housing & Urban Development (HUD) label/tag certifying that the home is constructed in accordance with HUD Manufactured Home Construction and Safety Standards.

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. *Use Specific 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 in the AC district shall be placed with the longest dimension parallel to the lot frontage.

J. **Manufactured Home Park.** Any area, lot parcel, or tract held in common ownership that has been planned and improved for the placement of manufactured homes and on which individual portions of said area, lot, parcel, or tract are leased for the placement of manufactured homes as a primary residence. Manufactured Home Parks shall have no less than 4 manufactured homes within the manufactured home park area.

1. Use Specific Standards:

- (1) A manufactured home park shall be served by a community water and sewer system, storm drainage system, and a refuse facility;
- (2) Internal paved roadways shall be required of all parks, and roadways shall have a minimum travel width of 18 ft. exclusive of parking;
- (3) No manufactured home shall have direct access to a collector or arterial street.
- (4) Each manufactured home shall meet the off-street parking requirements for a single-family detached dwelling.
- (5) A minimum of 10% of the park shall be developed for recreational purposes, with no recreation area having less than 500 sq. ft. in area.
- (6) All on-site roadway intersections shall be provided with a street light, and interior lights shall be provided at not less than 400 ft. intervals.

(7) Each manufactured home site shall be at least 15 ft. from any other manufactured home, at least 15 ft. from the right-of-way of any drive which provides common circulation, at least 25 ft. from any side or rear property line, and shall meet the front yard setbacks for the street upon which it is located.

K. **Group Home.** A residence of persons requiring care or supervision. For the purposes of this Ordinance “group homes” shall only be defined as a home intended to exclusively serve individuals with protected characteristics under the Federal Fair Housing Act or to exclusively serve those individuals described in S.C. Code Section 6-29-770 through (H) as further defined in *Section A.5.*

1. *Use Specific Standards:*

- (1) Group home use application shall be submitted.
- (2) Maximum of 6 facility residents (9 for qualifying group homes under the state statute), not including on-site staff. Under no circumstances shall there be more than 2 residents per bedroom.
- (3) A minimum 1,500 feet separation (structure to structure) from any other group home facility.
- (4) Maximum finished floor area not to exceed 3,500 sq. ft.
- (5) A structure with an existing attached garage shall not convert the attached garage into conditioned, habitable living space.
- (6) The facility shall provide on-site parking that gives the visual appearance of a single-family dwelling. This shall include a driveway of a residential scale with no on-street parking permitted to accommodate minimum required parking. Any additional parking beyond the minimum numbers listed below shall be located to the rear of the dwelling.
  - a. A minimum of 1 parking space shall be provided for each vehicle operated by the facility.
  - b. A minimum of 1 parking space shall be provided for the maximum number of staff on-duty during daytime hours.
  - c. Parking shall be reviewed in a manner similar to that of a single-family dwelling where driveway length, width, and garage space will count toward required parking areas.

- (7) No commercial garbage collection containers/collection services shall be permitted for any group home facility located in a single-family residential dwelling in a residential zoning district.
  - (8) A scaled site plan based on an as-built survey of the property showing building placement, parking, access, garbage collection areas, and similar features shall be submitted in conjunction with use application.
  - (9) Scaled building floor plan depicting sleeping area, eating areas, sanitary facilities, recreation areas, office/employee areas, kitchen/pantry space, and laundry/utility spaces shall be submitted in conjunction with use application.
- L. **Home Occupation.** Any occupation within a dwelling, and clearly incidental thereto, carried on by a member of the family residing on the premises.
1. *Use Specific Standards:*
    - (1) The home occupation shall be an activity which is accessory and clearly incidental to the primary residential use of the premises.
    - (2) Only the residents of the dwelling unit or rooming unit, and not more than 1 nonresident employee, shall be employed by or engaged in the conduct of the home occupation on the premises. For the purpose of this section, "nonresident employee" shall include an employee, business partner, independent contractor, or other person affiliated with the home occupation who is not a resident of the dwelling unit or rooming unit, but who visits the premises as part of the home occupation. Not more than 1 nonresident employee shall be permitted per dwelling unit or rooming unit, regardless of the number of home occupations.
    - (3) The maximum floor area used for a home occupation shall not exceed 600 sq. ft. or 10% of the gross floor area of the principal structure, whichever is lesser. This limitation applies to accessory buildings used as part of the home occupation.
    - (4) An accessory building used in the conduct of a home occupation must be in compliance with applicable setback requirements.

- (5) Exterior alterations or modifications that change the residential appearance of the residential use, any accessory building, or the zoned lot, is expressly prohibited.
- (6) Interior alterations or modifications that eliminate the kitchen, living room, all of the bathrooms, or all of the bedrooms of the residential use is expressly prohibited.
- (7) There shall be no exterior indication of a business use operating on the site. Outdoor storage or display of materials, goods, supplies, or equipment related to the conduct of a home occupation shall be prohibited, except that 1 commercial vehicle or trailer not to exceed 18 ft. in length may be parked on the property in a location compliant with the City Code of Ordinances.
- (8) All parking necessary to accommodate the home occupation shall be located on the zoned lot, and on-street parking is expressly prohibited.
- (9) The following uses do not meet the definition of a home occupation and are expressly prohibited:
  - a. Automobile repair.
  - b. Automobile Sales.
  - c. Manufacturing and processing uses, except handcrafts, sewing, tailoring, quilting, or other similar activities where goods are not manufactured for stock sale or distribution.
  - d. Construction trades where this on-site activity other than a home office.
  - e. Transportation and service trades with more than 1 vehicle or with a vehicle(s) not in compliance with this *Section*.
  - f. On-premises retail.
  - g. Any home occupation that does not meet the full criteria of *Section B.9.2.J*.

M. **Upperstory Residential.** Dwelling units located on floors above a non-residential use within the same building. These units are typically part of a mixed-use structure where the ground floor is occupied by a permitted commercial, retail, office, public or institutional uses.

1. *Examples.* Accessory uses include mixed-use buildings featuring a separate use on the bottom floor, with residential above.
2. *Use Specific Standards:*
  - (1) Ground floor must remain active with commercial, retail, office, public or institutional uses; the residential use cannot dominate street frontage.
  - (2) Dwelling units located above a permitted non-residential use within the same building shall not be counted toward the calculation of residential density for the zoning district in which they are located.

### 9.3 INSTITUTIONAL AND PUBLIC USES

- A. **Post office (Mail and Packages).** Includes any facility which allows customer 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 Specific 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 Specific Standards:*

(1) 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 Specific 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

F. **Commercial Cemetery.** A place used, dedicated, or designated for cemetery purposes including any one or combination of perpetual care cemeteries, burial parks for earth interment; mausoleums; columbariums. A commercial cemetery is a licensed burial ground operated by a cemetery company under the South Carolina Perpetual Care Cemetery Act (Title 40, Chapter 8).

1. **Accessory Uses.** Accessory uses may include associated facilities for perpetual care, mausoleum buildings, columbariums, administration, and parking. As used herein, "cemetery" may include perpetual-care cemeteries, burial parks, mausoleums, or columbariums as defined in South Carolina Perpetual Care Cemetery Act (Title 40, Chapter 8).
2. *Use Specific 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) Cemetery sites must be at least 30 acres.

G. **Religious Cemetery.** A parcel of land used, dedicated, or designated for cemetery purposes as a use associated with a religious institution, including any one or combination of burial parks for earth interment, mausoleums, or columbariums. Such cemeteries shall be located on private property, established without commercial intent, and used exclusively for the interment of members of the affiliated religious congregation, their families, heirs, or descendants.

H. **Private Cemetery.** A place used, dedicated, or designated for cemetery purposes including any one or combination of perpetual care cemeteries, burial parks for earth interment; mausoleums; columbariums on private property, established without commercial intent, used exclusively for the interment of the property owner's family, heirs, or descendants. Not open to the general public and without perpetual commercial operation.

1. *Use Specific 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.

I. **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.

- J. **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.
- K. **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.
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.
- L. **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.
- M. **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.
- N. **Mobile Classrooms.** A prefabricated, relocatable structure designed to provide temporary classroom space accessory to a school or place of worship. Such units shall be installed on a permanent foundation, have all transport-related hardware removed.
1. *Use Specific Standards:*
  2. **Accessory Allowance.** Mobile Classroom units shall be allowed accessory to any School , Elementary, School, High, School, Middle and/or Place of Worship uses only.
  3. **Location.** Mobile Classroom units shall be located to the rear or interior side of the principal building.
  4. **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.

## 9.4 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. *Uses Specific Standards:*

(1) Animal Kennels shall not be located closer than 500 ft. to any adjacent residential use (outdoor animal enclosure to structure) 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 10 feet from the property line.

**B. Vehicle Sales and Rental Services.** Establishments that are involved with the sale or lease of automobiles (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 Specific Standards:*

(1) Vehicle display areas shall be an improved surface.

(2) Vehicles shall not be displayed in any required buffer.

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

**C. General Equipment Rental Services (Indoor and Outdoor).** 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. Drinking Place/Nightclub/Private Club.** Any such establishments meeting the applicable definitions outlined in Section A.5.

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 lounges, dancehalls, private clubs.
  3. *Use Specific Standards:*
    - (1) Outdoor entertainment is limited to between hours of 8:00AM - 10:00PM, except in the DTC District.
    - (2) The use shall not be within 300 feet, church, school, or public playground on a separately platted parcel (measured from structure to structure), except in the Downtown Core District (DTC).
    - (3) A six-foot high fence that is a visual screen shall be installed to separate this use from residential uses, where such residential uses are directly adjacent to the property or site containing the use.
- E. **Bed and Breakfast.** A house, or portion thereof, offering short-term lodging and meals to guests. Accommodations are limited to a maximum of 6 guestrooms. This type of establishment is primarily a private home offering lodging and meals 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 Specific Standards:*
    - (1) Owner operator shall reside on premises.
    - (2) Limit exterior alternations 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) The resident owner shall keep a current guest register including names, addresses and dates of occupancy for all guests.

(9) Meals may only be served to registered guests.

(10) A bed and breakfast may not 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 Specific Standards:*

(1) Communication Towers associated as an accessory use to the broadcast facility use shall be permitted in accordance with Section B.13.9.b (Telecommunications towers).

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 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. *Use Specific Standards:*

(1) All accessory 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.

- 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. *Use Specific 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.
- I. **Crematorium.** A facility with a furnace for cremating dead bodies, either animal or human.
- J. **Funeral Home.** A facility used for the preparation of the deceased and the display of the deceased for funeral services. The facility may include 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. **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.
- L. **Hotel/Motel.** Transient accommodations arranged for short term stays for compensation. This does not include patient transient accommodations, shelters for the homeless, boarding homes, 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.
- M. **Extended Stays.** A residential or lodging facility designed and operated to accommodate guests for periods typically exceeding 90 days per SC Code §12-36-920 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. *Use Specific Standards:*
    - (1) Off-street parking must be provided in accordance with *Section C.2 Parking Regulations.*
    - (2) Controlled access through a central lobby is encouraged; external individual room access may be restricted depending on district.
- N. **Liquor Store.** A retail establishment engaged in the sale of packaged alcohol including, beer, wine, and/or 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 Specific 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.
- 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 Specific Standards:*
    - (1) If located in the GC or DTT district or abutting a residential use, a Type B Buffer 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 Specific Standards:*
    - (1) No stockpiling of parts or salvaging of vehicle parts.
    - (2) If located in the GC or DTT 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) minimum lot size of 10,000 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 Specific 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.

- a. Screening must be opaque and constructed of durable materials
- b. Screening must be maintained in good condition and free of damage or deterioration.
- c. Landscaping buffers may be required based on adjacent land uses.

(a) All outdoor storage areas must be clearly shown on site plans submitted for review.

(b) Plans must include screening details, setback compliance, and buffering provisions.

(c) 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 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. **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.

- U. **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.
- V. **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 Specific Standards:*
    - (1) Menu boards shall be a maximum of 32 square feet.
    - (2) Drive-throughs shall comply with the standards of *Section 3.5 Drive-Through Stacking Requirements*.
    - (3) Accessory structures such as canopies shall comply with building setback standards per the respective district standards.
    - (4) Crosswalks and crosswalk markings shall be required if pedestrians can cross the drive-through lane between the building and parking areas.
- W. **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 Title 16, Chapter 15, Article 5*.
1. *Accessory Uses:* Accessory use may include an associated office.
  2. *Use Specific Standards:*

(1) Refer to Ordinance No. 2451 for applicable standards.

X. **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 Specific Standards:*

(1) *On-Site Manager.* An on-site manager shall be present and available for the duration of all events occurring at the facility. Updated contact information shall be provided to the Zoning Administrator anytime the on-site manager's contact information changes.

(2) *Parking.* All parking shall be contained on-site with 1 parking space for every 4 occupants, with maximum occupancy determined via applicable building or fire codes used to determine the maximum total number of occupants. An alternative parking plan pursuant to *Section C.2.4 Alternative Off-Street Parking Standards* may be submitted in lieu of this requirement.

(3) *Hours of Operation.* Special event facilities shall only operate between the hours of 6:00 am to 11:00 pm, not to include event set-up and clean-up activities. Except that events on new years eve may operate until 1:00 am.

(4) *Insurance.* Valid liability insurance covering special event facility operations is required for the Owner, Property Management Company, or any other entity.

(5) *On Premise Sale/Consumption of Alcohol.* Disclosure of plans for on-premises sale and consumption of alcohol, including the responsible party(s) to be securing necessary SC Dept. of Revenue licensing and the type of licensing being sought.

(6) *Compliance Inspections.*

(7) *Operational Plan.* 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:

- a. Maximum capacity of the facility, based on building and fire code;
- b. Contact information for the on-site facility manager;
- c. Types of events anticipated/marketed;
- d. Anticipated annual number of events;
- e. How solid waste will be disposed of;
- f. A floor plan of the facility showing the square footage and use of each room;
- g. 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; and
- h. 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.

Y. **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 Specific 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.

Z. **Tobacco/Vape Shop.** 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, vaping products, and/or similar products. For the purpose of this definition, a substantial portion of the use is established if:

1. *Use Specific Standards:*

- (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. However, no tobacco shop shall be located within a 500-foot radius of an existing or approved school or childcare facility. This measurement shall be made from the exterior wall of the proposed tobacco shop to the nearest exterior wall of any existing or approved school. No tobacco shop shall be located within any certified redevelopment area.

AA. **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.

BB. **Retail, General (1 5,000 sq. ft. to 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.
- CC. **Retail, Big Box (20,000 sq. ft to 250,000 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 250,000 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.
  3. *Use Specific Standards:*
    - (1) Retail Big Box uses over 250,000 sq. ft. shall be considered as Special Exceptions.
- DD. **Retail, Big Box (more than 250,000 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 250,000 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.
  3. *Use Specific Standards:*
    - (1) Retail Big Box uses over 250,000 sq. ft. shall be considered as Special Exceptions.
- EE. **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 Specific Standards:*
  - (1) Outdoor storage yards shall comply with the standards of *Section B.9.4(R)*. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

FF. **Automatic Merchandising Machine Operators, vending machines.** Any unattended self-service device that, upon payment made, dispenses anything of value including ices, food, beverage, goods, wares, merchandise, or services.

1. *Accessory Uses:* None.
2. *Use Specific Standards:* (*Note: Not applicable to indoor vending machines or vending machines located next to buildings in pedestrian walkways.*)
  - (1) *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.
  - (2) *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)*.
  - (3) *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)*.
3. *Landscape/Buffering:* Landscaping shall be provided in accordance with *Table C.5.1 Landscaping Yard Determination*. For landscaping and buffering purposes this use is classified as "Commercial". All submitted plans shall meet the full requirements of *Section C.5 Landscaping, Buffer, and Tree Protection Requirements*.

4. **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 to meet the full development standards of *Section C.2 Parking Regulations*.
5. **Sidewalks:** Sidewalks shall be installed along the street frontage of the development site where existing sidewalks are adjacent.
6. **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.
7. **Signage:**
  - (1) 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.
  - (2) Freestanding Signage. Stand-alone vending units are permitted 1 freestanding sign per street frontage and must comply with standards set forth for the General Commercial (GC) district as outlined in *Section C.3 Signs*.

## 9.5 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 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, 3D printing, crafts, food or beverages for packaged sales, welding, sculpting, arts and crafts, pottery, and small-batch bakeries.
3. *Use Specific 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 Specific 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.

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 Specific 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 125,000 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 Specific Standards:*
    - (1) Outdoor entertainment is limited to 10:00 PM in the GC and DTC zoning districts.
- E. **Distillery, Micro.** A manufacturer who distills, blends, and bottles alcoholic liquors on the licensed premises with an alcohol content greater than 17% and who produces a maximum, quantity of 125,000 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 Specific Standards:*
    - (1) No noxious odors or noise may escape the parcel on which the use is situated;
    - (2) A tasting room is provided;
    - (3) No "cover" or similar admission charge is collected for entrance; and
    - (4) No music is permitted in outdoor seating and bar areas after 10:00 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 Specific Standards:*
  - (1) Storage shall be in an enclosed building or an outdoor storage area which is screened/fenced. A minimum 6 feet tall 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. *Examples:* Salvage yards, junkyards, automobile graveyards, crematorium, slaughterhouse, concrete plant, outdoor storage as a primary use,

*commercial feed lot, lumberyard, primary metal manufacturing, towing yard for vehicles, pulp mill, rubber manufacturing, paper manufacturing or production.*

3. *Use Specific Standards:*

(1) 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. **Sanitary Land Fills and Inert Dump Site.** A site designed and intended as a repository for material whose rate of decomposition by micro-organisms or chemical oxidation is such that environmental pollution does not result.

1. *Use Specific Standards:*

(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 Environmental Services (DES) shall accompany use request.

(3) A drainage and sedimentation plan shall accompany the use request, detailing how run-off will be addressed.

(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 BZA 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. Hazardous Waste and Nuclear Waste Transfer, Storage, and Treatment and/or Disposal Sites.** Any facility which deals in the transfer, storage, treatment, or disposal of hazardous or nuclear waste.

1. *Use Specific Standards:*

(1) No such uses shall be located within 1,000 feet (measured in a straight line) 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, wetland, or floodplain areas.

(2) The facility shall be effectively buffered and screened in accordance with an approved method sanctioned by the BZA upon the recommendation of the Zoning Administrator.

(3) The use request 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 Environmental Services (DES).

(4) The use requests shall include written documentation disclosing the hazardous waste materials to be handled and the approximate quantity to be accommodated over the life of the facility.

**L. Resource Recovery Facilities, Solid Waste Storage/Transfer Facilities, Waste Tire Storage/Treatment Sites, Composting Facilities, Manned Convenience Centers, and Incinerators.**

1. *Use Specific Standards:*

SECTION B.9 – USE STANDARDS

- (1) No such uses shall be located within 1,000 feet (measured in a straight line) to a residential district, church, school, historical place, or public park, except manned convenience centers which shall not be located within 100 feet (measured in a straight line) to a residential district, church, school, historical place, or public park.
- (2) No such uses shall be located within 400 feet (measured in a straight line) to a residential use not in a residential district, except manned convenience centers which shall not be located within 100 feet (measured in a straight line) to a residential use not in a residential district.
- (3) Manned convenience centers 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.
- (4) Manned convenience centers must be entirely enclosed within an 8 foot high security fence.
- (5) 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 BZA upon the recommendation of the Zoning Administrator.
- (6) 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.

M. **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 Specific Standards:*
  - (1) All buildings shall be setback a minimum of 50 feet from property line
  - (2) Outdoor storage yards shall not be located closer than 25 feet to any public street or property line.
  - (3) Outdoor storage yard, automobile crushing/shedding areas, and automobile fluid drainage/storage areas shall not be located closer than 500 ft. to a residential use, church, public/private school, historic

structure/site/district listed on the National Register of Historic Places, or a locally designated historic structure/site/district.

- (4) Automobile crushing and/or shedding shall occur between the hours of 8:00 am to 6:00 pm only.
- (5) Stacking automobiles on top of one another for any purpose is not permitted.
- (6) Outdoor storage yards shall be completely enclosed by an opaque fence, wall, or berm not less than 6 feet.
- (7) No material, refuse or items within storage yard shall be visible from a public street.
- (8) No material because it is discarded and incapable of being re-used in some form shall be placed in open storage.
- (9) 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.

N. **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 Specific Standards:*
  - (1) Self-storage facilities shall be located on a minimum lot size of 4 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.

- O. **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) Solar energy systems for private residential dwelling unit use or commercial rooftop installation are permitted as an accessory use.
  3. *Use Specific Standards:*
    - (1) A minimum setback of 50 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.
- P. **Warehouse/Distribution.** A facility primarily engaged in the storage and distribution of manufactured products, 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 Specific Standards:*
    - (1) The parking and storage of commercial class trucks and the location of loading docks must be located to the rear or side of the facility;
    - (2) Landscape requirements outlined in *Section C.5 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.

Q. **Mining and Extraction Operations.** Facilities dedicated to the mining or extracting of materials, minerals, fossil fuels from the earth.

1. *Examples:* Sand mines, gold mines, coal mines, oil/gas extraction.
2. *Use Specific Standards:*
  - (1) Zoning use approval request shall be accompanied by a reclamation and reuse plan once mining or extraction operations are completed.
  - (2) Zoning use approval request shall be accompanied by proposed operating hours. Specific times for use of explosive shall be detailed.
  - (3) Mining and extraction operations shall not be located within 300 ft. of any residential use (measured from property line to residential structure), unless explosives are used for operations.
  - (4) Mining and extraction operations that use explosives shall not be located with 2,500 ft. of any residential use (measured from property line to residential structure). The BZA may grant reductions to this distances upon submission of detailed plan outlining measures to mitigate external impacts.
  - (5) Access to a mining or extraction site shall be from a paved road meeting the criteria of a collector or arterial road.
  - (6) 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 a parcel or contiguous parcel where the mineral or the surface rights which are under the same ownership or control on the effective date of the Ordinance shall be exempt from the requirements of this section.

## 9.6 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, retail sales of items associated with the cleaning of motor vehicles.
  2. *Examples:* Full-service carwash, self-service carwash facilities.
  3. *Use Specific Standards:*
    - (1) All washing, and machine powered drying shall be in an enclosed building.
    - (2) No vehicle bays or openings shall face a residential use.
- B. **Carwash.** Commercial establishments which allow for the washing of motor vehicles and vehicle cleaning services.
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 Specific Standards:*
    - (1) Crosswalks and crosswalk markings shall be required if pedestrians can cross the drive-through lane between the building and parking areas.
- C. **In-Home Day Care.** An establishment dedicated to the care of 5 or fewer adults or children in a protected, supervisory setting in a residential dwelling. In-Home Day Care facilities are not Group Living facilities. May require additional state permits.
1. *Accessory Uses:* Accessory uses may include ancillary indoor storage, outdoor play areas, associated office, parking,
  2. *Use Standards:*
    - (1) Includes In-Home Daycare as a Home Occupation, subject to the following:
      - a. Care provision shall not include overnight accommodation; and
      - b. Must be primary dwelling of business operator.
    - (2) Outdoor recreation areas or playgrounds shall be fenced with a minimum six (6) foot fence.
- D. **Daycare (Adult or Child).** A commercial establishment dedicated to the care of adults or children in a protected, supervisory setting. Daycare facilities are not Group Living Facilities. May require additional state permits

1. *Accessory Uses:* Accessory uses may include ancillary indoor storage, outdoor play areas, associated office, parking, cafeteria.
  2. *Use Specific 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/Laundromat.** 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. *Use Specific 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. *Use Specific Standards:*
    - (1) A Tattoo Parlor cannot be operated within 500 feet of:
      - a. A religious institution.
      - b. Public or private elementary or secondary school.
      - c. Public playground.
      - d. All residential structures except multi-family apartments.

- 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. **Bail Bonding.** A state licensed professional or company that provides bail bonding services.
1. *Use Specific Standards:*
    - (1) Bail bonding uses must be licensed by SC Department of Insurance.

## 9.7 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. *Use Specific Standards:*
    - (1) Sheltering and boarding of animals shall be clearly incidental to the veterinary services offered in the facility whether specializing in large or small animals.
    - (2) All outdoor areas for animals must be fenced.
    - (3) Outdoor activity is permitted only during the day.
- B. **Residential Care:** A facility that provides primarily nonmedical resident services to individuals in need of personal assistance essential to sustaining the activities of daily living, or for the protection of the individual, on a 24-hour-a-day basis.
- C. **Nursing Home:** A use providing bed care and inpatient services for persons requiring regular medical attention but excluding a facility providing surgical or

emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease.

- D. **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.
- E. **Medical/Dental Facility.** A facility engaged in the examination, diagnosis, and treatment of medical, dental, psychiatric, chiropractic, ophthalmologic, pediatric care, or other health care practices.
1. *Accessory Uses:* Accessory uses may include parking and office.
  2. *Examples:* Examples include dentist or orthodontics offices, doctor offices, medical clinics, medical labs, mental health counseling offices, and dental surgery centers.
  3. *Uses Not Included:*
    - (1) Overnight facilities for patients.
  4. *Use Specific Standards:*
    - (1) Indoor waiting area is required so that patients are not allowed to queue for services outdoors.
- F. **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.

G. **Rehabilitative and Mental Health In-Patient 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.

H. **Urgent Care.** A walk-in medical establishment offering care for injuries or illnesses requiring immediate outpatient 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.

## 9.8 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 purposes 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 Specific Standards:*
    - (1) The depth of a driving range along the driving axis shall be not less than 350 yards measured from the location of the tees and the breadth not less than 200 yards at a distance of 350 yards from the tees. The depth of the driving range may be reduced to 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 or Testing Track.** *A facility consisting of a paved or unpaved roadway used primarily for automobile racing or testing. Such a facility may include seating, concession area, suites, and parking facilities.*
1. *Use Specific Standards:*
    - (1) No such use shall be located within 1,500 feet of any residential use (measured in a straight line).
    - (2) Use shall have direct access off a paved road that is functionally classified as a arterial or collector road.
- F. **Outdoor Concert Venues.** Use of open-air venues for hosting musical performances or concerts.
1. *Examples:* Examples include stadiums, amphitheaters, and parks designed for hosting musical performances in open-air setting

2. *Use Specific Standards.*

- (1) Performance hours: Sun–Thu end by 10:00 p.m.; Fri–Sat end by 11:00 p.m.
- (2) Off-premise sales prohibited. On-premise consumption must meet state licensing and venue security requirements.
- (3) Stage and speaker arrays oriented away from residential uses; berms or acoustic barriers required where feasible.
- (4) A Sound Plan shall be required and prepared by a qualified audio professional; identifies system specs, array orientation, limiters, monitoring locations, and complaint response.

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 indoor use of rifles, shotguns, pistols, or any other weapons including firearms, air guns, and airsoft guns.

1. *Use Specific 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.
- L. **Bingo Parlor:** A facility used primarily for the conduct of bingo games, open to the public and not in a subsidiary nature to another use.
1. *Use Specific Standards:*
    - (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.
- M. **Pool Hall:** A business establishment where the principal use is that of a billiard facility. Typically, such establishments have 2 or more billiard tables.
1. *Uses Not Included:* Drinking place, bar, tavern.
  2. *Use Specific Standards:*
    - (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.
- N. **Fair Ground:** An area wherein buildings, structures, and land are used for agricultural related offices, animal shows and judging, carnivals, circuses, community meetings, food booths and stands, rodeos, and similar uses associated with public festivals.

## 9.9 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 Specific Standards:*
    - (1) Districts in which communication towers and antennas are conditionally permitted with specified height limitations:
      - a. Residential (R-6, R-9, R-15, GR, RMF): All towers and antennas
      - b. Commercial (GC, LC, NC, PO): Free-standing or guyed tower with height not to exceed 180 ft. Heights exceeding 180 feet require Special Exception.
      - c. Commercial (DTC, DTT): Towers and antennas in the DTC and DTT Districts are strongly discouraged, and require special exception use approval. Towers located in these districts may be subject to more stringent landscaping and fencing standards as required by the Board of Zoning Appeals and/or Design Review Board.
      - d. Industrial: Free-standing or guyed tower with height not exceeding 320 ft. Heights exceeding 320 ft. require special exception.
      - e. Conservation: Same as residential.
      - f. 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. 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 an application with the Zoning Administrator:
  - (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;
  - (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.
4. 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) 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;
  - (4) Safety Codes Met: Applicant must show that all applicable health, nuisance, fire, building, and life safety code requirements are met;
  - (5) Paint and illumination: A communications tower shall not be painted or illuminated unless required by state or federal regulations;
  - (6) Distance from existing tower: Applicant must certify that no existing tower within 1,000 ft. meets the applicant's structural specifications and design requirements, or certify that a co-location agreement could not be obtained;
  - (7) Minimum Setbacks:
    - a. Residential Zones: A tower on residential zoned properties must be set back from all lot lines by distances equal to the zoning district setback requirement or 100% of the tower height, whichever is greater.

- b. Non-Residential Zones: Towers located on non-residential zoned properties must be set back from all property lines by a distance equal to the district setback requirement or the tower's engineered fall zone, whichever is greater. Fall zones less than the full height of the tower shall be determined by an engineer licensed in South Carolina in a letter that includes the engineer's signature and seal.
- 5. 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) The applicant has demonstrated that additional height above that permitted by the regulations is necessary for service to residents of the City of Sumter.
- 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 Specific 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:
- a. The minimum setback on all sides is 5 ft.
  - b. The maximum impervious surface ratio is 75%.
  - c. Maximum height will be in accordance with zoning district regulations.
  - d. Each site must be reviewed by the Planning Staff for sight-triangle compliance and visibility before final approval of the above is approved.
  - e. All utilities required to be secured with a fence (minimum 6-foot-high opaque).
  - f. A Type B buffer shall be required screening the area from public view. If area is wooded, applicant shall preserve the natural vegetation to the maximum extent possible and to meet buffering requirement.
  - g. The site may be served via a private access easement or driveway.
  - h. The site may be owned by the utility provided or may be on leased land from the property owner with a utility easement.
- (4) Exclusions from requirement. Distribution lines and underground utilities are exempt from the above-mentioned criteria.

E. **Parking Lots and Structures.** A surface parking area or structure which is commercially 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 Specific 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.

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

- A. **Criteria for Review.** The following general 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 ensure compatibility and the safety and welfare of area residents.

# 10. PLANNED DEVELOPMENT (PD) DISTRICTS

- 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) shall be required prior to a request for a building or development permit. The

## SECTION B.10 PLANNED DEVELOPMENT (PD) DISTRICTS

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 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.

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.

# 11. OVERLAY DISTRICTS

## 11.1 AIRFIELD COMPATIBILITY DISTRICT(ACD)

- 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.11.2 Airfield Compatibility District (ACD) Use Regulations*. Where permitted uses listed in *Table B.11.2 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.11.1 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 25 persons per acre per hour during a 24-hour period or that would exceed 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.

<b>Table B.11.1 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>	Concentration of persons per acre cannot exceed 50 persons per acre at any time. Fractions in the maximum persons allowed column are rounded to the lowest whole number

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.
- a. Example #1: One 8-hour shift of 30 workers on a 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.
- b. Example #2: Two 8-hour shifts of 30 workers on a 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.

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

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

- B. Performance Standards.** Height and size requirements shall be evaluated in accordance with the Sumter County Code "Ordinance Regulating the Height of Structures and other Activities in the vicinity of Shaw Air Force Base," as adopted October 13, 1981.
1. Off-Street Parking: Off-street parking for uses within this district shall comply with *Section C.2 Parking Regulations* as appropriate.
- F. Prohibited Uses.** All uses indicated by a "NO" in the applicable subzone column of *Table B.11.2 Airfield Compatibility District (ACD) Use Regulations* are expressly prohibited.
- G. 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.16 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.
- H. Variances.** 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 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.
- I. Other Ordinance.** Adoption of this Ordinance shall not invalidate any existing

SECTION B.11 OVERLAY DISTRICTS

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.



SECTION B.11 OVERLAY DISTRICTS

<b>Table B11.2 Airfield Compatibility District (ACD) Use Regulations</b>					
<b>Land Use Category</b>	<b>APZ-1</b>	<b>APZ-2</b>	<b>DNL-1 65-75</b>	<b>DNL-2 75-80</b>	<b>DNL-3 80+ dB</b>
<b>RESIDENTIAL</b>					
<b>Single-Family</b>	NO	NO	30 <sup>(14)</sup>	30 <sup>(14)</sup>	30 <sup>(14)</sup>
<b>Manufactured Homes*</b>	NO	NO	30 <sup>(14)</sup>	30 <sup>(14)</sup>	30 <sup>(14)</sup>
<b>Single-Family**</b>	NO	NO	30 <sup>(14)</sup>	30 <sup>(14)</sup>	30 <sup>(14)</sup>
<b>Multi-Family***</b>	NO	NO	30 <sup>(14)</sup>	30 <sup>(14)</sup>	30 <sup>(14)</sup>
<b>Manufacture Home Parks</b>	NO	NO	30 <sup>(14)</sup>	30 <sup>(14)</sup>	30 <sup>(14)</sup>
<b>Hotels, Motels</b>	NO	NO	30 <sup>(14)</sup>	35 <sup>(14)</sup>	35 <sup>(14)</sup>
<b>INDUSTRIAL/MAUFACTURING</b>					
<b>Food &amp; Kindred Products</b>	NO	YES <sup>1</sup>	(10)	(12)	(13)
<b>Textile Mill Products</b>	NO	YES <sup>1</sup>	(10)	(12)	(13)
<b>Apparel</b>	NO	NO	(10)	(12)	(13)
<b>Lumber &amp; Wood Products</b>	YES <sup>1</sup>	YES <sup>1</sup>	(10)	(12)	(13)
<b>Furniture &amp; Fixtures</b>	YES <sup>1</sup>	YES <sup>1</sup>	(10)	(12)	(13)
<b>Paper &amp; Allied Products</b>	YES <sup>1</sup>	YES <sup>1</sup>	(10)	(12)	(13)
<b>Printing, Publishing</b>	YES <sup>1</sup>	YES <sup>1</sup>	(10)	(12)	(13)
<b>Chemicals &amp; Allied Products</b>	NO	NO	(10)	(12)	(13)
<b>Petroleum Refining &amp; Related Industries</b>	NO	YES <sup>1</sup>	(10)	(12)	(13)
<b>Rubber &amp; Plastics</b>	NO	NO	(10)	(12)	(13)
<b>Stone, Clay &amp; Glass</b>	NO	YES <sup>1</sup>	(10)	(12)	(13)
<b>Primary Metals</b>	NO	YES <sup>1</sup>	(10)	(12)	(13)
<b>Fabricated Metals</b>	NO	YES <sup>1</sup>	(10)	(12)	(13)

SECTION B.11 OVERLAY DISTRICTS

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

SECTION B.11 OVERLAY DISTRICTS

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 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.

## **11.2 RANGE COMPATIBILITY DISTRICT (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. **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.
2. **Prohibited Uses.** As indicated in *Table B.11.2 Airfield Compatibility District (ACD) Use Regulations* for appropriate districts.
3. **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.
4. **Variances.** 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 variances 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.
5. **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.
6. **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.

### **11.3 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.

### **11.4 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 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) SC-441;
- (2) North Wise Dr. (378 to Airport);
- (3) US-378;
- (4) US-15;
- (5) US-521;
- (6) US-76;
- (7) US-401
- (8) Wesmark Boulevard (S. Pike West to Wilson Hall Rd.);
- (9) SC-761;
- (10) Carter Rd. (Wilson Hall Rd. to Broad St.);
- (11) S-33 (McCray's Mill Rd.)
- (12) Main St. (Oakland Ave. to Pike – All of North and South Main);
- (13) Bultman Dr.
- (14) Alice Dr.
- (15) Peach Orchard Rd.
- (16) Wise Dr.
- (17) Bypass and Frontage Roads;
- (18) Wedgefield Rd.
- (19) Boulevard Rd.

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.** The following standards are applicable to all non-residential and multi-family residential projects:

1. Development and dimensional standards of the primary zoning district shall be applicable;
2. The sitting and orientation of commercial and industrial buildings and structure 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. 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.5 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 exempted from this provision, but nevertheless shall meet all requirements for landscaping and buffering as set forth in *Section C.5 Landscaping, Buffer and Tree Protection Requirements*.
- E. **Architectural Plans.** All non-residential projects in the Commercial Corridor Protection District shall submit architectural plans to the 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 Planning Commission may require.
- F. **Architectural Standards.** Applicant shall also submit a landscaping plan and signage plan for the project site per *Section C.5 Landscaping, Buffer, and Tree Protection Requirements* and *Section C.3 Signs*; respectively. In addition, all non-residential projects shall meet the following additional standards:
1. **Applicability.** In addition to the standards provided in *Section C.6 Fencing, Berms, and Tree Protection*, all proposed fences and / or walls proposed for the front and / or side yards shall be reviewed as part of the Commercial Corridor Design Approval Request. Fences and walls shall be constructed using the following materials:
    - (1) **Fences.** Fencing shall be constructed of black vinyl-coated chain link material. The coating must fully cover the metal to prevent rust and maintain a professional finish.
    - (2) **Walls.** Walls shall be built using brick masonry. Brick color and style should complement surrounding architecture and meet any applicable design guidelines for consistency.

## 2. **Nonresidential Building Design Standards.**

(1) **Applicability.** All new buildings and sites shall comply with the standards of this Section unless specifically exempted in subsection iv below.

(2) **Images.** This Section utilizes figures, images, and rendered photographs for illustrative purposes only; the text, dimensions and/or standards shall apply in all cases where there is a conflict.

### (3) **Repairs, Renovations, and Additions.**

- a. Exterior renovations to a building, such as a change of material types, structural design, or additions require review expect where otherwise waived by the Planning Director or their designee.
- b. A building may be repaired or renovated without complying with the requirements of this Section, provided there is no increase in gross floor area. When a building or site is increased in gross floor area or improved site area by greater than twenty-five (25) percent, both the additional building and/or site area must conform to the standards of this Section.
- c. Notwithstanding any standards of this Section to the contrary, any additions to a building which is constructed in compliance with the standards of this Section may continue the design of the existing building, including building materials, colors, textures, architecture, roofs, façades, and other detailing.

(4) **Exemptions.** The standards of this Section shall not apply to the following:

- a. Development located in the Industrial zoning district (see *Section B.11.4(F)(4) Industrial Design Standards*).
- b. Conversion of a building from one (1) permitted principal use to another permitted principal use.

(5) **Required Design Elements.** The following design elements, which promote a high-quality development or redevelopment, are required for all buildings:

- a. Consistent architectural style, detail and trim;
- b. Facades which break down large elements of mass and scale where appropriate;

- c. Architectural details and articulation;
- d. Material changes reflective of function and appropriately placed;
- e. Canopies, porches, stoops, roof overhangs or other pedestrian friendly features;
- f. Shade and weather protection for ground floor entrances;
- g. Design elements such as cornice lines, columns, arches; and
- h. Various fenestration and transparency elements.

Figure B.11.1 Example (5)iv



(6) **Prohibited Design Elements.** The following design elements, which do not promote high quality development or redevelopment, are prohibited:

- a. Large, unarticulated blank wall surfaces;
- b. Exposed and untreated block walls;
- c. barbed wires;
- d. Mirror window glazing;
- e. False fronts;
- f. Loading bays or loading doors;
- g. Lack of architectural features; and
- h. Lack of change in materials.

(7) **Façade Colors.** Building façade colors shall help unify buildings within a development. Building façade colors should be similar and consistent within a development. Building colors shall comply with the following standards:

SECTION B.11 OVERLAY DISTRICTS

- a. Primary colors shall be earth tones, muted, subtle, or neutral colors. Neon colors are prohibited. Exterior color schemes that attract undue attention, or that cause the building to appear as a sign or advertisement, are not permitted.
  - b. Accent colors and colors on details and trims may be of brighter hue and variation than façade colors.
  - c. Color should be integral to the materials. The use of complementing hues is required where painted or applied finishes are utilized.
  - d. Traditional and standard franchise colors shall also comply with this Section.
- (8) **Façade Design.** Building facades shall be designed with a consistent architectural style, detail, and trim. All sides of a building shall require architectural detailing and windows that complement the primary façade. Facades greater than one-hundred (100) feet in length shall require a repeating, consistent pattern of change in color, texture, and material. Facades shall comply with the following additional standards:
- (9) **Vertical Mass.** The vertical mass of multistory buildings shall be visually broken at each story with architectural detail and articulation of at least one (1) foot in the vertical direction. Illustrated as "A" in *Figure B.11.2 Façade Design*.
- (10) **Roof Lines.** To limit box-like building forms, roofs shall include differing planes, pitches, forms, heights, or materials that are distinct from one another. Roof lines shall not exceed a linear distance of one-hundred (100) feet without the introduction of a physical articulation. Illustrated as "B" in *Figure B.11.2 Façade Design*.
- (11) **Horizontal Mass.** Building facades shall not exceed a linear distance of thirty-five (35) feet without the introduction of a physical articulation no less than one (1) foot wide and extending in a horizontal direction along the façade. Illustrated as "C" in *Figure B.11.2 Façade Design*.

- (12) **Wall Offsets.** Facades of 60 or greater feet in width shall incorporate wall offsets of at least one (1) foot of depth a minimum of every forty (40) feet. Illustrated as “D” in *Figure B.11.2 Façade Design*.

Figure B.11.2 Façade Design



A-D	Façade Standards Illustrated
A	Vertical Mass
B	Roof Lines
C	Horizontal Mass
D	Wall Offsets

- (13) **Façade Transparency.** Building shall be designed to have a minimum transparency, through the use of windows and doors, on ground and upper floors as illustrated in *Figure B.11.3 Transparency* applies to all sides of a buildings facing a public and/or private street. Transparency shall not be required for service areas, loading/unloading areas, or those areas not visible from the public and/or private street.

- (14) **Façade Transparency.** Building shall be designed to have a minimum transparency, through the use of windows and doors, on ground and upper floors as illustrated in *Figure B.11.3 Transparency* applies to all sides of a buildings facing a public and/or private street. Transparency shall not

be required for service areas, loading/unloading areas, or those areas not visible from the public and/or private street.

- (15) **Ground Floor Transparency.** Ground floor transparency shall be calculated based on the total façade area located between the finished ground floor level and beginning of the upper floor. All ground floor transparency shall be a minimum thirty (30) percent, unless stated otherwise in this UDO.
- (16) **Upper Floor Transparency.** Upper floor transparency is calculated based on total façade area located between the surface of any floor to the surface of the floor above it. If there is no floor above, then the measurement shall be taken from the surface of the floor to the top of the wall plate. All upper floor transparency shall be a minimum twenty (20) percent unless stated otherwise in this UDO.

Figure B.11.3 Transparency



- (17) **Building Blank Wall Area.** Buildings shall be designed to limit blank wall areas. Blank wall areas are portions of an exterior façade that do not include windows, doors, columns, pilasters, architectural features greater than one (1) foot in depth, or a substantial material change. Blank wall

area shall be limited in building designs and comply with the following standards:

- (18) **Building Blank Wall Area.** Buildings shall be designed to limit blank wall areas. Blank wall areas are portions of an exterior façade that do not include windows, doors, columns, pilasters, architectural features greater than one (1) foot in depth, or a substantial material change. Blank wall area shall be limited in building designs and comply with the following standards:
- a. Paint is not considered a substantial material change.
  - b. Blank wall area applies in both a vertical and horizontal direction and applies to ground floors and upper floors.
  - c. The maximum continuous blank wall area for any building shall be a maximum fifty (50) square feet without a break by windows, doors, architectural features greater than one (1) foot in depth, or a substantial material change, unless explicitly stated elsewhere in this UDO.
  - d. When necessary to meet Fire Code requirements, blank wall area requirements may be waived by the Director.
  - e. Alternatively, where a facade faces adjacent residential uses, an earthen berm may be installed in lieu of meeting these requirements. The berm shall be no less than six (6) feet in height and contain, at a minimum, a double row of evergreen or deciduous trees, planted at intervals of fifteen (15) feet on center.

Figure B.11.4 Blank Wall Area



- (19) **Roof Design Standards.** Building rooflines that face a street or public right-of-way shall not exceed a linear distance of one-hundred (100) feet without the introduction of a physical articulation of no less than one (1) foot in the vertical direction, gable, or building projection.
- (20) **Roof Design Standards.** Building rooflines that face a street or public right-of-way shall not exceed a linear distance of one-hundred (100) feet without the introduction of a physical articulation of no less than one (1) foot in the vertical direction, gable, or building projection. **Rooftop Equipment.** Publicly visible mechanical equipment or stacks shall be screened from public view.
- (21) **Parapets.** Parapets may extend thirty-six (36) inches above the roof line. Mansard are prohibited.
- (22) **Roof Treatments.** Roofs shall have architecturally significant roof treatments including, but not limited to, cornices, brackets, roof overhangs, and textured materials. Compatible color materials are required.
- (23) **Entries.** Entrances should be differentiated architecturally to create a sense of human scale.

- a. Architectural elements like openings, sills, bulkheads, columns, and other architectural features should be used to establish human scale at the street level.
- b. All commercial and mixed-use buildings should accommodate active street level uses on all pedestrian-oriented frontages.
- c. Large buildings fronting multiple streets should provide multiple entrances.

(24) **Buildings on Corners.**

- a. Buildings that exist on a corner lot shall incorporate additional architectural features, utilize massing techniques, or implement other features to emphasize their prominent location and create a visual assist to turn the corner.
- b. Corner buildings should utilize massing techniques and architectural treatments to create an inviting pedestrian environment where a building wraps a street corner.

2. **Nonresidential Site Design Standards.**

- (1) **Building Siting.** Buildings shall be sited so that they support a walkable public realm and are generally aligned and compatible with one another. Parking should be placed to the side or rear of buildings.

Furthermore, building siting shall comply with the following:

- a. Large-scale, single-use buildings should be located behind or above habitable street front space and outparcel buildings. This shall not apply to industrial development.
- b. Spaces between buildings on outparcels or pad sites shall include enhanced pedestrian features or amenities such as plazas, paver walkways, seating areas, and gathering places in addition to off-street parking spaces.
- c. Outparcel buildings, to the maximum extent practicable, shall be clustered along the street in order to define street edges and entry points, and promote a pedestrian scale. Outparcel buildings should help define street edges, development entry points, and spaces for gathering between buildings.

SECTION B.11 OVERLAY DISTRICTS

- d. Outparcel buildings shall include a consistent level of architectural detail on all sides of the building and consist of similar exterior materials and compatible colors of the primary building in the development.
- e. Buildings shall be located to break up the site into a series of smaller blocks defined by streets and pedestrian walkways, and to frame and enclose parking areas, outdoor dining areas, and/or gathering spaces for pedestrians between buildings.
- f. If a parking lot separates the principal building from an outparcel building, a pedestrian path/sidewalk shall be provided connecting the two through a direct link as illustrated in *Figure B.11.5 Outparcel Buildings and Parking*.
- g. Outparcel buildings shall be placed as close to rights-of-way as possible and limit surface parking between the building and street.

Figure B.11.5 Outparcel Buildings and Parking



- (2) **Multi-Building Developments.**
- a. Sites comprised of multiple buildings shall be configured such that no more than sixty (60) percent of the provided off-street parking shall be located between a building's primary building façade and the street it faces, unless the principal building(s) and/or parking lots are screened from view by outparcel development.
  - b. Buildings within multiple-building developments shall be clustered to maximize organized open space opportunities.
  - c. Developments with multiple buildings shall break up the development area into a series of distinguishable smaller blocks which include on-site streets, vehicle accessways, pedestrian walkways and features, and provide interior circulation.
  - d. Buildings that abut streets shall be oriented parallel to the street. Buildings shall not be oriented at an angle to the street.

Figure B.11.6 Outparcels and Multi-Building Development



- (3) **Internal Connections.** Within developments including the construction of new streets, an interconnected network of streets shall be provided.

Streets shall connect to adjacent existing streets outside of the development.

**(4) Accessory Facilities.**

- a. Uses, structures, and mechanical equipment that are accessory to the principal building (i.e., loading and unloading areas, trash collection areas, maintenance and storage, and mechanical equipment areas) shall be incorporated into the overall design, architecture, and landscape of the development.
- b. Colors and materials used in accessory uses and structures shall be consistent with the principal structure.
- c. Visual impacts of these areas shall be fully contained and out of view from streets and public rights-of-way.
- d. Accessory structures shall not exceed the height of the principal structure.

**(5) Architectural Styles.**

- a. In developments with multiple buildings, a consistent level of architectural style shall be maintained.
- b. Where dissimilar architectural styles are required, building designs shall be made more consistent through the use of consistent architectural features, similar scale and proportions, and consistent location of signage.

**3. Industrial Building And Site Design Standards.**

- (1) **Industrial Design Standards.** Due to the nature of industrial uses, only limited design standards are required for buildings housing industrial uses.
- (2) **Blank Wall Length.** Blank wall lengths greater than one-hundred (100) feet or twenty-five (25) percent of the building length for facades visible from the public ROW, whichever is greater, shall require the introduction of physical articulations or material change.
- (3) **Lighting.** Industrial use buildings and required parking areas shall not exceed a maximum of thirty (30) feet fixture height and 0.5 foot-candle intensity at the perimeter boundary.

4. **Equipment and Loading Areas.** Equipment and loading areas shall comply with the following standards:
  - (1) Cooling towers, HVAC and ventilation fans, mechanical units, etc., shall be either screened using a pitched roof façade, parapets, or constructed adjacent to the building and properly screened from view by either landscaping or the use of similar building materials.
  - (2) Ground-mounted equipment and mechanical equipment visible from a public right-of-way shall be screened from view by an opaque wall, landscaping, or combination thereof.
  - (3) Except where regulated otherwise, walls and landscaping shall have a minimum opacity of eighty-five (85) percent and shall be the height of the equipment or facility plus six (6) inches.
  - (4) Where the configuration of the building or site makes it impractical to locate the loading areas in the rear of the building, front or side loading areas may be proposed with additional screening or landscape requirements.
5. **Prohibited Elements.** The following design elements are prohibited:
  - (1) Reflective surfaces;
  - (2) Exposed and untreated block walls; and
  - (3) Barbed wire, unless required by law for security or safety purposes.
6. **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 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 Zoning Appeals.

# 12. DIMENSIONAL REQUIREMENTS

## 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.

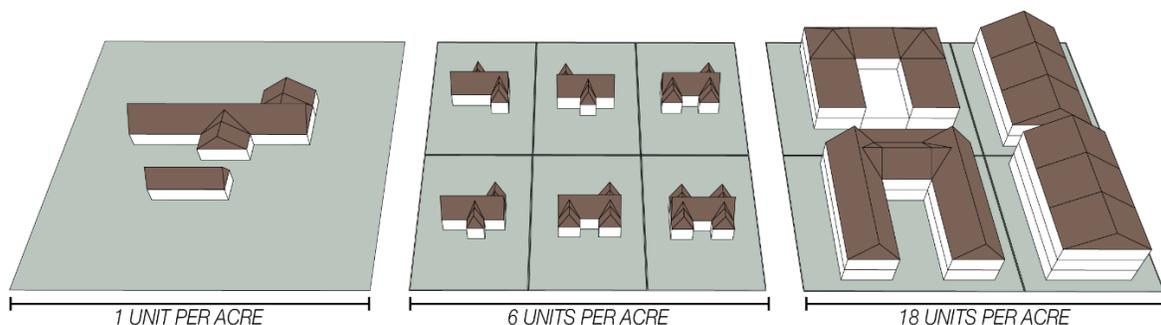
1. **Calculation of Density.** Residential density shall be measured by dwelling units per gross acre (du/ac).

(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 ensure 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.12.1 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.10.2 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.10.2 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 20 feet. Additional stories shall be a maximum of 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.12 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.

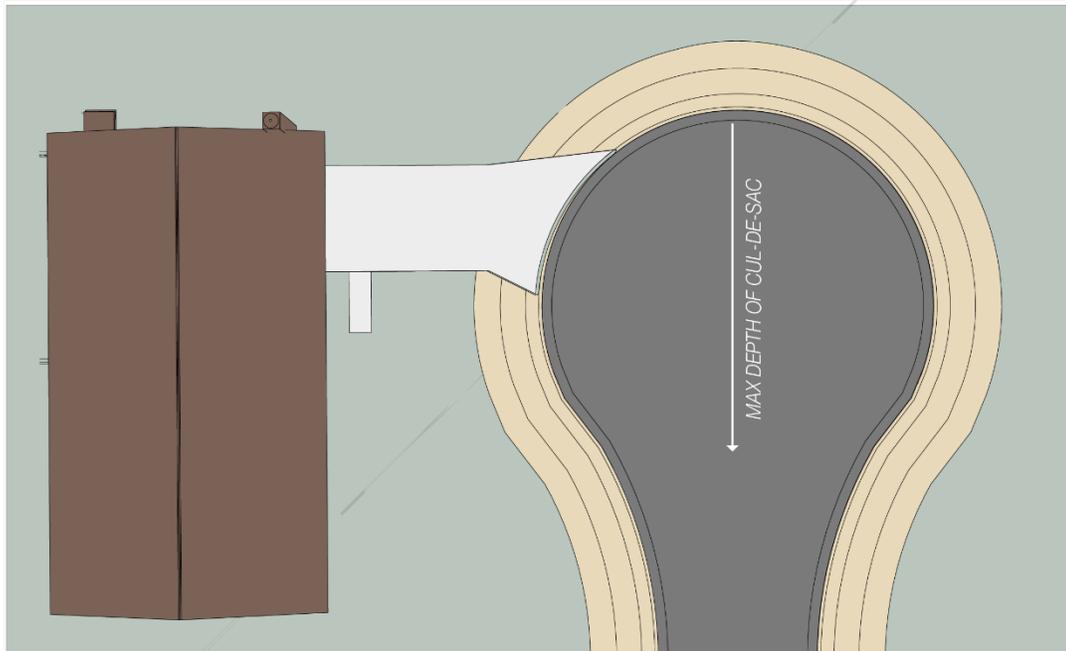
- E. Building Placement (Setbacks).** Setbacks shall be measured from the exterior wall of the building or structure, perpendicular to the lot line or street right-of-way line. Awning overhangs may encroach up to two (2) feet into the required

## B.12-DIMENSIONAL REQUIREMENTS

setback, except where a zero (0) foot setback is permitted, in which case no encroachment is allowed. 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.13 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.12.3 Typical Cul-de-sac



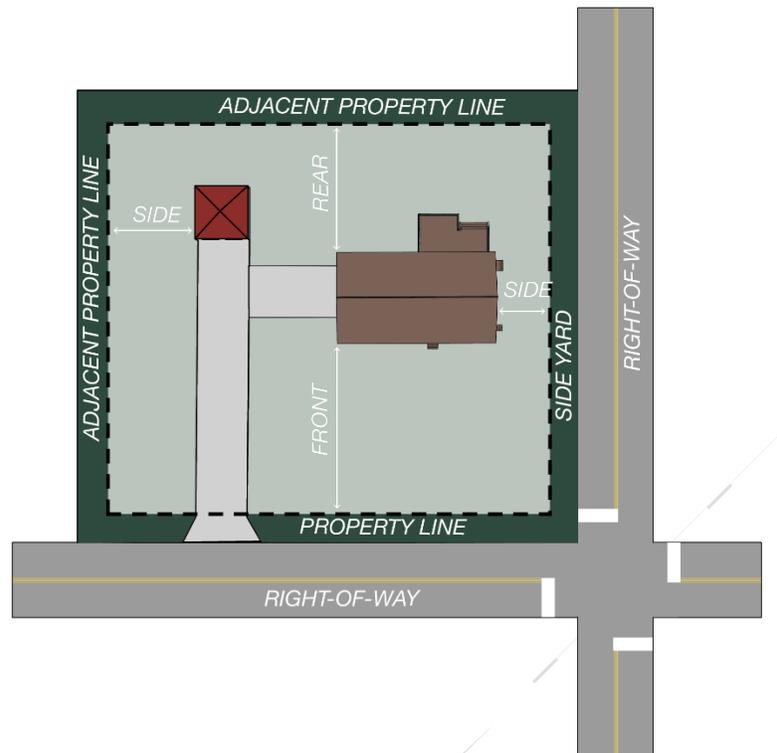
2. Interior Lot. A lot bounded by a street on only one side. For the purpose of setbacks and yards, the street yard shall be recognized as the primary (i.e. front) yard. An interior lot shall have one primary front yard, two side yards, and one rear yard. Orientation of the home, driveway and entrances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

Figure B.12.4 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.12.5 Setback: Corner Lot



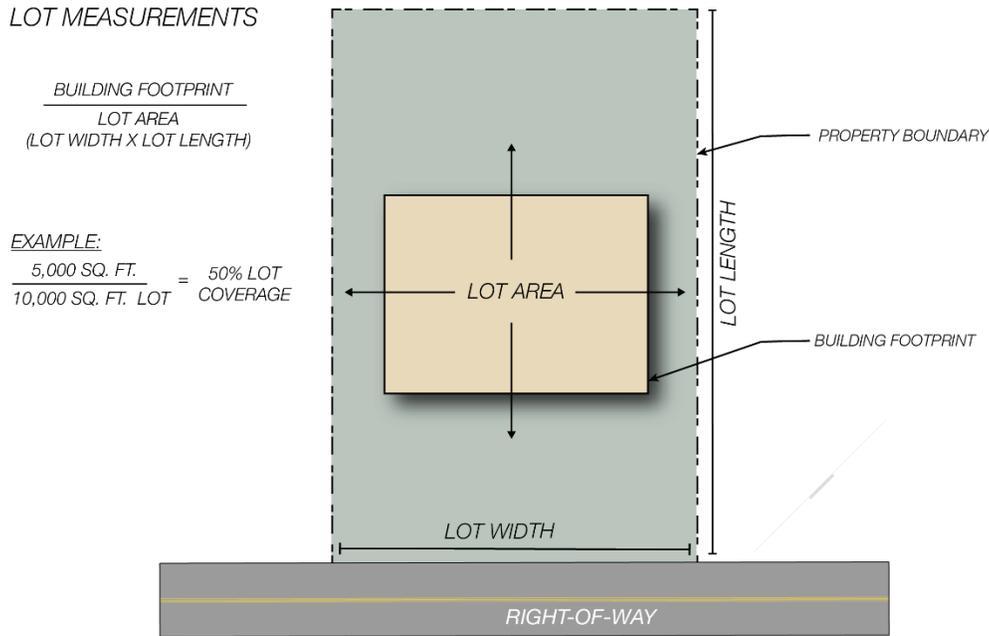
4. **Through Lot.** A lot which has frontage on two parallel streets. Each through lot shall be required to designate its primary front yard, which shall dictate its front setback requirements. Orientation of the house, driveways and entrances on the lot shall be required in the primary front yard and 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.12.6 Setback: Through Lot



- F. **Lot Measurements.** Lot requirements (Figure B.12.7 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. For irregular shaped lots, the width is measured at the front setback 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.12.7 Lot Measurements



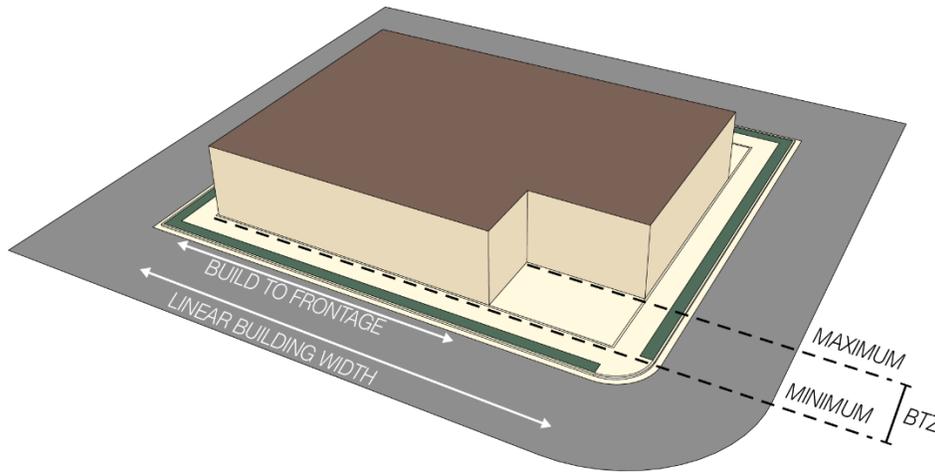
**G. Equipment Considerations.**

1. 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.12.8 Frontage



- I. **Encroachments.** Encroachments are building elements that are attached to a building and are permitted to exist within the public realm (Figure B.12.9 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 encroach into required setbacks up to a maximum of two (2) feet; 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.12.9 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.

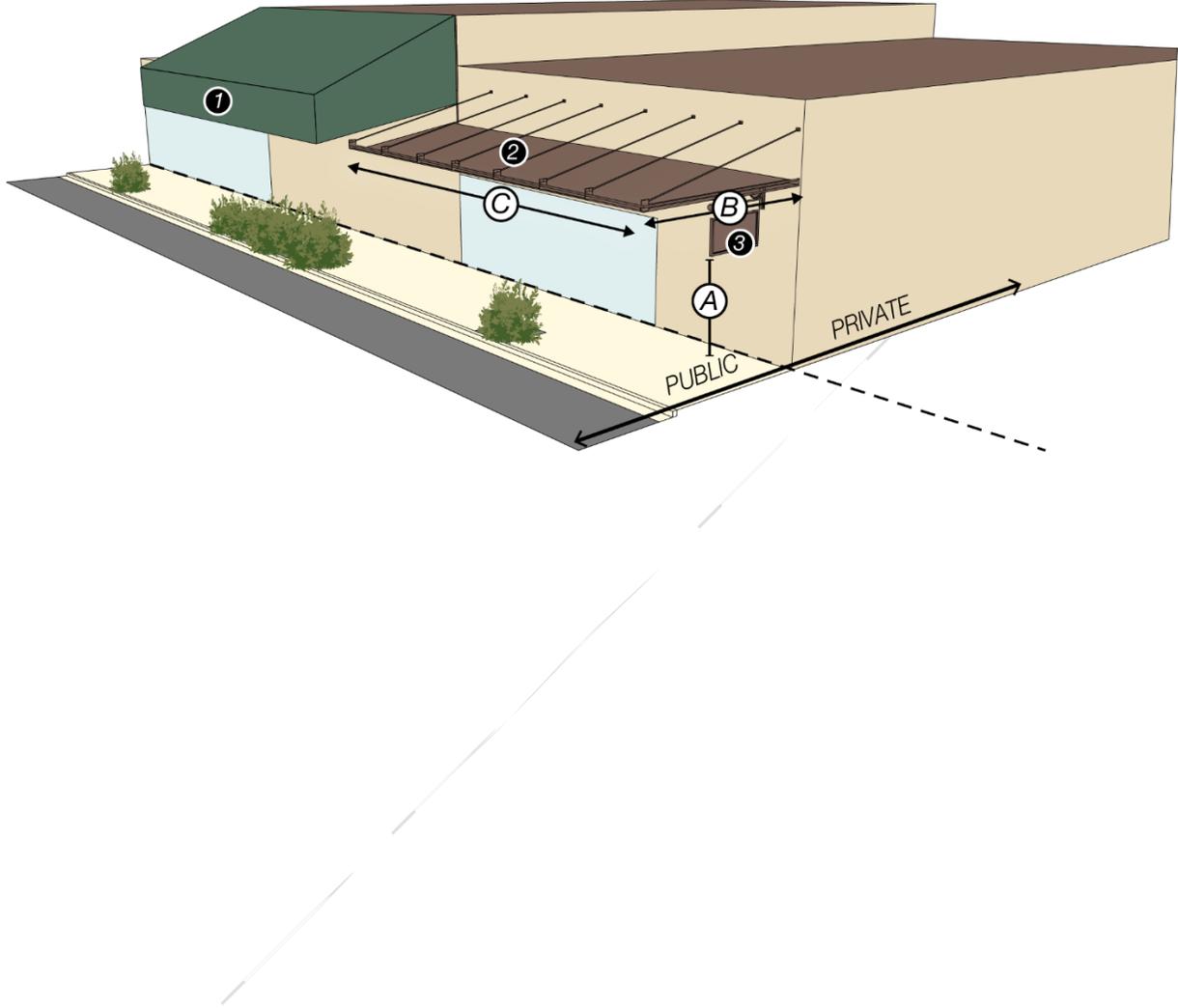
Figure B.12.9 Encroachments

*ENCROACHMENT:*

- 1. AWNING
- 2. CANOPY
- 3. SIGN

*KEY:*

- A. CLEARANCE HEIGHT
- B. DEPTH
- C. LENGTH



# 13. ACCESSORY USES & STRUCTURES

## 13.1 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.

## 13.2 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 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 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 1 foot above grade are exempt from accessory use standards.

### **13.3 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 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

<b>Table B.13.1 Residential Accessory Structures Setbacks</b>		
<b>All accessory structures &lt;= 1,200 sq ft in total area</b>		
	<b>Interior Lot</b>	<b>Corner Lot</b>
<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
<b>All accessory structures &gt; 1,200 sq ft in total area</b>		
	<b>Interior Lot</b>	<b>Corner Lot</b>
<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

(5) Maximum Size – the maximum size of residential accessory structures shall be governed by Table B.13.2 and shall be based on the gross acreage of the parcel of land on which it is located.

SECTION B.13 ACCESSORY USES AND STRUCTURES

Table B.13.2 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
<b>** &lt; 0.5<sup>1</sup></b>										
<b>0.5</b>	1100	1120	1140	1160	1180	-	-	-	-	-
<b>1.0</b>	1200	1225	1250	1275	1300	1325	1350	1375	1400	1425
<b>2.0</b>	1450	1475	1500	1525	1550	1575	1600	1625	1650	1675
<b>3.0</b>	1700	1725	1750	1775	1800	1825	1850	1875	1900	1925
<b>4.0</b>	1950	1975	2000	2025	2050	2075	2100	2125	2150	2175
<b>&gt;5.0 Exempt<sup>2</sup></b>										

<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 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 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.13.3 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

SECTION B.13 ACCESSORY USES AND STRUCTURES

<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) 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.
- (5) 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.
- (6) 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*.
  - a. Parcels boundary based upon a survey of record.
  - b. Scale and north arrow.
  - c. Floodplain Data.
  - d. Location of all existing and proposed buildings and structures, this shall include but not be limited to houses, storage structures, and recreational amenities (i.e. pools, basketball courts, tennis courts, outdoor kitchens, firepits, etc.)
  - e. 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.
  - f. Site Data table showing:
    - (a) Zoning district designation.
    - (b) Zoning district development standards including setbacks and

SECTION B.13 ACCESSORY USES AND STRUCTURES

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.

(7) Accessory Dwelling Units. See *Section B.13.4 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.3 Signs*.
- 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.14 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.

H. **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

(1) 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

(1) Accessory structures that are 200 square feet or less in gross floor area:

(2) Do not require site plan approval, provided they meet all applicable zoning and setback requirements.

(3) Are limited to a maximum of 2 such structures per parcel.

(4) Must be located in the rear or side yard and not within any easement or required buffer zone.

(5) Must be architecturally compatible with the principal structure and constructed with permanent materials.

I. **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.5.1 Required Stacking Distances*.

J. **Bicycle Parking.** Bicycle parking racks may be in any district. No advertising signs shall be permitted on such structures. Bicycle parking racks are not required to meet setbacks.

K. **Donation Boxes.** Donation boxes may be in any district and are limited to 1 donation box per lot. Donation boxes shall not be located within 500 feet of each other. Donation boxes shall not be located on vacant lots.

- L. **Vending Machine Units.** Vending machine units designed to be freestanding, all-weather outdoor units. Vending machines shall not be located on vacant lots.
- M. **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.
- N. **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 is permitted as an accessory use for commercial uses. Outdoor display shall comply with the standards below:
1. Outdoor display shall only be displayed in front or on the side of the primary façade and may not extend more than 20 feet from the building unless otherwise approved through a Site Plan approval process. Outdoor display areas shall not be placed in any drive aisles, required parking spaces, loading zones, or fire lanes.
  2. No more than 25% of the horizontal length or maximum 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.
- O. **Outdoor Dining on Private Property.** 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. No objects may be placed along publicly traversed sidewalks which form a barrier to pedestrian movement.
  4. 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.

P. **Outdoor Dining Facilities on Public Property.** The City of Sumter seeks to encourage outdoor dining in the DTC zoning district. Sidewalk cafes and sidewalk dining areas are indicators of a vibrant downtown. Because the sidewalks and other desirable open spaces are owned by the City, care is necessary to ensure that pedestrian access is preserved and that the welfare of all citizens is protected. The following policy is established to achieve this purpose.

1. Process Overview. Sidewalk dining approval happens in three stages:
  - (1) Application, review and approval by the City Planning Department.
  - (2) Signed Outdoor Dining License Agreement with the City of Sumter.
  - (3) Application for and issuance of a Building Permit (for construction of semi-permanent facilities).
2. Eligible Applicants. Property owners or proprietors of eating and drinking establishments are eligible to submit an application for the installation of outdoor dining facilities on the public sidewalk, on property owned by the City of Sumter, and/or within the public right-of-way.
3. Application Process. The following shall be included in the Application.
4. Application and \$25.00 fee
5. Scaled site plan showing:
  - (1) Adjacent building outline
  - (2) Property boundaries
  - (3) Sidewalk width
  - (4) Existing parking stalls, trees, hydrants, light poles, and other street furnishings
  - (5) Outdoor seating boundary, seating area placement, and seating plan
  - (6) Elevation, perspective drawings and/or pictures
  - (7) Proof of Insurance, Indemnity, and Hold Harmless Statement
  - (8) Construction details, including:
    - a. platform materials and design
    - b. decorative fencing, barriers, light posts, planter boxes
    - c. Tables and chairs

## d. Other design elements

## 6. Design Standards for Outdoor Dining Facilities.

- (1) The proposed outdoor dining area may occupy and or displace a maximum of two parking spaces for outdoor dining. The spaces must be a minimum 20 ft. from a corner and protected by planters, bollards, barriers, soft hit posts, sidewalk bulb-out, or other similar features acceptable to the City.
- (2) The outdoor dining area must provide a minimum clearance of 1 ft. from the edge of any existing parking apron, where there is parallel, diagonal, or perpendicular parking;
- (3) Raised Flooring or Decking is required when using a parking space for dining, shall be flush with the curb, and not extend more than 6 feet into the parking space. The area shall be constructed and/or installed to conform to the applicable provisions, rules, regulations and guidelines of the adopted building code and the Americans with Disabilities Act (ADA). The cross slope on the dining area surface may not exceed 2.0% in any direction;
- (4) A building permit is required for construction;
- (5) The applicant shall maintain all tables, chairs, sidewalk, parking space (including areas under the decking), and all other design elements in a safe, clean, and attractive manner at all times. All outdoor dining furnishings located on a sidewalk or in a parking space such as tables, chairs and parking space barriers shall be removed during closed business hours and may not be stored outside, unless otherwise approved by the City. Decking with barriers may remain but must be removed when directed by the City;
- (6) For dining areas parallel to the street (on sidewalk or in parking space) alcohol shall be served only to patrons seated in the designated outdoor dining area; for other outdoor dining areas alcohol shall be served to patrons in a defined and enclosed outdoor dining area;
- (7) Smoking is prohibited within an the outdoor dining area;
- (8) Rectangular planters (when used) shall be 2 ft. wide x 3 ft. long; round

SECTION B.13 ACCESSORY USES AND STRUCTURES

planters shall be 2 ft. in diameter;

(9) A minimum 5 ft. wide sidewalk corridor must be maintained at all times for public pedestrian circulation;

(10) Warm white table lighting and under umbrella lighting is permitted. Glare falling outside of the outdoor dining area is prohibited. No other outdoor lighting is permitted. Flood lights are NOT permitted;

(11) Furnishings

a. Tables and Chairs: Wrought iron, cast aluminum, cane, teak, or other styles pre-approved by the City.

b. Umbrellas shall be canvas only.

7. Other Requirements and Provisions.

(1) Insurance.

a. The Owner shall maintain in effect throughout the term of the License Agreement public liability insurance providing for a minimum of \$1,000,000 combined single limit, which insurance shall cover any accident, injuries, or damage suffered on, about, or within the Licensed Area or as a result of rights granted pursuant to this License Agreement. The City shall be named as an additional insured on such insurance policy.

b. The Owner shall deliver proof of such insurance to the City at the time of application submission. Such proof will be attached to the License Agreement. Proof shall be in the form of a certificate from an insurance company authorized to do business in the State of South Carolina, which certificate shall contain the provision that such insurance shall be non-cancelable except after fifteen days written notice to the City and which names the City as co-insured.

(2) Indemnification.

a. The Owner shall at all times indemnify, defend, and hold the City and its elected officials, employees, and agents harmless against any and all liability, loss, cost, damage, or expense sustained by the City, including attorney's fees and other expenses of litigation arising therefrom, (i) on account of or through the use of public

property affected by this License Agreement, improvements constructed thereon, and/or the exercise of any rights granted pursuant to this License Agreement by Owner or by any other person; or (ii) out of, or directly or indirectly due to, any failure of the Owner in any respect promptly and faithfully to satisfy its obligations under this License Agreement or under any applicable law, regulation, rule, or bylaw of any governmental authority.

- b. The Owner also shall at all times indemnify, defend, and hold the City harmless against all liens and charges of any and every nature that may at any time be established against the Licensed Area or any improvements thereon or therein or any part thereof as a consequence, direct or indirect, of any act or omission of Owner as a consequence, direct or indirect, of the Owner's interest under this License Agreement.

(3) Termination

- a. The City has the right to suspend or prohibit the operation of outdoor dining allowed under the permit at any time because of anticipated or actual problems or conflicts in the use of the sidewalk and/or parking space area.
- b. The City has the right to revoke the License Agreement at any time for any reason.

## 13.4 ACCESSORY DWELLING UNITS (ADU)

- A. **Purpose and Intent.** The ADU housing pattern provides for the development of accessory dwelling units on a lot as an accessory use to a principal use.
- B. **Definition.** An ADU is a self-contained dwelling unit that includes a sleeping area, kitchen, and full bathroom, as well as its own external entrance - that is constructed on a lot in addition to an existing single-family residence. The ADU use is subordinate to the principal dwelling and can function autonomously if necessary. ADUs may also be referred to as granny flats or mother-in-law suites, but are not limited to these names.

- C. **ADU Standards.** In accordance with this section, an ADU shall conform with the following development standards:
1. An ADU shall be located on the same lot as a principal dwelling and shall be affixed to or constructed on a permanent foundation
  2. A manufactured home or moveable structure may not be used as an ADU;
  3. There shall be no more than 1 ADU on the same lot as a principal dwelling;
  4. Minimum of 1 parking space required in addition to required parking for principal dwelling unit;
  5. The ADU must be accessed by a separate external entrance from the principal dwelling;
  6. Ownership of an ADU shall not be transferred separate from its principal dwelling unit;
  7. An ADU may not be placed on the same lot as a manufactured home or mobile home.
- D. **Development Standards.** All ADUs shall conform to the development standards in Table B.13.4.

Table B.13.4 ADU Development Standards				
Lot Area		Greater than 15,000 sf	9,000 sf to 15,000 sf	Less than 9,000 sf
Building Specifications				
Gross Floor Area (Max) <sup>1</sup>		1,000 sf	800 sf	600 sf
Detached ADU Setbacks				
Setbacks (Min)	From primary street	Must be located at or behind the front wall of the house		
	From exterior lot line	15'	15'	15'
	From interior side lot line	5'	5'	5'
	From rear lot line	5'	5'	5'
From Alley (Min)		4' without parking / 20' with parking	4' without parking / 20' with parking	4' without parking / 20' with parking
Height (Max)		5' (or height of principal dwelling unit, whichever is less)		
<sup>1</sup> ADU gross floor area shall include all conditioned space.				

## 13.5 ADU PROCEDURE

### A. New Accessory Structures and Additions.

1. **Application Materials for Submission.** Prepare all necessary application materials for approval of a newly developed ADU, including:
  - (1) Residential Permit Application
  - (2) Residential Site Plan

- (3) All contractor information (General contractor and sub-contractors)
- (4) Owner Exemption Affidavit (if substituting homeowner for contractor)
- (5) Approval by Board of Adjustment (if variance is requested)
- (6) Survey indicating the proposed work on the property (if necessary)
- (7) Elevation drawings-
- (8) Structural Plans (if applicable as stated in *Section 9-2(B) Change of Use*).

**2. Project Review and Permitting.**

- (1) Submit the applications(s) for review.
- (2) Conduct an initial review of the project.
- (3) Request client resubmission if necessary.
- (4) Perform a final review. Note: Plans ready for permit issuance without contractor information will be considered invalid, and the application will be void after six (6) months.

**3. Paying Fees.**

- (1) A Plan Review Fee is due prior to project review.
- (2) All other fees are due when permits are ready for issuance.

**B. Change of Use.**

**1. Application Materials for Submission.** Prepare all necessary application materials for approval of an ADU change of use including:

- (1) General contractor information.
- (2) Authorized Agent Form Approval by Board of Adjustment (if variance is requested).
- (3) Floor Plan (to scale) that includes egress and all fire rating/separation requirements.
- (4) General construction drawings.
- (5) Structural Plans (if applicable).

**2. Project Review and Permitting.**

- (1) Submit the application(s) for review.
- (2) Conduct an initial review of the project.
- (3) Request client resubmission if necessary.

SECTION B.13 ACCESSORY USES AND STRUCTURES

(4) Perform a final review. Note: Plans ready for permit issuance without contractor information will be considered invalid, and the application will be void after 6 months.

3. **Paying Fees.**

(1) A Plan Review Fee is due prior to project review.

All other fees are due when permits are ready for issuance.

# 14. TEMPORARY USES

## 14.1 PURPOSE

- A. **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, while protecting the health, safety, and welfare of the City of Sumter.
- B. **General Provisions.**
1. Any temporary use that in the judgement of the Zoning Administrator is creating a nuisance or is disruptive to the surrounding properties will have its temporary use permit revoked and shall receive 10 days notice of such action.
  2. Structures associated with a temporary use shall be removed from the site after the temporary use permit has expired.

## 14.2 STANDARDS

### A. Religious Meeting in a Tent

1. Use Standards:
  - (1) Submission of use details to include (as applicable)– site layout plans, parking plans, dates/times of operation, property owner permission letters, documentation of police and fire department notification, and any other items deemed necessary at the discretion of the Zoning Administrator to

uphold the purpose of protecting the health, safety, and general welfare of the City of Sumter.

**B. Christmas Tree Lot**

1. Use Standards:

- (1) A minimum of 5 off-street parking spaces shall be required. Additional parking may be required by the Zoning Administrator as deemed necessary to uphold the purpose of this section.

**C. Firework Stands**

1. Use Standards:

- (1) A minimum of 5 off-street parking spaces shall be required. Additional parking may be required by the Zoning Administrator as deemed necessary to uphold the purpose of this section.
- (2) Operations must occur from a structure that is secured and affixed to the ground.
- (3) No display of goods outside the structure.

**D. Contractor's Office/ Equipment Shed/Construction Site Trailers.**

1. Use Standards:

- (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 building permit or development permit, which defines 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.

- E. Temporary On-Site Storage Units/ Portable on Demand Storage (POD).** A temporary 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 temporary 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. Use Standards:

- (1) Only one temporary on-site storage units may be located on a lot at a time.
- (2) No portion of any container temporary on-site storage unit may extend onto the public right-of-way, including but not limited to sidewalks, parkways, streets, or alleys.
- (3) Temporary on-site storage units on residential lots shall be setback at least 5 ft. from property lines.
- (4) The temporary on-site storage unit shall not exceed eight 8 feet in width, 16 feet in length and eight 8 feet in height, or 1,024 cubic feet.
- (5) Every temporary on-site storage unit must be locked and secured when not being loaded or unloaded.

F. **Portable On-site 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 temporary on-site portable on-site storage unit may 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 Sumter Building and Zoning Department.
  - (2) No Associated Building Permit. A temporary on-site portable on-site storage unit shall require a temporary use permit, according to *Section A Administration*, and may be placed if it is located on a residential property for no more than sixty (60) 120 days. Temporary Use Permit may be renewed with approval from the Zoning Administrator.
    - a. No more than one (1) portable on-site storage unit shall be located on a single lot or parcel of land.

b. 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 may 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 Sumter Building and Development Department.

(2) No Without a Building Permit. A temporary dumpster shall require a temporary use permit, and may be placed on a residential property for no more than 120 days, 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.

G. **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 end of the sale period.
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 shall not be located in a fire lane.

8. Submission of details to include (as applicable) - site layout plans, parking plans, dates/times of event operations, property owner permission letters, vendors lists, police and fire department event notification documentation and any other items deemed necessary at the discretion of the Zoning Administrator to uphold the purpose of protecting the health, safety, and general welfare of the City of Sumter.

H. **Special Events.** Special events includes, but are not limited to, temporary outdoor events including, but not limited to, temporary farmer's markets, arts and craft shows, cultural events, musical events, concerts and stage shows, celebrations, festivals, fairs, carnivals, and circuses, or outdoor civic, religious or non-profit events.

1. Use Standards.

(1) No premise shall be the site of an individual 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 events sponsored by a town, the City, the County or the State, or that are located completely located on public property or within public street right-way are not subject to Section 15.2.Gf. 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) Events details shall be submitted. Event details shall include- site layout plans, parking plans, dates/times of event operations, property owner permission letters, vendors lists, police and fire department event notification documentation and any other items deemed necessary at the discretion of the Zoning Administrator to uphold the purpose of protecting the health, safety, and general welfare of the City of Sumter.

- (5) Circuses and carnivals, on a temporary basis, not to exceed seven 7 days, subject to special events ordinance application. Special events must obtain final approval from the City Manager.

<b>Table B.14.1 Temporary Use Duration Limits</b>			
<b>Temporary Use</b>	<b>Maximum Duration per Period</b>	<b>Maximum Separation of Periods</b>	<b>Maximum Duration per Year</b>
<b>Religious Meetings in a Tent</b>	60 days	n/a	60 days
<b>Christmas Tree Open Lot Sales</b>	45 days	n/a	45 days
<b>Firecracker/Firework Stands</b>	30 days	n/a	60 days
<b>Contractor's Office/Equipment Shed</b>	1 year Must be removed prior to C/O or project completion		
<b>Caretaker Mobile Home</b>	1 year; annual renewal of temporary use permit		
<b>Construction Site Trailers</b>	Must be removed prior to C/O or project completion		
<b>Temporary Office Trailer</b>			
<b>Temporary On-Site Storage Units/ Portable on Demand Storage (POD)</b>	120 days	n/a	120 days
<b>Outdoor Display/Sale of Merchandise</b>	120 days	n/a	120 days and limited to four periods per year
<b>On-site storage/ Temporary Dumpster</b>	120 days	n/a	120 days
<b>Outdoor Sales, Seasonal Sales</b>	60 days	n/a	120 days and limited to four period per year
<b>Special Events</b>	As determined by Special Event Use Permit	As determined by Special Use Event Permit	As determined by Special Event Use Permit

### **14.3 TEMPORARY USES TABLE**

- A. *Table B.14.3 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 in accordance with approved temporary use permit.
  2. **Special Event Permit Use Exception (“SP”).** These Temporary Uses are permitted by- right in the districts in which they are listed in accordance with an approved special event permit, with final approval from the City Manager., if they are developed utilizing the standards detailed in *Section B.9 Use Standards* above.
- B. **Not Permitted.** Boxes that do not contain a letter designation are not permitted in the corresponding zoning district.

**TABLE B.14.2 TEMPORARY USE TABLE**

<b>Key: P = Permitted with Temporary Use Permit; SP = Special Event Permit</b>	<b>R-15</b>	<b>R-9</b>	<b>R-6</b>	<b>GR</b>	<b>RMF</b>	<b>PO</b>	<b>NC</b>	<b>LC</b>	<b>GC</b>	<b>DTC</b>	<b>DTT</b>	<b>IG</b>	<b>LI-W</b>	<b>HI</b>	<b>AC</b>	<b>CP</b>	<b>Notes</b>
Religious Meetings in a Tent							P	P	P				P	P			Not to exceed 60 days
Christmas Tree Open Lot Sales							P	P	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
Caretaker Mobile Home							P	P	P				P	P			To provide continuous security for commercial and industrial uses; requires annual renewal of temporary use permit
Construction Site Trailers	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		Must be removed prior to C/O or project completion.
Temporary Office Trailer	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Temporary On-Site Storage Units/ Portable on Demand Storage (POD).	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Food Trucks/Mobile Vendors/Concession Operators								P	P		P	P	P	P			Subject to provisions of Section B.15.1
Farmer's Market					SP		SP	SP	SP	SP	SP	SP					
Produce Stand							P	P	P				P	P	P		
On-Site Storage/ Temporary Dumpster	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Outdoor Sales (seasonal sales)							SP	SP	SP	SP	SP	SP	SP	SP	SP		
Other Special Events	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		

**Key:** P = Permitted with Temporary Use Permit, SP = Permitted with Special Event Permit

# 15. FOOD TRUCKS & MOBILE VENDING

## 15.1 FOOD TRUCKS

### 15.1.1 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.

### 15.1.2 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.

### 15.1.3 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. **Zoning Approval.** As part of the zoning review process required prior to business

license issuance, the following items must be submitted:

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.

C. **Display Sticker:** A display sticker required for operation within city jurisdiction in accordance with this section of the ordinance will be issued upon zoning approval.

#### **15.1.4 DURATION OF ZONING APPROVAL**

A. Each Mobile Food Vendor approval shall be issued for one calendar year beginning [DATE] and shall expire on [DATE], and a renewed on an annual base. 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.

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

- A. **Location.** Food trucks shall eligible for Temporary Use under the following conditions:
1. To operate on private property or designated public property in accordance with the table in *Section 14.3 Temporary Uses*.
  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, unless a special events permit has been issued.

#### **15.1.6 PROHIBITED LOCATIONS**

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

#### **15.1.7 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.

#### 15.1.8 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.**

SECTION B.15 – FOOD TRUCKS & MOBILE VENDING

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 written approval to operate on a designated municipal site.
  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 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;

SECTION B.15 – FOOD TRUCKS & MOBILE VENDING

3. Sell anything other than that for which a license to vend has been issued;
4. Discharge fat, oil, grease, or wastewater 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.

# 16. NONCONFORMITIES

## 16.1 PURPOSE

- A. **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.
- B. **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.
- C. **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.

- D. **Ownership Changes.** No change of title or possession of property shall be construed to prevent the continuance of the nonconformity.
- E. **Increases in a Nonconformity.** A nonconformity shall not be expanded, intensified, or enlarged except as provided by this Section and or applicable State Law.

## 16.2 NONCONFORMING USES

### 16.2.1 DEFINITION.

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

### 16.2.2 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.

### 16.2.3 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.
- B. **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.

### 16.2.4 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.

### **16.2.5 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 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.

## **16.3 NONCONFORMING SITES**

### **16.3.1 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.
- B. **Project.** Any improvement, upfit, renovation, rehabilitation, restoration, removal, or addition to a structure or lot that occurs after a discontinuance and within 12 months following the resumption of operations or business activity at such structure or lot.

### **16.3.2 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 18 months.

### **16.3.3 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.16.3 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.

#### **16.3.4 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 16.3.6 Required Improvements For Certain Nonconforming Structures And Improvements*.

#### **16.3.6 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:

1. *Section B.9.2(H) Manufactured Home Park*
2. *Section B.9.5(L) Salvage Yards*
3. *Section B.9.5(J) Recycling and Waste Related Services*

## 16.4 NONCONFORMING LOTS

### 16.4.1 DEFINITION

**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.

### 16.4.2 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.

### 16.4.3 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.

### 16.4.4 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.

## **16.5 NONCONFORMING MOBILE & MANUFACTURED HOMES**

### **16.5.1 NON-CONFORMING MANUFACTURED HOMES**

Any legally established manufactured home located within the City may be moved to another property, parcel, or lot within jurisdiction of the City in accordance with the applicable zoning district development standards outlined in *Section B.9 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.9.2(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.

### **16.5.2 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 at which they are currently located.

