

## ARTICLE 2 DEFINITIONS

Words not defined herein shall have the meanings stated in the International Building Code, International Plumbing and Mechanical Code, International Gas Code, or International Fire Prevention Code. Words not defined in the International Codes shall have the meanings in *Webster's New College Dictionary*, including revisions and later editions.

- Words in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular.
- The words *must* and *shall* are always mandatory.
- The word *may* is permissive.
- The word *lot* includes the words *parcel*, *plot*, *property*, or *tract*.
- The word *person* includes a firm, association, organization, partnership, trust company, or corporation, as well as an individual.
- The word *used* or *occupied* as applied to any land or building shall be construed to imply that said land or building is in actual use or occupancy and shall be construed to include the words *intended*, *arranged*, or *designed to be used or occupied*. An intended project shall be defined as one where substantial monies have been spent towards the goal of the project.
- The term *zoning map* shall mean the Official Zoning Map for the affected jurisdiction.
- The term *Planning Commission* or *Planning and Zoning Commission* refers to the Planning and Zoning Commission for Kershaw County. The term *Board of Zoning Appeals* refers to the Board of Zoning Appeals for Kershaw County.

**Access Easement** - See *Easement, Access*.

**Accessory Apartment** - A second dwelling unit either within or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility with the provisions within the structure for cooking, eating, sanitation, and sleeping. Such a dwelling is an accessory use to the main dwelling.

**Accessory Building** - See *Building, Accessory*.

**Accessory Structure** - See *Building, Accessory*.

**Accessory Use** - A use incidental to a principal use.

**Adjoining Lot** - See *Lot, Adjoining*.

**Agricultural Facility** - Includes but is not limited to any land, building, structure, pond, impoundment, appurtenance, machinery, or equipment which is used for the commercial production or processing of crops, trees, livestock, animals, poultry, honeybees, honeybee products, livestock products, poultry products, or products which are used in commercial aquaculture.

**Agriculture** - The use of land for agricultural purposes, including farming, dairying, pasturage agriculture, horticulture, floriculture, viticulture, animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, the operation of any such storing or packing process meets the requirements in this Ordinance.

**Airport** - Woodward Field.

**Airport Hazard** - Any structure, tree, or use of land which obstructs the airspace required for, or is otherwise hazardous to, the flight of aircraft in landing or taking off at the airport.

**Alley** - A private street primarily designed to serve as a secondary access to the side or rear of those properties whose principal frontage is on some other street.

**Alteration** - Any change, addition, or modification in construction or occupancy of an existing structure.

**Alteration, Structural** - Any change in the supporting members of a building, such as the bearing walls, beams, or girders, or any change in the dimension or configuration of the roof or exterior walls of a building.

**Animal Shelter, Domestic** - A pen, shelter, kennel, or structure where domestic animals are kept as pets and not for commercial purposes, adoption, rehabilitation, fostering, or for purposes of another party.

**Animal Spectator Events** - Events which include horse parks and equestrian event facilities, rodeos, bull riding, and other commercial animal riding events.

**Apartment** - See *Dwelling, Multi-Family*.

**Apartment, Accessory** - See *Accessory Apartment*.

**Applicant** - The person holding an application for a permit issued by the Planning and Zoning Department.

**Arterial Street** - See *Street, Arterial*.

**Attached Structure** - See *Structure, Attached*.

**Available Public Water System** - The public water system, company, or authority whose water lines bring water to the entrance of a subdivision.

**Awning** - An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable. Example: A canvas covered frame extending from a building wall to an area over the sidewalk in front of a shop.

**Base Flood Elevation** - The crest elevation in relation to a mean sea level expected to be reached by the one (1) percent annual chance of flood, i.e., the 100 year flood.

**Bed and Breakfast Inn** - A house, or portion thereof, where breakfast and short-term lodging rooms are provided. The operator of the inn lives on or in adjacent premises.

**Berm** - Any man-made hill or slope which represents a change of elevation of at least twenty-five (25) percent (4:1 slope) and a maximum of thirty-three (33) percent (3:1 slope), and which is covered with an appropriate stabilizing vegetation.

**Best Management Practices (Stormwater)** - Schedules of activities, prohibitions of practices, maintenance procedures, other management practices, as well as structural controls to prevent or reduce the pollution of waters of the United States. Best management practices (BMPs) also include treatment requirements, operating procedures, and practices to prevent erosion, control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**Boarding House** - An establishment providing lodging where meals are regularly prepared and served for compensation.

**Buffer Area (Buffer Yard)** - A unit of yard, together with plantings, fences, walls, and other screening devices required thereon. The purpose of a buffer area is to ameliorate any potential negative impact between adjacent land uses and streets, and to promote land use compatibility.

**Buffer Yard** - See *Buffer Area*.

**Buffer, Riparian** - The area of natural or planted vegetation adjacent to a natural watercourse.

**Buildable Area** - That portion of any lot which may be used or built upon in accordance with the regulations governing the zoning district within which the lot is located when the front, side, and rear yard, open space, and applicable buffer area requirements have been met.

**Building** - Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons or property.

**Building Height** - See *Height, Building*.

**Building Official** - The chief building inspector who is designated a Certified Building Official by the International Code Council.

**Building Permit** - For purposes of this Ordinance, the term *building permit* shall be synonymous with Development and Improvement Permit, Electrical, Mechanical, Plumbing, Gas, Roofing, and Residential Specialty permits as used on departmental forms.

**Building, Accessory** - A detached subordinate structure occupied or devoted to a use incidental to the principal use. Included in this definition are private garages, storage sheds, workshops, domestic animal shelters, pool houses, etc., when detached from the principal building, and carports attached to the principal building when at least seven (7) percent is open or unenclosed.

**Building, Modular Unit or Modular Structure** - Any building of closed construction, regardless of type of construction or occupancy classification, other than a mobile or manufactured home, constructed off-site in accordance with the applicable codes, and transported to the point of use for installation or erection. When meeting the requirements of the *Modular Building's Construction Act* (23-43-10 of the S. C. Code of Laws), said building unit or structure may be located in any of the County's several zoning districts.

**Building, Principal** - A building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

**Business** - A person or entity known to the general public as providing goods or services to others outside the immediate family whether for profit or not.

**Caliper** - The diameter of a trunk of a nursery-grown tree or immature tree to be transplanted, measured at six (6) inches above the top of the root mass.

**Camper** - See *Recreational Vehicle*.

**Canopy** - An open-sided freestanding structure constructed of rigid materials or non-rigid materials, including, but not limited to metal, wood, concrete, plastic, canvas, or glass. The structure covering the fueling area at a gas station is considered to be a canopy. Other examples include picnic shelters, gazebos, and cabanas.

**Certificate of Occupancy** - A compliance certification issued upon a final inspection certifying that a structure has been constructed to all applicable codes and standards.

**Child Care Services** - Child care services mean and include any home, center, agency, or place, however styled, where children not related to the operator are received for custodial care, apart

from their parents, whether for compensation, reward, or otherwise during part or all of the day or night and upon any number of successive days or nights.

**Civic Organization** - A non-profit organization committed to community development.

**Cluster Development** - See *Development, Cluster*.

**Code Enforcement Officer** - The person(s) designated by Kershaw County Council to enforce County codes and regulations which include zoning and land development regulations.

**Common Open Space** - Land and/or water within or related to a development, not individually owned, which is designed and intended for the common use or enjoyment of the residents of the development or the public, which may contain such accessory structures and improvements as are necessary and appropriate for passive recreational purposes and utilities. Common open space may not be further subdivided.

**Compliance Certification** - A certification that any project completed under a Planning and Zoning Department building, land development, or use permit has been inspected and deemed completed under the permit conditions and the regulations of this Ordinance. A compliance certification must be issued before the occupation or use of any project. See definitions for *Certificate of Occupancy* and *Use Permit*.

**Conditional Use** - A use of land or structure, which is permitted in a zoning district under conditions specified in the zoning regulations of this Ordinance.

**Confined Animal Feeding Operation (CAFO)** - An agricultural facility where animals are confined and fed or maintained for a total of forty-five (45) days or more in a twelve (12) month period, and crops, vegetated forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Structures used for the storage of animal waste from animals in the operation also are part of the concentrated feeding operation.

**Conservation Design** - A type of residential or commercial development where sixty (60) percent or more of the development land area is designated as undivided permanent open space; thereby permanently protecting agriculturally, environmentally, or ecologically significant areas within the parcel. The remaining developable land is subdivided into buildable lots or utilized as a group development; typically with more density than would be found in a traditional development within the zoning district

**Corner Lot** - See *Lot, Corner*.

**County Building Codes** - The most recent codes adopted by the South Carolina Building Code Council for use in the State of South Carolina and any additional codes that may be adopted by Kershaw County that have been approved by the South Carolina Building Code Council.

**County Engineer** - The County Engineer shall mean the County Engineer, Stormwater Manager, Public Works Director, or other County official designated by the County Administrator to perform specified engineering functions.

**Density** - The number of dwelling units per acre of land developed or used for residential purposes. Unless otherwise clearly stated, density requirements in this Ordinance are expressed in dwelling units per net acre; that is, per acre of land devoted to residential use and common open space exclusive of land utilized for streets, alleys, parks, playgrounds, school grounds, or other public uses.

**Detached Structure** - See *Structure, Detached*.

**Detention Pond** - *Pond, Detention.*

**Developed (Land or Parcel)** - A parcel that contains structures, facilities, or other modifications of the natural landscape on and below ground or water that are currently in use.

**Developer** - An individual, partnership, or corporation (or agent thereof) that undertakes the activities covered by these regulations.

**Development** - Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

**Development and Improvement Permit** - See *Building Permit.*

**Development, Cluster** - A form of development that permits a reduction in lot area and/or bulk requirements, providing that the total project density is comparable to the density permitted under a conventional development.

**Development, Group** - A group development is a development of a single tract of land or adjacent tracts of land under the same ownership or control. Group developments include commercial, retail, industrial, institutional, multi-family residential, and manufactured home parks, and are classified as major or minor group developments as defined below:

A. **Major Group Developments** - Major group developments are as follows:

1. Commercial, Industrial, Institutional - A group commercial, industrial, or institutional development consists of a multiple use or multiple occupant commercial, industrial, or institutional complex of a combined 25,000 square feet or greater of gross floor area, or a single-use, single-occupant commercial or industrial building of 25,000 square feet or greater of gross floor area. Examples are shopping centers and malls; commercial business or industrial parks; and “big box” retail.
2. Housing - A group housing development consists of:
  - a. Multi-family apartment buildings, duplexes, triplexes, quadruplexes, and townhouses on a single tract of land or adjacent tracts of land under the same ownership or control containing a combined total of more than ten (10) dwelling units.
  - b. Manufactured Home Parks - All manufactured home parks are classified as major group developments.

B. **Minor Group Developments** - Minor group developments are as follows:

1. Commercial, industrial, or institutional developments that consist of a multiple use or multiple occupant commercial, industrial, or institutional complex of a combined square footage of less than 25,000 square feet gross floor area, or a single-use, single-occupant commercial or industrial building of less than 25,000 square feet of gross floor area.
2. Multi-family apartment buildings, duplexes, triplexes, quadruplexes, and townhouses on a single tract of land under the same ownership or control containing a combined total of more than two (2) and no more than ten (10) units.

**Development, Land** - The changing of land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, commercial parks, shopping centers, industrial parks, manufactured home parks, and similar developments for sale, lease, or any combination of owner and rental characteristics.

**Development, Large Acreage Residential on Private Road** - A development containing no lot less than ten (10) acres, developed on a private road, and meeting requirements of this Ordinance.

**Development, Major Group** - See *Development, Group*

**Development, Minor Group** - See *Development, Group*.

**Development, Zero Lot Line** - A development where the location of a building is on a lot in such a manner that one or more of the building's sides rests directly on a lot line.

**Diameter at Breast Height (DBH)** - The standard measure of tree diameter for trees existing in place on a site. The tree trunk is measured four and one-half (4½) feet above the ground. If the tree splits into multiple trunks below four and one-half (4½) feet, the trunk is measured at its most narrow point beneath the split.

**District, Planned Development** - See *Planned Development District*.

**Double Frontage Lot** - See *Lot, Double Frontage*.

**Drainage Facility** - Any component of the drainage system.

**Drainage Systems** - The system through which water flows from the land, including all water courses, water bodies, and wetlands.

**Drainage** - The removal of surface water or ground water from land by drains, grading, or other means.

**Driveway** - A paved or unpaved area used for ingress or egress of vehicles, and allowing access from a street to a building, lot, structure, or facility that provides access to no more than three (3) parcels of land. Access within multiple parcel group developments is excluded from this definition.

**Driveway Sight Triangle** - See *Sight Triangle*.

**Duplex** - See *Dwelling, Duplex*.

**Dwelling** - A building or portion of a building arranged or designed exclusively for human habitation.

**Dwelling, Apartment** - See *Dwelling, Multi-Family*.

**Dwelling, Duplex** - A single building designed, constructed, and used for two (2) dwelling units which are separated by common walls between the individual dwelling units.

**Dwelling, Manufactured Home** - A structure, transportable in one (1) or more sections which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or when erected onsite is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in it.

**Dwelling, Mobile Home** - A factory-built home built prior to enactment of the Federal *Manufactured Housing Construction and Safety Standards Act*, effective June 15, 1976.

**Dwelling, Multi-Family** - A building containing five (5) or more dwelling units.

**Dwelling, Patio House** - A single-family detached or semi-detached dwelling unit built on a small lot generally enclosed by walls which provide privacy. For the purposes of this Ordinance, the term is synonymous with zero lot line dwelling.

**Dwelling, Quadruplex** - A single building designed, constructed or reconstructed, and used for four (4) dwelling units which are separated by common walls between the individual dwelling units.

**Dwelling, Single-Family** - A building containing one (1) dwelling unit.

**Dwelling, Single-Family Detached**- A detached dwelling of one unit, other than a manufactured home or a mobile home, designed for or occupied exclusively by one family.

**Dwelling, Townhouse** - A series of attached one-family dwelling units which may or may not have a common roof and are separated from each other by common vertical walls.

**Dwelling, Triplex** - A single building designed, constructed, and used for three (3) dwelling units which are separated by common walls between the individual dwelling units.

**Dwelling Unit** - A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

**Dwelling, Zero Lot Line** - A zero lot line dwelling is a single-family detached unit which, instead of being centered on a lot, is placed against at least one of the side lot lines. For the purpose of this Ordinance, the term is synonymous with patio house.

**Easement** - A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property shall not erect any permanent structures.

**Easement, Access** - An easement granted to allow access to a parcel of land.

**Environmentally Sensitive Stream** - See *Stream, Environmentally Sensitive*.

**Evergreen Tree** - See *Tree, Evergreen*.

**Exempt Subdivision** - See *Subdivision, Exempt*.

**Façade** - The exterior wall of a building that is exposed to public view or that wall viewed by persons not within the building.

**Factory-Built Housing** - A three dimensional, transportable, factory-built structure designed for long term residential use. Such housing includes manufactured, mobile, and modular homes.

**Failed Septic System** - Any sewage disposal system that does not adequately treat and dispose of sewage that consequently creates a public or private nuisance or threat to public health and/or environmental quality.

**Family** - One or more persons related by blood, marriage, adoption, or guardianship, and not more than four (4) persons not so related, except that up to nine (9) mentally or physically handicapped persons for whom care is provided on a twenty-four (24) hour basis shall be construed to be a family, in accord with the provisions of 6-29-770(E) of the South Carolina Code of Laws, including approval or licensing of the home in which they are located by a State agency for that purpose.

**Family Daycare Home** - A facility within a residence in which the operator (caregiver) resides, where child daycare is regularly provided for no more than six children who are unattended by their parent or legal guardian, including those children living in the home and children who are related to the resident operator (caregiver). If child daycare is provided for only a child or children related to the resident caregiver and/or the child or children of only one unrelated family, then the facility is not a family daycare home.

**Federal Manufactured Home Construction and Safety Standards** - Regulations promulgated by the Department of Housing and Urban Development (HUD) governing the design and construction, strength and durability, transportability, fire resistance, energy efficiency, and quality of manufactured housing. These standards also set performance requirements for heating, plumbing, air conditioning, thermal, and electrical systems.

**Fence** - Any artificially constructed barrier of any material or combination of materials erected to enclose, define, or screen areas of land.

**Fence, Paddock** - A fence erected to enclose animals.

**Final Plat** - The final map of all or a portion of a development or subdivision which is presented for final approval for recording.

**Fire Flow** - Water flow not less than 500 gallons per minute with a residual pressure not less than twenty (20) psi.

**Flag** - A piece of flexible material or fabric, usually rectangular, of distinctive color and design, that is used as a symbol (to show national or other allegiance) or decoration.

**Flag Lot** - See *Lot, Flag*.

**Flood Hazard Area** - Areas subject to flooding as designated on the FEMA Flood Insurance Rate Maps of Kershaw County as an area of special hazard during a flood event.

**Floodplain** - See *Flood Hazard Area*.

**Floor Area** - See *Gross Floor Area*.

**Floor Area Ratio** - An intensity measure of land use derived by dividing the total floor area of a building by the total site area.

**Forebay** - A small pool or basin (typically about 10 percent of the volume of the main pond area) that is placed upstream of the main pond area and below the inlets into the pond. The forebay is separated from the main pond area by barriers or baffles that may be constructed of earth, stones, rip-rap, gabions, or geotextiles. A forebay is designed to trap coarse particles that would otherwise accumulate in the main pond area. By catching the coarse particles, routine maintenance is then typically performed on the much smaller forebay, thereby greatly reducing the need to dredge the main pond. Depending on the number and location of the inlets into the pond, either one larger or several smaller forebays may be required. Also referred to as a sediment forebay.

**Forestry Activity** - Forestry activity includes, but is not limited to, timber harvest, site preparation, controlled burning, tree planting, applications of fertilizers, herbicides, pesticides, weed control, animal damage control, fire control, insect and disease control, forest road construction, and any other generally accepted forestry practices.

**Forest Management Plan** - Forest management plan means a document or documents prepared or approved by a forester registered in this State that defines a landowner's forest management objectives and describes specific measures to be taken to achieve those objectives. A management plan shall include silvicultural practices, objectives, and measures to achieve them, that relate to a stand or potential stand of trees that may be utilized for timber products, watershed or wildlife protection, recreational uses, or for other purposes.

**Frontage** - The length of the property line serving as a public street right-of-way line. For lots

with multiple frontages, the principal street frontage shall be the same as that to which the building is oriented.

**Frontage, Road/Street** - Any strip of land adjacent to a public road right-of-way.

**Garage, Private** - An enclosed structure that is used for the parking or storage of private motor vehicles.

**Good Operating Condition, Septic System** - Good operating condition means an on-site sewage disposal system (OSDS) that, upon inspection, is determined to function in a sanitary manner; prohibits the discharge of untreated or partially treated wastewater onto the ground surface, into surface water, or into ground water; and allows building plumbing to discharge rapidly.

**Gross Floor Area (GFA)** - The sum of the floor area for each of a building's stories measured from the exterior limits of the faces of the structure, including basement floor area. It does not include unenclosed porches or any floor space in an accessory building or in the principal building which is designed for parking of motor vehicles.

**Group Development** - See *Development, Group*.

**Gutter** - A shallow channel usually set along a curb or the pavement edge of a road for purposes of catching and carrying off water.

**Habitable** - Refers to the condition of a structure which is safe and sanitary for human habitation. For habitability standards as applied to manufactured housing, refer to Article 4 of this Ordinance.

**Height** - The vertical measurement from average elevation of finished grade within twenty (20) feet of a structure or vegetation to the highest point of a structure or vegetation. This definition shall apply in determining height (by elevation) of all structures or vegetation within the Airport Overlay District.

**Height, Building** - For purposes of maximum building height per the zoning district regulations of this Ordinance, the measurement from average elevation of finished grade within twenty (20) feet of the structure to the bottom of the eave.

**Home Occupation** - Any occupation within the principle residence, clearly incidental thereto, carried on by a member or members of the family residing in the principal residence.

**Homeowners' Association** - A private non-profit association which is organized and legally chartered by a developer or members of a residential development whose functions include, but are not limited to, sharing common interests in open space and facilities; preserving, managing, and maintaining the common property; and enforcing certain covenants and restrictions.

**Hotel** - A facility offering transient lodging accommodations at a daily rate to the general public and may provide additional services such as restaurants, meeting rooms, and recreational facilities. The word *hotel* shall include the word *motel*.

**Impervious Surface** - Impervious surfaces are those that do not absorb water. All buildings, paved parking areas, driveways, roads, sidewalks, and any areas in concrete or asphalt shall be considered impervious surfaces within this definition unless constructed of specified pervious material. In addition, other areas determined by the Planning Official to be impervious within the meaning of this definition also will be classed as impervious surfaces.

**Impervious Surface Ratio** - The impervious surface ratio is a measure of the intensity of land use. It is determined by dividing the total area of all impervious surfaces within a site by the total site area.

**Improvement** - Any man-made immovable item which becomes part of, is placed upon, or is affixed to real estate.

**Individual Sewerage Disposal System** - A septic tank, seepage tile, sewerage disposal system, or any other approved sewerage treatment device serving a single unit.

**Institutional Use** - Institutional uses include educational, religious, recreational, civic, municipal, and other non-commercial institutional uses that are allowable in any zoning district under the zoning district regulations of this Ordinance.

**Instrument Runway** - A runway equipped or to be equipped with a precision electronic navigation aid or landing aid or other air navigation facilities suitable to permit the landing of aircraft by an instrument approach under restricted visibility conditions.

**Interior Lot** - See *Lot, Interior*.

**Intermittent Stream** - See *Stream, Intermittent*.

**Internally** - Within the confines of a subdivision.

**Intersection Sight Triangle** - See *Sight Triangle*.

**Junk or Salvage** - Any materials consisting of waste discarded or salvage matter which is bought, sold, exchanged, stored, baled, packed, or disassembled for profit, trade, or hire; and shall include any vehicle damaged so as not to comply with State or Federal safety regulations, incapable of self-propulsion, or partially dismantled if retained on the premises for more than 72 hours whether for repair or not. The word *junk* shall also mean, but is not be limited to, old or scrap copper, brass, aluminum, rope, rags, paper, trash, tire carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous material.

**Junk or Salvage Yard** - Any premises where salvage or junk as defined herein are found and have been permitted to remain with the consent of the owner, lessee, or person(s) responsible for maintenance of such premises.

**Kennel, Commercial** (NAICS Code 81291) - A business establishment where small animals are boarded for compensation, or where dogs are raised and/or bred on a commercial scale. This definition does not include domestic animal shelters or veterinary clinics, where the boarding of animals is enclosed.

**Land Development** - See *Development, Land*.

**Large Acreage Residential Development on Private Road** - See *Development, Large Acreage Residential on Private Road*.

**Large Maturing Tree** - See *Tree, Large Maturing*.

**Light Commercial and Industrial Street** - See *Street, Light Commercial and Industrial*.

**Light Emitting Diode (LED)** - An electronic component that lets electricity pass in only one direction that emits visible light when electricity is applied, much like a light bulb. When many LEDs are side-by-side, they can create pictures and movement.

**Lot** - A parcel of land considered as a unit. The words *lot, property, plot, parcel, or tract*

whenever used in this Ordinance, are interchangeable.

**Lot Area** - The area contained within the boundary line of a lot.

**Lot Depth** - The horizontal distance between front and rear lot lines.

**Lot Line** - A line bounding a lot which divides one lot from another, from a street, or any other public or private space.

**Lot of Record** - A lot that is recorded by plat or deed with the Kershaw County Register of Deeds.

**Lot, Adjoining** - All lots which the subject lot abuts or touches including lots solely separated from the subject lot by a public or private road, a public or private street, a public or private easement, right of way, or a stream.

**Lot, Corner** - A lot located at the intersection of two or more streets.

**Lot, Double Frontage** - A lot having frontage on two parallel or approximately parallel streets other than alleys.

**Lot, Flag** - A lot with a dedicated access to a public road provided to the bulk of the lot by means of a narrow corridor.

**Lot, Interior** - A lot, other than a corner lot, which has frontage on only one street other than an alley.

**Lot, Minimum Width** - The width of a lot as measured on the street frontage property line. Minimum lot widths do not apply to lots located on cul-de-sacs or on curves less than ninety (90) degrees.

**Lot, Reverse Frontage** - A double frontage lot extending between, and having frontage on an arterial street and a minor street, and with vehicular access solely from the minor street.

**Low Impact Development (LID)** - A stormwater management and land development strategy applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrology. LID focuses on how water enters a site, is stored on-site, is used on-site, and leaves a site. Land development that incorporates LID practices minimizes impervious surface, protects and enhances native vegetation and soils, and manages stormwater at its source. The goal of LID is to prevent measurable harm to streams, lakes, wetlands, and other natural aquatic systems from commercial, residential, or industrial development sites, while also promoting beneficial use (or reuse) of naturally occurring water on the development sites.

**Major Group Development** - See *Development, Group*.

**Major Subdivision** - See *Subdivision, Major*.

**Mansard Roof** - A type of roof construction in which all four sides of the roof have two slopes. The lower slope is typically steeper than the upper slope.

**Manufactured Home** - See *Dwelling, Manufactured Home*.

**Manufactured Housing** - See *Dwelling, Manufactured Home*.

**Mapping Official** - Refers to the Kershaw County Geographical Information System (GIS) Coordinator or his designee.

**Marquee** - A fixed hood or awning of permanent construction which is supported solely from a

building wall, and extends beyond the building. Example: The structure over the front sidewalk area at a movie theatre.

**Medium Maturing Tree** - See *Tree, Medium Maturing*.

**Mini-Warehouse** - A building or group of buildings in a controlled-access and fenced compound that contains individual, compartmentalized, and controlled-access stalls or lockers for the dead storage of a customer's goods or wares.

**Minor Group Development** - See *Development, Group*.

**Minor Subdivision** - See *Subdivision, Minor*.

**Mobile Home** - See *Dwelling, Mobile Home*.

**Mobile or Manufactured Home Park** - A lot or parcel with space, improvements, and utilities for the long-term parking of two (2) or more mobile or manufactured homes which may include services and facilities for the residents.

**Mobile or Manufactured Home Park Space** - A plot of ground within a mobile or manufactured home park designed for the accommodation of one mobile or manufactured housing unit. The space does not constitute a lot of record.

**Modular Building** - See *Building, Modular Unit or Modular Structure*.

**Multi-Family Dwelling** - See *Dwelling, Multi-Family*.

**Municipal Separate Storm Sewer System (MS4)** - Conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by a State, city, town, borough, county, parish, district, association, or other public body and designed or used for collecting or conveying stormwater, which is not a combined sewer and is not part of a Publicly Owned Treatment Works (POTW). The term *MS4* typically refers to that public body whose conveyance system is further regulated by the National Pollution Discharge Elimination System (NPDES) as defined in the *Clean Water Act* and associated State NPDES General Permits for Storm Water Discharges.

**Native and Adapted Plants** - Native plants are plants that were growing in this region prior to European settlement. Adapted plants are plants that have been introduced to the region that grow reliably well. Native and adapted plants require minimal attention from humans in the form of winter protection, pest treatment, water irrigation, or fertilization once the root systems are established in the soil. Native and adapted plants are considered to be low maintenance and not invasive.

**New Slaughterhouse Operations** - For purposes of this Ordinance, new slaughterhouse operations means agricultural operations that are established after this Ordinance's effective date; and slaughter or process more than two hundred million pounds of livestock, hogs, aquatic animals, equine, chickens, turkeys, poultry, or other fowl normally raised for food, mules, cattle, sheep, goats, rabbits, or similar farm animals for commercial purposes. A new slaughterhouse operation does not include a slaughterhouse located within the corporate limits of a city that relocates within that same county.

**New Swine Operations** - For purposes of this Ordinance, new swine operations means porcine production operations not in existence on June 30, 2006.

**Nonconforming Structure** - See *Nonconformity*.

**Nonconforming Use** - See *Nonconformity*.

**Nonconformity** - A nonconformity is any lot of record, use, building, structure, or vegetation in existence prior to the effective date of this Ordinance, but which fails, by reason of such adoption, revision, or amendment to conform to the present requirements of this Ordinance.

**Non-Residential Use** - A principal use of land for purposes other than residential, i.e. commercial, industrial, or institutional.

**Off-Premise Directional Sign** - See *Sign, Off-Premise Directional*.

**Official Zoning Map** - The map(s), maintained in the Planning and Zoning Department, indicating the boundaries of the zoning districts of the unincorporated areas of Kershaw County. The Official Zoning Map and all amendments, certifications, citations, and other matters entered onto the Map are a part of this Ordinance and have the same legal effect as if fully set out herein.

**On-Site Sewage Disposal System (OSDS)** - Any system, piping, tanks, drain fields, alternate toilets, or other facilities designed to function as a unit to convey, store, treat, and/or dispose of sanitary sewage by means other than discharge into a public sewer. For purposes of this Ordinance an OSDS shall mean any septic tank or other on-site sewage disposal system.

**Open Space Ratio** - A measure of the intensity of land use arrived at by dividing the total amount of open space within the site by the total site area.

**Overlay District** - An area established by this Ordinance in which the underlying zoning district regulations are supplemented by regulations created specifically for the referenced area.

**Owner-Occupied** - A dwelling occupied for residential use by the owner(s) of record.

**Paddock** - A small field or enclosure for animals.

**Paddock Fence** - See *Fence, Paddock*.

**Parapet** - A vertical false front or wall extension that rises above the roofline of a building.

**Parcel** - A land area bounded by property lines that is recognized as such by the County Assessor's Office. Also referred to as *lot, plot, or tract*.

**Park** - A public facility open for recreation, open space, and public gardens or private facilities with commercial activities for recreational uses only.

**Park Model Home** - A recreational vehicle primarily designed and intended to provide temporary living quarters for recreational, camping, or seasonal use. It is built on a single chassis, mounted on wheels with a gross trailer area not exceeding 400 square feet in the setup mode. Each park model shall be certified by its manufacturer as complying with ANSI A119.5. Also referred to as a park model trailer, park model cabin, or park model camper.

**Patio House** - See *Dwelling, Patio House*.

**Pennant** - A triangular shaped flag.

**Perennial Plant** - A plant which lives or continues to live more than two years, whether it retains its leaves in winter or not.

**Perennial Stream** - See *Stream, Perennial*.

**Person** - The word *person* includes an individual or a firm, association, partnership, trust, company, corporation, or any other entity defined in legal usage as a person.

**Planned Development District** - A zoning district that designates an area for which an approved development plan constitutes the district regulations. It is intended to utilize the factors of efficiency, economy, flexibility, creative site design, improved appearance, compatibility of mixed uses, maximum benefits from open space and green space, safe and efficient vehicular and pedestrian access for a development characterized by a unified site design for mixed uses. A planned development district may be predominately residential, commercial, industrial, or any combination thereof.

**Planning Official** - The Planning and Zoning Director or the designated Building Official or other Planning and Zoning Department official designated by the Planning and Zoning Director to administer the provisions of this Ordinance.

**Plants, Native and Adapted** - See *Native and Adapted Plants*.

**Plat** - A map or drawing upon which the developer's plan of a subdivision or land development is presented for approval.

**Plat, Final** - See *Final Plat*.

**Plot** - See *Lot*.

**Pond, Detention** - A detention pond provides temporary storage of storm water (e.g., 24 hours) to allow particles and associated pollutants to settle and has an outlet structure that allows the stormwater runoff to be discharged at or below the predevelopment runoff rate. Detention ponds do not have a permanent pool and are designed to drain completely dry after some minimum time (e.g., 72 hours). If the 24-hour, 100-year volume is exceeded either due to larger or consecutive storm events, the pond is designed to release the excess water via an emergency spillway. Also referred to as a dry pond, dry detention pond, extended detention pond, or extended detention basin.

**Pond, Retention** - A retention pond is a detention pond or shallow basin that is designed to impound stormwater runoff from up to a 24-hour, 100-year storm event and infiltrate the stormwater into the soil. Retention ponds do not have a permanent pool and are designed to drain completely dry after some minimum time (e.g., 72 hours). If the 24-hour, 100-year volume is exceeded either due to larger storm events, consecutive storm events, or changes in infiltration rates, the pond is designed to release the excess water via an emergency spillway. Also referred to as an infiltration basin or retention basin.

**Pond, Wet** - Wet ponds are detention ponds that are constructed to have a permanent pool of water throughout the year. Wet ponds treat incoming stormwater runoff by allowing particles and associated pollutants to settle, while biological activity takes up nutrients. During any given storm event, stormwater runoff enters the pond and replaces the "treated" water in the permanent pool that has been detained from the previous storm event. Like a dry detention pond, a wet pond also provides temporary storage of storm water runoff from up to a 24-hour, 100-year storm event and has an outlet structure that allows the stormwater runoff to be discharged at or below the predevelopment runoff rate. In addition, if the 24-hour, 100-year volume is exceeded either due to larger or consecutive storm events, the pond is designed to release the excess water via an emergency spillway. Also referred to as a permanent pool detention pond, stormwater pond, wet detention pond, or wet extended detention pond.

**Premises** - Lots, plots, or parcels of land including the buildings or structures thereon, under control by the same owner or operator.

**Principal Building** - See *Building, Principal*.

**Principal Use** - The primary purpose for which land or a structure is used.

**Private Road** - See *Road, Private*.

**Private Street** - See *Street, Private*.

**Project Boundary, Lake Wateree** - The project boundary is contour elevation 225.5 feet above mean sea level (MSL) around Lake Wateree plus metes and bounds surveys at Duke Energy-owned recreation areas and the dam and powerhouse structures.

**Quadruplex** - See *Dwelling, Quadruplex*.

**Recreational Vehicle** - A vehicular type portable structure without permanent foundation, which can be towed, hauled, or driven and primarily designed as temporary living accommodations for recreational, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, park model homes, and self-propelled motor homes.

**Required Front Yard** - See *Yard, Required Front*.

**Required Rear Yard** - See *Yard, Required Rear*.

**Required Side Yard** - See *Yard, Required Side*.

**Required Yard** - See *Yard, Required*.

**Residential Collector Street** - See *Street, Residential Collector*.

**Residential Local Street** - See *Street, Residential Local*.

**Retention Pond** - See *Pond, Retention*.

**Reverse Frontage Lot** - See *Lot, Reverse Frontage*.

**Right-of-Way** - An area or strip of land, either public or private, on which an irrevocable right of passage has been recorded to be occupied, or intended to be occupied, by a street, crosswalk, railroad, road, electric transmission line, gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use.

**Riparian Buffer** - See *Buffer, Riparian*.

**Road** - See *Street*.

**Road, Private** - A road that is neither owned nor maintained by Kershaw County, the State of South Carolina, or the Federal government.

**Road, Unimproved** - A road maintained by Kershaw County that does not meet the minimum Kershaw County road standards.

**Rooming House** - See *Boarding House*.

**Runway** - The paved surface of an airport landing strip.

**Screening** - A type of buffer that is to block or obscure a particular element or use from view. The purpose of screening is to minimize, if not eliminate entirely, the visual impact of potentially unsightly open storage areas and refuse disposal facilities.

**Seasonal Roadside Stand** - Any trailer, tent, non-operable motor vehicle, or other facility or

structure, not erected on a foundation that is erected and operated for the sale or solicitation of seasonal sale of agricultural products, fireworks, or other products not customarily sold on a year-round basis.

**Septic Tank Inspector** - Any person licensed by SCDHEC to install, repair, service, monitor, or inspect an on-site sewage disposal system.

**Septic System - Good Operating Condition** - See *Good Operating Condition, Septic System*.

**Setback Area** - The area within the minimum horizontal distance between the building line and related front, side, or rear property line. Also refer to *Yard, Required*.

**Sexually Oriented Business** - For purposes the term Ordinance, *sexually oriented business operations* shall mean and include the following:

A. **Adult Arcade** means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."

B. **Adult Bookstore or Adult Video Store** means a commercial establishment, which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:

1. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, digital video discs, or video reproductions, slides or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas," or;
2. instruments, devices, or paraphernalia, which are designed for use in connection with "specified sexual activities." A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as: One (1) of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas."

C. **Adult Cabaret** means a nightclub, bar, restaurant, or similar commercial establishment which regularly features:

1. Persons who appear in a state of nudity; or
2. live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities," or
3. films, motion pictures, videocassettes, digital video discs, slides, or other photographic reproductions, which are characterized by the description of "specified sexual activities" or "specified anatomical areas."

D. **Adult Motel** means a hotel, motel, or similar commercial establishment which:

1. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, digital video discs, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical

- areas," and has a sign visible from the public right-of-way which advertises the availability of this adult-type of photographic reproductions; or
2. offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
  3. allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.
- E. **Adult Motion Picture Theater** means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, digital video discs, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."
- F. **Adult Theater** means a theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."
- G. **Sexual Encounter Center** means a business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
1. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
  2. activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nudity.

**Shrub** - Any hard-wooded perennial plant of a species which normally reaches a height between twelve (12) inches and eight (8) feet, which is between eighty (80) and 100 percent opaque at maturity.

**Sight Triangle** - Measured from the curb or edge of pavement, a sight triangle is a triangular area created by a line connecting points on the front and side for lines at a determined distance from the intersection of said lines or the extension of said lines. The following two types of sight triangles are used in this Ordinance:

- A. **Driveway Sight Triangle** - The driveway sight triangle is one that is measured ten (10) feet along the driveway and ten (10) feet along the edge of pavement. In the event that parking is allowed adjacent to the curb, ten (10) feet will be measured along the edge of the driveway and ten (10) feet along the edge of the lane of traffic. In the event that a driveway crosses a sidewalk, ten (10) feet will be measured along the driveway and ten (10) feet along the edge of the sidewalk. Refer to illustrations in the sign measurement or street standards provisions of this Ordinance.
- B. **Intersection Sight Triangle** - A triangle established by multiplying the speed limit of the road which is being accessed by ten (10). The sight distance for a speed limit of 35 MPH would be 350 feet at the intersection. The resulting intersection sight distance triangle is determined by measuring from a point fifteen (15) feet from the edge of pavement of the road being accessed to the points providing the minimum intersection sight distance in each direction.

**Sign** - Any structure or device designated or intended to convey information to the public in written, pictorial, or symbolic form.

**Sign Copy** - All words, letters, numbers, figures, characters, art work, symbols, or insignia that are used on a sign surface area.

**Sign Frame Area** - The sign frame area consists of the dimensions of a geometric shape formed by all supports, frames, braces, borders, and embellishments which extend beyond the sign

surface area and that encloses the sign surface area and does not contain any copy, logo, advertising, name, or message.

**Sign Height** - The distance measured from the natural grade to the highest point of the sign face or structure, whichever is higher.

**Sign Owner** - The person receiving benefit from the sign and/or the property owner.

**Sign Structure** - Any base, foundation, pedestal, pole, post, upright, brace, bracket, bar, rod, strut, dross-piece, frame, scaffold, girder, or other similar item with or without a sign thereon, designated to support the load and/or force of a sign's surface area, regardless of whether or not such items are permanently attached to the ground.

**Sign Surface Area** - The area inside a geometric shape enclosing any message, logo, symbol, name, photograph, or display face. All area dimensional provisions in this Ordinance are calculated from the sign surface area dimensions.

**Sign, Abandoned** - A sign, which relays information that is no longer pertinent or up-to-date; no longer advertises a bona fide business, lessor, owner, product, activity conducted, or product available; is located on a structure that does not contain a sign surface area; contains a sign with no message; or is located on a site which no longer has any business activity.

**Sign, Animated** - Any sign, or any part of a sign, that changes copy or image more frequently than once every fifteen (15) seconds is considered to be animated. Included are signs that employ motion or the illusion of motion by any means (manual, electronic, mechanical, electrical, atmospheric, panels, slats, discs, or lights, etc.) to depict action or create a special effect or scene. Also included are signs that create illusions by blinking, alternating, chasing, contracting or expanding, flashing, fading, repeating, oscillating, pulsating, rotating, rolling, running, scrolling, strobing, twinkling, or simulating moving video images, etc.

**Sign, Awning** - A sign displayed on or attached flat against the surface or surfaces of an awning.

**Sign, Banner** - A sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentation applied to flexible materials or fabric of any kind, excluding flags and emblems of corporations or political, professional, religious, or educational organizations.

**Sign, Billboard** - See *Sign, Off-Premise Advertising*.

**Sign, Building Wall** - Any sign attached to a wall, painted on the wall surface, or erected and confined within the limits of an exterior wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

**Sign, Campaign** - A temporary sign erected by a political candidate, group, or agent thereof, for the purpose of advertising a candidate or stating a position regarding an issue upon which the voters of the County shall vote. Also called an election sign or political sign.

**Sign, Canopy** - A sign displayed on, or attached flat against, the surface or surfaces of a canopy.

**Sign, Changeable Copy** - A sign or portions thereof with characters, letters, or illustrations that can be changed or rearranged by any means (manual, electronic, atmospheric, mechanical, remote, etc.) without altering the face or surface of the sign.

**Sign, Common** - A single sign frame or structure containing individual signs or logos to advertise more than one individual business, service, product, etc.

**Sign, Contractors', Craftsmen's, or Construction** - A common sign temporarily erected and maintained on a job site while undergoing construction by a contractor, craftsman, architect, developer, finance organization, subcontractor, or similar concern.

**Sign, Dilapidated** - Any sign which is not properly maintained; is insecure, or otherwise structurally unsound; has defective parts in the support, guys and/or anchors; or is unable to withstand wind pressure of 100 miles per hour as determined by the Building Official and applicable regulations as provided in the applicable building codes.

**Sign, Double-Sided** - Two signs with parallel faces twelve (12) inches apart or less, or with faces joining at an angle of ten (10) degrees or less. For signs so arranged, only one side of the sign is to be used for computation of the sign surface area.

**Sign, Drive-Thru Menu Board** - A freestanding sign oriented to the drive-thru lane of a restaurant that lists the type and price of food items offered for sale at the establishment.

**Sign, Easel** - A sign displayed on a portable open frame, the outline of which (the frame) is roughly pyramidal in shape.

**Sign, Election** - See *Sign, Campaign*.

**Sign, Existing** - Any sign that was erected, mounted, or displayed prior to the effective date of this Ordinance.

**Sign, Flashing** - Any lighted or electrical sign which emits light in sudden transitory bursts.

**Sign, Fluttering** - A sign or device, all or part of which is set in motion by movement of the atmosphere, mechanical, electrical, or any other means. Such items include rotating or otherwise moving devices, whirligigs, balloons, pennants, posters, propellers, discs, ribbons, streamers, strings of light bulbs, spinners, and flags (other than flags, pennants, insignia, or symbols of any religious, governmental, non-profit or not-for-profit organization when not displayed in connection with a commercial promotion or as an advertising device) regardless of whether they contain written messages.

**Sign, Freestanding** - Any permanently mounted sign that is placed on or anchored in the ground and that is not attached to a building or other structure. Also referred to as pole, pylon, monument, or ground signs.

**Sign, Ground** - See *Sign, Monument*.

**Sign, Hanging** - A sign that is mounted to or hung from porches, overhangs, or hanging projecting signs that may substitute for a building wall sign.

**Sign, Identification** - A sign which gives the nature, logo, trademark, or other identifying symbol, address, or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

**Sign, Illuminated** - A sign characterized by the use of artificial light, either projecting through its surface (internally illuminated) or reflecting off its surfaces (externally illuminated).

**Sign, Illuminated, Externally** - A sign characterized by the use of artificial light which reflects off its surface.

**Sign, Illuminated, Internally** - A sign characterized by the use of artificial light projecting through its surface.

**Sign, Inflatable** - A sign that is either expanded to its full dimensions or supported by gasses

contained within the sign or sign parts at a pressure greater than atmospheric pressure.

**Sign, Interior** - Any sign placed within a building, but not including window or door signs.

**Sign, Marquee** - A sign displayed on or attached flat against the surface or surfaces of a marquee.

**Sign, Message Board** - A changeable copy sign permitted only in institutional uses that is intended to provide schedules of events, rules, regulations, announcements, or similar messages excluding commercial advertisement or promotional messages. Institutional uses include educational, religious, recreational, civic, municipal, and other non-commercial institutional uses including historic markers that are allowable in any zoning district under the zoning district regulations.

**Sign, Monument** - A freestanding sign constructed on the ground with a continuous footing or foundation with the base of the sign at grade. Also referred to as a ground sign.

**Sign, Multiple Occupant Development** - A freestanding common sign identifying the names of more than one business or activity conducted within a multiple occupant development which is controlled by a single owner, landlord, or association. Examples include shopping centers, industrial parks, and office complexes.

**Sign, Nonconforming** - Any sign which was legal at the time of erection or display, but as of the effective date of this Ordinance or any subsequent amendment hereto, does not conform to a provision or provisions of this Ordinance.

**Sign, Off-Premise Advertising** - Any sign that identifies or communicates a message related to an activity conducted, a service rendered, or a commodity sold which is not the primary activity, service, or commodity provided on the site where the sign is located. Also referred to as outdoor advertising or billboard sign.

**Sign, Off-Premise Directional** - A temporary sign that is displayed for a forty-eight (48) hour period only, the purpose of which is limited exclusively to the identification of a use or occupancy located elsewhere and which tells the location of or route to such use or occupancy. Such signs are used to advertise events such as open houses, exhibits, or other recurring events.

**Sign, On-Premise** - Any sign that disseminates information that directly relates to the use of the property on which it is located and is not a separate and distinct use.

**Sign, On-Premise Directional and Instructional** - A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located. Such signs include, but are not limited to: directional arrows, "No-Parking," "Entrance," "Enter," "Exit," "Telephone," "Open," "Closed," and other directives. Also included are common signs indicating hours of operation, which credit cards are accepted, groups or associations to which the business belongs, or clubs or groups which utilize, recommend, inspect, or approve the business for use by its members. Not included are signs that display a commercial message.

**Sign, Parked Motor Vehicle or Trailer** - A permanent or temporary sign affixed, painted on, placed in, or upon any parked vehicle or which is parked or mounted for the primary purpose of providing signs not otherwise allowed by this Ordinance.

**Sign, Perimeter, Retaining Wall, or Fence** - Any principal sign attached to a wall or fence, painted on the wall or fence surface, or erected and confined within the limits of a wall or fence and displays only one sign surface.

**Sign, Permanent** - A sign attached to a building, structure, or the ground in a non-temporary manner and made of materials intended for more than short term use.

**Sign, Permitted** - A sign for which a valid permit or registration has been issued.

**Sign, Pole** - A freestanding sign mounted on a pole.

**Sign, Political** - See *Sign, Campaign*.

**Sign, Portable** - Any sign with a frame or stand designed to be transported from place to place and not permanently installed. This definition excludes restaurant menu sandwich boards and easels.

**Sign, Principal** - A chief or main sign containing the facility identification and/or logo that is oriented to a public right-of-way.

**Sign, Projecting** - A sign oriented perpendicular to a building or structure that is wholly or partly dependent upon a building or structure for support. Examples include signs over sidewalks and shingle signs.

**Sign, Real Estate** - A temporary sign erected by the owner or his agent advertising the real property upon which the sign is located for rent, for lease, or for sale.

**Sign, Residential Subdivision Entrance** - A permanent sign that identifies a subdivision or neighborhood and is located internal to and visible from the initial point of entry to a subdivision or from surrounding streets.

**Sign, Roof** - Any sign, sign structure, painted sign, or sign extending above or higher than the cornice of a building.

**Sign, Sandwich Board** - A portable sign shaped like an A-frame with a sign panel on one or both sides, where the sign panel is integral to the structure of the sign.

**Sign, Special Event** - A temporary sign advertising events providing a community service, events promoting the community or in the public interest sponsored by governmental, religious, charitable, civic, fraternal, or similar non-profit or for-profit organizations.

**Sign, Specific Information Service** - For the purposes of this Ordinance, specific information service signs are signs placed on Interstate 20 to provide motorists with information on essential travel services (gas, food, lodging, etc.) that are available at local interchanges.

**Sign, Temporary** - A sign that is used only for a short period of time and is not permanently mounted.

**Sign, Time and Temperature** - An electrical sign utilizing lights going on and off periodically to display the current time and temperature.

**Sign, Unlawful** - Any sign that does not have a sign permit or registration, or has been installed, erected, constructed, or maintained in violation of any of the terms of this Ordinance.

**Sign, Unsafe** - See *Sign, Dilapidated*.

**Sign, Window or Door** - A sign that is applied or attached to the exterior or interior of a window or door, or located in such manner within a building that it can be seen from the public way or from adjacent property.

**Significant Tree** - See *Tree, Significant*.

**Single-Family Dwelling** - See *Dwelling, Single-Family*.

**Single-Family Detached Dwelling** - See *Dwelling, Single-Family Detached*.

**Small Maturing Tree** - See *Tree, Small Maturing*.

**Solid Waste** - Any non-hazardous garbage, refuse, or sludge from a waste treatment facility or water supply plant.

**South Carolina Manufactured Housing Board** - A board authorized by State statute to regulate the construction, repair, modification, installation, tie-down, hook-up, and sale of manufactured homes in South Carolina, which Board has adopted for regulation of manufactured homes the Federal *Manufactured Housing Construction and Safety Standards*, promulgated by HUD, and contained in the Board's *Manufactured Housing Regulations, May 26, 1990*.

**Specified Anatomical Areas** - The male or female genitals including the vulva or more intimate parts of the female genitals, or bare human buttocks, anus, or the areola or nipple of the female breast.

**Specified Sexual Activities** means and includes any of the following:

- A. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breast.
- B. Sex acts, normal or perverted, actual or simulated including intercourse, oral copulation, or sodomy.
- C. Masturbation, actual or simulated.
- D. Excretory functions as a part of or in conjunction with any of the activities set forth in A through C above.

**Stormwater Detention** - A provision for storage of stormwater runoff and the controlled release of such runoff during and after a flood or storm.

**Stream, Environmentally Sensitive** - A stream that is listed on the SCDHEC 303(d) Impaired Waters list and/or a stream designated by the US Fish and Wildlife Service as a critical habitat for an endangered aquatic species.

**Stream, Intermittent** - A stream with seasonal flows as indicated on dashed blue lines on United States Geological Service (USGS) 7.5 quadrangle topographic maps.

**Stream, Perennial** - A stream which under normal conditions flows continuously year round as displayed by solid blue lines on United States Geological Service (USGS) 7.5 quadrangle topographic maps.

**Street** - Any publicly or privately maintained thoroughfare (street, road, drive, avenue, circle, way, lane, boulevard, etc.) or space which has been dedicated, deeded, designed, or used for vehicular traffic that provides access to more than three (3) parcels of land. Access within multiple parcel group developments is excluded from this definition. The words *street* and *road* shall be used interchangeably.

**Street, Arterial** - A major traffic route within Kershaw County. For purposes of this classification, an arterial street shall be any road that is projected to receive in excess of 4,000 average daily trips (ADT) per the most recent edition of the *Institute of Transportation Engineers (ITE) Trip Generation Manual* and the *ITE Trip Generation Handbook*.

**Street, Light Commercial and Industrial (LC/I)** - Collector roads connecting adjoining light commercial and light industrial development to major arterial roads. For purposes of this classification, a light commercial and industrial road shall be any primarily commercial and/or

industrial road that is projected to receive 2,001-4,000 average daily trips (ADT) per the most recent edition of the *Institute of Transportation Engineers (ITE) Trip Generation Manual* and the *ITE Trip Generation Handbook*.

**Street, Private** - A vehicular way not dedicated for public use or maintenance.

**Street, Residential Collector (RC)** - A street connecting residential development to major arterial roads. For purposes of this classification, the distinction between a residential local and a residential collector classification shall be that a residential collector street shall be projected to receive in excess of 2000 average daily trips (ADT) per the most recent edition of the *Institute of Transportation Engineers (ITE) Trip Generation Manual* and the *ITE Trip Generation Handbook*.

**Street, Residential Local (RL)** - An internal subdivision street with usage largely restricted to local traffic. For purposes of this classification, a residential local street shall be any residential road that is projected to receive no more than 2,000 average daily trips (ADT) per the most recent edition of the *Institute of Transportation Engineers (ITE) Trip Generation Manual* and the *ITE Trip Generation Handbook*.

**Structure** - Anything that is built or constructed with a fixed location on the ground, or attached to something having a fixed location on the ground. Structures include, but are not limited to walls, buildings, fences, signs, and swimming pools.

**Structure, Accessory** - See *Building, Accessory*.

**Structure, Attached** - A structure attached to another structure by an integral roof system or a dwelling unit or manufactured home attached to another structure by an integral roof system and conditioned space.

**Structure, Detached** - A structure that is not attached to another structure by an integral roof system or a dwelling unit or manufactured home that is not attached to another structure by an integral roof system and conditioned space.

**Structure, Nonconforming** - See *Nonconformity*.

**Subdivision** - All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets, and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots of record.

**Subdivision, Exempt** - An exempt subdivision is one that meets the following conditions:

- A. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this Ordinance and other applicable regulations.
- B. The division of land into parcels of five acres or more where no new street is involved.
- C. The combination or recombination of entire lots of record where no new street or change in existing streets is involved.
- D. The division of land to create a cemetery lot.

- E. The division of land by will or inheritance under the statute of descent and distribution as long as no new street is involved.
- F. The division of land by gift conveyed by deed as long as no new street is involved. Such exemption shall be limited to the conveyance of land from one member to another member of the same immediate family i.e. (husband, wife, mother, father, children, grandchildren, brothers, sisters).

**Subdivision, Major** - Any subdivision other than an exempt subdivision or one which does not qualify as a minor subdivision, a large acreage residential development, or a planned development district.

**Subdivision, Minor** - A minor subdivision is a subdivision which does not involve any of the following:

- A. The creation of more than ten (10) lots.
- B. The creation of any new street.
- C. The extension of public water or sewer lines.
- D. The installation of drainage improvements through one (1) or more lots to serve one (1) or more other lots.
- E. The extension of an existing minor or major subdivision or development under the same ownership or control which would in effect create more than ten contiguous lots.
- F. The creation of lots that cannot meet the driveway maximum number and separation standards.

**Surveyor** - A person who is registered by the South Carolina State Board of Engineering Examiners to practice land surveying in South Carolina.

**Temporary Use** - A limited-time use as permitted in the zoning and district regulations section of this Ordinance. Examples include fairs and carnivals, yard sales, Christmas tree sales, temporary portable classrooms, office trailers, and real estate offices.

**Top of Bank** - The uppermost limit of the active channel of a stream during "bank full" conditions, typically marked by a break in slope.

**Townhouse** - See *Dwelling, Townhouse*.

**Tract** - See *Lot*.

**Travel Trailer** - See *Recreational Vehicle*.

**Tree** - A usually tall, woody plant, distinguished from a shrub by having comparatively greater size and longevity.

**Tree, Evergreen** - A tree which retains its foliage for the majority of the year. Examples include most conifers such as pines, hollies, and cedars.

**Tree, Large Maturing** - A single trunk tree whose canopy dimensions have the potential to reach at least forty-five (45) feet tall and twenty-five (25) feet wide at maturity.

**Tree, Medium Maturing** - A single trunk tree whose canopy dimensions have the potential to reach at least twenty-five (25) feet tall and twenty (20) feet wide at maturity.

**Tree, Significant** - A healthy pine tree of twenty (20) inches or greater diameter at breast height (DBH) and all other tree species of eight (8) inches or greater diameter at breast height.

**Tree, Small Maturing** - A single trunk or multi-stem dimensioned tree that has the potential to reach at least fifteen (15) feet tall and fifteen (15) feet wide at maturity.

**Triplex** - See *Dwelling, Triplex*.

**Underbrush** - Nuisance bushes, vines, and similar rank plant growth beneath the tree canopy.

**Undeveloped (Land or Parcel)** - A parcel in which the natural landscape has not been modified by current or past structures, facilities, or other modifications of the natural landscape on and/or below ground or water.

**Unimproved Road** - See, *Road, Unimproved*.

**Use** - The purpose or activity for which land or any building thereon is designed, arranged, or intended, or for which it is occupied or maintained.

**Use Permit** - The compliance certification issued when the use and/or occupancy of an existing structure has been changed, converted, or altered upon determination by the Planning Official or Building Official that the proposed use of the building or land conforms to the requirements of this Ordinance.

**Use, Accessory** - See *Accessory Use*.

**Use, Conditional** - See *Conditional Use*.

**Use, Institutional** - See, *Institutional Use*.

**Use, Nonconforming** - See *Nonconformity*.

**Use, Non-Residential** - See *Non-Residential Use*.

**Use, Principal** - See *Principal Use*.

**Use, Temporary** - See *Temporary Use*.

**Variance** - A modification of the area regulations of this Ordinance, granted by the Board of Zoning Appeals, where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in unnecessary and undue hardship, and where such modification will not authorize a principal or accessory use of the property which is not permitted within the zoning district in which the property is located.

**Vegetation** - Any object of natural growth.

**Vendor** - Any person who sells or solicits sales of food, drink, or other merchandise from a pushcart, bicycle cart, or other cart, operable motor vehicle, wagon, sled, or carriage propelled by human, animal, or mechanical power.

**Visual Clearance Area** - An area with a height of between two and one-half (2½) feet and ten (10) feet, measured from the upper edge of the curb or pavement, and located within an intersection or driveway sight triangle, where no sign, planting, fence, building, wall, or other structure shall be located. Exception: Poles and support structures less than twelve (12) inches in diameter may be permitted in such areas.

**Wet Pond** - See *Pond, Wet*.

**Wetlands** - Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soils. The key indicator for wetlands is the presence of hydric soils. Wetlands generally include swamps, marshes, bogs, and similar areas.

**Yard** - An open space that lies between the principal or accessory building or buildings and the

nearest lot line. Such yard is unoccupied and unobstructed from the ground upward except as may be specifically provided by this Ordinance.

**Yard, Buffer** - See *Buffer Area*.

**Yard, Required** - That part of a yard between a lot line and the minimum required building setback lines, within which no structure shall be located except as provided by this Ordinance. Also refer to *Setback Area*.

**Yard, Required Front** - A yard extending the full width of the front of a lot between the front (street) right-of-way line or property line and the front building setback line.

**Yard, Required Rear** - A yard extending the full width of the lot in the area between the side lot line and the rear building setback line.

**Yard, Required Side** - A yard extending the full length of the lot in the area between the side lot line and a side building setback line.

**Zero Lot Line Development** - See *Development, Zero Lot Line*.

**Zero Lot Line Dwelling** - See *Dwelling, Zero Lot Line*.

**Zoning District** - A specifically delineated area or district within which regulations and requirements govern the use, placement, spacing, and size of land and buildings.

**Zoning Map, Official** - See *Official Zoning Map*.