

OFFICIAL ZONING ORDINANCE

**TOWN OF SIX MILE
SOUTH CAROLINA**

ADOPTED

November 6, 2007

**SIX MILE, SOUTH CAROLINA
TOWN COUNCIL**

Mr. Roy C. Stoddard - Mayor

Mr. James Atkinson

Mrs. Karen Bedenbaugh

Mr. Jadd Smith

Mr. David Yongue

PLANNING COMMISSION

Kayla Holtzclaw - Chairperson

Ray Longenecker - Vice Chairperson

Vaunda Browning - Secretary

Ron Patrick

Mark Beckman

BOARD OF APPEALS

Dayle Stewart - Chairperson

Rita Martin - Secretary

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Produced By:

The Planning Commission of the Town of Six Mile

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TABLE OF CONTENTS

ARTICLE I	1
AUTHORITY AND ENACTMENT CLAUSE	1
Section 100. Jurisdiction	1
Section 101. Compliance	1
ARTICLE II	1
SHORT TITLE	1
ARTICLE III	2
ESTABLISHMENT OF ZONING DISTRICTS AND RULES FOR THE INTERPRETATION OF DISTRICT BOUNDARIES	2
Section 300. Establishment of Districts	2
Section 301. District Boundaries	2
Section 302. Rules for Interpretation of District Boundaries	3
Section 303. Annexation and Other Adjustments to Town Limits	3
ARTICLE IV	4
APPLICATION OF DISTRICT REGULATIONS	4
Section 400. Use of Land or Structures	4
Section 401. Lot Reduction Prohibited	4
Section 402. Use of Substandard Lots of Record	4
ARTICLE V	5
REQUIREMENTS BY DISTRICTS	5
Section 500. LR Low Density Residential District	5
Section 501. OC Office Commercial District	8
Section 502. NC Neighborhood Commercial District	10
Section 503. GC General Commercial District	13
Section 504. LI Limited Industrial District	17
Section 505. BI Basic Industrial District	19
Section 506. HP Historic Preservation Overlay District	22
Section 507. CO Corridor Overlay District	24
ARTICLE V-1	30
COMMERCIAL ARCHITECTURAL GUIDELINES AND REQUIREMENTS	30
Section 508. Commercial Architectural Guidelines and Requirements	30
Section 509. General Principals: Commercial Building Design	31
Section 510. Commercial Buildings	36
Section 511. Civic Buildings (Churches, Schools, Government Offices, and Other Civic Facilities)	38
Section 512. Light and Heavy Industrial Buildings	39
Section 513. Renovation of Existing Structures	39
Section 514. Design Guidelines for Signs	40

ARTICLE VI	41
SIGN REGULATIONS	41
Section 600. General Provisions	41
Section 601. Prohibited Signs	41
Section 602. Signs For Which a Permit is Not Required	42
Section 603. Regulations Applying to Specified Types of Signs	42
Section 604. Sign Illumination	46
Section 605. Height Limitations	46
Section 606. Signs Permitted in Residential Districts	46
Section 607. Signs Permitted in Commercial and Industrial Districts	47
ARTICLE VII	48
GENERAL PROVISIONS	48
Section 701. Street Access	48
Section 702. Corner Lots	48
Section 703. Location of Buildings on Lots and Residential Limitations	49
Section 704. Double Frontage Lots	49
Section 705. Front Yard Requirements	49
Section 706. Measurement of Front, Side, Rear Yards; Determination of Buildable Area	49
Section 707. Nonconforming Buildings or Uses	49
Section 708. Home Occupation	50
Section 709. Accessory Uses	51
Section 710. Setback and Other Yard Requirements for Accessory Uses	52
Section 711. Off-Street Parking	52
Section 712. Parking Space Area Requirements	55
Section 713. Location on Other Property	55
Section 714. Common Off-Street Parking Areas	56
Section 715. Use of Public Rights-of-Way for Maneuvering	56
Section 716. Spacing Requirements for Curb Cuts	56
Section 717. Off-Street Loading and Unloading Spaces	56
Section 718. Visibility at Street Intersections	57
Section 719. Visibility at Private Drives and Entrances Intersecting with Public Streets	57
Section 720. Exceptions to Height Limits	57
Section 721. Parking, Storage or Use of Campers or Other Major Recreational Equipment	57
Section 722. Parking and Storage of Certain Vehicles	58
Section 723. Bufferyards	58
Section 724. Nuisance Abatement of Conditions Creating a Threat to the Public Health and Safety	70
Section 725. Property Appearance	75
Section 726. Communication Towers	76
Section 727. Tattoo Parlors	76

ARTICLE VIII	76
ADMINISTRATION, ENFORCEMENT, APPEAL_	
COMPLAINTS AND REMEDIES	76
Section 800. Administration and Enforcement	76
Section 801. Building and Sign Permits Required	76
Section 802. Application for Certificates of Zoning Compliance	77
Section 803. Certificates of Occupancy for New or Altered Uses	77
Section 804. Conditional and Temporary Uses	78
Section 805. Expiration of Building Permit	79
Section 806. Compliant Regarding Violations	79
Section 807. Penalties for Violation	79
Section 808. Appeal from the Decision of the Zoning Administrator	79
ARTICLE IX	79
ZONING BOARD OF APPEALS	79
Section 900. Establishment of Zoning Board of Appeals	79
Section 901. Proceedings of the Zoning Board of Appeals	79
Section 902. Decisions of the Zoning Board of Appeals	79
Section 903. Appeals, Hearing, and Notice	79
Section 904. Powers and Duties of the Board of Appeals	81
Section 905. Appeals from Decisions of the Board of Appeals	82
Section 906. The Planning Commission	82
ARTICLE X	88
AMENDMENTS	88
Section 1000. Authority	87
Section 1001. Requirements for Change	88
Section 1002. Procedure for Amendments	88
ARTICLE XI	90
LEGAL STATUS PROVISIONS	90
Section 1100. Conflict with Other Laws	90
Section 1101. Validity	90
Section 1102. Repeal of Conflicting Ordinances	90
Section 1103. Effective Date	90
ARTICLE XII	91
DEFINITION OF TERMS USED IN THE ORDINANCE	91
Section 1200. Interpretation of Certain Terms or Words	91
Section 1201. Comprehensive Plan Revisions Requirements	101

ZONING ORDINANCE**TOWN OF SIX MILE, SOUTH CAROLINA**

AN ORDINANCE OF THE TOWN OF SIX MILE, SOUTH CAROLINA, REGULATING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND, THE SIZE OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS, AND THE DENSITY OF DISTRIBUTION OF POPULATION: CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THEREOF; DEFINING CERTAIN TERMS USED HEREIN: PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT: PROVIDING FOR A BOARD OF ADJUSTMENT: AND PROVIDING FOR THE IMPOSITION OF PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

ARTICLE I**AUTHORITY AND ENACTMENT CLAUSE**

In pursuance of authority conferred by the General Statutes of South Carolina, 1976 Code of Laws, 1994 Cumulative Supplement, Volume 2, Title 6, Chapter 29, Section 710, and for the purpose of promoting the health, safety, morals or general welfare of the community; lessening congestion in the streets, securing safety from fire; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the adequate provision of transportation, water, sewage, schools, parks, and other public improvements, protecting scenic areas, and protecting areas subject to periodic flooding against development, in accordance within a Comprehensive Plan, the Town Council of the Town of Six Mile does ordain and enact into law the following articles and sections:

Section 100. Jurisdiction.

The regulations set forth in this ordinance shall be applicable within the corporate limits of the Town of Six Mile, South Carolina, as now or hereafter established.

Section 101. Compliance.

This ordinance shall take effect and all regulations included herein shall be in full force from and after the date of its adoption by the Six Mile Town Council.

ARTICLE II**SHORT TITLE**

This ordinance shall be known and may be cited as "The Zoning Ordinance of the Town of Six Mile, South Carolina."

ARTICLE III
ESTABLISHMENT OF ZONING DISTRICTS AND
RULES FOR THE INTERPRETATION OF DISTRICT BOUNDARIES

Section 300. Establishment of Districts.

For the purpose of this Ordinance, the Town of Six Mile is hereby divided into the following zoning districts:

LR	Low Density Residential District_____	Section 500
OC	Office Commercial District_____	Section 501
NC	Neighborhood Commercial District_____	Section 502
GC	General Commercial District_____	Section 503
LI	Limited Industrial District_____	Section 504
BI	Basic Industrial District_____	Section 505
HP	Historic Preservation Overlay District_____	Section 506
CO	Corridor Overlay District_____	Section 507

Section 301. District Boundaries.

The boundaries of the above zoning districts are hereby established as shown on the Official Zoning Map of the Town of Six Mile, which together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

The Official Zoning Map shall be identified by the signature of the Mayor attested by the Town Clerk, and bearing the Seal of the Town under the words: "Official Zoning Map, Town of Six Mile, South Carolina," together with the date of the adoption of this Ordinance.

If, in accordance with the provisions of this Ordinance and South Carolina 1976 Code of Laws, 1994 Supplement, Volume 2, Title VI, Chapter 29, Section 730, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the official zoning map promptly by the Town Clerk within seven days after the amendment has been approved by the Town Council. No amendment to this Ordinance, which involves matter portrayed on the Official Zoning Map, shall become effective until after such change has been made on said map.

No changes of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of

whatever kind, by any person or persons, shall be considered a violation of this Ordinance and punishable as provided by law.

Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map, which shall be located in the office of the Town Clerk, shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the Town.

Section 302. Rules for Interpretation of District Boundaries.

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

- 302.1** Boundaries indicated as approximately following the centerlines of right-of-way lines of streets, highways, alleys, or public utility easements shall be construed to follow such centerlines;
- 302.2** Boundaries indicated as approximately following platted lots or tract lines shall be construed as following such lines, whether public or private;
- 302.3** Boundaries indicated as approximately following Town limits shall be construed as following such Town limits;
- 302.4** Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines;
- 302.5** Boundaries indicated as parallel to or extensions of features indicated in Subsections 1 through 5 above shall be so construed. In the case of distances not specifically indicated on the Official Zoning Map, or in other circumstances not covered by Subsections 1 through 5 above, the Board of Appeals shall interpret the district boundaries.

Section 303. Annexation and Other Adjustments to Town Limits.

Where Town limit boundaries change by virtue of annexation or some other means, the following provisions shall apply:

- 303.1** When new land areas are incorporated or otherwise annexed into the Town, the ordinance to annex the area shall designate a zoning district or zoning districts for which the annexed area is to be classified.
- 303.2** In all cases, where additions or deletions in the Town of Six Mile's total land area require adjustments in the Zoning District boundaries, said amendments shall be

made on the Zoning Map within 60 days and the date of Council action shall be noted.

ARTICLE IV

APPLICATION OF DISTRICT REGULATIONS

The regulations set by this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure of land, except as hereinafter provided. Except where provisions for relief are set forth elsewhere in this Ordinance, the following general standards for the enforcement of District Regulations shall apply.

Section 400. Use of Land or Structures.

- 400.1** No land or structure shall hereinafter be used or occupied, and no structure or parts hereafter be constructed, erected, altered or moved, unless in conformity with all the regulations herein specified for the district in which located.
- 400.2** No structure shall hereafter be erected or altered:
- a) with greater height, size, bulk, or other dimensions;
 - b) to convert any structure into a dwelling or to increase the number of units within a dwelling so as to accommodate a greater number of dwelling units or families than is permitted in the zoning district in which located;
 - c) to occupy a greater percentage of lot area;
 - d) to have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or in any other manner contrary to the provisions of this Ordinance.
- 400.3** No part of a yard, or other open space, off-street parking or loading required in connection with any building for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

Section 401. Lot Reduction Prohibited.

No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

Section 402. Use of Substandard Lots of Record.

Where, at the time of the adoption of this ordinance, an existing lot of record, that was recorded in compliance with all regulations in effect at the time it was recorded, does not conform to the dimensional requirements of this ordinance, it may nonetheless be used as a building site and the Zoning Administrator is authorized to issue a Certificate of Zoning Compliance for the use of the property. The Zoning Administrator shall establish setbacks to conform as closely as possible to the dimensional requirements of this ordinance, but so as not to prohibit reasonable use of the parcel. If any of two (2) or more adjoining lots under the same ownership do not conform to the dimensional requirements of this ordinance, then the lots must be combined to meet more closely, if not completely, the dimensional requirements of this ordinance for the issuance of a Certificate of Zoning Compliance.

ARTICLE V**REQUIREMENTS BY DISTRICTS****Section 500. LR Low Density Residential District.**

- 500.1** **Intent of District.** It is the intent of this Section that the LR Zoning District be developed and reserved for low-density residential purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy environment for one-family dwellings situated on lots having an area of 22,000 square feet or more and to discourage any encroachment by commercial, industrial or other uses capable of adversely affecting the residential character of the district.
- 500.2** **Permitted Uses.** The following uses shall be permitted in any LR Zoning District:
- a) One-Family dwelling (other than a mobile home).
 - b) Publicly owned building or facility.
 - c) Customary home occupation established under the provisions of Section 709.
 - d) Accessory use in compliance with the provisions of Sections 710 and 711.
- 500.3** **Conditional Uses.** The following uses shall be permitted in any LR Zoning District on a conditional basis, subject to conditions set for in Article VIII, Section 804. For any conditional uses within the LR District, a buffer strip in
-

compliance with Section 726 of this ordinance shall be installed and maintained along all property lines bordering a parcel that is zoned for residential usage.

- a) Church, synagogue, temple and other places of worship; provided that:
 - (1) such use is housed in a permanent structure which meets all building, electrical, and plumbing codes for places of public assembly, (2) such use is located on a lot of sufficient size to receive DHEC approval for a septic tank and drain field, (3) no structure on the lot is closer than 25 feet to any abutting property line zoned for residential use, and (4) exterior and parking lot lights do not reflect onto adjoining residences.
- b) Private kindergarten, Day-Care Center, or pre-school nursery; provided that:
 - (1) such uses meet the minimum standards set forth for such facilities by the State Board of Health, (2) such use is located on a lot of sufficient size to receive DHEC approval for a septic tank and drain field, (3) no structure on the lot is closer than 25 feet to any abutting residential property line, and (4) a five (5) foot wall or chain link fence is constructed around any play area.
- c) Public utility substation or sub-installation including water towers; provided that:
 - 1) such use is enclosed by a wall or chain link fence at least six (6) feet in height above finished grade, (2) there is neither office nor commercial operation nor storage of vehicles or equipment on the premises, and (3) a landscaped strip not less than five (5) feet in width is planted and suitably maintained around the facility.
- e) Cemetery, which may include a crematorium, provided that such use:
 - (1) consists of a site of at least five (5) acres, (2) has a front yard setback of at least seventy (70) feet from the center line of the street right-of-way, and (3) maintains only a non-illuminated sign no greater than thirty (30) square feet.
- f) Temporary use in compliance with the provisions of Article VIII, Section 804.
- g) Bed and Breakfast Inn, providing at least three, but no more than six rooms for paying guests and provided that such use:
 - (1) is operated by the individual owner of the property and the use is subordinate and incidental to the principal residential use; (2) produces no alteration or change in the character or the exterior appearance of the

principal building from that of a dwelling; (3) serves no meals other than breakfast to the paying guests; (4) maintains a guest register containing names, addresses and dates of occupancy, and which is available upon request to the Town of Six Mile; (5) sells only articles made on the premises or those articles custom made for the establishment and does not display products to the street or neighboring property; (6) provides off-street parking, no more and no less than the one parking place per bedroom plus three additional places (parking need not be paved); (7) limits signage to one sign, not to exceed three square feet; (8) does not sell alcoholic beverages; (9) does not host commercial meetings. Commercial meetings include the following activities: luncheons, banquets, parties, weddings, meetings, charitable fund raising, commercial or advertising activities, or other gatherings for direct or indirect compensation.

500.4 Prohibited Uses.

- a) Sexually Oriented Businesses
- b) No roadway, driveway, easement, or other access to a commercial or industrial activity shall pass through a residentially zoned area.

500.5 Other Requirements. Uses permitted in LR Zoning Districts shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this Ordinance may be subject to whatever relief is provided in Article IV, Section 402 of this Ordinance.

- a) Minimum Lot Area: Twenty two thousand (22,000) square feet.
- b) Minimum Land Area Per Dwelling Unit: Twenty two thousand (22,000) square feet.
- c) Minimum Lot Width measured at Building Line: Seventy-Five (75) feet.
- d) Minimum Front Yard Depth measured from the nearest right-of-way line: Thirty-five (35) feet. For exceptions to this requirement, see Article VII, Section 704 and 705.
- e) Minimum Side Yard: No less than ten (10) feet. For side yard requirements pertaining to corner lots, see Article VII, Section 702 and 704.
- f) Minimum Rear Yard: Twenty (20) feet. For rear yard requirements pertaining to double frontage lots, see Article VII, Section 704.

- g) Maximum Building Height: Thirty-five (35) feet. For exceptions to height regulations, see Article VII, Section 722.
- h) Additional Requirements: Uses permitted in LR Zoning Districts shall meet all standards set forth in Article VII, pertaining to off-street parking, loading, and other requirements.
- i) Signs: Signs permitted in LR Zoning Districts, including the conditions under which they may be located are set forth in Article VI.
- j) This text amendment is made for the following purposes:
 - Maintenance of existing property values,
 - Aesthetics,
 - Public Safety, involving police and fire demands,
 - Adequate living space, light, and ventilation,
 - Availability of homeowners' insurance,
 - Storage space and yard clutter possibilities,
 - Effects on community from transience, resale, rentals, etc.

New construction of residential structures is required to have a minimum dwelling size of 1200 square feet of finished inhabitable space of heated floor area. This includes accessory dwelling units.

Permanent residence shall not exist in RV's, even in the backyard.

Temporary residence of an RV allowed for not longer than 364 days if construction is progressing on a new residential structure.

Section 501. OC Office Commercial District.

501.1 **Intent of the District.** It is the intent of this section that the OC Zoning District be developed and reserved for professional office oriented business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy, and compatible environment for professional office and institutional uses; to control traffic and parking congestion; to avoid the development of "strip" business districts; and to discourage the encroachment of industrial and other uses capable of adversely affecting the localized commercial character of the district.

501.2 **Permitted Uses.** The following uses shall be permitted in OC Zoning District:

- a) Professional Offices.
- b) Banks and other financial institutions.
- c) Day care centers.
- d) Cultural and community centers, including libraries, theaters, neighborhood recreation centers, churches and other religious facilities.

- e) Public utility facilities, including offices, electric transformer stations, gas regulator stations, telephone switching stations, excluding utility and communication towers, which are permitted as conditional uses, as listed in Sections 506.3 (a) and 506.3 (b).
- f) Schools.
- g) Clinics, nursing and convalescent homes, community residential care facilities.
- h) Veterinary offices with no external runs.
- i) Kennels, as an accessory use to a veterinary office only, with no external runs
- j) Funeral homes.
- k) Auto parking lots.
- l) Commercial printers.
- m) Facilities of Town, county, state or federal government.
- n) Facilities of the Pickens County School System or other public service districts.

501.3 **Conditional Uses.** The following uses shall be permitted on a conditional basis in any OC Zoning District, subject to the conditions set forth in Article VIII, Section 804.

- a) Public Utility substations or subinstallation, including standpipes, water tanks, or fire towers, provided such use is enclosed by a painted or chain link fence or stockade-type fence or wall at least six (6) feet in height above finished grade, provided there is neither an office nor commercial operation nor storage of vehicles on site, provided a landscaped buffer strip, in compliance with Section 725 of this Ordinance, not less than ten (10) feet in width is installed and maintained.
- b) A residential use as an accessory activity to any use permitted within the OC district, provided the residential use is housed within the primary office or commercial structure.
- c) Temporary use in compliance with the provisions of Article VIII, Section 804.

501.4 **Prohibited Uses.** Sexually Oriented Businesses and mobile homes.

- 501.5** **Other Requirements.** Unless otherwise specified elsewhere in this Ordinance, uses permitted in OC Office Commercial Zoning Districts shall be required to conform to the following standards:
- a) Minimum Lot Area: Twenty two thousand (22,000) square feet, or a lot of sufficient size to receive DHEC approval for a septic tank and drain field.
 - b) Minimum Lot Width measured at the Building Line: Seventy-five (75) feet.
 - c) Minimum Front Yard measured from the nearest abutting street right-of-way line: Thirty (30) feet. For exceptions to this requirement, see Article VII, Sections 704 and 705.
 - d) Minimum Side Yard: Not less than fifteen (15) feet from each side. In addition, where the district abuts any residential zoning district not separated by a street right-of-way, a landscaped buffer strip, in compliance with Section 726 of this Ordinance, shall be required. For side yard requirements pertaining to corner lots, see Article VII, Sections 702 and 704.
 - e) Minimum Rear Yard: Twenty (20) feet. Where the district abuts any residential zoning district not separated by a street right-of-way, a landscaped buffer strip, in compliance with Section 726 of this Ordinance, shall be required. For rear yard requirements pertaining to double frontage lots, see Article VII, Section 704.
 - f) Maximum Building Height: Thirty-five (35) feet. For exceptions to height regulations, see Article VII, Section 721.
 - g) Additional Requirements: Uses permitted in OC Zoning Districts shall meet all standards set forth in Article VII, pertaining to off-street parking, loading, and other requirements.
 - h) Signs: Signs permitted in OC Zoning Districts, including the conditions under which they may be located, are set forth in Article VI.

Section 502. NC Neighborhood Commercial District.

- 502.1** **Intent of District.** It is the intent of this Section that the NC Zoning District be developed and reserved for local or neighborhood oriented business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy, and compatible environment for

uses that are located so as to provide nearby residential areas with convenient shopping and service facilities; control traffic and parking congestion; avoid the development of "strip" business districts; and discourage industrial and other encroachment capable of adversely affecting the localized commercial character of the district.

502.2

Permitted Uses. The following uses shall be permitted in NC Zoning District:

- a) General retail stores, excluding supermarkets, package liquor stores, and large discount stores.
- b) Service businesses, including - but not limited to plumbers, electricians, barbers, beauticians, repair services, photographers, etc., provided all services take place within an enclosed building and there is no external storage of inventory, parts, machinery or equipment.
- c) Professional Offices
- d) Banks and other financial institutions
- e) Neighborhood food stores, including produce stands, retail bakeries, meat markets (without slaughtering on-site), delicatessens and similar businesses. Supermarkets are expressly prohibited.
- f) Private kindergartens, day care centers, or pre-school nurseries.
- g) Cultural and community centers, including libraries, theaters, neighborhood recreation centers, churches and other religious facilities.
- h) Schools.
- i) Clinics, nursing and convalescence homes. Veterinary offices with no external runs. Kennels, as an accessory use to a veterinary office only, with no external runs.
- j) Coin operated laundries
- k) Funeral homes.
- l) Auto parking lots.
- m) Facilities of Town, county, state or federal government.
- n) Facilities of the Pickens County School System or other public service districts.
- o) Group community residential care facilities.

502.3

Conditional Uses. The following uses shall be permitted on a conditional basis in any NC Zoning District, subject to the conditions set forth in Article VIII, Section 804.

- a) Convenience stores with gasoline pumps and automobile gasoline stations, provided there is no repair of automobiles on site, there is no storage of automobiles or automobile parts, all pumps are set back at least twenty-five (25) feet from any public right-of-way, and fuel tanks are installed underground.
- b) Dry cleaning or laundry pickup agency, provided that any laundering, cleaning or pressing done on the premises involves only articles delivered to the premises by individual customers.
- c) Public utility substations or subinstallation, including standpipes, water tanks, or fire towers, provided such use is closed by a painted or chain link fence or wall at least six (6) feet in height above finish grade, provided there is neither an office nor commercial operation nor storage of vehicles, provided a landscaped strip not less than five (5) feet in width is planted and suitably maintained.
- d) Combination of residential structure with any use herein permitted, provided that all dwelling units have direct access to an abutting street. Parking provisions shall be complied with for each use.
- e) Residential use lawfully existing at the time of adoption of this Ordinance.
- f) Temporary use in compliance with the provisions of Article VIII, Section 804.

502.4 **Prohibited Uses.** Sexually Oriented and mobile homes.

502.5 **Other Requirement.** Unless otherwise specified elsewhere in this Ordinance, uses permitted in NC Neighborhood Commercial Zoning Districts shall be required to conform to the following standards:

- a) Minimum Lot Area: Twenty two thousand (22,000) square feet, or a lot of sufficient size to receive DHEC approval for a septic tank and drain field.
- b) Minimum Lot Width measured at the Building Line: Seventy-five (75) feet.
- c) Minimum Front Yard measured from the nearest abutting street right-of-way line: Thirty (30) feet. For exceptions to this requirement, see Article VII, Sections 704 and 705.
- d) Minimum Side Yard: Not less than fifteen (15) feet from each side. In addition, where the district abuts any residential zoning district not separated by a street right-of-way, a buffer strip in compliance with Section

726 of this ordinance shall be required. For side yard requirements pertaining to corner lots, see Article VII, Sections 702 and 704. If a common wall is used the side setback shall be zero (0) feet.

- e) Minimum Rear Yard: Twenty (20) feet. Where the district abuts any residential zoning district not separated by a street right-of-way, a buffer strip in compliance with Section 726 of this ordinance shall be required. For rear yard requirements pertaining to double frontage lots, see Article VII, Section 704.
- f) Maximum Building Height: Thirty-five (35) feet. For exceptions to height regulations, see Article VII, Section 722.
- g) Maximum floor area for any use within the NC Zoning District shall be ten thousand (10,000) square feet.
- h) Additional Requirements: Uses permitted in NC Zoning Districts shall meet all standards set forth in Article VII, pertaining to off-street parking, loading, and other requirements.
- i) Signs: Signs permitted in NC Zoning Districts, including the conditions under which they may be located, are set forth in Article VI.
- j) No external display of inventory shall be permitted within any NC Zone.
- k) No external storage of equipment, inventory, or supplies shall be permitted within any NC Zone, unless completely enclosed by a solid fence or wall.

Section 503. GC General Commercial District.

503.1 **Intent of District.** It is the intent of this Section that the GC Zoning District be developed and reserved for general business purposes. The regulations which apply within this district are designed to encourage the formation of continuance of a compatible and economically healthy environment for business, financial service and professional uses which benefit from being located in close proximity to each other; and to discourage any encroachment capable of adversely affecting the general commercial character of the district.

503.2 **Permitted Uses.** The following uses shall be permitted in any GC Zoning District.

- a) General retail stores.
- b) Service businesses, including - but not limited to plumbers, electricians, barbers, beauticians, repair services, photographers, etc.
- c) Professional Offices.

- d) Banks and other financial institutions.
- e) Restaurants.
- f) Retail food stores, including general groceries, produce standards, bakeries, meat markets (without slaughtering on-site), etc.
- g) Food preparation establishments for off-premise delivery.
- h) Day care centers.
- i) Cultural and community centers, including libraries, theaters, neighborhood recreation centers, churches and other religious facilities.
- j) Public utility facilities, including offices, electric transformer stations, gas regulator stations, telephone switching stations, and water towers.
- k) Schools.
- l) Clinics, nursing and convalescence homes.
- m) Veterinary offices with no external runs.
- n) Kennels, as an accessory use to a veterinary office only, with no external runs.
- o) Coin operated laundries, dry cleaning - excluding dry cleaning plants.
- p) Funeral homes.
- q) Auto parking lots.
- r) Commercial printers.
- s) Facilities of Town, county, state or federal government.
- t) Facilities of the Pickens County School System or other public service districts.
- u) Radio or television studios.
- v) Group community residential care facilities.
- w) Hotels, motels, bed and breakfast inns.
- x) Day care centers, adult and child.

503.3

Conditional Uses. The following uses shall be permitted on a conditional basis in any GC Zoning District, subject to the conditions set forth in Article VIII, Section 804.

- a) Automobile service station provided all fuel pumps are set back at least twenty-five (25) feet from the right-of-way line of the street; provided all fuel tanks are installed underground. In addition, where the use abuts any residential zoning district not separated by a street right-of-way, a buffer in compliance with Section 726 of this ordinance shall be required.

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- b) Garage for the repairing and servicing of motor vehicles provided all operations are conducted within a fully enclosed building; and provided there is no open storage of wrecked vehicles; dismantled parts, or parts visible beyond the premises. One or more of the following options can be used to meet the screening requirements:
- (1) Solid stockade type fence or wall so as to be 100 percent opaque, of at least six (6) feet in height, constructed of treated wood, masonry, or stone
 - (2) Chain link fence fitted with slats so as to be 100 Percent opaque, of at least six (6) feet in height
 - (3) Natural vegetative buffer of evergreen/non-deciduous plantings that at the time of planting shall be no less than five (5) feet in height and positioned in such a manner that at full growth, the buffer shall be no less than five (5) feet in height and that no discernible visual contact can be made through the buffer. The buffer shall be no less than four (4) feet wide. The ground area within the buffer shall be maintained with a natural landscaping treatment (bark, mulch, etc.), or land cover plantings (grass, creeping junipers, etc.). Natural existing evergreen/non-deciduous vegetation located on the same premises as the use may be used to fulfill or partially fulfill the buffer requirements.
- c) Combination of residential structure with any use permitted herein.
- d) Newspaper publishing plant provided that the requirements for parking, loading, and unloading conform to those for industrial buildings, as set forth in Article VII.
- e) Car wash provided an off-street paved parking area capable of accommodating not less than one-half of hourly vehicle washing capacity awaiting entrance to the washing process is suitably located and maintained on the premises (such space to contain at least two hundred (200) square feet per waiting vehicle; and, provided no safety hazard or impediment to traffic movement is created by the operation of such an establishment.
- f) Animal hospital and/or boarding facility provided all board arrangements are maintained within a building and no noise connected with the operation of the facility is audible beyond the premises.
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- g) Automobile, boat, recreational vehicle dealerships, open yard for the sale, rental, and/or storage of materials or equipment excluding junk or other salvage. In addition, where the use abuts any residential zoning district not separated by a street right-of-way, a buffer in compliance with Section 726 of this Ordinance shall be required.
- h) Community hospitals or clinics including any functions which relate directly to the operation of the hospitals or clinics and are contained within the confines of said hospital or clinic, and provided such uses are in compliance with the provisions of Section 711.
- i) Mini warehouse self-storage facilities, so long as no storage unit doors can be viewed from a public right-of-way, or adjoining parcel.
- j) Temporary uses in compliance with the provisions of Article VIII, Section 804.

503.4 **Prohibited Uses.** Sexually Oriented Businesses and mobile homes.

503.5 **Other Requirements.** Unless otherwise specified elsewhere in this Ordinance, uses permitted in GC General Commercial Zoning Districts shall be required to conform to the following standards:

- a) Minimum Lot Area: Twenty two thousand (22,000) square feet, or a lot of sufficient size to receive DHEC approval for a septic tank and drain field.
- b) Minimum Lot Width measured at the Building Line: Seventy-five (75) feet.
- c) Minimum Front Yard measured from the nearest abutting street right-of-way line: Thirty (30) feet.
- d) Minimum Side Yard: Not less than fifteen (15) feet for each side. Where the district abuts any residential zoning district not separated by a street right-of-way, a buffer strip in compliance with Section 726 of this ordinance shall be required. For side yard requirements pertaining to corner lots, see Article VII, Section 702 and 704. If a common wall is used the side setback shall be zero (0) feet.
- e) Minimum Rear Yard: Twenty (20) feet. Where the district abuts any residential zoning district not separated by a public right-of-way, a buffer strip in compliance with Section 726 of this ordinance shall be required. For rear yard requirements pertaining to double frontage lots, see Article VII, Section 704.

- f) **Maximum Building Height:** Thirty-five (35) feet. For structures in excess of thirty-five (35) feet, the Fire Chief's approval is necessary. For exceptions to height regulations, see Article VII, Section 722.
- g) **Additional Requirements:** Uses permitted in GC Zoning Districts shall meet all standards set forth in Article VII, pertaining to off-street parking, loading and other requirements.
- h) **Signs:** Signs permitted in GC Zoning Districts, including the conditions under which they must be located, are set forth in Article VI.

Section 504. LI Limited Industrial District.

504.1 **Purpose.** The intent of the LI Zoning District is to provide areas for limited industrial activities which do not produce emissions of noise, odor, fumes, smoke, gas, dust, fire hazard, dangerous radiation, or other obnoxious conditions, that are detectable on surrounding properties. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible environment for uses generally classified to be limited industrial in nature; protect and reserve undeveloped areas in the Town of Six Mile, which are suitable for such industries; and discourage encroachment by those residential, commercial, or other uses capable of adversely affecting the basic industrial character of the district.

504.2 **Permitted Uses.** The following uses, or those uses similar in nature shall be permitted in any LI Zoning District:

- a) Research or experimental laboratory.
- b) Transportation terminal, excluding truck terminals which shall be permitted as conditional uses subject to the requirements of Section 510.3.f).
- c) Public building, facility, or land other than a school, playground, hospital, clinic, care home, or cultural facility
- d) Public utility installation, not to include transmission towers (see Section 510.3.j).
- e) Agricultural farm.
- f) Horticultural nursery.
- g) Office building and/or offices for governmental, business, professional, or general purposes.
- h) Commercial, trade, or vocational school.

- i) Off street commercial parking lot or garage, as well as off-street parking or storage area for customer, client, or employee-owned vehicles.
- j) Restaurants, delicatessens and other eating establishments.
- k) Food preparation establishments for off-premise delivery.
- l) Manufacturing facilities that produce no emissions.

504.3

Conditional Uses. The following uses, or those uses similar in nature shall be permitted on a conditional basis in any LI Zoning District, subject to the conditions set forth in Section 804.

- a) Warehouse or other storage facility, provided that there is no external storage of junk or salvage materials of any type in conjunction with the operation.
- b) Wholesale business outlet, provided that there is no open storage of junk or salvage materials of any type in conjunction with the operation.
- c) Automobile service station provided that all fuel pumps are set back at least twenty-five (25) feet from the right-of-way line of any street; provided all fuel tanks are installed underground; and, provided that there is no open storage of any type in conjunction with the operation.
- d) Animal hospital and/or boarding facility provided all boarding arrangements are maintained within a building and no noise connected with the operation of the facility is audible beyond the premises.
- e) Retail business provided such business is incidental to a permitted use; is located on the same premises as a permitted use; and involves no open storage of junk or salvage materials or any type in conjunction with the operation.
- f) Truck terminal provided that paved acceleration and deceleration lanes of at least twelve (12) feet in width and one hundred (100) feet in length, respectively, are furnished and maintained at every point where trucks enter or leave terminal sites located adjacent to major streets, provided no safety hazard or impediment to traffic movement is reduced on any access road, and provided no open storage of any type is conducted in connection with the operation.
- g) Watchman or caretaker's one-family dwelling provided that such a dwelling is located on the premises of a permitted use; and, provided a member of the household is employed by the industry as a watchman or caretaker.

- h) Dwelling incidental to a permitted agricultural or horticultural use provided that such related dwellings are occupied only by persons employed directly on the premises.
- i) Garage or shop for the repair and servicing of motor vehicles, equipment or machine parts provided any open yard storage incidental to such an operation conforms to the provisions of Subsection 508.3 (b); and, provided no objectionable sound, vibration, heat, glare, or electrical disturbance is created which is perceptible beyond the premises.
- j) Temporary use in compliance with the provisions of Article VIII, Section 804.

504.4 **Prohibited Uses.** Sexually Oriented Businesses and mobile homes.

504.5 **Other Requirements.** Unless otherwise specified elsewhere in this Ordinance, uses permitted in the LI Limited Industrial Districts shall be required to conform to the following standards:

- a) Minimum Lot Area: Twenty two thousand (22,000) square feet, or a lot of sufficient size to receive DHEC approval for a septic tank and drain field.
- b) Minimum Lot Width measured at the Building Line: one hundred (100) feet.
- c) Minimum Front Yard measured from the nearest abutting street right-of-way line: Forty (40) feet.
- d) Minimum Side Yard: Not less than twenty (20) feet on each side, except that when the property abuts a non-industrial zoning district not separated by a public right-of-way, a buffer strip in compliance with Section 726 of this ordinance shall be required. For side yard requirements pertaining to corner lots, see Section 702 and 704.
- e) Minimum Rear Yard: Thirty-five (35) feet, except that when the property abuts a non-industrial zoning district not separated by a right-of-way, a buffer strip in compliance with Section 726 of this ordinance shall be required. For rear yard requirements pertaining to double frontage lots, see Article VII, Section 704.
- f) Maximum Building Height: Not more than thirty-five (35) feet, unless approved by the Fire Chief. For exceptions to height regulations, see Article VII, Section 722.

- g) Additional Requirements: Uses permitted in LI Zoning Districts shall meet all standards set forth in Article VII, pertaining to off-street parking, loading and other requirements.
- h) Signs: Signs permitted in LI Zoning Districts, including the conditions under which they may be located are set forth in Article VI.
- i) Any external storage of inventory, parts, or machinery is established to the rear of the front line of the principal structure and provided that such storage be completely enclosed by a solid fence or wall of at least six feet in height composed of treated wood or brick.

Section 505. BI Basic Industrial District.

505.1 **Intent of District.** The intent of the BI, Basic Industrial District is to promote the development and continued use of land for basic or primary industrial purposes which involve extensive manufacturing, processing, or assembly operations; and to preserve undeveloped sizable tracts of land with industrial potential for industrial uses.

505.2 **Permitted Uses.** The following uses, or those uses similar in nature shall be permitted in any BI Zoning District:

- a) Any use permitted in any LI Zoning District, subject to the standards set forth in this Section.
- b) Any industrial use plus operations incidental to such use which involves manufacturing, processing, or assembly operations, or the storage and sale of heavy materials, products, or equipment; but not including junk or salvage yards or uses which may cause injurious or obnoxious noise, vibration, smoke, gas fumes, odor, dust, fire hazards, dangerous radiation or similar conditions.
- c) Animal hospital and/or board facility.
- d) Warehouse.
- e) Bulk storage of petroleum products.

505.3 **Conditional Uses.** The following uses, or those uses similar in nature shall be permitted on a conditional basis in any BI Zoning District, subject to the conditions set forth in Section 804:

- a) Any use permitted on a conditional basis in any LI Zoning District, subject to the conditions of Subsection 510.3 and Article VIII, Section 804.

- b) Retail or wholesale business or service, provided such business or service is incidental to a permitted industrial use; and is located on the same premises.
- c) Truck terminal, provided that paved acceleration and deceleration lanes of at least twelve (12) feet in width and one hundred (100) feet in length, respectively, are furnished and maintained at every point where trucks enter or leave terminal sites; and, provided sites for such facilities have direct access to major streets.
- d) Private recreation facilities provided such facility is incidental to a permitted use and located on the same premises.
- e) Open yard use for the sale, rental and/or storage of new, used or salvaged, materials, or equipment, provided that such use is conducted in a manner that it will be located on a site no less than one (1) acre in size, and provided no burning of materials or products is conducted on the premises except by means approved by the Fire Chief or Fire Inspector; and in the case of external storage or used or salvaged materials and/or equipment, a buffer strip in compliance with Section 726 of this ordinance shall be required along all property lines.
- f) Temporary uses are permitted in compliance with the provisions of Article VIII, Section 804.

505.4 **Prohibited Uses.** Mobile homes.

505.5 **Other Requirements.** Unless otherwise specified elsewhere in this Ordinance, uses permitted in BI Basic Industrial Zoning Districts shall be required to conform to the following standards:

- a) Minimum Lot Area: Twenty two thousand (22,000) square feet, or a lot of sufficient size to receive DHEC approval for a septic tank and drain field.
- b) Minimum Lot Width measured at the Building Line: One Hundred (100) feet.
- c) Minimum Front Yard measured from the nearest abutting street right-of-way line: Forty (40) feet.
- d) Minimum Side Yard: No less than twenty (20) feet on each side, except that when the property abuts a non-industrial zoning district not separated by a right-of-way, a buffer strip in compliance with Section 726 of this

ordinance shall be required. For side yard requirements pertaining to corner lots, see Article VII, Sections 702 and 704.

- e) Minimum Rear Yard: Thirty-five (35) feet, except that where the property abuts another zoning district not separated by a right-of-way, a buffer strip in compliance with Section 726 of this ordinance shall be required be required. For rear yard requirements pertaining to double frontage lots see Article VII, Section 704.
- f) Maximum Building Height: No more than thirty-five (35) feet, unless approved by the Fire Chief. For exceptions to height regulations, see Article VII, Section 722.
- g) Additional Requirements: Uses permitted in BI Zoning Districts shall meet all standards set forth in Article VII pertaining to off-street parking, loading, and other requirements.
- h) Signs: Signs permitted in BI Zoning Districts, including the conditions under which they may be located, are set forth in Article VI.
- i) Any external storage of inventory, parts, or machinery is established to the rear of the front line of the principal structure and provided that such storage be completely enclosed by a solid fence or wall of at least six feet in height composed of treated wood or brick.

Section 506. Historic Preservation Overlay District

506.1

Intent of the District. The intent and purpose of the Historic Overlay District is to provide for the preservation and protection of historic and architecturally valuable structures, neighborhoods, scenic areas, cultural sites, or any combination thereof, by means of restricting the right to erect, demolish, modify, or alter the exterior appearance of all buildings or structures within the boundaries of the district. The regulations within this district shall protect against the destruction of, or encroachment upon, areas and structures that would have an adverse effect upon the intended character of this district and will assure that new structures, and modifications to existing structures, within such districts, will be in keeping with the character to be preserved and enhanced.

506.2

Establishment of Boundaries. The Town Council, upon receiving a recommendation from the Planning Commission, may establish, change, and define districts that are deemed to be of historic or architectural value in accordance with amendment procedures as set forth within this ordinance.

Historic district boundaries shall be shown on the official zoning map. All provisions and requirements for the underlying zoning district shall be applicable, in addition to the provisions for the Historic Preservation Districts.

506.3**Historic District Commission.**

- a) A Historic Commission, with a membership of five (5) persons, all of whom are to be residents of the Town of Six Mile, and all of whom are qualified by special interest, knowledge, or training in such fields as history, architecture, preservation, or urban design, and who have knowledge of and have demonstrated an interest in the preservation of historic and architectural areas in the Town, shall be established to administer the regulations of the historic district.
- b) Members shall be appointed for terms of three (3) years each. Initial appointments shall be made at one (1) member for one (1) year, two (2) members for two (2) years, and two (2) members for three (3) years in order to insure that members' terms do not expire at the same time.
- c) In the event of a vacancy on the Commission, the Town Council shall make an interim appointment for the remainder of an unexpired term.
- d) Organization and Regulation
 - (1) The Commission shall organize annually, and elect a Chairperson.
 - (2) The Commission shall establish rules relating to its function and responsibilities, provided that such rules are published and approved by the Town Council. Prior to adopting said rules, obtain public hearing and comment.
 - (3) All meetings shall be open to the public, and any interested person may appear before the Commission and be heard.
 - (4) The Commission shall keep a written record of its proceedings and actions on all applications, and provide a copy on file for public view.

506.4**Applications, Powers and Procedures.**

- a) Application.
 - (1) Any person, individual, firm, or corporation proposing to construct, alter, reconstruct, move, demolish, or repair any structure within the Historic District, if such changes would affect the exterior

- appearance, shall file an application for said work. The application shall be filed with the zoning department.
- (2) The Historic Commission shall review the applications within the Historic District, under the above noted requirement, and approve or reject such application.
 - (3) In reviewing the application and plans, the Historic District Commission shall give consideration to:
 - (a) The historic, or architectural value of the structure and its relation to the historic value of its surrounding area.
 - (b) The general compatibility of exterior design, arrangement, texture, and materials proposed to be used.
 - (c) Special features in historic areas, such as their architectural integrity and spatial relationship among buildings. Spatial relationships include courtyards, street patterns, the scale of buildings, and open space.
 - (d) Any other factors, including aesthetic factors, which the Commission deems to be pertinent to the proposed application.
- b) Intent of the Commission. It is the intent of the Commission to not limit new construction to any one (1) period or architectural style. It is also the intent of the Commission to be lenient in its judgment of plans for structures of little historic value, or for plans involving new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures.
- c) Approval or Rejection of Application.
- (1) The Commission shall file with the zoning administrator and the building inspector its certificate of approval, modification, or rejection of all applications submitted for review. All certificates shall be in writing and shall set forth the reasons for approval, modification, or rejection of the application.
 - (2) No work shall begin until such certified approval has been filed.
 - (3) Failure of the historic commission to act within forty-five (45) days from the date of the application being filed shall constitute approval unless an extension is mutually agreed upon by the applicant and the Commission.

- d) Appeals. Any applicant, person, firm or corporation aggrieved by a decision of the Historic District Commission shall have the right of appeal of that decision to the zoning board. Written notice of appeal shall be submitted to the secretary of the zoning board within thirty (30) days from the Historic District Commission's decision.

Section 507. Corridor Overlay District

507.1 **Intent of the District.** The following standards are intended to address the site plan layout considerations for the development of public and private property within the Development Corridors. These requirements are set forth to establish a unifying theme for the Development Corridors by implementing several key streetscape elements along both sides of the highways. This section also specifies minimum performance standards for site planning considerations as they apply to the opportunities for new development on vacant properties and rehabilitation of already developed properties within the Development Corridors. Specific purposes of the district are;

- a) To create a streetscape improvement plan that addresses the implementation of a united theme for street tree planting and light fixtures adjacent to the public right-of-way throughout the Development Corridors,
- b) To facilitate any future highway improvements by the South Carolina Department of Transportation,
- c) To require intensive land uses to provide adequate buffering and screening for the protection of existing and emerging residential neighborhoods to the rear of commercial development,
- d) To provide for beautification of individual properties by requiring minimum standards for internal landscaping of parking lots, and
- e) To encourage the consolidation of driveway access points in order to better increase safety and facilitate traffic movement.

507.2 **Application.** These performances standards are applicable to all new construction, rehabilitation of construction, and remodeling or renovation projects, as well for properties for which zoning is requested within the corridors, except as specified herein. Compliance with the regulations set forth in this ordinance shall be required when a building permit is issued or when an application for rezoning is approved unless it is demonstrated that work necessary to bring the property into compliance with this ordinance will be

undertaken simultaneously with a development, rehabilitation, remodeling or redevelopment project.

Requirements and specifications of this ordinance are applicable to all properties which are within town limits. The standards shall extend back to a depth of four hundred (400) feet from the centerline of all roads from highways 133, 137, Old Seneca Road and Liberty Highway.

The Development Corridors are currently characterized by a mixture of existing uses that include free-standing commercial shopping centers, apartments, single family residences, mobile homes, and a number of vacant or underdeveloped properties. Although there are a fair number of existing single-family homes, the area is in transition. Many of these homes may eventually be replaced with strip commercial development or converted to small free-standing businesses. The future land use pattern will most likely include a greater amount of professional offices, shopping centers, free-standing commercial activities, and multifamily residential uses.

Properties in the Development Corridors are subject to the zoning regulations in the adopted Zoning Ordinance for the Town of Six Mile, South Carolina, and depicted on the Official Zoning Map. The standards herein will thus function as overlay requirements for properties within the town limits of Six Mile.

The site planning performance standards and associated requirements included herein shall serve as the criteria by which all projects within the corridors will be reviewed. These standards will apply to all new developments and redevelopment projects with the exception of the construction, rehabilitation, or remodeling of individual single family residences.

507.3 **Exemptions.** The following activities shall be exempt from the requirements of Section 507:

- A) If a building permit is sought for construction, rehabilitation, or the remodeling of a single-family home, the regulations of this ordinance shall not apply.

- B) If an application for a zoning change is filed, the subject parcel shall not be required to be bought into conformance with this ordinance until a building permit is sought, or until the parcel is used for a non-single family residential activity.

507.4**GENERAL REGULATIONS**

- A. Building Placement. All new development or redevelopment projects are required to adhere to the minimum yard requirements as set forth in the applicable zone of the Town of Six Mile Zoning Ordinance.
- B. Street Tree Planting. All properties that are subject to redevelopment, subdivision, new development, or rezone activities within the Development Corridor Overlay District as herein defined, shall be subject to the following specific requirements for street planting.
- 1) Proposed trees should be planted immediately to the rear of the highway right-of-way as defined by the South Carolina Department of Transportation in a minimum eight (8) foot wide planting area.
 - 2) The following tree species shall be planted within the required eight (8) foot planting strip, provided that power lines are installed underground or are relocated so that such trees shall not interfere with utility lines. The type of trees (listed below) to be planted shall be at the option of the property owner or tenant. One (1) tree shall be planted for every 40 feet of street frontage or fraction thereof above 25 feet. Trees shall be a minimum of two (2) inch caliper and eight (8) feet in height at the time of planting.
 - a) Quercus phellos "OPSTA"- Hightower Willow Oak, 40'-60'tall,35'spread
 - b) Quercus phellos "wynstar"- Wynstar Willow Oak, 60'-70' tall 40'-50'spread
 - c) Acer rubrum "Bowhall" – Bowhall Red Maple 50' tall 25' spread
 - d) Ulmus parvifolia "UPMTF" – Bosque Lacebark Elm, 50'-60' tall 35'-40' spread
 - e) Zelkova serrata "Village Green" Village Green Zelkova 50'-60' tall 50'-60' spread

- f) *Zelkova serrata* "*Green Vase*"- Green Vase Zelkova 70' tall
50'-60' spread
 - g) *Zelkova serrata* "*ZFSKF MYIMAR*"- Myimar Zelkova 50'-60'
40'-45' spread
 - h) *Acer barbatum*- Florida Maple 40'-50' 25'-40' spread
- 3) The street trees listed above shall be planted on both sides of the highway. All of the tree species listed above are to be of a large maturing variety.
 - 4) When a building permit is requested for renovation or redevelopment of a previously developed site, and where the required eight (8) foot planting strip does not exist, street trees are required as outlined in Section 302. If a railroad or a utility right-of-way separates the perimeter from a Town right-of-way, the planting strip requirement and the tree planting requirements must still be met as outlined above.
 - 5) If a building is in existence prior to the adoption of this ordinance and situated less than fifty-five (55) feet from the highway right-of-way, the street tree planting requirements in Section 302 shall be waived.

507.5 Parking Lot Landscaping. All parking lots under the jurisdiction ordinance shall comply with the following standards:

- A) All parking lots shall be made of a hard, paved with concrete or black top surface.
- B) Proposed trees should be planted immediately to the rear of the public right-of-way (as defined by the South Carolina Department of Transportation) in a minimum eight (8) foot wide planting area using a combination of informally arranged earth berms at a maximum height of two (2) feet planted with small evergreen shrubs spaced at three (3) foot of center. Evergreen or deciduous trees shall also be required to be planted adjacent to the public right-of-way. These small trees shall be located so as not to interfere with street tree planting within the public right-of-way.
- C) Whenever the impervious (paved) cover exceeds 10,000 square feet, an area equal to 10% of the total impervious surface must be provided for landscape purposes and tree planting. This 10% requirement is to be in

addition to any required perimeter landscaping as outlined in 303.2 above. This interior landscaping can be accomplished by using a combination of shade trees and evergreen shrubs planted in landscaped islands within the parking lot. These islands should be a minimum of six (6) feet wide and the length of a standard parking bay.

- D) Where very large parking areas are required to meet ordinance requirements of the Town of Six Mile, they shall be designed as a series of smaller lots that provide space for no more than one hundred (100) vehicles each. The small parking lots shall be separated by maximum six (6) foot internal planting areas that feature trees planted in grass. In general, a series of smaller lots is aesthetically and functionally preferable to one large lot. The minimum six (6) foot wide separation strip will be in addition to the requirement for ten percent internal parking lot landscaping.

507.6

Screening. Screening of outdoor trash receptacles and utility equipment shall be in compliance with the following standards:

- A) Screening of outdoor trash receptacles and loading/storage areas shall require the installation of an opaque wooden fence or masonry wall at a minimum of six (6) feet in height. The fence or wall shall be constructed in combination with evergreen shrubs planted around the exterior rear and side foundation.
- B) Screening of outdoor utility equipment shall require the installation of an opaque wooden fence or masonry wall that is a minimum one (1) foot higher than the equipment to be screened. The fence or wall shall be constructed in combination with evergreen shrubs planted around the exterior rear and side foundation.

507.7

Building Façade Design and Construction. The front wall or facade of all buildings and structures under the jurisdiction of this ordinance shall be designed and constructed in compliance of the standards listed below:

- A) Any portion of the front wall or façade of any building or structure that is visible from any public road right-of-way, shall be constructed of stone, brick, treated wood siding, glass, concrete block with stucco or any combination of the above. Side wall may be any of the above or hardi plank.

- B) No portion of a front wall or façade and side wall visible from any public road right-of-way of any building or structure shall be constructed of Corrugated metal or aluminum siding, vinyl siding, unpainted rough-sawn wood, rough-sawn shake wood shingles, or exposed untreated concrete or cinder blocks.
- C) No neon banding shall be allowed on the exterior portion of any building or structure that is visible from any public right-of-way.

507.8

Driveway Access. In order to establish SC Highway 133 and 137, Old Seneca Road and Liberty Highway as controlled access major thoroughfares, all driveways under the jurisdiction of this ordinance and providing ingress and/or access onto SC Highways 133 and 137, Old Seneca Road and Liberty Highway shall be subject to the following standards:

- A) No more than single driveway entrances shall be permitted for any single property frontage where the property is less than one hundred (100) feet in width.
- B) No more than two (2) driveway entrances shall be permitted for any single property frontage where the property is greater than one hundred (100) feet in width.
- C) At shopping center locations or other establishments where traffic volume, in relation to capacity, is high, driveways should be located as far from street intersections as practical. In all instances, driveways serving high volume generators are to be a minimum of fifty (50) feet from the inter-section of public roads.
- D) Inter-parcel access and shared driveways are encouraged in order to limit the number of driveway curb cuts.

ARTICLE V-1**COMMERCIAL ARCHITECTURAL
GUIDELINES AND REQUIREMENTS****Section 508. Commercial Architectural Guidelines and Requirements****508.1**

Intent. The intent of Commercial Architectural Guidelines is to establish design and development standards that foster high-quality, attractive, and sustainable development that is compatible with the town's existing character. These standards will act to protect and enhance the character and quality of the

community's development while maintaining and strengthening a recognizable identity and character that is unique to the community. These regulations serve specifically to:

- To provide appropriate standards to ensure a high quality appearance and promote pedestrian-friendly design while also allowing flexibility, individuality, creativity, and artistic expression;
- To strengthen and protect the image, identity, and unique character of a community and thereby to enhance its business economy;
- To protect and enhance commercial districts by encouraging physical development that is of high quality and is compatible with the character, scale, and function of its surrounding area;
- To encourage development that relates well to adjoining public streets and open spaces.

508.2 Commercial Architectural Requirements. Design regulations are not intended to promote the replication of the existing built form of the Town of Six Mile, but to allow imaginative design that is respectful of the town comprehensive plan. The regulations are meant to help achieve good design, not a certain stylistic result. They will also establish a consistent framework for submitting and assessing proposed development.

The following section, General Principles – Building Design, is a narrative that is intended to serve as a visual definition of commercial architectural building requirements. This section sets out general principles intended to recognize and preserve the unique character and integrity of the commercial downtown special areas and properties while also allowing for their active use. The key architectural elements of building type, style, and frontage serve as the essential elements. This includes components such as setbacks, height, detailing, and use of a buildings public façade. The narrative is intended to serve as a guide to those interpreting the specific requirements does not serve as the requirements themselves and must not be applied as such.

All new commercial construction must conform to the architectural requirements of this section. The Planning Commission may approve minor variations to this section provided similar materials, configurations, and/or techniques are used that

fulfill the intent of this section. Major variation to building façade requirements due to unique building use requirements may be approved by the Planning Commission, provided the overall pedestrianism of the street is maintained in accordance with all other standards. All variations must be noted on the final approved plan.

Section 509. General Principals: Commercial Building Design

509.1 **Commercial Architectural Style.** New commercial buildings must be designed to be respectful in context to the existing build environment, not as explicit reproductions of past historical styles. This regulation does not preclude use of materials, scale, or massing found on older buildings. Spatial elements like massing, proportions, scale, setbacks, spaces between buildings, and their relative positions must be used to integrate new development into existing neighborhoods.

Buildings that are stylized in an attempt to use the building itself as advertising must be discouraged, particularly where the proposed architecture is the result of a “corporate” or franchise style. New construction must provide variety and diversity and express its own uniqueness of structure, location, or tenant.

509.2 **Scale and Proportion.** The patterns, sizes, and shapes of elements, materials, and openings all influence a building’s scale. Two important considerations are how these elements relate to each other in terms of scale. Proportion is the relationship of one dimension to another and creates visual order among the elements of a building.

Height can lend a building dignity and grace. Conversely, it can contribute to unacceptable bulk and dominance. It is the height in combination with other features that results in a positive or negative outcome. The height and scale of each building must take into consideration its site and existing (or anticipated) neighboring buildings.

Windows, doors, columns, eaves, parapets, and other building components must be proportional to the overall scale of the building. Changes of plane must have clearly delineated material transitions.

509.3 **Façade Articulation and Detailing.** Buildings serve to spatially define streets. Proper spatial definition is achieved with buildings or other architectural elements that make up street edges aligned in a disciplined manner with an appropriate ratio of height to width.

Architectural elements like openings, sill details, bulkhead, posts, and other architectural features must be used to establish human scale at the street level. Buildings must avoid long, monotonous, uninterrupted walls or roof planes on their visible façade. Building wall offsets, including projections, recesses, and changes in floor level must be used in order to: add architectural interest and variety; relieve the visual effect of a single, long wall; and subdivide the wall into human size proportions. Similarly, roofline offsets must be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. For larger scale developments, the building façade must create repetitive bays, or the façade must be divided into a balanced, yet asymmetrical, composition.

All sides of the building must use materials consistent with those on the front if visible from public streets or neighboring properties, and must be carefully designed with similar detailing, and be comparable in quality and materials. Useable porches and stoops must form a predominant motif of the building design and be located along the front and/or side. A porch with a depth of at least six feet and extending along at least 50% of the façade is generally defined as useable. Useable porches are encouraged to promote an improved sense of the downtown business community.

509.4 **Roof Form and Pitch.** The character of the roof is a major feature of all buildings. When repeated along the street, the repetition of similar roof forms also contributes to the sense of visual continuity. In each case, the roof pitch, its materials, size and orientation are all important to the overall character of the building. New construction must not break from this continuity. New structures and their roofs must be similar in character to their neighbors.

509.5 **Window and Door Proportions and Design.** The location of window or door size and location also contributes to a sense of visual continuity along the street. In order to maintain this sense of visual continuity, a new commercial building

must maintain the basic window and door proportions and placement seen traditionally.

The arrangement of windows and doors also contributes to the character of a district. Most buildings have similar amounts of glass, resulting in a relatively uniform solid to void ratio. This ratio on a new building must be similar to that of traditional buildings.

- 509.6** **Building and Street Lighting.** The character and level of lighting that is used on a building is a special concern. Traditionally, these exterior lights were simple in character and used to highlight entrances, walkways, and signs. Most fixtures had incandescent lamps that cast a color similar to daylight, were relatively low intensity and were shielded with simple shade devices. Although new lamp types may be considered, the overall effect of modest, focused light must be continued.
- 509.7** **Signs.** A sign typically serves two functions; first, to attract attention, and second, to convey information, essentially identifying the business or services offered within. If it is well designed, a building front alone can serve the attention-getting function, allowing the sign to be focused on conveying information in a well-conceived manner. All new signs must be developed with the overall context of the building and of the area in mind.
- 509.8** **Building Materials and Color.** Building materials of new structures must contribute to the visual continuity. They must appear similar to those seen traditionally to establish a sense of visual continuity. While color in itself does not affect the actual form of a building, it can dramatically affect the perceived scale of a structure and it can help to blend a building with its context.

Materials must be selected for suitability to the type of building and design for which they are used. Material or color changes at outside corners of structures, which give the impression of “thinness” and artificiality, are prohibited. Piecemeal embellishment and frequent changes in material must be avoided. Commercial metal buildings, unless grandfathered, are specifically prohibited. Accessory buildings must be similar design, materials, and colors as the principle building and must be appropriately landscaped. Vinyl siding is prohibited.

Buildings which have not been previously painted must not be painted unless the masonry is mismatched due to improper repairs, re-pointing, etc. and painting would unify the exterior appearance. Paint may be applied to masonry walls which have been sandblasted in order to form a sealant surface.

Paint colors for the body of commercial buildings must be in traditional brick colors such as red, orange, and brown. Accent colors must be selected to compliment and contrast the primary brick color.

509.9 **Mechanical Screening.** Utilities that serve properties may include telephone and electrical lines, ventilation systems, utility meters, mechanical equipment, transformers, generators, air conditioners, and similar features or other utility hardware. Adequate space for these utilities must be planned in a project from the outset and they must be designed such that their visual impacts are minimized. Service areas for trash, recycling containers, loading facilities, and site maintenance equipment must be carefully planned as an integral part of a site. At the same time, the visual impacts of service areas must be minimized.

When laying out a site, adequate provisions must be made for service areas.

- Mechanical systems must be located where they are not readily visible from the street such as rear façades and rooftop locations.
- Mechanical systems must be screened with shrubbery, fencing, or lattice panels.
- Window air-conditioners must be located in windows on the rear or sides of buildings and must not result in the removal or replacement of the original window sash or surround.
- Solar energy panels are encouraged and must be placed at rooftop locations where they are not readily visible from the street.
- Satellite dishes may be sited at rooftop locations or rear façades which are not readily visible from the street.
- Electrical and gas meters, conduits, and other mechanical equipment must be located on rear façades.

509.10 **Commercial General Requirements.**

- a. To perpetuate the unique building character of the Town, development must generally employ building types that are sympathetic to the traditional architectural vocabulary of the area in their massing and external materials.
- b. The front elevations facing the street and the overall massing must be pedestrian in scale.

- c. Adjacent buildings must be architecturally compatible through similar silhouettes, spacing between façades, setbacks, proportions, treatments, exterior materials, scale, massing, and/or architectural style.
- d. The Primary Entrance must be both architecturally and functionally designed on the front façade of the building facing the primary public street. Such entrances must be designed to convey their prominence of the fronting façade. The use of fire escape or exit-only doors as Primary Entrances is explicitly prohibited.
- e. All new construction must generally conform in street orientation, massing, lot width, and setbacks to adjacent existing and proposed structures.
- f. Project elements like mechanical equipment, electrical and telephone lines, utility meters, storage areas, trash enclosures, transformers, generators and similar features, or other utility hardware on roof, ground, or buildings must be screened from public view of the façade with materials similar to the structure. Ground mounted mechanical equipment must be located to the rear or side and screened from off-site view. Roof-mounted mechanical equipment must be screened from off-site view by a parapet wall and must not be visible from the street. Unused equipment must be removed. Noise from HVAC or other operation equipment associated with the function of proposed structures must not exceed 55 decibels as defined by the manufacturer.
- g. Loading and service delivery areas must be located to the rear or side away from the primary street frontage.
- h. Canopies and awnings must be canvas or similar material and must be permitted to encroach over a sidewalk to within two feet of a public street curb and may be illuminated by external lighting only.
- i. Open decks, patios, and steps are permitted with rear and side yards and may encroach into required setback to within 5 feet of all property lines.
- j. Colors must be used to create coordinated color schemes for buildings. Employ color schemes that are simple in character with one base color that must be muted and only one or two accent colors. Reserve the use of bright colors for accents only.

Section 510. Commercial Buildings

510.1 General Requirements.

- a. Maintain the alignment of buildings at the sidewalks edge by locating the front building wall at the sidewalk line when feasible. If a building must be set back from the sidewalk, use landscape elements to define the sidewalk edge.

- b. Orient the front entrance of the building toward the street and clearly identify the primary entrance. A secondary public entrance to commercial spaces is also encouraged on larger buildings.
- c. New outbuildings must be subordinate to the primary structure on a site, located to the rear of the lot and must be similar in character to those seen traditionally.
- d. When adapting a residence to a commercial use, respect the residential character of the building. Seek uses that are compatible with the traditional character of the building.
- e. Use of trees and flowering plants is strongly encouraged to enhance the pedestrian experience.
- f. Minimize the visual impacts of a parking lot by locating surface lots in the interior of a block whenever possible. Where a parking lot shares a site with a building, place the parking at the rear of the site or beside the building
- g. Where a parking lot abuts a public sidewalk, provide a visual buffer such as a landscaped strip, planter, or wall.

510.2 Materials.

- a. Commercial building walls must be brick, cast concrete, stucco, stone, marble, or other materials similar in appearance and durability and in keeping with the traditional architecture of the area. Regular or decorative concrete block may be used on building walls not visible from a public street or as an accent material only. All accessory buildings must be clad in materials similar in appearance to the principle structure.
- b. Pitched roofs must be clad in wood shingles, standing seam metal, corrugated metal, slate, diamond tab asphalt shingles or similar material.
- c. Windows must be vertically proportioned wherever possible. Also, to the extent possible, upper story windows must be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows.

510.3 Configurations.

- a. Two wall materials may be combined horizontally on one façade. The heavier material must be below.
- b. Skylights must be flat (non-bubble).
- c. At least 70% of the street level frontages must be in windows or doorways. Street level windows must be visually permeable. Mirrorized glass is not permitted in any location. Faux or display casements are not permitted in lieu of window treatments for the frontage elevation.

- d. No frontage wall must remain unpierced by a window or functional general access doorway for more than 16 feet.
- e. Design of new additions must be such that the original character of the building can be clearly seen and must be compatible in scale, materials, and character with the main building.
- f. An addition must not damage or obscure architecturally important features.
- g. Any rooftop addition must keep the mass and scale subordinate to the primary building and be in character with the primary structure's design.

510.4 Techniques.

- a. Stucco must be float finish.
- b. Windows must be set to the inside of the building face wall in most cases unless otherwise provided for by the decision of the Commercial Architectural Review Board.
- c. All rooftop equipment must be enclosed in building material that matches the structure or is visually compatible with the structure.

510.5 Lighting.

- a. Street lighting must be used to enhance the pedestrian experience at night by providing a well-lit environment.
- b. Light pole and lamp design must be styled within the vision of the Town Comprehensive Plan in conformity with a central downtown theme (e.g. era promoted by Our Bank).
- c. Streetlights must convey a pedestrian oriented scale and convey a color spectrum that is similar to daylight.
- d. Exterior lights must be used to accent architectural details, building entrances, signs, and illuminate sidewalks.
- e. Minimize the visual impacts of site and architectural lighting through the use of low intensity white lights that are similar to daylight.
- f. Prevent glare by using shielded and focused light sources that focus light downward. Unshielded, high intensity light sources and those that direct light upward must not be permitted.
- g. Shield lighting associated with service areas, parking lots, and parking structures.

Section 511. Civic Buildings (Churches, Schools, Government Offices, and Other Civic Facilities)

Schools, churches, and government buildings must be built so that they must be of sufficient design to create visual anchors for the community. Civic buildings must adhere to the provisions as marked below.

511.1 Materials.

- a. Civic building walls must be clad in stone, stucco, brick, and marble, or other appropriate material. Decorative cast concrete and wood or vinyl siding may be used as a minority element on façade facing public streets.
- b. Civic roofs must be clad in slate, sheet metal, corrugated metal, or diamond tab asphalt shingles, or other material similar in appearance and durability.
- c. Gutters and down spouts must be made of copper or galvanized painted metal and do not expel onto the street.
- d. The columns, if provided, must be made of wood or cast concrete or other appropriate material.
- e. Stained glass or other decorate window treatments are encouraged.

511.2 Configurations.

- a. Two wall materials may be combined horizontally on one facade. The heavier material must be below.
- b. Flat roofs are allowed, but principle civic buildings adjacent to residential structures are encouraged to have pitched roofs or similar architectural features to ensure compatibility.

511.3 Techniques.

- a. Windows must be set to the inside of the building face wall.
- b. All rooftop equipment must be enclosed in building material that matches the structure or is visually compatible with the structure.

Section 512. Light and Heavy Industrial Buildings

512.1 Materials.

- a. All building walls visible from a public street must be brick, cast concrete, stucco, stone, marble, decorative concrete masonry unit, or other materials similar in appearance and durability.
- b. All accessory buildings must be clad in materials similar in appearance to the principle structure.
- c. Pitched roofs must be clad in wood shingles, standing seam metal, corrugated metal, slate, diamond tab asphalt shingles, or similar material.

512.2 Configurations.

- a. Two wall materials may be combined horizontally on one façade. The heavier material must be below.
- b. Skylights must be flat (non-bubble).

512.3 Techniques.

- a. Windows must be set to the inside of the building face wall in most cases unless otherwise provided for by the decision of the Commercial Architectural Review Board.
- b. All rooftop equipment must be enclosed in building material that matches the structure or is visually compatible with the structure.

Section 513. Renovation of Existing Structures

513.1 General Guidelines.

- a. All new construction, including additions to existing buildings, must comply with these regulations.
- b. Changing or rebuilding 75% or more of any façade of a building requires the entire building to comply with the regulations.
- c. Changing or rebuilding less than 75% of any façade of a building, requires only that façade to comply.
- d. All new windows, entrances, storefronts, and doorways must be designed in accordance with these regulations.
- e. Any addition of 50% or more of the first floor area requires the entire building to come into compliance.
- f. Routine maintenance and repair are exempt from these requirements.

Section 514. Design Guidelines for Signs

514.1 General Guidelines.

- a. Signs must be coordinated with the composition of the overall façade and in proportion to the building such that it does not dominate the appearance.
- b. Locate signs on a building such that it will emphasize design elements of the façade itself and fit within existing architectural features.
- c. When feasible, place a wall sign such that it aligns with others on the block. If decorative moldings exist that could define a sign panel, locate a flush-mounted sign to fit within the panel formed by the moldings or transom panels.
- d. Window signs may be painted on the glass or hung inside the window and must cover no more than 20% of the total window area.
- e. Projecting signs may be considered. Small projecting signs must be located near the business entrance, just above the door or to the side of it while large projecting signs must be mounted higher and centered on the façade or positioned at the corner.
- f. Signs not attached to buildings must be ground mounted signs that are no more than 32 square feet in area and 6 feet in height. All ground mounted signs must be located at minimum of five (5) feet behind the street right-of-way. No ground-mounted sign greater

than five (5) square feet in area must be located closer than ten (10) feet to any adjacent lot line. A fifteen (15) foot side-yard setback must be required if the side lot line abuts a residential district. An arm sign may be substituted for a ground mounted sign but must meet all or structure height and area requirements as provided. The height of a sign must be measured from the highest point of a sign to the point of ground surface beneath it. Ornamentation such as caps and spires are not included in this measurement. The use of berms or raised landscape area is only permitted to raise the base of the sign to the mean elevation of the fronting street.

- g. Sign materials must be compatible with that of the building façade and must use colors that are compatible with those of the building front.
- h. All lighted signs must have their lighting directed in such a manner as to illuminate only the face of the sign. No commercial sign within 100 linear feet of a pre-existing residential structure may be illuminated between the hours of 12:00 midnight and 6:00 a.m. A sign must be deemed “pre-existing” for purposes of this Section if it has a valid building permit in effect for construction of said structure or if construction of said structure was complete on or prior to the effective date of this provision.
- i. Internally illuminated signs, signs with lights inside the sign itself, will be prohibited in the overlay districts.
- j. Flashing signs, signs with flashing or reflective disks, signs with flashing lights or lights of changing degree of intensity or color or signs with electrically scrolled messages (except government signs and signs which give time and temperature information) are prohibited. If a time and temperature sign alternates between a time message and a temperature message, it must continuously show one message a minimum of three (3) seconds in time before switching to the other message.

ARTICLE VI

SIGN REGULATIONS

The regulations herein shall apply and govern all zoning districts. Regulations apply to any sign intended for view from a public right-of-way. No sign shall be erected or maintained unless it is in compliance with the regulations of this Article, except that a nonconforming sign, which shall comply with the provisions set forth in Article VII, may be maintained if in existence prior to the adoption of this ordinance.

Section 600. General Provisions.

The following regulations shall apply to all permitted signs in the Town of Six Mile.

- 600.1** A permit shall be required for the erection, alteration, or reconstruction of any sign intended for view from the public right-of-way unless otherwise noted, and shall be issued by the Zoning Administrator in accordance with Article VIII of this Ordinance.
- 600.2** Signs must be constructed of durable materials, maintained in good condition, and not permitted to become dilapidated.

Section 601. Prohibited Signs.

The following signs are prohibited in the Town of Six Mile:

- 601.1** **Signs Imitating Warning Signals.** No sign shall display intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles, nor shall any sign use the words "stop," "danger," or any other word, phrase, symbol, or character in a manner that might mislead or confuse the driver of an automobile.
- 601.2** **Signs Within A Street or Highway Right-of-Way.** Except as herein provided, no sign whatsoever, whether temporary or permanent except traffic signs and signals and information signs erected by a public agency, is permitted within any street or highway right-of-way.
- 601.3** **Certain Attached and Painted Signs.** Signs painted on or attached to trees, fence posts, and telephone or other utility poles or signs painted on or attached to rocks or other natural features or painted on the roofs of buildings are prohibited.
- 601.4** **Fluttering Ribbons and Banners.** Flutter ribbons and banners and similar devices are prohibited, except the flags of governments and their agencies (except as noted in Section 607.3).
- 601.5** **Roof Signs.** Signs attached, mounted, or painted on a roof structure are prohibited. This does not pertain to signs attached to or printed on a fascia.

Section 602. Signs For Which a Permit is Not Required.

A permit is not required for the following types of signs in any Zoning District.

- 602.1** Traffic, directional, warning, or information signs authorized by any public agency.
- 602.2** Official notices issued by any court, public agency, or office.
- 602.3** One non-illuminated "for sale," "for rent," or "for lease" sign not exceeding six (6) square feet in area in residential districts and thirty-two (32) square feet in other than residential districts and located not less than ten (10) feet back from the street right-of-way line, unless attached to the front wall of a building.

- 602.4** Entrance, exit and instructional signs, so long as they do not exceed four (4) square feet in area, are no higher than three (3) feet above adjacent pavement and contain no advertisement.
- 602.5** Identification signs indicating the name and street number or owner or occupant of a parcel, so long as such signs do not exceed four (4) square feet of copy area.
- 602.6** Signs attached or integrated into a gasoline pump, automatic bank teller machine, or drive through component of a fast food restaurant, which give operational instructions to users, the price of the product, the brand name of the product, or descriptive information about the product.

Section 603. Regulations Applying to Specified Types of Signs.

The following regulations apply to the following specified types of signs:

- 603.1** **Wall Signs.** Signs on the walls of a building (including signs attached flat against the wall, painted wall signs and projecting signs) shall meet the following requirements:
- a) **Signs on the Front Surface of a Building.** The total area of signs on the exterior front surface of a building shall not exceed fifteen (15%) percent of the front surface of the building, so long as the figure does not exceed the total amount of sign area permitted within the Zoning District where the sign or signs are to be located. Awnings and fascia areas shall be included in determining the surface area.
 - b) **Signs on the Side and Rear Surface of a Building.** The total area of signs on a side or rear surface of a building shall not exceed ten (10%) percent of the exterior side or rear surface of the building, respectively, so long as this figure does not exceed the total amount of sign area permitted within the Zoning District where the sign or signs are to be located. Awnings and fascia areas shall be included in determining the surface area. In addition, such signs shall be allowed only on building surfaces (walls) fronting directly on a public road or a parking lot containing five (5) or more parking stalls.
 - c) All freestanding signs shall be either a berm or a solid base design. For a berm sign, a landscape plan for the berm area located around the sign itself shall be submitted along with the sign application. A structured base monument sign shall be constructed of brick, or stone, or similar materials

that are consistent with the material(s) use in the construction of the front façade of the principal building.

- d) The height of a freestanding monument sign shall be measured from the finished grade elevation at the edge of the adjacent public roadway (the edge closest to the proposed sign location).
- e) Sign lighting shall be positioned so that no light shines on adjacent streets and roadways or properties.
- f) No more than three colors are permitted on any one sign (not to include the color white)
- g) Signs can be illuminated and the lighting shall be limited to one color.
- h) Neon banding shall not be incorporated within or around the sign.
- i) One freestanding monument sign is allowed for a parcel of land containing a single business or use, and this sign shall:
 - 1) Be limited to one freestanding monument sign assembly consisting of one (1) sign not to exceed thirty two(32) square feet in area.
 - 2) Be located on the premises of the business to which it refers;
 - 3) Be set back ten (10) feet from any public road right-of-way and property line and may be located in a buffer yard;
 - 4) Be no higher than fifteen (15) feet above the finished grade elevation at the edge of the adjacent public roadway;
 - 5) Be no more than ten (10) feet in width;
 - 6) Not restrict visibility to vehicular or pedestrian traffic;
 - 7) Be permanently mounted to the ground;
 - 8) Be of a design consistent with the façade of the building to which it refers.
- j) One (1) freestanding monument sign is allowed for a parcel of land containing more than one business or use, and this sign shall:
 - 1) Be limited to one (1) freestanding monument sign assembly or structure;
 - 2) Be located on the premises of said business or uses;
 - 3) Be set back ten (10) feet from any public right-of-way and property line and may be located within a buffer yard;
 - 4) Be no higher than fifteen (15) feet above finished grade elevation at the edge of the adjacent public roadway;

- 5) Not exceed twenty (20) square feet per business or one hundred twenty (120) square feet in total area.
- 6) If containing one (1) area for changeable copy or an electronic message board, this area is to be incorporated within the main sign area, and be included as part of the total allowable sign area. The area for changeable copy or electronic message board may not exceed eight (8) square feet.
- 7) Be permanently mounted to the ground;
- 8) Not restrict visibility to vehicular or pedestrian traffic;
- 9) Be of a design consistent with the façade of the building to which it refers.

603.2 **Signs on Work Under Construction.** One non-illuminated sign, not exceeding twenty (20) square feet in residential districts, or thirty-two (32) square feet in non-residential districts, displaying the name of the building, the contractors, the architects, the engineers, the owners, and the financial, selling, and development agencies, is permitted upon the premises of any work under construction, alteration, or removal. Such sign shall be removed from the site within seven (7) days after the completion of the project.

603.3 **Subdivision Entrance Signs.** One (1) or two (2) signs shall be permitted at each entrance of a residential subdivision, provided that such signs do not exceed a total of thirty-two (32) square feet at any subdivision entrance. Provided further that such signs shall have a maximum height of six (6) feet. If illuminated, only indirect lighting shall be permitted. If such subdivision entrance sign is built into a decorative wall or fence, the maximum copy area and setback requirements shall comply with regulations for fences contained herein.

603.4 **Private Directional Signs.** Signs indicating the location and direction of premises available for or in the process of development, but not erected upon such premises, and having inscribed thereon the name of the owner, developer, builder, or agency, may be erected and maintained, provided:

- a) the size of any such sign is not in excess of six (6) square feet, and not in excess of four (4) feet in length;
- b) not more than one (1) such sign is erected for each five hundred (500) feet of street frontage.

603.5 **Free-Standing Sign.** Freestanding signs shall meet Building Code structural provisions and NEC (National Electric Code) electrical requirements. In addition, free-standing signs shall be either a berm or solid base design. For a berm sign, a landscape plan for the berm area located around the sign itself shall be submitted along with the sign application. A structured base monument sign shall be constructed of brick, or stone, or similar materials that are consistent with the materials in use in the construction of the front façade of the principal building.

603.6 **Political Campaign Signs.**

- a) Political campaign signs shall be permitted in compliance with the regulations included herein. Such signs shall not count in the number of signs permitted calculations or sign area permitted calculations included in Section 607.1 (b) of this ordinance and shall be permitted in any zoning district. Such signs shall conform to all other provisions of this and all other applicable ordinances of the Town of Six Mile.
- b) Usage of a political campaign sign by any candidate or supporters of any issue shall require issuance of a Political Campaign Sign Permit by the Town of Six Mile.
- c) The maximum number of political campaign signs that can be located in the Town by any candidate for office or supporter of an issue shall be ten (10).
- d) Political campaign signs shall be permitted in any zoning district.
- e) Permits for political campaign signs shall not exceed a period commencing from forty-five days(45) prior to the date of the election through the seventh day after the last date upon which that candidate's name or that issue appears on a ballot for a primary, runoff, general or special election.
- f) To secure a political campaign sign permit, the applicant must pledge to remove all political signs within seven days (7) after the expiration of the political campaign sign permit. The property owner's permission must be granted for the placement of any political sign on private property. The placement of such sign on the public right-of-way, or the attachment of any such sign to a tree, fence post, or utility pole is prohibited.
- g) The size of any such sign is not in excess of six (6) square feet, and not in excess of three (3) feet in width;

Section 604. Sign Illumination.

Sign illumination shall be limited to one (1) color. Lighting shall be positioned so that no light shines on adjacent streets, roadways, or properties. Neon banding shall not be incorporated within or around a sign.

Section 605. Height Limitations.

No signs, except as otherwise provided, shall exceed the height limit of the district in which they are located.

Section 606. Signs Permitted in Residential Districts.

606.1 **Permitted Signs and Conditions.** The following types of signs are permitted in LR Districts:

- a) Signs for which permits are not required.
- b) For multiple family dwellings, group dwellings, and for buildings other than dwellings, a single non-illuminated business identification sign or bulletin board not exceeding thirty-two (32) square feet in area. Such sign or bulletin board shall be set back not less than ten (10) feet from any street right-of-way line.
- c) Subdivision signs and private directional signs, under the provisions of Subsections 603.3 and 603.4.
- d) Political campaign signs, in accordance with Section 603.6.
- e) One (1) non-illuminated professional or business name plate not exceeding three (3) square foot in area mounted flat against the wall of a building in which there is conducted a permitted home occupation.

Section 607. Signs Permitted in Commercial and Industrial Districts.

607.1 **Permitted Signs and Conditions.** The following types of signs are permitted in OC, NC, GC, LI, and BI Districts:

- a) All signs permitted in residential districts are permitted in commercial and industrial districts.
- b) Within the front or side setback area of any parcel in an OC, NC, GC, LI, or BI Zone, a maximum of one (1) permanently mounted detached sign of the class required to secure a permit shall be permitted. The maximum allowable sign copy area for any individual sign permitted under this provision shall be one thirty-two (32) square feet, except that if more than one (1) business is located on a parcel, then the maximum area for the free-standing sign on the parcel shall be twenty (20) square feet, with an

overall maximum of one hundred twenty (120) square feet. No such sign shall be located closer than ten (10) feet to any street right-of-way. The maximum height of detached signs shall be fifteen (15) feet, as measured from the finished grade elevation at the edge of the adjacent public roadway. The maximum width of any free-standing sign shall be ten (10) feet.

- c) Wall signs shall, in no case, exceed the requirements of Section 603.1.
- d) Signs in any commercial or industrial district may be illuminated.

607.2

Portable Signs.

- a) Definition: A mobile sign that is mounted on a trailer-type frame or portable wood or metal frame not permanently attached to the ground.
- b) Usage of portable signs shall conform to permitting requirements in Section 600.1, construction and maintenance requirements in Section 600.2, prohibited sign requirements in Section 601, and number of signs permitted stipulations, Section 607.1 b), of this Ordinance, except as provided below.
- c) If a portable sign is to be illuminated it shall be in compliance of all Southern Standard Building Code and UL Regulations. Any electrical wiring, utilized for illumination extended from a building to a portable sign, shall be encased in a solid conduit pipe and shall be buried underground or beneath pavement. Utilization of an above ground electric extension cord is expressly prohibited.
- d) One (1) portable sign, in addition to the number of signs permitted under Section 607.1 b) of this ordinance, may be used by a licensed business, institution, or civic organization for a maximum of up to sixty (60) days each calendar year. Utilization of a portable sign under this provision shall require the issuance of a Sales Event Sign Permit by the Town of Six Mile. The Town Council of Six Mile is hereby authorized to establish a fee for the Sales Event Sign Permit. Any sign permitted under this provision shall conform to all requirements of the Zoning Ordinance and all applicable ordinances of the Town of Six Mile.

607.3

Temporary Use of Temporary A-Frame Signs, Fluttering Ribbons and Banners. Temporary A-Frame signs, fluttering ribbons and banners may be used by a newly established licensed business, institution, or civic organization for a

maximum of up to thirty (30) days during the first year that the business, institution, or civic organization is located at a site. Utilization of fluttering ribbons or a banner under this provision shall require the issuance of a Special Event Sign Permit by the Town of Six Mile. The Town Council of Six Mile is hereby authorized to establish a fee for the Special Event Sign Permit.

ARTICLE VII GENERAL PROVISIONS

Section 700. Water and Air Pollution.

All uses must satisfactorily comply with the requirements of the State Board of Health and the Pickens County Board of Health regarding the protection of waterways from pollution by dust, smoke, or other waste materials.

Section 701. Street Access.

Except as herein provided, no building shall be erected, constructed, moved, or relocated on a lot not located on a publicly dedicated, publicly accepted or publicly maintained street with a right-of-way of not less than thirty (30) feet.

Section 702. Corner Lots.

On lots having frontage on more than one street at an intersection, the minimum street side yard requirement shall be equal to the minimum front yard requirement.

Section 703. Location of Buildings on Lots and Residential Limitations.

Every building or use hereafter erected or established shall be located on a Lot of Record, and every one- and two-family residential structure, except as herein provided, shall be located on an individual Lot of Record. In all cases, the principal buildings on a lot shall be located within the area formed by the building lines at outer boundaries, and in no case shall such buildings infringe beyond the building lines into the respective front, side, rear yard, or other setbacks required for the district in which the lot is located.

Section 704. Double Frontage Lots.

On lots having frontage on two streets, but not located on a corner, the minimum front yard shall be provided on each street in accordance with the provisions of this Ordinance. On lots having frontage on more than two streets, the minimum front yard shall be provided in accordance with the regulations set forth in this Ordinance on all of the street frontages.

Section 705. Front Yard Requirements.

The setback requirements of this Ordinance shall not apply to any lot where the average setback on already built upon lots, located wholly or in part within one hundred (100) feet of each such lot

and within the block and zoning district and fronting on the same street as such lot, is less than the minimum required setback. In such cases, the setback on such a lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots. However, in no case shall setbacks be less than fifteen (15) feet.

Section 706. Measurement of Front, Side, Rear Yards; Determination of Buildable Area.

The required front, side, and rear yards for individual lots, as set forth for the particular Zoning District within which a given lot is located, shall be measured inward toward the center of said lot from all points along the respective front, side, and rear property lines of the lot. Once the yard areas of a given lot have been established, the remaining area of the lot which is not included in any required front, side, or rear lot shall be known as the "Buildable Area."

Section 707. Nonconforming Buildings or Uses.

Nonconforming buildings or uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. However, to avoid undue hardship, the lawful use of any building or land use at the time of the enactment of this Ordinance may be continued even though such use does not conform to the provisions of this Ordinance. However, in the event that any of the following shall occur, the nonconforming status shall terminate, and the parcel, building, structure, or land, shall only be used in full compliance with the requirements of this Ordinance for the zoning district in which the use is located, as well as any other town, county, state, or federal regulation, law, or statute.

- (1) changed to another nonconforming use;
- (2) reused or reoccupied after discontinuance of use or occupancy for a period exceeding twelve (12) months;
- (3) re-established, reoccupied, or replaced with the same or similar building, or land use after physical removal or relocation from its specific site location;
- (4) repaired, rebuilt, or altered after damage exceeding sixty (60) percent of its replacement cost at the time of destruction;
- (5) enlarged or altered in a way which increases its nonconformity.

Nothing in this section shall be meant to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official lawfully charged with protecting the public safety, upon order of such official.

Section 708. Home Occupation.

A home occupation shall be permitted in any residential district, provided such occupation:

- (1) shall have no employees other than members of the family residing on the premises report for work at the residence;

- (2) utilizes not more than fifty percent (50%) of the total floor area of the principal building (such use may be conducted in a garage or accessory structure, so long as such structure is compatible with the residential character of the area);
- (3) produces no alteration or change in the character or exterior appearance of the principal building from that of a dwelling;
- (4) no display of products shall be visible from the street and only articles made on the premises may be sold; except that nondurable articles (consumable products) that are incidental to a service, which service shall be the principle use in the home occupation, may be sold on the premises;
- (5) creates no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, traffic hazard, unhealthy or unsightly condition;
- (6) is not visibly evident from outside the dwelling except for a sign of three (3) square feet or smaller in size and mounted against a wall of the principal building;
- (7) provides off-street parking commensurate with its occupation type as cited in Article VII, Section 712.
- (8) a home occupation permit is obtained from the Zoning Administrator. Home occupation permits may be issued for periods not to exceed twenty-four (24) months. An unlimited number of renewals are permitted; however, the issuance in no way obligates the Town to issue additional permits.
 - a. If the Zoning Administrator denies the issuance of a home occupation permit based on a determination that the proposed activity does not meet one or more of the requirements of this section, the denial may be appealed to the Board of Adjustments.

Section 709. Accessory Uses.

In addition to the principal uses, each of the following uses is considered to be a customary accessory use, and as such may be situated on the same lot with the principal use or uses to which it serves as accessory.

709.1 Uses Customarily Accessory to Dwellings.

- a) Private garage not to exceed the following storage capacities: one- or two-family dwelling -- 4 automobiles; multi-family dwelling -- 2 automobiles per dwelling unit; board house -- 1.5 automobiles per dwelling unit.
- b) Open storage space or parking area for motor vehicles provided that such space does not exceed the maximum respective storage capacities listed

under Subsection 709.1 (a) above; and provided that such space shall not be used for more than one (1) commercial vehicle licensed as one ton or less in capacity per family residing on the premises.

- c) Shed or tool room for the storage of equipment used in grounds or building maintenance.
- d) Private kennels. Kennels used for commercial purposes are prohibited.
- e) Private swimming pool and bathhouse or cabana.
- f) Structures designed and used for purposes of shelter in the event of man-made or natural catastrophes.
- g) Noncommercial flower, ornamental shrub or vegetable garden, greenhouse or slat house not over eight (8) feet in height.

709.2 Uses Customarily Accessory to Church Building.

- a) Religious education buildings.
- b) Parsonage, parsonage or parish house, together with any use accessory to a dwelling as listed under Subsection 709.1.
- c) Off-street parking area for the use, without charge, of members and visitors of the church.

709.3 Uses Customarily Accessory to Retail Businesses, Office Use and Commercial Recreation Facilities.

- a) Off-street parking or storage area for customer, client, or employee owned vehicles.
- b) Completely enclosed building for the storage of supplies, stock, or merchandise.
- c) Light manufacturing and/or repair facility incidental to the principal use provided that dust, odor, smoke, noise, vibration, heat, or glare produced as a result of such manufacturing or repair operation is not perceptible from any boundary line of the lot on which said principal and accessory uses are located and provided such operation is not otherwise specifically prohibited in the district in which the principal use is located.

Section 710. Setback and Other Yard Requirements for Accessory Uses.

The minimum front setback of the zoning district in which the parcel is located shall serve as the minimum front setback for accessory uses. For accessory structures of not greater than six hundred (600) square feet in area, or fifteen (15) feet in height and swimming pools, the minimum rear setback shall be ten (10) feet and the minimum side setback shall be ten (10) feet,

except that in the RM zoning district the minimum side setback shall be eight (8) feet, and in the CBD district the minimum side and rear setbacks shall be five (5) feet. The accessory use shall occupy not more than thirty (30) percent of the required rear and side yard. For any accessory use of greater than six hundred (600) square feet in area or fifteen (15) feet in height, except swimming pools, the minimum setbacks of the zoning district in which the use is located shall apply, except that in the CBD district the minimum setback shall be five (5) feet.

Section 711. Off-Street Parking.

Areas suitable for parking or storing automobiles in off-street locations shall hereafter be required in all zoning districts, except in the CC, Core Commercial Zone, at the time of the initial construction or any principal building producing an increase in dwelling units, guest rooms, floor area, seating or bed capacity, or when a conversion in use occurs. Each individual parking space shall have unobstructed access either directly to a street or alley or to a street or alley through interior drive lanes. No parking space shall be designed or laid out in a manner so that it is completely blocked from access to a public street or alley by other parking spaces. Parking spaces shall be provided and maintained in accordance with the following requirements:

<u>USE</u>	<u>PARKING SPACES REQUIRED</u>
Automobile repair garages	1 space per 150 square feet of net floor area
Automobile sales lots	1 space per 50 square feet of net floor area for customer and employee parking
Automobile service stations	3 spaces for each service bay, with a minimum of 5 spaces required. Self service gasoline sales: Minimum of 2 permanent parking spaces
Banks and other financial	1 space per 200 square feet of institutions net floor area
Business and professional offices, government offices	1 space per 200 square feet of net floor area
Boarding and lodging houses	1 spaces per bedroom, plus 3 additional spaces
Churches and other places of worship	1 space per 3 seats in main auditorium
Clinics and similar operations	1.25 space per 200 square feet of net floor area
Dwellings, single and two-family	2 spaces per dwelling unit

<u>USE</u>	<u>PARKING SPACES REQUIRED</u>
Food stores, equal to or less than 3,500 square feet	1 space per 100 square feet of net floor area
Food stores, from 3,500 to 25,000 square feet	1 space per 200 square feet of floor area
Food stores, greater than 25,000	1 space per 300 square feet of floor area
Funeral homes	1 space per each 4 seats in main chapel or parlor
General business, commercial or personal service establishments catering to retail trade, but not including food stores, service and repair businesses	1 space per 200 square feet of net floor area
Homes for the aged, rest homes, personal care homes, and similar institutional uses	1 space per 3 beds
Hospitals, sanitariums and nursing homes	1 space per 2 beds
Lodges, fraternal or social organizations	1 space per 200 square feet of net floor area
Motels, hotels, tourist homes and transient hotels	1.25 spaces per unit
Mobile homes	2 spaces per each mobile home lot
Multi-family apartment and condominium communities	1.75 parking spaces for each dwelling unit
Fee-simple dwelling units, attached or detached	2 spaces per dwelling unit
Restaurants, delicatessens, etc.	1 space per 300 square feet of net floor area
Shopping centers	1 space per 200 square feet of net floor area for all stores other than supermarkets or grocery stores. For grocery stores, see food store requirements above.

<u>USE</u>	<u>PARKING SPACES REQUIRED</u>
Schools, elementary, junior high, middle	2 spaces per classroom
Schools, secondary	5 spaces per classroom
Schools, college, trade, or vocational	8 spaces per classroom
Community recreation centers, swimming pools, golf courses and similar uses	20 spaces
Theaters, auditoriums, funeral homes, gymnasiums, stadiums and other places of assembly	1 space per 4.00 seats
Wholesale, warehousing operations	1 space per 200 square feet of net area devoted to sales or display. 1 space per 500 square feet of net manufacturing area. 1 space per 5,000 square feet of net floor area devoted to storage. Manufacturing facilities 1 space per 200 square feet of net area devoted to sales or display. 1 space per 500 square feet of net manufacturing area. 1 space per 5,000 square feet of net floor area devoted to storage.

Section 712. Parking Space Area Requirements.

Parking lot design shall conform to the following standards.

a)

Angle of Parking Space	Width of Stall	Depth of Stall	Area of Stall	Minimum Driveway Width	Length of Curb
Parallel	9'	23' 0"	207' 0"	12' - 24'	23' 0"
30 degree	9'	17' 4"	156' 0"	11' - 24'	18' 0"
45 degree	9'	19' 10"	178' 6"	13' - 24'	12' 9"
60 degree	9'	20' 0"	189' 0"	18' - 24'	10' 5"
90 degree	9'	20' 0"	180' 0"	24'	9' 0"

b) All parking areas except those within Agricultural Districts shall be paved.

Section 713. Location on Other Property.

If the required automobile space cannot reasonably be provided on the same lot on which the principal use is conducted, such spaces may be provided on other off-street property provided such property lies within four hundred (400) feet of the main entrance to such principal use. Such automobile parking space shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner.

Section 714. Common Off-Street Parking Areas.

Two or more principal uses may utilize a common area in order to comply with off-street parking requirements, providing that the total number of individual spaces available in such common area is not less than the sum of the spaces required for the individual uses as separately computed in accordance with the provisions of this section, and provided that the owner of said lot relinquish his development rights over the property until such time as parking space is provided elsewhere. If activities sharing combined parking are not in operation at the same time, each parking space may be counted for each activity.

Section 715. Use of Public Rights-of-Way for Maneuvering.

When determining parking area requirements for uses other than residential, portions of the public right-of-way on streets may not be considered as permissible for maneuvering incidental to parking. Parking facilities shall provide space outside the public rights-of-way for maneuvering incidental to parking.

Section 716. Spacing Requirements for Curb Cuts.

Curb cuts for service drives, entrances, exits and similar facilities shall not be located closer than fifty (50) feet to the intersection of any public street right-of-way lines. Private curb cuts shall be no greater than forty (40) feet in width and shall be placed no closer than ten (10) feet to any property or lot line.

Section 717. Off-Street Loading and Unloading Spaces.

Every lot on which a business, trade, or industry is hereafter established, shall provide space as indicated herein for the loading and unloading of vehicles off the street. Such space shall have access to an alley, or if there is no alley, to a street. For the purpose of this section an off-street loading space shall have minimum dimensions of twelve (12) feet by forty (40) feet and be clear and free of obstructions at all times. Required space shall be considered as follows:

1. Retail Business: One (1) space for each five thousand (5,000) square feet of gross floor area.
2. Wholesale, industrial, governmental and institutional uses, including public assembly places, hospitals, and educational institutions: One (1) space for the first twenty-five

thousand (25,000) square feet of total floor space area. For anything in excess of twenty-five thousand (25,000) square feet, such uses shall provide loading spaces according to the following schedule:

<u>Square Feet</u>	<u>No. of Spaces</u>
25,001 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 349,999	5
For each additional 100,000 or fraction thereof	1 additional

3. Multi-family residences with ten (10) or more dwelling units: One (1) space.

Section 718. Visibility at Street Intersections.

In all zoning districts established by this Ordinance, no fence, wall, terrace, sign, shrubbery, planting or other structure or object capable of obstructing driver vision between the heights of three (3) and ten (10) feet above the finished street level shall be permitted on a corner lot within twenty-five (25) feet of the point formed by the intersection of the street right-of-way lines (or such lines extended in case of a rounded corner) which bound said lot.

Section 719. Visibility at Private Drives and Entrances Intersecting with Public Streets.

At the intersection of any private drive or entrance or exit with a public street, no fence, wall, hedge, or other planting or sign forming a material impediment to visibility between a height of two and one-half (2-1/2) feet and seven (7) feet shall be erected, planted, placed or maintained within fifteen (15) feet of the intersection.

Section 720. Exceptions to Height Limits.

The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy; monuments, water towers, observation towers, transmission towers, silos, chimneys, smokestacks, conveyors, roof signs, flag poles, masts and aerials, provided evidence from appropriate authorities is submitted to the effect that such building or structure will not interfere with any airport approach zones or flight patterns.

Section 721. Parking, Storage or Use of Campers, Trailers or Other Major Recreational Equipment.

- 1) No major recreational equipment shall be stored on any lot in a municipal corporate limits in the front or side yard.
- 2) Parking in the rear yard must be ten (10') feet from the side and rear property lines.

- 3) This equipment may be parked anywhere for a period of twenty-four (24) hours for loading or unloading. No such equipment shall be used for living, sleeping, housekeeping purposes when parked or stored on a municipal corporate limits. No recreational vehicle over thirty-six (36) feet in length shall be parked on any lot zoned for residential purposes.
- 4) No commercial vehicle larger than one (1) ton may be parked in a residential area without permission of the Zoning Administrator , except for loading or unloading
- 5) A maximum number of vehicles that may be parked at any residence shall not exceed the number of licensed drivers at this address plus one more vehicle. Additional vehicle will have to be approved by the Zoning administrator. *This rule does not apply to holiday or special events when visitors are expected.
 - A. Vehicles inside an enclosed building are excluded
 - B. Vehicles must be parked in driveway, not in the yard or street.
- 6) The maximum number of residents permitted in any dwelling shall be two (2) per bedroom unless the Zoning Administrator approves otherwise.

Section 722. Parking and Storage of Certain Vehicles.

It shall be unlawful for any person, partnership, corporation, or other legal entity to permit, park or store a truck, automotive vehicle or trailer of any kind or type, on any property within the municipal corporate limits:(1) that is not operable; (2) that does not display a lawful and current license tag; and (3) that does not have current liability insurance thereon. These vehicles must be stored in a completely enclosed building or in the rear yard behind a minimum of a 6' solid fence. Vehicles must be totally out of sight from the road and adjacent property.

If property is used for commercial purposes the above rules apply except these vehicles may also be stored in the side yard.

Section 723. Bufferyards.

723.1 Purpose. The purpose of the bufferyard is to ameliorate the relationship between adjacent land uses including (1) minimizing nuisances and (2) promoting compatibility.

The bufferyard offers several options, each of which will buffer to an equivalent degree by varying distance (setback) and/or density (mass).

723.2 Definition. A bufferyard is a permanent unit of land, together with planting, fences, berms, walls, and other screening devices required thereon.

- 723.3** **Location.** Bufferyards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Bufferyards shall not be located on any portion of an existing public or private right-of-way.
- 723.4** **Determination of Bufferyard Requirements.** To determine the bufferyard required between two adjacent parcels, the following procedure shall be followed:
- (1) Identify the proposed land use;
 - (2) Identify the use of lands adjacent to the proposed use;
 - (3) Determine the bufferyard required on each boundary (or segment thereof) of the proposed land use by referring to the Table of Bufferyard Requirements and Illustrations contained in Appendix B, which specify the bufferyard options required between a proposed use and the existing adjacent uses.
- 723.5** **Responsibility for Bufferyard/Screening.** A buffer shall be required along any property line that borders a property of less intense zoning, as specified herein.
- 723.6** **Bufferyard Specifications.** The illustrations included within this section specify the type and quantity of plant materials required by each bufferyard. The requirements are stated in terms of width of the bufferyard and the number of plants required per 100 feet of bufferyard. The requirements of a bufferyard may be specified by any one of the options illustrated. The "plant unit multiplier" is a factor by which the basic number of plant materials required for a given bufferyard is determined given a change in the width of that yard. Each illustration depicts the total bufferyard required between two uses. Whenever a wall, fence, or berm is required within a bufferyard, these are shown as "structures" in the following illustrations wherein their respective specifications also are shown.
- The exact placement of required plants shall be the decision of the developer except that evergreen (or conifer) plant materials shall be planted in clusters rather than singly in order to maximize their chances of survival and increase screening. All bufferyard areas shall be seeded with lawn grass or suitable ground cover.
- 723.7** **Minimum Plant Size.** Plants shall be sufficiently sized to insure buffering and screening at the time of installation. Where the Bufferyard Illustration indicate a mass or line of plants parallel the length of the property line, the plant materials

shall be sufficiently sized to insure obscurity at the time of installation. However, seeding plants may be used where berms or structures are required as part of the bufferyard.

Minimum Plant Sizes

Plant Material Type	Planting in Buffer yards Abutting Structures, Fences, Berms	All Other Plants
Canopy Tree		
Single Stem	1-1/2" Caliper	2-1/2" Caliper
Multi-Stem Clump	6' Height	10' Height
Understory Tree	4' Height	1-1/2" Caliper
Evergreen Tree	3' Height	5' Height
Shrub		
Deciduous	15" Height	24" Height
Evergreen	12" Height	18" Height

723.8 Bufferyard Substitutions.

- (1) Any existing healthy, well-formed plant materials which are greater than or equal to the recommended buffer and which otherwise satisfy the requirements of this section may be counted towards satisfying all such requirements.
- (2) Structures, where required, may be substituted with approval of the Planning Commission.

723.9 Use of Bufferyards. A bufferyard may be used for passive recreation; however, no plant material may be removed and such use shall not be a nuisance.

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

- 723.11** **Fences and Walls - Appearance.** All fences and walls used as part of the bufferyard requirements must have a finished side facing adjoining property. The interior side of the fence or wall may be finished as the owner deems appropriate. Where fences or walls are applicable bufferyard requirements, they shall be established along the inside line of the bufferyard, toward the proposed use, except for ornamental fences, which may be built on the property line.
- 723.12** **Berms.** Where required, berms may be located anywhere within the bufferyard, provided they parallel the property line.
- 723.13** **Required Maintenance.** The maintenance of required bufferyards shall be the responsibility of the property owner. And all such yards shall be properly maintained so as to assure continued buffering. Failure to do so is a violation of this Ordinance, and may be remedied in the manner prescribed for violations.

Bufferyard Table

Existing Adjacent Land Uses

Proposed Land Use	Single Family Residential on Local Streets	All Other Single Family Residential	Mobile Home Park	Multi-Family & All Other Residential	Religious Recreation & Child Care	Office & Commercial	Industrial	Research & Institutional	Vacant Industrial & Commercial **	Vacant Single Family Residential***	Streets
Single Family Residences and Duplexes	0	0	0	0	0	0	0	0	0	0	0
Multi-Family Residential:											
1-3 units per gross acre	2	0	0	0	1	1	1	1	1	2	1
4-11 units per gross acre	4	1	1	1	1	1	2	2	1	4	1
12 or more units per gross acre	5	2	1	2	1	1	2	2	1	5	1
Mobile Home Park	4	2	0	2	2	1	2	2	2	2	2
Religious, Recreational, or Child Care	2	2	2	2	0	0	0	0	0	2	0
Office & Commercial Use:											
Less than .35 F.A.R.*	4	2	1	2	2	0	0	2	0	2	1
.35 to 1.00 F.A.R.*	5	3	2	3	3	0	0	2	0	3	1
1.00 F.A.R.* to Shopping Centers	6	5	4	4	4	3	0	6	0	5	2
Industrial	6	5	4	5	5	3	0	5	3	5	2
Research & Institutional Uses	4	3	2	3	3	1	1	0	2	3	1

Legend: If the value is 0, then no buffer yard is required. For any other value, the number refers to the class of the buffer yard required.





* **F.A.R. refers to the floor area ratio**

Note: Uses not general included in one of the above shall be assigned by the administrative official to one of the buffer yard categories illustrated by the ordinance, at appropriate scale and intensity of the proposed use relative to existing adjacent land uses.


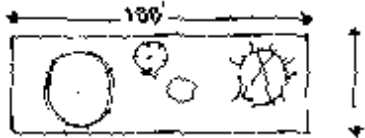

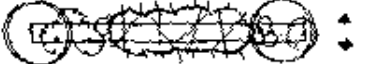
**** Vacant land zoned as NCD, GCD, or CCD;**
***** Vacant land zoned as R-12 or R-8.**

BUFFERYARD 1

Required Plants Per 100' of Length





-
- 
 - 
 - 
 - 
- 2 Canopy Trees
- 4 Understory Trees
- 4 Evergreens/Conifers
- 4 Shrubs
-

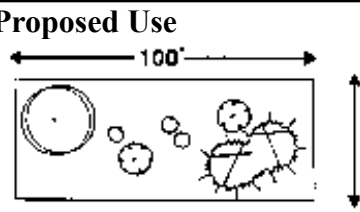
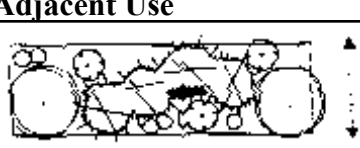
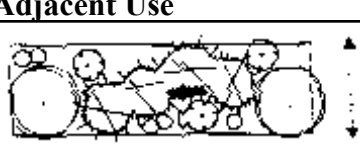
14 Total


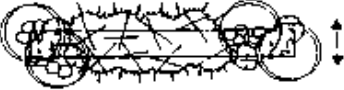
Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p> 	30 feet
50%	<p>Adjacent Use</p> 	20 feet
75%		10 feet
100%		5 feet

BUFFERYARD 2

Required Plants Per 100' of Length





	
	
	
	
4	Canopy Trees
6	Understory Trees
8	Evergreen/Conifers
10	Shrubs
<hr/>	
28	Total

Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use</p> 	40 feet
50%		30 feet

Percentage of Required Plant Material		Buffer Yard Width
75%		20 feet
100%		10 feet

BUFFERYARD 3

Required Plants Per 100' of Length

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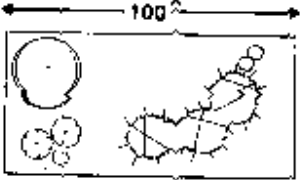
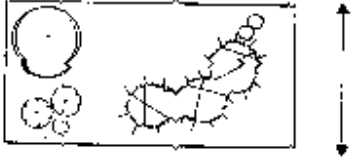

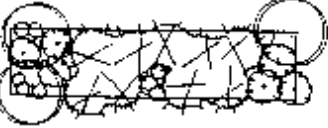
4 Canopy Trees

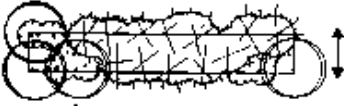
8 Understory Trees

12 Evergreens/Conifers

12 Shrubs





36 Total

Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use</p> 	50 feet
50%	 <p>structure required B1</p>	40 feet
75%	 <p>structure required B3</p>	25 feet

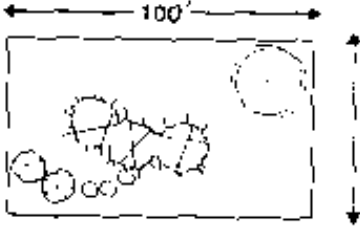



Percentage of Required Plant Material		Buffer Yard Width
100%	 <p data-bbox="630 394 898 426">structure required F3</p>	15 feet

BUFFERYARD 4

Required Plants Per 100' of Length

-
- 
 - 
 - 
 - 
- 4 Canopy Trees
- 8 Understory Trees
- 12 Evergreens/Conifers
- 12 Shrubs
-
- 36 Total

Percentage of Required Plant Material		Buffer Yard Width
25%	Proposed Use	60 feet

Percentage of Required Plant Material		Buffer Yard Width
	 <p>100'</p> <p>Adjacent Use</p>	
50%	 <p>structure required B1</p>	50 feet
75%	 <p>structure required B3</p>	30 feet
100%	 <p>structure required F3</p>	20 feet

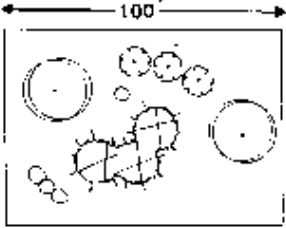
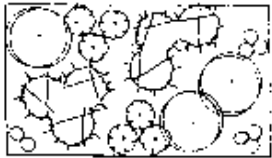
BUFFERYARD 5

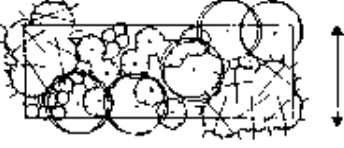

Required Plants Per 100' of Length



- 6 Canopy Trees
- 12 Understory Trees
- 12 Evergreen/Conifers
- 16 Shrubs





46 Total

Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use structure required B1</p>	75 feet
50%	 <p>structure required B2</p>	60 feet

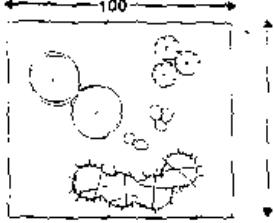
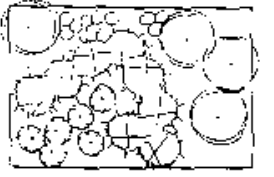
Percentage of Required Plant Material		Buffer Yard Width
75%	 structure required B3/F1	35 feet
100%	 structure required F3	25 feet

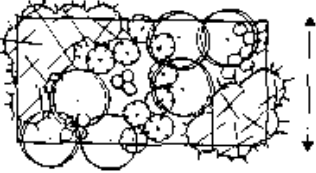
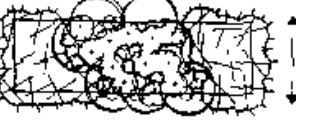
BUFFERYARD 6

Required Plants Per 100' of Length

-
- 
 - 
 - 
 - 
- 8 Canopy Trees
- 12 Understory Trees
- 16 Evergreens/Conifers
- 20 Shrubs
-

56 Total

Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use structure required B1</p>	90 feet
50%	 <p>structure required B2</p>	70 feet

Percentage of Required Plant Material		Buffer Yard Width
75%	 structure required F3/B3	45 feet
100%	 structure required F4/B1	30 feet

STRUCTURE ILLUSTRATIONS

FENCES:



Symbol Height

F1 3 feet

Wood Stockade/Opaque Fence (non-perishable supports)

F2 4 feet

F3 6 feet



WALLS:

Symbol Height

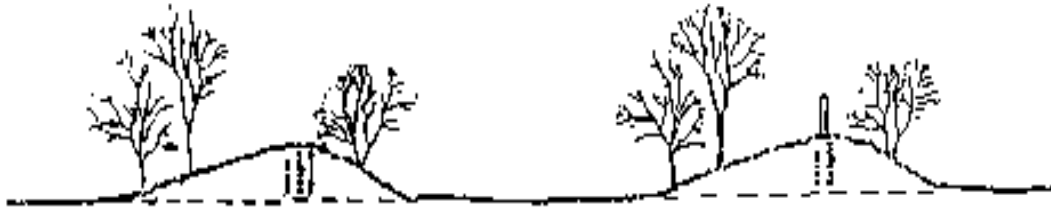
F4 6 feet

Masonry Wall (poured concrete, stucco, concrete block, brick, etc.)

F5 8 feet

BERMS:

BERMS/FENCES



<u>Symbol</u>	<u>Height</u>	<u>Material</u>	<u>Symbol</u>	<u>Height</u>
B1	3 feet	Earth	BF1	3 foot berm with 3 foot stockade fence
B2	4 feet	Earth	BF2	4 foot berm with 4 foot stockade fence
B3	5 feet	Earth	BF3	5 foot berm with 5 foot stockade fence

Section 724. Nuisance Abatement of Conditions Creating a Threat to the Public

Health and Safety.

TOWN OF SIX MILE)
 COUNTY OF PICKENS)
 STATE OF SOUTH CAROLINA)

ORDINANCE
Section 724
Unsafe Dwellings and Structures

WHEREAS, the Mayor and Town Council find that there exists within the Town of Six Mile, South Carolina, certain dwellings and other structures which are unfit for human habitation and/or use due to: dilapidation, defects increasing the hazards of fire, accidents, or other calamities, lack of ventilation, light or sanitary facilities, and/or other conditions rendering such dwellings or structures unsafe or unsanitary, dangerous or detrimental to the health, safety, or otherwise inimical to the welfare of the residents of the town;

AND WHEREAS, the Town is authorized by Sections 5-7-30, and **31-15-10**, et seq, of the South Carolina Code of Laws (as amended), as well as the general laws of this state, to establish ordinances addressing the fitness and suitability of such dwellings and structures;

THEREFORE BE IT ORDAINED by the Town of Six Mile through its Mayor and Town Council, duly assembled, as follows;

Sec. 1.01 Power exercised by Zoning Administrator

Whenever it is determined that any of the conditions exist as described above, the Zoning Administrator of the town is hereby authorized to repair, close, or demolish, or cause to be repaired, closed, or demolished, any such dwelling or other structure in the manner hereinafter provided.

Sec. 1.02 Complaint notice and hearing

The powers to be exercised under this section shall be exercised by the Zoning Administrator.

Section 1.03 Order to repair or demolish

Whenever a complaint or petition is filed with the Town Clerk, or Zoning Administrator by any one (1) of the administrative heads of the town, or by at least five (5) residents of the town, charging that any dwelling or other structure is unfit for human habitation, or whenever it appears to the Zoning Administrator, (on his own motion) that any dwelling or other structure is unfit for human habitation, the Zoning Administrator shall, after preliminary investigation, attempt to make contact with the owner to discuss the nature of the violation(s) on their property and what steps would need to be taken to remedy said violation(s). If the property owner is responsive to such attempts, the property owner shall be given a ninety (90) day grace period to resolve the violation(s).

If after ninety (90) days no effort is made to correct the problem, a formal written notice from the Zoning Administrator will be issued to the property owner, giving them another ninety (90) days to correct the problem. The notice will inform the property owner of any fines that he or she may incur if no action is taken to correct the situation. The purpose of the two separate ninety day periods is to allow the property owner ample opportunity during a 6 month time frame to resolve violations before any penalties are imposed.

If, after the two ninety day periods outlined above have passed, the violation(s) have not been resolved, then the Zoning Administrator will issue and cause to be served upon the owner of and all parties of interest in such dwelling or other structure a complaint in letter format stating the nature of the violation and containing a notice that a hearing will be held before Town Council not less than ten (10) days nor more than thirty (30) days after the service of such complaint or letter; that the owner and parties in interest shall be given the right to file an answer to the complaint in letter and to appear in person and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in such hearings. In the event an emergency arises whereby it appears that human life or safety is involved, the Zoning Administrator may shorten the notice of hearing to no less than one day.

Section 1.04 Posted Notice

If, after such notice and hearing, the Town Council determines that the dwelling or other structure under consideration is unfit for human use or habitation, (*Town Council may, but is not required to, secure the services of an architect, engineer, contractor, or other company/individual who is an expert and/or certified in their area in determining findings of fact*) it shall be stated in writing, such writing to include the findings of fact in support of such determination, and this writing shall be issued and caused to be served upon the owner of such property together with or in the form of an order.

- (a) if the repair, alteration, or improvement of the dwelling or other structure can be made at a reasonable cost in relation to the value of the dwelling or other structure, the owner shall be required within the time specified in such order, to repair, alter, or improve such dwelling or other structure to render it fit for human use or habitation or to vacate and close the dwelling or other structure as a human habitation; or
- (b) if the repair, alteration or improvement of the dwelling or other structure cannot be made at a reasonable cost in relation to the value as determined by Pickens County Tax Assessor of the dwelling or other structure (reasonable cost being not over 50% of the value), the owner then shall be required, within the time specified in the order, to remove or demolish such dwelling.

Section 1.05 Failure to comply

If the owner fails to comply with an order to repair, alter or improve or to vacate and close the dwelling, the Zoning Administrator may cause such dwelling to be repaired, altered or improved or to be vacated and closed; that the Zoning Administrator may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful";

Section 1.06 Removal authority of town

If such owner fails to comply with the order to remove or demolish the dwelling, the Zoning Administrator may cause such dwelling or other structure to be removed or demolished.

Section 1.07 Lien upon property taxes

That the amount of the cost of such repairs, alterations, or improvements, vacating and closing, or removal, or demolition by the Zoning Administrator shall be a lien against the real property upon which such cost was incurred and shall be collectible in the same manner as municipal taxes.

Section 1.08 Nuisance abatement power of town

No part of this section shall be construed in any way to impair or limit any and all powers of the Town to define and declare nuisances and/or to cause their removal or abatement by summary proceedings or otherwise.

Section 1.09 Conditions constituting unfit dwellings/buildings

A dwelling or other structure is unfit for human use or habitation if conditions exist in such dwelling or other structure which constitute demolition by neglect, or are dangerous or injurious to health, safety or morals of the occupants of such dwelling, the occupants of neighboring dwellings or other residents of the town. Such conditions may include any of the following (without limiting the generality of the foregoing): defects therein increasing the hazards of fire, accidents, or other calamities; lack of adequate ventilation, light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanliness; and any other conditions in any reasonable way relating to the fitness for human use or habitation as previously set forth.

Section 1.10 Service of complaints

Complaints by letters or orders hereunder shall be delivered to and/or served upon such persons either personally or by certified mail, but if the whereabouts of such persons are unknown and cannot be ascertained in the exercise of reasonable diligence the Zoning Administrator shall make an affidavit to that effect; then the serving of such complaint or order upon such persons may be made by publishing it once each week for two (2) consecutive weeks in a newspaper printed and published in this area. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed with the Pickens County Clerk of Court and such filing of the complaint or order shall have the same force and effect as other notices provided by law.

Section 1.11 Disposition of proceeds of sale

If a dwelling or other structure is removed or demolished by the Zoning Administrator, he shall sell, if practicable, the materials of such dwelling and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited with the Pickens County Clerk of Court by the Zoning Administrator and shall be secured in such manner as may be directed by such Clerk of Court and shall be disbursed by such Clerk of Court to the persons found to be entitled thereto by final order or decree of such court.

Section 2.01 Trespassing prohibited on property declared in violation of this ordinance

(a) It shall be unlawful for any person to trespass upon the curtilage of a building or structure on private property once it has been declared unfit for human use or habitation as described in Section 1.04 of this ordinance and thereby declared unsafe by the Zoning Administrator.

(b) It shall further be unlawful for any person or persons to remove any baffle used to close windows, doors, underpinning, or other openings in the unsafe building or structure.

(c) The Zoning Administrator shall ensure trespassing notices are filed and notice of “No Trespassing” posted on four (4) sides of the unsafe building or structure.

(d) There shall be no violation under this section for entry upon curtilage, building or structure by police or fire personnel, Zoning Administrator, or a licensed contractor on the premises for the purpose of repair, removal or razing of the building or structure.

(e) Once the property has been declared unsafe, the owner may enter upon the premises only when accompanied by any of the personnel listed in the above subparagraph (d).

Section 2.02 Unlawful to remove or deface public notices

It shall be unlawful for any person or persons to remove or deface public notices of “Condemned Structure—Unsafe” or “No Trespassing” which are posted upon the condemned building or structure by the Zoning Administrator.

Section 2.03 Rights of persons affected

Any person affected by an order issued by the Zoning Administrator may within sixty (60) days after the posting and service of the order, petition the Town Council for an injunction restraining the Zoning Administrator from carrying out the provisions of the order and Council may, upon such petition, issue a temporary injunction restraining the

Zoning Administrator pending the final disposition of the case. Hearings shall be had by the Town Council on such petitions within twenty (20) days or as soon thereafter as possible and shall be given preference over other matters on Council's calendar. Town Council shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings, the findings of the Zoning Administrator as to facts, if supported by evidence, shall be conclusive. Costs shall be in the discretion of the Town Council. The remedies herein provided shall be exclusive remedies and no person affected by an order of the Zoning Administrator shall be entitled to recover any damages for action taken pursuant to any order of the Zoning Administrator or because of compliance by such person with any order of the Zoning Administrator.

Section 2.04 Grievance procedure.

The property owner may request an extension of any deadline herein to the Town Council. Town Council has the authority to extend the deadline for one ninety (90) day period. *Town Council may extend this period for additional successive ninety (90) day periods as they may deem necessary, based on extenuating circumstances which may be provided by the owner or the Town.*

Section 3.01 Expected Chain of Events

- Zoning Administrator determines building to be unsafe or 5 residents submit petition to Zoning Administrator and Zoning Administrator will determine safety of property.
- *Zoning Administrator contacts property owner and allows owner ninety (90) days to begin resolving the issues.*
- *If issues still unresolved, Zoning Administrator issues formal written warning to property owner listing nature of violations and giving an additional ninety (90) days to resolve issues.*
- Zoning Administrator notifies owner and gives owner notice of hearing (at least ten (10) days)) before Town Council.
- Owner appears before Town Council and Council determines if building is unfit and sets a date for repairs or demolition.
- If building is not repaired or demolished by time frame set by Council then the town repairs or demolishes property and places lien on property in the same manner as municipal taxes.

Section 3.02 Definitions

The following terms whenever used or referred to in this ordinance shall have the following respective meanings for the purpose of this ordinance, unless a different meaning clearly appears in the context.

“Municipality” shall mean the Town of Six Mile regardless of population;

“Governing Body” shall mean the Town Council or other legislative body charged with governing the Town of Six Mile;

“Public Officer” shall mean the officer or officers who are authorized by ordinance to exercise the powers prescribed by such ordinances;

“Public Authority” shall mean any housing authority or any officer who is in charge of any department or branch of the Town of Six Mile relating to health, fire, or building regulations or to other activities concerning dwellings in the Town of Six Mile;

“Owner” shall mean any person, agent, operator, firm, or corporation having a legal or equitable interest in the property; or the holder of the title in fee simple and every mortgagee of record; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court;

“Parties of Interest” shall mean all individuals, associations, corporations and others who have interests of record in a dwelling and any that are in possession thereof;

“Demolition by neglect” shall mean neglect in the maintenance of a building, resulting in one or more of the following conditions:

- (a) Parts, components, or details of the building which are defective or deteriorated or so attached that they may fall off;
- (b) Defective or deteriorated foundation;
- (c) Defective or deteriorated floor supports;
- (d) Members of walls or other vertical supports that split, lean, list or buckle due to defective construction or deterioration or that are otherwise insufficient to carry imposed loads;
- (e) Members of ceilings, roofs, ceiling and roof supports, or other horizontal supports that are insufficient to carry imposed loads;
- (f) Fireplaces or chimneys which list, bulge, or settle due to defective construction or deterioration;
- (g) Unsafe electrical or mechanical conditions or conditions constituting a fire hazard;
- (h) Defective or deteriorated siding, masonry joints, windows, exterior doors, flashing, venting or any other defect or condition in the building which renders it not properly watertight;
- (i) Defective or deteriorated down spouts or gutters such that rain runoff is not directed off of the roof and away from the foundation; or component, or architectural detail.

“Dwelling” shall mean any building or structure, or part thereof, used and/or occupied for business, human habitation or intended to be so used;

“Zoning Administrator” shall mean the person who is charged with the administration and enforcement of this code, or any duly authorized representative;

“Condemn” shall mean to adjudge unfit for occupancy;

“Imminent Danger” shall mean a condition which could cause serious or life threatening injury or death at anytime.

Be it so Ordained, by the Mayor and Town Council of the Town of Six Mile, South Carolina on this the 7th day of February, 2012.

Section 725. Property Appearance.

725.1 Purpose. It is the intent of the Town of Six Mile to provide for uniform prohibition throughout the Town of all litter on all public or public property, and to curb thereby the desecration of the beauty of the Town and harm to the health, welfare, and safety of its citizens caused by individuals who litter. It is further the purpose of this Section to ensure to the greatest extent possible that all lands of the Town of Six Mile shall be maintained in a clean condition that shall be defined herein as having no litter.

725.2 Definition. Litter includes but is not limited to sand, gravel, slag, brickbats, rubbish, waste materials, including but not limited to tin or aluminum cans, refuse, garbage, trash, debris, dead animals, bottles, scrap glass, scrap metal, junk, junk vehicles, junk vehicle parts, scrap paper, disposable packages, or containers and all other similar materials and any substance of any kind or nature whatsoever and discarded materials of every kind and description that creates a public health, safety, or fire hazard or a public nuisance, defined as interference with the enjoyment and use of property.

725.3 Requirements. All residential, commercial, institutional and vacant properties are required to be kept free of litter by the owners, managers, tenants, or agents. Such areas shall include but are not limited to:

- 1) Sidewalks, driveways, yards, and parking areas must be kept clean by owners, tenants, agents, and managers.
- 2) Garbage container areas must be maintained in a clean condition.
- 3) Construction sites must be kept clean.

726. Communications Towers. Communications towers shall not be permitted in the town limits of Six Mile.

727. Tattoo Parlors. Tattoo Parlors will not be allowed inside the town limits of Six Mile

ARTICLE VIII
ADMINISTRATION, ENFORCEMENT, APPEAL,
COMPLAINTS AND REMEDIES

Section 800. Administration and Enforcement.

The duly appointed Zoning Administrator shall hereby be given the authority and responsibility to administer and enforce the provisions of this Ordinance.

If the Zoning Administrator shall find that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violations, indicate the nature of the violation, and order the action necessary to correct it. He shall order discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with its provisions.

Section 801. Building and Sign Permits Required.

No building, sign, or other structure shall be erected, moved, added to, or structurally altered without a permit therefore, issued by the Pickens County. No building or sign permit shall be issued unless a Certificate of Zoning Compliance shall have been issued by the Zoning Administrator to indicate that the proposed building or sign is in full compliance with the provisions of this Ordinance, unless a variance is granted as provided by this Ordinance.

The Zoning Administrator shall issue sign permits in accordance with the provisions of this Ordinance.

Section 802. Application for Certificates of Zoning Compliance.

802.1 **New Constructions, Additions and Alterations.** All applications for Certificates of Zoning Compliance shall be accompanied by plans in duplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Zoning Administrator, including existing or proposed buildings or alterations, existing or proposed uses of buildings and land, the number of families, housekeeping units, or rental units the building is designed to

accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Ordinance.

For multi-family residential, office, institutional, commercial, and industrial construction, plans shall be stamped by a licensed surveyor, architect, engineer, or site planner.

One copy of the plan shall be returned to the applicant by the Zoning Administrator, with demarcation of approval or disapproval and shall be attested to the same by the signature of the Zoning Administrator on such copy. The original copy of the plans, similarly marked, shall be retained by the Zoning Administrator.

Section 803. Certificates of Occupancy for New or Altered Uses.

It shall be unlawful to use, occupy or permit the use of any building or premises, or both, or parts thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Occupancy shall have been issued therefore by the Pickens County stating that the proposed use of the building or land conforms to the requirements of this Ordinance.

Pickens County shall maintain a record of all Certificates of Occupancy and a copy shall be furnished upon request to any person.

Failure to obtain a Certificate of Occupancy shall be a violation of this Ordinance, and punishable under Section 807 of this Ordinance.

Section 804. Conditional and Temporary Uses.

Conditional uses, as set forth in Article V of this Ordinance, are declared to possess characteristics that require certain controls in order to insure compatibility with other uses in the District within which they are proposed for location.

804.1 General Requirements. Conditional uses shall be permitted subject to a determination by the Zoning Administrator that they conform to all regulations set forth herein and elsewhere in this Ordinance, with particular reference to those requirements established for those districts in which they are proposed for location.

804.2 **Conditional Use Administration and Duration.** Applications for permission to build, erect, or locate a conditional use shall be submitted and processed in accordance with the regulations set forth in this Article, prior to the issuance of any permits.

804.3 **Temporary Uses.** The Zoning Administrator is authorized to issue a temporary Certificate of Zoning Compliance for temporary uses, as follows:

- a) Carnival or circus for a period not to exceed twenty-one (21) days, subject to the approval of the Town Council.
- b) Religious meeting in a tent or other temporary structure in GC, LI, and BI Districts, for a period not to exceed sixty (60) days.
- c) Open lot sale of Christmas trees, in the NC, GC, CC, LI, and BI Districts for a period not to exceed forth-five (45) days.
- d) Real estate sales office, in any district, for a period not to exceed one (1) year, provided no cooking or sleeping accommodations are maintained in the structure.
- e) Contractor's office and equipment sheds, in any district, for a period of one (1) year, provided that such office is placed on the property to which it is appurtenant.
- f) All temporary Certificates of Zoning Compliance may be renewed provided that it is determined that said use is clearly of a temporary nature, will cause no traffic congestion and will not create a nuisance to surrounding uses.

Section 805. Expiration of Building Permit.

If the work in any building has not begun within six (6) months from the date of issuance thereof, said permit shall expire; Pickens County shall cancel it, and written notice thereof shall be given to the persons affected.

Section 806. Complaint Regarding Violations.

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Administrator, who shall record properly such complaint, immediately investigate, and take action thereon as provided by this Ordinance.

Section 807. Penalties for Violation.

Any person charged with violating any provisions of this Ordinance shall be charged with a misdemeanor and, upon conviction, shall be fined or imprisoned, as determined by the Court, for each offense.

Nothing herein contained shall prevent the Town from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 808. Appeal from the Decision of the Zoning Administrator.

It is the intention of this Ordinance that all questions arising in connection with the enforcement of the Ordinance shall be presented first to the Zoning Administrator and that such question shall be presented to the Zoning Board of Appeals only on appeal from the decision of the Zoning Administrator. A petition for the appeal of any decision or order rendered by the Zoning Administrator must be filed within thirty (30) days of receiving notice of the decision or order rendered.

ARTICLE IX**ZONING BOARD OF APPEALS****Section 900. Establishment of Zoning Board of Appeals.**

A Zoning Board of Appeals is hereby established. Said Board shall consist of three (3) members, who shall be citizens of the Town of Six Mile and shall be appointed by the Six Mile Town Council for overlapping terms of three (3) years. Initial appointment shall be as follows: One (1) member for a term of three (3) years and two (2) members for a term of two (2) years. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall serve without pay but may be reimbursed for any expenses incurred while representing the Board.

Section 901. Proceedings of the Zoning Board of Appeals.

The Zoning Board of Appeals shall elect a Chairperson and a vice-Chairperson from its members who shall serve for one (1) year or until re-elected or until their successors are elected. The Board shall appoint a secretary, who may be a Town officer, an employee of the Town, or a member of the Board of Appeals. The Board shall adopt rules and bylaws in accordance with the provisions of this Ordinance and of the General Statutes of South Carolina, 1976 Code of Law, 1984 Cumulative Supplement, Title VI, Chapter 29, Section 780. Meetings of the Board shall be held at the call of the Chairperson and at such other times as the Board may determine. All meetings of the Board shall be open to the public.

Section 902. Decisions of the Zoning Board of Appeals.

The concurring vote of three (3) members of the Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance or to affect any variation of this Ordinance. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. On all appeals, applications and matters brought before the Board of Appeals, the Board shall inform in writing all the parties involved of this decisions and the reasons therefore.

Section 903. Appeals, Hearing, and Notice.

Appeals to the Board may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality. An appeal from an administrative decision must be filed within 30 days after the decision becomes a matter of public record by denial of issuance of a permit or the filing of a written decision in the office of the Zoning Administrator. An appeal shall be filed by delivery of the approved appeal form with the officer from whom the appeal is taken and with the Board of Appeals notice of appeal specifying the ground thereof. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate of stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

The Board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, within thirty (30) days of when the appeal was filed, and give public notice thereof in a newspaper of general circulation in the community and post a sign on the property affected by the zoning appeal at least fifteen (15) days prior to the meeting, as

well as provide notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or by attorney.

Section 904. Powers and Duties of the Board of Appeals.

The Zoning Board of Appeals shall have the following powers and duties:

904.1 To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this act.

904.2 To authorize, upon appeal in specific cases, a variance from the terms of the Ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the Ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual cases as unnecessary hardship upon a finding by the Board of Appeals that:

- a) there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;
- b) the application of the Ordinance on this particular piece of property would create an unnecessary hardship;
- c) such conditions are peculiar to the particular piece of property involved;
- d) relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Ordinance or the comprehensive plan, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited in a given district.

904.3 To decide on other such matters where a decision of the Board of Appeals may be specifically required by the provisions of the Ordinance.

In exercising the above powers, the Board of Appeals may, in conformity with the provisions of this act: reverse or affirm wholly or in part, or may modify the order, requirements, decision, or determination; and, to that end, shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit.

The Board, in the execution of the duties for which appointed, may subpoena witnesses and in case of contempt may certify such fact to the circuit court in and for the County of Pickens.

Section 905. Appeals from Decisions of the Board of Appeals.

Any person who may have a substantial interest in any decision of the Board of Appeals may appeal any decision of the Board to the Circuit Court in and for the County of Pickens by filing with the clerk of such court a petition in writing setting forth plainly, fully, and distinctly wherein such decision is contrary to law. Such appeal must be filed with the Clerk of court within thirty (30) days after the decision of the board is mailed.

Section 906. Powers and Duties of the Planning Commission

The Planning Commission shall have the following powers and duties:

THE PLANNING COMMISSION

906.1 Name of Commission. The official name of the Commission shall be the Six Mile Planning Commission

906.2 Authority. The Six Mile Planning Commission is hereby created in accordance to Article X of the Official Zoning Ordinance of the Town of Six Mile.

MEMBERSHIP

906.3 Eligibility. Any individual that resides within the corporate limits of the Town of Six Mile, South Carolina.

906.4 Election of officers. Any individual deemed eligible that has been duly selected and approved by the Town Council.

906.5 Length of term. Planning Commission members shall serve a staggered term of three years that will commence with notification from the Town Council and last until September 30 of the year in which the term expires. Members of the Planning Commission may be reappointed without limit.

906.6 Resignation. Any member of the Planning Commission may resign at any time by submitting notice of resignation to the Secretary.

OFFICERS

906.7.Officers. Annually, at the regular meeting of the Planning Commission held in the month of January, the Commission shall elect a Chairperson, a Vice Chairperson and a Secretary. The officers may succeed themselves. The Planning Commission shall have five (5) members.

906.8 Tenure. The officers shall serve from the date of their election until January 30 of the following year or until their successors shall have been elected.

906.9. Chairperson. The Chairperson shall preside at all meetings of the Planning Commission and at other meetings and public hearings called by the Commission. He shall call special meetings of the Planning Commission when required and shall transmit reports, plans and recommendations of the Planning Commission to the appropriate governing authority, and, in general, shall act as spokesman for the Commission.

906.10 Vice-Chairperson. The Vice-Chairperson shall serve as Chairperson in the absence or disability of the Chairperson. In the event of the death or resignation of the Chairperson, the Vice-Chairperson shall perform the latter's duties until such time as the Commission shall elect a new Chairperson.

906.11 Secretary. The secretary shall assist the Chairperson in the preparation of agenda for Planning Commission meetings, shall prepare and send out notices for regular and special meetings, shall prepare and distribute minutes of Commission files and its books of account and shall turn over custody of all funds coming into the possession of the Commission to the Town Treasurer.

906.12 Additional Duties. The Chairperson, Vice-Chairperson and Secretary shall perform such other duties and functions as may from time to time be required by the Commission by its by-laws.

MEETINGS

906.13 Regular Meetings. Regular meetings of this Commission shall be held as scheduled by the Chairperson of the Planning Commission. The meeting will typically be on the fourth Tuesday of the month. A minimum of eight meetings will be held each year. One meeting each year shall be termed the annual meeting.

906.14 Special Meetings. Special meetings may be held at the call of the Chairperson or of acting Chairperson, provided that notice of such meetings shall be given to all members at least twenty-four (24) hours before the hour for which the meeting is called.

906.15 Meetings, Orders and Records Open. All meetings of the Planning Commission at which official action is taken shall be open to the public and all records of the Commission shall be a public record. All meeting's public participation shall adhere to the same guidelines that apply to citizen participation at Town Council meetings. The secretary shall assist in the preparation and service of all orders of the Commission in appropriate form. Copies of all notices, correspondence, documentary evidence, orders and forms shall be maintained as public records.

906.16 Quorum. Simple majority of the number of members shall constitute a quorum of this Commission for transacting business and taking official action. Whenever a quorum is not present at a regular or special meeting, those present may postpone the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda or introduced by members. No action taken at such a meeting shall be official unless and until ratified and confirmed in a subsequent meeting of this Commission at which a quorum is present.

906.17 Voting. Voting shall be by vote and shall not be recorded by yeas and nays unless such a record is requested, at the time the vote is taken, by a member of this Commission.

906.18 Conflict of interest. No member shall vote, or participate in discussion, on any issue in which he has a personal, professional or financial interest.

906.19 Attendance by Commissioners. No member of the Commission shall miss three consecutive meetings without due cause. Absence from three consecutive meetings shall be considered appropriate cause for dismissal of the member from the Commission. A new member shall than be appointed by the Mayor and Council.

906.20 Proxy. None shall be accepted.

906.21 Order of Business. The order of business at all regular meetings shall be as follows:

- a) Roll call;
- b) Approval of minutes of previous meetings;
- c) Unfinished business
- d) New business; and
- e) Adjournment.

906.22 Parliamentary Procedure. Procedure in all meetings of this Commission shall be governed by Roberts Rules of Order and the same guidelines that apply to citizen participation at Town Council meetings except when such rules of order are in conflict with these By-Laws.

COMMITTEES

906.23 Special Committees. The Chairperson of this Commission may create special committees, without limit as to number of members, to study matters which in his judgment would not be properly included in the work of the Commission. He shall designate one member of each committee as its Chairperson.

906.24 Committee meetings. Any committee shall meet at the call of its Chairperson.

906.25 Quorum; Ratification. A majority of its members shall constitute a quorum of any committee. When it appears that a quorum may not be present at a committee meeting, the Chairperson of this Commission may designate other members of this Commission as temporary members of such committee with full functional rights in that particular meeting. In the absence of a quorum any member of a committee, after reviewing the file and after discussion with a member who was present, may join in making a recommendation to this Commission; if a majority action of the committee is so attained, the resultant recommendation may be received. However, such ratifying action shall be called to the attention of this Commission at the time of presentation.

HEARING PROCEDURE

906.26 Appearances. The applicant or any party in interest may appear in person or by agent or attorney. The Commission may postpone or proceed to dispose of a matter on the records before it in the absence of an appearance on behalf of an applicant.

906.27 Witnesses. Parties in interest may present testimony under oath. Witnesses may be compelled to attend by subpoena requested at least ten (10) days prior to a hearing and signed by the chairperson. The Commission may call its own witnesses when deemed appropriate.

906.28 Cross-examination. No party shall have the right to cross-examine witnesses; however, at the discretion of the Chairperson, the privilege of examining opposing witnesses may be freely extended when conducted in an orderly manner. Intimidation of witnesses will not be tolerated.

906.29 Evidence. Relevant documents, photographs, maps, plans, drawings, etc., will be received in the record without authentication in the form of legible copies. Relevant testimony which is not cumulative or hearsay will be received. The chairperson will rule on all evidentiary matters. Evidence may be placed in the record with an objection noted.

906.30 Conduct of Hearing. The normal order of hearing, subject to modification by the chairperson, shall be:

- a. Statement of matter to be heard (chairperson or secretary);
- b. Presentation by applicant;
- c. Presentation by official appealed; or
- d. Presentation by opponents;
- e. Rebuttal by applicant;
- f. Unsworn public comment when appropriate;

- g. The Commission may question participants at any point in the hearing;
- h. Matters in which additional time is granted may be moved to the end of the agenda.

906.31 Disposition. The Commission may deliberate and make a final disposition of a matter by majority vote of members present at the hearing and qualified to vote; provided that not less than a quorum are qualified to vote. The vote may be taken at the same or a subsequent meeting. A member may not vote on a matter the member has not heard. Deliberations shall be conducted and votes taken in public.

906.32 Form of Order. An order shall be issued disposing of a matter by granting or denying relief with such conditions as may be deemed necessary; or affirming, modifying, or reversing an administrative decision. A matter may be dismissed for lack of jurisdiction or prosecution. Findings of fact and conclusions of law shall be separately stated in an order.

906.33 Service of Order. The secretary shall deliver a copy of an order to each party in interest by certified mail immediately upon execution of the order by the chairperson.

906.34 Rehearing. The Commission may grant a rehearing of an application which has been dismissed or denied upon written request filed with the secretary within fifteen (15) days after delivery of the order accompanied by new evidence which could not reasonably have been presented at the hearing, or evidence of a clerical error or mutual mistake of fact affecting the outcome.

APPEALS PROCEDURE

906.35 Form of Appeal. Appeals from administrative decisions and applications for variances shall be filed on forms approved by the Commission and provided to applicants by the secretary. The Commission may require additional information deemed necessary. The failure to submit adequate information may be grounds for dismissal. An application filed by an agent shall be accompanied by written designation of the agent signed by the applicant or party in interest.

906.36 Time for Appeal. An appeal from an administrative decision must be filed within fifteen (15) days after actual notice of the decision by delivery of the approved appeal form to the secretary of the Commission who shall notify the official appealed from.

906.37 Calendar. Appeals and applications shall be marked with the date of receipt and placed on the hearing calendar in the order in which received. Appeals shall be heard in the order on the calendar unless otherwise set by the Commission for good cause shown.

906.38 Withdrawal of Appeal. Any appeal or application may be withdrawn by written notice delivered to the secretary prior to action by the Commission. An appeal from an administrative decision which is withdrawn may not be refiled after the fifteen (15) day time for appeal has expired. Withdrawn applications for variances may be refiled after six (6) months and shall be placed on the calendar according to the date refiled.

906.39 Continuances. The hearing of an appeal or application may be continued one time by the Commission for good cause shown.

906.40 Notice. Public notice of a hearing of the Commission shall be published in a local newspaper of general circulation and posted on or adjacent to the property affected at least fifteen (15) days prior to the hearing. The notice shall contain a description of each matter to be heard and identify the applicant and property affected.

ADOPTION AND AMENDMENT

906.41 Adoption. These rules were adopted by vote of a majority of the members of the Town of Six Mile Town Council at a regular public meeting on February 2, 2021.

906.42 Amendment. Changes may be made to the bi-laws of the Planning Commission by the affirmative majority vote of its members at any regular meeting of the Commission at least seven (7) days after the written amendment is delivered to all members.

ARTICLE X

AMENDMENTS

Section 1000. Authority.

This Ordinance, including the Official Zoning Map of Six Mile, South Carolina, may be amended from time to time by the Town Council as herein specified, but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the Planning Commission for review or recommendation. The Planning Commission shall have thirty (30) days within which to submit its report. If the Planning Commission fails to submit a report within the thirty (30) day period, it shall be deemed to have approved the proposed amendment.

Section 1001. Requirements for Change.

When the public necessity, convenience, general welfare, or good zoning practice justifies such action, and after the required review and report by the Planning Commission, the Town Council may undertake the necessary steps to amend the Zoning Ordinance.

Section 1002. Procedure for Amendments.

Requests to amend the Zoning Ordinance shall be processed in ordinance with the following requirements:

1002.1 Initiation of Amendments. A proposed amendment to the Zoning Ordinance may be initiated by the Town Council, the Planning Commission or by application filed with the Secretary of the Planning Commission by the owner or owners of the property proposed to be changed, provided, however, that action shall not be initiated for a zoning amendment affecting the same parcel or parcels of property, or any part thereof, and requesting the same change in district classification by a property owner or owners more often than once every six (6) months.

1002.2 Application Procedure. Application forms for amendment requests shall be obtained from the Secretary of the Town of Six Mile. Completed forms, together with an application fee to cover administrative costs (as established by Town Council resolution), plus any additional information the applicant believes to be pertinent, will be filed with the Town for submission to the Planning Commission. Any communication purporting to be an application for an amendment shall be regarded as mere notice of intent to make application until it is made in the form required.

Applications for amendments must be submitted, in proper form, at least fifteen (15) days prior to a Planning Commission meeting in order to be heard at that meeting.

1002.3 Hearing by the Planning Commission. All papers and other data submitted by the applicant on behalf of the amendment request shall be transmitted to the Planning Commission. The Planning Commission, at regular meeting shall review the application, conduct a public hearing, and prepare a report, including its recommendation, for transmittal to the Town Council. All meetings of the Planning Commission shall be open to the public. At a meeting, any party may appear in person, or by agent, or by attorney.

No member of the Planning Commission shall participate in a matter in which he has any pecuniary or special interest.

The Planning Commission shall hold a public hearing regarding any proposed amendments. Such hearing shall be advertised with the time and place of the hearing to be published in a newspaper of general circulation serving the municipality at least fifteen (15) days prior to the hearing. In rezoning cases, conspicuous notice must be posted at least fifteen (15) days prior to the hearing on or adjacent to the property, with one notice visible from each public street bordering the property.

Following action by the Planning Commission, the recommendation along with all papers and data pertinent to the application shall be transmitted to the Town Council for final action.

1002.4 **Changes to the Zoning Ordinance Text or Map.** The original Ordinance or amendment to the Zoning Ordinance must be adopted by an ordinance on two (2) readings by Town Council at least seven days apart. Any necessary changes shall be made in the Zoning Ordinance text or Map. A written record of the type and date of such change shall be maintained by the Town Clerk. Until such change is made, no action by the Town Council on text or map amendments to the Zoning Ordinance shall be considered official, unless the Town Clerk fails to make the change within seven (7) days after formal action by the Town Council. In the latter event, action by the Town Council shall be considered official seven (7) days after the date of action even if the Town Clerk has failed to make the appropriate changes.

ARTICLE XI

LEGAL STATUS PROVISIONS

Section 1100. Conflict with Other Laws.

Whenever the regulations of this Ordinance require a greater width or size of yards, or require a greater percentage of lot to be left unoccupied, or impose other more restrictive standards than are required in or under any other statutes, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by this Ordinance, the provisions of such statute shall govern.

Section 1101. Validity.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof that is not specifically declared to be invalid or unconstitutional.

Section 1102. Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict herewith are repealed to the extent necessary to give this Ordinance full force and effect.

Section 1103. Effective Date.

This Ordinance shall take effect and be in force from and after the date of its adoption by the Six Mile Town Council.

ARTICLE XII**DEFINITION OF TERMS USED IN THIS ORDINANCE****Section 1200. Interpretation of Certain Terms or Words.**

Except as specifically defined herein, all words used in this ordinance have their customary dictionary definitions. For the purpose of this ordinance, certain words or terms used herein are defined as follows:

The word "shall" is mandatory.

The word "may" is permissive.

The word "lot" includes the word "plot" or "parcel".

The word "structure" includes the word "building".

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.

The word "map" or "zoning map" shall mean the Official Zoning Map of the Town of Six Mile, South Carolina.

The term "Planning Commission" refers to the Six Mile Planning Commission. The term "Council," "Town Council," or "Mayor and Council" refer to the legally constituted and elected governing body of the Town of Six Mile. The term "Building Official" refers to that person so designated by the Council and so employed as the Building Official for the Town of Six Mile. The term "Board of Appeals" refers to the Zoning Board of Appeals of the Town of Six Mile.

1200.1 **Accessory.** A use of building subordinate to the principal building on a lot and used for purposes customarily incidental to the main or principal use or building and located on the same lot therewith.

1200.2 **Alley.** A secondary way that affords access to the side or rear of abutting property.

1200.3 **Alteration of Building.** Any change in the supporting members of a building (such as bearing walls, columns, or girders), any addition or reduction to a building; any change in use; or any relocation of a building from one location or position to another.

1200.4 **Automobile Service Station.** Buildings and premises on any parcel or lot where gasoline, oils, greases, batteries, tires, or automobile accessories may be supplied and dispensed at retail (or in connection with a private operation), where no part of the premises is used for the storage of dismantled or wrecked vehicle parts, and also where the following services may be rendered, and none other:

- a) sale and service of spark plugs, batteries, and distributors;
- b) tire repair and servicing, but no recapping;
- c) replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, floor mats, seat covers, wiper blades, windshield wipers, grease retainers, and wheel bearings.
- d) washing and polishing;
- e) greasing and lubrication;
- f) exchanging fuel oil pumps and installing fuel lines;
- g) minor servicing and replacing of carburetors;
- h) emergency wiring repairs;

- i) adjusting and repair of brakes;
- j) minor repairs of engines, not involving removal of the head and/or crank case, or racing the motor;
- k) sale of cold drinks, packaged foods and other products targeted to the traveling public, as accessory only to the principal operation.

1200.5 **Boarding House.** Any dwelling in which three (3) or more persons either individually or as families are housed for rent with or without meals.

1200.6 **Buildable Area.** That portion of any lot which may be used or built upon in accordance with the regulations governing the given zoning district, within which the particular lot is located once the various front, side, and rear yard requirements for the District have been subtracted from the total lot area. For instructions related to the determination of Buildable Area, see Section 707.

1200.7 **Building.** A structure which is completely enclosed by a roof and by solid exterior walls along whose outside faces can be traced an unbroken line for the complete circumference of the structure, which is permanently affixed to a lot or lots, and used or intended for the shelter, support or enclosure of persons, animals, or property of any kind.

1200.8 **Building, Principal.** A building in which is conducted the principal use of the lot on which said building is situated.

1200.9 **Building Line.** That line which represents the distance from which a building or structure must be set back from a lot boundary line or a street right-of-way line or a street centerline according to the terms of this Ordinance. In all cases, the building lines of a lot shall be determined to run parallel to and set back the appropriate distance required within the district in which the lot is located from street right-of-way lines, street centerlines, or other boundary lines.

1200.10 **Camper.** A mobile home, tent, trailer, or other self-contained vehicle, designed for recreational purposes, made of metal or other materials, mounted on two or more wheels and either self-propelled or rigged for towing, provided such vehicle is less than thirty (30) feet in length and is not used for residential purposes within the Town of Six Mile.

- 1200.11** **Care Homes.** A rest home, nursing home, convalescent home, home for the aged, or similar use established and operated on a profit or non-profit basis to provide lodging and/or meals and/or domiciliary care for aged, infirm, chronically ill, or convalescent persons.
- 1200.12** **Clinic.** An establishment where medical or dental patients, who are not lodged overnight, are admitted for examination or treatment.
- 1200.13** **Communication Tower.** A tower, pole or similar structure that supports a commercially operated telecommunications antenna above ground in a fixed location, freestanding, guyed, or on a building.
- 1200.14** **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 exclusive of land utilized for streets, alleys, parks, playgrounds, school ground, or other public uses.
- 1200.15** **District.** The term applied to various geographical areas of the Town of Six Mile for the purpose of interpreting the provisions of this Ordinance. The districts are designated with the use of symbols on the Official Zoning Map. Regulations controlling land use in the various districts within the Town of Six Mile are set forth in Article V of this Ordinance. The terms "district" and "zoning district" are synonymous and are used interchangeably throughout this Ordinance.
- 1200.16** **Dwelling.** A building or portion of a building arranged or designed to provide living quarters for one (1) family, but not to include a tent, travel trailer, tourist home, hotel, or motel.
- 1200.17** **Dwelling, One-Family.** A detached dwelling other than a mobile home designed or occupied exclusively by one family on a single lot.
- 1200.18** **Dwelling, Two-Family.** A dwelling arranged or designed to be occupied by two (2) families in separate dwelling units living independently of each other on a single lot.
- 1200.19** **Dwelling, Multi-Family.** A building or series of buildings on the same lot or portions thereof used or designed as dwellings for three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided. The

terms "multiple-family" and "multi-family" are synonymous and are used interchangeably throughout this Ordinance.

- 1200.20** **Dwelling Unit.** One (1) or more rooms connected together and constituting a separate, independent housekeeping establishment for use on a basis with provisions for cooking, eating, sleeping, and physically set apart from any other rooms and dwelling units in the same structure or another structure, intended and designed to provide living quarters to one family.
- 1200.21** **Drive-In.** A retail or service enterprise oriented to automobile driving patrons wherein service is provided to the consumer on the outside and/or inside of the principal building. The term "drive-in" includes drive-in restaurants, and dairy bars, theaters, banks, laundries, food stores, car washes, and other similar retail service activities.
- 1200.22** **External Storage.** Storage of materials, inventory, parts, machinery, or equipment outside of the primary building.
- 1200.23** **Family.** One (1) or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, or adoption, no such family shall contain over three (3) persons.
- 1200.24** **Fee Simple Townhouse.** An attached housing unit in which real land property is platted and converted to the titleholder of the housing unit.
- 1200.25** **Fence.** "Fence" shall mean a substantial, continuous barrier aesthetically constructed and extending from the surface of the ground to uniform height of not less than six (6) feet. The finished side of the fence shall face the public and be constructed of treated lumber, stockade, masonry, chain link or other approved material. Fabric fences shall not be allowed.
- 1200.26** **Floor Area Ratio.** A number generated by dividing the total gross area (in square feet) of a structure by the total gross area (in square feet) of the parcel containing the structure.
- 1200.27** **Garage, Private.** An accessory building or portion of a principal building used only for the private storage of motor vehicles as an accessory use.

- 1200.28** **Garage, Public.** Any garage other than a private garage which is used for storage, minor repair, rental, servicing, washing, adjusting, or equipping of automobiles or other vehicles.
- 1200.29** **Garage, Repair.** Buildings and premises designed or used for purposes indicated under "automobile service station" and/or major commercial repairs; provided that body work and painting shall be conducted within fully enclosed buildings and provided further that self-propelled vehicles in process of repair shall be stored in a fully enclosed and secluded area.
- 1200.30** **Home Occupation.** Any business activity conducted out of a dwelling. A home occupation shall include either a business operated on-site or a business in which the primary office, or storage facility is on-site but activities take place off-site.
- 1200.31** **Hotel.** A building or buildings in which lodging, with or without meals, is provided and offered to the public for compensation, which is open to transient or permanent guest. The word "hotel" includes the terms "motel" and "tourist court."
- 1200.32** **Junk or Salvage Yards.** The use of any part of a lot, whether inside or outside of a building, for the storage, keeping, abandonment, sale or resale of junk, salvage, or scrap materials; or the dismantling, demolition or abandonment of automobiles and other vehicles, machinery, equipment, or parts thereof.
- 1200.33** **Junked Car.** "Junked or abandoned vehicle" shall mean any vehicle without a current and valid license plate. A wrecked vehicle with a current license plate shall also be considered a junk vehicle.
- 1200.34** **Loading Space, Off-Street.** Space logically and conveniently located for pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled.
- 1200.35** **Lot.** An area designated as a separate and distinct parcel of land on a legally recorded deed as filed in the official records of Pickens County, as maintained in the Pickens County Court House.
The terms "lot," "plot," "lot of record," "property," or "tract" whenever used in this Ordinance, are interchangeable.
- 1200.36** **Lot, Corner.** A lot located at the intersection of two (2) or more streets.

- 1200.37** **Lot, Double Frontage.** A lot which has frontage on more than one (1) street, provided, however, that no corner lot shall qualify as a double frontage lot unless said corner lot has frontage on three (3) or more streets.
- 1200.38** **Lot, Interior.** A lot, other than a corner lot, which has frontage on only one (1) street other than an alley.
- 1200.39** **Lot Depth.** The mean horizontal distance between front and rear lot lines.
- 1200.40** **Lot of Record.** An area designed as a separate and distinct parcel of land on a legally recorded subdivision plot or in a legally recorded deed as filed in the official records of Pickens County, as maintained in the Pickens County Court House.
The terms "lot," "plot," "lot of record," "property," or "tract" whenever used in this Ordinance, are interchangeable.
- 1200.41** **Lot Width.** The distance between side lot lines measured at the front building line.
- 1200.42** **Major Recreational Equipment.** Equipment or vehicles used for recreational purposes, including but not limited to motor homes, recreational vehicles, campers, trailers, motorboats, sailboats, boat trailers, all terrain vehicles, off-road vehicles, motorcycles, snowmobiles, and bicycles.
- 1200.43** **Mobile Homes.** "Mobile Homes" means a movable or portable dwelling on wheels or on a permanent foundation of masonry units cemented together and supported on concrete footings; conforming to typical construction standards for the area of location. The unit is constructed to be towed on its own chassis and designed for year-round occupancy, which includes two (2) or more units separately towable but designed to be joined into one integral unit, as well as a portable dwelling composed of a single unit. All mobile homes under the jurisdiction of this Ordinance shall comply with the standards for mobile homes by the American National Standards Institute, Inc. (ANSI), A119.1 - 1969.
- 1200.44** **Mobile Home Park.** Premises where two (2) or more mobile homes are parked for living or sleeping purposes, or where spaces are set aside or offered for sale or rent for use for mobile homes for living or sleeping

purposes, including any land, building, structure, or facility used by occupants or mobile homes on such premises.

1200.45 **Mobile Home Space.** A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home.

1200.46 **Motel.** A building or buildings in which lodging, with or without meals, is provided and offered to the public for compensation, which is open to transient or permanent guests.

The word "motel" includes the terms "hotel" and "tourist court."

1200.47 **Natural Material.** Wood or other organic matter.

1200.48 **Nonconforming Use.** A structure of land lawfully occupied by an existing use which does not conform with the permitted uses for the zoning district in which it is situated, either at the effective date of this Ordinance or as the result of subsequent amendments to this Ordinance.

1200.49 **Parking Lot.** Any public or private open area used for the express purpose of parking automobiles and other vehicles, with the exception of areas on the premises of single-family dwellings used for parking purposes incidental to the principal use. Otherwise, parking lots may be the principal use on a given lot or an accessory use to the principal use on a given lot.

1200.50 **Parking Space.** A space within a parking lot or on a single-family dwelling lot expressly provided for purposes of parking an automobile or other vehicle.

1200.51 **Permanently Mounted.** Attached securely to a building, wall, canopy, or the ground or pavement; by means of concrete, bolts, metal braces, treated wood, or cedar.

1200.52 **Plot.** An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed as filed in the official records of Pickens County, as maintained in the Pickens County Court House.

The terms "lot," "plot," "lot of record," "property," or "tract" whenever used in this Ordinance are interchangeable.

1200.53 **Residence.** A building or portion of a building arranged or designated to provide living quarters for one (1) family.

The terms "dwelling" and "residence" shall be interchangeable.

- 1200.54** **Service Station.** See definition of "Automobile Service Station," 1200.4.
- 1200.55** **Sign.** The term "sign" shall mean and include every sign, billboard, poster panel, free-standing ground sign, roof sign, projecting sign, pylon sign, illuminated sign, sign painted on a wall, window, marquee, awning or canopy, and shall include any announcement, declaration, demonstration, display, ribbon, banner, illustration, or insignia used to advertise or promote the interests of any person when the same is placed in view of the general public, traveling along a public street right-of-way.
- a) **Free-Standing Sign Structure.** A freestanding sign structure may contain a sign or signs on one (1) side only, or it may be a V-shaped structure or one containing signs back to back. A freestanding sign structure is one (1) sign.
 - b) **Sign Area.** The area of a sign is the area of the face of the sign formed by a perimeter consisting of a series of straight lines enclosing all parts of the sign. The area of a freestanding sign structure is the area of the face or faces on one (1) side only.
 - c) **Business Identification Sign.** A business identification sign is a sign that contains the name of the business enterprise located on the same premises as the sign and the nature of the business conducted there.
 - d) **Business Identification Pylon Sign.** A business identification sign is a sign erected on a single pole or multiple poles that contains only the name or the nature of the business conducted on the premises on which it is located.
 - e) **Illuminated Signs.** A sign in which illumination techniques are used in any fashion to project the message on a sign.
 - f) **Portable Sign.** Temporary, moveable sign.
- 1200.56** **Special Exception.** A use so specifically designated in this Ordinance, that would not be appropriate for a location generally or without restriction throughout a given zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would in the opinion of the Board of Appeals, promote the public health, safety,

welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

1200.57 **Story.** That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no above floor, then the space between the floor and the above ceiling.

1200.58 **Story, Half.** A story in which one (1) or more exterior walls intersect a sloping roof no more than two (2) feet above the floor of such story.

1200.59 **Street.** A dedicated and accepted public right-of-way for vehicular traffic that affords the principal means of access to abutting properties.

1200.60 **Street Centerline.** That line surveyed and monumented by the governing body shall be the centerline of a street; or in the event that no centerline has been so determined, it shall be that line running midway between and parallel to the general direction of, the outside right-of-way lines of such streets.

1200.61 **Structure.** Anything constructed or erected, the use of which requires more or less permanent location on the ground, or which is attached to something having more or less permanent location on the ground. A "building," as defined in 1100.7, is a "structure."

1200.62 **Subdivision.** "Subdivision" means all divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land involving a new street or a change in existing streets, and includes resubdivision and, where appropriate, to the process of subdividing or to the land or area subdivided; provided, however, that the following exceptions are included within this definition only for the purpose of requiring that the local planning commission be informed and have record of such subdivisions:

- 1) the combination or recombination of portions or previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the governing authority.
- 2) the division of land into parcels of five (5) acres or more where no new street is involved.

1200.63 **Tract.** See "Lot," 1100.30.

- 1200.64** **Trailer.** Any vehicle or structure capable of moving, or being moved, over streets and highways on its own wheels or on flat beds or other carriers, which is designed or utilized to:
- 1) provide temporary or permanent quarters for the conduct of business, profession, trade, or occupation;
 - 2) serve as a carrier of people, new or used goods, products, or equipment;
 - 3) be used as a selling, advertising, or display device. For purposes of this Ordinance, the term "trailer" shall not include the term "camper," "mobile home," or "house trailer."
- 1200.65** **Travel Trailer.** A portable vehicle structure built on a chassis and designed to be used as a temporary dwelling for travel or recreational purposes.
- 1200.66** **Trailer, House.** The term "house trailer," for purposes of this Ordinance, shall be interchangeable with the term "Mobile Home," as defined in 1100.38.
- 1200.67** **Use, Accessory.** See "Accessory," 1100.1.
- 1200.68** **Use, Principal.** The primary purpose for which a lot is occupied and/or used.
- 1200.69** **Variance.** A modification of the strict terms of this Ordinance granted by the Board of Appeals where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property and not as the result of any action on the part of the property owner, 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.
- 1200.70** **Yard.** A space on the same lot with a principal building, open, unoccupied and unobstructed by building or structures from ground to sky except where encroachments and accessory buildings and structures are expressly permitted.
- 1200.71** **Yard, Front.** A yard situated between the front building line and the front lot line extending the full width of the lot.

1200.72 **Yard, Rear.** A yard situated between the rear building line and the rear lot line extending the full width of the lot.

1200.73 **Yard, Side.** A yard situated between a side building line and a side line and extending from the front yard to the rear yard.

1200.74 **Zoning District.** See "District," 1100.14.

Section 1201. Comprehensive Plan Revision Requirements.

All planning elements must be an expression of the planning commission recommendations to the appropriate governing bodies with regard to the wise and efficient use of public funds, the future growth, development, and redevelopment of its area of jurisdiction, and consideration of the fiscal impacts on property owners. Regulations of the zoning ordinance must be made in accordance with the comprehensive plan for the jurisdiction, and be made with a view to promoting the purposes set forth throughout this chapter. As the plan or elements are revised, it is important to amend any ordinances based on the plan to conform to the most current comprehensive plan. Regular review of the comprehensive plan is mandatory under SC Code 6-29-510(E) that requires the following plan updates:

The Planning Commission must re-evaluate the comprehensive plan elements at least every five years to determine whether changes in the amount, kind, or direction of development of the area or other reasons make it desirable to make additions or amendments to the plan.

Last Review Date: July 2, 2018 Next Review Date: July 2, 2023

The comprehensive plan, including all elements of the plan, must be updated at least every ten years. The Planning Commission must prepare and recommend a new plan and the governing body must adopt a new comprehensive plan every ten years.

Last Update Date: July 2, 2013 Next Update Date July 2, 2023