



City of Union *Zoning Ordinance*

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STATE OF SOUTH CAROLINA)
)
COUNTY OF UNION) ZONING ORDINANCE
)
CITY OF UNION)

AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR THE CITY OF UNION, SOUTH CAROLINA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF S.C. Code Section 6-29-710 through 6-29-960 et seq.

BE IT ORDAINED, by the Mayor and City Council of the City of Union, South Carolina, in council duly assembled:

SECTION 100 PURPOSE, AUTHORITY

100.1 PURPOSE

The zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan and are designed to lessen traffic congestion; to secure safety from fire, panic, and other danger; to promote health and the general welfare; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of transportation, water, sewerage, schools, parks, and other public requirements. Such regulations have been made with reasonable consideration to the character of each district and to its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City of Union, South Carolina.

100.2 AUTHORITY

The provisions of this ordinance are adopted under authority granted by S.C. Code Section 6-29-710 through 6-29-960 et seq.

SECTION 101 JURISDICTION

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

SECTION 102 APPLICATION, CONFORMANCE TO REQUIREMENTS

APPLICATION

The regulations set forth in this ordinance affect all land, every building, and every use of land and/or buildings, and after the effective date of this ordinance, shall apply as follows:

(a) New Uses of Construction

Any new construction of uses of land shall conform to the use and dimensional requirements for the district in which it is to be located.

(b) Open Space Requirements

No part of a yard, court, or other open space, or off-street parking or loading space required for the purpose of complying with the provisions of this ordinance, shall be included as part of a yard, open space, or parking and loading space required for any other building.

(c) Reduction of Lot and Yard Area Prohibited

No yard or lot existing at the time of passage of this ordinance shall be reduced in size 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 herein.

SECTION 103

ZONING DISTRICTS, OFFICIAL ZONING MAP, AMENDMENTS, INTERPRETATION

103.1

ZONING DISTRICTS

The City of Union is hereby divided into the following districts:

- R-15 Residential Zone
- R-10 Residential Zone
- R-8 Residential Zone
- R-6 Residential Zone
- A-1 Business Zone (Central Business District)
- A-2 Business Zone (Highway Commercial)
- A-3 Business Zone (Neighborhood Commercial)
- A-4 Business Zone (Office, Institutional & Residential)
- A-5 Business Zone (Shopping Center)
- I-1 Industrial Zone

103.2

OFFICIAL ZONING MAP

The boundaries of each zoning district are shown on a map entitled, Official Zoning Map, Union, South Carolina, which is hereby adopted and declared to be part of this ordinance. The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bear the seal of the City under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 103.2 of the Zoning Ordinance adopted by the Council of the City of Union on February 20, 2001." (Date)

A reproducible copy of the Official Map shall be kept on file in the office of the Zoning Administrator and copies shall be available at all times for inspection by the public.

103.3 AMENDMENTS

Amendments to the Official Zoning Map shall be made as necessary so that the map at all times portrays the current status of the zoning districts or zoning district boundaries.

103.4 INTERPRETATION OF DISTRICT BOUNDARIES

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

(a) Delineation

District boundary lines are intended to follow the city limits; center lines of streets, highways, alleys, easements, and other rights-of-ways; the center lines of streams or other water channels; and follow platted lot or other property lines. In the absence of visual district boundaries or specified distances on the Official Zoning Map, dimensions or distances shall be determined by scaling the distance on the Official Zoning Map.

(b) Interpretation

When the physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, the Zoning Administrator shall interpret such boundaries.

(c) Divided Lot

Where a district boundary divides a lot which was in single ownership at the time of passage of this ordinance, the Zoning Board of Appeals may permit, as a special exception, the extension of the regulations for either portion of the lot, not to exceed fifty (50) feet beyond the district line into the remaining portion of the lot.

SECTION 104 ANNEXATION OF TERRITORY INTO THE CITY

All property annexed into the City shall be zoned at the highest residential classification according to the then existing zoning ordinance; provided, however, City Council may designate such other zoning classification of the property to be annexed as follows:

- (a) If the property to be annexed is vacant and the property owner requests zoning less restrictive than the existing zoning for all adjacent property, the request for zoning shall be referred to the Planning Commission and recommendation made thereon;
- (b) In all other cases, City Council may designate the zoning of the property being annexed in the annexation ordinance after considering the existing use of the property, if any, and the zoning of adjacent property.

SECTION 105

CONFORMING USES, NON-CONFORMING USES

105.1 CONFORMING USES

After the effective date of this ordinance, structures or the uses of land or structures which then conform to the regulations for the district in which such structures or uses are located may be continued: provided that any structural alteration or change in use shall conform with the regulations herein specified.

105.2 NON-CONFORMING USES

After the effective date of this ordinance structures or uses of land or structures which would be prohibited under the regulations for the district in which such structures or uses are located shall be considered as non-conforming. Non-conforming structures or uses may be continued provided they conform to the provisions of this ordinance.

A manufactured home as a non-conforming use on a lot may be replaced by a newer manufactured home if setback regulations are met and if the new manufactured home is placed on the lot within 30 days after the old manufactured home is moved.

105.3 NON-CONFORMING LOTS OF RECORD

In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption of this ordinance, notwithstanding limitations imposed by other provisions of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of requirements shall be obtained only through action of the Board of Zoning Appeals.

105.4 CONTINUANCE OF NON-CONFORMING USES OF LAND AND STRUCTURES

(a) Minimum Multi-Lot Requirements

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of adoption of this ordinance, and if all or part of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this ordinance, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this ordinance, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this

ordinance.

(b) Extension of Non-Conforming Uses; Non-Conforming Structures

Non-Conforming uses of land or structures existing at the time of adoption of this ordinance shall not hereafter be enlarged or extended in any way.

(c) Change of Non-Conforming Use

Any non-conforming use may be changed to any conforming use.

(d) Cessation of Non-Conforming Uses

When a non-conforming use of land ceases for a continuous period of sixty (60) calendar days, subsequent use of the land shall conform to the regulations for the district in which the land is located.

(e) Cessation of Non-Conforming Uses of Structures

When a nonconforming use of a structure is discontinued or abandoned for ninety, calendar days, the use shall not be resumed; and the subsequent use shall conform to the regulations for the district in which the structure is located.

(f) Repair and Improvement of Non-Conforming Uses

Normal maintenance, repair or improvement of a building occupied by a nonconforming use is permitted; provided no other provisions of this ordinance are violated.

(g) Damage or Destruction of Non-Conforming Uses

Any non-conforming structure or any structure containing a nonconforming use, which has been damaged by fire or other causes, may be reconstructed and used as before, unless such structure has been declared by the Zoning Administrator to have been damaged to an extent exceeding fifty percent (50%) of its replacement cost. If the structure is damaged to a degree greater than fifty percent (50%), future use of the structure or site must be in conformance with the zoning district regulations for the area, except that residential buildings and churches may be reconstructed and used as before regardless of the extent of damage.

(h) Temporary Non-Conforming Uses of Land

Temporary non-conforming uses of land for carnivals, exhibitions, tent revivals and similar uses may be permitted at the discretion of the Zoning Administrator.

SECTION 106

RELATIONSHIP OF BUILDING TO LOTS

- (A) There shall not be more than one (1) principal residential building and its accessory buildings on one lot, except as provided in Section 112. No manufactured home shall be placed for use as a dwelling on a lot having a dwelling or another manufactured home thereon except in manufactured home parks meeting the requirements of Section 112. A manufactured home on a separate lot shall meet the requirements of this ordinance pertaining to building. The Board of Zoning Appeals may grant an exception to the above provisions relating to manufactured homes, for temporary use not to exceed ninety (90) days.
- (B) No manufactured homes or tractor-trailers shall be placed on any property inside the city for storage purposes or accessory uses.
- (C) All residential dwellings, including manufactured homes, must front on a city- accepted street. (Front entrance of residential building, to include manufactured homes, must front city-accepted street.)

1) Exception:

Any person with a lot of record within the City, in the R-6 or R-8 Zone, that cannot conform to set-back regulations for placement of a standard size, (40 ft. in length), manufactured home on that lot fronting the street, may request a special exception to allow them to place the unit where it does not front the city-accepted street. (This also applies to a stick-built dwelling.)

SECTION 107

PUBLIC ACCESS TO PROPERTY

Every building hereafter erected or moved shall be located on a lot adjacent to and having access to a public street, highway or road.

SECTION 108

PROJECTIONS INTO PUBLIC STREETS AND STREET RIGHTS-OF-WAY

No commercial signs or other structures shall project beyond any right-of-way line of any street, except as provided by Section 114 of this Ordinance.

SECTION 109

DISTRICT REGULATIONS

109.1

RESIDENTIAL ZONE R-15

This residential zone is established to provide a quiet low-density residential area. The principal use of land is for single-family dwellings and for related recreational, religious and educational facilities normally required to provide an orderly and attractive residential area. The regulations for this district are intended to discourage any use which, because of its character, would interfere with the development of or be

detrimental to the quiet residential nature of the area included in the zone.

109.2 RESIDENTIAL ZONE R-10

This residential zone is established to provide for a slightly higher population density but with basic restrictions similar to those in Zone R-15. The principal use of land is for single-family, two-family dwellings and for related recreational, religious and educational facilities normally required to provide an orderly and attractive residential area. The regulations for this zone are intended to discourage any use which, because of its character, would interfere with the development of or be detrimental to the quiet residential nature of the area included in the zone.

109.3 RESIDENTIAL ZONE R-8

This residential zone is established to provide for a slightly higher population density but with basic restrictions similar to those in Zone R-10. The principal use of land is for single-family, two-family and multi-family dwellings and for related recreational, religious and educational facilities normally required to provide an orderly and attractive residential area. The regulations for this zone are intended to discourage any use which, because of its character, would interfere with the development of or be detrimental to the quiet residential nature of the area included in the zone.

109.4 RESIDENTIAL ZONE R-6

This residential zone is established to provide for medium population density. The principal use of land is for single-family, two-family and multi-family dwellings and for related recreational, religious and educational facilities normally required to provide an orderly and attractive residential area. The regulations for this zone are intended to discourage any use which, because of its character, would interfere with the development of or be detrimental to the quiet residential nature of the area included in the zone.

109.5 TABLE OF PERMITTED USES FOR RESIDENTIAL DISTRICTS

PERMITTED USES	DISTRICTS			
	R-15	R-10	R-8	R-6
Bed & Breakfast - Inns	N	SE	SE	SE
Cemeteries	SE	SE	SE	SE
Churches	P	P	P	P
Country Inn	N	SE	SE	SE
Dance School/Academy	N	SE	SE	SE
Daycare Center (children legally minor only)	N	SE	P	P
Dwelling, (Multi-Family)	N	SE	P	P
Dwelling, (Single-Family)	P	P	P	P
Dwelling, (Two-Family)	N	P	P	P
Farming, nurseries & greenhouses (Non-Commercial)	P	P	P	P
Group Development	N	SE	SE	SE
Group Homes (Type A)	SE	SE	P	P
Group Homes (Type B)	N	N	N	N
Halfway House	N	N	SE	SE
Home occupation, (Subject to 110.5 & 110.5.1)	P	P	P	P
Manufactured Home	N	N	P	P
Manufactured Home Park	N	N	SE	SE
Portable School Classroom (accessory to school)	P	P	P	P
Private Recreation Area	SE	SE	SE	SE
Public Health Center	N	N	N	P
Public Park and Playground (children)	P	P	P	P
Public Recreation Facilities (lighted)	SE	SE	SE	SE
Public Utility Building & Use	SE	SE	SE	SE
Public Utility Reservoirs, Dams, Pumping Stations & Substations	SE	SE	SE	SE
Police Stations, Fire Stations, Transmission Lines, & Water Tanks (w/ no outside storage or industrial activity.)	P	P	P	P
Rooming & Boarding House	N	N	P	P
School- Public, Private, Parochial	P	P	P	P
Seasonal Vegetable/Fruit Stands (see definition)	N	N	SE	SE
Temporary building, incidental to the construction of permitted uses. (removed when work is complete)	P	P	P	P
Transitional House	N	N	SE	SE
Transportation/Utility Rights-of-way & Easements	P	P	P	P
Uses & structures to permitted uses & districts	P	P	P	P

In any case where a use is not specifically referred to by the Table of Permitted Uses – Residential Districts in Section 109.5 above, its status under this Section shall be determined by the Zoning Administrator, by reference to the most clearly analogous use or uses so determined by the Zoning Administrator. Such determination shall thereafter have general application to all uses of the same type.

N=NOT ALLOWED

P=PERMITTED USE

SE=SPECIAL EXCEPTION

- 109.6 BUSINESS ZONE A-1 (CENTRAL BUSINESS DISTRICT)
- This business zone is established to provide for and promote concentrated development of retail establishments and personal and business services to supply the needs of residents and transients and business and industry in the urban area as well as in the entire trade area. The zone is located in the heart of the city where major streets converge.
- 109.7 BUSINESS ZONE A-2 (HIGHWAY COMMERCIAL)
- This zone is established to provide for the proper grouping and development of commercial land uses which are for the convenience of customers traveling by automobile. Establishments in this district provide goods and services for the traveling public and for local residents.
- 109.8 BUSINESS ZONE A-3 (NEIGHBORHOOD COMMERCIAL)
- This zone is established to provide for small shopping areas primarily designed to serve nearby residential areas. The district is usually located on a major street and contains businesses that sell such items as groceries and prescribed drugs as well as businesses that furnish personal services. Because the neighborhood commercial zone is closely related to adjacent residential areas, the surrounding residential parcels containing two (2) acres or more shall be received as A-5 Shopping Center Zones rather than A-3 Neighborhood Commercial.
- 109.9 BUSINESS ZONE A-4 (OFFICE, INSTITUTIONAL AND RESIDENTIAL)
- This zone is established for a compatible mixture of residences, business and professional offices, hospitals, clinics and other institutional uses.
- 109.10 BUSINESS ZONE A-5 (SHOPPING CENTER)
- This zone is established to provide for a group of commercial establishments, planned, developed, owned and managed as a unit related in location, size and type of shops to the trade area that the unit serves, providing on-site parking in definite relationship to the type and sizes of stores.
- 109.11 INDUSTRIAL ZONE 1
- This zone is established primarily for manufacturing, ware-housing and other industrial uses that are characterized by an absence of objectional external effects. Detrimental aspects of operations such as dust, odor, smoke and fumes shall be confined within the building housing the operation.

109.12 TABLE OF PERMITTED USES FOR NON-RESIDENTIAL DISTRICTS

PERMITTED USES	DISTRICTS					
	A-1	A-2	A-3	A-4	A-5	IND
Airport	N	SE	N	N	N	SE
Ambulance Service	SE	P	N	SE	N	N
Amusement Centers (non-sexual)	SE	SE	N	N	SE	N
Amusement Park, Arcade, Kiddie Land	N	P	N	N	P	P
Antique Shop	P	P	N	P	P	N
Apparel & Clothing Store	P	P	P	N	P	N
Apparel Manufacturing, etc. hosiery	N	N	N	N	N	P
Appliance Sales & Service	P	P	P	N	P	N
Arcade – (No video poker or gambling)	P	P	N	N	P	N
Armory	N	P	N	N	N	N
Assembly hall, Coliseum, Stadium	P	P	N	SE	SE	P
Art Store	P	P	P	SE	P	N
Automatic Car Wash	N	P	N	N	N	N
Automobile or Truck Wrecker Service & Holding Area	N	P	N	N	N	P
Automobile Parking Lot	P	P	P	P	P	P
Automobile Parts Sales	P	P	N	N	P	N
Automobile Truck & Trailer Rentals	N	P	N	N	P	N
Automobile or Truck Repair Garage (excluding body painting)	SE	P	N	N	N	P
Automobile or Truck Repair Garage (including body painting)	N	P	N	N	N	P
Automobile Racing	N	SE	N	N	N	SE
Automobile Sales & Service	SE	P	N	N	N	N
Automobile Upholstery Shop	N	P	N	N	N	N
Automobile Car Wash	N	P	N	N	P	N
Bakery	P	P	N	N	P	P
Bank	P	P	N	N	P	N
Barber Shop &/or Barber Shop Supply Store	P	P	SE	N	P	N
Bars/Tavern – (Non-Sexual Oriented)	SE	SE	N	N	SE	N
Beauty Shop &/ or Beauty Shop Supply Store	P	P	SE	N	P	N
Bed & Breakfast Inn	P	N	N	SE	N	N
Boat Sales & Service	N	P	N	N	N	N
Body Piercing or other disfiguring processes	N	SE	N	N	N	N
Book Store, (Non-Adult)	P	P	P	N	P	N
Bottling Works	N	P	N	N	N	P
Bowling Alley	N	P	N	N	P	N
Broker, Investment Company	P	P	P	P	P	N
Building Cleaning, disinfecting, & etc. not more than 2,000 sq. feet of floor space.	P	P	N	N	N	P
Building Cleaning, disinfecting & etc. with no limit of floor space.	N	N	N	N	N	P
Building, electrical, plumbing, mechanical and related contractors with enclosed storage occupying no more than 2,000 sq. ft. (storage space must be in the rear of the property.)	P	P	P	N	P	P
Bus Station (Passenger)	SE	P	N	N	N	P

PERMITTED USES	DISTRICTS					
	A-1	A-2	A-3	A-4	A-5	IND
Cafeteria	P	P	N	N	P	N
Camera Shop	P	P	P	N	P	N
Candy Manufacturer	SE	P	N	N	SE	N
Candy Store	P	P	P	N	P	N
Catering Establishment	SE	P	P	N	SE	N
Cemeteries	SE	SE	P	N	N	N
Charitable Organizations (Licensed 501(c)(3) Organizations)	P	P	P	P	P	N
Children's Homes (Boys &/or Girls Home) (501(c)(3) only)	SE	N	P	P	N	N
Churches	N	P	P	P	N	N
City incinerators, dumps & land fill	N	N	N	N	N	SE
Civic Club Offices	P	P	N	P	P	N
Clothing Manufacturer	N	P	N	N	N	P
Club, Lodge or similar non-profit Organization	N	P	N	N	N	N
Cold Storage Plant	N	N	N	N	N	P
College or University	P	SE	SE	P	SE	SE
Commercial Vehicle Storage-(non-accessory use)	N	N	N	N	N	P
Community Center	P	SE	N	N	N	N
Convalescent Home	N	SE	N	P	N	N
Convenient Store	N	P	N	N	N	P
Cosmetic Supply Store	P	P	P	N	P	N
Convents & Monasteries	N	N	N	P	N	N
Credit Bureaus	P	P	N	N	P	N
Dairy Products and Ice Cream Store	P	P	P	N	P	N
Dairy Products Processing, Bottling & Distribution	N	P	N	N	N	P
Dance Hall (non-sexually oriented)	SE	P	N	N	SE	N
Dance Studio (non-sexually oriented)	P	P	N	N	P	N
Day Care Center	N	P	P	N	N	N
Delicatessen	P	P	N	N	P	N
Department Store (retail mercantile occupancy)	P	P	N	N	P	N
Dressmaker	P	P	P	N	P	N
Driving School	N	P	N	N	N	N
Driving Range-(Commercial)	N	P	N	N	N	P
Drugstore, Pharmacy	P	P	P	SE	P	N
Dry Cleaner & laundry (retail only) (self-service & full-service)	P	P	P	N	P	N
Dwelling multi-family	N	SE	N	P	N	N
Dwelling single-family	N	N	N	P	N	N
Dwelling, single-family located on floors above, below or behind a street-level floor in which a commercial use is located.	SE	N	N	P	N	N
Commercial establishment where the breeding or sale of animals is the principal purpose of the enterprise, with no animals to be located within 500 feet of any residentially zoned property or fifty (50) feet from any property line.	N	SE	N	N	N	P
Electrical & Industrial equipment assembly & repair.	N	P	N	N	N	P

DISTRICTS

PERMITTED USES	A-1	A-2	A-3	A-4	A-5	IND
Express Office (merchandise freight service, e.g. UPS, FedEx, etc.)	N	P	N	N	N	P
Fair, carnival, rodeo & etc.	N	P	N	N	N	P
Farm machinery & implement sales & service	N	P	N	N	N	P
Farmer's Market	SE	P	N	N	N	P
Feed & seed, packaged retail sales	SE	P	N	N	P	P
Flea markets & open air retail sales	SE	P	N	N	SE	N
Florist Shop	P	P	N	P	P	N
Food Processing Wholesale	N	N	N	N	N	P
Fun Park (outdoor skateboarding, go-carts, batting cages)	SE	P	N	N	N	N
Furniture Manufacturing (including cabinet maker)	N	P	N	N	SE	P
Furniture Repair & Upholstery	P	P	N	N	P	N
Furniture Store (sales)	P	P	N	N	P	N
Gasoline Service Station – with no body repair, or painting of vehicles. Dispensing gasoline, oil, grease, antifreeze, tires, batteries, seat belts, fan belts, water hoses, & etc. relating to motor vehicle only.	P	P	P	N	P	P
Gift Shop (greeting cards, figurines, and related items)	P	P	P	N	P	N
Glass Manufacturer	N	N	N	N	N	P
Golf Course, (excluding commercial driving range)	N	P	N	N	N	P
Golf Driving Range (commercial)	N	P	N	N	N	P
Government Offices & Jail	P	P	N	N	N	N
Greenhouse & Plant Nursery – (commercial)	N	P	N	N	P	P
Grocery Store or Supermarket	P	P	P	N	P	N
Gymnasium & Health Center–(commercial)	P	P	N	N	P	N
Gymnasium & Health Center–(Institutional)	P	P	N	P	N	N
Hardware/Variety Store	P	P	P	N	P	N
Heating, plumbing & air-conditioning equipment sales	SE	P	P	N	N	P
Heliport	SE	P	P	N	N	P
Hobby Shop (collectibles ie, baseball cards, toys)	P	P	P	N	P	N
Home Occupation, (Subject to Sec. 110.5 & 110.5.1)	N	N	P	P	N	N
Hospital	N	SE	P	SE	N	N
Hospital, dental & medical professional	SE	P	N	N	P	P
Hotel & Motel	P	P	N	N	N	N
Household Appliance Manufacturer	N	N	N	N	N	P
Ice Manufacturer	N	P	N	N	N	P
Industrial Research & Industrial Educational Facilities	N	P	N	N	N	P
Instrument & Meter Manufacturing	N	N	N	N	N	P
Interior Decorating Shop	P	P	N	N	P	N
Ironworks (blacksmithing, ornamental iron works) (enclosed)	SE	P	N	N	N	P
Jewelry Store/stone cutting polishing	P	P	N	N	P	N
Kennel – (Commercial establishment with interior kennel facilities provided exterior walls are sound proof.)	N	P	N	N	N	P
Key Shop – (Locksmith Service)	P	P	N	N	P	N
Laboratory - Medical & Dental	N	P	P	SE	N	P
Leather Goods Manufacturer	N	N	N	N	N	P

PERMITTED USES	DISTRICTS					
	A-1	A-2	A-3	A-4	A-5	IND
Leather Goods Store	P	P	N	P	N	N
Letters, Duplicating & Mailing (copy, fax, mailbox service)	P	P	N	N	P	P
Libraries, public or private parks, playgrounds, museums, theaters, (not sexually oriented)	P	P	P	P	P	N
Light mechanical or industrial operations not offensive, obnoxious or detrimental to neighboring uses by reason of dust, smoke, vibration, noise, odor or effluents.	N	N	N	N	N	P
Liquor Store	SE	P	N	N	P	N
Loan Company	N	P	N	N	P	N
Machine Shops	N	P	N	N	N	P
Manufactured home & travel trailer sales	N	P	N	N	N	N
Manufacturing, processing, storage or other commercial or industrial use not specifically mentioned and subject to other provisions of this ordinance.	N	N	N	N	N	P
Meat processing & packing <u>excluding slaughter.</u>	N	SE	N	N	N	P
Medical supplies-(braces, artificial limbs & etc.)	P	P	N	P	P	N
Massage/Steam bath(s)-(not sexually Oriented) (SC Licensed)	N	P	N	N	P	N
Miniature Golf Course	N	P	N	P	P	N
Mobile Office-(accessory to active project),(1 year maximum)	SE	SE	S	SE	SE	SE
Monument Sales	N	P	N	P	N	N
Mortuary	N	P	N	P	N	N
Motorcycle Repair, Rental & Sales (no outside storage)	N	P	N	N	P	N
Multiple Occupancy Office Building (same professions as listed in the office building classification)	P	P	P	SE	P	N
Music Store/Studio (sale of cd's etc.) (must use sound proofing)	P	P	N	N	P	N
Newspaper/Magazine Store (retail sales)	N	P	N	N	P	N
Newspaper/Magazine Storage Warehouse	N	P	N	N	N	P
Newspaper/Magazine Publishing	P	P	N	N	N	P
Nursing Home	N	SE	N	P	N	N
Office Building or individual office (business occupancy)for accountant, architect, attorney, dentist, physician, stock broker, real estate broker or similarly related profession.	P	P	P	P	P	N
Offices of civic or political organizations	P	P	P	N	N	P
Office Supply & Equipment Store	P	P	P	N	N	P
Oil, gasoline & bottled gas bulk sales	N	N	N	N	N	P
Optical Equipment Sales & Manufacturer (eye glasses)	P	P	P	N	P	P
Outside storage of heavy materials & equipment	N	SE	N	N	N	P
Paint & Wallpaper Store	P	P	N	N	P	N
Penal & Correctional Institutions	N	SE	N	N	N	P
Pet Shop	P	P	N	N	P	N
Pharmaceutical Manufacturer	N	SE	N	N	N	P
Pharmaceutical Sales	P	P	N	N	P	N
Photography Studio (non-sexually oriented)	P	P	P	P	P	N

DISTRICTS

PERMITTED USES	A-1	A-2	A-3	A-4	A-5	IND
Pool Hall (non-sexually oriented)	SE	SE	N	N	SE	N
Post Office (US Postal Service only)	P	P	N	N	P	N
Pottery and/or Porcelain Manufacture	N	P	N	N	N	P
Printing, publishing, or engraving service (<2000 sq. ft. net)	P	P	N	N	P	P
Printing, publishing, or engraving service (>2000 sq. ft. net)	N	P	N	N	N	P
Public/Private parking lot/area (<20,000 sq.ft.)	P	P	P	N	P	P
Public/Private parking lot/area (>20,000 sq. ft.)	SE	P	SE	N	P	P
Public/Private parking structure	SE	P	SE	N	P	P
Public utility building & use	P	P	P	P	P	P
Public utility storage yard	N	N	N	N	N	P
Pyrotectics (Fireworks)(sales only-no manufacturing) (per laws of SC)	N	P	N	N	P	P
Radio and/or television stations, (no transmitting towers)	P	P	N	N	P	P
Radio and/or television stations (with transmission towers.)	SE	SE	N	N	SE	SE
Radio & television sales/service	P	P	N	N	P	N
Railroad Passenger Station	SE	P	N	N	N	P
Restaurant-(dine-in and/or takeout service)	P	P	N	N	P	N
Restaurant Equipment & Supply Store	SE	P	N	N	N	P
Seamstress/Tailor Service	P	P	N	P	P	N
Security System Sale/Service	SE	P	N	N	P	N
Sewing Machine Sales/Service	P	P	N	N	P	N
Shoe Repair & Sales	P	P	N	N	P	N
Sign Manufacture & Sales	SE	P	P	N	P	P
Skating Rink	N	P	N	N	P	N
Small Household Appliance Repair (no outside storage)	P	P	P	N	P	P
Small Engine Repair/Sales/Service	P	P	N	SE	P	N
Sporting Goods Manufacturer	N	SE	N	N	N	P
Sporting Goods Store	P	P	N	N	N	N
Taxi Office/Service	P	P	N	N	N	N
Telephone Sales/Service (including telegraph service)	P	P	N	N	P	N
Textile finishing, coloring and/or manufacturing	N	P	N	N	N	P
Theater (performing arts and/or motion pictures) (enclosed) (non-sexually oriented)	P	P	N	SE	P	N
Theater (performing arts) (outdoors) (non sexually oriented)	SE	P	N	SE	N	N
Tire recapping & re-treading	N	N	N	N	N	P
Tire Sales & Service	P	P	N	N	P	P
Tobacco Products Manufacture	N	N	N	N	N	P
Toy Store (children's only) (non-sexually oriented)	P	P	N	N	P	N
Trade/Vocational Schools (public body)	SE	P	N	SE	SE	N
Transportation/Utility Easements & Right-of-Way	P	P	P	P	P	P
Travel Agencies	P	P	N	N	P	N
Treatment Plant (for cleaning, dyeing or laundering)	N	N	N	N	N	P
Truck/Rail Freight Yard or Terminal	N	N	N	N	N	P
Uniform Sales and/or Rental (clothing)	P	P	N	N	P	P
Veterinary Clinic	P	P	P	N	P	N

PERMITTED USES	DISTRICTS					
	A-1	A-2	A-3	A-4	A-5	IND
Video Poker Parlor (amusement only)	N	SE	N	N	N	N
Video Poker Machine (accessory use only) (amusement only)	N	SE	N	N	N	N
Warehousing, moving and/or storage facilities	N	P	P	N	N	P
Welding Service/Shop	N	P	N	N	N	P
Wholesale/Distribution (onsite storage)	N	P	N	N	SE	P

N=NOT ALLOWED P=PERMITTED USE SE=SPECIAL EXCEPTION

PROHIBITED USES IN THE CITY OF UNION:

Prohibited uses in the City of Union are as listed herein: The manufacturing of acid, cement, lime, gypsum, plaster of paris, explosives, creosote, emery cloth, sand paper, carborundum, pumice, fertilizer, poison gases, bleaching powder, chlorine, celluloid, pyroxylin, gas, glue & pulp. Also, distillation of bones, nitrating process, petroleum refining, wood distillation, garbage, offal or dead animal dumping, stock yards or the slaughter of animals, and automobile/truck salvage yards.

In any case where a use is not specifically referred to by the Table of Permitted Uses – Non Residential Districts in Section 109.12, it's status under this Section shall be determined by the Zoning Administrator, by reference to the most clearly analogous use or uses so determined by the Zoning Administrator. Such determination shall thereafter have general application to all uses of the same type.

TABLE ONE SCHEDULE OF DEVELOPMENT STANDARDS

District	Minimum Lot Size (sf)			Minimum Setback (ft)			Maximum Height (ft)
	Lot Area	Area per Dwelling Unit	Minimum Lot Width	Front ^h	Side ^c	Rear ^a	
RESIDENTIAL							
Zone R-15							
Single-Family	15,000	15,000	80	35	10	30	35
Two-Family	25,000	12,500	100	35	10	30	35
Multi-Family	Refer to Sec. 111.1		100	35	10	30	35
Zone R-10							
Single-Family	10,000	10,000	75	30	10	25	35
Two-Family	16,000	8,000	75	30	10	25	35
Multi-Family	Refer to Sec. 111.1		75	30	10	25	35
Zone R-8							
Single-Family	8,000	8,000	70	25	8	20	35
Two-Family	12,000	6,000	70	25	8	20	35
Multi-Family	Refer to Sec. 111.1		70	25	8	20	35
Zone R-6							
Single-Family	6,000	6,000	60	25	8	20	35
Two-Family	8,000	4,000	60	25	8	20	35
Multi-Family	Refer to Sec. 111.1		80	25	8	20	45
BUSINESS							
Zone A-1	none	N/A	none	none	see note ^d	see note ^e	45
Zone A-2	none	N/A	none	30	see note ^d	10	35
Zone A-3	none	N/A	none	30	see note ^d	10	35
Zone A-4							
Single-Family	10,000	10,000	75	30	10	20	35
Two-Family	16,000	8,000	75	30	10	20	35
Multi-Family	Refer to Sec. 111.1		75	30	10	20	35
Office & other Non-Residential	10,000	N/A	75	30	10	20	35
Zone A-5	2 acres	N/A	none	see note ^g	see note ^g	see note ^g	35
INDUSTRIAL							
Zone 1	none	N/A	none	40	25	25	45 ^f

NOTES FOR TABLE OF SCHEDULE OF DEVELOPMENT STANDARDS

^aAn accessory building or use may be located in the rear yard; provided, that it is not located closer than six (6) feet to any lot line.

^bSee Section 1-11 for supplementary height limitations.

^cStructures on corner lots shall observe the front yard requirements of the street which they face. Side yard requirements on corner lots shall be ten (10) feet greater than the minimum setback on the side of the lot facing the street: however, where a lot adjoining the corner lot fronts the intersection street, there shall be a side yard on the intersecting street side of the corner lot of not less than fifty (50) percent of the front yard required for structures fronting on the intersecting street, or a maximum of twenty (20) feet. No accessory building on the corner lot shall extend beyond the building line of such structures; provided, that this requirement shall not be applied so as to reduce the building width of a corner lot of record at the time or passage of this ordinance to less than thirty (30) feet.

^dNo side setback is required, except on lots adjacent to a residential zone in which case there shall be a setback on the side abutting the residential use of not less than the minimum required in the zone it abuts.

When a side setback, not required, is provided, it shall be not less than three (3) feet in width.

^eNo rear setback is required where a public alley abuts a rear property line. Where there is not an alley no building shall be located closer than ten (10) feet to a rear property line.

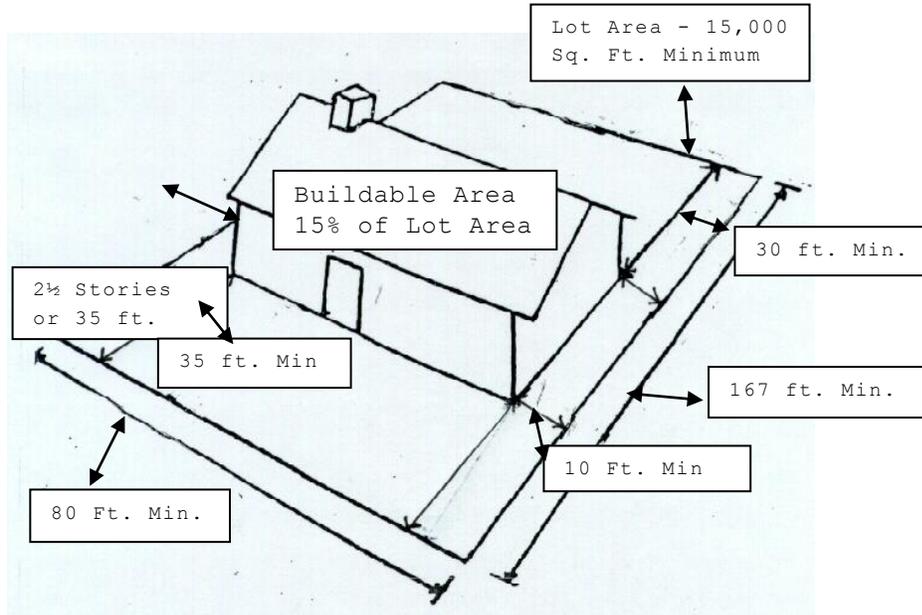
^fNo building or structure on a lot in the district, which is adjacent to a residential zone, shall exceed the maximum building height permitted in the residential zone, unless there is one (1) additional foot of setback for each two (2) additional feet of height.

^gAll buildings shall be set back from all streets right-of-way lines not less than fifty (50) feet; from side interior property lines not less than twenty-five (25) feet; and from the rear interior property line not less than twenty-five (25) feet.

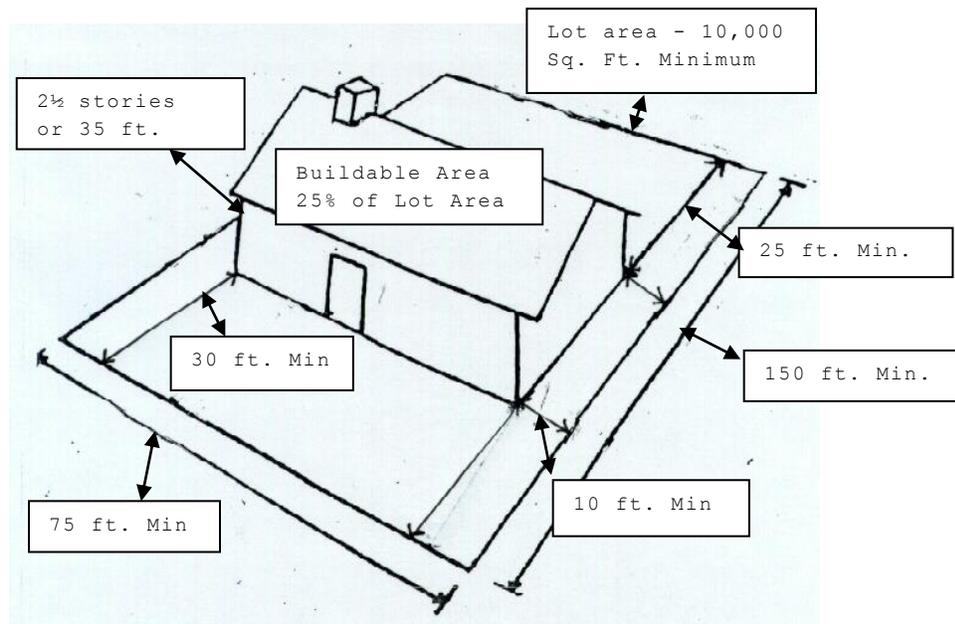
^hThe front yard requirements of this ordinance shall not apply to any lot where the average front yard on developed lots located wholly or in part within one hundred (100) feet on each side of such lot and within the same block and zoning district and fronting on the same block and zoning district and fronting on the same street as such lot, is less than the minimum required front yard but not less than the average of the existing front yards on the developed lots; provided, however, the front yard on such lot shall not be less than one-half the required front yard.

109.13.1

R-15 & R-10 SINGLE-FAMILY

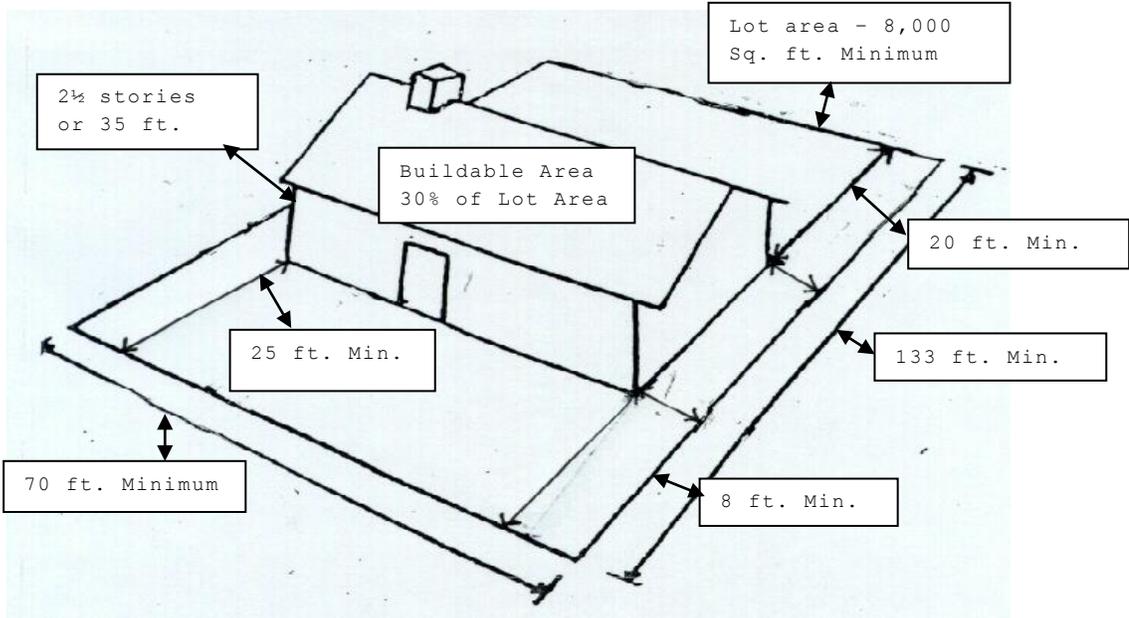


R-15

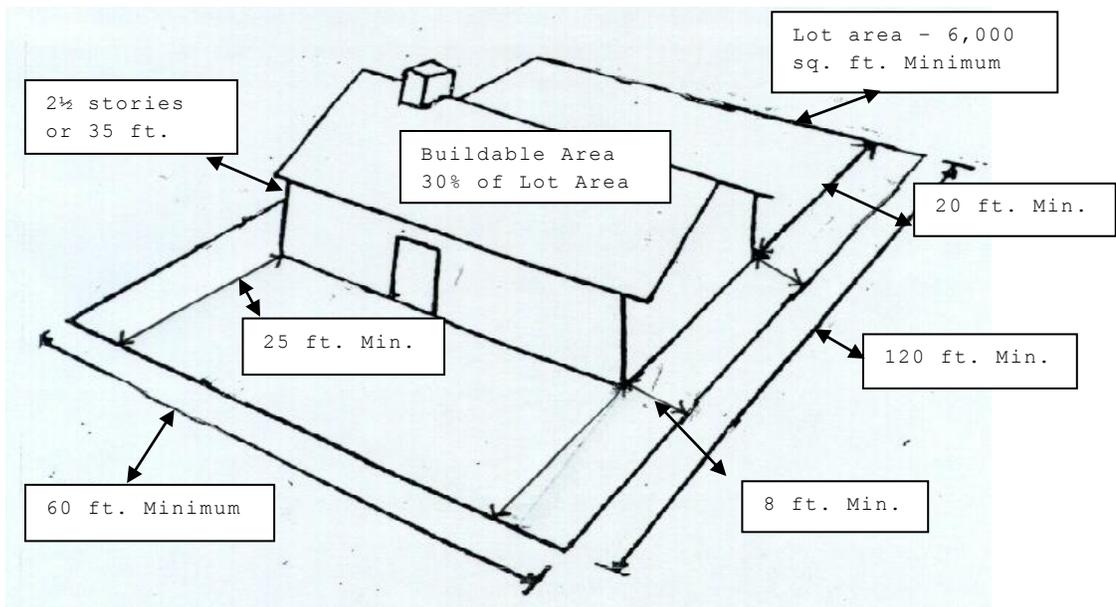


R-10

R-8 & R-6 SINGLE-FAMILY



R-8



R-6

SECTION 110

REGULATIONS

110.1

HEIGHT

The following provisions qualify and supplement the specific height regulations set forth in the Schedule of Development Standards.

Structures Permitted Above the Height Limit

Chimneys, poles, spires, tanks, towers, masts & other similar structures not used for human occupancy, may exceed the district height limit, however, such structures shall be separated from any adjoining lot line of a lot by a distance equal to one (1) foot for each two (2) feet of structure height.

110.2

VISIBILITY AT INTERSECTIONS

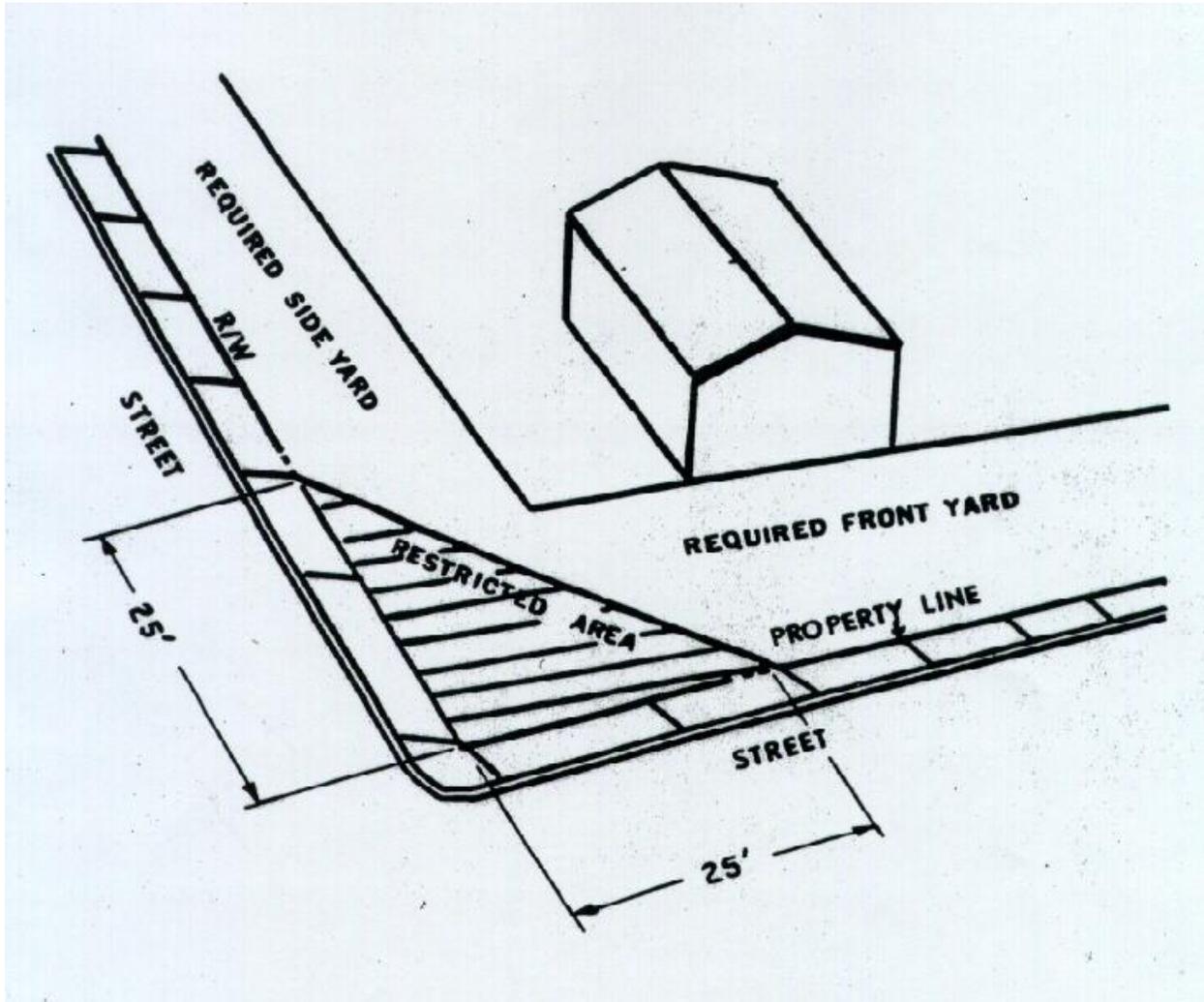
On any corner lot on which a front and side yard is required, nothing shall be erected, placed, planted or allowed to grow which obstructs sight lines between a height of two and one-half (2 1/2) feet and ten (10) feet above the crown of the adjacent roadway in a triangular area formed by measuring from the point of intersection of the front and exterior side lot lines a distance of twenty-five (25) feet along the front and side lot lines and connecting the points so established to form a triangle on the area or the lot adjacent to the street intersection.

Roof Structures Housing Equipment

Roof structures for housing elevators, stairways, ventilating fans, air-conditioning or similar equipment required for operation and maintenance of buildings may be erected above the height limit in any district.

110.2.1

VISIBILITY AT INTERSECTIONS



(See Section 110.2)

OFF-STREET LOADING REQUIREMENTS

Requirements for Industrial & Wholesale Buildings

Every industrial and wholesale building hereafter erected shall provide space as indicated herein for loading & unloading of vehicles. The number of off-street loading berths required by this section shall be considered as the absolute minimum, and the developer shall evaluate his own needs to determine if they are greater than the minimum specified by this section. For purposes of this section, an off-street loading berth shall have minimum plan dimensions of twelve (12) feet by twenty-five (25) feet and fourteen (14) feet over-head clearance with adequate means for ingress and egress.

<u>Square Feet of Gross Floor Area in Structure</u>	<u>Number of Berths</u>
0 - 25,000	1
25,000 - 40,000	2
40,000 - 100,000	3
100,000 - 160,000	4
160,000 - 240,000	5
240,000 - 320,000	6
320,000 - 400,000	7
Each 90,000 above 400,000	1

Design of Loading Spaces

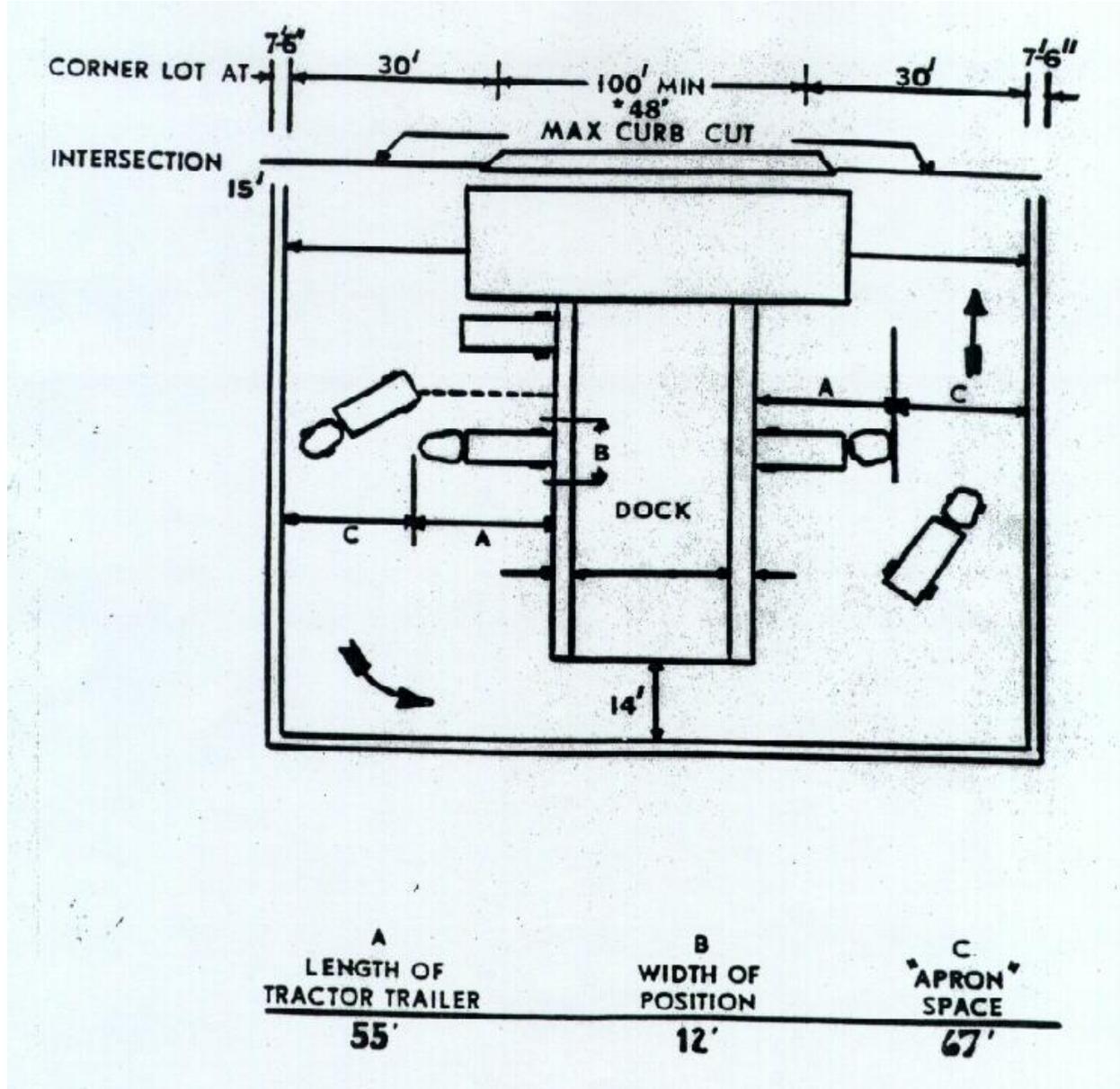
Each application for a Building Permit or Certificate of Occupancy submitted to the Zoning Administrator shall include a plan showing the required off-street loading space and the means of ingress and egress from such space. Off-street loading spaces shall be designated so that vehicles can maneuver for loading and unloading entirely within the property lines of the premises.

Requirements for Commercial Uses

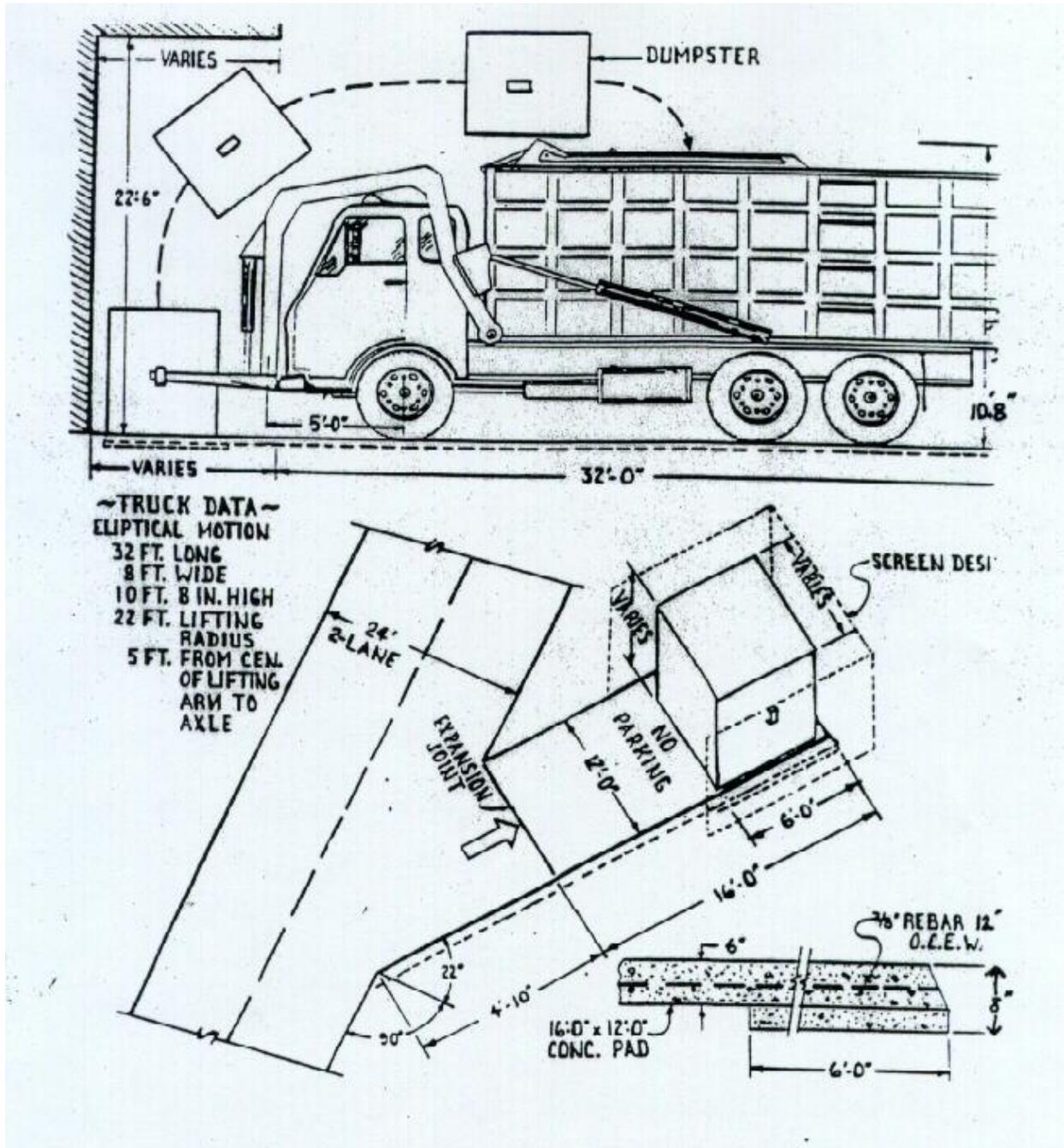
All retail uses with a total floor area of twenty thousand (20,000) sq. ft. or more hereafter erected shall have one (1) off-street loading berth for each twenty-thousand (20,000) sq. ft. of floor area, or fraction thereof. Such space shall have access to an alley or, if there is no alley, to the street. For the purpose of this section, an off-street loading berth shall have minimum plan dimensions of twelve (12) ft. by twenty-five (25) ft. and fourteen (14) ft. overhead clearance.

110.3.1

LOADING DOCK STANDARDS



REQUIREMENTS FOR SOLID WASTE REMOVAL



110.4 FLOOD PLAIN DEVELOPMENT

Restrictions on development in flood hazard areas are contained in an ordinance adopted January 19, 1993 and entitled "An Ordinance to Promote the Public Health, Safety and General Welfare and to Minimize Public and Private Losses Due to Flood Conditions In Specific Areas for the City of Union." The requirements of that ordinance are established in specific areas and are in addition to the requirements of this Zoning Ordinance. However, the use requirements contained in the various zone classifications of this Zoning Ordinance continue to apply within flood hazard areas.

110.5 PROVISIONS FOR HOME OCCUPATIONS

A home occupation, permitted in any residential zone shall be in conformance with the following requirements:

- (a) Only one (1) person other than residents of the premises shall be engaged in the occupation;
- (b) The occupation shall not involve the retail sale of merchandise manufactured off the premises except such merchandise as is incidental to the conduct of the occupation;
- (c) No display of merchandise shall be visible from the street;
- (d) The occupation shall not pose a safety threat, be a nuisance, or cause any undue disturbance in the neighborhood;
- (e) No sign shall be permitted, except one (1) non-illuminated nameplate not more than two (2) square feet in area mounted flat against the wall of the building in which the occupation is conducted;
- (f) Off-street parking shall be provided in accordance with the provision set forth in Section 113;
- (g) The area devoted to the home occupation shall not exceed twenty-five (25%) percent of the habitable floor area of the residence.
- (h) The following home occupations are examples of those which may be permitted:

Accounting	Day Care	Manufacturer's rep.	Secretary
Architect	Dentist	Music teacher	Stock broker
Art instruction	Doctor	Notary public	Tailor
Attorney	Engineer	Photographer	Tax Consultant
Beauty shop	Insurance agent	Real estate broker	Tutor
Catering	Magistrate	Seamstress	

110.5.1 PROVISIONS FOR HOME OCCUPATIONS FOR R-15 RESIDENTIAL

A home occupation, permitted in Residential Zone R-15 shall be in conformance with the following requirements:

- (a) Only the resident of the dwelling shall be engaged in the occupation:
- (b) No display of merchandise shall be visible from the street:
- (c) The occupation shall not pose a safety threat, be a nuisance, or cause any undue disturbance in the neighborhood:
- (d) No sign shall be permitted:
- (e) No additional parking pertaining to the home occupation shall be permitted:
- (f) The area devoted to the home occupation shall not exceed 15 percent of the habitable floor area of the residence.
- (g) The following home occupations are examples of those which may be permitted:

Accounting	Computer operator	Seamstress
Architect	Engineer	Secretary
Business Phone	Notary public	Tax Consultant
		Tutor

110.6 FENCES IN YARDS

Fences in residentially zoned areas may be placed, erected, or maintained in the rear, corner side and side yards to a maximum height of six (6) ft. above ground level. The height of a fence in a required front yard shall not exceed four (4) ft. The height of any fence located within a yard abutting a street line shall be measured from the sidewalk; and, if there is no sidewalk, from the top of the curb, & if there is no sidewalk or curb, from the center line of the street. No height restrictions apply to commercially or industrially zoned areas. These regulations shall not apply to chain link fences or to other wire fences of a similar type erected on public or private recreational parks or areas, school grounds, church or synagogue grounds, and around swimming pools.

110.7 SCREENING

A wall, fence, or compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least six (6)ft. in height, shall be provided along the side and rear lot lines where any commercial, neighborhood commercial, shopping center, or industrial use is adjacent to a residential zone or residential use.

Any articles or materials stored temporarily outside of an enclosed building as a part of the operation of a use permitted in the zone shall be screened by walls, fences, or evergreen planting so that it cannot be seen from adjoining streets or adjacent lots.

110.8 STORAGE YARDS

Storage yards shall be totally enclosed with sight-proof screening such as a fence with slats and/or preferable natural vegetation. Gates & doors shall be of sight-proof construction as well.

Maximum storage per period shall be 90 days after which time the vehicles shall be removed from the premises. Under unusual circumstances the Zoning Administrator and/or Chief of Police may extend the holding period.

110.9 JUNK YARDS

- (1) Junk yards shall be totally enclosed with sight-proof screening such as a fence with slats and/or preferably natural vegetation. Gates & doors shall be of sight-proof construction as well;
- (2) no material shall be placed in any junk yard in such a manner that it is capable of being transferred out of the junk yard by wind, water or other causes;
- (3) any land or structure which has not been used as a junk yard, or whose use as a junk yard has been abandoned for a period of at least three months shall not be used as a junk yard except by special exception under Section 118.1 of this ordinance;
- (4) all paper, rags, cloth and other fibers and activities involving the same, other than loading or unloading, shall be within fully enclosed buildings; and
- (5) in order to lessen the adverse effect on adjoining property, reduce wind-blown trash, prevent hazards to children and create a more healthful environment, suitable screening such as stated in Section 110.9 Item (1) above shall be required.

SECTION 111 SUPPLEMENTAL PROVISIONS

111.1 LOT AREA AND NUMBER OF UNITS PERMITTED PER ACRE FOR MULTI-FAMILY DEVELOPMENTS (Tables Two & Three)

The following requirements apply to all multi-family developments:

LOT AREA SQUARE FOOTAGE REQUIREMENTS (Table Two)

Unit Type	Stories			
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4 or more</u>
Efficiency	2,000	1,435	1,410	1,240
1 bedroom	2,000	1,775	1,625	1,438
2 bedrooms	2,650	2,475	2,125	1,825
3 bedrooms	3,525	3,175	2,653	2,220
4 or more bedrooms	4,375	3,975	3,492	2,725

PERMITTED MULTIPLE-FAMILY DWELLING UNITS PER NET ACRE BY UNIT TYPE (Table Three)

Unit Type	Stories			
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4 or more</u>
Efficiency	21	30	30	35
1 bedroom	21	24	26	30
2 bedrooms	16	17	20	23
3 bedrooms	12	13	16	19
4 or more bedrooms	9	10	12	15

111.2 GROUP DEVELOPMENT

A group housing development, which consists of two (2) or more structures on a parcel of land which has not been subdivided into customary streets and lots having unified design of buildings and coordinated organization of open space and service areas may be permitted in all districts in which residences are permitted as principal use.

(a) Purpose

The purpose of such action shall be:

- (1) To permit the creation of more desirable living environments than would be possible through smaller piecemeal development of individual parcels;
- (2) To encourage developers to use a more creative approach in residential development; and
- (3) To encourage a more efficient, aesthetic, and desirable pattern of physical development.

(b) Building Height

No building shall exceed the height limitation of the district in which it is to be located.

(c) Yard Requirements

Each building in a group development shall be located and constructed so that it shall meet the required front, side and rear yard set-backs from external lot lines, which are established for the district in which the building is located.

(d) Density

The group development shall not contain more dwelling units than would be permitted in the district in which the development is located.

(e) Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Section 113.

(f) Application Procedure

Applications for a group development shall include the following data, and any other reasonable information the Planning Commission may require in its investigation of the application;

- (1) The location and size of the site;
- (2) The nature of the landowner's interest in the land proposed to be developed;
- (3) The density of land used proposed for various parts of the site;
- (4) The location and size of common area, if any, and the character of the organization proposed to own and maintain common open areas;
- (5) Use and height, bulk and location of buildings and other structures;
- (6) A copy of covenants, grants or easements or other restrictions proposed to be imposed upon the use of land, buildings, and structures, including proposed easements or grants for public utilities;

- (7) The location & width of proposed public ways, streets, & private drives and provisions for parking vehicles;
- (8) The type and location of residential and other buildings;
- (9) A schedule showing the proposed times for constructing the development;
- (10) A subdivision plat of the proposed group development that has been approved by the Planning Commission.

(g) General Conditions

Before approving the plat of a proposed group development, the Planning Commission shall determine the following;

- (1) The spirit of these regulations shall not be violated;
- (2) The proposed development will be a desirable addition to physical pattern of the urban area.

(h) Permits

All permits for a group development shall be issued subject to the following conditions:

- (1) The approved subdivision plat shall be recorded; and
- (2) All non-conforming uses or buildings shall be removed from the site before any construction is begun.

111.3 PUBLIC UTILITY BUILDINGS AND USES

Public utility buildings and uses, including but not limited to sewage treatment facilities, sewage lift stations, pumping stations, electrical sub-stations and telephone equipment buildings which are not detrimental to other uses permitted in the district, may be permitted in the district. Such uses shall be enclosed within a building or by a suitable fence providing protection and screening against light, noise, objectionable odors, or unsightliness. Open areas on the premises shall be appropriately landscaped.

111.4 PUBLIC RECREATION AREA CONTAINING LIGHTED FACILITIES

Public recreation facilities that are lighted and designed to be used for compensations, exhibitions, matches or games at night shall be set back from front, side and rear property lines a minimum of fifty (50) feet and no light shall shine on adjacent residences.

111.5 PRIVATE RECREATION AREA

A private recreation area, golf course or country club may be permitted in the Residential Zones subject to the requirements of the district in which it is located and the following requirements:

(a) Setback Requirements

All buildings, game courts, tees, swimming pools and similar facilities shall be set back from front, side and rear property lines a minimum of fifty (50) feet.

(b) Food and Entertainment

The provision of food and entertainment for members and guests may be permitted; provided, that such provision will not cause a nuisance in the district.

SECTION 112 **MANUFACTURED HOME PARK**

Manufactured home parks shall be permitted only in Residential Zones R-8 and R-6. The following regulations shall apply to all manufactured home parks.

(a) Plan Approval

Prior to construction of a manufactured home park or enlargement of a manufactured home park existing at the time of adoption of this ordinance a development plan shall be approved by the Health Department and the Planning Commission. The plan shall be drawn to a scale of not less than one-hundred (100) feet to one (1) inch and shall contain the following information:

- (1) The location of the proposed park and the nature of the surrounding land uses;
- (2) The location and dimensions of street, right-of-way, drives, parking spaces, and walks;
- (3) The location and size of manufactured home plots;
- (4) The location and size of service buildings and areas and recreation areas;
- (5) The location and type of screening, fences or hedges;
- (6) The names and addresses of abutting property owners and of developers.

Any manufactured home, service building or recreation area

located in any manufactured home park shall be placed in accordance with an approved development plan and in accordance with Section 106.

- (b) Design Requirements (minimum Setback from front, side and rear space)

Manufactured Home				
Park Size	Space Size	Width	Length	Lines ¹
3 acres	3,000 sq.ft.	40 ft.	75 ft.	15 ft.

¹No manufactured home shall be located closer than twenty-five (25) feet to the right-of-way line of a street or highway. No building shall be erected or manufactured home placed at a distance of less than fifteen (15) feet from any manufactured home or building in the park area.

- (c) Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Section 113.

- (d) Access

No manufactured home shall have direct access to a public street or highway. All manufactured home plots shall have access to an interior road-way which is not less than thirty (30) feet in width, having a paved surface not less than twenty (20) feet in width.

- (e) Screening

Where any property line of a manufactured home park abuts land zoned for or occupied by a residential use, there shall be provided and maintained along the property lines of the manufactured home park a continuous visual screen not less than six (6) feet in height. The screen shall be a wall, fence, or compact ever-green hedge or other type of evergreen foliage, or a combination for fence and shrubbery.

- (f) Utility Requirements

Each manufactured home space in a manufactured home park shall be provided with water and sewer service approved by the S.C. Department of Health and Environment Control or other public authority having jurisdiction, and the Plumbing Code of the City of Union.

- (g) Recreation Areas

Recreation space of not less than two-hundred (200) square feet for each manufactured home plot shall be provided in the manufactured home park.

(h) Operating Requirements

The operator of each manufactured home park shall comply with all State Board of Health rules and regulations governing the sanitation and operation of manufactured home parks.

(i) Lighting

Sufficient artificial lighting to adequately illuminate the park area shall be provided and kept in operation during the hours of darkness.

(j) Skirting

Privately owned manufactured homes and manufactured homes located in a manufactured home park shall have skirting and porches installed. Skirting shall cover the space between the walls of the manufactured home and the ground and shall be of solid material, such as masonry, metal, vinyl or treated wood. Skirting shall have an access door and be properly vented. Porches shall be a minimum size of 4 feet by 4 feet. Any porch over 36 inches high must have a guardrail plus handrails on the steps.

(No utility releases will be issued until all skirting & porches are installed.)

112.1 MANUFACTURED HOME

- (a) A movable or portable dwelling constructed to be towed on its own chassis and designed without a permanent foundation for year-round occupancy. A manufactured home may include one (1) or more components that can be retracted for towing purposes and subsequently expanded for additional capacity. It also may consist of two (2) or more units separately towable but designed to be joined into one (1) integral unit. Placement of this type of dwelling unit on a permanent foundation does not change its classification as a manufactured home.
- (b) The term manufactured home used in these regulations shall not include prefabricated, modular or unitized dwellings placed on permanent foundations, nor shall it refer to travel trailers, campers or similar units designed for recreation or other short-term use.
- (c) Manufactured homes must be ten (10) years old or less to be placed on a lot in the city.
- (d) A manufactured home over ten (10) years old that is currently located in the city cannot be moved from one location to another location in the city.
- (e) Manufactured homes shall have skirting and porches installed. Skirting shall cover the space between the walls of the manufactured home and the ground and shall be of solid material, such as masonry, metal, vinyl or treated wood.

Skirting shall have an access door and be properly vented. Porches shall be a minimum of four (4) feet by four (4) feet. Any porch over thirty-six (36) inches high must have a guardrail plus handrails on the steps.

SECTION 113

PARKING REQUIREMENTS

Vehicles Without Current License Plates

Automobiles, trucks or trailers of any kind or type without current license plates shall not be parked or stored on any lot zoned for residential use, other than in completely enclosed buildings.

Travel or Camping Trailers

Not more than two (2) travel or camping trailers, per family living on the premises, shall be permitted on a lot in any residential zone; and the trailers shall not be occupied temporarily or permanently while it is parked or stored, except in an authorized mobile home park.

Commercial Vehicles

Not more than one(1)commercial vehicle, which does not exceed one and one-half (1 1/2)tons rated capacity, per family living on the premises, shall be permitted in a residential zone; no commercial vehicles used for hauling explosives, gasoline, liquefied petroleum products or other hazardous materials shall be permitted in a residential zone.

Off-Street Parking Requirements

There shall be provided at the time of the erection of any building, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats or floor area; or before conversion from one type of use of occupancy to another, permanent off-street parking space in the amount specified, by this section. Such parking space may be provided in a parking garage or properly graded and improved open space.

(a) Certification of Minimum Parking Requirements

Each application for a Building Permit or Certificate of Occupancy submitted to the Zoning Administrator, as provided for in Section 118, shall include a plan showing the required space reserved for off-street parking and loading space and the means of ingress and egress from such space. This information shall be sufficient to enable the Zoning Administrator to determine whether or not the requirements of this section are met.

(b) Combination of Required Parking Space

The required parking space for any number of separate uses may

be combined in one lot, but the required space assigned to one use may not be assigned to another use, except that one-half (1/2) of the parking space required for churches, theaters or other uses whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.

(c) Remote Parking Space

If the off-street parking space required by this ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within four hundred (400) feet of the principal use; provided such land is in the same ownership as the principal use.

(d) Design of Parking Area

All off-street parking, with exception of parking for one-family and two-family dwellings, shall be paved, striped and designed so that vehicles can turn around within the area and enter the street, road or highway in such a manner as to completely eliminate the necessity of backing into the street, road or highway.

(e) Size of Off-Street Parking Space

The size of a parking space for one vehicle shall consist of a rectangular area having dimensions of not less than ten (10) feet by twenty (20) feet, plus area for ingress and egress of at least twenty-four (24) feet between rows of parking spaces.

(f) Minimum Parking Requirements

Wherever off-street parking is required in district regulations the following minimum spaces shall be provided on the same lot with the principal use, except as provided in Part (c) of this section. A developer should evaluate his own needs, and if they are greater than the minimum, provide the necessary space.

(g) Handicapped Parking Requirements

Must meet State ADA Requirements.

Site Requirements – Parking Areas

SBC – A parking lot servicing each entrance pathway shall have a number of level parking spaces, as set forth in the following table, identified by above-ground signs as being reserved for physically handicapped persons.

Each parking space so reserved shall be not less than twelve feet (12') in width.

PARKING SPACES FOR HANDICAPPED

<u>Total Spaces in Lot</u>	<u>Required Number of Reserved Spaces</u>
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20 plus 1 for each 100 over 1,000

Parking spaces for the physically handicapped shall be located as close as possible to elevators, ramps, walkways and entrances. Parking spaces should be located so that physically handicapped persons are not compelled to wheel or to walk behind parked cars to reach entrance ramps, walkways and elevators.

SECTION 113.1

SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES

USE	REQUIRED OFF-STREET PARKING
Apartment, row house and multi-family dwelling	Two (2) spaces for each dwelling unit
Art galleries, museums and library	One (1) space for each 350 sq. ft. of gross floor area.
Auditorium and Theater	One (1) space for each four (4) spectator seats.
Automobile Service Station (Full service)	One (1) space for each car stored plus one (1) space for each employee, and one (1) space for each service bay.
Automobile Service Station (Self service)	Two (2) spaces for each gasoline pump.
Automobile Service Station (self-serve) with convenient store	Two (2) spaces for each pump, plus (1) for each 300 sq. ft. of gross floor store area.
Automotive Dealer	One (1) space per 600 sq. ft. of gross floor area.
Banks & other financial institutions	One (1) space for each 300 sq. ft. of gross floor area, plus one (1) space for each two (2) employees.
Bank Teller Machine	Two (2) spaces per machine.
Barber/Beauty Shop	Two (2) spaces per chair.
Bed & Breakfast Inn	One (1) space per guestroom, plus (2) spaces for owner/operator.
Boarding & Lodging Houses	One (1) space per bedroom, plus three (3) additional spaces.
Bowling Alley	Five (5) spaces for each lane.
Bus Terminal	One (1) space for each four (4) seats in the waiting room, plus one (1) space for each two (2) employees.
Church	One (1) space for each four (4) seats in the sanctuary.
Convenient Store	One (1) space per 300 sq. ft. of gross floor area.
Correctional Institute	One (1) space per jail cell, plus one (1) space per 250 sq. ft. of gross floor area.
Courts	One (1) space per 350 sq. ft. of gross floor area.
Dance studio or school	One (1) space per 200 sq. ft. of gross floor area.
Day Care Center	One (1) space for each adult attendant
Dwelling, single & two-family	Two (2) spaces per dwelling unit.
Fire Station	One (1) space for each person on duty on a normal shift.
Food stores, equal to or less than 3,500 sq. ft.	One (1) space for each 150 sq. ft. of gross floor area.
Golf Course	Four (4) spaces for each hole, plus requirements for any other associated use.
Miniature Golf Course	One (1) space for each hole, plus one (1) space for each employee.
Home Occupation	In addition to residence requirements, One (1) space for each 100 sq. ft. of floor space devoted to the home occupation.
Hospital	One (1) space for each two (2) patient beds, plus one for each staff doctor, plus one (1) for each two (2) employees.
Hotel, Motel or Motor Court	One (1) space for each room to be rented, plus one (1) additional parking space for each three (3) employees plus requirements for any other use associated with the establishment.
Indoor or Outdoor Commercial	One (1) space for each 180 sq. ft. of Recreational floor or ground area, or one (1) space for each four (4) seats available to patrons, whichever is greater.
Industrial Manufacturing	One (1) space for each three (3) employees, and wholesale uses plus one (1) visitor parking space for each ten (10) persons on the managerial staff, and one (1) space for each vehicle used directly in the conduct of the business.
Laundry/Dry cleaning	One (1) space per 500 sq. ft. of gross floor area.

USE	REQUIRED OFF-STREET PARKING
Laundry/Dry cleaning (Coin operated)	One (1) space per 300 sq. ft. of gross floor area.
Liquor Store	One (1) space per 350 sq. ft. of gross floor area.
Manufactured Home	Two (2) spaces per each manufactured home space.
Manufactured Home Park	One (1) space for each manufactured home, plus one (1) space for each two (2) employees.
Manufactured Home Dealer	One (1) space per 350 sq. ft. of gross floor area.
Mini-Warehouses	One (1) space per each six (6) storage units.
Mortuary	One (1) space per each vehicle owned, plus one (1) for each four (4) seats in the chapel or parlor, plus one (1) for each employee.
Nursing Home, Home for Aged, Rest Homes, Personal Care Homes and similar institutional uses	One (1) space for each five (5) beds intended for patient use, plus one (1) for each staff doctor and one for each two (2) employees.
Office and Professional	One (1) space for each (350) sq. ft. of gross floor space.
Office, Medical or Dental	One (1) space for every (150) square feet of floor area, plus one (1) space for each doctor and each employee on duty.
Indoor or Outdoor Swimming Pools (except as accessory use with residential dwelling)	One (1) space for each 100 ft. of water area of one (1) space per four (4) spectator seats, whichever is greater.
Postal Service	One (1) space per 250 sq. ft. of gross floor area.
Public or Private Club	One (1) space for each 200 sq. ft. of gross floor area.
Public Utility Building	One (1) space for each 350 sq. ft. of floor area available to the general public, plus one (1) space for each employee.
Restaurant	One (1) space for each three (3) seats, plus one (1) space for each two (2) employees.
Restaurant-(Fast Food)	One (1) space for each 100 sq. ft. of floor area, plus one (1) space for each (2) employees during period of greatest employment.
Retail Store	One (1) space for each 200 sq. ft. of floor area used for sales, plus one (1) space for each two (2) employees.
Sales & Service Establishments, not listed, which deal with with customers on the premises	One (1) space for each 200 sq. ft. of floor area used available to customers, plus one (1) space for each two (2) employees.
Elementary School	One (1) space for each vehicle owned or operated by the school, plus two (2) spaces for each classroom & administrative office.
Jr. High School	One (1) space for each five (5) students, plus one (1) space for each teacher and employee, plus one (1) space for each vehicle owned & operated by or for the school.
Senior High School	One (1) space for each four (4) students plus one (1) space for each faculty member and other employees, plus one (1) space for each vehicle owned and operated by or for the school; or one (1) space for each four (4) seats in the auditorium, whichever is greater.
College, Trade or Vocational School	Eight (8) spaces per classroom, plus ten (10) administrative spaces.
Shopping Center	Five and one-half (5½) spaces for every 1,000 sq. ft. of gross leasable floor area.
Softball, Baseball, Football fields & etc.	One (1) space per 3,000 sq. ft. of field area of one (1) per six (6) spectator seats, whichever is greater.
Stadium	One (1) space for each four (4) spectator seats.
Tennis Courts – Indoor or (except as accessory use with residential).	Four (4) spaces per court or one (1) space outdoor per four (4) spectator seats, whichever is greater.
Wholesaling, warehousing & operations	One (1) space per 5,000 sq. ft. of gross distribution operations floor area.

SECTION 114

SIGNS

Intent

Signs are vital tools for promoting goods and services offered by local businesses; therefore, adopting reasonable and uniform regulations for their placement is the responsibility of the City Council as enacted in the SC Code of Laws, Title 6, Chapter 29, Article 5, §6-29-710. All signs, unless otherwise provided, must be placed or erected on the same property where the activity or business is being operated or carried out.

Signs permitted as uses within the City of Union shall be in conformance with the applicable requirements of the district in which such signs are located and the following requirements:

Permit

No sign regulated by this ordinance shall be lettered, mounted, erected or placed until a permit therefore has been obtained from the Zoning Administrator.

Exemptions

The following signs which do not contain language or depict images which may be considered as offensive to the general public are exempt from the sign regulations contained in this ordinance; signs of duly constituted governmental bodies, including traffic regulatory devices, legal notices and warnings at railroad crossings, temporary signs not over six (6) square feet in area appertaining to political campaigns, civic, or religious events and being placed on private property a minimum of five (5) feet off of any public right-of-way and not placed within the sight triangle; name or address signs or mailboxes; street numbers; temporary non-illuminated sign advertising real estate; temporary non-illuminated construction signs.

Maintenance

The persons, firm or corporation owning or using the sign shall be responsible for maintaining the sign in a structurally safe condition and for keeping the area surrounding the base of the sign clear of trash and debris.

Removal

Upon cessation of business, all signs pertaining to said business shall be removed within sixty (60) days.

Upon failure to comply, the Zoning Administrator is hereby authorized to cause removal of such signs and any expense incidental thereto shall be the responsibility of the owner.

All temporary signs shall be removed within one week after their reason for being has ceased to exist.

Height

The maximum height of any sign permitted inside the City Limits of Union shall not exceed 35 feet.

Illumination

Where illumination is permitted it may be direct or indirect. No sign shall display intermittent, flashing or rotating lights. When it is used, sign illumination shall be so shielded as not to cast direct light onto public ways and residential districts. Intensity of light cast on any residential district shall not exceed 0.5 foot candles.

Public Safety

No word, phrase, symbol, character or signal used in a manner that might be misconstrued as a public safety warning or traffic sign or signal will be permitted. The placement and configuration of signs shall not be located or designed so as to be misconstrued as a public safety warning or traffic signal.

Projections

Signs shall not project over a public street or sidewalk. Existing projecting signs shall remain only at the sufferance of the City of Union, and shall be removed within ten (10) days of written notification by the Building Official of any conditions necessitating removal.

Prohibited Signs

The following signs shall be prohibited:

1. Signs displaying words such as "stop", "danger", or a similar display which could be misconstrued as a traffic or safety sign or signal.
2. Signs obstructing the line of sight at street intersections.
3. Signs employing rotating beams or lights resembling traffic control lights.
4. Signs pertaining to any adult games or pornography.
5. All signs, including portable signs, cannot exceed the maximum square footage of signage allowed for each zone.
6. Billboard(s) - No billboard shall be permitted within the City of Union. All billboards and their support structures existing on or before June 21,

2005 are herein declared nonconforming uses and structures.

7. Off-premises signs.

114.1

Mobile Signs

Mobile signs shall be permitted in Zones A-2, A-3, A-5 and Industrial provided the following standards are met:

1. Said sign shall not have flashing lights.
2. Said sign shall not have lights the color of red, amber or green.
3. All such signs shall be set back a distance of five (5) feet from the edge of the street right-of-way.
4. All illuminated signs shall be protected by permanently installed weatherproof GFCI devices. Chord and plug connections shall be of appropriate type and material and shall be limited to no more than six (6) feet and shall not be located so as to be a potential trip hazard.
5. In the event a mobile sign shall be installed, erected or constructed in violation of this section, the Zoning Administrator shall notify by registered mail or written notice served personally, the owner or lessee thereof to alter such sign so as to comply with this section and to secure the necessary permit therefore or to remove the sign. If such order is not complied with within three (3) working days thereof the Zoning Administrator shall remove such sign at the expense of the owner or lessee thereof. However any mobile or temporary sign which contains, conveys and/or displays obscene language or language which is directed toward and/or would be considered as personally offensive to any individual of the general public or depicts pornographic images shall not be permitted and may be removed immediately by the City of Union and the owner notified in person if possible on the date the violation is discovered and in writing no later than three (3) working day(s) of the removal of the mobile sign.
6. Mobile signs must be permitted every 6 months.
7. Mobile signs shall direct specific attention to the business service, activity, or product sold, conducted or offered upon the premises on which such sign is located.
8. All signs shall be designed to resist 28 PSF wind pressure. Anchoring of mobile signs shall be provided by one of the following methods:
 - (a) A minimum of two 1/4" diameter steel galvanized cables attached to 1/2" diameter expansion type anchors imbedded in concrete or asphalt type paving.

- (b) A minimum of two 1/4" diameter steel galvanized cables attached to a deformed bar type anchor driven to a depth of 16 inches minimum.
- (c) 1/4" diameter steel galvanized cable attached to a minimum 48 lb. weight extending to ground level on each corner thereof.

114.2 SIGN STANDARDS TABLE

Type of Sign	Total Area ¹	Location	Illumination
Main Street Banner	Refer to City Guidelines	Main Street	General
Banner	See Temporary Sign	See Temporary Sign	General
Billboard	NOT PERMITTED	NOT PERMITTED	
Business, Mounted Flush in Zones A-1, A-2, A-3 and A-4	Maximum of 300 s.f. but all signs on lot shall not exceed 2 s.f. of sign for each linear foot of building frontage	Attached to building	Refer to Sec. 114 Signs
Business, Mounted Flush in Zone A-5	Areas of sign identifying each establishment in a shopping center shall not exceed 2 s.f. of sign for each linear foot of frontage on a public pedestrian or vehicular way	Attached to building	Refer to Sec. 114 Signs
Business, Mounted under Canopy ⁴	10 square feet	Attached to canopy Not less than 8 ft. above sidewalk	Refer to Sec. 114 Signs
Free Standing ^{2,6}	125 square feet	Setback 5 ft. from right-of-way line, with unobstructed Vision	Refer to Sec. 114 Signs
Identification ⁴	20 square feet	Setback 5 ft. from right-of-way	Refer to Sec. 114 Signs
Mobile ^{3,4b}	32 square feet per face	Zoning Districts listed in Section 114.1 Setback 5 ft. from right-of-way	General
Occupancy ^{5,6}	2 square feet	Back of right-of-way line	Refer to Sec. 114 Signs
Temporary ³	16 s.f. per side for freestanding signs 32 s.f. for banners	Business Districts ⁵ Setback 5 ft from right-of-way	General
	3 s.f. per side for freestanding signs 6 s.f. for banners	Residential Districts ⁶ Setback 5 ft from right-of-way	General
Special Civic Use ⁷	32 square feet per sign One-sided only	Setback 100 feet from street right-of-way	General

Section 114.2 Notes for Table 114.2

1. For each property under separate management.
2. One free standing sign for each business under separate management may be permitted, provided the building or use is set back from the front property line a minimum of twenty-five (25) feet on a lot which has a minimum one hundred (100) feet of frontage on a public street. (There shall be not more than one (1) free standing sign identifying a shopping center at each vehicular entrance to a center).
3. Permitted for a limited period of time:
 - a. Mobile – not to exceed fifteen (15) days, upon receipt of a permit from the Zoning Administrator, and may not be renewed for a period of six (6) months. A maximum of one active permit per each tax parcel.
 - b. Banner – not to exceed one hundred five (105) days, upon receipt of a permit from the Zoning Administrator, and may not be renewed for a period of thirty (30) days. A maximum of one active permit per business under separate management.
4. Business Districts include: A-1, A-2, A-3, A-4, A-5 & Industrial.
 - a. Tier 1: A-1 and A-4.
 - b. Tier 2: A-2, A-3, A-5 and Industrial.
5. Residential districts include: R-6, R-8, R-10, & R-15.
6. Each tenant space in a shopping center shall be allowed an additional twenty (20) square feet of surface area attached to the permitted free standing sign. Service stations offering gasoline and diesel fuel for sale shall be allowed an additional twenty (20) square feet of surface area attached to the permitted free-standing sign to advertise their pricing of diesel fuel and gasoline.
7. Special Civic Use includes: publicly owned athletic facilities in the A-2 district. The amount of sign area per parcel is limited to two (2) square feet of signage per one (1) linear foot of property on a public street.

Example: 400 ft. of street frontage x 2 = 800 s.f. of signage

 800 ft. ÷ 32 s.f. (maximum size) = 25 signs

SECTION 115

SEXUALLY ORIENTED BUSINESS

Purpose and Intent

In an effort to avoid "secondary effects" associated with sexually oriented businesses, it is the purpose of this section to regulate sexually oriented businesses by establishing reasonable and uniform regulations to prevent the future incompatible location and concentration of sexually oriented businesses within the city limits.

Location

Sexually oriented businesses may be allowed as **Special Exceptions** in the following zoning district:

Business Zone A-2 (Highway Commercial)

Distance Separation

Measurements of distance separation shall be in a straight line from property line to property line, with no consideration given to intervening structures, roads or land forms.

No sexually oriented business shall be permitted on any lot or parcel within 600 feet of:

- (1) a zoning district to which the primary permitted use is residential;
- (2) any church, synagogue, temple or other house of worship;
- (3) any public or private day-care, pre-school, elementary, middle or high school;
- (4) any public library, playground, park or recreation facility.
- (5) No sexually oriented business shall be permitted on any lot or parcel within 1,000 feet of another existing sexually oriented business and there shall be not more than one sexually oriented business on the same property or in the same building, structure or portion thereof.

Signs

Sexually oriented businesses shall not display signs visible from public streets, sidewalks, rights-of-way or outside the premises, which is pictorial, illustrative, or depicting of adult, sexually oriented entertainment, services or merchandise offered on the premises.

Variances Not Permitted

Sexually oriented businesses shall not be allowed a variance from the minimum separation requirement of this section.

Live Performances

No persons shall be permitted to appear live in full nudity, "specified sexual activities", or "specified anatomical areas".

SECTION 115.1 BODY PIERCING AND OTHER DISFIGURING PROCESSES

Purpose and Intent

In an effort to avoid "secondary effects" associated with body piercing and other disfiguring processes, it is the purpose of this section to regulate body piercing and other disfiguring processes by establishing reasonable and uniform regulations to prevent the and there future incompatible location and concentration of body piercing and other disfiguring processes within the city limits.

Location

Body piercing and other disfiguring processes may be allowed as **Special Exceptions** in the following zoning district:

Business Zone A-2 (Highway Commercial)

Body piercing and other disfiguring processes shall not be permitted as **Secondary Uses** within the city limits.

Distance Separation

Measurements of distance separation shall be in a straight line from property line to property line, with no consideration given to intervening structures, roads, or land forms.

No body piercing and other disfiguring processes shall be permitted on any lot or parcel within 600 feet of:

- (1) a zoning district in which the primary permitted use is residential;
- (2) any church, synagogue, temple, or other house of worship;
- (3) any public or private day-care, preschool, elementary, middle, or high school;
- (4) any public library, playground, park or recreation facility;
- (5) no body piercing or other disfiguring processes shall be permitted on any lot or parcel within 1,000 feet of another existing body piercing or other disfiguring process and there shall be not more than one body piercing or other disfiguring process on the same

property or in the same building, structure or portion thereof.

Signs

Body piercing and other disfiguring processes shall not display signs visible from public streets, sidewalks, right-of-way, or outside the premises, which are pictorial or illustrative of services or merchandise offered on the premises.

Variance Not Permitted

Body piercing and other disfiguring processes shall not be allowed a variance from the minimum separation requirements of this section.

SECTION 116

VIDEO POKER PARLORS

Purpose and Intent

It is the purpose of this section to regulate video poker parlors by establishing reasonable and uniform regulations to prevent the future incompatible location and concentration of video poker parlors within the city limits.

Location

Video Poker Parlors may be allowed as **Special Exceptions** in the following zoning district:

Business Zone A-2 (Highway Commercial)

Distance Separation

Measurements of distance separation shall be in a straight line from property line to property line, with no consideration given to intervening structures, roads or land forms. No video poker parlor shall be permitted on any lot or parcel within 300 feet of:

- (1) a zoning district in which the primary permitted use is residential;
- (2) any church, synagogue, temple or other house of worship;
- (3) any public or private day-care, preschool, elementary, middle or high school;
- (4) any public library, playground, park or recreation facility;
- (5) no video poker parlor shall be permitted in any lot or parcel within 300 feet of another business with video poker machines.
(Measurement to be made from outside of building or structure.)

Signs

Signs permitted as uses within the City of Union shall be in conformance with the applicable requirements of the district in which such signs are located and conform with the regulations of Section 114 Signs.

Variances Not Permitted

Video poker parlors shall not be allowed a variance from the minimum separation requirements of this section.

SECTION 117

VIDEO POKER MACHINES AS SECONDARY USES

Purpose and Intent

It is the purpose of this section to regulate video poker machines as secondary uses by establishing reasonable and uniform regulations to prevent the future incompatible location and concentration of video poker machines within the city limits.

Regulation

The income from Video Poker Machines as secondary uses cannot exceed 49% of the total gross income of the business in which it is located.

Location

Video Poker Machines as Secondary Uses may be allowed in the following zoning district:

Business Zone A-2 (Highway Commercial)

Distance Separation

Measurements of distance separation shall be in a straight line from property line to property line, with no consideration given to intervening structures, roads or land forms.

No video poker machine shall be permitted on any lot or parcel within 300 feet of:

- (1) a zoning district in which the primary permitted use is residential;
- (2) any church, synagogue, temple or other house of worship;
- (3) any public or private day-care, preschool, elementary, middle or high school;
- (4) any public library, playground, park or recreation facility;
- (5) no video poker machine shall be permitted on any lot or parcel within 300 feet of another business with video poker machines.
(Measurement to be made from outside of building or structure.)

Signs

Signs permitted as uses within the City of Union shall be in conformance with the applicable requirements of the district in which such signs are located and conform with the regulations of Section 114 Signs.

Variances Not Permitted

Video poker machines shall not be allowed a variance from the minimum separation requirements of this section.

SECTION 118

ADMINISTRATION, ZONING ADMINISTRATOR, BUILDING PERMIT, CERTIFICATE OF OCCUPANCY, APPEALS

118.1

SPECIAL EXCEPTIONS

Special exceptions are so classified because they dominate the area in which they are located more intensely than do other uses permitted in the district. These land uses present problems with respect to their location and relationship to other uses which make them undesirable in certain districts without controls to regulate their effects. Uses which may be permitted as special exceptions are listed separately within each district. Special exceptions are reviewed by the Zoning Board of Appeals as set forth in Section 119.2(c). Decisions on special exceptions shall meet the following standards:

If the request is granted, it shall be determined that:

- (a) the use meets all required conditions;
- (b) the use is reasonably necessary for the public health or general welfare;
- (c) the use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar services; and
- (d) the use will not adversely effect neighborhood character or surrounding land uses.

In granting the special exceptions the Board may designate such reasonable and appropriate conditions in addition to the specific conditions contained in this ordinance to assure that the proposed use will be in harmony with the area in which it is to be located and with the spirit of this ordinance.

118.2

ZONING ADMINISTRATOR; DUTIES

- (a) Zoning Administrator

This ordinance shall be administered and enforced by the Zoning Administrator of the City of Union, with the assistance of such other persons as the City Council may direct.

(b) Duties of the Zoning Administrator

The duties of the Zoning Administrator shall include receiving applications, issuing Building Permits, inspection of premises, issuing Certificates of Occupancy for uses and structures that meet the requirements of this ordinance, and other actions to assure conformance with this ordinance.

If the Zoning Administrator shall find that any of the provisions of the ordinance are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to insure compliance with or to prevent violation of its provisions.

118.3 BUILDING PERMIT AND APPLICATION PROCEDURE

No land shall be used or occupied and no land shall be excavated and no buildings or other structure shall be erected, structurally altered, added to or moved until a Building Permit shall have been issued in conformity with the provisions of this ordinance by the Zoning Administrator.

A record of all Building Permits issued shall be kept on file in the office of the Zoning Administrator, and copies shall be furnished, on request, to persons who have a proprietary or tenancy interest in the building or land involved.

(a) Application Procedure

Application for a Zoning Permit shall be made prior to construction, alteration or moving of any structure, or change of land use.

(b) Plan Review

Each application for a Building Permit shall include a plan of the proposed development. The plan shall show: the shape and dimensions of the lot on which the proposed building or use is to be erected or conducted, the shape, dimensions and location of all buildings, existing and proposed, on the lot, the nature of the proposed use of the building or land, the location and dimension of off-street parking and the means of egress and ingress to such space, and any other information the Zoning Administrator may deem necessary for consideration in enforcing the provisions of this ordinance.

(c) Issuance of Permit

If the proposed plan conforms with the provisions of this ordinance, the Zoning Administrator shall issue a Building Permit and return one (1) copy

of the plan to the applicant. The Zoning Administrator shall mark the plan as approved and attest to the same by his signature. The second copy of the plan similarly marked, and a copy of the Building Permit shall be retained by the Zoning Administrator.

118.4 CERTIFICATION OF OCCUPANCY FOR NEW OR ALTERED USES

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part hereafter created, erected, changed, converted or wholly or partly altered or enlarged in its use of structure, nor shall any mobile home park, until a Certificate of Occupancy shall have been issued by the Zoning Administrator stating that the proposed use of the building or land is in compliance with the provisions of this ordinance.

A record of all Certificates of Occupancy issued shall be kept on file in the Office of the Zoning Administrator, and copies shall be furnished, on request, to persons having a proprietary or tenancy interest in the building or land involved.

(a) Application Procedure

Application for a Certificate of Occupancy shall be made coincidentally with the application for a Building Permit. The Certificate of Occupancy shall be issued within five (5) days after the erection, movement or structural alteration of any building or change in the use of any premises shall have been completed in conformity with the provisions of this ordinance.

(b) Failure to obtain a Certificate of Occupancy shall be a violation of this ordinance and punishable under Section 126 of this ordinance.

(c) Construction and Use to be as provided in Applications, Plans, Permits and Certificates of Occupancy.

Building Permits or Certificates of Occupancy issued on the basis of plans and applications approved by the Building Official authorizes only the use, arrangement and construction set forth in such approved plans and applications. Use, arrangement or construction that differs from that authorized shall be deemed a violation of the ordinance and punishable as provided by Section 126 of this ordinance.

118.5 RIGHT OF APPEAL

If the request for a Building Permit is disapproved or if a Certificate of Occupancy is denied, the applicant may appeal the action of the Zoning Administrator to the Board of Appeals.

SECTION 119

BOARD OF ZONING APPEALS

119.1

ESTABLISHMENT OF BOARD OF ZONING APPEALS

A Board of Zoning Appeals is hereby established. The word "Board" when used in this section shall be construed to mean the "Board of Zoning Appeals."

The Board shall consist of five (5) members, who shall be citizens of the City of Union, appointed by the City Council. The term of office of the members of the Board shall be for (3) years. Vacancies on the Board shall be filled by appointment by the City Council for the un-expired term of any member whose term becomes vacant. Members shall be removed for cause by the City Council upon written charges and after public hearing.

The Board shall elect a chairman, vice-chairman, and such other officials and employees as shall be necessary, and each shall serve for a term of one (1) year. The Board shall adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this section. Meetings of the Board shall be held at the call of the Chairman and as such other times as the Board may determine. Such chairman or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be held at a regular place and shall be open to the public. The final disposition of appeals shall be by recorded resolution indicating the reasons of the Board thereof, all of which shall be a public record.

Minutes of the proceedings shall be kept, showing the vote of each member upon every question or his absence or failure to vote, indicating such fact. The Board shall keep records of its examinations, findings, determinations and any other official action. No final action shall be taken unless a majority of the total membership of the Board is present.

119.2

POWERS AND DUTIES

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

(a) Administrative Review

Appeals to the Board may be taken by any person aggrieved by any officer, department, board or bureau of the City of Union affected by the Zoning Administrator or any other officer enforcing the provisions of this ordinance. Such appeal shall be made within thirty (30) days of the filing or action by filing with the officer from whom the appeal is taken and with the Board a notice of appeal, specifying the grounds.

The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings

in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies the Board, after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order, which may be granted 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 hearing the appeal, give due notice of the hearing to the parties concerned, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney. The Board by majority vote may modify the order, requirements, decision or determination appealed from, and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer from whom the appeal is taken.

Notices for appeal hearings shall be advertised in a newspaper of general circulation in the community at least fifteen days prior to the hearing. Decisions of the Board must be in writing, be permanently filed and be delivered to the interested parties by certified mail.

(b) Variances

The Board may authorize upon written appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship or peculiar and exceptional difficulties.

Before action is taken on a request for a variance, the Board shall hold one or more public hearings, at which any party may appear in person, or by agent or attorney.

Notice shall be given at least fifteen (15) days in advance of a public hearing. The owner of the property for which the variance is requested or his agent shall be notified by mail, and notice of hearings shall be made in a newspaper of general circulation. A variance from the terms of this ordinance maybe granted by the Board upon a finding that:

- (1) there are extraordinary and exceptional conditions pertaining to the particular piece of property;
- (2) these conditions do not generally apply to other property in the vicinity;
- (3) because of these conditions, the application of the

ordinance to the particular piece of property would effectively prohibit or unreasonable restrict the utilization of the property; and

- (4) authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
- (5) The board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance. Other requirements may be prescribed by the zoning ordinance.

No non-conforming use of neighboring lands, structures or buildings in the same district, and no permitted or non-conforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this ordinance in the district involve, or any use expressly or by implication prohibited by the terms of this ordinance in the zone involved.

In granting any variance, the Board may prescribe appropriated conditions and safeguards in conformity with this ordinance. Violations of such conditions and safeguards shall be a violation of this ordinance punishable under Section 124.

(c) Special Exceptions

The Board shall hear and decide on applications for special exceptions as established within the district regulations of this ordinance.

Written applications for special exceptions shall be submitted to the Board indicating the section of this ordinance under which the special exception is sought and stating the grounds on which it is requested. Notice of public hearing shall be posted on the property for which the special exception is sought and shall be published at least fifteen (15) days prior to the hearing in a newspaper of general circulation. At the hearing, any party may appear in person or may be represented by an agent or attorney.

The Board shall make a finding that it is empowered under section of this ordinance described in the application to grant the requested special exception. The Board shall then determine if the granting of the special exception will adversely affect the public interest. The decision of the Board shall be by majority vote.

The regulations of this ordinance contained in Section 118.1 setting forth specific standards to be met prior to the establishment of any special exception shall be binding upon the Board and no variance to such requirements shall be granted. The Board may prescribe a time limit within which the action for which the special exception is required shall have begun or be completed, or both. Failure to meet the conditions or time limitations established by the Board shall void the special exception, and may be deemed a violation of this ordinance, punishable under the penalties established herein.

(d) Appeals

Every decision of the Board shall be subject to review by a court of record in the manner provided by the laws of the State of South Carolina. Such appeal shall be filed within thirty (30) days after the decision of the Board is rendered.

SECTION 120 DUTIES OF ZONING ADMINISTRATOR, BOARD OF ZONING APPEALS AND COURTS ON MATTERS OF APPEAL

It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the Zoning Administrator, and that such questions shall be presented to the Board of Zoning Appeals only on appeal from the decision of the Zoning Administrator, and that recourse from the decision of the Board of Appeals shall be to the courts of the State of South Carolina, as provided by the laws of the State of South Carolina.

SECTION 121 AMENDMENTS

The regulations, restrictions and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed or repealed by the City Council, after recommendation by the Planning Commission, and in accordance with the following procedures.

121.1 INITIATION OF AMENDMENT

Proposed changes or amendments maybe initiated by the City Council, Planning Commission or by one or more interested parties, in accordance with the following procedures:

121.2 APPLICATION

An application for any change or amendment shall contain a description and/or statement of the present and proposed zoning regulation or district boundary to be changed, and the names and addresses of the owner or owners of the property. Such application shall be filed with the Secretary of the Planning Commission not later than thirty (30) days prior to the Planning Commission meeting at which the application is to be considered.

121.3 ACTION BY THE PLANNING COMMISSION

The Planning Commission shall consider and make written recommendations to the City Council concerning each proposed zoning amendment. The Planning Commission may hold a separate public hearing or may sit concurrently with the public hearing held by the City Council.

121.4 ACTION BY THE CITY COUNCIL

(a) City Council Consideration

The City Council shall consider changes and amendments to this ordinance after the public hearing and at a regular or special called meeting.

(b) Public Hearing

No amendment shall be adopted by the City Council until after the public notice and hearing.

(c) Notice of Hearing

A notice of a public hearing shall be published in a newspaper of general circulation. The notice shall be published at least fifteen (15) days prior to the hearing. The notice shall be blocked in, carry an appropriate descriptive title and shall state the time, dates and place of the hearing.

The City Council at the close of the public hearing may defer taking lawful action on the proposed amendment until it has sufficient time to consider any new evidence or suggestions presented at the public hearing.

(d) Before taking such lawful action as it may deem advisable, the City Council shall consider the recommendation of the Planning Commission on each proposed zoning amendment, if no recommendation is received from the Planning Commission within thirty (30) days from the date of the public hearing it shall be deemed to have approved the proposed amendment.

121.5

RECONSIDERATION OF REQUEST FOR AMENDMENT

When the City Council shall have denied a petition request for an amendment from a property owner, it shall not consider another request for an amendment affecting the same property until one (1) year from the date of the previous denial. This does not apply to Planning Commission/City Council initiated amendments to the Zoning Ordinance.

SECTION 122 FEE SCHEDULE

The City Council may establish a schedule of fees and a collection procedure for Zoning Permits, Certificates of Occupancy, appeals, amendments and other matters pertaining to this ordinance. The Schedule of fees shall be displayed in the office of the Zoning Administrator and may be amended by the City Council. No permit, certificate, special exception or variance shall be issued unless and until such fees are paid in full, nor shall any action be taken on proceedings before the City Council unless or until fees have been paid in full.

SECTION 123 PROVISIONS OF ORDINANCE DECLARED TO BE MINIMUM REQUIREMENTS

The provisions of this ordinance shall be minimum requirements, adopted for the promotion of the public health, safety, morals or general welfare. Whenever the requirements of this ordinance are at variance with the requirements of any other law-fully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive, or that imposing the higher standards, shall govern.

SECTION 124 COMPLAINTS 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 nature of the alleged violation shall be filed with the Zoning Administrator. He shall record properly the complaint, immediately investigate, and take action as provided by this ordinance.

SECTION 125 REMEDIES

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained; or any building, structure or land is used in violation of this ordinance, the Zoning Administrator or any appropriate authority of the municipality, or any adjacent, nearby or neighboring property owner, who would be affected by such violation, in addition to other remedies, may institute injunction or any other appropriate action in proceeding to prevent the occupancy of such building, structure or land.

SECTION 126

PENALTIES FOR VIOLATION

Any person, firm or corporation violating any provisions of this ordinance, or who shall violate or fail to comply with any order made thereunder; or who shall continue to work upon any structure after having received written notice from the Zoning Administrator to cease work, shall be guilty of a misdemeanor and punishable by a fine not to exceed five hundred (\$500) dollars or imprisoned for not more than thirty (30) days, or both. Each day such violation shall be permitted to exist shall constitute a separate offense. Notice of violation shall be sufficient if directed to the owner, the agent of the owner or the contractor and left at his known place of residence or place of business.

SECTION 127

SEPARABILITY

If for any reason one or more sections, clauses or parts of this ordinance are held unconstitutional or invalid, such decision shall not affect, impair or invalidate the remaining provisions of this ordinance.

SECTION 128

COMMUNICATION TOWERS

a) All Districts

A communication tower shall not exceed 20 feet in height if mounted on a building or any structure other than a freestanding or guyed communications tower.

b) FCC License

The owner(s) of a communication tower shall possess a valid FCC license for the proposed activity.

c) Distance Between Towers

A proposed communication tower site within 1,300 feet of an existing communication tower shall not be permitted unless the applicant certifies that the existing communication tower does not meet applicant structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.

d) Minimum Setbacks

A communication tower (not including guy anchors) must be a minimum distance equal to one-half the height of such tower from property or districts designated historic or architecturally significant, and must be set back from all lot lines distances equal to the district setback requirements or, if location is on a site adjacent to a residential district, twenty-five percent (25%) of the communication tower's height, whichever is greater.

e) Screening

A wall, fence or compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least six feet in height, shall be provided along the side, rear and front lot lines.

f) Removal

A communication tower which use has been discontinued for a continuous period of one year, shall be removed within 120 days of the date of the end of such period. Companies must notify the City within 30 days if telecommunications cease operations at a tower-bore antenna. All structures, fencing, screening and other improvements must be removed and the site returned to its original condition at the company's expense.

SECTION 129 DEFINITIONS

Except where specifically defined herein, all words used in this ordinance shall carry their customary dictionary meaning. Words used in the present tense include the future tense; the singular number includes the plural. The word shall is mandatory, not directory.

Accessory Use - A use of land or of a building or portion thereof customarily incidental to the principal use of the land or building and located on the same lot with such principal use.

Addition (to an existing building) - An extension or increase in the floor area or height of a building or structure.

Adjacent - Having a common border; immediately preceding or following.

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

Adult Bookstore or Adult Video Store - A commercial establishment which, as one of its principal purposes, offers for sale or rental for any form of consideration any one or more of the following:

- (a) Books, magazines, periodicals or other printed matter, or photographs, films, motion picture, video cassettes or video reproduction, slides or other visual representatives which depict or describe "specified sexual activities" or specified anatomical areas", or

- (b) Instruments, devices or paraphernalia, which are designed for use in connection with "specified sexual activities".

A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as adult bookstore or adult video store as long as one of its principal business purposes is the offering for sale or rental for consideration materials which depict or describe "specified sexual activities" or "specified anatomical areas".

Adult Cabaret - A nightclub, bar, restaurant or other entertainment establishment which features:

- (a) Persons who appear in a state of nudity or semi-nudity or permits its employees, members, patrons or guests to engage in nude, or topless dancing;
- (b) Films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

Adult Motel - A hotel, motel or similar commercial establishment which:

- (a) Offers accommodation to the public for any form of consideration; provides patrons with closed-circuit television transmission, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; or
- (b) Offers a sleeping room for rent for a period of time that is less than (10 hours); or
- (c) Allows a tenant or occupant of a sleeping room to sub-let the room for a period of time that is less than ten (10) hours.

Adult Motion Picture Theater - A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

Adult Theater - A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of semi-nudity.

Adult Center - An establishment, whose primary revenue comes from coin-operated games and other amusement devices but which does not serve alcoholic beverages.

Adversely - to cause harmful interference.

Aesthetic - Dealing with beauty and the nature of it.

Aggrieved - Suffering from an infringement or denial of legal rights.

Ambulance Service - Transporting of the sick or injured.

Amusement Center - An establishment, whose primary revenue comes from coin-operated games and other amusement devices but which does not serve alcoholic beverages. (Refer to City Ordinance.)

Amusement Park - A commercially operated park with various devices for entertainment and booths for the sale of food and drink.

Antique Shop - An establishment that displays and sells a work of art, piece of furniture or decorative object made at an earlier period and according to various customs laws, at least 100 years ago.

Apparel and Clothing Store - An establishment that sells personal attire such as clothes.

Apparel Manufacturing - The process of making clothes or clothing by hand or by machinery.

Appeal - A request for a review of the local administrator's interpretation of any portion of this ordinance.

Appliance Sales and Service - Is the servicing or selling of devices designed for particular uses, such as, household or office devices (as stove, fan or refrigerator).

Arcade (Video) - A long arched building or gallery containing electronic video games, (excluding video poker gambling).

Armory - A place where arms and military equipment are stored & used for training military reserve personnel.

Art Store - An establishment that displays and sells artistic work and supplies.

Assembly Hall - A place for gathering of a company or persons for deliberation and legislation, worship or entertainment.

Bakery - A place for baking or selling baked goods.

Bank - An establishment for the custody, loan, exchange or issue of money, for the extension of credit and for facilitating the transmission of funds.

Bar - An establishment, including cocktail lounge, taverns and night clubs, whose primary function is the sale of alcoholic beverages for consumption on the premises and which is licensed as such by the State ABC Board.

Barber Shop - A place of business for cutting and dressing hair, shaving and trimming beards and performing related services.

Basement - A story partly underground but having at least one-half of its height above the average level of the adjoining ground. A basement shall be counted for a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet, or if used for business purposes, or if used for dwelling purposes.

Beauty Shop - An establishment or department where hairdressing, facials and manicures are done--also called beauty parlor or beauty salon.

Bed & Breakfast - Formerly a single-family dwelling in the 4-5 room range; this owner-occupied establishment has an equally mixed use as home and lodging, with lodging superseding home more often than not. It is located in a legally zoned area and meets all the tax, fire, building and health requirements for this size and use of property.

This establishment advertises publicly and can legally post a sign. Like the home-stay or host home, because of its size, these B & B's usually cannot support a family unit, so the B & B is often one partner's job and the other has outside income. Often the property is purchased specifically to be a B & B, but many are converted family homes. Reservations may be made directly with the property.

Bed & Breakfast Inn - Generally a small, owner-operated business providing the primary financial support of the owner. Usually the owner lives on premises. The building's primary usage is for business. Inns advertise have business licenses, produce their own brochures, comply with government ordinances, pay all appropriate taxes and post signs. Breakfast is usually the only meal served and only to overnight guests. The inn often has a small gift nook and may host events such as weddings, small business meetings and etc. Room numbers range 4-20; reservations may be made directly with the property.

Boarding House - A house where lodging and meals are provided.

Body Piercing – Any method of piercing of the human skin of one person by another person with the intention of inserting any object including but, not limited to jewelry. For the purpose of this Zoning Ordinance the term body piercing shall also include any process of marking or disfiguring the skin or other tissue of any person by branding or scarification but shall not include the piercing of the fatty lobe of the ear by and ear piercing gun designed solely for that purpose, or physician-authorized surgical procedures. This definition of body piercing includes that process commonly referred to as implantation.

Book Store - A place where books are the main item offered for sale.

Bottling Works - A place where materials are put into bottles that are manufactured within the establishment.

Bowling Alley - An establishment where games in which balls are rolled down an alley to an object or group of objects.

Branding – The act of intentionally marking or disfiguring a human body by burning it through the use of a hot object or by the use of any substance or process which results in such marking or disfiguring.

Broker - An agent who negotiates contracts of purchase & sale (as of real estate, commodities or securities).

Building - Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any person, process, equipment or goods.

Building, Accessory - A detached building subordinate to the main building on a lot and used for purposes customarily incidental to the main or principal building and located on the same lot therewith. No accessory building may be used for residential purposes, except as otherwise provided in this ordinance.

Uses customarily accessory to dwellings include:

- (1) Private garages not to exceed the following storage capacities:
One or two-family dwelling -- 4 automobiles;
Multi-family dwelling -- 2 automobiles per dwelling unit;
Group home -- 1.5 automobiles per sleeping room.
- (2) Shed or tool rooms for the storage of equipment used in grounds or building maintenance.
- (3) Private swimming pools and bath houses or cabanas.
- (4) Structures designed and used for purposes of shelter in the event of man-made or natural catastrophes.
- (5) Non-commercial flower, ornamental shrub or vegetable garden greenhouses or salt houses not over eight (8) feet in height and not exceeding 200 square feet in floor space.

Building, Principal - A building in which is conducted the principal use of the lot.

Building Setback Line - A line establishing the minimum allowable distance between the nearest portion of any building, excluding steps, gutters and similar fixtures, and the property line when measured perpendicularly thereto.

Cafeteria - A restaurant in which the customers serve themselves or are served at a counter and take the food to tables to eat.

Carnival - A traveling enterprise offering amusements, entertainment or exhibitions.

Catering Establishment - An establishment that provides food and service for gatherings such as banquets.

Cemetery - A publicly or privately owned parcel of land which is used for the burial of human remains, as regulated by state law.

Certificate of Occupancy - A statement, signed by the Zoning Administrator, setting forth that the building, structure or use complies with the zoning ordinance and that the same may be used for the purpose stated therein.

Churches - Any building used for public and especially Christian worship.

Coliseum - A large structure for public entertainment.

Community Center - A building or group of buildings for a community's educational and recreational activities.

Compatible - Capable of existing together in harmony.

Continuous - Marked by uninterrupted extension in space, time or sequence.

Convalescent or Nursing Home - A building or buildings where residential and nursing care is provided for more than one (1) person.

Convenience Store - Any retail establishment offering for sale food products, household items and other goods commonly associated with the same and having a gross floor area of less than 4,800 square feet. Gasoline sales may also be permitted as an accessory use.

Convent or Monastery - A local community house of a religious order or congregation.

Cosmetic Store - An establishment that sells supplies relating to or making for beauty, especially of the complexion.

Country Inn - A business offering overnight lodging and meals where the owner is actively involved in daily operations, often living on site. These establishments are, in fact, bed & breakfast inns which often serve at least one meal in addition to breakfast. They often operate as "full-service food/beverage restaurants" as well as overnight lodging accommodations. Modified American Plan (MAP) country inns serve dinner to over-night guests only, and the cost of dinner and breakfast is generally included in the room rate. A country inn with a full-service restaurant serves these additional meals to the general public, either on an open-door or by reservation only policy. Other businesses may be a part of the property: small gift

shops, a catering service, hosting weddings & small meeting, etc. Inns advertise, have business licenses, produce their own brochures, comply with government ordinances, pay all appropriate taxes and post signs. To be a country inn, a property does not have to be located in a rural area. Room numbers tend to range from 6-30.

Dance Hall - A place used for public entertainment such as dancing.

Dance Studio - A place used to teach the art of dancing.

Day Care Center - A center, agency, school or facility where persons not related to the operator are received for daily care.

Delicatessen - A place that serves and sells ready-to-eat food products (as cooked meats and prepared salads).

Density - The quantity per unit volume, unit area or unit length.

Department Store - A store selling a wide variety of goods arranged in several departments.

Detrimental - Undesirable or harmful person or thing.

District - Any section of the City of Union in which zoning regulations are uniform.

Dry Goods Store - An establishment that sells textiles, ready-to-wear clothing, notions as distinguished especially from hardware and groceries.

Dwelling - Any building used exclusively for human habitation, including any permitted home occupation, but excluding hotels and motels.

Dwelling, Multi-Family - A building used exclusively as a place of residence and containing three (3) or more dwelling units.

Dwelling, Single Family - A building used exclusively as a place of residence for one (1) family.

Dwelling, Two-Family - A building used as a place of residence for two (2) families occupying separate dwelling units.

Dwelling Unit - One (1) or more rooms, with cooking and toilet facilities, used as a place of residence for one (1) family.

Egress - A place or means of going out.

Escort - A person who, for consideration, agrees or offers to act as a companion, guide or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

Escort Service - A person, or business, who furnishes, offers to furnish or advertises to furnish escorts as one of its primary business purposes for a fee, tip or other consideration.

Express Office - A company operating a merchandise freight service.

Fair - A competitive exhibition (as of farm products) usually with accompanying entertainment and amusements.

Family - An individual, or two (2) or more persons related by blood, marriage or adoption, living together as a single housekeeping unit, or a group of not more than five (5) persons, who need not be related by blood, marriage or adoption, living together as a single housekeeping unit. Domestic servants employed on the premises may live on the premises without being counted as a family or person.

Farming - The practice of agriculture.

Flea Market - An open-air market for sells of retail merchandise.

Flood - A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM) - An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

Flood Insurance Rate Map (FIRM) - An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study - The official report provided by the Federal Emergency Management Agency. The report contains flood profile, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Flood-resistant Material - Any building material capable of withstanding direct and prolonged contact (Minimum 72 hours) with flood waters without sustaining damage which required more than low-cost cosmetic repair. Any material which is water soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant lumber are acceptable flooring materials. Sheet-type floor covering which restrict evaporation from below and materials which are impervious, but dimensionally unstable are not acceptable. Materials which absorb or retain water excessively after submergence are not flood-resistant.

Floodway - The channel of a river or other water-course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Florist Shop - An establishment that sells or grows for sale flowers and ornamental plants.

Greenhouse - A glassed enclosure for the cultivation or protection of tender plants.

Group Development - A group housing development, which consists of two (2) or more structures on a parcel of land which has not been subdivided into customary streets and lots, having unified design of buildings and coordinated organization of open space and service areas.

Group Home - A home, serving nine (9) or fewer mentally or physically handicapped persons, that provides care on a twenty-four hour basis and is approved or licensed by a state agency or department or under contract with the agency or department for that purpose.

Gymnasium & Health Center (Commercial) - A large room or building used for various indoor sports (as basketball, boxing or volleyball) and usually equipped with gymnastic apparatus. Available to the public by membership or annual fees.

Gymnasium & Health Center (Institutional) - An establishment such as (college, university, hospital & etc.) especially of a public or eleemosynary character which has a large room or building used for indoor sports and usually equipped with gymnastic apparatus.

Height of Building - The vertical distance from the main elevation of the finished grade along the front of the building to the highest point of a flat roof, or to the deck line of a mansard roof, or to the main height level between the eaves and ridge for gable, hip and gambrel roofs.

Heliport - A landing & takeoff place for a helicopter.

Historic Structure - Any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI) or preliminarily determined by the Secretary of The Interior as meeting the requirements for individual listing on the National Register); (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places; (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (1) by an approved State program as determined by the Secretary of Interior or: (2) directly by the Secretary of Interior in state without approved programs. Some structures or districts listed on the State or local inventories MAY NOT be "Historic" as cited above, but have been included on the inventories because it was believed that the structures or districts have the potential for meeting the "Historic" structure criteria of the DOI.

In order for these structures to meet NFIP historic structure criteria, it must be demonstrated and evidenced that the S.C. Department of Archives and History

has individually determined that the structure or district meets DOI historic structure criteria.

Hobby Shop - A building in which someone engages in an occupation outside their regular occupation for relaxation.

Home Occupation - An occupation conducted in a residential dwelling unit as per specifications in Sections 110.5 and 110.5.1.

Homestay B & B - This type establishment is an owner-occupied home where the business of paying guests is secondary to its use as a private residence.

The hosts are primarily interested in meeting new people and making some additional monies while continuing their present employment or retirement. Frequently located in residential areas, zoning or other governmental restrictions may prevent the use of signs, public advertising, etc. Usually between 1-3 rooms, these homes are often a member of, and usually inspected by reservation service organizations (RSO) but are rarely required to be licensed or inspected by local applicable governmental agencies. Breakfast is the only meal served.

Hotel - An establishment that provides lodging and usually meals, entertainment and various personal services for the public.

Ingress - The act of entering (a place or means of going in.)

Lapidary - A cutter, polisher or engraver of precious stones usually other than diamonds.

Lot - A parcel or plot of land designated by number or other symbol as a part of a legally approved and recorded subdivision, or as described by metes and bounds.

Lot, Corner - A lot abutting upon two (2) or more streets at their intersection, or upon two (2) parts of the same street, forming an interior angle or less than 135 degrees. The point of intersection of the street lines or of the street lines as extended in the corner.

Lot-Depth - The average horizontal distance between the front and rear property lines of a lot.

Lot, Depth Frontage - A lot which extends through a block, having frontage on two (2) streets.

Lot, Improved - A lot which has been enhanced in value by, cultivation, grading, sowing or the erection of a building as per code regulations.

Lot, Interior - A lot other than a corner lot.

Lot Line, Rear - Ordinarily, that lot line which is opposite and most distant from the front lot line.

In the case of a triangular or otherwise irregularly shaped lot, a line ten (10) feet in length entirely within the lot, or a chord thereof if the rear lot line curved, shall be considered as the rear lot line for purposes of determining the required rear yard. In cases where neither of these conditions is applicable, the Zoning Administrator shall designate the rear lot line.

Lot of Record - A lot which exists as shown or described on a plat or deed in the records of the Union County Clerk of Court.

Lot Width - The distance between the side lot lines at the setback line as measured along a straight line parallel to the front lot line or parallel to the chord thereof.

Lot, Zoning - A parcel of land which is indicated by the owner, at the time of application for a building permit, as being that land which he proposes to develop under one (1) ownership.

Manufactured Home - A movable or portable dwelling constructed to be towed on its own chassis and designed without a permanent foundation for year-round occupancy. A manufactured home may include one (1) or more components that can be retracted for towing purposes and subsequently expanded for additional capacity. It also may consist of two (2) or more units separately tow-able but designed to be joined into one (1) integral unit.

Manufactured Home Park - A lot used, designed, or intended to be used for the purpose of supplying parking spaces for occupied manufactured homes and which includes buildings, structures, vehicles or enclosures used or intended to be used as a part of such manufactured home park. Sales or storage lots for unoccupied manufactured homes are not considered to be manufactured home parks.

Mobile Office - A movable or portable structure built to be towed on its on chassis or on a vehicle and designed without a permanent foundation for occupancy as an office. It may consist of two (2) or more components or units designed to be joined into one (1) unit. Mobile offices shall not be used for sleeping or residential occupancy. Permits shall be issued for use for a one-year time period only on one (1) site.

Manufactured Home Space - That portion of land in a manufactured home park allotted to or designed for the accommodation of one (1) manufactured home.

Modular Home - A building including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building and not de-signed for ready removal to another site. All modular homes constructed since 1985 must be certified by the South Carolina Building Codes Council or other inspectors recognized by the Building Codes Council.

Motel - An establishment which provides lodging and parking and which the rooms are accessible from an outdoor parking area.

Newsstand - A place (as an outdoor stall) where newspaper and periodicals are sold.

Non-Conforming Lot - A lot of record at the time of passage of this ordinance which does not meet the requirements for area and/or width generally applicable in the district in which such lot is located.

Non-Conforming Use or Structure - A land use or structure which existed lawfully on the date this zoning ordinance became effective, and which does not conform with the permitted uses for the zoning district in which it is situated. Non-conforming uses are incompatible with permitted uses in the districts involved. Such non-conformities are permitted to continue until they are removed, but their survival, enlargement, or extension is not encouraged.

Nude or a State of Nudity - The appearance of a human bare buttock, anus, male genitals, female genitals or female breast.

Nurseries - Areas where plants (as trees and shrubs) are grown for transplanting for use as stocks for budding and grafting or for sale.

Nursing Home - A privately operated establishment where maintenance and personal or nursing care are provided for persons (as the aged or the chronic-ally ill) who are unable to care for themselves properly.

Parking Space - The storage space for one (1) auto-mobile of not less than one ten (10) feet by twenty (20) feet, plus the necessary access space. It shall always be located outside the dedicated street right-of-way.

Person - The word "person" includes a firm, association, organization, partnership, trust company or corporation as well as an individual.

Piecemeal - One piece at a time.

Playground - A piece of land used for and usually equipped with facilities for recreation especially for children.

Pool Hall - An establishment which provides pool tables and other amusements for recreational use and which may serve food and alcoholic beverages for consumption on the premises.

Private Recreation Area - A recreation area owned and maintained by members and operated as a non-profit organization.

Proprietary - of, or relating to something.

Public Park - A piece of ground in or near a city or town kept for ornament and recreation.

Recreational Vehicle - A vehicle which is : (a) built on a single chasis; (b) 400 square feet or less when measured at the largest horizontal projection; (c)

designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.

Restaurant - A business establishment whose principal business is the selling of un-packaged food to the customer in a ready-to-consume state, in individual servings, or in non-disposable containers, and where the customer consumes these foods while seated at tables or counters located within the building.

Restaurant, Fast-Food - Any establishment whose principal business is the sale of foods or beverages in ready-to-consume individual servings for consumption either within the restaurant building or for carry-out, where either: 1) foods or beverages are usually served in paper, plastic or other disposable containers, and where customers are not served by a restaurant employee at the same table or counter where the items are consumed; or 2) the establishment includes a drive-up or drive-through service facility or offers curbside service.

Rooming House - A house where lodging is provided.

Salvage/Junk Yards - Any land or structure used for a salvaging operation, including but not limited to the storage and sale of scrap metal, discarded materials, waste paper, rags, consumer goods, equipment and the collection, dismantlement, storage and salvage of unlicensed or inoperative vehicles. This definition does not include the purchase or storage of furniture, equipment used for agricultural purposes and used cars which are in operable condition.

Scarification – The act of making one or more incision in the skin of any person with the intent of causing visible marks on the skin after the incisions heal.

Semi-Nude - A state of dress in which clothing covers no more than the genitals, pubic region and areolae of the female breast, as well as portions of the body covered by supporting straps and devices.

Service Station - An establishment used for the servicing of automobiles, including the sale of gasoline, oil, grease and minor accessories and washing and polishing, but excluding the sale of automobiles, body repairing, major motor repairing and painting.

Sexually Oriented Business - Includes any adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult theater, adult motion picture theater, escort servicing, or any other establishment which contains activities characterized by the performance or depiction of specified anatomical areas of specified sexual activities.

Shopping Center - A group of commercial establishments, planned, developed, owned and managed as a unit related in location, size and type of shops to the trade area that the unit serves. On-site parking is provided in definite relationship to the types and sizes of stores.

Sign - Any form of publicity which is visible from any public way, directing attention to an individual, business, commodity, service, activity or product, by means of words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trade marks, or other pictorial matter designed to convey such information and displayed by means by means of paint, bills, posters, panels, or other devices erected on an open framework, or attached or otherwise applied to stakes, posts, poles, trees, buildings or other structures or supports.

Sign, Abandoned (Amended 5/15/2007) - Any sign erected and permitted in conjunction with this sign ordinance, and for which the designated permitted use and/or time allowance has expired.

Sign, Advertising - A sign which directs attention to a business, commodity, service or entertainment, which is conducted, sold or offered on the premises where such sign is located.

Sign, Banner - A sign intended to be installed either with or without a frame, possessing characters, letters, illustrations, or ornamentation applied to plastics, paper or fabric of any kind, excluding flags and emblems of political, religious, educational, or non-profit organizations.

Sign, Billboard - (Amended - 6/21/05) An advertising sign which exceeds the maximum height and/or sign message area limitations of the Zoning Ordinance and directs the attention of the public to a commodity, product, service, activity or any other person, place or thing which is not located, found, or sold on the premises upon which such sign is located.

Sign, Business - A sign used to disseminate information concerning a business, service, activity, or product, conducted, offered or sold upon the premises where such sign is located.

Sign, Civic or Religious (Amended 5/15/2007) - A temporary sign which refers only to a non-profit civic or religious organization in conjunction with a directly related event.

Sign, Construction (Amended 5/15/2007) - A sign placed at a construction site identifying or announcing the project or the name of the architect, engineer, contractor, financier, or others involved in the development of the project. One (1) for each street frontage, erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in process, not more than thirty-two (32) square feet per side in area.

Sign, Identification - A sign on the premises bearing the name of a subdivision, farm or group housing project, or of a school, college, park, church or other public or quasi-public facility, but bearing information pertaining only to the premises on which such sign is located.

Sign Lighting, General (Amended 5/15/2007) – Illumination of sign face where sign face is neither lit internally nor subject to an external source of light specifically directed at it. The sign depends on the general illumination of the area (e.g., parking lot, traffic, or pedestrian areas) for its illumination.

Sign, Main Street Banner (Amended 5/15/2007) – A sign intended to be hung across Main Street by City of Union Electric Personnel that meets the standards outlined in the City of Union Guidelines for Display of Banners.

Sign, Mobile (Amended 5/15/2007) – A sign whose principal supporting structure is intended, by design and construction, to be used by resting upon the ground for support and may be easily moved or relocated for reuse. Mobile signs include, but are not limited to, hot air or gas-filled balloons or umbrellas, signs mounted upon a trailer, bench, wheeled carrier, or other non-motorized mobile structure with or without wheels. These signs may be displayed for a short period of time (fifteen (15) consecutive days, maximum; 6 months between occurrences).

Sign, Occupancy - A sign on the premises bearing the name or address of the piece of property, the name of the owner or resident or any permitted home occupation, but bearing information pertaining only to the premises on which the sign is located.

Sign, Off-premises – A sign advertising a use, facility, service or product that is not located, sold or manufactured on the same premises as the sign.

Sign, Political (Amended 5/15/2007) – A temporary sign which refers only to a political candidate or the issues involved in an upcoming political election.

Sign, Real Estate (Amended 5/15/2007) – A temporary sign advertising the sale, lease or rental of the property or premises upon which it is located. A maximum of one (1) for each street frontage, not more than thirty-two (32) square feet per side in area (except for signs on the site of a one or two-family dwelling, which shall not exceed six (6) square feet in area per side).

Sign, Temporary - A sign or advertising display designed to be displayed for a limited period of time (See Notes for Table 114.2). Included in this category are banners and mobile signs temporarily displayed for the purpose of informing the public of a sale or “special” offer.

Special Exceptions - Special Exceptions are so classified because they dominate the area in which they are located more intensely than do other uses permitted in the zoning district. They present problems with respect to their location and relationship to other uses which make them undesirable in certain districts without controls to regulate their affects. Such uses are allowable where facts and conditions detailed in this ordinance, as those upon which a use may be permitted, are found to exist.

Specified Anatomical Areas - The male genitals in a state of sexual arousal or the vulva.

Specified Sexual Activities - Includes any of the following:

- (a) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
- (b) Sex acts, normal or perverted, actual or simulated including intercourse, oral copulation or sodomy;
- (c) Masturbation, actual or simulated; or
- (d) Excretory functions as part of or in connection with any of the activities set forth in (a) through (c) above.

Stadium - A large, usually unroofed building with tiers of seats for spectator at sports events.

Stop-Work Orders - Whenever a building or part thereof is being constructed, reconstructed, altered or repaired in violation of this ordinance, the administrator may order the work to be immediately stopped. The stop-work order shall be in writing directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reasons for the stop-page and the condition under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.

Street - A dedicated public right-of-way which affords the principle means of access to abutting property and which has been accepted for maintenance by the City of Union, or the State Highway Department. For the purpose of these regulations, the term, street or streets shall also mean avenues, boulevards, roads, lanes and other public ways.

Residential Service Street - A public or private way used primarily for providing direct access to abutting property.

Collector, Street - A public way designed primarily to connect residential service streets with arterial streets or to provide a direct connection between two (2) arterial streets and may be expected to carry a significant volume of traffic having neither origin nor destination on the street.

Major Thoroughfare - A highway designed primarily for the movement of large columns of traffic from one area to another.

Structure - anything constructed or erected which has a permanent location. For purposes of this ordinance, structure does not include landscape features such as ornamental pools, planting boxes, sculpture, bird bath, open terraces, walkways, driveways, recreational equipment, flag poles, mailboxes or bus shelters.

Subsequent Use - A use which follows in time, order or place.

Tenancy - A holding of an estate or a mode of holding an estate.

Travel Trailers - Any vehicle mounted on wheels but not self-propelled and not more than twenty-six (26) feet in length, designed and intended to serve primarily as short-term shelter.

Unified - A unit of or a coherent whole, or relating to.

Used - The word "used" or "occupied" shall apply to any land or building used or occupied at a given time and shall not be construed to include land or buildings intended, arranged or designed to be used or occupied.

Utility, Public - Any agency which, under public franchise or ownership, provides the general public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other service.

Variance - A modification of the strict terms of this ordinance where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in unnecessary and undue hardship, and where such modification will not authorize a principle or accessory use of the property which is not permitted within the zoning district in which the property is located.

Video Poker - An electronic video game machine that, upon, upon insertion of cash, is available to play or simulate the play of games as authorized by the S.C. Tax Commission utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash.

Video Poker Machine As A Accessory Use - A machine located in a building or establishment where the income from the machine is less than 49% of the gross income.

Video Poker Parlor - A building or establishment whose primary income is from video poker game machines. (**Primary income meaning more than 51% of gross income.**)

Yard, Required - The open space between a lot line and the build-able area within which no structure may be located except as otherwise provided in this ordinance. All yards referred to in this ordinance are minimum required yards.

Yard, Front - An area extending across the full width of the lot and lying between the front lot line and the setback line as required in the applicable district.

Yard, Rear - An area extending across the full width of the lot and lying between the rear lot line and a line parallel thereto at a distance therefrom as required in the applicable district.

Yard, Side - An area extending along the length of the lot between the required front yard and the required rear yard, and between the side lot line and a line parallel thereto and a distance therefrom as required in the various districts.

SECTION 130 EFFECTIVE DATE

This ordinance shall take effect and be in force from and after its passage and adoption.

ORDAINED AND ADOPTED in City Council Meeting duly assembled this ____ day of _____, 1999.

T. Burton Williamson, Sr. - Mayor

ATTEST:

Gloria Rogers
Municipal Clerk

1st Reading June 15, 1999

2nd Reading July 20, 1999