

ARTICLE III. DEFINITIONS

- 300 The word "shall" is always mandatory. The word "lot" includes the word "plot" or "parcel." The word "building" includes the word "structure." The word "person" includes a firm, association, organization, partnership, trust company or corporation as well as an individual. The word "used" or "occupied," as applied to any land or building shall be construed to include the words intended, arranged, or designed to be used or occupied. The word "map" or "zoning map" shall mean the Official Zoning Map of the City of Georgetown, South Carolina.
- 301 *Access:* The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave the property.
- 302 *Adult day care center:* A facility for adults eighteen years of age or older which offers, in a group setting, a program of individual and group activities and therapies for nineteen or more adults. Such facility shall not keep more adults than licensed by the City or by the South Carolina Department of Health and Environmental Control (DHEC) and shall meet all requirements of both organizations. In the event the number of adults licensed by the City and DHEC conflict, the lesser number of adults shall be allowed. The program is directed toward providing community-based day care services for those adults in need of a supportive setting, thereby preventing unnecessary institutionalization. The program shall provide a minimum of four and a maximum of fourteen hours of operation a day.
- 302.1 *Mini adult day care center:* An adult care center limited with respect to the number of adults allowed to be enrolled at any one time from thirteen to eighteen adults.
- 302.2 *Family adult day care home:* A licensed family abode of a person or persons who regularly provide direct care during part of the twenty-four hour day to twelve or fewer adults. Family adult care homes may be considered as a customary home occupation. Such facility shall not keep more adults than licensed by the City or DHEC and shall meet all requirements of both organizations. In the event the number of adults licensed by the City and DHEC conflict, the lesser number of adults shall be allowed.
- 303 *Agricultural activity:* Farming activities including plowing, tillage, cropping, seeding, cultivating and harvesting for production of food and fiber products (except commercial logging and timber harvesting operations), the grazing and raising of livestock, aquaculture, sod production, orchards, nursery, and other products cultivated as part of a recognized commercial enterprise.
- 304 *Amusement machine:* Amusement machines are classified as follows:
- 304.1 *Class I machines:*
- 304.11 Any machine for the playing of music or kiddie rides operated by slot or mechanical amusement devices and juke boxes wherein is deposited any coin or thing of value.
- 304.12 Billiard or pocket billiard tables, foosball table, bowling-lane table and skeeball.
- 304.2 *Class II machines:* Any machine for the playing of amusements or video games, without free-play feature or machines of the crane type operated by a slot wherein is deposited any coin or thing of value; and any machine for the playing

- of games or amusements, which has a free-play feature, operated by a slot wherein is deposited any coin or thing of value and such machine is of the non payout pin table with levers or "flippers" operated by the player, by which the course of the balls can be altered or changed.
- 304.3 *Class III machines:* Any machine of the non payout type, in-line pin game or video game with free-play feature operated by a slot where is deposited a coin or any thing of value except machines of the nonpayment pin table type with levers or "flippers" operated by the player, by which the course of the balls may be changed or altered. This definition includes machines known commonly as "video poker" or "draw poker" machines.
- 305 *Apartment:* A part of a principal building consisting of a room or rooms intended, designed, or used as a residence by an individual or a single-family.
- 305.1 *Apartment, garage:* The upper floor of an accessory building consisting of a room or rooms intended, designed or used as a residence by an individual or a single-family. The lower floor of a garage apartment shall be designed and used for vehicle storage.
- 306 *Automobile wrecking, junk, and salvage yards:* [Deleted. Ord. of 11-16-2000.] (Ord. of 11-16-2000)
- 307 *Basal area:* The cross-sectional area of a tree measured at breast height (4.5 feet from the ground) in square feet.
- 308 *Bed and breakfast inn:* A building designed, constructed or reconstructed and used to provide transient lodging for compensation with or without a morning meal for guests. Additionally, bed and breakfast inns are construed to be owner-operated and they also serve as the primary residence of the operator. Bed and breakfast inns may consist of nine or fewer guest rooms.
- 309 *Buffer strip:* A screening material acceptable to the Zoning Administrator which has such characteristics as will provide an obscuring screen not less than six feet in height.
- 310 *Building:* Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals, or chattel. The connection of two buildings by means of a porch, breezeway, carport or other similar structure with or without a roof, shall not be considered as one building.
- 310.1 *Building, accessory:* A building customarily incidental and subordinate to the principal building and located on the same lot with such building.
- 310.2 *Building height:* The vertical distance measured from the finished grade at the building line to the highest point of the roof.
- 310.3 *Building, principal:* A building in which is conducted the main or principal use of the lot on which said building is located.

- 310.4 *Building setback line*: A line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structures shall be placed except as otherwise provided.
- 311 *Club*: Buildings and facilities owned or operated by an association or persons for a social or recreational purpose, but not operated primarily for profit or to render a service which is customarily carried on as a business.
- 312 *Communications towers*. A tower of any size which supports communication equipment, transmission or reception, and is utilized by commercial, governmental, or other public or quasi-public users. This does not include communication towers for amateur radio operators licensed by the Federal Communications Commission, which are exempt from municipal zoning restrictions. Communication towers can be considered either a principal or accessory use.
- 313 *Condominiums*: A multi-unit building offering individual ownership to said units.
- 314 *Customary, incidental home occupation*: Any use conducted within a dwelling and carried on by the occupants thereof, which is clearly incidental and secondary to the use of a dwelling for residential purposes and does not change the character thereof, and in the conduct of which no person not a resident on the premises is employed specifically in connection with the activity except that no more than one assistant may be employed by the following home occupations: lawyer, physician, dentist, chiropractor and family day care home operation. Provided further that no mechanical equipment is installed and used except such as is normally used for domestic or professional purposes, and that not over twenty-five per cent of the total floor space of any structure is used for home occupations. No traffic shall be generated by such home occupations in greater volumes than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street and in the side and/or rear yard if possible.
- 315 *Day care center*: A licensed facility that regularly provides for the care of nineteen or more children. Such facility shall not keep more children than licensed by the City or the South Carolina Department of Social Services (DSS) and shall meet all requirements of both organizations. In the event the number of children licensed by the City and DSS conflict, the lesser number of children shall be allowed.
- 315.1 *Mini day care center*: A licensed facility that regularly provides for the care of thirteen to eighteen children. Such facility shall not keep more children than licensed by the City or the South Carolina Department of Social Services (DSS) and shall meet all requirements of both organizations. In the event the number of children licensed by the City and DSS conflict, the lesser number of children shall be allowed.
- 315.2 *Family day care home*: A licensed family abode of a person or persons who regularly provide direct care during part of the twenty-four-hour day to twelve or fewer children, including the licensee's own and foster children under thirteen years of age on the premises. Family day care homes may be considered as a

- customary home occupation. Such facility shall not keep more children than licensed by the City or the South Carolina Department of Social Services (DSS) and shall meet all requirements of both organizations. In the event the number of children licensed by the City and DSS conflict, the lesser number of children shall be allowed.
- 316 *Developed property:* Property upon which a building has been placed or for which a building permit has been issued.
- 317 *Diameter breast height (DBH):* The diameter of a tree, measured at breast height (4.5 feet from the ground).
- 318 *District:* Any section of the City of Georgetown, South Carolina, for which the regulations governing the use of land, density, bulk, height, and coverage of buildings and other structures are uniform.
- 319 *Drip line:* Means an imaginary vertical line that extends downward from the outermost branches of a tree to the ground.
- 320 *Dwelling, group:* A building designed, constructed or reconstructed to provide lodging for compensation with or without meals, and consisting of nine or fewer guest rooms. Group dwellings include the terms "rooming house," and "boardinghouse."
- 321 *Dwelling, single-family:* A building designed, constructed and used for one dwelling unit. (Does not include mobile homes.)
- 321.1 *Accessory dwelling unit (granny flat):* A building intended, designed, and constructed for use as a single-family residential dwelling unit; and which is constructed on the same parcel as a larger single-family dwelling unit. Such buildings may not exceed 600 square feet in size, and they must meet all applicable building code standards and yard requirements herein. Only one accessory dwelling unit may be constructed on any residential lot, and only in the rear or side yard of a lot.
- 322 *Dwelling, two-family or duplex:* A building designed, constructed or reconstructed and used for two dwelling units that are connected by a common structural wall.
- 323 *Dwelling, multi-family:* A building designed, constructed or reconstructed and used for more than two dwelling units, but each dwelling unit having a common structural wall with any other dwelling unit on the same floor.
- 324 *English tea service:* A social engagement consisting of the for-profit service to not more than twelve guests, of a limited selection of finger sandwiches, baked goods, pastries, hot tea, or similar foods prepared in non-commercial kitchens, in accordance with the Code of Laws of South Carolina, 1976, Section 45, as amended. Other restrictions are listed in Appendix A, Section 411.3 of this Ordinance.

- 325 *Family*: One or more persons occupying a premise and living together as a single housekeeping unit.
- 326 *Fence*: A barrier or enclosure designed and constructed to prevent escape, or intrusion or to mark a boundary. Fences may be constructed of wood, wire, masonry or combinations thereof. (See Section 512 for specific regulations for fences.)
- 327 *Historic tree*: [Moved to § 372.5 pursuant to an ordinance adopted October 17, 2002.]
- 328 *Hotel*: An establishment where lodging is provided for compensation with or without meals for guests. Establishments with 10 or more rental units are considered hotels.
- 329 *Loading space*: A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of a vehicle.
- 330 *Lot*: A parcel of land which fronts on and has access to a public street and which is occupied or intended to be occupied by a building or buildings with customary accessories and open space.
- 330.1 *Lot area*: The total surface area of land included within the lot lines (see "A" in Figure).
- 330.2 *Lot frontage*: The distance for which the boundary line of the lot and the street right-of-way line are coincident (see "B" in Figure).
- 330.3 *Lot lines*: The boundary dividing a given lot from the street, an alley, or adjacent lots (see "C" in Figure).
- 330.4 *Lot width*: The width of a lot at the building setback line measured at right angles to its depth (see "D" in Figure).
- 330.5 *Lot of record*: A lot, the boundaries of which are filed as legal record.
- 331 *Maintenance shop, public*: Facility used primarily for the routine maintenance and repair of any type of equipment utilized by any municipal, county, state, or federal governmental unit for any purpose.
- 332 *Mobile unit*: A structure, transportable in one or more sections, which is eight feet or more in width and built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities and includes the plumbing and electrical systems contained therein. A mobile unit not intended to be used as a dwelling (except portable classrooms) shall be considered a temporary use and shall conform to the regulations herein (see Section 1103).
- 333 *Mobile home park*: Any plot of ground upon which two or more mobile homes are located or intended to be located (does not include sites where unoccupied mobile homes are on display for sale).

- 334 *Modular unit:* A structure consisting of two or more prefabricated components which is designed to be placed on a permanent foundation at the site and is not readily relocatable. The components generally arrive at the site complete except for exterior siding, furniture, and plumbing and electrical fixtures. Modular units shall be considered buildings and shall conform to the regulations for site-built units in the Standard Building Codes.
- 335 *Motor vehicle junk yards:* Any lot or place which is exposed to the weather and upon which more than three motor vehicles of any kind, incapable of being operated and which it would not be economically feasible to make operative, are placed, located or found.
- 335.1 *Junk or salvage yards:* The use of any part of a lot, whether inside or outside a building, for the storage, abandonment, sale or resale of junk, salvage, debris, or scrap materials; or the dismantling or demolition of automobiles and other vehicles, machinery, equipment, or parts thereof.
(Ord. of 11-16-2000)

Editor's note: An ordinance adopted November 16, 2000 added a new § 335 as set out above, and renumbered the remaining sections, former §§ 335--376, as §§ 336--377.

- 336 *Natural regeneration:* The natural establishment of trees and other vegetation with at least 400 wood, free-to-grow seedlings per acre, which are capable of reaching a height of at least 20 feet at maturity.
- 337 *Nonconforming use:* Any structure or land lawfully occupied by a use that does not conform to the use regulations of the district in which it is situated.
- 338 *Noxious matter:* Any material (in gaseous, liquid, solid, particulate or any other form) which is capable of causing injury to living organisms, chemical reactions or detrimental effects on the social, economic, or psychological well-being of individuals.
- 339 *Nursing home:* One licensed by the State of South Carolina.
- 340 *Offices, government:* Facilities used primarily for administrative functions associated with governance at the municipal, county, state, or federal level.
- 341 *One-hundred-year floodplain:* An area along or adjacent to a stream or body of water, except tidal waters, that is capable of storing or conveying floodwaters during a 100-year frequency storm event.
- 342 *Parking space:* An off-street space available for parking one motor vehicle and having an area of not less than nine feet by eighteen feet exclusive of passageways and driveways giving access thereto, and having direct access to a street or alley.
- 343 *Planned development:* A planned residential, commercial, or industrial development professionally designed as a unit and reviewed by the City of Georgetown Planning Commission and approved by City Council.

- 344 *Planning Commission:* The City of Georgetown Planning and Zoning Commission.
- 345 *Plat:* A map, plan, or layout indicating the location and boundaries of individual properties.
- 346 *Property, private:* Any parcel that is not owned by a governmental entity but rather is owned by any individual(s), firm or corporation, whether in whole or in part, profit or nonprofit.
- 347 *Protective barricade:* A physical structure not less than four feet in height, limiting access to protected trees. A suitable protective barrier shall be composed of wood or other durable material which insures protection to trees during development.
- 348 *Recycling material recovering facility:* Any facility or operation used primarily for the processing of recyclables such as glass, paper, plastic, oils, metals, etc. collected by any governmental entity or private concern.
- 349 *Restaurant:* A commercial enterprise whose primary function is the preparation and serving of foods. Outdoor cafes and delicatessens shall be considered as restaurants. This definition shall not include establishments operated as "drive-in" restaurants.
- 350 *Right-of-way:* Access over or across property for a specific purpose or purposes.
- 351 *Sewer, sanitary:* A sewage collection treatment and disposal system of a type approved by the South Carolina Department of Health and Environmental Control.
- 352 *Sewer, storm:* A collection and disposal system for the control of storm drainage.
- 353 *Sexually oriented business:* A commercial enterprise for adult entertainment which may include, but not be limited to, the following:
- 353.1 *Adult arcade:* Any place to which the public is permitted or invited wherein, coin-operated or slug-operated or electronically or mechanically controlled still or motion picture machine, projectors or other image-producing devices are maintained to show at any time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas".
- 353.2 *Adult bookstore or adult video store:* A commercial establishment which devotes at least three per cent of its retail floor area, or twenty-five square feet, whichever is less, to the sale of one or more of the following:
- 353.201 Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video reproductions, slides, or other visual representations

which depict or describe "specified sexual activities" or "specified anatomical areas"; or

353.202 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 for rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore or adult video store.

353.3 *Adult cabaret:* A nightclub, bar, restaurant, or similar commercial establishment which regularly features:

353.301 Person who appears in a state of nudity or semi nudity; or

353.302 Live performances which are characterized by exposure of "specified anatomical areas" or by "specified sexual activities"; or

353.303 Films, motion pictures, video cassettes, slides, or other photographic reproduction which are characterized by the depiction of "specified sexual activities" or "specified anatomical areas."

353.304 *Regularly offers* shall mean such activity is conducted at least once monthly.

353.4 *Adult motel:* A hotel, motel, or similar commercial establishment which:

353.401 Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, video cassettes, slides, or other photographic reproduction which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas";

353.402 Offers sleeping room for rent for a period of time that is less than ten hours; or

353.403 Allows a tenant or occupant of a sleeping room to sub rent the room for a period of time that is less than ten hours.

353.5 *Adult motion picture theatre:* 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."

353.501 *Regularly offers* shall mean such activity is conducted at least once monthly.

353.6 *Adult theatre:* A theatre, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified sexual activities" or "specified anatomical areas."

353.601 *Regularly offers* shall mean such activity is conducted at least once monthly.

- 353.7 *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 perform a striptease for another person.
- 353.8 *Escort agency*: A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, or other consideration.
- 353.9 *Establishment*: Includes any of the following:
- 353.901 The opening or commencement of any sexually oriented business as a new business; or
- 353.902 The conversion of an existing business, whether or not it is sexually oriented, to any sexually oriented business; or
- 353.903 The relocation of any sexually oriented business.
- 353.10 *Nude model studio*: Any place where a person who appears in a state of nudity or displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.
- 353.11 *Nudity or state of nudity*: The appearance of a human bare buttock, anus, male genitals, female genitals, or female breast.
- 353.12 *Person*: An individual, proprietorship, partnership, corporation, association, or other legal entity.
- 353.13 *Semi-nude*: A state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body, supporting straps or devices.
- 353.14 *Sexual encounter center*: A business or commercial establishment that regularly offers, for any form of consideration:
- 353.1401 Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- 353.1402 Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of semi-nudity.
- 353.1403 *Regularly offers* shall mean such activity is conducted at least once monthly.
- 353.15 *Sexually oriented business*: An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theatre, adult theatre, escort agency, nude model studio, or sexual encounter center.
- 353.16 *Specified anatomical areas*: The male genitals and/or the vulva or more intimate parts of the female genitals.
- 353.17 *Specified sexual activities*: Includes any of the following:

353.1701 The fondling or erotic touching of human genitals, pubic region, buttocks, anus, or female breast; or

353.1702 Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or

353.1703 Masturbation, actual or simulated; or

353.1704 Excretory function as part of, or in connection with, any of the activities set forth above.

354 *Shopping center*: Any grouping of 2 or more commercial tenants or uses located within a single structure, with each having their own electrical service and exterior electrical meter. Shopping centers are categorized by size, as follows:

354.1 Mini-shopping centers are those with a total floor area of the principal building not exceeding 10,000 square feet.

354.2 Regional shopping centers are those with a total floor area of the principal building exceeding 10,000 square feet. Upon any lot containing any sort of shopping center, the property owner may construct up to 2 free-standing accessory buildings, each not to exceed 400 square feet in size; to house uses customarily considered accessory to a shopping center, such as automated teller machines, one-hour photo labs, and the like.

355 *Sign*: Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein:

355.1 Traffic, directional, warning, or information signs authorized by any public agency.

355.2 Signs erected by non-profit organizations not exceeding six square feet in area.

355.3 Official notices issued by any court, public agency, or officer.

355.4 Signs not exceeding one square foot in area bearing only property numbers, post box numbers, or names of occupants of premises.

355.5 Temporary signs advertising non-commercial activities such as garage sales, free kittens, etc., provided the signs do not exceed six square feet in area.

355.6 One non-illuminated "for sale," "for rent," or "for lease" sign not exceeding six square feet in area located on the subject property, providing such signs do not obstruct the view of motor vehicle operators entering a public roadway. The signs shall meet requirements set forth in Section 404 of this Ordinance, Vision Clearance.

355.7 Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

- 355.8 One home occupation sign, provided it is non-illuminated and no larger than one square foot in area and is mounted against a wall of the principal building.
- 355.9 Temporary subdivision signs not exceeding twenty square feet in area announcing a land subdivision development. These signs shall be located so as to not obstruct the view of motor vehicle operators entering a public roadway and meet requirements set forth in Section 404 of this Ordinance, Vision Clearance. Such signs shall be spaced at least three hundred feet apart. This spacing requirement shall not apply to signs on opposite sides of the street or highway.
- 355.10 Billboard paper displays if designed specifically for use on billboards permitted by this Ordinance; provided, however, that a permit to erect a billboard structure shall be required and shall conform to Article X of this Ordinance.
- 355.11 Signs repainted, provided no alteration or reconstruction of the framing or support structure occurs.
- 355.12 Signs receiving new face insert panels, either plastic or metal, providing no alteration or reconstruction of the framing or support structure occurs.
- 355.13 Flags, emblems and/or insignias of any governmental agency, or religious, charitable, public or nonprofit organizations, provided:
- 355.131 No parcel of land shall display more than three flags;
- 355.132 No single flag shall exceed forty square feet in area. If the total area of the flags displayed exceeds one hundred and twenty square feet, the excess area shall be included in the sign area calculations for the parcel of land.
- 355.133 The height of flagpoles shall not exceed twenty-five feet.
- 355.14 Artwork that does not include any commercial messages or references.
(Ord. of 12-14-2000)
- 356 *Sign number:* For the purpose of determining the number of signs, a sign shall be considered to be a display surface or device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without an organized relationship of elements, each element shall be considered to be a sign. The components of back-to-back, double-faced, V-type or multiple-faced signs shall be considered as one sign.
- 357 *Sign, surface area:* For the purpose of determining surface area of a sign, the area of a sign shall be computed as including the entire area within a parallelogram, triangle, circle, or semi-circle comprising all the displayed matter, exclusive of frames or supports. In the case of back-to-back, double-faced, or V-type signs, the largest of the two display surfaces shall be used to compute surface area.
- 358 *Sign, on-site:* A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services or activities on the premises. On-site signs do not include signs erected by the outdoor advertising business.

- 359 *Sign, off-premises:* Any billboard; or any sign not meeting the definition of an on-site sign.
- 360 *Sign, portable:* Any sign that is not permanently affixed to a building, structure, or the ground. Portable signs are limited to a maximum of twenty-four square feet in size, and may not be placed closer than ten feet to any property line. Sandwich-board type signs, as defined in Section 364, are excluded from this definition.
- 361 *Sign, illuminated:* Any sign which employs artificial illumination techniques to project the message.
- 362 *Sign, business, identification:* Any sign that contains the name(s) of the business enterprise(s) located on the same premises as the sign and the nature of the business conducted thereon.
- 363 *Sign, structure:* A supporting structure erected or intended for identifying/advertising purposes, with or without a sign thereon, situated upon or attached to real property, upon which any sign is, or intended to be, fastened, affixed, displayed, applied, or a part of, provided however, that said definition shall not include a building, fence, flagpole, utility pole or tree.
- 364 *Sign, abandoned and/or obsolete:* Any sign or part thereof that is located on property which becomes vacant and unoccupied for a period of four months or more, or any sign which pertains to a time, event, business, product, service, activity, or purpose which no longer applies shall be deemed to be abandoned or obsolete. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management shall not be deemed abandoned or obsolete unless the property remains vacant for a period of eight months or more.
- 365 *Sign, sandwich-board type:* A type of sign that consists of two sign faces joined at the top by a hinge or similar device which allows the sign to be folded flat, or spread apart so as to be freestanding. Sandwich-board type signs erected in accordance with Section 20-7.3 of the Streets, Sidewalks and Public Places Ordinance may be placed on the public sidewalk. All other such signs must be placed on the same site as the business, which it advertises. Sandwich-board type signs must not be placed in any sight triangle, or any other location that impedes traffic or causes a vision obstruction for motorists. A permit is required for sandwich-board type signs, which shall be good for a period of one year. Upon expiration, the owner may seek a permit renewal, which may be granted provided the sign has been maintained in good condition. Design criteria for such signs may be found in Article X, Sections 1002.3 and 1002.5 of the Zoning Ordinance.
- 366 *Sign, monument style:* A type of sign with a framed sign face, and a solid, opaque base extending to a pedestal or directly to the ground. Such signs may not be erected on a pole, pylon, or any other type of post(s). To qualify as a monument style sign, the width of the supporting sign base may not be less than the width of the sign face. In addition, the maximum height, measured from grade, of any monument sign shall not exceed eight feet. Monument signs may have plastic sign faces

and may be internally illuminated, but all other materials used in the framing, support and construction of the sign shall be made of brick, stone, stucco-covered block, wood or other natural material. Ornamental iron may be used to frame or accent the sign. If internal illumination is not desired, exterior light sources trained upon the sign face may be utilized. Such signs shall not be placed closer than ten feet to any property line.

367 Sign, wall mounted: Any sign that is permanently attached to a wall, roof, or awning of the building which houses the business or organization the sign advertises.

368 Sign, directory: A monument sign utilized in multiple tenant developments, and shopping centers. Such signs may contain a single insert for each tenant on the premises, and shall conform with all other requirements for monument signs.

369 Political sign: A temporary off-premise sign which refers only to a political candidate or the issues involved in an upcoming election or referendum.

370 Street: Any public way set aside for public travel, twenty-one feet or more in width. The word "street" shall include the words "road," "highway," and "thoroughfare."

370.1 Reserved.

370.2 Reserved.

370.3 Street, minor: A street used primarily for access to abutting properties.

370.301 Street, alley: A minor street used for service access to the back or side of properties otherwise abutting on a street.

370.302 Street, cul-de-sac: A minor street with only one outlet, sometimes called a "dead-end" street.

371 Structure: Any man-made device, whether free standing or attached to another structure. This definition includes, but is not limited to: buildings, fences, signs, canopies, trellises, arboretums, swimming pools, docks, piers, flag poles, gazebos, satellite dishes, antennae, greenhouses, decks, dumpster screens, etc.

371.1 Structure, accessory: Any structure not meeting the definition of a principal structure.

371.2 Structure, principal: Any building in which is conducted the main or principal use of the lot on which said building is located (principal building); or any off-premise sign.

372 Townhouse: A single-family dwelling unit attached by fire resistant common walls to another similar type unit, each unit having an open space for light, air, and access in front or rear.

372.5 Tree, historic: Any tree to which local legend or lore has attached or which is known by a common name within the community, as determined by the Planning Commission; or any tree whose DBH is at least four times the diameter specified

for that species under the definition of a significant tree. (Example: A Significant Live Oak is 8 inches DBH, therefore an Historic Live Oak is $4 \times 8 = 32$ inches DBH). The one exception to this formula is for Pine species; where the multiplier shall be two instead of four times the significant diameter.
(Ord. of 10-17-2002)

373 Tree: Any living, self-supporting perennial plant with a definitive crown, and which has a trunk diameter of two inches or larger.

373.1 Protected tree: Any tree which is classified as scenic, replacement, historic, or significant.

373.2 Replacement tree: Any tree that is planted in order to replace an existing protected tree which is permitted to be removed. Replacement trees must be at least two inches American Nursery Stock Standards, (typically measured 6 inches above ground level) except if it is a tree being planted in order to fulfill the requirements of the parking and landscaping provisions herein; in which case the sizes called for in the approved plant list shall take precedence.

373.3 Scenic tree: Any tree which, because of its size, shape, location, or other aesthetic feature is deemed by the Planning Commission to significantly add to the scenic beauty of the general location in which it is situated.

373.4 Significant tree: The following table shall define the minimum diameter criteria for the designation of a tree as significant:

TABLE INSET:

Species	Common Name	Diameter (inches)
Quercus virginiana	Live Oak	8
Quercus alba	White Oak	8
Quercus stellata	Post Oak	8
Quercus nigra	Water Oak	8
Quercus falcata	Southern Red Oak	8
Quercus palustris	Pin Oak	8
Quercus laurifolia	Laurel Oak	8
Quercus phellos	Willow Oak	8
Acer rubrum	Red Maple	8
Liquidambar styraciflua	Sweetgum	8
Liriodendron tulipifera	Yellow-poplar	8
Taxodium distichum	Bald Cypress	8

Cercis canadensis	Eastern Redbud	4
Ilex opaca	American Holly	4
Cornus Florida	Flowering Dogwood	4
Fagus grandifolia	American Beech	8
Magnolia grandiflora	Southern Magnolia	8
Carya tomentosa	Mockernut Hickory	8
Carya glabra	Pignut Hickory	8
Carya ovata	Shagbark Hickory	8
Ulmus parvifolia	Chinese Elm	6
Ulmus americana	Elm	8
Nyssa aquatica	Black Gum	6
Diospyros virginiana	Persimmon	8
Magnolia virginiana	Sweet Bay	6
Lagerstroemia indica	Crape Myrtle	4
Gordonia lasianthus	Gordonia	6
Cedrus deodara	Deodar Cedar	6
Betula nigra	River Birch	8
Ostrya virginiana	American Hop Hornbeam	8
Elaeagnus pungens	Russian Olive	6
Oxydendrum arboreum	Sourwood	4
Prunus carolinana	Caroline Cherry-Laurel	8
Pyrus calleryana	Callery Pear	6
Ginkgo biloba	Ginkgo	6
Gleditsia tricanthos	Honeylocust	6
Platanus occidentalis	Sycamore	8

373.5 *Tree damage or abuse*: Any intentional action which does not follow good arboricultural practices. Abuse also includes excessive pruning which endangers survivability of the tree, damage inflicted upon roots by machinery, changing the natural grade above the root system or around the trunk, and changing drainage patterns so as to appreciably reduce the water supply necessary for the tree's survival.

373.6 *Tree expert*: Any individual licensed as or who is otherwise a practicing landscape architect, arborist, forester, or horticulturist.

373.7 *Tree removal*: Any intentional or negligent act which will cause a tree to decline and die, including, but not limited to, such damage inflicted upon the root system of a tree by application of toxic substances, the operation of machinery, the change of natural grade by excavation or filling above the root system or around the trunk of a tree, pruning, and damages from injury or fire inflicted upon trees which result in or permit insect infestation.

373.8 *Tree topping*: The severe cutting back of limbs to stubs larger than three inches in diameter within the crown of a tree to such a degree as to remove the normal canopy or disfigure the tree.
(Ord. of 10-17-2002)

374 *Use*: The purpose or activity for which a piece of land or its buildings is designed, arranged, or intended, or for which it is occupied or maintained.

374.1 *Use, accessory*: A use customarily incidental, appropriate and subordinate to the principal use of land and located on the same lot therewith.

374.2 *Use, principal*: The primary purpose for which a lot is occupied and/or used.

375 *Variance*: A modification of the strict terms of this Ordinance granted by the Board of Zoning Appeals where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property and not as a result of any action on the part of the property owner, a literal enforcement of this Ordinance would result in unnecessary and undue hardship, and where such modification will not authorize a principal or accessory use of the property which is not permitted within the Zoning District in which the property is located.

376 *Yard*: An open space on the same lot with the principal building, open, unoccupied, and unobstructed by buildings from the ground to the sky except as otherwise provided in this Ordinance.

376.1 *Yard, front*: A yard extending across the full width of the lot, the depth of which is the horizontal distance between the street and the front building line (see Figure).

376.2 *Yard, rear*: The yard extending across the rear of the lot between inner side yard lines (see Figure).

376.3 *Yard, side*: A yard extending along the side lot line from the front yard to the rear lot line and lying between the side lot line and the building line (see Figure).

377 *Zoning Administrator*: The local official responsible for granting permits and interpreting the regulations contained herein.
(Ord. of 11-16-2000)