

ZONING ORDINANCE
CITY OF INMAN, SOUTH CAROLINA

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This document has been prepared by The City of Inman Zoning and Planning Commission

STATE OF SOUTH CAROLINA)

COUNTY OF SPARTANBURG)

CITY OF INMAN)

An Ordinance Adopting an Amended City of Inman Zoning Ordinance

Whereas, the City of Inman Zoning Ordinance requires that refinements be made as necessary to maintain its effectiveness and efficiency, and
Whereas, the City of Inman Planning Commission has recommended that several refinements be made as a result of review by that body;
Now, therefore, be it ordained by the City Council of Inman, South Carolina, that the City of Inman does hereby adopt this ordinance to replace all prior sections of the zoning ordinance, effective after the final reading, and shall continue in effect as hereafter mandated.

RESOLVED, this 12th Day of September, 2011.

Winston (Bo) Cantrell, Mayor
Robin Henderson, City Clerk

Introduction and First Reading August 8, 2011

Second and Final Reading September 12, 2011

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ARTICLE I - PURPOSE, AUTHORITY, AND ENACTMENT CLAUSE

Section 101 Short Title

This ordinance is officially titled as “The Zoning Ordinance of the City of Inman, South Carolina”, and shall be known as the “Zoning Ordinance”. The official map designating the various zoning districts shall be titled, “City of Inman, Zoning Map”, and shall be known as the “Zoning Map.”

Section 102 Authority and Enactment Clause

Zoning provisions enacted herein are under the authority of the South Carolina Code of Laws, 1976, 1994 Cumulative Update, Title 6, Chapter 29, which extends to cities the authority to enact regulations which promote the health, safety, morals, or the general welfare of the community. It further authorizes cities to regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures, or land. This section further authorizes the establishment of overlay districts in which additional regulations may be imposed upon properties that lie within the boundary of the district. The statutes also require that all such regulations shall be uniform for each class or type of building throughout each district, but that the regulations in one district may differ from those in other districts.

Section 103 Purpose and Scope

The purpose of this ordinance is to guide development in accordance with the community’s existing and future needs and to protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity and general welfare of the City of Inman. The regulations set forth herein are designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote the public health and general welfare; to provide adequate light and air; to prevent the over-crowding of land; to avoid undue concentration of populations; to protect scenic areas, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to promote desirable living conditions and the sustained stability of neighborhoods; to protect property against blight and depreciation; to secure economy in governmental expenditures; to conserve the value of land and buildings; and to encourage the most appropriate use of land, buildings, and structures.

From and after the effective date of this ordinance, the use of all land and all buildings or portions thereof erected, altered with respect to area, added to, or relocated, and every use within a building or use accessory thereto, in the City of Inman, shall be in conformity with the provisions of this ordinance. Any existing building or structure and existing use of building or land not in conformity with the regulations herein prescribed shall be regarded as non-conforming but may be continued subject to the regulations herein provided in respect to non-conforming buildings or uses.

Section 104 Separability

If any Section or specific provision or standard of this ordinance or any regulating district boundary arising from it is found by a court to be invalid for any reason, the decision of the court shall not affect the validity of any other section, provision, standard, or district boundary of these regulations except the provision in question. The other portions of these regulations not affected by the decision of the court shall remain in full force and effect. Should any section or provision of this ordinance be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 105 Relation to Other Ordinances

It is not intended that this ordinance repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, vested rights or building permits previously adopted or issued pursuant to law and currently effective. The provisions of this ordinance are minimum requirements and where conflicts with other laws occur, the stricter shall apply.

Section 106 Jurisdiction

The regulations set forth in this ordinance shall be applicable within the corporate limits of the City of Inman.

Section 107 Effective Date

These regulations shall become effective on September 12, 2011. Upon such date, these regulations shall supersede, repeal, and replace the Current Zoning Ordinance, as amended, adopted on February, 27th, 2003.

**ARTICLE II - ESTABLISHMENT OF ZONING DISTRICTS AND
THE OFFICIAL ZONING MAP**

Section 201 Establishment of Districts

R-12	Single-Family Low Density Residential District
R-10	Single-Family Medium Density Residential District
RG	Single-Family and Duplex Residential District
RM	Multi-Family High Density Residential District
MHP	Mobile Home Park District
CBD	Central Business District
NBD	Neighborhood Business District
GBD	General Business District
GI	General Industrial District
PDD	Planned Development District

Section 202 Zoning District Boundaries and the Official Zoning Map

The boundaries of the above zoning districts are hereby established as shown on the Official Zoning Map of the City of Inman, South Carolina, which together with all explanatory matter thereon is hereby adopted and declared to be a part of this ordinance.

The Official Zoning Map shall be identified by the signature of the Mayor attested by the City Clerk and bear the seal of the city under the following words: "Official Zoning Map City of Inman, South Carolina", together with the date of the adoption of this ordinance.

If, in accordance with the provisions of this ordinance and South Carolina Code of Laws, 1976, 1994 Cumulative Update, Title VI, Chapter 29, Section 760, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the official zoning map promptly by the Zoning Administrator within thirty (30) days after the amendment has been approved by the City Council. No amendment to this ordinance which involves a matter portrayed on the Official Zoning Map shall become effective until after such change has been made on said map.

No changes of any nature shall be made on the Official Zoning Map except when in conformity with the procedures set forth in the ordinance. Any unauthorized change of whatever kind, by any person or persons, shall be considered a violation of this ordinance and punishable as provided by law.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the City Clerk shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the city. A reproducible copy of the Official Zoning Map shall be kept on file in the Office of the City Clerk and copies shall be available at all times for the inspection by the public.

Section 203 Interpretation of District Boundaries

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

- A. District boundary lines are intended to follow the center lines of streets, highways, alleys, rail lines, easements, and other rights-of-way; the center lines of streams or other water channels; and follow platted lot or other property lines.
- B. In the absence of visual district boundaries or specified distances on the Official Zoning Map, dimensions or distances shall be determined by the Zoning Administrator by scaling the distance on the Official Zoning Map.
- C. Properties divided by highways, streets, railroads, streams, rivers, lakes, and other bodies of water shall not be considered adjacent properties.
- D. Where distances are not specifically indicated on the Official Zoning Map and/or are not covered within this section, the Board of Zoning Appeals shall interpret the district boundaries.

Section 204 Divided Lot

Where a district boundary divides a lot which was in single ownership at the time of passage of the ordinance, the Board of Appeals may permit 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. The extension of regulations may be approved provided the request will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The fifty (50) foot extension of regulations may be granted only once per lot and does not constitute an amendment to the Official Zoning Map. Thereafter, the existing zoning district boundary lines shall govern all sections of newly created approved lots of record without extension considerations.

Section 205 Zoning of Annexed Property

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

- A. New land areas incorporated or otherwise annexed shall be assigned a zoning classification at the time of annexation by City Council. The ordinance to annex the territory will establish a zoning classification for the property based on a recommendation from the Planning Commission, consideration of the current use of the property, the municipality's comprehensive plan, and the current zoning of neighboring properties.
- B. In all cases, where additions or deletions in the City of Inman's total land area require adjustments in the zoning district boundaries, said amendments shall be made on the Zoning Map within thirty (30) days of the date of Council action and the date shall be noted.

ARTICLE III - APPLICATION OF DISTRICT REGULATIONS

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

Section 301 Use of Land or Structures

- A. No building, land or portion thereof shall be erected, used, moved, or altered except in conformity with the regulations specified for the district in which it is located.
- B. No structure shall hereafter be erected or altered:
 - 1. with greater height, size, bulk, or other dimensions;
 - 2. to occupy a greater percentage of lot area;
 - 3. to have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or in any other manner contrary to the provisions of this ordinance.
- C. No part of a setback, or other open space, off-street parking or loading area required in connection with any building for the purpose of complying with this ordinance, shall be included as part of a setback, open space, or off-street parking or loading space similarly required for any other building.

Section 302 Lot Reduction Prohibited

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

Section 303 Use of Substandard Lots of Record

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

ARTICLE IV - DISTRICT REGULATIONS

The following regulations pertain to the districts established by this ordinance.

Section 401 R-12, Single Family Low Density Residential District

401.1 Purpose. This district is intended to foster, preserve and protect areas of the community in which the principal use of land is detached, single family dwellings and related support facilities.

401.2 Permitted Uses. The following uses shall be permitted in any R-12 Zoning District:

- A. Detached single-family dwelling meeting current Building Code requirements.
- B. Non-commercial horticulture or agriculture, but not including the keeping of poultry, livestock, or kennels.
- C. Community recreation facilities including but not limited to golf courses, parks, playgrounds, country clubs, wildlife reservations, but not including commercial amusements park facilities. Unlighted golf course, excluding miniature golf courses and driving ranges. Public park, playground or other public recreation area or community recreation building with exterior lights must be 50 feet from residential property line.

401.3 Conditional Uses. The following uses shall be permitted in any R-12 Zoning District on a conditional basis, subject to the conditions of this section and Article VIII, Section 818.

- A. Church, synagogue, temple and other places of worship; provided that: (1) such use is housed in a permanent structure which meets all building, electrical, and plumbing codes for places of public assembly; (2) such use is located on a lot not less than 40,000 square feet in area; (3) exterior and parking lot lights do not reflect on to adjoining residences, and (4) no structure or parking area is placed within fifty (50) feet of any property line, and all of the parking requirements of Article V are provided on site.
- B. Kindergarten, pre-school nursery, and day care for adults and children center, provided that: (1) such uses meet the minimum standards set forth for such facilities by the State Board of Health, if applicable; (2) such use is located on a lot not less than 40,000 square feet in area; (3) no structure on the lot is closer than 25 feet to any abutting residential property line, and (4) a five (5) foot wall or chain link fence is constructed around any play area.
- C. Elementary, middle, or high school or institution of higher learning provided that the lot is at least five (5) acres in size, no structure or parking area is placed within fifty (50) feet of any property line, and all of the parking requirements of Article V are provided on site.
- D. Care Homes provided that: (1) such uses meet the minimum standards set forth for such facilities by the State Board of Health; (2) such use is located on a lot not less than 40,000 square feet in area and (3) no structure on the lot is closer than 25 feet to any abutting residential property line.

- E. Public park, playground or other public recreation area or community recreation building, in compliance with the provisions of Article VIII, Section 813.
- F. Cemetery, provided that such use: (1) consists of a site of at least five (5) acres, (2) includes no crematorium or dwelling unit other than for a caretaker and immediate family members, and (3) has a front yard setback of at least forty-five (45) feet from the edge of the street right-of-way. If there is no established right-of-way the front yard setback shall be at least seventy (70) feet from the center line of the road.

401.4 Special Exceptions. The following uses shall be permitted in the R-12 Zoning District as a special exception, subject to the conditions of this Article and Article VIII, Section 820:

- A. Bed and Breakfast Inn, provided that it meets the following conditions:
 - 1. The inn must be operated by members of the household living on the premises.
 - 2. A maximum of one Bed and Breakfast Inn shall be permitted on any parcel.
 - 3. The inn must be operated in a structure constructed prior to the passage of this amendment.
 - 4. The inn shall have no more than eight (8) guest rooms.
 - 5. The inn shall not require any alteration or change in the essential residential character of the dwelling.
 - 6. The operation of the inn shall involve no exterior storage of materials or supplies.
 - 7. There shall be no exterior displays or signs, except for one (1) on-site sign no larger than twenty square feet stating the name of the inn.
 - 8. The inn shall provide at least one (1) paved parking space on the property for each guest room. Parking spaces shall be located behind the front line of the structure.
 - 9. The resident operator of the inn shall keep a current guest register, including the names, addresses, and occupancy dates of all guests.
 - 10. No guest shall occupy the inn for more than seven (7) consecutive nights.
 - 11. The inn may only serve meals to registered guests.
 - 12. The Board of Zoning Appeals must hold a public hearing to determine if the proposed Bed and Breakfast Inn is consistent with a quiet residential neighborhood.

401.5 Prohibited Uses. No activity that does not fall within the parameters of Sections 401.1, 401.2 or 401.3 shall be permitted within the R-12 Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity.

- Sexually Oriented Businesses
- Cellular Towers
- Non-domestic Animals – see City of Inman Ordinance #10-09

- Tattoo Facility – see City of Inman Ordinance #09-07

401.6 Dimensional Requirements. Uses permitted in the R-12 Zoning District shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in Article III, Section 303 of this ordinance.

<u>Minimum Lot Area:</u> 12,000 sq. ft.	<u>Minimum Lot Width:</u> 35 feet at front ROW line 80 feet at building line
<u>Minimum Building Setbacks:</u> Front: 40 feet Side: 15 Feet Rear: 40 Feet For exceptions see Article VIII, Sections 804-808	<u>Accessory Structure Setback:</u> 5 ft (side and rear)
<u>Maximum Buildings Height:</u> 45 Feet except as provided for in Article VIII, Section 812.	<u>Fencing:</u> Fencing, footings, any ancillary materials must be contained on property

401.7 Parking and Loading. Uses permitted in the R-12 Zoning District shall meet standards set forth in Article V.

401.8 Signs. Signs permitted in the R-12 Zoning District, including the conditions under which they may be located are set forth in Article VI.

401.9 Buffer yard Requirements. Where a conditional use borders any residential zone, a buffer yard in compliance with Article VII of this ordinance shall be required along abutting property lines.

401.10 General and Supplementary Regulations. Uses permitted in the R-12 Zoning District shall meet standards set forth in Article VIII.

Section 402 R-10 Single Family Medium Density Residential District

402.1 Purpose. This district is intended to foster, preserve and protect areas of the community in which the principal use of land is medium density one-family and two-family residential dwellings and related support facilities.

402.2 Permitted Uses. The following uses shall be permitted in any R-10 Zoning District:

- A. Any use, together with conditions attached thereto, permitted in R-12 Zoning District
- B. One (1) Duplex or Two-Family dwelling unit meeting current Building Code requirements

402.3 Conditional Uses. The following uses shall be permitted in the R-10 Zoning District on a conditional basis, subject to the conditions of this section and Article VIII, Section 818.

- A. All conditional uses permitted in the R-12 Zoning District as shown in Article IV, Section 401.3, shall be permitted in any R-10 Zoning District on a conditional basis subject to the conditions set forth in that section.

402.4 Special Exceptions. The following uses shall be permitted in the R-10 Zoning District as a special exception, subject to conditions of this article and Article IX, Section 913:

- A. Bed and Breakfast Inn, subject to the conditions found in Section 401.4 (A)

402.5 Prohibited Uses. No activity that does not fall within the parameters of Sections 402.1, 402.2 or 402.3 shall be permitted within the R-10 Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity:

- Sexually Oriented Businesses.
- Cellular Towers
- Non-domestic Animals – see City of Inman Ordinance #10-09
- Tattoo Facility – see City of Inman Ordinance #09-07

402.6 Dimensional Requirements. Uses permitted in the R-10 Zoning District shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in Article III, Section 303 of this ordinance.

<p><u>Minimum Lot Area:</u> 10,000 sq. ft.</p>	<p><u>Minimum Lot Width:</u> 30 feet at front ROW line 50 feet at building line</p>
<p><u>Minimum Building Setbacks:</u> Front: 25 feet Side: 10 Feet Rear: 30 Feet For exceptions see Article VIII, Sections 804-808</p>	<p><u>Accessory Structure Setback:</u> 5 ft (side and rear)</p>

Maximum Buildings Height:

35 Feet except as provided for in Article VIII, Section 812.

Fencing:

Fencing, footings, any ancillary materials must be contained on property

- 402.7 Parking and Loading.** Uses permitted in the R-10 Zoning District shall meet standards set forth in Article V.
- 402.8 Signs.** Signs permitted in the R-10 Zoning District, including the conditions under which they may be located, are set forth in Article VI.
- 402.9 Buffer yard Requirements.** Where a conditional use borders any residential zone, a buffer yard in compliance with Article VII of this ordinance shall be required along abutting property lines.
- 402.10 General and Supplementary Regulations.** Uses permitted in the R-10 Zoning District shall meet standards set forth in Article VIII.

Section 403 RG-General Residential District

403.1 Purpose. This district is intended to accommodate medium density residential development and a variety of housing types on small lots or in multi-household settings.

403.2 Permitted Uses. The following uses are permitted in any RG Zoning District:

- A. Any use, together with the conditions attached thereto, permitted in the R-10 Zoning District.
- B. Duplex and townhouse meeting current Building Code requirements.
- C. Mobile homes provided they meet the requirements of Article VIII, Section 817.

403.3 Conditional Uses. The following uses shall be permitted in any RG Zoning District subject to the conditions of this section, unless otherwise noted, and Article VIII, Section 818.

- A. All conditional uses permitted in the R-10 district as shown in Article IV, Section 401.3, shall be permitted in any RG Zoning District on a conditional basis subject to the conditions set forth for that district.

403.4 Special Exceptions. The following uses shall be permitted in the RG Zoning District as a special exception, subject to the conditions of this article and Article VIII, Section 820:

- A. Bed and Breakfast Inn, subject to the conditions found in Section 401.4 (A)

403.5 Prohibited Uses. No activity that does not fall within the parameters of Sections 403.1, 403.2 or 403.3 shall be permitted within the RG Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity:

- Sexually Oriented Businesses.
- Cellular Towers
- Non-domestic Animals – see City of Inman Ordinance #10-09
- Tattoo Facility – see City of Inman Ordinance #09-07

403.6 Dimensional Requirements. Uses permitted in the RG Zoning District shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in Article III, Section 303 of this ordinance.

Minimum Lot Area: Single Family: 8,000 sq. ft. Duplex: 10,000 sq. ft. Townhouses: 5,000 sq. ft./unit Apartments: 1 acre	Minimum Lot Width: Single Family: 50. ft. Duplex: 60. ft. Townhouses: 20 ft for interior lots 35 ft for exterior lots Apartments: 100 ft
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<p><u>Minimum Building Setbacks:</u> Front: 20 ft Side: Single Family/Duplex 10 ft Town House/Apartment 20 ft Rear: Single Family/Duplex 15 ft Town House/Apartment 40 ft For exceptions see Article VIII, Sections 804-808</p>	<p><u>Accessory Structure Setback:</u> 5 ft (side and rear)</p>
<p>Maximum Buildings Height: 35 Feet except as provided for in Article VIII, Section 812.</p>	<p><u>Fencing:</u> Fencing, footings, any ancillary materials must be contained on property</p>

- A. Maximum Density for Multifamily Developments: Eight (8) Units per Acre
- B. Maximum Development and Spacing of Buildings: No more than eight (8) attached dwelling units shall be constructed or attached together in a continuous row, and no such row shall exceed two hundred (200) feet in length. Detached principal or accessory buildings shall not be placed closer than twenty-five (25) feet from any other building.
- C. Maximum Impervious Surface: The maximum impervious surface shall not exceed sixty (60) percent of the project site.
- D. Common Open Space Requirements: Each townhouse or apartment project in a RG district shall have a minimum of twenty (20) percent of the total site area reserved and improved as common open space subject to the conditions set forth in Article VIII, Section 814.

403.7 Streets and Access. All private roadways within a multi-family development shall be paved with asphalt or concrete and shall conform to current Spartanburg County ordinances.

- A. All roadways, which are not to be dedicated as public streets, shall have a minimum travel width of twenty (20) feet, exclusive of parking. Roads within a multi-family development which are to be dedicated as a public street shall conform to the criteria established for Spartanburg County roads in county ordinance number 28.
- B. Access roads to a multi-family development shall be located at least one hundred fifty (150) feet from any public street intersection. The number of entrances and/or exits shall not exceed the ratio of one per one hundred fifty (150) feet of park frontage. Developments with less than one hundred fifty (150) feet of frontage are only allowed one (1) combination ingress and egress road.

403.8 Parking and Loading. Uses permitted in the RG Zoning District shall meet the parking and loading standards set forth in Article V.

403.9 Signs. Signs permitted in the RG Zoning District, including the conditions under which they may be located are set forth in Article VI.

403.10 Buffer yard Requirements. Where townhouses or apartments abut the R-12 or R-10 district or where a conditional use abuts any residential zone, a buffer yard in compliance with Article VII, shall be required along abutting property lines.

403.11 General and Supplementary Regulations. Uses permitted in the RG Zoning District shall meet standards set forth in Article VIII.

Section 404 RM - Multi-Family High Density District

404.1 Purpose. This district is intended to accommodate high density residential development and a variety of housing types on small lots or in multi-household settings.

404.2 Permitted Uses. The following uses are permitted in any RM Zoning District:

- A. Any use, together with the conditions attached thereto, permitted in the RG Zoning District
- B. Duplex, townhouses, and apartments meeting current Building Code requirements.

404.3 Conditional Uses. The following uses shall be permitted in any RM Zoning District subject to the conditions of this section, unless otherwise noted, and Article VIII, Section 818.

- A. All conditional uses permitted in the R-10 district as shown in Article IV, Section 401.3, shall be permitted in any RM Zoning District on a conditional basis subject to the conditions set forth for that district.
- B. Group housing provided such facilities conform with any applicable requirements of the state, provided plans for such facilities receive the written approval of any County Boards prior to the issuance of any permits for construction and operation, copies of such approval to be attached to the building permit and to be retained in the files of the Zoning Administrator.
- C. Facilities of civic, fraternal, or charitable organizations. Where these uses are adjacent to lots which are zoned or used for residential purposes, the use shall comply with the following standards: facility shall not be closer than fifty (50) feet from the property line and no lighting used in connection with such activities shall be closer than fifty (50) feet from the property line.

404.4 Special Exceptions. The following uses shall be permitted in the RM Zoning District as a special exception, subject to the conditions of this article and Article VIII, Section 820:

- A. Bed and Breakfast Inn, subject to the conditions found in Section 401.4 (A)

404.5 Prohibited Uses. No activity that does not fall within the parameters of Sections 404.1, 404.2 or 404.3 shall be permitted within the RM Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity:

- Sexually Oriented Businesses.
- Cellular Towers
- Non-domestic Animals – see City of Inman Ordinance #10-09
- Tattoo Facility – see City of Inman Ordinance #09-07

404.6 Dimensional Requirements. Uses permitted in the RM Zoning District shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in Article III, Section 303 of this ordinance.

<p><u>Minimum Lot Area:</u> Single Family: 8,000 sq. ft. Duplex: 10,000 sq. ft. Townhouses: 5,000 sq. ft./unit Apartments: 1 acre</p>	<p><u>Minimum Lot Width:</u> Single Family: 50. ft. Duplex: 60. ft. Townhouses: 20 ft for interior lots 35 ft for exterior lots Apartments: 100 ft</p>
<p><u>Minimum Building Setbacks:</u> Front: 20 ft Side: Single Family/Duplex 10 ft Town House/Apartment 20 ft Rear: Single Family/Duplex 15 ft Town House/Apartment 40 ft For exceptions see Article VIII, Sections 804-808</p>	<p><u>Accessory Structure Setback:</u> 5 ft (side and rear)</p>
<p><u>Maximum Buildings Height:</u> 35 Feet except as provided for in Article VIII, Section 812.</p>	<p><u>Fencing:</u> Fencing, footings, any ancillary materials must be contained on property</p>

- A. Maximum Density for Multifamily Developments: Eight (8) Units per Acre
- B. Maximum Development and Spacing of Buildings. No more than eight (8) attached dwelling units shall be constructed or attached together in a continuous row, and no such row shall exceed two hundred (200) feet in length. Detached principal or accessory buildings shall not be placed closer than twenty-five (25) feet from any other building.
- C. Maximum Impervious Surface. The maximum impervious surface shall not exceed sixty (60) percent of the project site.
- D. Common Open Space Requirements. Each townhouse or apartment project in a RM district shall have a minimum of twenty (20) percent of the total site area reserved and improved as common open space subject to the conditions set forth in Article VIII, Section 814.

404.7 Streets and Access. All private roadways within a multi-family development shall be paved with asphalt or concrete and shall conform to current Spartanburg County Ordinances.

All roadways which are not to be dedicated as a public street shall have a minimum travel width of twenty (20) feet, exclusive of parking. Roads within a multi-family development which are to be dedicated as a public street shall conform to the criteria established for Spartanburg County roads in county ordinance number 28.

Access roads to a multi-family development shall be located at least one hundred fifty (150) feet from any public street intersection. The number of entrances and/or exits shall not exceed the ratio of one per one hundred fifty (150) feet of park frontage. Developments with less than one hundred fifty (150) feet of frontage are only allowed one (1) combination ingress and egress road.

404.8 Parking and Loading. Uses permitted in the RM Zoning District shall meet the parking and loading standards set forth in Article V.

404.9 Signs. Signs permitted in the RM Zoning District, including the conditions under which they may be located are set forth in Article VI.

404.10 Buffer yard Requirements. Where townhouses or apartments abut the R-12 or R-10 district or where a conditional use abuts any residential zone, a buffer yard in compliance with Article VII, shall be required along abutting property lines.

404.11 General and Supplementary Regulations. Uses permitted in the RM Zoning District shall meet standards set forth in Article VIII.

404.12 Street Planting Strips. Except for single family, duplex or fee simple townhouse structures, in all front setbacks, a strip not less than six (6) feet in width shall be provided along the street line on the property, which shall be planted and maintained in grass with street trees or in shrub planting or as may be required in approval of the site plans. Signs shall not be erected in this area with the exception of official traffic and regulatory signs.

Section 405 MHP - Mobile Home Park District

405.1 Purpose. This district is intended to accommodate mobile home parks.

405.2 Permitted Uses. The following uses shall be permitted in any MHP Zoning District:

- A. Any use, together with the conditions attached thereto, permitted in the R-10 district subject to all of the requirements of that district.
- B. Mobile home parks and accessory structures and uses which serve only the residents of the mobile home park, specifically including self-service laundry, pool, restrooms, park, leasing or managerial office and similar service facilities subject to Section 405.13, Mobile Home Park Site Design and Development Criteria.

405.3 Conditional Uses. The following uses shall be permitted in any MHP Zoning District subject to the conditions of this section, unless otherwise noted, and Article VIII, Section 818:

- A. All conditional uses permitted in the R-10 district shall be permitted in the MHP district on a conditional basis subject to the conditions set forth for the district in which the use is originally listed.

405.4 Special Exceptions. The following uses shall be permitted in the MHP Zoning District as a special exception, subject to the conditions of this article and Article VIII, Section 820:

- A. Bed and Breakfast Inns, subject to the conditions of Section 401.4

405.5 Prohibited Uses. No activity that does not fall within the parameters of Sections 405.1 405.2 or 405.3 shall be permitted within the MHP Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity:

- Sexually Oriented Businesses
- Cellular Towers
- Non-domestic Animals – see City of Inman Ordinance #10-09
- Tattoo Facility – see City of Inman Ordinance #09-07

405.6 Dimensional Requirements. Uses permitted in the MHP Zoning District shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in Article III, Section 303 of this ordinance.

<p><u>Minimum Lot Area:</u> 10,000 sq. ft.</p>	<p><u>Minimum Lot Width:</u> 30 feet at front ROW line 50 feet at building line</p>
<p><u>Minimum Building Setbacks:</u> Front: 25 feet Side: 10 Feet Rear: 25 Feet For exceptions see Article VIII, Sections 804-808</p>	<p><u>Accessory Structure Setback:</u> 5 ft (side and rear)</p>
<p><u>Maximum Buildings Height:</u> 35 Feet except as provided for in Article VIII, Section 812.</p>	<p><u>Fencing:</u> Fencing, footings, any ancillary materials must be contained on property</p>

405.7 Parking and Loading. Uses permitted in the MHP Zoning District shall meet the parking and loading standards set forth in Article V.

405.8 Signs. Signs permitted in the MHP Zoning District, including the conditions under which they may be located are set forth in Article VI.

405.9 Buffer yard Requirements. Where a mobile home park abuts any other district or where a conditional use abuts any residential district, a buffer yard in compliance with Article VII of this ordinance shall be required along abutting property lines.

405.10 General and Supplementary Regulations. Uses permitted in the MHP Zoning District shall meet standards set forth in Article VIII.

405.11 Street Planting Strips. Except for single family structures, in all front setbacks, a strip not less than six (6) feet in width shall be provided along the street line on the property, which shall be planted and maintained in grass with street trees or in shrub planting or as may be required in approval of the site plans. Signs shall not be erected in this area with the exception of official traffic and regulatory signs.

405.12 Mobile Home Standards. All mobile homes located in a MHP Zoning District are subject to the mobile home standards in Article IV, Section 405 of this ordinance.

405.13 Mobile Home Park Site Design and Development Criteria. In addition to the other requirements of this district, all mobile home park developments shall conform to the following requirements:

A. Tract Size and Density. Mobile home parks shall have a minimum tract size of two (2) acres, and be located on a well drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water. No more than eight (8) mobile homes per acre shall be permitted.

B. Space Width. Each space shall have a minimum fifty (50) foot width and be clearly defined.

- C. Clearance.** Mobile homes shall be situated on each space so as to provide:
1. a minimum of twenty-five (25) feet of clearance between mobile homes and any property line bounding the park, and
 2. a minimum of twenty (20) feet of clearance between each mobile home and between all other structures located within the park.
 3. **Setback from Driveway.** Mobile homes shall be so located on each space that there will be a minimum front setback of not less than twenty (20) feet between the mobile home and the abutting driveway.
 4. **Common Open Space.** Each mobile home park shall have a minimum of twenty-five percent (25%) of the total site area reserved and improved as common open space subject to Article IV, Section 405.
 5. **Streets and Access.** All private roadways within a mobile home park shall be paved with asphalt or concrete and shall conform to current Spartanburg County Ordinances.
 6. All roadways which are not to be dedicated as a public street shall have a minimum travel width of twenty (20) feet, exclusive of parking. Roads within a mobile home park which are to be dedicated as a public street shall conform to the criteria established for Spartanburg County roads in county ordinance number 28.
 7. Access roads to a mobile home park shall be located at least one hundred fifty (150) feet from any public street intersection. The number of entrances and/or exits shall not exceed the ratio of one per one hundred fifty (150) feet of park frontage. Parks with less than one hundred fifty (150) feet of frontage are only allowed one (1) combination ingress and egress road.
 8. **Parking.** Off-street parking, loading, and other requirements shall conform to the standards set forth in Article V. Concrete curbs or other appropriate car stops shall be installed at the end of all “head-in” parking bays which are not “drive-through” type.
 9. **Site Plan.** The site plan for a mobile home park must be reviewed by the Spartanburg County Board of Health, which shall advise the Zoning Administrator of its findings in writing prior to the Zoning Administrator’s issuing a permit. The Zoning Administrator shall be restricted from issuing a permit unless the Board of Health determines that all local and State codes and standards pertaining to health and environmental sanitation in mobile home parks have been met by the applicants.
 10. **Revocation of License.** The City Council may revoke any license to maintain and operate a mobile home park when the licensee has been found guilty by a court of jurisdiction for violating any provisions of this ordinance. After such conviction, the license may be reissued if the circumstances leading to conviction have been remedied and the park is being maintained and operated in full compliance with the law.

- 11. Posting the Certificate of Occupancy.** A valid Certificate of Occupancy shall be conspicuously posted in the office or on the premises of the mobile home park.
- 12. Existing Mobile Home Park.** Existing mobile home parks not in conformance with the provisions of this section shall be considered as nonconforming uses, and shall be governed by the provisions regulating such uses under Article IV, Section 405.

Section 406 CBD - Central Business District

406.1 Purpose. The intent of this district is to promote the concentration and vitality of business and governmental uses in the downtown of the City of Inman.

406.2 Permitted Uses. The following uses shall be permitted in the CBD Zoning District:

- A. General retail stores including convenience stores.
- B. Personal service businesses such as laundries and dry cleaners, alterations, barber and beauty shops, shoe repair shops, secretarial services, interior decorators, photographers and similar kinds of activities.
- C. General offices, government offices and buildings.
- D. Restaurants and drinking establishments including bakeries but excluding drive-in and drive-through establishments.
- E. Kindergarten, preschool and day care centers.
- F. Cultural and community centers, including museums, art galleries, facilities of civic, fraternal or charitable organizations, libraries, theaters, neighborhood recreation centers, and similar facilities.
- G. Public and private recreation establishments, including parks, movie theaters, pool and video game rooms, dancing and staged entertainment, bowling and skating rinks, tennis and basketball courts.
- H. Hotels, motels, and tourist homes.
- I. Parking lots and parking garages.
- J. Churches and other religious facilities.
- K. Noncommercial horticulture.
- L. Banks and other financial institutions.
- M. Grocery stores.

406.3 Conditional Uses. The following uses shall be permitted in any CBD Zoning District subject to conditions of this section and Article VIII, Section 818.

- A. Combination of residential units with any use permitted herein provided that all units have direct access to the outside of the structure. Parking provisions shall be complied with for each use.
- B. Radio and television stations provided that the requirements for parking, loading, and unloading, conform to those for industrial buildings as set forth in Article IX.
- C. Single-family residence meeting current Building Code requirements.
- D. Multi-family residence meeting current Building Code requirements.

406.4 Prohibited Uses. The following uses are prohibited in the CBD Zoning District. No activity that does not fall within the parameters of Sections 406.1, 406.2, or 406.3 shall be permitted within the CBD Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity:

- Sexually Oriented Businesses
- Cellular Towers
- Non-domestic Animals – see City of Inman Ordinance #10-09
- Tattoo Facility – see City of Inman Ordinance #09-07

406.5 Dimensional Requirements. Unless otherwise specified elsewhere in this ordinance, uses permitted in the CBD Zoning District shall be required to conform to the following standards except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in Article III, Section 303 of this ordinance.

<u>Minimum Lot Area:</u> None.	<u>Minimum Lot Width:</u> None
<u>Minimum Building Setbacks:</u> Front: None Side: None Rear: 25 Feet - The rear setback may be used for parking and service drives but must remain unobstructed by structures or buildings, and must be designed in conformance with Article VIII, Section 810, if used for parking.	
<u>Maximum Buildings Height:</u> 35 Feet except as provided for in Article VIII, Section 812	<u>Accessory Structure Setback:</u> 5 ft (rear)
<u>Fencing:</u> Fencing, footings, any ancillary materials must be contained on property	

406.6 Signs. Signs permitted in the CBD Zoning District, including the conditions under which they may be located are set forth in Article VI.

406.7 Buffer yard Requirements. Where this district abuts any residential district not separated by a street right-of-way, a buffer yard in compliance with Article VII shall be required.

406.8 General and Supplementary Regulations. Uses permitted in the CBD Zoning District shall meet standards set forth in Article VIII.

406.9 External Storage. Any external storage of inventory, parts, or machinery shall be established to the rear of the front line of the principal structure and shall be completely enclosed by a solid fence or wall composed of treated wood or brick.

406.10 Street Planting Strips. In all front setbacks, a strip not less than six (6) feet in width shall be provided along the street line on the property, which shall be planted and maintained in grass with street trees or in shrub planting or as may be required in approval of the site plans. Signs shall not be erected in this area with the exception of official traffic and regulatory signs.

Section 407 NBD - Neighborhood Business District

407.1 Purpose. This district is intended to meet the commercial and service needs generated by nearby residential areas. Goods and services normally available in this district are of the “convenience variety.” The size of any such districts should relate to surrounding residential markets.

407.2 Permitted Uses. The following uses shall be permitted in the NBD Zoning District:

- A. Any use, together with the conditions attached thereto, permitted in the R-12 district.
- B. General offices.
- C. Government offices/buildings.

407.3 Conditional Uses. The following uses shall be permitted in any NBD Zoning District on a conditional basis, subject to conditions of this section, unless otherwise noted, and Article VIII, Section 818.

- A. All conditional uses permitted in the R-12 district as shown in Article IV, Section 401.3, shall be permitted in any NBD district on a conditional basis subject to the conditions set forth for the district in which the conditional use is first listed.
- B. Retail stores including convenience store, provided there is no external storage of inventory, parts, machinery or equipment.
- C. Personal service businesses, including, but not limited to barbers, beauticians, coin laundry and dry cleaning without dry cleaning plant, photographers, and shoe repair, provided all services take place within an enclosed building and there is no external storage of inventory, parts, machinery or equipment.
- D. Animal hospital or animal boarding facility provided all board arrangements are maintained within a building and no noise connected with the operation of the facility is audible beyond the premises.
- E. Facilities of civic, fraternal, or charitable organizations. Where these uses are adjacent to lots which are zoned or used for residential purposes, the use shall comply with the following standards: (1) Facility shall be not closer than fifty (50) feet from the property line; and (2) No lighting used in connection with such activities shall be closer than fifty (50) feet from the property line.

407.4 Special Exceptions. The following uses shall be allowed in the NBD Zoning District as a special exception, subject to the conditions of this article and Article VIII, Section 820.

- A. Bed and Breakfast Inn, provided that it meets the following conditions:
 - 1. The inn must be operated by members of the household living on the premises.
 - 2. A maximum of one Bed and Breakfast Inn shall be permitted on any parcel.
 - 3. The inn must be operated in a structure constructed prior to the passage of this amendment.

4. The inn shall have no more than eight (8) guest rooms.
 5. The inn shall not require any alteration or change in the essential residential character of the dwelling.
 6. The operation of the inn shall involve no exterior storage of materials or supplies.
 7. There shall be no exterior displays or signs, except for one (1) on-site sign no larger than twenty (20) square feet stating the name of the inn.
 8. The resident operator of the inn shall keep a current guest register, including the names, addresses, and occupancy dates of all guests.
 9. No guest shall occupy the inn for more than seven (7) consecutive nights.
 10. The inn may serve only a breakfast meal.
 11. The inn may only serve meals to registered guests.
 12. The Board of Zoning Appeals must hold a public hearing to determine if the proposed Bed and Breakfast Inn is consistent with a quiet residential neighborhood.
 13. Small functions such as weddings, receptions, teas and baby showers, may be held for groups of up to twenty-five (25) people.
 14. To ensure compatibility with surrounding residences, functions shall end no later than 11:00 pm.
 15. The inn shall provide at least one (1) paved parking space on the property for every two (2) possible guests. Parking spaces shall be located behind the front line of the structure.
- 407.5 Prohibited Uses.** The following uses are prohibited in the NBD Zoning District. No activity that does not fall within the parameters of Sections 407.1, 407.2 or 407.3 shall be permitted within the NBD Zoning District. The following uses are expressly prohibited in order to improve ordinance clarity:
- Sexually Oriented Businesses
 - Cellular Towers
 - Non-domestic Animals – see City of Inman Ordinance #10-09
 - Tattoo Facility – see City of Inman Ordinance #09-07
- 407.6 Dimensional Requirements.** Unless otherwise specified elsewhere in this ordinance, uses permitted in the NBD Zoning District shall be required to conform to the following standards except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in Article III, Section 303 of this ordinance.

<p><u>Minimum Lot Area:</u> 6,000 sq. ft.</p>	<p><u>Minimum Lot Width:</u> 30 ft at front ROW line 50 ft at building line</p>
<p><u>Minimum Building Setbacks:</u> Front: 25 ft - Front setbacks may be used for parking or service drives, but must remain unobstructed by structures and buildings and must be designed in conformance with Article V, Section 508, if used for parking Side: 10 ft or 30 ft if abutting a residential property Rear: 45 ft - See Article VIII, Section 804 on side yard requirements pertaining to corner lots and Section 807 on rear yard requirements pertaining to double frontage lots. For exceptions see Article VIII, Sections 804-808</p>	
<p><u>Maximum Buildings Height:</u> 45 ft except as provided for in Article VIII, Section 812.</p>	<p><u>Accessory Structure Setback:</u> 5 ft (side and rear)</p> <p><u>Fencing:</u> Fencing, footings, any ancillary materials must be contained on property</p>

- 407.7 Parking and Loading.** Uses permitted in the NBD Zoning District shall meet the parking and loading standards set forth in Article V.
- 407.8 Signs.** Signs permitted in the NBD Zoning District, including the conditions under which they may be located are set forth in Article VI.
- 407.9 Buffer yard Requirements.** Where this district abuts any residential district not separated by a street right-of-way, a buffer yard in compliance with Article VII shall be required along abutting property lines. Where two (2) residential properties abut no buffer yard shall be required.
- 407.10 General and Supplementary Regulations.** Uses permitted in the NBD Zoning District shall meet standards set forth in Article VIII.
- 407.11 Street Planting Strips.** In all front setbacks, a strip not less than six (6) feet in width shall be provided along the street line on the property, which shall be planted and maintained in grass with street trees or in shrub planting or as may be required in approval of the site plans. Signs shall not be erected in this area with the exception of official traffic and regulatory signs. Residential uses shall be exempt from this requirement.

Section 408: GBD - General Business District

408.1 Purpose. The intent of this district is for business development on major roadways for the convenience of local residents and for the traveling public.

408.2 Permitted Uses. The following uses shall be permitted in the GBD Zoning District:

- A. Any use, together with the conditions permitted in the CBD Zoning District.
- B. General retail stores, provided that any external storage of inventory, parts, or machinery is established to the rear of the front line of the principal structure and provided that such storage be completely enclosed by a solid fence or wall of at least six (6) feet in height composed of treated wood or brick.
- C. Service businesses, including, but not limited to plumbers, electricians, small engine machine shops, repair services, and similar uses, provided all services take place within an enclosed building and any external storage of inventory, parts, or machinery is established to the rear of the front line of the principal structure and provided that such storage is completely enclosed by a solid fence or wall of at least six (6) feet in height composed of treated wood or brick.
- D. Restaurants (with or without drive-in window).
- E. Food stores, including general grocers, produce stands, bakeries, and meat markets (without slaughtering on-site).
- F. Food preparation establishments for off-premise delivery.
- G. Schools.
- H. Care homes.
- I. Funeral homes.
- J. Miniature golf course and driving range.
- K. Mini-warehouses.
- L. Horticulture nurseries.
- M. Tattoo parlors.

408.3 Conditional Uses. The following uses shall be permitted in any GBD Zoning District subject to conditions of this section, unless otherwise noted, and Article VIII, Section 818.

- A. Machine service or repair and automobile gas station, body shop, or garage, provided:
 - 1. there is no open storage of wrecked vehicles; dismantled parts, or parts visible beyond the premises,
 - 2. such facilities shall be arranged so that all servicing is conducted on the premises and out of the public right-of-way, and

L. Multi-family residence meeting current Building Code requirements.

408.4 Prohibited Uses. The following uses are prohibited in the GBD Zoning District. No activity that does not fall within the parameters of Sections 408.1, 408.2 or 408.3 shall be permitted within the GBD Zoning District. The following uses are expressly prohibited in order to improve ordinance clarity:

- Sexually Oriented Businesses
- Cellular Towers
- Non-domestic Animals – see City of Inman Ordinance #10-09

408.5 Dimensional Requirements. Unless otherwise specified elsewhere in this ordinance, uses permitted in the GBD Zoning District shall be required to conform to the following standards:

<p><u>Minimum Lot Area:</u> None.</p>	<p><u>Minimum Lot Width:</u> None</p>
<p><u>Minimum Building Setbacks:</u> Front: 25 ft - Front setback may be used for parking and service drives but must remain unobstructed by structures or buildings, and must be designed in conformance with Article V, Section 508, if used for parking. For exceptions to this requirement, see Article VIII Sections 807 and 808. Side: None - See Article VIII Section 804 on side yard requirements pertaining to corner lots. Rear: 25 Feet - Rear setback may be used for parking and service drives but must remain unobstructed by structures or buildings, and must be designed in conformance with Article V Section 508 if used for parking. For rear yard requirements pertaining to double frontage lots see Article VIII.</p>	
<p><u>Maximum Buildings Height:</u> 45 Feet except as provided for in Article VIII, Section 812</p>	<p><u>Accessory Structure Setback:</u> 5 ft (rear) <u>Fencing:</u> Fencing, footings, any ancillary materials must be contained on property</p>

408.6 Parking and Loading. Uses permitted in the GBD Zoning District shall meet the parking and loading standards set forth in Article V.

408.7 Signs. Signs permitted in the GBD Zoning District, including the conditions under which they may be located are set forth in Article VI.

408.8 Buffer yard Requirements. Where this district abuts any residential district not separated by a street right-of-way, a buffer yard in compliance with Article VII shall be required along abutting property lines.

408.9 General and Supplementary Regulations. Uses permitted in the GBD Zoning District shall meet standards set forth in Article VIII.

408.10 Street Planting Strips. In all front setbacks, a strip not less than six (6) feet in width shall be provided along the street line on the property, which shall be planted and maintained in grass with street trees or in shrub planting or as may be required in approval of the site plans. Signs shall not be erected in this area with the exception of official traffic and regulatory signs.

Section 409: GI - General Industrial District

409.1 Purpose. The intent of this district is to accommodate research and research related uses as well as limited industrial uses which are not significantly objectionable in terms of noise, odor, fumes, smoke, gas, dust, fire hazard, dangerous radiation, or other noxious conditions and which are able to meet the performance standards established for this district.

409.2 Permitted Uses. The following uses shall be permitted in the GI Zoning District:

- A.** Any industrial use plus operation incidental to such use which involves manufacturing, processing, repair or assembly operations, or the storage and sale of heavy materials, products, or equipment, but not including junk or salvage yards or uses which may cause injurious or noxious noise, vibration, smoke, gas fumes, odor, dust, fire hazards, dangerous radiation or other similar conditions.
- B.** Research or experimental laboratory.
- C.** Agricultural farm.
- D.** Horticultural nursery.
- E.** Radio and/or television station and/or transmission tower.
- F.** Office building and/or offices for governmental, professional, or general purposes.
- G.** Commercial, trade, or vocational school.
- H.** Off-street commercial parking lot or garage, as well as off-street parking or storage area for customer, client, or employee-owned vehicles.
- I.** Bars/taverns.
- J.** Restaurants.
- K.** Food preparation establishments for off-premise delivery.
- L.** Retail stores or convenience stores.
- M.** Grocery stores.
- N.** Hospitals and clinics.
- O.** Newspaper publishing plant.
- P.** Automobile, farm equipment, boat and/or recreational vehicle sales, open yard for the sale, rental, and/or storage of materials or equipment, excluding junk or other salvage.
- Q.** Mini-warehouses.
- R.** Photographer.
- S.** Electrician.
- T.** Plumber.
- U.** Bulk storage of petroleum or chemical products.

409.3 Conditional Uses. The following uses shall be permitted in any GI Zoning District subject to the conditions of this section, unless otherwise noted, and Article VIII, Section 818.

- A. Warehouse or other storage facility, provided that there is no external storage of junk or salvage materials of any type in conjunction with the operation.
- B. Wholesale business outlet, provided that there is no open storage of junk or salvage materials of any type in conjunction with the operation.
- C. Automobile service station provided that all fuel pumps are set back at least twenty-five (25) feet from the right-of-way line of any street; provided all fuel tanks are installed underground; and, provided that there is no open storage of junk or salvage materials in conjunction with the operation.
- D. Animal hospital and/or boarding facility provided all boarding arrangements are maintained within a building and no noise connected with the operation of the facility is audible beyond the premises.
- E. Truck terminal provided that paved acceleration and deceleration lanes of at least ten (10) feet in width and one hundred (100) feet in length, respectively, are furnished and maintained at every point where trucks enter or leave terminal sites located adjacent to major streets, provided no safety hazard or impediment to traffic movement is created on any road, and provided there is no open storage of junk or salvage materials in connection with the operation.
- F. Garage or shop for the repair and servicing of motor vehicles, equipment or machine parts, including electricians and plumbers, provided all open yard storage incidental to such an operation conforms to the provisions of Subsection 408.10; and, provided no objectionable sound, vibration, heat, glare, or electrical disturbance is created which is perceptible beyond the premises.
- G. Any industrial use which may produce significant noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation or other objectionable conditions, provided such objectionable condition does not constitute a nuisance to adjoining properties; provided such use is located at least fifty (50) feet from any abutting property line; and provided such use is located on a site at least five (5) acres in size, except that if such use borders a parcel zoned for residential usage, it shall be located at least seventy (70) feet from such property line. A buffer area in compliance with Article VII of this ordinance shall be required.
- H. Open yard use for the sale, rental and/or storage of new, used or salvaged materials or equipment, provided that such use is conducted in a manner that it will be located on a site no less than one (1) acre in size, and provided no burning of materials or products is conducted on the premises except by means approved by the Fire Chief for the City of Inman; and in the case of external storage of used or salvaged materials and/or equipment, a buffer strip in compliance with Article VII of this ordinance shall be required along all property lines.
- I. Off premise signs subject to Article VI.

J. Cellular Towers

1. Conditions.

- a) **Illumination.** Communications towers shall be illuminated only as required by the Federal Communications Commission (FCC) and/or the Federal Aviation Administration (FAA).
- b) **Color.** Communications towers shall not be painted unless otherwise provided for by state or federal regulations.
- c) **Signs.** A single sign, two (2) square feet in size which includes the name(s) of the company(ies) operating the equipment and a phone number for emergencies shall be displayed in a visible location on or near the communication tower. No advertising of any type may be attached to a communication tower.
- d) **Removal.** A communication tower which is not used for a continuous one (1) year period shall be removed within one hundred twenty (120) days. Companies must notify the city within thirty (30) days if telecommunications cease operations at the tower or antenna. All structures, fencing, screening and other improvements must be removed and the site returned to its original condition at the company's expense.
- e) **Security.** A freestanding communication tower and associated structures shall be secured by a fence or masonry wall measuring at least eight (8) feet in height.
- f) **Landscaping.** (As applied to communication towers this section supersedes Article VII) Evergreen shrubs capable of creating continuous hedge and obtaining a height of at least five (5) feet shall be planted with a maximum spacing of five (5) feet around the immediate perimeter of the security fence surrounding the communication tower and associated structures. An appropriate plant material shall be evergreen and at least three (3) gallon container plants or twenty-four (24) inches tall at the time of planting. The plants shall be of a quality and planted in accordance with the standards of the American Nurserymen Association that are indigenous or native to the Spartanburg County area. At least one row of evergreen trees with a minimum caliper of 1.75 inches at the time of planting shall be installed at a maximum spacing of twenty-five (25) feet within a fifty (50) foot radius of the communication tower.
- g) The owners and their agents shall be responsible for providing, protecting and maintaining all required landscape material in healthy condition, replacing unhealthy or dead plant materials within one year or by the next planting season, whichever comes first. Replacement material shall comply with the approved landscape plan.

- h) A Certificate of Occupancy shall not be issued until the required landscaping is completed. When the occupancy of a structure is desired prior to the completion of the required landscaping, a Certificate of Occupancy may be issued only if the owner or developer provide to the city a form of surety satisfactory to the City Attorney and in an amount equal to one hundred twenty-five percent (125%) of the costs of the remaining plant materials, and installation (with the costs agreed to by the Zoning Administrator). All required landscaping shall be installed and approved by the first planting season following issuance of the Certificate of Occupancy or bond will be forfeited to the City of Inman.
 - i) Antenna Capacity. Wind Load. The communication tower shall be designed to withstand winds in accordance with ANSI/ETA/TIA 22 (latest revision) standards. Certification from a structural engineer registered in South Carolina shall constitute proof that such standard has been met.
 - j) License. The owners of a communication tower shall possess a valid FCC license for the proposed activity.
 - k) Design for Multiple Use. A new communication tower shall be designed to accommodate additional antennae equal in number to applicant's present and reasonably anticipated future requirements.
 - l) Safety Codes. A communication tower shall comply with all applicable health, nuisance, noise, fire, building and safety code requirements.
 - m) Distance from Existing Tower. A permit for a proposed communication tower site within twelve hundred (1,200) feet of an existing communication tower shall not be issued unless the applicant certifies that the existing communication tower does not meet applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.
 - n) 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. Respective zoning district setbacks shall apply, except that in sites bordering residential uses, the bordering side of such sites shall observe setbacks equal to one hundred fifty percent (150%) of applicable district setbacks or a minimum of fifty (50) feet.
 - o) Permitted Height of Freestanding Communication Towers.
 - Two hundred twenty-five (225) feet
2. Permitted Height of Building Mounted Communications Tower. A communication tower shall not exceed twenty (20) feet in height if mounted on a building or any structure other than a freestanding or guyed communications tower.

Application Requirements:

- a) Specifications. One copy of typical specifications for proposed structures and antennae, including description of design characteristics and material.

- b) Site Plan. A site plan drawn to scale showing property boundaries, communication tower location, communications tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land use on adjacent property. A site plan may be required if antenna is to be mounted on an approved existing structure. Prototypical drawings indicating various types of equipment to be located on the communication tower may be submitted at the time of the permit application. Other equipment may be added to the communication tower without additional permits or inspections if electrical wiring is not required.
- c) Location Map. A current map, or update for all existing maps on file, showing locations of proposed antennae, facilities, existing communication towers, and proposed communication towers, serving any property within the town.
- d) Antenna Owners. Identification of the owners of all antennae and equipment to be located on the site.
- e) Owners Authorization. Written authorization from the site owner for the application.
- f) Visual Impact Analysis. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
- g) Location Alternatives. Satisfactory evidence shall be provided indicating: The proposed antenna and equipment cannot be accommodated and function as required by applicable regulations and applicant's technical design requirements without unreasonable modifications on any existing structure or communication tower under the control of applicant; and Available publicly owned sites, and available privately owned sites occupied by a compatible use, are unsuitable for operation of the facility under applicable communications regulation and applicant's technical design requirements.
- h) Indemnity. Applicant must show by certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the Zoning Administrator a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims up to one (1) million in the aggregate which may arise from operation of the facility during its life, at no cost to the municipality, in form approved by the City Attorney.
- i) Application Fees. All applications for approval of a communication tower must be accompanied by a fee of two hundred dollars (\$200.00) and, if applicable, any additional fees required by the City of Inman on applications for special exceptions or variance.

409.4 Prohibited Uses. No activity that does not fall within the parameters of Sections 409.1, 409.2 or 409.3 shall be permitted within the GI Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity:

- Sexually Oriented Businesses.

- Tattoo Facility – see City of Inman Ordinance #09-07

409.5 Dimensional Requirements. Unless otherwise specified elsewhere in this ordinance, uses permitted in the GI Zoning District shall be required to conform to the following standards:

<p><u>Minimum Lot Area:</u> 1 acre</p>	<p><u>Minimum Lot Width:</u> 150 feet</p>
<p><u>Minimum Building Setbacks:</u> Front: 50 ft Side: 25 ft - On each side, except when the property abuts a non-industrial zoning district, at least a 50 feet setback on that particular side shall be required. For side setback requirements pertaining to corner lots, see Article VIII, Section 804. Rear: 50 Feet - For rear yard requirements pertaining to double frontage lots, see Article VIII, Section 807.</p>	
<p><u>Maximum Buildings Height:</u> 45 Feet except as provided for in Article VIII, Section 812</p>	<p><u>Accessory Structure Setback:</u> 25 ft (rear)</p> <p><u>Fencing:</u> Fencing, footings, any ancillary materials must be contained on property</p>

409.6 Parking and Loading. Uses permitted in the GI Zoning District shall meet the parking and loading standards set forth in Article V.

409.7 Signs. Signs permitted in GI Zoning Districts, including the conditions under which they may be located are set forth in Article VI.

409.8 Buffer yard Requirements. Where this district abuts any residential or commercial district not separated by a street right-of-way, a buffer yard in compliance with Article VII shall be required along abutting property lines.

409.9 General and Supplemental Requirements. Uses permitted in GI Zoning Districts shall meet the standards set forth in Article VIII.

409.10 Street Planting Strips. In all front setbacks, a strip not less than six (6) feet in width shall be provided along the street line on the property, which shall be planted and maintained in grass with street trees or in shrub planting or as may be required in approval of the site plans. Signs shall not be erected in this area with the exception of official traffic and regulatory signs.

409.11 External Storage. Any external storage of inventory, parts, or machinery shall be established to the rear of the front line of the principal structure and provided that such storage shall be completely enclosed by a solid fence or wall of at least six feet in height composed of treated wood or brick.

Section 410 PDD – Planned Development District

410.1 Purpose. The intent and purposes of the Planned Development District (PDD) is to provide for planned residential, commercial, industrial, and mobile home districts, containing a variety of structures and diversity of building arrangements with complimentary and compatible uses; and public and semi-public facilities developed in accordance with an approved development plan. The PDD should allow diversification of uses, structures, and open spaces in a manner compatible with existing and permitted land uses on abutting properties. Developments reduce improvement and energy costs through a more efficient use of land design and smaller networks of utilities and streets than is possible through application of other zoning districts and subdivision requirements. The review process will ensure that development will occur according to limitations of use, design, density, coverage, and phasing stipulated on an approved development plan. PDDs should strive to preserve the natural amenities and environment assets of the land by encouraging the preservation and improvement of scenic and functional open areas. They can encourage an increase in the amount and use of open space areas by permitting a more economical and concentrated use of building areas than would be possible through conventional zoning districts. Finally, they provide maximum opportunity for application of innovative concepts of site planning in the creation of aesthetically pleasing living, shopping, and working environments on properties of adequate size, shape, and location.

410.2 Permitted Uses. The following uses shall be permitted in the PDD if designated on an approved development plan:

- A. *PLANNED RESIDENTIAL COMMUNITY.* Complementary and compatible commercial uses may be included if they are compatible and harmoniously designed into the total residential community within a PDD.
- B. *PLANNED COMMERCIAL DEVELOPMENT.* Complementary and compatible residential and light industrial uses may be included if they are compatible and harmoniously designed into the total commercial center with a PDD.
- C. *PLANNED INDUSTRIAL DEVELOPMENT.* Complementary and compatible commercial uses may be included if properly related to the total industrial park within a PDD.

Approval Procedures. Approval of a proposed PPD shall be based upon the following criteria:

- A. Consistency with the City of Inman Comprehensive Plan
- B. Compatibility with surrounding development
- C. Consistency with purpose of Planned Development Districts

The procedure for obtaining approval of a planned development shall be as follows:

1. ***Pre-application conference.*** At the prospective applicant's request, a pre-application conference shall be scheduled by the Zoning Administrator. The prospective applicant shall submit one (1) copy of the concept plan to the Zoning Administrator and Planning Commission Chairperson at least five (5) working days prior to the pre-application conference. During that time frame, the Zoning Administrator, Planning Commission and other staff as required, shall review the concept plan and prepare for the pre-application conference. The purpose of this meeting will be to acquaint the staff with the proposed project and to provide the prospective applicant with preliminary review comments to identify major concerns or the need for additional support data. Within five (5) working days following the meeting, the Zoning Administrator shall send a letter to the prospective applicant summarizing the major points of the meeting. The concept plan shall not be binding.

2. ***Planned development land use plan.*** The applicant shall submit to the City, after payment of application fees, ten (10) copies of the Planned Development land use plan and support data. Then Planning Commission shall review the land use plan and prepare a report and recommendation for presentation to the City Council at the next regularly scheduled meeting as agenda deadlines dictate. City Council shall conduct a public review hearing which may occur in conjunction with the regularly scheduled meeting. A copy of any Planning Commission recommendations shall be sent to the applicant at least five (5) days prior to the public review hearing. Public notice of the review hearing shall occur at least fifteen (15) days prior to the hearing date. The Planning Commission shall prepare a recommendation which may include conditions of approval to City Council for official action.

3. ***Development plan.*** After approval of the land use plan by City Council, the applicant shall submit to the Zoning Administrator, four (4) copies of the development plan and support materials.

- The development plan may cover all or a portion of the approved land use plan. For instance, if the PDD is to be a phased project, there may be several development plans over time. The Zoning Administrator shall review the plan to determine if all appropriate data and information has been properly provided.
- The development plan shall be reviewed by the Planning Commission in order to determine that:
 1. The development plan complies with the approved land use plan
 2. The phase of development can exist as a stable independent unit
 3. Existing or proposed utility services and transportation systems are adequate for the uses proposed

- The Planning Commission shall either approve the development plan which may include technical conditions consistent with applicable ordinances, regulations, and policies or deny the plan based upon specific findings which shall be stated. The applicant may appeal the decision to the Board of Zoning Appeals.

410.1.2 Plan requirements.

A. Concept plan requirements.

The concept plan shall consist of a generalized sketch which is drawn to scale (the proportion and locations of land uses may be generalized) and which shows addresses (with supporting information) and the following items and matters:

1. Boundary of the subject property, identified with a heavy line.
2. Major natural features such as lakes, streams, and conservation areas.
3. Existing or proposed streets abutting the project and other major streets and intersections with five hundred (500) feet access points to the subject property.
4. Generalized location map and legal descriptions, including acreage.
5. Proposed land use types and locations (generalized).
6. Gross densities.
7. Approximate minimum lot sizes.
8. Approximate number of units.
9. Approximate floor area for commercial or industrial areas.
10. Adjacent zoning.
11. Anticipated internal major road network.
12. Anticipated maximum building height.
13. Anticipated phasing plan.
14. Proposed method of providing water, fire protection, sewage disposal, storm water management, parks/recreation facilities, schools.

B. Land use plan requirements.

The land use plan consisting of properly identified maps, exhibits, and support materials shall clearly indicate the following:

1. Project name, legal description, total acreage, and location map.
2. Name of property owner.
3. Name and license number of surveyor.
4. Date prepared.
5. North pointing arrow.
6. Graphic scale.
7. Existing topography at contours to be determined by the building official, based upon the USGS topographic maps and other natural features including lakes, water courses and conservation area. On site soil (based on the soil conservation service classification system), flood hazard areas and generalized vegetation. All plans shall be drawn to scale, not to exceed one (1) inch equals two hundred (200) feet, unless otherwise permitted by the building official.

8. Existing and proposed land uses with each phase of the total development identified as follows:
 - (a) Residential: maximum gross density, total number of units, type of unit where feasible or necessary, minimum net lot size, minimum net living floor area, building heights, open space, and recreation areas.
 - (b) Commercial: types of use, gross floor area, floor area ratio, building height, setbacks, and open space.
 - (c) Industrial: types of uses, gross floor area, floor area ratio, building height, setbacks, open space, and buffers.
9. The phasing of development and the manner in which each phase of development can exist as an independent stable unit.
10. The location of collector and arterial streets and highways proposed in the development, right-of-way widths, the location of access points to abutting streets and highways, and projected traffic generation based on established standards. A traffic study may be required.
11. Identification of existing major street setbacks and planned right-of-way lines as required.
12. Proposed method of providing the following services:
 - (a) Water service including fire flows and gallons per day requirements.
 - (b) Sewage disposal including gallons per day generated.
 - (c) Storm water management per storm event.
 - (d) Schools including school age population.
 - (e) Parks and recreation facilities.

C. Development plan require

The development plan for the entire project or any phase, consisting of four (4) copies of properly identified exhibits and support materials shall include:

1. Development project name and phase number.
2. Legal description and gross acreage of the proposed development including and identifying land and water bodies.
3. A location map identifying the relationship of the development plan to the approved land use plan.
4. Subdivision plans if the applicant proposes to subdivide the project.
5. The development plan drawn at an approximate scale of one (1) inch equals one hundred feet with all dimensions provided and shall identify:
 - (a) Certified topography drawn at contour intervals to be determined by the Building Inspector and showing all natural features.
 - (b) Existing street intersections or right-of-ways with five hundred (500) feet of access points.
 - (c) Surface improvements of primary streets serving the project.
 - (d) Location of all proposed uses.
 - (e) Number of dwelling units, density, minimum square footage of living area, minimum net lot area.
 - (f) Total square footage of commercial, industrial or office and floor area ratio.

- (g) Maximum building heights.
 - (h) Acreage, types, and percent of open space and recreation areas.
 - (i) Pedestrian and bike path facilities.
 - (j) Storm water management plan including direction of surface drainage flow (storm event design flow).
 - (k) On-site soils based upon the soil conservation service classification system.
 - (l) On-site vegetation including that which is proposed to be removed during construction.
 - (m) Method of providing the following support utilities:
 - Water service including fire flows and gallons per day requirements
 - Sewage disposal including gallons per day generated
 - Solid waste disposal/storage
 - (n) Existing and proposed easements.
 - (o) Parking spaces and location in accordance with Article V.
 - (p) Exterior lighting.
6. Recreation area plan.
 7. Landscape, tree planting and screening plan.
 8. Design elevations or renderings of structures.
 9. Sign plan including scaled plans of proposed sign.
 10. Preliminary engineering plans for the provisions of road, water, sewer, and storm water management for the proposed phase and relationship to the master infrastructure utilities plan.
 11. Proposed covenants, conditions, restrictions, agreements, and grants which govern the use maintenance and continued protection of building structures, drainage systems and landscaping within the planned development.
 12. Areas to be conveyed or dedicated and improved for roadways, parks, and parkways, playgrounds, school sites, utilities, public buildings and other similar public and semi-public service uses. Improvement bonds for facilities to be owned and maintained by the city and not completed shall be posted before the issuance of building permits.
 13. Identification of owners, developers and the consultants involved in the development plan.

410.1.5 Amendments to the land use plan and development plans.

Amendments to the approved land use plan or development plan shall be classified as either significant or non-significant. The determination of significance or non-significance shall be made jointly by the Zoning Administrator and the building official.

A. Significant amendments. The following criteria shall be used to identify a significant amendment:

1. A change which would include a land use not previously permitted under approved PDD.
2. A change which would alter the land use type adjacent to a property boundary.
3. A change which would require an amendment to the conditions placed on the project by the City Council.
4. A change which would increase the land use intensity within any development

- phase without a corresponding decrease in some other portion of the overall PDD.
5. An amendment to the phasing which would propose a land use in advance of the development it was designed to support.
 6. Any other change which would cause a significant impact on the surrounding.
 7. Amendments to the land use plan which are determined to be significant must submit plans and support data (following land use plan requirements) for review by the Planning Commission, a public review hearing, and final action by the City Council.

B. Non-significant amendments.

The following criteria shall be used to identify a non-significant Amendment:

1. A change which would reduce the number of units or floor area in one phase of the project and increase the number of units or floor area in another phase and which does not adversely affect any conditions of the PDD.
2. A change which would increase the overall amenity space or open space within the PDD amendments to the land use plan which are determined to be non-significant must be submitted with plans and support data (following land use plan requirements) to the Planning Commission.

410.1.6 Control of development.

Upon the approval of the development plan or any phase thereof, the use of land and the construction or modification of any buildings or structures within the PDD shall be in accordance with the approved development plan rather than with the other provisions of this ordinance; however, all other ordinances, policies, and resolutions shall apply to the project.

The Zoning Administrator shall be responsible for certifying that all aspects of the PDD, including conditions of approval (applicable to the subject portion of the project) have been satisfactorily complied with prior to the issuance of a certificate of completion for the project or phase.

410.1.7 Other requirements.

At the time of development, the PDD or any phase proposed for development shall comply with all regulations and ordinances in force at the time of plan approval.

Section 410.2 Planned Development Standards

410.2.1 Purpose. Site development standards are established for planned development to ensure adequate levels of light, air, and density, to maintain and promote functional compatibility of uses, to promote the safe and efficient circulation of pedestrian and vehicular traffic, to provide for orderly phasing of development, and to otherwise protect the public health, safety, and general welfare.

- 410.2.2 Variances.** Variances from the minimum standards set forth in this section may be granted for hardship by the Board of Zoning Appeals. However, such variances must be specified in conjunction with the land use plan, otherwise all standards shall apply. Variance requests shall be identified in the public hearing notice. Variances requested after approval of the land use plan, may be approved by the Board of Zoning Appeals only after a public hearing has been conducted. Abutting property owners shall be notified.
- 410.2.3 Preservation of natural features and vegetation.** The natural topography, soils, and vegetation should be preserved and utilized, where possible, through the careful location and design of circulation ways, buildings and structures, parking areas, recreation areas, open space, and drainage facilities.
- 410.2.4 Circulation, access, and sidewalks.** All streets shall conform to current Spartanburg County ordinances with appropriate design widths of pavement surfaces to accommodate projected traffic with free movement, safety, and efficient use within the development. Provisions should be made for the continuation of all arterial streets and highways where applicable. Local/minor streets shall provide access to each parcel/lot of land within the development in a manner which will discourage through traffic. The City of Inman requires that a system of walkways between buildings (commercial and residential), common open spaces, recreation areas, community facilities and parking areas should be distinctly designed and adequately lighted for night time use. Each PDD shall be encouraged to provide sidewalks with minimum width of thirty (30) inches in the public right-of-way, to be located parallel to the front yard lines of each lot in the PDD. Said sidewalks shall be installed by the PDD developer.
- 410.2.5 Parking facilities.** Prior to Planning Commission approval of PDD land use plan and/or development plan, the Zoning Administrator shall review and approve an overall parking scheme for the PDD in accordance with the requirements set forth in Article V of this ordinance.
- 410.2.6 Storm water management.** The design and construction of storm water management systems shall be in accordance with applicable codes, ordinances, resolutions, rules, and regulations.
- 410.2.7 Impervious surface area.** The maximum impervious surface area shall be not more than sixty (60) per cent of the gross land area for planned residential communities and not more seventy (70) per cent for planned commercial and industrial developments.
- 410.2.8 Signage.** Signs shall be regulated in accordance with Article VI of this ordinance. The Planning Commission shall recommend and Council shall approve, based upon the type and intensity of development, which level of signage regulation shall be used for each use type in the PDD.

410.2.9 Utilities systems. Water systems, sewerage systems, utility lines, and easements shall be provided in accordance with the appropriate sections of the applicable codes, ordinances, resolutions, rules, and regulations. All utilities shall be supplied through underground networks.

410.2.10 Landscaping. Prior to Planning Commission approval of the PDD land use plan and/or development plan, the Zoning Administrator shall review and approve an overall landscaping and buffering scheme for the PDD, in accordance with an appropriate level of landscaping requirements set forth in Article VII of this ordinance, based upon the type and intensity of development.

410.2.11 Minimum area required.

<u>TYPE OF DEVELOPMENT</u>	<u>MINIMUM AREA REQUIRED – ACRES</u>
Planned residential development	5 acres
Planned commercial development	10 acres
Planned industrial development	25 acres

410.2.12 Ownership. The land to be used in a Planned Development District shall be under single ownership by an individual, corporation, or other legal entity at the time of approval, and proper assurances shall be provided that the project can be successfully completed as deemed necessary by City Council. Individual properties in a PDD may be sold after a final plat has been recorded with the properties subject to private deed covenants that ensure the continuance of the PDD.

410.2.13 General private deed covenants. The entire PDD shall be included within private deed covenants running with the land to ensure the continuance of the PD in accordance with the approved land use plan and development plan. Covenants shall be recorded and presented to the Planning Commission after plan approval but prior to issuance of building permits.

410.2.14 Delay in construction. In the event that construction is not begun within two years from the date of approval by the City Council, the district shall revert to its previous zoning classification and all regulations of that district shall thereupon be in full force and effect.

410.2.15 Common open space and amenity requirements. Common open space or amenity areas shall be provided within all planned developments in order to enhance the living and working environment.

1. Open space areas are defined as areas serving any one of the following four basic functions:

- A. Landscaping, screening, greenbelts, buffers, or similar areas which help define and delineate urban boundaries on a large scale (i.e. forest, water impoundment, open pasture);
- B. Outdoor recreation (passive or active);
- C. Conservation of areas with unique natural qualities or physical benefits which need protection or preservation from man-built developments; or
- D. Agricultural production.

2. Open/amenity space shall be provided within the planned development based on the following:

<u>TYPE OF PLANNED DEVELOPMENT</u>	<u>PERCENTAGE OF THE GROSS LAND USE</u>
Single-family residential (excluding lot area)	10%
Multi-family residential	25%
Office	20%
Commercial	20%
Industrial	15%

- [1] Not more than thirty (30) percent of the common open space may lie in a flood plain.
- [2] The required yards, parking areas, and buffers shall not be credited toward the minimum open space requirements.
- [3] The required open space and amenities shall be developed and landscaped in accordance with the approved land use and development plan prior to the issuance of more than fifty (50) percent of the occupancy permits.

410.2.16 Density. The applicant shall propose, and the Zoning Administrator shall review using the following criteria, and recommend to the Planning Commission, the density standards for each PD:

- A. Existing density requirements
- B. Existing density of surrounding development.
- C. Location of the planned development in relation to current and anticipated growth patterns in the region.
- D. Preservation of natural features of the site.
- E. Provision of landscaped common open space for the leisure and recreational use of residents and/or employees.
- F. Adequacy of public utilities, services, and facilities to serve development.

410.2.17 Minimum lot width, minimum setback requirements, maximum lot coverage, and maximum height of structures.

No structure shall be erected within twenty-five (25) feet of any external PDD property line. Minimum lot width, minimum setback requirements, maximum lot coverage, and maximum height are not otherwise regulated with PDD districts, provided, however, that the Planning Commission ensure that the characteristics of building site design shall be appropriate as related to overall compatibility with adjacent uses, properties, and districts in keeping with the intent of this ordinance.

410.3 Prohibited Uses. The following uses are prohibited in the PDD Zoning District. No activity that does not fall within the parameters of Sections 410.1 or 410.2. shall be permitted within the PDD Zoning District. The following uses are expressly prohibited in order to improve ordinance clarity:

- Sexually Oriented Businesses
- Cellular Towers
- Non-domestic Animals – see City of Inman Ordinance #10-09
- Tattoo Facility – see City of Inman Ordinance #09-07

ARTICLE V - OFF-STREET PARKING AND LOADING REGULATIONS

Section 501 Off-Street Parking Requirements

Off-street automobile storage or parking spaces shall be required in all zoning districts except in the CBD district where the use is nonresidential. Parking requirements shall be considered at the time of initial construction or when there is an increase in dwelling units, guest rooms, floor area, seating or bed capacity, or when a conversion in use occurs. The number of parking spaces provided shall be at least as great as the number specified below for the particular use(s). The parking space requirements for a use not specifically listed shall be the same as for a listed use of similar characteristics of parking demand as determined by the Zoning Administrator. When application of said provision results in a fractional space requirement, the next larger requirement shall prevail. Such off-street parking areas shall have direct access to a street or alley, and shall be provided and maintained in accordance with the following requirements:

Principal Use	Required Off-Street Parking
Auditorium, theater, public assembly	One (1) space for each four (4) seats based on maximum capacity
Auto service station, full service	Two (2) spaces for each gasoline pump, plus three (3) spaces for each service rack
Auto service station, self service	Two (2) spaces for each gasoline pump
Auto service station, self service with convenience store	Two (2) spaces for each gasoline pump plus one (1) space for each 300 square feet of gross floor area
Banks and other financial institutions	One (1) space per 300 square feet of GFA
Bank teller machine	Two (2) spaces per machine
Bed and Breakfast Inn	Residential Districts: One (1) space per guest room plus two (2) additional spaces for the owner/operator.
Boarding and lodging houses	One (1) space per bedroom plus three (3) additional spaces
Bowling alleys	Five (5) spaces for each bowling lane
Business, commercial or personal service establishments catering to retail trade, but not including food stores, service and repair businesses	One (1) space per 200 square feet of gross floor area
Churches and other places of worship	One (1) space for each four (4) seats for maximum capacity in auditorium
Child care centers	One (1) space for each four (4) children per maximum capacity
Cultural facilities, for example, art galleries, museums and libraries	One and a quarter (1.25) spaces per 1,000 square feet of gross floor area

Principal Use	Required Off-Street Parking
Dwellings, single and two family	Two (2) spaces per dwelling unit
Dwelling units, attached or detached	Two (2) spaces per dwelling unit
Food stores, equal to or less than 3,500 square feet	One (1) space for each 150 square feet of gross floor area
Funeral homes	One (1) space per each four (4) seats in main chapel or parlor
Golf course	Four (4) spaces for each green, plus requirements for any other associated use
Homes for the aged, rest homes, personal care homes, and similar institutional uses	One (1) space per three (3) beds
Hospital	One (1) space per two (2) patient beds, plus one (1) space for each 300 square feet of office and administrative area
Hotel, motel	One and a quarter (1.25) spaces per rental unit plus requirement for any other use associated with the establishment
Indoor or outdoor swimming pools (except when built as accessory to a residential use)	One (1) space for 100 feet of water area or one (1) space per four (4) spectator seats, whichever is greater
Industrial, manufacturing, and processing uses	One space per 500 sq. ft. of gross floor area
Mobile homes	Two (2) spaces per each mobile home space
Multi-family apartment and condominium communities	One and three-quarters (1.75) parking spaces for each dwelling unit
Office and professional building	One space per 350 sq. ft. of gross floor area
Office, medical or dental clinic	One space per 150 sq. ft. of gross floor area
Outdoor recreational areas and parks	One (1) space for each 5,000 square feet of land area
Public service buildings	One space per 350 sq. ft. of gross floor area
Restaurants and other establishments dispensing food and drink	One and a quarter (1.25) spaces per 100 square feet of gross floor area

Principal Use	Required Off-Street Parking
Schools, elementary, junior high schools	Two (2) spaces per classroom, plus five (5) administrative spaces
Schools, high school	One (1) space for each vehicle operated by or for the school, plus two (2) spaces per classroom, plus two (2) spaces per office, plus one (1) space for every four (4) seats of maximum seating capacity in the main assembly room
Schools, college, trade or vocational	Eight (8) spaces per classroom plus ten (10) administrative spaces
Shopping centers	One (1) space per 200 square feet of gross floor space for all stores other than grocery stores. One (1) space per 300 square feet of gross floor space for grocery stores
Softball, baseball, or football fields	One (1) space per 3,000 square feet of field area or one (1) space per six (6) spectator seats, whichever is greater
Taverns, discos, night clubs, clubs	One and a quarter (1.25) spaces per 100 square feet of gross floor area
Tennis courts - indoor or outdoor (except when built as an accessory use)	Four (4) spaces per court or one space per 4 spectator seats, whichever is greater
Wholesale, warehouse, and distribution operations	One (1) space per 5,000 square feet of gross floor area

Section 502 Parking Space Area Requirements

Parking lot design shall conform to the following standards.

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

Within the NBD, GBD, GI, and PDD zoning districts and in other districts where over ten (10) parking spaces are required, all parking lots shall be paved.

Section 503 Reduction of Off-Street Parking Space Requirement

Off-street parking facilities provided to comply with the provisions of this ordinance shall not be reduced below the minimum amount required for a similar use under this ordinance. The city may reduce the parking requirements for a structure if there is a reduction in floor area, capacity or a change in requirements, provided there is a finding that the change would be reasonable and consistent with the public welfare.

From the effective date of this ordinance, if uses existing at the time of this ordinance are expanded, enlarged or changed, the increase in parking requirements will be based on the area of the expansion as if it were a new structure. When a lot with an existing structure is cleared and a new structure is built, the new structure must comply with the parking requirements contained in this ordinance.

Section 504 Location of Spaces

All off-street parking spaces required hereunder shall be located on the zoning lot for which they are required or on a parking facility, the title to which and/or easement for the use of which runs with and/or is appurtenant to the title to such zoning lot and is within four hundred (400) feet of the structure or use for which the spaces are required. Such automobile parking space shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner. Parking space arrangement shall ensure that there will be no encroachment upon or over rights-of-way, sidewalks or property lines. Maneuvering space for off-street parking shall be located on the zoning lot upon which parking is provided.

Section 505 Shared Parking Areas

The joint use of shared off-street parking between two uses may be made by contract between two or more adjacent property owners, provided that the total number of individual spaces available is not less than the sum of the spaces required for the individual uses as separately computed in accordance with the provisions of this section.

Developments that operate at different times may jointly use or share the same parking spaces with a maximum of one-half (½) of the parking spaces credited to both uses if one use is a church, theater, assembly hall or other use whose peak hours of attendance will be at night or on Sundays, and the other use or uses are ones that will be closed at night or on Sundays or upon the normal hours of operation.

Section 506 Use of Public Rights-of-Way for Maneuvering

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

Section 507 Extension of Parking Space into a Residential District

Required parking space may extend up to one hundred twenty (120) feet into a residential zoning district, provided that:

- A. the parking space adjoins a commercial or industrial district;
- B. has its only access to, or fronts upon, the same street as the property in the commercial or industrial district for which it provides the required parking space; and
- C. is separated from abutting properties in the residential district by a ten (10) foot wide evergreen buffer strip.

Section 508 Design Standards

For the purpose of this ordinance, the following design standards shall be deemed as the minimum required and shall be followed when designing a site. Single-family houses and mobile homes on individual parcels shall be exempt from these requirements. While there are no parking requirements in the CBD district, these standards shall apply when parking areas are created.

508.1 Minimum Area. For the purpose of these regulations, an off-street parking space is an impervious surfaced area, not in a street or alley, permanently reserved for the temporary storage of one automobile and connected with a street or alley by an asphalt or concrete driveway which affords ingress and egress.

508.2 Drainage and Maintenance. Off-street parking facilities shall be properly graded for drainage to prevent damage to abutting property and/or public streets and alleys and surfaced with asphalt, concrete, bituminous, or other impervious material.

508.3 Separation from Walkways and Street. Off-street parking spaces shall be separated from walkways, sidewalks, streets, or alleys, and required setbacks by curbing or other protective device approved by the Zoning Administrator.

508.4 Entrances and Exits. All parking facilities except those serving R-10, R-12, RG dwellings shall be designed so that all movements onto a public street are in a forward motion.

508.5 Spacing Requirements for Curb Cuts. Curb cuts for service drives, entrances, exits and similar facilities shall not be located closer than fifty (50) feet to the intersection of any public street right-of-way lines. Private curb cuts shall be no greater than forty (40) feet in width and shall be placed no closer than ten (10) feet to any property or lot line. Entrance and exit driveways at other locations or at intersections not covered by the above restrictions may be denied if such a location will create an accident hazard for normal traffic.

508.6 Marking. Parking spaces in lots of more than ten (10) spaces shall be marked by painted lines, curbs or other means to indicate individual spaces. Signs or markers shall be used as necessary to ensure efficient traffic operation on the lot.

508.7 Lighting. Adequate lighting shall be provided in off-street parking spaces which are to be used at night. Equipment for lighting parking facilities shall be arranged so that light does not interfere with traffic or adjoining residential areas.

508.8 Landscaping. Where off-street parking, developed in conjunction with a permitted use or as a separate use occupying an individual lot or lots, comprises twenty (20) or more off-street parking spaces, at least ten percent (10%) of the impervious service area shall be open and landscaped in such a manner as to divide and break up the expanse of paving with islands and barriers.

The natural landscape shall be preserved in all possible cases. Wherever healthy plant material exists on a site, minimum planting standards may be adjusted for such plant material, if in the opinion of the Zoning Administrator such adjustment is in the best interest of the City, and preserves all intents of this ordinance.

Section 509 Off-Street Loading and Unloading Spaces

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

- A. Retail Uses:** One (1) space for each five thousand (5,000) square feet of gross floor area.
- B. Wholesale, Industrial, Governmental and Institutional Uses** (including public assembly places, hospitals, and educational institutions): One (1) space for the first twenty-five thousand (25,000) square feet of total floor space area. For anything in excess of twenty-five thousand (25,000) square feet, such uses shall provide loading spaces according to the following schedule:

Square Feet	Number of Spaces
25,001 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 349,999	5
For each additional 100,000 or fraction thereof	1 additional

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

ARTICLE VI - SIGN REGULATIONS

Section 601 General Purpose

The purpose of this section is to provide sign regulations for the City of Inman in order to:

- Protect the public welfare and town property values by preserving the aesthetic and environmental qualities of the City.
- Promote safety by eliminating traffic hazards or hazards due to collapse, decay, or abandonment of signs.
- Maintain the economic viability of businesses in our community through the availability of appropriate signage.
- Promote the efficient transfer of public and commercial information through sign management.

The regulations herein shall apply and govern all zoning districts. No sign shall be erected or maintained unless it is in compliance with the regulations of this Article, except that a nonconforming sign as set forth in Article VIII, relating to nonconforming uses, may be maintained if in existence prior to the adoption of this ordinance.

Section 602 Permit Required

Except as otherwise provided in this ordinance, it shall be unlawful for any person to erect, construct, enlarge, move or replace any sign or cause the same to be done, without first having obtained a sign permit for such sign from the Zoning Administrator or designee as required by this ordinance. A fee, in accordance with a fee schedule adopted by the City Council, shall be charged for each sign permit issued. See Article VIII.

Section 603 Permit Denial

If an application for a sign permit is denied by the Zoning Administrator or designee, a letter stating the reasons for the denial and the relevant Code Section number relating to the denial shall be sent by first class mail to the applicant.

Section 604 Sign Design Guidelines

The following regulations shall apply to all permitted signs in the City of Inman.

- A. Materials, colors, and shapes of proposed signs should be architecturally compatible with the buildings and the surrounding area of its location and be made of durable materials.
- B. The sign shall not be the dominant feature of its location and shall be scaled in accordance with the size of conforming signs on adjacent and nearby properties.
- C. A uniform sign plan shall be required for all major site plans, major subdivisions, office and retail complexes, multi-tenant buildings, and multi-family developments.
 1. The development plans shall denote maximum total sign area permitted for the project.
 2. All tenants shall comply with the approved uniform sign plan.

Section 605 Maximum Number of Signs Allowed

Unless otherwise specified in the Code, no establishment shall have more than one (1) primary identification sign in accordance with this Section. Corner lots may be permitted to have one (1) sign per street frontage. Wall signs may be permitted where a primary entrance fronts a parking lot. Structures subordinate to the principle uses are permitted one wall sign.

Section 606 Sign Area

The sign area shall be the area of smallest geometric figure, which encompasses the facing of the sign including the copy, insignia, logo, symbol, photograph, background, and borders.

- All area provisions in this Ordinance are calculated from the sign surface area dimensions as defined above.

In the case of signs mounted back-to-back, only one side of the sign is to be used for computation of the area. Back-to-back signs shall be defined as double-faced signs. Otherwise, the surface area of each sign is to be separately computed. In the case of cylindrical signs, signs in the shape of cubes, or other signs that are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces is included in computations of area. If a sign is attached to an entrance wall or fence, only that portion of that wall or fence onto which the sign face or letters are placed shall be calculated in the sign area. Entrance wall or fence area outside of the sign area width shall not be considered a part of the sign. The entrance wall or fence outside of sign area width shall not exceed three (3) feet in height.

Section 607 Sign Height

The height of a sign shall be measured from the highest point of a sign to the point of ground surface beneath it. Ornamentation such as caps, spires, and finials shall not extend more than 2 feet from the top of the sign. The use of berms or raised landscape areas is only permitted to raise the base of the sign to the mean elevation of the fronting street. Maximum height for all ground mounted signs is six (6) feet.

Section 608 Sign Setbacks

All signs shall be set back a minimum five (5) feet from the right-of-way of a public or private street. At intersections, no sign shall be in the sight triangle as defined by this ordinance in Article VIII, Section 809.

Section 609 Maintenance and Upkeep of Signs

All signs and all components thereof, including supports, braces, anchors, etc., shall be kept in a good state of repair, in compliance with all building and electrical codes, and in conformance with the requirements of this ordinance. Any sign which is determined by the Zoning Administrator as being insecure, in danger of falling or otherwise endangering the public safety shall be immediately removed by its owner unless it is repaired and made to otherwise comply with the requirements of this ordinance.

Section 610 Sign Illumination

Illuminated signs shall conform to the following:

- A. Illumination shall be externally located and directed solely at the sign.
- B. The light source shall not be visible from the right-of-way nor cause glare hazards to pedestrians, motorists, or adjacent properties.

- C. Light source shall not be mounted to any part of sign.
- D. Only one (1) exterior light shall be permitted per sign face for signs thirty-two (32) square feet or less and two (2) exterior lights for sign faces that exceed thirty-two (32) square feet in size.
- E. Channel letters may be internally illuminated.
- F. All lighting shall meet all applicable electrical codes.

A commercial sign within one hundred (100) linear feet of a pre-existing residential structure shall not be illuminated between the hours of 11:00 (eleven) PM and 6:00 AM. A residence shall be deemed “pre-existing” for purposes of this Section if it has a valid building permit in effect for construction of said structure or if construction of said structure was complete on or prior to the effective date of this provision.

Section 611 Prohibited Signs

The following signs are prohibited in the City of Inman:

- A. Signs Imitating Warning Signals:** No sign shall display intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles, nor shall any sign use the words “stop”, “danger”, or any other phrase, symbol, or character in a manner that might mislead or confuse the driver of an automobile.
- B. Signs Within Street or Highway Right-of-Ways:** No sign, whether temporary or permanent, except traffic signs and signals and information signs erected by a public agency approved by the Zoning Administrator, is permitted within any street or highway right-of-way.
- C. Certain Attached and Painted Signs:** Signs painted on or attached to trees, fence posts, and telephone or other utility poles or signs painted on or attached to rocks or other natural features or painted on the roofs of buildings are prohibited.
- D. Sandwich board signs:** Signs joined in an “A” frame configuration.
- E.** Signs placed or painted on a motor vehicle or trailer and parked with the primary purpose of providing a sign not otherwise allowed by this ordinance.

Section 612 Signs for Which a Permit is not Required

A permit is not required for the following types of signs in any zoning district. However, such signs shall conform to the applicable requirements set forth in this Article.

- A.** Traffic, directional, warning, or information signs authorized by any public agency approved by the Zoning Administrator.
- B.** Official notices issued by any court, public agency, or public office.
- C.** One non-illuminated “for sale,” “for rent”, or “for lease” sign not exceeding six (6) square feet in area in residential districts and twenty (20) square feet in other than

- residential districts and located at least ten (10) feet back from the street right-of-way line, unless attached to the front wall of a building.
- D.** Signs erected in connection with elections or political campaigns. Such signs shall be removed within seven (7) days following the election or conclusion of the campaign. No such sign may exceed sixteen (16) square feet in surface area. Signs are not permitted in the road right-of-way.
 - E.** On site directional signs provided such sign bears no commercial message and does not exceed four (4) square feet in area.
 - F.** Identification sign indicating the name and street number or owner or occupant of a parcel, as long as such sign does not exceed four (4) square feet of copy area.
 - G.** Bulletin board, which is defined as a permanent sign which primarily displays the name of a noncommercial place of public assembly and announces the upcoming events of that organization. To not require a permit, such a sign shall not exceed thirty-six (36) square feet of copy area or five (5) feet in height. Signs of this type shall be restricted to one (1) per parcel of land.
 - H.** Sign identifying a project under construction which denote the name of the project, the architect, engineer, contractor, owner, etc., as long as such sign does not exceed twenty-five (25) square feet in residential districts, or one hundred (100) square feet in non-residential zones, is not illuminated, and is removed within seven days of completion of the project.
 - I.** Signs attached or integrated into a gasoline pump, automatic bank teller machine, or drive through component of a fast food restaurant, which give operational instructions to users, the price of the product, the brand name of the product, or descriptive information about the product.
 - J.** Signs on the interior side of window glass.
 - K.** Decorative flags and banners which contain no commercial message when displayed on a residence.

Section 613 Signs Permitted In Residential Districts

Permitted Signs and Conditions. The following types of signs are permitted in all residential districts:

- A.** Signs for which permits are not required.
- B.** For multiple family dwellings, group dwellings, and for buildings other than dwellings, one (1) non-illuminated business identification sign or bulletin board per entrance, not exceeding sixty (60) square feet in area. Such sign or bulletin board shall be set back at least ten (10) feet from any street right-of-way line.
- C.** Subdivision signs and private directional signs, under the provisions of Subsections 616.7 and 616.8.

- D. Mobile home park signs and directional signs, under the provisions of Subsections 616.7 and 616.8.

Section 614 Signs Permitted In Industrial Districts

Permitted Signs and Conditions. The following types of signs are permitted in industrial districts:

- A. All signs permitted in residential districts are permitted in industrial districts.
- B. Within the front or side setback area of any parcel in the industrial districts, a maximum of one (1) permanently mounted detached sign of the type required to secure a permit shall be permitted for each three hundred (300) feet of road frontage for each road fronted, except that only one (1) such sign shall be permitted if total road frontage is less than three hundred (300) feet. The maximum allowable sign copy area for signs permitted under this provision shall be one hundred fifty (150) square feet multiplied by the number of signs permitted. No such sign shall be located closer than ten (10) feet to any street right-of-way. The maximum height of detached signs shall be thirty five (35) feet, as measured from the base of the sign.
- C. Wall signs, in no case, shall exceed the requirements of Section 616.
- D. On any lot in an industrial district on which no business enterprise is located, one off-premise free-standing sign structure having a total sign area not exceeding three hundred sixty (360) square feet is permitted. Additional sign structures, each of which does not exceed three hundred sixty (360) square feet in combined total sign area, are permitted provided they are spaced no closer than one thousand (1000) linear feet from any other sign structure of greater than one hundred fifty (150) square feet. Any off-premise sign of greater than one hundred fifty (150) square feet shall be required to be spaced a minimum of five hundred (500) feet from any residentially zoned parcel or parcel used for a church or public school.
- E. Signs in any industrial district may be illuminated.

Section 615 Signs in the Central Business District and General Business District

The following regulations shall apply to all signs located within the Central Business District and General Business District, in addition to the regulations listed in Section 616:

- A. Signs shall be constructed of such materials which complement and are coordinated with the architectural style of the existing building or land use.
- B. No more than three colors are permitted on any one sign.
- C. One sign color must match the predominant building color.
- D. No more than two lettering styles are permitted.
- E. If signs are to be illuminated, lighting shall be limited to one color.
- F. Copy area for canopy signs shall not exceed thirty (30) square feet.

- G.** No more than one free-standing or detached sign per building or site shall be permitted.
- H.** Signs shall be permanently mounted.
- I.** Signs shall not be placed to obscure building ornamentation or detail.
- J.** Canopy sign and awnings shall not extend beyond the curb line of any public street, nor shall they interfere with the growth or maintenance of street trees.

Section 616 Types of Signs

616.1 Wall Signs: Signs on the wall of a building (including signs attached flat against the wall, painted wall signs and projecting signs) shall meet the following requirements:

- A.** In calculating the maximum permitted aggregate area of wall signs for all buildings except shop front, the square footage of windows and doorways shall be excluded.
- B.** In calculating the maximum permitted aggregate area of wall signs for shop front buildings, the square footage of windows and doorways shall be included. The residential portion of mixed use buildings shall not be used to calculate the aggregate wall area.
- C.** No wall sign shall project more than eighteen (18) inches from the building wall. Further, no wall sign or its supporting structure shall cover any window or part of a window, nor shall it extend on the roofline, parapet, or mansard roof.
- D.** No wall sign shall be attached to any cupola, tower, chimney, or other architectural structure that is above the roofline.
- E.** Canopy and awning signs may be substituted for part or all of the allowable wall signage per premises. Signs may be painted or printed onto a canopy or awning. Canopies and awnings may only be illuminated externally (exception: Service Station canopies).
- F.** Principal building walls and service station canopies on corner lots may have signage on all facades which front on a public street. Such signage shall not exceed twenty percent (20%) of the building wall or canopy face. The twenty percent (20%) maximum signage area permitted shall include all signage on a wall face.
- G.** Wall signs should reflect the proportional and dimensional relationships of the structure.

616.2 Ground Mounted Signs

- A.** All ground mounted signs shall be located a minimum of five (5) feet behind the street right-of way.
- B.** No ground mounted sign shall be located closer than ten (10) feet to any adjacent lot line. A fifteen (15) foot side-yard setback shall be required if the side lot line abuts a residential district.

- C. All ground mounted signs shall have a maximum area of thirty-two (32) square feet and a maximum height of six (6) feet.
- D. An arm sign may be substituted for a ground mounted sign but shall meet all height and area requirements as provided.

616.3 Projecting Signs

- A. The projecting sign shall be a minimum of eight (8) feet from the bottom of the sign above the finished grade of the sidewalk.
- B. One (1) projecting sign per business entrance.
- C. The projecting sign shall not be mounted above the floor of the second story, parapet wall or eave line of the building.
- D. The projecting sign shall not project more than four (4) feet from the wall and shall not exceed ten (10) square feet.

616.4 Arm Signs

- A. Arm signs shall not exceed eight (8) square feet.
- B. Arm signs shall be located a minimum of five (5) feet behind the street right-of-way.
- C. A ten (10) foot side-yard setback shall be required if the side lot line abuts a residential district.

616.5 Banners

Banners and flags for civic and non-profit special events, grand openings and going out of business sales used in conjunction with a commercial building, project, or enterprise are permitted for a period not to exceed forty-five (45) days provided that:

- A. No banner shall exceed thirty-two (32) square feet.
- B. Maximum of two (2) banners.
- C. All banners shall be attached to the frontage wall of a principal structure.
- D. No such banner shall be attached to a roof structure or above the second floor level.

616.6 Signs On Work Under Construction

One non-illuminated sign, not exceeding twenty-five (25) square feet in residential districts, or one hundred (100) square feet in non-residential districts, displaying the name of the building, the contractors, the architects, the engineers, the owners, and the financial, selling, and development agencies, is permitted upon the premises of any work under construction, alteration, or removal. Such sign shall be removed from the site within seven (7) days after the issuance of the final occupancy permit. Such sign shall be set back ten (10) feet from the front lot line.

616.7 Subdivision and Mobile Home Park Entrance Signs

One (1) or two (2) signs shall be permitted at each entrance of a residential subdivision or mobile home park, provided that such signs do not exceed a total of one hundred (100) square feet at any subdivision or mobile home park entrance with a maximum height of six (6) feet. If illuminated, only indirect lighting shall be permitted. If such subdivision entrance sign is built into a decorative wall or fence, the maximum copy area requirements will apply and setback requirements shall comply with regulations for fences contained herein.

616.8 Private Directional Signs

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

- A. the size of any such sign is not in excess of six (6) square feet, nor in excess of four (4) feet in length;
- B. not more than one (1) such sign is erected for each five hundred (500) feet of street frontage.

616.9 Portable Signs

The proliferation of portable signs is dangerous. Improperly located signs can obstruct motorist sight causing traffic hazards and other dangers to motorists and pedestrians. The following restrictions are intended to keep the total number of portable signs at a low level and to allow for effective monitoring of portable signs.

- A. A mobile sign is a sign mounted on a trailer-type frame or portable wood or metal frame not permanently attached to the ground.
- B. Usage of portable signs shall conform to Article IX, permitting requirements; Article VI, Section 601, General Provisions; Section 602, Prohibited Signs; Section 606, Number of signs permitted stipulations, and any other requirements of the Zoning Ordinance and all other applicable ordinances of the City of Inman except as provided below.
- C. If a portable sign is to be illuminated it shall meet current Building Code requirements and UL Regulations.
- D. One (1) portable sign, in addition to the number of signs permitted by this ordinance, may be used for new businesses (businesses open for less than six (6) months) for a period of three months only. Such business shall not be permitted a portable sign more than once.
- E. Portable signs may be permitted for non-profit organizations such as churches, schools, etc., to announce upcoming special events.
- F. Applicant obtaining the sign permit shall be responsible for removal of the sign upon expiration date.
- G. Signs shall be located on the site for which they are being permitted.

616.10 Temporary Signs

The proliferation of temporary signs is dangerous. Improperly located signs can obstruct motorist sight causing traffic hazards and other dangers to motorists and pedestrians. The following restrictions are intended to keep the total number of temporary signs at a low level and to allow for effective monitoring of temporary signs.

Temporary Signs subject to the following limitations:

TYPE	NUMBER	MAXIMUM DISPLAY TIME
Grand Opening	1	Once for 30 days
Going Out of Business	1	Once for 30 days
Special event of civic or non-profit organization	10	7 days prior to event/3 days following
Remodeling/repair	1	Until Work completed
Construction – one or two family dwelling	1	Until construction completed
Construction – other than one or two family dwelling	2	Until construction completed
Construction announcement	2	Until building permit issued
Political	10 per candidate within City Limits on Public right-of-way	60 days prior to the election/ 7 days following
On-premises real estate sale/lease/rent of one or two family dwelling or lot	1	Until sale closed or rent/lease transaction finalized
Off premises real estate sale/lease/rent of one or two family dwelling or lot	1	Until sale closed or rent/lease/ transaction finalized

Section 617 Applications for Sign Permits

617.1 General. Applications for sign permits shall include a scaled drawing of the sign which depicts and describes:

- A. size
- B. shape
- C. colors
- D. materials to be utilized
- E. copy/wording and designs
- F. illumination type, and electrical detail
- G. location on building, if attached

617.2 Detached Signs. In addition, permit applications for detached signs shall be accompanied by a plot plan or sketch of the site, to show:

- A. the location of the sign on the lot
- B. scale
- C. dimensions of parcel lines
- D. height of the sign
- E. any support structure to be utilized
- F. electrical sources
- G. base landscaping

617.3 The Zoning Administrator may waive any of the application requirements listed in this Section which are deemed unnecessary to process an application.

Section 618 Multiple Tenant Properties

One (1) temporary sign per property/parcel.

ARTICLE VII - BUFFER YARDS

Section 701 Purpose

Buffer yard requirements under the provisions of this Section are intended to minimize potential nuisances between adjacent land uses such as visual impacts, transmission of noise, dust, odor, litter, and glare of lights from adjacent properties; provide for a separation of space and establish a sense of privacy. Buffer yards shall be of different types, based upon the relationship between the two adjacent land uses between which the buffer yard is to be located. The appropriate use of existing landscaping is encouraged to enhance the aesthetic appearance of buffer yards and blend new development with the natural landscape. Several options for buffer yards are provided to allow flexibility for the developer while maintaining the appropriate size and density of plantings for each situation.

Section 702 Location

Buffer areas shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. They shall not be located on any portion of an existing street or right-of-way; however, they may occupy part or all of any front, side, or rear yard or setback required by this ordinance. Where required, buffer areas and/or buffer area structures shall be developed as an integral part of the proposed use.

Section 703 Determination of Buffer Yard Requirements

To determine the buffer yard required between two adjacent parcels, the following procedure shall be followed:

- A. Identify the proposed land use;
- B. Identify the use of lands adjacent to the proposed use; and
- C. Determine the buffer yard required on each boundary or segment thereof for the proposed land use by referring to Section 713 of Buffer Yard Requirements and Illustrations contained herein which specify the buffer yard options required between a proposed use and the existing adjacent uses.

Section 704 Responsibility for Buffer yard/Screening

Generally the responsibility for the screening is that of the more intense land use. When a use is the first to develop on two adjacent vacant parcels, the first use shall provide the buffer, specified by the Table of Buffer Yards Requirements for vacant land.

The second use to develop shall, at the time it develops, provide all additional plant material, structures and/or land necessary to provide the total buffer yard required between the two uses, as specified by the Table of Buffer Yard Requirements.

Section 705 Buffer Yard Specifications.

These landscaped planting yards are intended to ensure that a natural area of appropriate size and density of plantings is planted or preserved between zoning districts and/or uses. The following illustrations specify the type and quantity of plant materials required by each buffer yard. The requirements are stated in terms of width of the buffer yard and the number of plants required per one hundred (100) feet of buffer yard. The requirements of a buffer yard may be met by any of the options illustrated. The "plant unit multiplier" is a factor by which the basic number of plant materials required for a particular buffer yard is determined when there is a change in the width of that yard. Each illustration depicts the total buffer yard required between two uses. Whenever

a wall, fence, or berm is required within a buffer yard, these are shown as “structures” in the illustrations wherein their respective specifications also are shown.

The exact placement of required plants shall be the decision of the developer except that evergreen (or conifer) plants shall be planted in clusters rather than singly in order to maximize their chances of survival and increase screening capabilities. All buffer yards shall be seeded with lawn grass or have a suitable ground cover.

Section 706 Minimum Plant Size

Plants shall be sized according to the following Table of Minimum Plant Sizes to ensure buffering and screening at the time of installation. Where the Buffer Yard Illustrations indicate a mass or line of plants parallel to the length of the property line, the plant materials shall be sufficiently sized to ensure obscurity at the time of installation. However, seeding plants may be used where berms or structures are required as part of the buffer yard.

Minimum Plant Sizes

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

Section 707 Buffer Yard Substitutions

Any existing healthy, well-formed plant materials which are greater than or equal to the recommended buffer and which otherwise satisfy the requirements of this section may be counted towards satisfying all such requirements. Where, owing to existing land use, lot sizes, or configurations, topography, or circumstances peculiar to a given piece of property, the buffer area requirements of this particular section cannot reasonably be met, the developer(s) may request and the Planning Commission may approve the substitution of the appropriate screening, in the way of a fence or wall structure along the property line of the proposed use.

Section 708 Use of Buffer Yards.

A buffer yard may be used for passive recreation; however, no plant material may be removed and such use shall not be a nuisance to abutting properties.

Section 709 Containers and Dumpsters/Outdoor Utility Equipment

All exterior dumpsters or exterior garbage containers (excluding containers or groups of containers with a combined capacity of less than six (6) cubic yards) shall be screened on all but one (1) side by opaque fence or wall, intensive landscaping, or other suitable opaque enclosure. The average height of the enclosure shall be one (1) foot more than the height of the container

but shall not be required to exceed eight (8) feet in height. The open side shall not be visible from the street.

Section 710 Appearance of Fences and Walls

All fences and walls used as part of the buffer yard requirements must have a finished side that is facing the adjoining property. The interior side of the fence or wall may be finished as the owner deems appropriate. Where fences or walls are applicable buffer yards, they shall be established along the inside line of the buffer yard toward the proposed use.

Section 711 Berms

Where required, berms may be located anywhere within the buffer yard, provided they parallel the property line.

Section 712 Required Maintenance

The maintenance of required buffer yards shall be the responsibility of the property owner. All such yards shall be properly maintained so as to assure continued buffering. Failure to do so is a violation of this ordinance, and may be remedied in the manner prescribed for other violations.

Section 713 Buffer yard requirements

Existing Adjacent Uses

Proposed Land Use	Single Family Residential	Mobile Home Park	Multi-Family & All Other Residential	Religious, Recreation, and Child Care	Office & Commercial	Research & Industrial	Institutional	Vacant Industrial & Commercial	Vacant Single Family Residential	Streets
Single Family Residences and Duplexes	0	0	0	0	0	0	0	0	0	0
Multi-Family Residential										
1 -3 units per gross acre	2	0	0	1	1	1	1	1	2	1
4 – 11 units per gross acre	4	1	1	1	1	2	2	1	4	1
12 or more units per gross acre	5	1	2	1	1	2	2	1	5	1
Mobile Home Park	4	0	1	1	1	2	2	1	2	1
Religious, Recreational, or Child Care	2	2	2	0	0	0	0	0	2	0
Office and Commercial Use	4	1	2	2	0	0	2	0	2	1
Shopping Centers	5	2	3	3	0	0	2	0	3	1
Research and Industrial	6	4	5	4	3	0	6	2	5	2
Institutional Uses	4	2	2	1	0	0	0	1	2	1

BUFFER YARD 1

Required Plants Per 100' of Length

- 4 Canopy Trees
- 6 Understory Trees
- 8 Evergreen/Conifers
- 10 Shrubs

28 Total

Percentage of Required
Plant Material

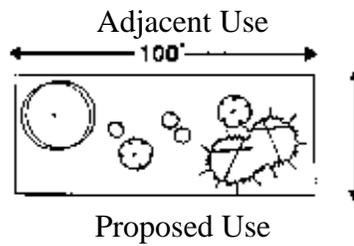
Buffer Yard Width

25%



30'

50%



20'

75%

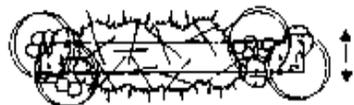


10'

100%



5'



The use of existing native plant material is strongly encouraged.

BUFFER YARD 2

Required Plants Per 100' of Length

- 4 Canopy Trees
 - 6 Understory Trees
 - 8 Evergreen/Conifers
 - 10 Shrubs
-
- 28 Total

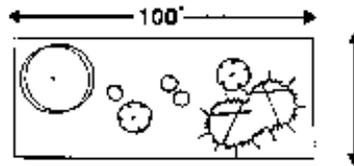


Percentage of Required Plant Material

Adjacent Use

Buffer Yard Width

25%



50'

Proposed Use

50%



40'

Structure Required – B1

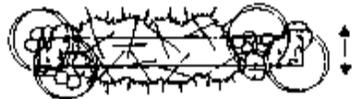
75%



25'

Structure Required – B3

100%



15'

The use of existing native plant material is strongly encouraged.

BUFFER YARD 3

Required Plants Per 100' of Length

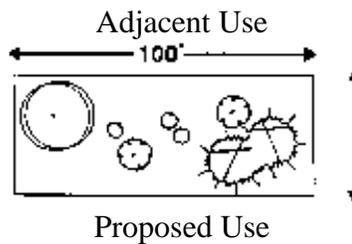
- 4 Canopy Trees
 - 8 Understory Trees
 - 12 Evergreen/Conifers
 - 12 Shrubs
-
- 36 Total



Percentage of Required
Plant Material

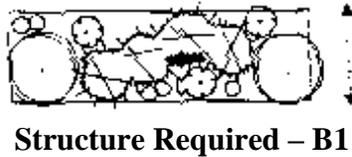
Buffer Yard Width

25%



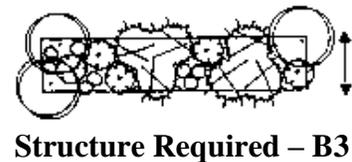
50'

50%



40'

75%



25'

100%



15'

The use of existing native plant material is strongly encouraged.

BUFFER YARD 4

Required Plants Per 100' of Length

- 4 Canopy Trees
- 8 Understory Trees



- 12 Evergreen/Conifers
- 12 Shrubs

36 Total

Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Adjacent Use</p> <p>Proposed Use</p>	60'
50%	<p>Structure Required – B1</p>	40'
75%	<p>Structure Required – B3</p>	30'
100%	<p>Structure Required – F3</p>	20'

The use of existing native plant material is strongly encouraged.

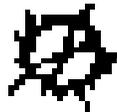
BUFFER YARD 5

Required Plants Per 100' of Length

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

- 46 Total

Percentage of Required
Plant Material

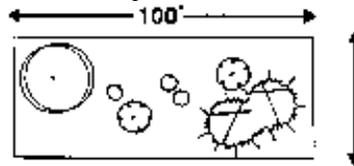


Buffer yard Width

25%

75'

Adjacent Use



50%

60'

Proposed Use

Structure Required – B1

75%



35'

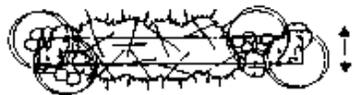
Structure Required – B2

100%



25'

Structure Required – B3/BF1



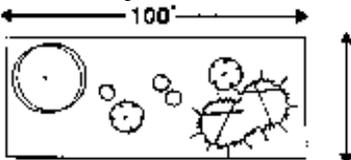
Structure Required – F3

The use of existing native plant material is strongly encouraged.

BUFFER YARD 6

Required Plants Per 100' of Length

- 8 Canopy Trees
- 12 Understory Trees
- 16 Evergreen/Conifers
- 20 Shrubs
- 56 Total

Percentage of Required Plant Material		Buffer yard Width
25%	<p data-bbox="743 842 922 871">Adjacent Use</p>  <p data-bbox="743 1045 922 1075">Proposed Use</p> <p data-bbox="662 1081 1003 1115">Structure Required – B1</p>	90'
50%	 <p data-bbox="662 1291 1003 1325">Structure Required – B2</p>	75'
75%	 <p data-bbox="662 1501 1024 1535">Structure Required – B3/F3</p>	40'
100%	 <p data-bbox="662 1696 1032 1728">Structure Required – F4/BF1</p>	30'

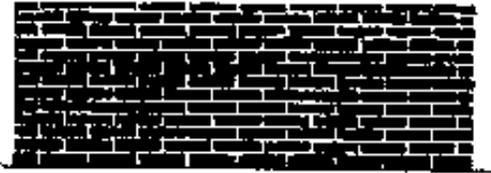
The use of existing native plant material is strongly encouraged.

STRUCTURE ILLUSTRATIONS

FENCES

SYMBOL	HEIGHT	MATERIAL
F1	3'	 Wood Stockade/Opaque Fence (non-perishable supports)
F2	4'	
F3	6'	

WALLS

F4	6'	
F5	8'	

Masonry Wall

Masonry Wall

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

BERMS

BERMS/FENCES



SYMBOL	HEIGHT	MATERIAL	SYMBOL	HEIGHT
B1	3'	Earth	BF1	3' Berm with 3' stockade fence
B2	4'	Earth	BF2	4' Berm with 4' stockade fence
B3	5'	Earth	BF3	5' Berm with 5' stockade fence

The use of existing native plant material is strongly encouraged.

ARTICLE VIII - GENERAL AND SUPPLEMENTARY PROVISIONS

Section 801 Certain Public Service Uses

Due to the unique nature of certain public service uses and the need to locate such uses in certain areas of the city irrespective of prevailing district regulations, the following list of uses may be established in any zoning district in the City of Inman, provided such uses meet all dimensional requirements of the district, within which they will be located:

- Post Office
- Police and Fire Stations, and other municipal buildings
- Telephone Exchange and Repeater Stations
- Radio and TV Station Masts

801.1 Buffer Yards

Post offices, police, fire and telephone exchanges and repeater stations shall observe the buffer yard requirements for office buildings in Table 3, Table of Buffer Yard Requirements; all other uses shall observe the buffer yard requirements for Research and Industrial or Institutional uses as determined by the Zoning Administrator.

801.2 Public Hearing

Prior to the granting of a building permit for any of the above-listed uses in a residential district or within two hundred (200') feet of a residential district, the Board of Zoning Appeals shall hold a public hearing on the matter. At least fifteen (15) days notice of time and place of which shall be published in a newspaper of general circulation in the City of Inman.

- A. Based on the hearing and the expected impact of such uses on contiguous uses and conditions, the Board of Zoning Appeals may elect to deny such request in favor of a more acceptable site elsewhere.

Section 802 Water and Air Pollution

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

Section 803 Street Access

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

Section 804 Measurement of Setbacks; Determination of Buildable Area

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

Section 805 Location of Buildings on Lots and Residential Limitations

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

setback requirements for the district in which the lot is located except as provided for in Section 808.

Section 806 Corner Lots

On lots having frontage on more than one (1) street at an intersection, the minimum street side setback requirement shall be equal to the minimum front yard setback.

Section 807 Double Frontage Lots

On lots having frontage on two (2) streets, but not located on a corner, the minimum front setback shall be provided on each street in accordance with the provisions of this ordinance. On lots having frontage on more than two (2) streets, the minimum front setback shall be provided in accordance with the regulations set forth in this ordinance on all of the street frontages.

Section 808 Preexisting Front Setbacks

The setback requirements of this ordinance shall not apply to any lot where the average setback on already built upon lots, located wholly or in part within one hundred (100) feet of each such lot and within the block and zoning district fronting on the same street as such lot, is less than the minimum required setback. In such cases, the setback on such a lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots. However, in no case shall setbacks be less than fifteen (15) feet.

Section 809 Visibility at Street Intersections

In all zoning districts established by this ordinance, except the CBD district, no fence, wall terrace, sign, shrubbery, planting or other structure or object capable of obstructing driver vision between the heights of three (3) and ten (10) feet above the finished street level shall not be permitted on a corner lot within twenty-five (25) feet of the point formed by the intersection of the street right-of-way lines (or such lines extended in case of a rounded corner) which bound said lot.

Section 810 Visibility at Private Drives and Entrances Intersecting with Public Streets

At the intersection of any private drive or entrance or exit with a public street, no fence, wall, hedge, or other planting or sign forming a material impediment to visibility between a height of two and one-half (2 ½) feet and seven (7) feet shall be erected, planted, placed or maintained within fifteen (15) feet of the intersection.

Section 811 Street Planting Strips

In all front yards in the NBD, CBD, GBD, GI, and PDD districts, a planting strip not less than six (6) feet wide shall be provided along the street line on the property, which shall be planted and maintained in grass or other suitable ground cover with street trees or in scrub planting or as may be required in approval of the site plans. This is only required in the CBD if there is a front yard.

Section 812 Exceptions to Height Limits

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

Section 813 Public and Commercial Recreation Facilities Adjacent to Residential Uses

Any recreational facilities when adjacent to lots which are zoned or used for residential purposes shall comply with the following standards:

- A. They shall not be closer than fifty (50) feet from the property line.
- B. No lighting used in connection with such activities shall be closer than fifty (50) feet from the property line.

Section 814 Common Open Space

Common open space is land or water bodies used for recreational amenity. It shall be freely accessible to all residents of a development where required by this ordinance. It shall not be occupied by buildings or structures, roads, parking or road right-of-way. Required open space shall not include setbacks or lots of residential units required to meet minimum lot area or parking requirements.

Section 815 Parking and Storage of Campers or Major Recreational Equipment

No major recreational equipment shall be stored on any lot in a residential or CBD district or in a neighborhood nearer to the street than the principal building of the lot fronting on that street, provided, however, that such equipment may be parked anywhere on residential premises for a period not to exceed twenty-four (24) hours during loading or unloading. The parking of such equipment shall be in observance of all set back, yard, and other requirements set forth within the district in which they are located. No such equipment shall be used for living, sleeping, housekeeping purposes when parked or stored on a residential lot. No such equipment shall be parked in any location not approved for such use. No recreational vehicle over thirty (30) feet in length shall be parked on any lot zoned for residential purposes.

Section 816 Parking and Storage of Certain Vehicles

It shall be unlawful for any person, partnership, corporation, or other legal entity to permit, park or store a truck, automotive vehicle or trailer of any kind or type, on any residentially zoned property within the municipal corporate limits except within a completely enclosed building or covered with a factory made car cover:

- A. that is not operable;
- B. that does not display a lawful and current license tag;
- C. that does not have current liability insurance thereon.

This ordinance excludes bona fide classic automobiles which are currently undergoing restoration, and which are covered with factory-made automobile covers, and trailers not required by law to display a license tag.

If in violation of City Ordinance 02-04 – Hazardous Conditions, written notice shall be submitted to the owner or permittee of the parked or stored vehicle that such vehicle shall be removed within fifteen (15) days from the date of such notice or be subject to the penalties detailed in City Ordinance 02-04. This section shall be enforced by the City of Inman Police Department.

Section 817 Mobile Home Standards

All mobile homes brought into the City of Inman or relocated within the City subsequent to the adoption of this ordinance, whether placed in a mobile home park or on an individual parcel, shall be required to be in compliance with each of the following requirements:

817.1 No Certificate of Occupancy shall be issued for any mobile home originally brought into the City of Inman or relocated within the City subsequent to the adoption of this ordinance unless a Certificate of Zoning Compliance shall have been issued by the Zoning Administrator, to certify that the mobile home is in full compliance with this ordinance.

817.2 All mobile homes subject to this ordinance shall meet or exceed the most current construction standards promulgated by the U.S. Department of Housing and Urban Development, as well as the South Carolina Manufactured Housing Board, including:

- A. A permanent landing and steps with handrails are required for each outside doorway. The structure must include steps which lead to ground level. The landing, handrails, and steps must meet the requirements below:
 - 1. A minimum three (3) feet by three (3) feet landing shall be required outside of each exit door.
 - 2. The landing shall not be more than eight and one-half (8 ½) inches below the threshold.
 - 3. Steps shall be eight and one-fourth (8 ¼) inches maximum in height. Treads shall be a minimum of nine (9) inches wide.
 - 4. All wood components in contact with the ground must be treated and approved for ground contact.
 - 5. If steps are thirty (30) inches or greater in height, permanent handrails are to be installed.
- B. The pitch of the roof must have a minimum vertical rise of two and one-half (2 ½) feet for every twelve (12) feet of horizontal run, and the roof must be finished with a type of shingle that is commonly used in conventional residential site-built dwellings.
- C. The exterior siding shall consist of wood, hardboard, or vinyl comparable in composition, appearance and durability to the exterior siding commonly used in conventional residential site-built dwellings.
- D. Skirting or a curtain wall, un-pierced except for required ventilation and access door, must be installed and maintained so that it encloses the area under manufactured multi-section homes and modular porches, decks, or other additions to ground level. The foundation skirting or curtain wall may be of brick, masonry, or vinyl or similar materials designed and manufactured for permanent outdoor installation. Materials used for skirting should be erected so as not to create a fire hazard and shall be maintained in a state of good repair. The skirting or curtain wall must be installed before a Certificate of Occupancy may be issued.
- E. The home must be placed upon footings and piers which meet the requirements of the Manufacturer's Installation Manual. Should the manufacturer's instructions not be available, the following shall apply:
 - 1. Footings - The base of all piers shall be comprised of a solid masonry block at least three thousand (3,000) psi strength. Piers less than eighty inches (80") in height shall use blocks sixteen inches (16") X sixteen inches (16") X four inches (4") in size. Piers more than eighty inches (80") in height shall use blocks twenty-four inches (24") X twenty-four inches (24") X six inches (6") in size.

2. Piers - Piers less than thirty-six inches (36") in height shall use eight inches (8") X sixteen inches (16") concrete block with open cells vertical.
 3. The piers shall be covered with a two inches (2") X eight inches (8") X sixteen inches (16") wood or four inches (4") masonry cap.
 4. All piers between thirty-six inches (36") and eighty inches (80") in height and all corner piers must be double blocked (eight inches (8") X sixteen inches (16") blocked inter-locked) and capped with a four inches (4") X sixteen inches (16") X sixteen inches (16") pressure treated pier cap or a four inches (4") masonry cap.
 5. Piers over eighty inches (80") in height require engineering.
- F. National Manufactured Housing Construction and Safety Standards Act or the Manufacturer's Installation Manual should be followed. Should the manufacturer's instructions not be available, the table below shall be used.

Multiple section manufactured homes require only the diagonal ties specified in Column C. The tongue, axles, transporting lights and towing apparatus must be removed from the manufactured home after placement on the lot and before occupancy.

(A) Length of Home (Feet)	(B) Number of Vertical Ties	© No. of Diagonal Ties Per Side	Minimum Number of Anchors
Up to 40	2	4	8
40 to 46	2	4	8
46 to 49	2	5	10
49 to 54	3	5	10
54 to 58	3	5	10
58 to 64	3	6	12
64 to 70	3	6	12
70 to 73	3	7	14
73 to 78	4	7	14

Section 818 Uses Not Expressly Permitted or Conditional

Uses designated as "permitted uses" and "uses permitted with conditions" are allowed in a district as a matter of right. Uses classified as "conditional uses" are permitted upon approval of a development plan approved by the Zoning Administrator.

It is recognized that new types or forms of land use will develop within the City of Inman that are not anticipated by this ordinance. In order to provide for such changes and contingencies, the classification of any new or unlisted land use shall be made by the Planning Commission to determine if the use can reasonably be interpreted to fit into a similar use category described in the ordinance. The Planning Commission may make such a determination after conducting a public hearing.

Unless a use is allowed as a “permitted”, “use permitted with conditions”, “conditional use”, “nonconforming use”, or “temporary use”, then such use is prohibited.

Section 819 Conditional Uses

Conditional uses, as set forth in Article IV of this ordinance, are declared to possess characteristics which require certain controls in order to ensure compatibility with other uses in the district within which they are proposed for location. Conditional uses shall be permitted subject to a determination by the Zoning Administrator that they conform to all regulations set forth herein and elsewhere in this ordinance, with particular reference to those requirements established for those districts in which they are proposed for location.

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

Section 820 Special Exceptions

Special exceptions, as set forth in Article IV of this ordinance, are declared to possess characteristics which require certain controls in order to ensure compatibility with other uses in the district within which they are proposed for location.

Special exceptions shall be permitted only for uses specifically listed as permitted by special exception for each zoning district as described in Article IV of this ordinance. Approval is subject to a public hearing and a finding by the Zoning Board of Appeals of compatibility with the character of the neighborhood or area in which the proposed use is located, and that it will not impose any undue impact on neighboring parcels.

Section 821 Nonconforming Buildings or Uses

Nonconforming buildings or uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. However, to avoid undue hardship, the lawful use of any building or land uses at the time of the enactment of this ordinance may be continued even though such use does not conform with the provisions of this ordinance except that the nonconforming building or land use or portions thereof, shall not be:

- A. changed to another nonconforming use;
- B. reused or reoccupied after discontinuance of use or occupancy for a period exceeding one hundred and eighty (180) days;
- C. reestablished, reoccupied, or replaced with the same or similar building, or land use after physical removal or relocation from its specific site location at the time of passage of this ordinance;
- D. repaired, rebuilt, or altered in case of damage, to an extent less than 60 percent of its assessed value, due to fire or other disaster event pursuant to the issuance of a permit by the Zoning Administrator. Reconstruction or repair, when legal, must begin within one hundred and eighty (180) days after damage is incurred; or
- E. expanded, changed or enlarged, nor shall such a nonconforming building/structure be enlarged by additions to the structure in which the nonconforming use is located (either attached or detached). However, if a nonconforming non-residential use can expand within the existing structure, it may do so as long as the Zoning Administrator determines

that the interior expansion will not have a negative impact upon surrounding conforming uses.

Many non-conformities may continue, but the provisions of this Section are designed to curtail substantial investment in nonconformities and to bring about eventual elimination and/or lessen their impact upon surrounding conforming uses in order to preserve the integrity of the area in which it is located and the intent of this ordinance. Normal structural repair and maintenance may be performed to allow the continuation of a nonconforming use. Nothing in this section shall be meant to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official lawfully charged with protecting the public safety, upon order of such official.

A nonconforming use may be changed to another equal or less intense nonconforming use. Once a nonconforming use has been changed to a conforming use, it shall not thereafter be used for any nonconforming use.

Unless a use is allowed as a “permitted”, “use permitted with conditions”, “conditional use”, “nonconforming use”, or “temporary use”, then such use is prohibited.

Section 822 Temporary Uses and Structures

Temporary structures and uses shall be permitted in compliance with the provisions of this ordinance and all other ordinances of the City of Inman. The following temporary structures and uses shall be permitted as granted by the Zoning Administrator:

- A. Construction Trailers And Mobile Sales Offices** - Construction trailers may be permitted on all non-residential construction developments and residential developments with ten (10) or more dwelling units. Construction trailers and mobile residential neighborhood sales offices shall adhere to all district setbacks and shall not be permitted on the lot more than thirty (30) days after the completion of the development or upon issuance of the final Certificate of Occupancy.

- B. Temporary Classrooms And Offices** - Manufactured homes may be used for temporary classroom space as a temporary use granted providing the following conditions are met:
 - 1. The manufactured homes are necessary to alleviate overcrowding only.
 - 2. The petitioner of the request must be a church, school, institution of learning, or other public institution.
 - 3. The manufactured housing shall be provided with underpinning, from the bottom of the walls to the ground, made of vinyl, pre-painted aluminum material, or other material specifically manufactured for manufactured homes.
 - 4. Landscaping shall be provided to create an aesthetically pleasing appearance.
 - 5. All required setbacks for the district are adhered to.

The Zoning Administrator may issue a temporary use permit for up to one (1) year only. At the end of one (1) year, the petitioner must file for another extension of no more than one (1) year with the Zoning Administrator. At that time, the petitioner must show that construction or plans for construction are proceeding in a diligent manner. The petitioner is allowed a maximum of two (2) extensions.

- C. Temporary Yard And Garage Sales** - Yard, garage, tag, patio and apartment sales are permitted without a permit, as an accessory use on any residential or institutional property in any district. Such sales on the same lot shall be limited to no more than two (2) days per calendar month. Additional regulations can be found in Article VI, Signs.
- D. Tents** – The Zoning Administrator may issue a temporary use permit not to exceed forty-eight (48) hours. Additional time must be approved by the Planning Commission. The petitioner must provide:
 - 1. Intended use;
 - 2. Length of use, date erected and dismantled;
 - 3. Description of tent, including size, occupancy numbers, evacuation exits;
 - 4. Proof of liability insurance and public facilities; and
 - 5. Emergency contact information.

Section 823 Home Occupation

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

- A.** is conducted by no other person than members of the family residing on the premises;
- B.** utilizes not more than twenty-five percent (25%) of the total floor area of the principal building;
- C.** produces no alteration or change in the character or exterior appearance of the principal building from that of a dwelling;
- D.** no display or products shall be visible from the street and only articles made on the premises may be sold; except that nondurable articles (consumable products) that are incidental to a service, which service shall be the principle use in the home occupation, may be sold on the premises;
- E.** creates no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, traffic hazard, unhealthy or unsightly condition;
- F.** no mechanical equipment is installed or used except such as is normally used for domestic or office purposes;
- G.** storage related to a customary home occupation business is permitted in an accessory building, but the use of an accessory building for a separate commercial use is not permitted;
- H.** in addition to other uses deemed unacceptable by the Zoning Administrator, the following uses shall not be considered home occupations:

1. animal hospitals, kennels, or stable;
 2. barber shops and beauty parlors;
 3. dancing schools;
 4. funeral homes;
 5. medical or dental offices or clinics hospitals;
 6. nursery schools;
 7. restaurants; and
 8. tourist homes.
- I. Zoning permits shall be required for all home occupations and shall be submitted to City Hall before a business license is issued.

Section 824 Accessory Uses

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

824.1 Uses Customarily Accessory to Dwellings

- A. Private garage.
- B. Open storage space or parking area for motor vehicles provided that such space shall not be used for more than one (1) commercial vehicle licensed as one (1) ton or less in capacity per family residing on the premises.
- C. Shed or tool room for the storage of equipment used in grounds or building maintenance.
- D. Pet House. Kennels used for commercial purposes are prohibited.
- E. Private swimming pool and bath house.
- F. Structures designed and used for purposes of shelter in the event of man-made or natural catastrophes.
- G. Noncommercial flower, ornamental shrub or vegetable garden or greenhouse.
- H. Satellite dishes. A maximum of one (1) per lot and placed in the rear setback only. Such dish shall not be located closer than ten (10) feet from any property line.

824.2 Uses Customarily Accessory to a Church

- A. Religious education buildings.
- B. Parsonage or parish house, together with any use accessory to a dwelling as listed under Subsection 824.1

- C. Off-street parking area for the use of members and visitors of the church.

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

- A. Off-street parking or storage areas for customer, client, or employee owned vehicles.
- B. Completely enclosed building for the storage of supplies, stock, or merchandise.
- C. Light manufacturing and/or repair facility incidental to the principal use provided that dust, odor, smoke, noise, vibration, heat, or glare produced as a result of such manufacturing or repair operation is not perceptible from any boundary line or the lot on which said principal and accessory uses are located and provided such operation is not otherwise specifically prohibited in the district in which the principal use is located.
- D. Satellite dishes. A maximum of one (1) per lot and placed in the rear setback only. Such dish shall not be located closer than ten (10) feet from any property line.

824.4 Uses Customarily Accessory to Industry and Principal Agricultural Use in Industrial Districts

- A. Watchman or caretaker's one-family dwelling provided that such a dwelling is located on the premises of a permitted use; and, provided a member of the household is employed by the industry as a watchman or caretaker.
- B. Dwelling incidental to a permitted agricultural or horticultural use provided that such related dwellings are occupied by persons employed directly on the premises.
- C. Retail or wholesale business or service, provided such business or service is incidental to a permitted industrial use, is located on the same premises, and involves no open storage of junk or salvage materials in conjunction with the operation.
- D. Private recreation facilities provided such facility is incidental to a permitted use and located on the same premises.

Section 825 Setback and Other Yard Requirements for Accessory Uses

The minimum front setback of the zoning district in which the parcel is located shall serve as the minimum front setback for accessory uses. For accessory structures of not greater than six hundred (600) square feet in area, or fifteen (15) feet in height and swimming pools, the minimum rear setback shall be ten (10) feet and the minimum side setback shall be ten (10) feet. The accessory use shall occupy not more than a total of thirty (30) percent of the required rear and side setback for that district. No accessory structure shall be greater than eight hundred (800) square feet.

For any accessory use of greater than six hundred (600) square feet in area or fifteen (15) feet in height, except swimming pools, the minimum setbacks of the zoning district in which the use is located shall apply.

**ARTICLE IX - ADMINISTRATION, ENFORCEMENT, APPEAL,
COMPLAINTS AND REMEDIES**

Section 901 Zoning Administrator

The provisions of this Ordinance shall be administered and enforced by the City of Inman through an officially designated administrator.

Section 902 Zoning Permit

No building, sign, or other structure (except as otherwise provided for in this ordinance) shall be erected, moved, extended, enlarged or structurally altered, nor shall the use conducted within the building change, nor shall any excavation or filling of any lot for the construction of any building be commenced, nor shall any change in the use of a property be commenced until the Zoning Administrator has issued a zoning permit for such work in accordance with a fee schedule established by the City Council. See Article XIV.

902.1 Expiration of Zoning Permit

Any zoning permit issued in accordance with this ordinance will lapse and become invalid unless the work for which it was issued is started within one hundred and eighty (180) days of the date of issue, or if the work authorized by it is suspended or abandoned for a period of at least one (1) year. The use, arrangement, or construction of any structure that differs from that authorized shall be deemed a violation of the ordinance and punishable as set out in Section 907.

902.2 Records

The Zoning Administrator shall maintain a record of all zoning permits on file at the City Hall office, and copies shall be made available on request to interested parties.

902.3 Conditions for Approval

Zoning permits issued on the basis of dimensional plans approved by the Zoning Administrator authorize 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 this ordinance and shall be punishable as indicated under Section 907 of this ordinance.

902.4 Zoning Permit Not Required

Notwithstanding any other provisions of this ordinance, no zoning permit is necessary for the following uses:

- A. Street construction or repair.
- B. Electric power, telephone, telegraph, cable television, gas, water, and sewer lines, wires or pipes, together with supporting poles or structures, located within a public right-of-way.
- C. Specific signs exempted in Article VI of this Code.
- D. Mailboxes, newspaper boxes, birdhouses, flag poles, pump covers, and doghouses.
- E. Interior alterations and renovations which do not alter the footprint or height of an otherwise conforming use and/or structure.

902.5 Temporary Uses

Notwithstanding any other provisions of this ordinance, The Zoning Administrator is authorized to issue a Certificate of Zoning Compliance, not to exceed one (1) year, for temporary uses. All Certificates of Zoning Compliance for temporary uses may be renewed provided that it is determined that said use is clearly of a temporary nature, will cause no traffic congestion and will not create a nuisance to surrounding uses.

Section 903 Application for Certificates of Zoning Compliance

In all cases, where a building permit is required, and in all other cases of construction or use where any provision of the Zoning Ordinance is involved, appropriate plans shall be filed subject to the provisions of the Building Code and to such other rules as the Zoning Administrator shall prescribe, sufficient in scope and character to determine that all relevant requirements of this Zoning Ordinance have been met. An application fee in accordance with a fee schedule established by the City Council will be levied in order to partially defray expenditures associated with application processing for each application due upon submission of an application. See Article VIII.

All applications should include plans drawn to scale showing the actual dimensions and shape of the lot to be built upon; location and dimensions of the proposed building(s) or alterations, the set back lines of buildings on adjoining lots, off-street parking spaces, and such additional information as may be necessary to determine conformance and provide for the enforcement of this ordinance. The sketch or diagram need not be professionally drawn. The application shall include such other information as lawfully may be required by the Zoning Administrator, including existing or proposed buildings or alterations, existing or proposed uses of buildings and land, the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this ordinance.

Section 904 Certificate of Occupancy

No structure hereafter erected, moved, structurally altered or changed in use shall be used or occupied until the Building Official, as designated by the City of Inman, has issued a Certificate of Occupancy. Any Certificate of Occupancy issued shall state that the structure or portion of a structure is in compliance with the information stated on the zoning permit and with all applicable provisions of this ordinance. A record of all Certificates of Occupancy shall be kept on file in the office of the Building Official and copies shall be furnished, on request, to all interested parties. If a Certificate of Occupancy is denied, the reasons for such denial shall be specified in writing and provided to the applicant. Failure to obtain a Certificate of Occupancy shall be a violation of this ordinance, and be punishable under Section 907 of this ordinance.

A temporary Certificate of Occupancy may be issued by the Building Inspector for a period not exceeding six (6) months during the alterations or partial occupancy of a building pending completion, provided that such temporary permit may require such conditions and safeguards as needed to protect the safety of the occupants and general public.

Section 905 Right of Appeal

If a request for a zoning permit is disapproved or if a ruling of the Zoning Administrator is questioned, any aggrieved party may appeal such ruling to the Zoning Board of Appeals in accordance with Article X of this ordinance.

Section 906 Complaint Regarding Violations

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

If the Zoning Administrator shall find that any provision of this ordinance is being violated, they shall notify in writing the person responsible for such violations, indicate the nature of the violation, and order the action necessary to correct it. They shall order discontinuance of any illegal use of land, buildings, or structures, illegal work being done, or take any other action authorized by this ordinance to ensure compliance with or prevent violations of its provisions. The person responsible for such violations must comply within thirty (30) days of such notice or be subject to the penalties detailed in Section 907.

Section 907 Penalties for Violation

In case any structure or use is erected, constructed, reconstructed, altered, repaired, converted or maintained in violation of this ordinance as herein provided, an action for injunction, or mandamus, or other appropriate action or proceeding to prevent such violation may be instituted by the Zoning Administrator, any other appropriate City authority; or any person who may be damaged by such violation.

A. Criminal

Any person, firm, or corporation convicted of violating the provisions of this ordinance shall, upon conviction, be guilty of a misdemeanor and shall be fined an amount not to exceed five hundred dollars (\$500) and/or imprisoned for a period not to exceed thirty (30) days. Each day of violation shall be considered a separate offense, provided that the violation of this ordinance is not corrected within ten (10) days of receipt of the warning citation as provided in Subsection F herein.

B. Injunction

Enforcement of the provisions of this ordinance may also be achieved by injunction. When a violation occurs, the Zoning Administrator may, either before or after the institution of other authorized action, submit a request to the City Attorney for institution of a civil action seeking an injunction prohibiting violation of this ordinance when appropriate for a mandatory or prohibitory injunction commanding the defendant to correct the unlawful condition or cease the unlawful use of the property.

C. Order of Abatement

In addition to an injunction, the Zoning Administrator may apply for and the court may enter into an order of abatement as part of the judgment in the case. An order of abatement may direct any of the following actions:

1. Buildings or other structures on the property be closed, demolished, or removed;
2. Fixtures, furniture or other moveable property be moved or removed entirely;
3. Improvements, alterations, modifications or repairs be made; or

4. Any other action be taken that is necessary to bring the property into compliance with this ordinance.

D. Execution of Court Decisions

If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he or she may be cited for contempt. The Zoning Administrator may execute the order of abatement and will have a lien on the property in the nature of a mechanic's and material man's lien for the cost of executing the order. The defendant may secure cancellation of an order of abatement by paying all costs of the proceedings and by posting a bond for compliance with the order. The bond must be given in an amount approved by the judge before whom the matter was heard and shall be conditioned of the defendant's full compliance with the terms of the order of abatement within the time fixed by the judge. Cancellation of an order of abatement does not suspend or cancel an injunction issued in conjunction with the order.

E. Stop Work Order Issuance and Revocation of Permits

Whenever a building, structure or part thereof is being constructed, demolished, renovated, altered, or repaired in substantial violation of any applicable provision of this ordinance, the Zoning Administrator may order the specific part of the work that is in violation, or would be when the work is completed, to be immediately stopped. The stop work order shall be in writing, directed to the person doing the work, and shall state the specific work to be stopped, the specific reasons for cessation and the action(s) necessary to lawfully resume work. The Zoning Administrator may revoke any permit (e.g. Building Certificate of Occupancy) by written notification to the permit holder when violations of this ordinance have occurred. Permits may be revoked when false statements or misrepresentations were made in securing the permit, work is being or has been done in substantial departure from the approved application or plan, there has been a failure to comply with the requirements of this ordinance, or a permit has been mistakenly issued in violation of this ordinance.

F. Civil Penalty

In addition to the other remedies cited in this ordinance for the enforcement of its provisions, the regulations and standards in this Ordinance may be enforced through the issuance of civil penalties by the Zoning Administrator. Subsequent citations for the same violation may be issued by the Zoning Administrator if the offender does not pay the citation (except as otherwise provided in a Warning Situation) after it has been issued unless the offender has sought an appeal to the actions of the Zoning Administrator through the Zoning Board of Appeals. Once the ten (10) day warning period has expired, each day which the violation continues shall subject the violator to additional citations to be issued by the Zoning Administrator.

ARTICLE X - ZONING BOARD OF APPEALS

Section 1001 Membership

The Zoning Board of Appeals shall consist of five (5) members, who shall be citizens of the City of Inman and shall be appointed by City Council for terms of three (3) years, staggered so that one-third of the members shall have terms expiring each year. Members shall serve until their successor is appointed. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. The appointing governing body may remove a member for cause by a majority vote of the City Council upon written charges and after public hearing. Members cannot hold any other public office or position in the appointing local government.

Section 1002 Proceedings of the Zoning Board of Appeals

The Zoning Board of Appeals shall elect a chair and a vice-chair from its members who shall serve for one (1) year until re-elected or until their successors are elected. The Board shall appoint a secretary who may be an employee of the City or a member of the Board. The Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or his absence or failure to vote, indicating such fact, and also keep records of its action. Meetings of the Board shall be held at the call of the Chair and at such other times as the Board may determine. All meetings of the Board shall be open to the public, and all evidence and testimony shall be presented publicly. The chair, or in his absence, the vice-chair, shall preside at all meetings, may administer oaths, and compel the attendance of witnesses. A majority of the membership shall constitute a quorum.

Section 1003 Decisions of the Zoning Board of Appeals

The concurring vote of three (3) members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance or to affect any variation of this ordinance. Upon taking any official action, the Board shall file all of its proceedings and accompanying materials with the City Clerk. These materials shall become public record and a copy of all materials and findings shall be sent to the Zoning Administrator. On all appeals, applications and matters brought before the Zoning Board of Appeals, the Board shall inform in writing all parties involved of their decisions and the reason(s) for their decisions.

Section 1004 Appeals, Hearings and Notice

Appeals to the Board may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality or county. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board, by filing with the officer from whom the appeal is taken and with the Zoning Board of Appeals, notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

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

The Board shall fix a reasonable time for the hearing of the appeal or other matters referred to it, and give at least fifteen (15) days public notice thereof in a newspaper of general circulation, as well as due notice to the parties in interest, including all property owners within two hundred (200) feet of the affected property, and decide the same within a reasonable time. At the hearing any party may appear in person, by agent, or by attorney.

Section 1005 Powers and Duties of the Zoning Board of Appeals

1005.1 The Zoning Board of Appeals is empowered to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this ordinance.

1005.2 The Zoning Board of Appeals may grant a variance only under exceptional circumstances, where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions should be granted as long as the applicant shall show and the Board shall find that:

- A.** The particular property, because of size, shape, topography, or other physical conditions, suffers singular disadvantage through the operation of this ordinance, which disadvantage does not apply to other properties in the vicinity; and
- B.** Because of the disadvantage, the owner is unable to make reasonable use of the affected property; and
- C.** This disadvantage does not exist because of conditions created by the owner or applicant; and
- D.** Grant of the variance (1) will not be contrary to the public or neighborhood interest, (2) will not adversely affect other property in the vicinity, and (3) will be in harmony with the spirit, intent, and purpose of this ordinance.
- E.** The variance granted shall be the minimum variance that will make possible the legal use of the land, building, or structure.

1005.3 In passing upon an appeal or variance, the Board shall not consider prospective financial loss or gain to the owner or applicant, nor shall the Board by variance permit to be established or carried on in any district an activity, business, or operation which is not otherwise allowed in such district by a specific provision of this ordinance.

1005.4 In granting a variance, the Zoning Board of Appeals may impose such reasonable and additional stipulations, conditions, or safeguards that may or may not be elsewhere prescribed in this or any ordinance that, in its judgment, will better fulfill the purposes of this ordinance; and, to that end, shall have all the powers of the officer from whom the appeal is taken and may direct the issuance of a permit. The Board, in the execution of the duties for which appointed, may subpoena witnesses and in case of contempt may certify such fact to the circuit court in and for the County of Spartanburg.

1005.5 The Zoning Board of Appeals can hear and decide special exceptions according to the conditions set out in the applicable zoning district regulations.

Section 1006 Appeals from Decisions of Zoning Board of Appeals

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

Section 1007 Application Fee for Appeals of Decisions by the Zoning Administrator

An application fee in accordance with a fee schedule established by the City Council will be levied in order to partially defray expenditures associated with application processing for each application for a variance or appeal, due upon submission of an application. See Article XIV.

ARTICLE X - PLANNING COMMISSION

Section 1101 Establishment of a Planning Commission

The City Council shall create a Planning Commission to advise the Council of planning, land use, zoning, community development, and other matters as referred by Council, as well as to review subdivision plats, if applicable.

Section 1102 Planning Commission Membership, Terms of Office

The Planning Commission shall consist of five (5) members, recommended by Planning Commissioners and appointed by the City Council for terms of four (4) years. Prospective Planning Commission members shall be nominated by a City Council member and approved by a majority vote of those City Council members present and voting. In appointing members, City Council should consider the prospective member's professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens. Planning Commission members should represent a broad cross section of the interests and concerns within the City with majority of membership being legal residents of the City of Inman. Planning Commission members shall serve no more than two (2) successive full terms. Any Planning Commission member whose term has expired shall continue to serve until the City Council appoints a replacement.

Section 1103 Function and Powers of the Planning Commission

It shall be the function of the Planning Commission to prepare and update the City's Comprehensive Plan and program for the physical, social, and economic growth of the city in order to promote the public health, safety, morals, convenience, prosperity, or general welfare, as well as the efficiency and economy in the development of the municipality. Specifically, the Planning Commission shall have the authority and responsibility to:

- A. Prepare and revise periodically a comprehensive plan and program for the development of the city.
- B. Prepare and recommend for adoption to the City Council a zoning ordinance (to include text and maps), subdivision regulations, and an official map. The Commission may also prepare a landscape ordinance and capital improvements plan.
- C. Study and report on other planning, community development, economic development, and land use matters, as assigned by City Council.
- D. If a comprehensive plan containing at least a major street element shall have been adopted, and if subdivision regulations shall have been adopted, then the Planning Commission shall have review and approval/disapproval authority over subdivision plats.

Section 1104 Organization, Rules, and Staff of the Planning Commission

The Planning Commission shall organize itself electing one of its members as chairman, one as vice-chairman, and one as secretary, whose terms shall be for one (1) year. Officers may serve an unlimited number of successive terms. The Planning Commission shall meet at the call of the chairman and at such times as the chairman or commission may determine. The Planning Commission shall adopt Rules of Procedure for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record. A majority of the Planning Commission shall constitute a quorum.

Section 1105 Finances

The Planning Commission is authorized to spend money or to commit to financial obligations only as budgeted and appropriated by the City Council. Upon the approval of City Council, staff or consultants may be employed, as it deems necessary to fulfill its responsibilities. It may also purchase equipment and supplies and expend money for conferences or other educational programs or materials. The Planning Commission shall not enter into any contractual agreement obligating the City of Inman to any action, except upon the formal approval of the City Council through the adoption of a resolution or ordinance.

ARTICLE XII - INMAN TRAIL COMMISSION

Section 1201 Establishment of an Inman Trail Commission

The City Council shall create an Inman Trail Commission to advise the Council of planning, land use, community development, and other matters as it pertains/relates to the Inman Trail. Unanimous approval was given at the March 14, 2011 Council meeting.

Section 1202 Inman Trail Commission Membership, Terms of Office

The Inman Trail Commission shall consist of five (5) members to be appointed by City Council for terms of four (4) years. Prospective Inman Trail Commission members shall be nominated by a City Council member or Planning Commission member and approved by a majority vote of those City Council members present and voting. In appointing members, City Council should consider the prospective member's professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens as it pertains to the Inman Trail. Trail Commission members should represent a broad cross section of the interests and concerns within the City with majority of membership being legal residents of the City of Inman. Trail Commission members shall serve no more than two (2) successive full terms. Any Trail Commission member whose term has expired shall continue to serve until the City Council appoints a replacement.

The Inman Trail Commission should consider the appointment of an advisory, non-voting representative from Partners for Active Living (PAL), the Spartanburg Area Transportation Study (SPATS), District One Schools, Spartanburg Park Commission, and City of Inman Council member to provide expert guidance and advice.

Section 1203 Initial Appointments of Inman Trail Commission Members

The City Council shall make its initial appointment of Inman Trail Commission members within ninety (90) days of the adoption of this ordinance. For the initial appointment, two (2) members shall serve for terms of four (4) years, two (2) members shall serve for terms of three (3) years, and one (1) member shall serve for a term of two (2) years. It shall be at the determination of the Mayor as to which initial terms Trail Commission members are assigned.

Section 1204 Function and Powers of the Inman Trail Commission

It shall be the function of the Inman Trail Commission to prepare and update the city's Inman Trail comprehensive plan and program for the physical, social, and economic growth of the city in order to promote the public health, safety, convenience, prosperity, and general welfare, as well as the efficiency and economy in the development of the municipality relating/pertaining to the Inman Trail. Specifically, the Trail Commission shall have the authority and responsibility to:

- A. Prepare and revise periodically an Inman Trail Comprehensive Plan and program for the trail and active living development of the city.
- B. Prepare and recommend for adoption to the City Council trail regulations and an official trail map. The Commission may also prepare a landscape ordinance and capital improvements plan as it pertains to the Inman Trail.
- C. Study and report on other active living planning, community development, economic development, and land use matters, as assigned by City Council or Planning Commission.
- D. Work with the City of Inman Planning Commission to coordinate and reflect current ordinances.

Section 1205 Organization, Rules, and Staff of the Inman Trail Commission

The Inman Trail Commission shall organize itself electing one of its members as chairman, one as vice-chairman, and one as secretary, whose terms shall be for one (1) year. Officers may serve an unlimited number of successive terms. The Inman Trail Commission shall meet at the call of the chairman and at such times as the chairman or commission may determine. The Inman Trail Commission shall adopt Rules of Procedure for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record. A majority of the Inman Trail Commission shall constitute a quorum.

Section 1206 Finances

The Inman Trail Commission is authorized to spend money or to commit to financial obligations only as budgeted and appropriated by the City Council. Upon the approval of City Council, staff or consultants may be employed, as it deems necessary to fulfill its responsibilities. It may also purchase equipment and supplies and expend money for conferences or other educational programs or materials. The Inman Trail Commission shall not enter into any contractual agreement obligating the City of Inman to any action, except upon the formal approval of the City Council through the adoption of a resolution or ordinance.

ARTICLE XIII - AMENDMENTS

Section 1301 Authority

This ordinance, including the official zoning map of Inman, South Carolina, may be amended from time to time by the City Council as herein specified, but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the Planning Commission for review or recommendation. The Planning Commission shall have thirty (30) days within which to submit its report. If the Planning Commission fails to submit a report within the thirty (30) day period, it shall be deemed to have recommended approval of the proposed amendment.

Section 1302 Requirements for Change

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

Section 1303 Procedure for Amendments

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

A. Initiation of Amendments

A proposed amendment to the Zoning Ordinance may be initiated by the City Council, the Planning Commission or by application filed with the Zoning Administrator by the owner(s) of the property proposed to be changed, provided, however, that action shall not be initiated for a zoning amendment affecting the same parcel or parcels of property, or any part thereof, and requesting the same change in district classification by a property owner or owners more often than once every twelve (12) months.

B. Application Procedure

Application forms for amendment requests shall be obtained from the Zoning Administrator. Completed forms, together with an application fee in accordance with a fee schedule established by the City Council to cover administrative costs, plus any additional information the applicant believes to be pertinent, will be filed with the Zoning Administrator. Any communication purporting to be an application for an amendment shall be regarded as mere notice until it is made in the form required.

Application for amendments must be submitted, in proper form, at least twenty-five (25) days prior to a Planning Commission meeting in order to be heard at that meeting.

Application fees shall be forwarded by the Zoning Administrator to the City Clerk who shall supervise the application of same to the costs of advertising and other administrative expenses.

Section 1304 Review by the Planning Commission

All papers and other data submitted by the applicant on behalf of the amendment request shall be transmitted to the Planning Commission.

The Planning Commission, at its regular meeting shall review the application, take comment from any interested party and prepare a report, including its recommendation, for transmittal to the City Council.

All meetings of the Planning Commission shall be open to the public. At a meeting, any party may appear in person, or by agent, or by attorney.

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

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

Section 1305 Public Hearing by the City Council

Before enacting an amendment to this ordinance, the City Council shall hold a public hearing thereon. At least fifteen (15) days public notice of the time and place of the hearing shall be published in a newspaper of general circulation for the city.

Section 1306 Changes in the Zoning Map

Following final action by the City Council, any necessary changes shall be made in the Zoning Map. A written record of the type and date of such change shall be maintained by the City Clerk. Until such change is made, no action by the City Council on map amendments to the Zoning Ordinance shall be considered official, unless the City Clerk fails to make the change within seven (7) days after formal action by the City Council. In the latter event, action by the City Council shall be considered official seven (7) days after the date of action even if the City Clerk has failed to make the appropriate changes.

ARTICLE XIV - FEE SCHEDULE

Section 1401 Application Fee

An application fee in accordance with a fee schedule established by the City Council will be levied in order to partially defray expenditures associated with application processing.

Section 602	Sign Permits	\$150.00
Section 902	Existing Building Modification	\$100.00
Section 903	New Building	\$100.00
Section 1008	Appeals and Variances	\$100.00
Section 1303.b	Rezoned	\$100.00

ARTICLE XV - DEFINITIONS

Section 1501 Interpretation of Certain Terms or Words.

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

The word “**shall**” is mandatory.

The word “**may**” is permissive.

The word “**lot**” includes the word “**plot**” or “**parcel**”.

The word “**structure**” includes the word “**building**”.

The word “**person**” includes a firm, association, organization, partnership, trust company, or corporation as well as an individual.

The word “**used**” or “**occupied**” as applied to any land or building shall be construed to imply that said land or building is in actual use or occupancy and shall be construed to include the words intended, arranged, or designed to be used or occupied.

The word “**map**” or “**zoning map**” shall mean the Official Zoning Map of the City of Inman, South Carolina.

The term “**Planning Commission**” refers to the City of Inman Planning Commission.

The term “**Council**”, “**City Council**”, or “**Mayor and Council**” refer to the legally constituted and elected governing body of the City of Inman.

The term “**Building Official**” or “**Zoning Administrator**” refers to that person or persons designated by the Council for the purpose of administering the building and/or zoning codes.

The term “**Board of Appeals**” refers to the Zoning Board of Appeals of the City of Inman.

DEFINITIONS

Accessory - a use, structure, or building subordinate to the principal use, structure, or building on a lot and used for purposes customarily incidental to the main or principal use or building and located on the same lot therewith.

Alley - a secondary way which affords access to the side or rear of abutting property.

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

Automobile Service Station - buildings and premises on any parcel or lot where gasoline, oils, greases, batteries, tires and automobile accessories may be supplied and dispensed at retail (or in connection with a private operation), where no part of the premises is used for the storage of dismantled or wrecked vehicles parts, and also where the following services may be rendered, and none other: sale and service of spark plugs, batteries, and distributors; tire repair and servicing, but no recapping; replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, floor mats, seat covers, wiper blades, windshield wipers, grease retainers, and wheel bearings; washing and polishing; greasing and lubrication; exchanging fuel oil pumps and installing fuel lines; minor servicing and replacing of carburetors; emergency wiring repairs; adjusting and repair of brakes; minor adjustment of engines, not involving removal of the head and/or crank case, or racing the motor; sale of cold drinks, packaged foods and other products targeted to the traveling public, as accessory only to the principal operation.

Bed and Breakfast Inn - a use that takes place within a building that prior to such an establishment was a single family residence, that consists of renting eight (8) or less dwelling rooms on a daily basis to tourists, vacationers, and business people, where provision of meals is limited to the breakfast meal, available only to guests. The resident operator shall reside on site.

Berm - a mound of earth

Body piercing – the creation of an opening in the body of a human being so as to create a permanent hole for the purpose of inserting jewelry or other decorations. This includes, but is not limited to, piercing of an ear, lip, tongue, nose, or eyebrow. **Body piercing** for the purpose of this chapter does not include piercing an ear lobe with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear lobe. **See City of Inman Ordinance #09-07.**

Buffer yard - a buffer yard is a permanent unit of land, together with planting, fences, berms, walls, and other screening devices required thereon.

Buildable Area - that portion of any lot which may be used or built upon in accordance with the regulations governing the given zoning district, within which the particular lot is located once the various front, side, and rear setback requirements for the district have been subtracted from the total lot area.

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

Building Code – current building regulations required in Spartanburg County.

Building, Principal – a building in which is conducted the principal use of the lot on which said building is situated.

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

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

Care Home - a rest home, nursing home, convalescent home, home for the aged, or similar use established and operated on a profit or non-profit basis to provide lodging and/or meals and/or domiciliary care for aged, infirm, chronically ill, or convalescent persons.

Child Care Center - an establishment providing for the care, supervision, and protection of children.

Clinic - an establishment where medical or dental patients, who are not lodged overnight, are admitted for examination or treatment.

Day Care - a service established for the daytime care of persons not related to the operator.

Deciduous - leaves fall off or are shed each year.

Density- refers to the number of dwelling units per acre of land developed or used for residential purposes. Unless otherwise clearly stated, density requirements in this ordinance are expressed in dwelling units per net acre, that is per acre of land devoted to residential use exclusive of land utilized for streets, alleys, parks, playgrounds, school ground, or other public uses.

District - the term applied to various geographic areas of the City of Inman for the purpose of interpreting the provisions of this ordinance. The districts are designated on the Official Zoning Map. Regulations controlling land use in the various districts within the City of Inman are set forth in Article IV of this ordinance. The terms “district” and “zoning district” are synonymous and are used interchangeably throughout this ordinance.

Duplex - see “Dwelling, Two Family”.

Dwelling - a building or portion of a building arranged or designed to provide living quarters for one or more families.

Dwelling Unit - one (1) or more rooms connected together and constituting separate, independent housekeeping establishment for use on a long term basis, with provisions for cooking, eating, and sleeping and physically separated from any other rooms or dwelling units that may be in the same structure or another structure.

Dwelling, Single Family – is a detached dwelling other than a mobile home designed or occupied exclusively by one family on a single lot.

Dwelling, Two Family (duplex) – a single dwelling arranged or designed to be occupied by two (2) families in separate dwelling units living independently of each other on a single lot.

Dwelling, Multi-Family (apartments) - a building or series of buildings on the same lot or portions thereof used or designed as dwelling for three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided. The terms “multiple-family” and “multi-family” are synonymous and are used interchangeably throughout this ordinance.

Dwelling, Multi-Family (town homes) - a single family dwelling unit constructed in a series or a group of attached units where each unit occupies one zoning lot.

Drive-In - a retail or service enterprise oriented to automobile driving patrons wherein service is provided to the consumer on the outside and/or inside of the principal building. The term “drive-in” includes drive-in restaurants, banks, laundries, food stores, car washes, and other similar retail service activities.

Employee - a person who works or performs in and/or for a sexually oriented business, regardless of whether or not said person is paid a salary, wage or other compensation by the operator of said business.

Evergreen - a plant which has green foliage throughout the year.

External storage – the storage of materials, inventory, parts, machinery, or equipment outside of the primary building.

Family - one (1) or more persons occupying a single dwelling unit provided that unless all members are related by blood or marriage, no such family shall contain over five (5) persons, but further provided that domestic employees serving the residents of the premises may be housed on the premises.

Garage, Private - an accessory building or portion of a principal building used only for the private storage of motor vehicles as an accessory use.

Garage, Public - any garage other than a private garage which is used for storage, minor repair, rental, servicing, washing, adjusting, or equipping of automobiles or other vehicles.

Garage, Repair - buildings and premises designed or used for purposes indicated in “automobile service station” and/or major commercial repairs; provided that body work and painting shall be conducted within fully enclosed buildings and provided further that self-propelled vehicles in the process of repair shall be stored in a fully enclosed and secluded area.

Groundcover - plants growing close to the ground which spread to form a dense covering over the ground.

Group Housing - a building or structure used as a place of residence by several persons who share the living accommodations and do not occupy separate dwelling units. The following are considered group quarters: institutions, dormitories, rooming and boarding houses, and similar establishments.

Home Occupation - any use conducted entirely within a dwelling and carried on by the occupants, thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof, and no person who is not a resident of the premises, is employed specifically in connection with the activity.

Hotel - a building or buildings in which lodging, with or without meals, is provided and offered to the public for compensation, which is open to transient or permanent guests. The word “hotel” includes the term “motel.”

Impervious Surface - impervious surfaces do not absorb rain. All building, parking areas, driveways, roads, sidewalks, and any areas in concrete and/or asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the Zoning Administrator to be impervious within the meaning of this definition will be considered as impervious surface.

Junk or Salvage Yards - the use of any part of a lot, whether inside or outside of a building, for the storage, keeping, abandonment, sale or resale of junk, salvage, or scrap materials; or the dismantling, demolition or abandonment of automobiles and other vehicles, machinery, equipment, or parts thereof.

Kennel – a commercial operation that is engaged in the breeding of animals for sale, or that provides food, shelter, and care of animals for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a veterinarian).

Loading Space, Off-Street – space logically and conveniently located for pickups and deliveries, scaled to delivery vehicles expected to be used and accessible to such vehicles when required off-street parking spaces are filled.

Lot - an area designated as a separate and distinct parcel of land on a legally recorded deed as filed in the official records of Spartanburg County, as maintained in the Spartanburg County Court House. The terms “lot”, “plot”, “lot of record”, “property”, or “tract” whenever used in this ordinance are interchangeable.

Lot, Corner - a lot located at the intersection of two (2) or more streets.

Lot, Double Frontage - a lot which has frontage on more than one (1) street, provided, however, that no corner lot shall qualify as a double frontage lot unless said corner lot has frontage on three (3) or more streets.

Lot, Interior – a lot other than a corner lot which has frontage on only one (1) street other than an alley.

Lot Depth - the mean horizontal distance between front and rear lot lines.

Lot of Record - an area designed as a separate and distinct parcel of land on a legally recorded subdivision plot or in a legally recorded deed as filed in the official records of Spartanburg County, as maintained in the Spartanburg County Court House. The terms “lot”, “plot”, “lot of record”, “property”, or “tract” whenever used in this ordinance are interchangeable.

Lot Width - the distance between side lot lines measured at the front building line.

Major Recreational Equipment- equipment or vehicles used for recreational purposes, including but not limited to motor homes, recreational vehicles, campers, trailers, motorboats, sailboats, boat trailers, all terrain vehicles, off-road vehicles, and snowmobiles.

Manufactured Housing - see “Mobile Homes”

Mobile Homes - mobile homes are movable or portable dwellings on wheels or on a permanent foundation of masonry units cemented together and supported on concrete footings; conforming to typical construction standards for the area of location. The unit is constructed to be towed on its own chassis and designed for year-round occupancy, which includes two (2) or more units separately towed but designed to be joined into one integral unit, as well as a portable dwelling composed of a single unit. All mobile homes under the jurisdiction of this ordinance shall comply with the standards for mobile homes by the American National Standards Institute, Inc., (ANSI), A119.1-1969.

Mobile Home Park - premises where two (2) or more mobile homes are parked for living or sleeping purposes, or where spaces are set aside or offered for sale or rent for use for mobile homes for living or sleeping purposes, including any land, building, structure, or facility used by occupants of mobile homes on such premises.

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

Modular Home - a dwelling unit which is constructed in compliance with the current Building Code requirements and composed of components substantially assembled in an off-site manufacturing plant and transported to the building site for final assembly on a permanent foundation.

Motel – a building or buildings in which lodging, with or without meals, is provided and offered to the public for compensation, which is open to transient or permanent guests. The word “motel” includes the term “hotel.”

Natural Material - wood or other organic matter.

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

Non-domesticated Animals – horses, mules, pigs, hogs, roosters, chickens, geese, ducks, sheep, cattle, or goats. **See City of Inman Ordinance 10-09.**

Open Space - open space is land or water bodies used for recreation amenity which is freely accessible to all residents of a development where required by this ordinance. Open space is not occupied by buildings or structures, roads, parking or road right-of-way. Open space does not include setbacks or lots of residential units required to meet minimum lot area or parking requirements.

Operator - means and includes the owner, permit holder, custodian, manager, operator or person in charge of any permitted or licensed premises.

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

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

Permanently Mounted - attached securely to a building, wall, canopy, or the ground or pavement by means such as concrete, bolts, metal braces, treated wood, or cedar.

Permitted or Licensed Premises - any premise that requires a license and/or permit.

Permittee and/or Licensee - a person in whose name a permit and/or license to operate a business has been issued, as well as the individual listed as an applicant on the application for a permit and/or license.

Person - an individual, proprietorship, partnership, corporation, association, or other legal entity.

Plot - an area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed as filed in the official records of Spartanburg County, as maintained in the Spartanburg County Court House. The terms “lot”, “plot”, “lot of record”, “property”, or “tract” whenever used in this ordinance are interchangeable.

Public Building - any building owned, leased or held by the United States, the state, the city, any special purpose district, school district, or any other agency or political subdivision of the state or the United States, which building is used for governmental or other public purposes.

Public Park or Recreation Area - any public premises which have been designated for park or recreational activities including but not limited to a park, playground, nature trails, swimming pool, gymnasium, recreational center, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, open space, wilderness area, or similar public premises within the city which are under control, operation, or management of the city park and recreation authorities, or the equivalent state, county, or recreation district authorities.

Religious Institution – any church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities.

Residence - a building or portion of a building arranged or designated to provide living quarters for one (1) or more families. The terms “dwelling” and “residence” shall be interchangeable.

Residential District - a geographical area recognized under the City’s Zoning Ordinance as primarily occupied by dwelling units for single family, two family, multiple family, or manufactured home parks or subdivisions and campgrounds. It does not include other zoned districts intended primarily for industrial, service, commercial, or office use but which permit residential use.

Residential Use - the lawful utilization of any structure as a dwelling unit for single family, two families, and/or multiple family occupations.

School - any public or private educational facility including but not limited to child day care centers or facilities, nursery schools, preschools, kindergartens, elementary schools, primary schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, colleges, and universities. School includes the school grounds.

Service Station - see definition of “Automobile Service Station”.

Setback - a space on the same lot with a principal building, open, unoccupied and unobstructed by building or structures from ground to sky except where encroachments and accessory buildings and structures are expressly permitted.

Setback, Front - a yard situated between the front building line and the front lot line extending the full width of the lot.

Setback, Rear - a yard situated between the rear building line and the rear lot line extending the full width of the lot.

Setback, Side - a yard situated between a side building line and a side lot line and extending from the front yard to the rear yard.

Sexually Oriented Business - adult arcade, adult bookstore, adult novelty shop, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, sexual encounter center, nude model studio, escorts or escort agencies.

Shrub - a woody plant, usually multi-stemmed or well branched from the base.

Sign - the term “sign” shall mean and include every sign, billboard, poster panel, free-standing ground sign, roof sign, projecting sign, pylon sign, illuminated sign, sign painted on a wall, window, marquee, awning or canopy, and shall include any announcement, declaration, demonstration, display, illustration, or insignia used to advertise or promote the interests of any person when the same is placed in view of the general public, traveling along a public street right-of-way.

Sign, “A” Frame/Sandwich – a sign constructed with 2 wood, metal, and/or plastic frames, hinged at the top to form an “A” frame. The frame can be weighted down in some manner to add stability.

Sign Area - the area of a sign is the area of the face of the sign formed by a perimeter consisting of a series of straight lines enclosing all parts of the sign. The area of a free-standing sign structure is the area of the face or faces on one (1) side only.

Sign, Business Identification - a sign that directs attention to a business, commodity, service or other activity conducted on the premises upon which the sign is located.

Sign, Free-standing – a sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure having principal function other than the support of a sign.

Sign, Illuminated - a sign in which illumination techniques are used in any fashion to project the message on a sign.

Sign, Political – a temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election.

Sign, Portable - a mobile sign that is mounted on a trailer-type frame or a frame not permanently attached to the ground.

Sign, Real Estate – a sign advertising exclusively the sale, lease, rental, or development of the premises upon which it stands or directing attention to the opening and location of a new subdivision.

Sign, Temporary – any sign, designed in structure, materials, and/or copy message, which is temporary in nature including but not limited to yard sales, special pricing, political, or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, whether attached to a structure, fence or freestanding, and whether or not it contains a frame. The term Temporary Sign includes the terms Banner, Pennant, Valance, Flyer, or Announcement. Temporary Sign materials consist of cloth, vinyl, canvas, light fabric, cardboard, paper, wall board, or other light material. This definition shall not include a permanent sign display area with changeable copy or a movable or portable signs.

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

Street - a dedicated and accepted public right-of-way for vehicular traffic which affords the principal means of access to abutting properties.

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

Structure - anything constructed or erected, the use of which requires more or less permanent location on the ground, or which is attached to something having more or less permanent location on the ground. A “building”, as defined in this section, is a “structure”.

Tattoo or tattooing – to indelibly mark or color the skin by subcutaneous introduction of nontoxic dyes or pigments. **See City of Inman Ordinance #09-07.**

Tattoo artist – a person who practices body tattooing. **See City of Inman Ordinance #09-07.**

Tattoo facility – any room, space, location, area, structure, or business, or any part of any of these places, where tattooing is practiced or where the business of tattooing is conducted. **See City of Inman Ordinance #09-07.**

Telecommunications - as defined in the federal Telecommunications Act of 1996, means the transmission, between or among points specified by the user, of information of the user’s choosing, without change in the form or content of the information as sent and received.

The following definitions apply to the regulation of telecommunications towers:

- **Antenna.** A device, dish or array used to transmit or receive telecommunications signals.
- **Communications Tower.** As used in this ordinance shall mean a tower, pole, or similar structure which supports a telecommunications antenna operated for commercial purposes above ground in a fixed location, free-standing, guyed, or on a building.
- **Height.** The height of a communications tower is the distance from the base of the tower to the top of the structure.

Tract - see “Lot”.

Trailer - any vehicle or structure capable of moving or being moved over streets and highways on its own wheels or on flat beds or other carriers, which is designed or utilized to:

- provide temporary or permanent quarters for the conduct of business, profession, trade, or occupation;
- serve as a carrier of new or used goods, products, or equipment;
- used as a selling, advertising, or display device. For purposes of this ordinance, the term “trailer” shall not include the term “camper”, “mobile home”, or “house trailer”.

Tree, Canopy - a tree with a large, broad spreading crown, usually broadleaf and deciduous with a minimum mature height of forty (40) feet.

Understory Tree - a small, usually shade tolerant tree, capable of thriving in the lower light intensities found under the canopy of tall trees.

Use, Accessory - see “Accessory”.

Use, Principal - the primary purpose for which a lot is occupied and/or used

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 the result of any action on the part of the property owner, a literal enforcement of the ordinance would result in unnecessary and undue hardship, and where such modification will not authorize a principal or accessory use of the property which is not permitted within the zoning district in which the property is located.

Yard - a space on the same lot with a principal building, open, unoccupied and unobstructed by building or structures from ground to sky except where encroachments and accessory buildings and structures are expressly permitted.

Yard, Front - a yard situated between the front building line and the front lot line extending the full width of the lot.

Yard, Rear - a yard situated between the rear building line and the rear lot line extending the full width of the lot.

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

Youth Activity Center - boys club, girls club, or any other facility which is not a school but which provides entertainment, recreation, crafts, tutorials, or other quality of life enhancements for minors, whether a non-profit facility or not.

Zoning District - see "District".

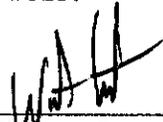
ORDINANCE # 13-08

**AMENDING SECTION 406 CBD, CENTRAL BUSINESS DISTRICT OF THE
ZONING ORDINANCE OF THE CITY OF INMAN**

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Inman in Council duly assembled, that Section 406, CBD, Central Business District of the Zoning Ordinance of the City of Inman is amended to read as follows:

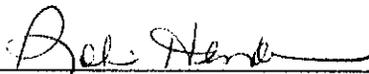
See attached Exhibit A which contains the full amended text of Section 406 of the Zoning Ordinance relating to the CBD, Central Business District.

**DONE AND RATIFIED IN COUNCIL DULY ASSEMBLED, BY MAJORITY
VOTE THIS 10 DAY OF June, 2013.**



Winston Cantrell, Mayor

ATTEST:



Robin Henderson, City Clerk

First Reading 5-13-13

Second Reading 6-10-13

Section 406 CBD - Central Business District

406.1 Purpose. The intent of this district is to promote the concentration, vitality, and pedestrian friendliness of business and governmental uses in the downtown of the City of Inman.

406.2 Permitted Uses. The following uses shall be permitted in the CBD Zoning District:

- A. General retail stores including convenience stores.
- B. Personal service businesses such as laundries and dry cleaners, alterations, barber and beauty shops, shoe repair shops, secretarial services, interior decorators, photographers and similar kinds of activities.
- C. General offices, government offices and buildings.
- D. Restaurants and drinking establishments including bakeries but excluding drive-in and drive-through establishments.
- E. Kindergarten, preschool and day care centers.
- F. Cultural and community centers, including museums, art galleries, facilities of civic, fraternal or charitable organizations, libraries, theaters, neighborhood recreation centers, and similar facilities.
- G. Public and private recreation establishments, including parks, movie theaters, pool and video game rooms, dancing and staged entertainment, bowling and skating rinks, tennis and basketball courts.
- H. Hotels, motels, and tourist homes.
- I. Parking lots and parking garages.
- J. Churches and other religious facilities.
- K. Noncommercial horticulture.
- L. Banks and other financial institutions.
- M. Grocery stores.

406.3 Conditional Uses. The following uses shall be permitted in any CBD Zoning District subject to conditions of this section and Article VIII, Section 818.

- A. Combination of residential units with any use permitted herein provided that all units have direct access to the outside of the structure. Parking provisions shall be complied with for each use.
- B. Radio and television stations provided that the requirements for parking, loading, and unloading, conform to those for industrial buildings as set forth in Article IX.
- C. Single-family residence meeting current Building Code requirements.
- D. Multi-family residence meeting current Building Code requirements.

406.4 Prohibited Uses. The following uses are prohibited in the CBD Zoning District. No activity that does not fall within the parameters of Sections 406.1, 406.2, or 406.3 shall be permitted within the CBD Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity:

- Sexually Oriented Businesses
- Cellular Towers
- Non-domestic Animals – see City of Inman Ordinance #10-09
- Tattoo Facility – see City of Inman Ordinance #09-07

406.5 Dimensional Requirements. Unless otherwise specified elsewhere in this ordinance, uses permitted in the CBD Zoning District shall be required to conform to the following standards except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in Article III, Section 303 of this ordinance.

<p><u>Minimum Lot Area:</u> NONE</p> <p><u>Maximum Lot Area:</u> NONE</p>	<p><u>Minimum Lot Width:</u> NONE</p> <p><u>Maximum Lot Width:</u> NONE though appearance should be consistent with existing historic CBD structures</p>
<p><u>Minimum Building Setbacks:</u> Front: Build to line with attached or closely articulated building facades oriented to the street without set back. Side: None Rear: 3 Feet - The rear setback may be used for parking and service drives but must remain unobstructed by structures or buildings, and must be designed in conformance with Article VIII, Section 810, if used for parking.</p> <p><u>Maximum Building Setbacks:</u> Front: As permitted SECTION 406.11 Side: 0 or up to 24 feet for al fresco dining or access to rear parking with a terrace or dooryard Rear: NONE</p>	
<p><u>Lot Coverage by Building:</u> Minimum 75%</p> <p><u>Minimum Building Height:</u> NONE – must conform with adjacent properties</p> <p><u>Maximum Buildings Height:</u> 35 Feet except as provided for in Article VIII, Section 812</p> <p><u>Frontage Build Out:</u> Minimum: 75%</p>	<p><u>Frontage Facades:</u> Corner lots-2 frontages Glazing: clear glass on no less than 30% of first story façade(s)</p> <p><u>Accessory Structure Setback:</u> 5 ft (rear)</p> <p><u>Fencing:</u> Fencing, footings, any ancillary materials must be contained on property</p>

406.6 Signs. Signs permitted in the CBD Zoning District, including the conditions under which they may be located are set forth in Article VI.

406.7 Buffer yard Requirements. Where this district abuts any residential district not separated by a street right-of-way, a buffer yard in compliance with Article VII shall be required.

406.8 General and Supplementary Regulations. Uses permitted in the CBD Zoning District shall meet standards set forth in Article VIII.

406.9 External Storage. Any external storage of inventory, parts, or machinery shall be established to the rear of the front line of the principal structure and shall be completely enclosed by a solid fence or wall composed of treated wood or brick.

406.10 Modifications or changes to interior and/or exterior features of existing buildings shall conform to dimensional requirements in SECTION 406.5 when:

- A. Building permit is required, along with B and/or C below;
- B. Repairs or upgrades exceed 50% of the surface areas of the affected wall
- C. Expansions or renovations exceed 50% of the buildings gross floor area

406.11 Permitted Frontage Types.

- A. Forecourt
- B. Stoop
- C. Shop front with awning
- D. Gallery
- E. Terrace

406.12 Exemptions to 406.11.

- A. Any occupied single-family residence at the time of adoption of this ordinance.

**TABLE 406.11
PERMITTED FRONTAGE TYPES**

State of South Carolina

County of Spartanburg

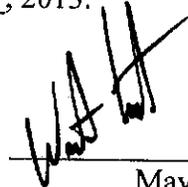
City of Inman

AN ORDINANCE # 13-09

AN AMENDMENT TO THE CITY OF INMAN ZONING ORDINANCE

BE IT ORDAINED by the Mayor and Council of the City of Inman, that the zoning ordinance is amended to rezone the property located at #12 Prospect Street, Inman, SC 29349, Tax Map# 1-44-03-005.01 from a zoning classification of R-10, Single Family Medium Density Residential District to GBD, General Business District.

RESOLVED, This 15 day of July, 2013.



Mayor

City Clerk

First Reading 6-10-13

Second Reading 7-15-13