



**ZONING ORDINANCE
GEORGETOWN COUNTY, SOUTH CAROLINA**

AN ORDINANCE OF THE COUNTY OF GEORGETOWN, SOUTH CAROLINA, REGULATING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND, THE SIZE OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS, AND THE DENSITY OF DISTRIBUTION OF POPULATION: CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THEREOF: DEFINING CERTAIN TERMS USED HEREIN: PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT: PROVIDING FOR A BOARD OF APPEALS; AND, PROVIDING FOR THE IMPOSITION OF PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE TO BE EFFECTIVE IN THOSE UNINCORPORATED PORTIONS OF GEORGETOWN COUNTY AS DESIGNATED ON THE OFFICIAL ZONING MAPS, EXCEPT FOR CERTAIN RESTRICTIONS LISTED IN SECTIONS 620.107 AND 804 DEALING WITH PRIVATE AIRFIELDS, WHICH APPLY TO ALL THE UNINCORPORATED PORTIONS OF THE COUNTY.

ARTICLE I

AUTHORITY AND ENACTMENT CLAUSE

In pursuance of authority conferred by Title 6, Chapter 29, Article 5, Code of Laws of South Carolina, 1976, as amended and for the purpose of promoting the health, safety, morals and general welfare of the County; lessening congestion in the streets; securing safety from fire, providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the adequate provision of transportation, water, sewage, schools, parks, and other improvements; protecting scenic areas; and protecting areas subject to periodic flooding against development, in accordance with a comprehensive plan, the County Council of Georgetown County does ordain and enact into the law the following articles and sections:

ARTICLE II

SHORT TITLE

This Ordinance shall be known and may be cited as "The Zoning Ordinance of Georgetown County, South Carolina", and the maps herein referred to, which are identified by the title "Zoning Maps of Georgetown County, South Carolina".

ARTICLE III

DEFINITIONS

300. The word "shall" is always mandatory. The word "lot" includes the word "plot" or "parcel". The word "building" includes the word "structure". The word "person" includes a firm, association, organization, partnership, trust company or corporation as well as an individual.

The word "used" or "occupied", as applied to any land or building shall be construed to include the words intended, arranged, or designed to be used or occupied. The word "map" or "zoning map" shall mean the Official Zoning Map of Georgetown County, South Carolina. *(Amended Ord.2009- 22)*

301. **Access.** The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

302. **Accessory Use.** A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located on the same lot therewith.

303. **Administrative Officer.** The local official (zoning administrator) responsible for granting permits as required by this Ordinance.

304. **Advertising.** See Signs

305. **Air-supported Membrane Structures.** Air-supported membrane structures are allowed in all residential and commercial zoning classifications, unless addressed elsewhere in this ordinance, and shall be located to the rear of the principle structure. Such structures may be located within five (5) feet of the rear and side yard property lines and shall be required to meet all building and fire protection regulations. Air-supported membrane structures are not exempt from other requirements established in this ordinance. *(Amended Ord 2009-27)*

306. **Airport.** An area of land which is used or intended for use for the landing and takeoff or aircraft, and any appurtenant areas which are used, or intended for use, for airport building or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon. This includes any airport, heliport, helistop, vertiport, gliderport, seaplane base, ultralight flightpark, manned balloon launching facility, or other aircraft landing or takeoff area. *(Amended Ord. 2016-37)*

306.1 **Airport Elevation.** The highest point of an airport’s usable landing area measured in feet above mean sea elevation. The airport elevation is 38.8 feet above mean sea level at the Georgetown County Airport and 26.38 feet above mean sea level at the Andrews Municipal Airport.

306.2 **Hazard to Air Navigation.** An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

306.3 **Runway.** A defined area on an airport prepared for the landing and takeoff of aircraft

ARTICLE III

DEFINITIONS

along its length.

- 306.301 Larger-than-Utility Runway. A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight, and jet-powered aircraft. (Applies to all active runways at the Georgetown County Airport and the Andrews Municipal Airport.)
- 306.302 Non-Precision Instrument Runway. A runway having an existing instrument approach procedure utilizing air navigation facilities with horizontal guidance, or area-type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.(Applies to Runway 11-29 and Runway 23 at the Georgetown County Airport and Runway 18-36 at the Andrews Municipal Airport.)
- 306.303 Precision Instrument Runway. A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document. (Applies to Runway 5 at the Georgetown County Airport.)
- 306.4 Safety Zones. Areas lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces as they apply to airports. An area located in more than one of the following zones is considered to be only in the zone with the most restrictive height limitation. These zones are as follows:
- 306.401 Approach Zone. A zone that extends away from the runway ends along the extended runway centerline, and is capped by the approach surfaces.
- 306.402 Conical Zone. Z zone that circles around the periphery of and outward from the horizontal zone, and is capped by the conical surface.
- 306.403 Horizontal Zone. A zone that is centered about the runway and primary surface and is capped by the horizontal surface.
- 306.404 Transitional Zone. A zone that extends outward perpendicular from a point 250 feet from the runway centerline and 200 feet from the end of the runway at a slope of seven feet horizontally for each foot vertically to where it intersects the airport zone.
- 306.405 Specified geometric standards for these zones are defined in Article XIX Section 1901, and can be found in Part 77.25, Subchapter E

ARTICLE III

DEFINITIONS

(Airspace), of Title 14 of the Code of Federal Regulations, or in successor federal regulations.

- 306.5 Surfaces. Imaginary areas located in the airspaces above the runways and safety zones as they relate to airports. These surfaces are as follows:
- 306.501 Approach Surface. A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface at the same slope as the approach zone height limitation. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
- 306.502 Conical Surface. A surface extending at a slope of twenty (20) feet outward for every one foot upward from the periphery of the horizontal surface for a horizontal distance of 4,000 feet. In plan, the perimeter of the conical surface coincides with the perimeter of the conical zone.
- 306.503 Horizontal Surface. A horizontal surface 150 feet above the established airport elevation. In plan, the perimeter of the horizontal surface coincides with the perimeter of the horizontal zone.
- 306.504 Primary Surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- 306.505 Transitional Surface. A surface extending outward perpendicular to the runway centerline and extending the runway centerline at a slope of seven (7) feet outward for each foot upward from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the conical surface extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at perpendicular to the extended runway centerline.
- 306.6 Public Use Airport. As defined by the FAA, 1. Any publicly owned airport. 2. Any privately owned reliever airport as designated by the FAA. 3. Any privately owned airport which is determined by the Secretary of the FAA to enplane annually 2,500 or more passengers and receive scheduled passenger service of aircraft. *(Amended Ord. 2016-37)*
- 306.7 Private Use Airport. All other airports not defined as Public Use Airport. *(Amended Ord. 2016-37)*
- 306.8 Heliport/Helipad. An area of land, water, or structure, either at ground level or elevated on a structure, that is used for the landing and take-off of one or more helicopters, which contains all or part of such auxiliary facilities as parking, waiting

ARTICLE III

DEFINITIONS

rooms, administrative offices, hangars, fueling, passenger loading, cargo loading, medical services, emergency response services, law enforcement services, and maintenance areas. To promote uniform helipad/heliport standards within Georgetown County, any proposed helipad/heliport located within the jurisdiction of this Zoning Ordinance shall comply with all heliport design guideline recommendation subsequently 14 CFR Part 157 Airports, NFPA (Amended Ord. 2016-37) in FAA Advisory Circular 150/5390-2C Heliport Design, and as amended. In addition, a proposed heliport/helipad must comply with – Notice of Construction, Alteration, Activation, and Deactivation of 418 Standard for Heliports, and the South Carolina Airports Act.

- 306.9 Helistop. A heliport without facilities appurtenant such as, but not limited to, parking, waiting room, fueling facilities or maintenance equipment. *(Amended Ord. 2016-37)*
- 306.10 Commercial Helicopter Operation. An operation utilizing rotary-winged aircraft services or transportation, regardless of intent, wherein that operation receives something of value, including but not limited to financial compensation, in exchange for the rotary-wing aircraft services or transportation. *(Amended Ord. 2016-37)*
- 307. **Alley.** A minor street, twenty (20) feet or less in width, used for service access to the back or side of properties otherwise abutting on a street.
- 308. **Amenity, Subdivision.** A natural or created feature that enhances the aesthetic quality, visual appeal and recreational opportunities of a subdivision such as a park, tennis court or swimming pool that is owned and maintained by a homeowners association, similar entity or developer and used primarily by the residents of the subdivision in which it is located. *(Amended Ord.2007-03)*
- 309. **Apartment.** A part of a building consisting of a room or rooms intended, designed, or used as a residence by an individual or a single family.
- 310. **Apartment, Garage.** A part of a garage consisting of a room or rooms intended, designed, or used as a residence by an individual or a single family.
- 311. **Arterial Street.** A street that provides for traffic movement between areas and across portions of the County and secondarily for direct access to abutting land.
- 312. **Assisted Living Facility.** A facility that provides a special combination of housing, supportive services, personalized assistance and health care designed to respond to the individual needs of those persons who need help in activities of daily living.
- 313. **Automobile Wrecking.** The dismantling, storage, sale, or dumping of used motor vehicles, trailers or parts thereof.
- 314. **Automobile Wrecking, Junk and Salvage Yards.** Any land or structure used for a salvaging operation, including but not limited to the storage and sale of waste paper, rags, scrap metal, discarded materials, consumer goods, equipment and the collection, dismantlement, storage and salvage of ten (10) or more unlicensed or inoperative vehicles; or

ARTICLE III

DEFINITIONS

a place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, house wrecking and structural steel materials and equipment, but not including the purchase or storage of used furniture and household equipment, used cars in operable condition or used or salvaged materials as part of manufacturing operations.

315. **Average Ground Elevation.** The elevation of the main finished grade at the front of a structure.

316. **Bed and Breakfast Facility.** A residential-type lodging facility having no more than ten (10) guestrooms where transient guest are fed and lodged for pay.

317. **Bingo Parlor.** A building, facility or other improvement upon which space is leased, rented or utilized for a specific game of chance, commonly known as bingo, in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers and symbols selected at random. Bingo parlors shall be licensed by the State of South Carolina. Nothing in this definition shall be construed to allow for video poker lottery games or any other form of illegal gambling. *(Amended Ord. 2013-24)*

318. **Boarding or Rooming House.** A building containing a single dwelling unit and not more than five (5) guest rooms with lodging provided with or without meals for compensation.

319. **Body Piercing.** Any method of piercing of the human skin of one person by another person with the intention of inserting any object including, but not limited to, jewelry or other decoration. For the purposes of this Ordinance, the term body piercing shall also include any process of marking or disfiguring the skin or other tissue of any person by branding or scarification but shall not include the piercing of the fatty lobe of the ear by an ear-piercing gun or needle designed solely for that purpose, or physician-authorized surgical procedures. This definition of body piercing includes that process commonly referred to as an implantation. *(Amended Ord.2000-33)*

319.1 **Branding.** The act of intentionally mangling or disfiguring a human body burning it through the use of a hot object or by the use of any substance or process which results in such marking or disfiguring, including tattooing.

319.2 **Scarification.** The act of marking one or more incisions in the skin of any person with the intent of causing visible marks on the skin after the incisions heals.

320. **Buffer Strip.** A plant material acceptable to the Zoning Administrator which has growth characteristics as will provide an obscuring screen not less than six (6) feet in height.

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

321.1 **Principal Building.** A building in which is conducted the main or principal use of the lot on which said building is located. *(Amended Ord.2001-36)*

ARTICLE III

DEFINITIONS

- 321.2 **Accessory Building.** A building customarily incidental and subordinate to the principal building and located on the same lot with such building.
- 321.3 **Commercial Building.** A commercial building is a structure delineated by external sides joined together to form a building perimeter and covered by a roof. The perimeter of the building, in turn, establishes a single footprint. The building may be segmented via internal partition walls to allow for multiple tenants, if all other requirements of the Zoning Ordinance are met. *(Amended Ord. 2013-25)*
322. **Building Height.** The vertical distance measured from the finished grade at the building line to the mid-point on the roof between the eave and the ridge.
323. **Building Official.** The officer or other designated authority, or their duly appointed representative, charged with the administration and enforcement of the Building Code (Building Inspector).
324. **Building Setback Line.** A line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided.
325. **Bulk Storage.** The storage of petroleum products in structures for subsequent resale to distributors, retail dealers or outlets. For purposes of this ordinance, tanks larger than 1,000 gallons are considered bulk storage. *(Amended Ord. 2010-24)*
326. **Business Sign.** See Signs
327. **Cabana.** A small roofed structure, open deck, or patio that may have walls, which consists of a minimum of 50% open space and a maximum height of twelve (12) feet. Must be located in the rear of the principal structure but may be located within five (5) feet of rear and side property lines. Cabanas may include an outdoor kitchen, a dining area, and outdoor showers but no restroom facilities. Cabanas shall not provide any accommodations for overnight lodging. The accessory structure requirements of Section 411 of this Ordinance shall be met in addition to these regulations. Gazebos shall also be included in this classification. *(Amended Ord.2009-27)*
328. **Campground.** An area or tract of land primarily used for recreational purposes that retains an open air or natural character. Accommodations for temporary occupancy shall be limited to tents, RV's or campers. Campsites shall have the sole purpose of providing shelter from the natural elements and establishing a temporary household for recreational activities only. Regulations shall not be imposed on non-commercial incidental campgrounds. Examples of such situations are Boy Scouts and Girl Scouts camping on land not designed for permanent camping. Periodic camping by hunters on hunting clubs is also considered incidental and is not regulated. Campgrounds exceeding ten (10) acres are considered to be "Destination Parks" in the Zoning Ordinance. *(Amended Ord 2009-26)*
329. **Carport.** A structure used for the storage of vehicles and having no enclosure other than its roof and such necessary support as will present the minimum obstruction of light, air and view.

ARTICLE III

DEFINITIONS

330. **Cemetery.** Land used for the burial of the dead and dedicated for cemetery purposes.
331. **Charter Boat Rental or Hire.** A land based operation or operation conducted within a marina, primarily for the rental, leasing or hiring of boats or other recreational watercraft excluding any gaming vessel or gambling device. This definition excludes the South Carolina Education Lottery. *(Amended Ord.2002-40)*
332. **Club.** Buildings and facilities owned or operated by an association or persons for a social or recreational purpose, but not operated primarily for profit or to render a service which is customarily carried on as a business.
333. **Condominium.** A multi-unit structure offering individual ownership to said units.
334. **Coverage.** The lot area covered by all buildings located therein, including the area covered by all overhanging roofs.
335. **Customary, Incidental 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 a dwelling for residential purposes and does not change the character thereof, and no person, not a resident on the premises is employed specifically in connection with the activity except that no more than one (1) assistant may be employed by the following home occupations: lawyer, physician, dentist family day care homes and chiropractor. Provided further that no mechanical equipment is installed and used except such as is normally used for domestic or professional purposes, and that not over twenty-five (25%) percent of the total floor space of any structure is used for home occupations.
336. **Day Care Facility.** Any agency, institution, center, home, day nursery, nursery school, playschool, or other place, however styled and whether operated under public auspices or as a private business, which provides supervision and care for more than six persons for a period of less than 24 hours per day. Adult day care facilities are also included in this classification. This definition does not include adult residential care facilities or adult group home facilities. *(Amended Ord. 2012-33)*
- 336.1 **Family Day Care Home.** A private residence where six or fewer persons receive care and supervision for a period of less than 24 hours per day.
337. **Development Coordinator.** The officer or other designated authority, or their duly appointed representative, charged with the coordination of the Building and Zoning Department.
338. **District.** Any section or sections of Georgetown County, South Carolina, for which the regulations governing the use of land and the use and density, bulk, height and coverage of buildings and other structures are uniform.
339. **Dwelling Unit.** A room or suite of two or more rooms that is designed for and not occupied by more than one family doing its own cooking therein and having only one kitchen

ARTICLE III

DEFINITIONS

facility located within a building.

339.1 Dwelling, Single Family. A building designed, constructed and used for on dwelling unit located on a single parcel. *(Amended Ord.2001-36)*

339.2 Dwelling, Two Family or Duplex. A building designed, constructed or reconstructed and used for two (2) dwellings units that are connected by a common structural wall located on a single parcel. *(Amended Ord.2001-36)*

339.3 Dwelling, Multi-Family. A building designed, constructed or reconstructed and used for more than two (2) dwelling units, but each dwelling unit having a common structural wall with any other dwelling unit.

339.4 Dwelling, Group. A building designed, constructed or reconstructed and used to accommodate ten (10) or more persons living together as a single household unit located on a single parcel. *(Amended Ord.2001-36)*

339.5 Dwelling Unit, Accessory. A detached secondary single family dwelling that meets the International Building Codes, not to include a mobile home, located on the same parcel as a principal structure. Accessory dwelling units are to provide habitation for long-term periods which shall be deemed to exceed more than ninety (90) consecutive days. *(Amended o Ord. 2018-05)*

340. **Family.** An individual and/or a household which consists of an individual and one or more other persons living in the same household who are related to the individual by birth, marriage or adoption and including individuals under legal guardianship and stepchildren and/or two (2) or not more than nine (9) persons not related, living together as a single household unit. *(Amended Ord.2001-42)*

341. **Fence.** An artificially constructed barrier of any material or combination of materials erected (including earthen berms) to enclose, screen, or separate areas. Fences shall not exceed an overall height of six (6') and must further comply with the requirements of Vision Clearance contained in Section 404 of this Ordinance. Fences are divided into two categories: *(Amended Ord.2001-21)*

341.1 Open. Any constructed barrier where the view of the interior enclosure is visible. Examples of open fences include: split rail, picket, and chain link. Open fences may be constructed in any area of the property. *(Amended Ord.2001-21)*

341.2 Closed. Any constructed barrier that denies the view of the interior enclosure. Examples

ARTICLE III

DEFINITIONS

of closed fences include: stockade and shadow box. Closed fences are permitted in any area of the property except for the front setback area. Closed fences may be used in the front setback area only with the approval of the Planning Commission. *(Amended Ord.2001-21)*

342. **Festival.** An outdoor event of a public, civic or non-profit nature. Such events shall include, but not be limited to carnivals, fairs, circuses, and outdoor concerts. *(Amended Ord. 2000-72)*

343. **Flood.** An overflow of water onto land not normally covered by water that results in significant adverse effects in the vicinity.

344. **Fowl.** A domesticated bird such as a chicken, guinea, duck, turkey or goose that is raised for food. *(Amended Ord. 2015-50)*

345. **Frontage.** The distance for which the boundary line of the lot and the street right-of-way line are coincident.

346. **Gambling Device.** Any so-called “slot machine” or any other machine or mechanical device, an essential part of which is a drum or reel with insignia thereon or; any other machine or device, whether mechanical, electronic or a mixture thereof (including but not limited to roulette wheels and similar devices) designed and manufactured primarily for the use in connection with gambling (This definition excludes the South Carolina Education Lottery); and, *(Amended Ord.2002-40)*

346.1 which when operated may deliver, as a result of the application of an element of chance, any money or property, or

346.2 by the operation of which a person may become entitled to receive, as a result of the application of an element of chance, any money or property, or

346.3 any substantial or essential part intended to be used in connection with any such machine or mechanical device as a constituent part.

347. **Gambling Facility.** Any area that provides space and functional equipment for a game which relies on an element of chance to deliver to a participant any money or property. This definition applies to, but is not limited to games such as craps, poker, and blackjack. (This definition excludes the South Carolina Education Lottery). *(Amended Ord.2002-40)*

348. **Gaming Vessel.** Any water-borne conveyance of any size, shape, or design, including shuttles, tenders, and all ancillary operations associated therewith, which contains gambling devices and provides use of such devices or gambling facilities to the public. *(Amended Ord.2004-81)*

349. **Group Housing.** A group of two or more one-family, two-family, or multiple-family dwellings occupying a lot in one ownership and having any yard in common.

350. **Heirs Property.** Property that is communally owned as a result of the landowner dying

ARTICLE III

DEFINITIONS

without a will. *(Amended Ord.2008-75)*

351. **Hotel.** A facility offering transient lodging accommodations to the general public that may provide additional services such as restaurants, meeting rooms and entertainment, regardless of ownership patterns. The term includes motels and condotels. *(Amended Ord # 2009-51)*

352. **Junkyards.** See Automobile Wrecking, Junk and Salvage Yards.

353. **Livestock.** Domesticated animals raised in an agricultural setting to produce commodities that may produce profit such as food, fiber and labor. This includes horses, mules, cows, goats, lambs and hogs. *(Amended Ord. 2015-50)*

354. **Loading Space.** A space within the main building or on the same lot therewith, providing for the standing, loading or unloading of a vehicle.

355. **Lot.** A parcel of land which fronts on a street and which is occupied or intended to be occupied by a building with customary accessories and open space.

355.1 **Lot Area.** The total surface area of land included within the lot lines.

355.2 **Lot Depth.** The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

355.3 **Lot Lines.** The boundary dividing a given lot from the street, an alley, or adjacent lots.

355.4 **Lot Width.** The width of a lot at the building setback line measured at right angles to its depth.

355.5 **Lot of Record.** A lot, the boundaries of which are filed as a legal record. *(Amended Ord.2008-02)*

356. **Marina.** Any commercial facility for the wet and/or dry storage and docking of seaworthy watercraft that provides water access for boats, such as ramps or hoists. The term marina may also include any docks, wharves, piers, floats, or any other similar structures erected, installed, places, or maintained along a shoreline for the purpose of providing a stationary landing for the anchoring, mooring, housing, or storing of four or more watercraft. *(Amended Ord.2002-40)*

357. **Mixed-Use Development.** A development consisting of two or more uses such as residential, commercial, industrial, office or public. *(Amended Ord. 2011-41)*

358. **Mobile Home.** A detached single-family dwelling unit with all of the following characteristics: designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems; designed to be transported after fabrication on its own wheels, or on a flatbed or other trailers or detachable wheels and arriving at the site where it is to

ARTICLE III

DEFINITIONS

be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities and the like.

359. **Mobile Home Park.** Any plot of ground upon which two (2) or more mobile homes are located or intended to be located (does not include sites for unoccupied mobile homes which are on display for sale).

360. **Modular Unit.** A structure consisting of two (2) or more prefabricated components which is designed to be placed on a permanent foundation at the site and is not readily relocatable. The components generally arrive at the site complete except for exterior siding, furniture and plumbing and electrical fixtures. Modular units shall be considered buildings and shall conform with the regulations for site built units in the Standard Building Code.

361. **Nursing Home.** One licensed by the State of South Carolina.

362. **Off-Street Parking Space.** A yard, space or area off of the right-of-way, which space shall be accessible to a road and shall be arranged and maintained for the purpose of providing standing space for vehicles while at rest or while being utilized to load or unload merchandise or other materials incidental to the occupancy.

363. **Office Park.** A development on a tract of land that contains a number of separate office buildings; each containing four or fewer uses and no more than seven thousand five hundred (7,500) square feet of gross floor area, accessory and supporting uses, and open space designed, planned constructed and managed on an integrated and coordinated basis. *(Amended Ord.2001-36)*

364. **Outdoor Advertising.** See Signs.

365. **Parking Lot.** An off-street facility including parking space along with adequate provisions for drives and aisles for maneuvering and gaining access and for entrance and exit, designed so as to be usable.

366. **Parking Requirements.** See Article X for parking requirements per use.

367. **Planned Development.** A project comprised of housing of different types and densities and of compatible commercial uses, or shopping centers, office parks and mixed-use developments. A planned development district is established by rezoning prior to development and is characterized by a unified site design for a mixed-use development. *(Amended Ord. 2011-41)*

368. **Planning Commission.** The Georgetown County Planning Commission.

369. **Plat.** A map, plan or layout indicating the location and boundaries of individual properties.

370. **Poultry.** Domesticated birds kept by humans for the eggs they produce, their meat or their feathers. *(Amended Ord. 2015-50)*

371. **Principal Use.** Specific primary purpose for which land or a building is used.

ARTICLE III

DEFINITIONS

372. **Property Owner.** Any individual, POA, HOA or other group legally responsible for the land containing the subject material. *(Amended Ord. 2010-24)*
373. **Public Uses.** Public parks, schools, administrative, cultural and service buildings not including public land or buildings devoted solely to storage and maintenance of equipment and materials.
374. **Roadway.** The actual road surface including necessary road shoulders and drainage facilities including ditches and curbs, which is utilized to transport motor vehicles.
375. **Solar Energy System.** A complete assembly consisting of one or more solar collectors and associated mounting hardware or equipment. *(Amended Ord 2018-36)*
- 375.1 **Solar Energy.** Radiant energy received from the sun collected in the form of heat or light by a solar collector to produce energy.
- 375.2 **Solar Collector.** A solar device that absorbs and accumulates solar rays for the use as a source of energy.
- 375.3 **Solar Farm.** Any freestanding energy system that is a principal land use and commercial enterprise located on a site larger than three (3) acres being the minimum zoning district requirement. This term is synonymous with commercial scale solar facility.
- 375.4 **Solar Energy System, Accessory.** A solar energy system that is roof mounted or ground mounted as a secondary activity or use, incidental to the principal use of the property. Solar collectors and inverters shall meet zoning setbacks as an accessory structure.
- 375.5 **Commercial Scale Solar Energy System.** A solar energy system that is not an accessory use and is designed to create power and provide it to the electrical grid system as a commercial endeavor. Such systems are the type addressed in Article XX, Section 2002 of this ordinance.
- 375.6 **Communty Solar Energy System.** A solar energy system constructed by a group of a residences to provide power to their homes. Such systems shall be regulated as a commercial system.
376. **Sanitary Sewer.** A sewage collection, treatment and disposal system of a type approved by the S.C. Department of Health and Environmental Control.
377. **Self-Service Storage Facility.** A structure containing separate storage spaces of varying sizes leased or rented to individual tenants for the dead storage of goods and wares.
378. **Service Complex.** A development on a tract of land not less than one acre in area that contains one or more buildings with multiple trade service uses, each building shall be limited to 12,000 square feet of gross floor area with six or fewer uses; accessory and supporting uses,

ARTICLE III

DEFINITIONS

and open space; designed, planned, constructed, and managed on an integrated and coordinated basis. *(Amended Ord.2006-14)*

379. **Sexually Oriented Business** for adult entertainment includes, but is not limited to:

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

379.2 **Adult Bookstore Or Adult Video Store.** A commercial establishment which, as one of its principal business purposes, offers for sale one or more of the following:

379.201 Books, magazines, periodicals or other printed matter, photographs, films, motion pictures, video reproductions, slides, or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or

379.202 Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities". A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an Adult Bookstore or an Adult Video Store. Such other business purposes shall not serve to exempt such commercial establishments from being categorized as an Adult Bookstore or Adult Video Store so long as one of its principal business purposes is the offering for sale or rent for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas".

379.3 **Adult Cabaret.** A nightclub, bar, restaurant or similar commercial establishment which regularly features:

379.301 Persons who appear in a state of nudity; or

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

379.303 Films, motion pictures, video cassettes, slides or other photographic

ARTICLE III

DEFINITIONS

reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

- 379.4 Adult Motel. A hotel or similar commercial establishment which:
- 379.401 Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; or
 - 379.402 Offers a sleeping room for rent for a period of time that is less than ten [10] hours; or
 - 379.403 Allows a tenant or occupant of a sleeping room to sub-rent the room for a
a period of time that is less than ten [10] hours.
- 379.5 Adult Motion Picture Theater. A commercial establishment where for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".
- 379.6 Adult Theater. A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified sexual activities" or "specified anatomical areas".
- 379.7 Escort. A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately perform a striptease for another person.
- 379.8 Escort Agency. A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, or other consideration.
- 379.9 Establishment: Includes any of the following:
- 379.901 The opening or commencement of any sexually oriented business as a
new business; or
 - 379.902 The conversion of an existing business, whether or not it is sexually oriented, to any sexually oriented business; or
 - 379.903 The addition of any sexually oriented business to any other existing sexually oriented business; or

ARTICLE III

DEFINITIONS

- 379.904 The relocation of any sexually oriented business.
- 379.10 Nude Model Studio. Any place where a person who appears in a state of nudity or displays "specified anatomical areas" may be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.
- 379.11 Nudity or a State of Nudity. The appearance of a human bare buttock, anus, male genitals, female genitals or female breast.
- 379.12 Person. An individual, proprietorship, partnership, corporation, association or other legal entity.
- 379.13 Semi-Nude. A state of dress in which clothing covers no more than the genitals, pubic region and areola of the female breast, as well as portions of the body, supporting straps or devices.
- 379.14 Sexual Encounter Center. A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
- 379.141 Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- 379.142 Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of semi-nudity.
- 379.15 Sexually Oriented Business. An adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, adult motion theater, adult theater, escort agency, nude model studio or sexual encounter center.
- 379.16 Specified Anatomical Areas. The male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.
- 379.17 Specified Sexual Activities. Includes any of the following:
- 379.171 The fondling or erotic touching of human genitals, pubic region, buttocks, anus or female breasts; or
- 379.172 Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy; or
- 379.173 Masturbation, actual or simulated; or

ARTICLE III

DEFINITIONS

379.174 Excretory functions as part of or in connection with any of the activities set forth above.

379.18 Massage Parlor. An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation is administered, unless such treatment is administered by a medical practitioner, chiropractor, physical therapist or similar person licensed by the State of South Carolina. This definition does not include an athletic club, health club, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered by a licensed professional as an incidental or accessory service. *(Amended Ord.2002-04)*

379.19 Bath House. A public or private facility where individuals are nude or semi-nude and in exchange for any considerations baths are provided to individuals or groups. This definition does not include an athletic club, health club, reducing salon, spa or similar establishment where baths or soakings are offered by a licensed professional as an incidental or accessory service. *(Amended Ord.2002-04)*

380. Shooting Range, Outdoor Commercial. An area that is specifically designed for the commercial activity of discharging firearms. This includes ranges that charge and collect a fee in any manner for use of the range, whether it is hourly rates, club dues or other remuneration. Incidental shooting on hunting lands and private property is not considered an outdoor shooting range for zoning purposes. (Amended Ord. 2016-15)

380.1 Shooting Range, Outdoor, Backstop. A device such as a berm designed and located for the purpose of stopping bullets from travelling downrange, beyond the area immediately behind a shooters target.

380.2 Safety Baffles. Safety mechanisms, both on the ground and overhead that are designed to prevent a bullet, whether ricocheting or being fired from a firing station, from leaving the shooting area or at least is acceptable to protect people of property adjacent to the range. An example would be construction that prevents a shooter from seeing any sky downrange thus restricting where a shot could be placed. This definition is not intended to identify all of the types of safety baffles.

380.3 Shooting Range, Archery. A facility that accommodates the activity of shooting a bow and arrow, whether it is with a traditional bow or a crossbow. Archery ranges are permitted in any commercial outdoor shooting range.

381. Shooting Range, Indoor. A building or portion of a building that is fully enclosed and designed to safely discharge a firearm. In most cases this range will be an accessory activity to the retail aspects of a business such as sporting goods and gun sales. (Amended Ord. 2016-15)

381.1 Shotgun. A shoulder firearm with unrifled bore designed for the discharge of small shot at short distances. (Amended Ord. 2016-15)

381.2 Rifle. A gun, especially one fired from the shoulder level, having a long spirally

ARTICLE III

DEFINITIONS

grooved barrel intended to make a bullet spin and thereby have greater accuracy over a long distance. (Amended Ord 2016-15)

- 381.3 **Handgun.** A gun designed to be shot with one or two hands, as a revolver or pistol. (Amended Ord 2016-15)
382. **Shopping Center.** A commercial establishment that contains a number of separate buildings, accessory and supporting uses, and open space designed, planned, constructed and managed on an integrated and coordinated basis; each containing four or fewer uses and no more than seven thousand five-hundred (7,500) square feet of gross floor area. (Amended Ord.2001-36)
383. **Sign.** A sign is any privately owned permanent, temporary or portable structure, device, or any item, and/or any combination thereof, which calls or draws attention of persons off of the premises to a product, service, person, business operation, use or event. A sign may consist of any and/ or a combination of the following: words, paint, billboards, figures symbols, insignias, medallions, promotional flags, banners, balloons, inflatables, posters, beacons, or other devices; erected on an open framework, or attached or otherwise applied to stakes, posts, poles, trees, buildings, or other structures or supports and which is in the nature of advertising, attracts attention, or which transmits information or an idea; commercial or noncommercial. (Amended Ord. 2011-11)
- 383.1 **Abandoned Sign.** Any sign that has been abandoned, improperly maintained, has gone beyond the designated term of a temporary permit, and /or relates to a business, event or use, which is no longer in operation or existence.
- 383.2 **Address and Name of Resident Sign.** Any sign that bears the name and/or address of the property owner and/or resident of the property.
- 383.3 **Artwork.** Works of art that contain no commercial messages or references.
- 383.4 **Awning Sign.** A sign placed directly on any non-rigid material such as fabric or flexible plastic that is supported by or stretched over a frame that is attached to an exterior wall, either painted directly on the surface of the material, or as separate elements attached to the surface.
- 383.5 **Back-To-Back Sign.** A sign constructed on a single set of supports, which may have two (2) messages visible on either side, providing the double Message surfaces, are physically contiguous.
- 383.6 **Banner.** A sign that is mounted on or attached to a non-rigid surface such as cloth, fabric, or paper.
- 383.7 **Billboard.** An off-site sign erected by, at the direction of, or for the outdoor advertising industry.
- 383.8 **Building Sign.** Any sign affixed to a building directly or by means of a wall, window, canopy, awning, marquee, projecting, or roof.

ARTICLE III

DEFINITIONS

- 383.9 Bulletin Board. A supplemental sign which is helpful to conducting business or aiding in the free flow of traffic and is not easily legible from the street (Example: menu boards for fast foods).
- 383.10 Canopy Sign. A sign attached to an extension of the roof of a building or a freestanding structure that has a roof with support, but no walls.
- 383.11 Commercial Sign. Any sign which is in the nature of commercial advertising and which transmits a message pertaining to a product, service use, occupancy, business, operations, event or function.
- 383.12 Copy. The characters, letters or illustrations displayed on a sign face (surface).
- 383.13 Dilapidated Sign. A sign which is unfit or otherwise structurally unsound, has defective parts, or is in need of painting or maintenance.
- 383.14 Directional Sign. A sign containing directional information about public places owned and operated by federal, state or local governments, public or privately owned natural phenomena, historical, cultural, educational and religious sites, and areas of natural scenic beauty or naturally suited for outdoor recreation, considered to be in the public interest.
- 383.15 Directory Sign. A sign, which displays the names and/or address of the establishments or uses of a building or group of buildings (i.e., for an office complex or a shopping center).
- 383.16 Flags, Emblems or Insignias. A standard, ensign or colors of any governmental agency or religious, charitable, public or nonprofit organizations.
- 383.17 Ground Sign. Any sign, other than a pole sign, in which the entire bottom is in contact with or is or is within 12” from the ground and is independent of any other structure.
- 383.18 Historic Sign. A sign erected by a local, state or federal historical organization to commemorate a significant person, place, thing or event.
- 383.19 Home Occupation Sign. An on-premise sign for the identification of home occupations.
- 383.20 Illegal Sign. A sign that was constructed in violation of regulations that existed at the time it was built, or is in violation of an issued permit. Also, any sign(s) that were erected or placed, either on-premise or off-premise, without the official approval of the sanctioning body within Georgetown County.
- 383.21 Illuminated Sign. Any sign which employs artificial illumination techniques, such as direct or indirect electrical lighting, to project or enhance visibility of the message surface.

ARTICLE III

DEFINITIONS

- 383.22 Main Identification Sign. The principal sign identifying a property, commodity, service, entertainment or business located on-premises.
- 383.23 Marquee Sign. A sign attached to and made part of a permanent structure other than a roof attached to, supported by, and projecting from a building and providing protection from natural elements, or any other similar projection from a building.
- 383.24 Mechanical Movement Sign. A sign having parts which physically move, rather than merely appearing to move as might be found in an animated sign. This physical movement may be activated electrically or from another power source but shall not include wind-activated movement such as occurs with flags and banners. Mechanical signs shall not include any animated sign where the mechanical movement in the animated sign relates to a programmable display sign.
- 383.25 Monument Sign. A freestanding sign erected to rest on the ground or to rest on a monument base designed as an architectural unit with the sign.
- 383.26 Motor Vehicle/Semi Trailer Sign. Any sign on a motor vehicle or on a semi-trailer with or without tractor which can be seen from the street if circumstances, including the absence of vehicular use and/or the fact that the vehicle or semi-trailer carries no current motor vehicle registration or license plat, demonstrates that the primary use for said vehicle or semi-trailer is the advertisement of a business, product, or service of a business located on the premises where such a vehicle is parked. (Vehicles or semi-trailers parked at residences overnight for the purpose of accommodations to and from work are exempt from this definition.)
- 383.27 Non-commercial Sign. Any sign which is not in the nature of commercial advertising and which transmit a message, which does not relate to a product, good or service that is sold or rendered for profit. Non-Commercial signs shall be considered on-site signs. *(Amended Ord.2008-57)*
- 383.28 Nonconforming Sign. A sign that was in compliance with the sign regulations and/or amendments that were in effect at the time the sign was erected or displayed but became "nonconforming" as a result of subsequent changes to the sign regulations and/or amendments thereto. In essence, it is a sign, which met all legal requirements at the time of construction. (Note: An illegal sign is not a "nonconforming" sign.)
- 383.29 Off-Site (Off-premise) Sign. Any sign the content of which relates to use, occupancy, or function on property other than that upon which the sign is located. It includes those referred to as billboards or outdoor advertising signs *(Amended Ord 2008-57)*.
- 383.291 Off-Site (Off –Premise) Sign, Small. An off-site sign up to sixteen (16) square feet in area. *(Amended Ord. 2011-46)*
- 383.292 Off-Site (Off-Premise Sign, Electronic. An off-site sign, which includes any type of billboard, that contains text, images, or other messages that are either statically or dynamically displayed through any medium, such as but not

ARTICLE III

DEFINITIONS

limited

to light-emitting diodes, liquid crystal display and cathode ray tubes, by use of a digital or analog signal. *(Amended Ord. 2015-11)*

- 383.30 On-Site Informational Signs. A sign giving on site information or directional assistance for convenience of the public, such as location of exits, entrances and parking lots, but bears no advertising matter.
- 383.31 On-Site (On-premise) Sign. Any sign, commercial or noncommercial, relating in subject matter to the premises on which it is located or to products, accommodations, services or activities on the premises. On-site signs do not include signs erected by the outdoor advertising business, but shall include "For Sale", "For Rent" and similar signs provided that such signs are located on the specific property listed for sale, rent, etc.
- 383.32 Pole Sign. A freestanding sign (i.e., not attached to a building), with a base at least seven (7) feet above the ground which is supported from the ground by one or more poles or other stanchions of narrow width.
- 383.33 Portable Sign. Any sign that is not permanent, affixed to a building, structure, or the ground.
- 383.34 Posters and Handbills. Any sign affixed to trees or other natural vegetation, rocks or utility poles. This does not include authorized temporary signs.
- 383.35 Programmable Display Sign. An Animated sign made up of a field of individual electronic elements or mechanical grids that, when programmed and activated, create still or images or words. The elements may be internally illuminated or may be illuminated by reflected light. The sign may be framed by permanent, nonmoving signage. Programmable display signs shall include time and temperature signs
- 383.36 Projecting Sign. A sign which is supported by an exterior wall of a building and which is displayed perpendicular to the face of the building.
- 383.37 Real Estate Sign. Any sign pertaining to the sale, lease or rent of the premises, or portion of the premises, on which the sign is located.
- 383.38 Rotating Message Panel Board. A poster panel billboard, which has rotating panels with a maximum of three message faces and a minimum rotation of eight seconds.
- 383.39 Scenic Highway District. Land abutting a highway or section of highway which is officially determined by Georgetown County to contain exceptional scenic value such as, but not limited to, marsh and river vistas, trees, farm fields, timber stands or important architectural or historic structures.
- 383.40 Sign Reconstruction. The rebuilding or making over of the sign or supporting structure from the remaining parts

- 383.41 Sign Relocation. The movement of the sign to a new or changed location and includes without limitation any movement of the sign to a new location on the same structure, on the same parcel or elsewhere. Any movement of the sign, no matter how slight, is relocation.
- 383.42 Strings of Lights. Lights utilized in landscaping or holiday decorations having no commercial messages.
- 383.43 Subdivision Identification Sign. Any sign identifying a residential or commercial subdivision or development.
- 383.44 Temporary Sign. Those signs which are used for special events which would occur no more than once a year such as announcing grand openings, new expansions, sales which occur once a year, special events and major construction activities.
- 383.45 Time and Temperature Sign. A programmable display sign that displays the current time and temperature.
- 383.46 V-Sign. A sign having two (2) sets of supports, sharing at least one common support and capable of having two (2) display (message) surfaces facing in different directions provided such double message surfaces are physically contiguous and further provided that the angle between the two surfaces shall not exceed 45 degrees.
- 383.47 Wall Sign. A sign painted on, inscribed on or attached to a wall of a building and parallel to the wall.
- 383.48 Window Sign. Any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is placed visibly inside a window or upon the windowpane or glass .
384. **Storm Sewer**. A collection and disposal system for the control of storm drainage.
385. **Story**. The portion of a building included between the upper surface of any floor and the upper surface floor next above used for human occupancy. The term does not include the level of a building used for parking and storage which has no living space. Such area may include an entryway to a dwelling as allowed by any building code or floor ordinance. *(Amended Ord.2007-88)*
386. **Street**. Any public or private way set aside for public travel. The word "street" shall include the words "road", "highway" and "thoroughfare".
387. **Structure**. Anything constructed, erected, attached to, or on the ground either permanent or semi-permanent. Examples of structures include buildings, radio and television communication towers, sheds, other accessory uses, mobile homes and air-supported membranes structures, but does not include vehicles, fences, sidewalks, pavement or legally displayed goods. Building permits are required for all structures. *(Amended Ord.2009-27)*
- 387.1 **Principal Structure**. A structure in, by or on which the main principal business or use

ARTICLE III

DEFINITIONS

is
conducted. (*Amended Ord.2009-27*)

- 387.2 **Accessory Structure.** A structure customarily incidental and subordinate to the principal structure and located on the same lot with the structure.
388. **Tattoo** or tattooing shall mean to indelibly mark or color the skin by subcutaneous introduction of nontoxic dyes or pigments.
- 388.1 **Tattoo Facility** shall mean any room, space location, area, structure, or business, or any part of these places, where tattooing is practiced or where the business of tattooing is conducted.
- 388.2 **Tattoo Artist** shall mean a person who practices body tattooing and meets requirements set forth under state law. (*Amended Ord.2008-29*)
389. **Total Floor Area.** The area of all floors of a building including finished attic, finished basement and covered porches.
390. **Tourist Home.** A building designed as a single family detached dwelling unit with occupants utilizing one kitchen and sharing a common living area. Such unit is intended to be occupied by transient visitors for short-term stays, not exceeding in 30 days. (*Amended Ord.2006-106*)
391. **Town House.** A single-family dwelling unit attached by fire resistant common walls to another similar type unit, each having an open space for light, air and access in the front or rear.
392. **Travel Trailer.** A vehicular or portable structure designed as a temporary dwelling for travel, recreation or vacation uses.
393. **Tree.** Any self-supporting woody perennial plant normally having a single stem or trunk, whether coniferous or deciduous, of a species which normally reaches a height of ten feet or more at maturity. (*Amended Ord. 2010-24*)
- 393.1 **ANSI A300.** Generally accepted industry standards for tree care practices.
- 393.2 **Best Management Practices. (BMP).** Forest management practices, developed pursuant to federal water quality legislation, to minimize or prevent non-point source water pollutions. Established by the SC Forestry Commission.
- 393.3 **Caliper.** The diameter of a tree trunk measured six (6) inches above the ground on trees with calipers of four (4) inches or less. For trees between four (4) and twelve (12) inch caliper, the trunk is measured twelve (12) inches above the ground.
- 393.4 **Clear Cutting.** Removal of all protected trees from an area or land.
- 393.5 **Commercial Timber Harvesting.** The felling of timber products for commercial use. The term “timber harvesting” may include both clear cutting and thinning of timber. This

ARTICLE III

DEFINITIONS

term does not include the clearing of land for development purposes.

393.6 Diameter Breast Height (DBH). The total diameter in inches of a tree trunk or trunks measured in inches at a height of 4.5 feet above existing grade (base of the tree). If a tree trunk splits at ground level and does not share a common base, then each trunk shall be measured as a separate tree. If a multi-trunk tree splits below the 4.5 foot mark, all trunks shall be measured separately and count as one tree.

393.6.1 Grading. The work of ensuring a level base, or a specified slope, for construction work. Normally occurs after excavation, which does not materially change the elevation of the site. *(Amended Ord. 2018-20)*

393.6.11 Mass Grading. Grading of a site that moves land over a large area that includes multiple building sites as well as infrastructure sites. Normally it includes mass clearing of trees and other vegetation. This is the opposite of clearing and grading individual building sites in a subdivision when a building permit is requested. *(Amended Ord. 2018-20)*

393.6.2 Grand Tree. A protected tree of at least thirty (30) inches DBH. *(Amended Ord. 2018-20)*

393.7 Hazard Tree. A tree that has defects in its roots, trunk, or branches that make it likely to fail, perhaps causing personal injury or property damage.

393.8 Legacy Tree. A memorial tree planted to honor an individual, organization, or event. Legacy trees must be of a species listed in Section 1303.1 of this Ordinance regarding protected trees in the Urban Overlay. Such trees may be of any size, but must be located on public property as long as the sponsoring party has received approval from the appropriate individual or agency. Such tree shall not be planted in a location that conflicts with overhead and underground utilities or violates Section 404 of this Ordinance regarding Vision Clearance. *(Amended Ord. 2018-20)*

393.9 Non Single-Family Parcel. A lot which contains any type of structure or use other than a single-family dwelling, including but not limited to commercial, multi-family, public facilities, industrial uses and churches. This term also applies to a parcel of land prior to its subdivision into single-family parcels.

393.10 Protected Tree. Any tree determined by Georgetown County to be of a high value because of its type, size, age or other professional criteria. The minimum DBH of various species of trees used to determine “protected” status may be found in Article XIII, Tree Regulations of this ordinance. *(Amended Ord. 2018-20)*

393.11 Retained Tree. Any living, self-supporting woody perennial plant with a definitive crown which:

393.111 Has a trunk DBH of three (3”) inches or larger; or

ARTICLE III

DEFINITIONS

- 393.112 Is of a horticultural variety or is highly ornamental (dogwood, redbud, holly, etc.) and has a trunk DBH of at least two (2) inches.
- 393.113 Is not removed due to development.
- 393.12 Root Protection Zone. The land area around the base of a tree in which disturbances are prohibited to protect the roots of the tree and aid the tree's survival.
- 393.13 Root Pruning. The cutting of tree roots following accepted horticultural standards.
- 393.14 Single-Family Parcel. A lot which contains or will contain a building designed, constructed and used for one dwelling unit.
- 393.141. Occupied Single Family Parcel. A parcel in a residentially used or zoned area that contains a habitable structure for which a permanent certificate of occupancy has been issued.
- 393.142. Unoccupied Single Family Parcel. A parcel in a residentially zoned area that does not contain a habitable structure.
- 393.15 Tree Fund. A restricted fund established by the County for the purpose of collecting fines acquired from enforcement actions taken as a result of Article XIII Tree Regulations of this ordinance. Such funds shall be used by the County to plant trees and install landscaping in public areas.
- 393.16 Tree Professional. A certified arborist (certified by the International Society of Arborists) a registered consulting arborist (member of the American Society of Consulting Arborists), a board certified master arborist, a registered forester, a certified landscape architect or an individual with a degree in urban forestry.
- 393.161 Tree Protection Area. The area around the tree in which certain activities could result in damage or death to the tree. The area is equal in feet to the DBH of the tree. For example, a tree with a fifteen (15) inch DBH shall have a fifteen (15) foot tree protection area. In circumstances where the edge of the canopy extends further than the feet established by the DBH, the edge of the canopy shall establish the tree protection area.
(Amended Ord. 2018-20)
- 393.17 Tree Topping. The excessive removal of the top of a tree so as to radically alter its shape or removing the nearly vertical leader stems on protected trees.
- 393.18 Waterway Trees. Trees growing along or in a navigable waterway regardless of their location on public or private property.
394. Use. The purpose for which land or a building or other structure is designed, arranged or intended or for which it is or may be occupied or maintained.
395. Vendor. Any person who offers for sale goods or merchandise from a vacant lot or parking

ARTICLE III

DEFINITIONS

lot of an established business.

396. **Wind Energy System.** A facility that generates electricity from wind using various electrical and mechanical equipment. The facilities are divided into two types, Small Wind Energy Systems and Utility Scale Wind Energy Systems. *(Amended Ord. 2011-10)*

396.1 **Wind System Height.** The vertical distance from ground level to the tip of the wind generator blade when the blade is at its highest point.

396.2 **Wind Shadow Flicker.** The visible flicker effect when rotating blades of the wind generator cast shadows on the ground and nearby structure causing a repeating patten of light and shadow.

396.3 **Wind Generator.** The blades and associated mechanical and electrical conversion components mounted on top of the tower whose purpose is to convert kinetic energy of the wind into rotational energy used to generate electricity.

396.4 **Wind Tower.** The monopole, guyed monopoles or lattice structure that supports a wind generator.

396.5 **Small Wind Energy System.** A wind energy system designed to generate power for one building or property that consists of one tower and generator. Normally viewed as a windmill for a particular property and is an accessory use.

396.6 **Utility Scale Wind Energy System.** A wind energy system normally owned by an electrical power company consisting of numerous towers to generate energy to provide to the power grid. Is considered a principle use and is often referred to as a wind farm.

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

397.1 **Front Yard.** The area extending across the entire width of the lot between the front lot line and the nearest part of the building foundation, including covered porches, elevated decks etc. *(Amended Ord.2001-30)*

397.2 **Side Yard.** A yard extending along the side lot line from the front yard to the rear lot line and lying between the side lot line and the nearest part of the building foundation, including covered porches, elevated decks, etc. *(Amended Ord.2001-30)*

397.3 **Rear Yard.** The yard extending across the rear of the lot between inner side yard lines and lying between the rear lot line and the nearest part of the building foundation, including covered porches, elevated decks, etc. *(Amended Ord.2001-30)*