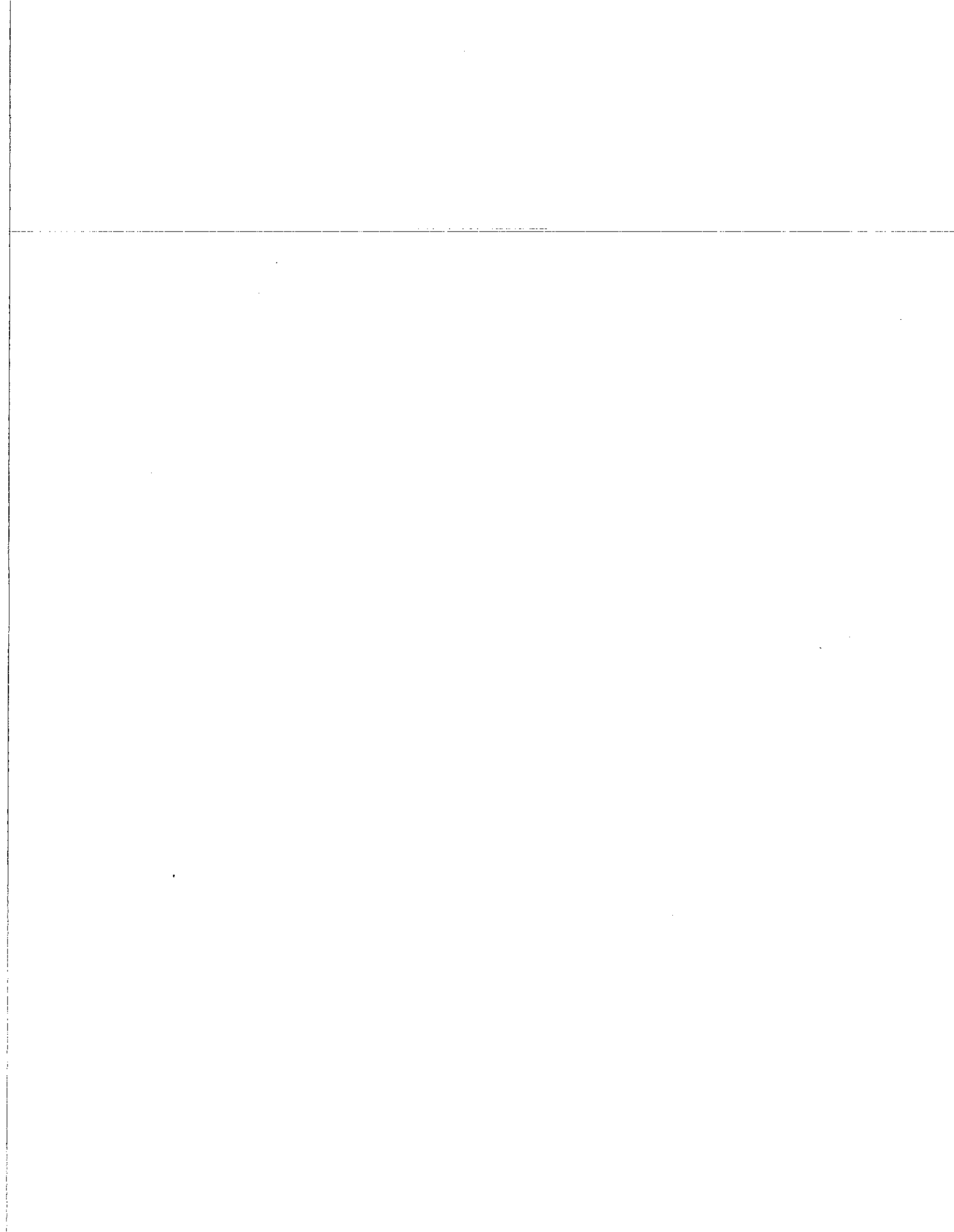




City of Liberty Planning Commission and Public Hearing
February 25th, 2025 6PM
Rosewood Center
Meeting Minutes

- 1) Opening Comments
- 2) January 28th Meeting Minutes
- 3) General Comments
- 4) Text Amendments:
 - a. Tiny Home Infill Development
 - i. Board Discussion
 - ii. Public Comment
 - iii. Vote
 - b. Tiny Home Developments
 - i. Board Discussion
 - ii. Public Comment
 - iii. Vote
- 5) Zoning Ordinance:
 - a. Industrial
 - b. PDD
 - c. Parking
 - d. Definitions
- 6) Other Business
- 7) Adjournment





City of Liberty Planning Commission
January 28th, 2025, 6PM
Rosewood Center
Meeting Minutes
DRAFT

Hester Elrod (PRESENT)
Gerald Wilson (PRESENT)
Bo McDonald (PRESENT)
Karin Shore (PRESENT)
Jon Humphrey (PRESENT)

Chairperson Elrod opened the meeting at 6 PM and stated that a quorum was established.

Election of Officers

Mr. Humphrey made a motion to amend the agenda to allow the board to elect officers for the new year. Mr. McDonald seconded the motion, and the board voted unanimously to amend the agenda. Chairperson Elrod asked for nominations for Chairperson and Mr. Humphrey nominated Hester Elrod. Mr. McDonald seconded the motion, and the board unanimously voted to approve Hester Elrod to become chairperson. Chairperson Elrod asked for nominations for Vice Chairperson and Ms. Shore nominated Gerald Wilson. Chairperson Elrod seconded the motion, and the board voted unanimously to elect Gerald Wilson as Vice Chairperson. Staff will remain as secretary.

General Comments

No general comment was received.

Review of December 5th, 2024, meeting minutes

Chairperson Elrod asked if everyone had reviewed the meeting minutes from December 5th, 2024, and if there were any revisions or comments. Mr. Humphrey asked for a review by spell check. Ms. Shore made a motion to approve with spell check changes. Mr. McDonald seconded the motion, and the board voted unanimously to approve the meeting minutes with spell check corrections.

Zoning Ordinance Text Amendment

Ms. Vissage presented two proposed text amendments concerning tiny homes that the mayor asked the planning commission look into. There could be a future need for these types of developments, and she would like to go ahead and make sure they are permitted if they come to fruition. The commission was only to have discussion at this meeting, no voting on either.

First, Ms. Vissage presented tiny homes as an infill development. Ms. Vissage shared the regulations for infill development which would include:

- a) 6000 square feet minimum lots,
- b) Each unit must be between 300 and 1000 square feet.
- c) Must have wheels removed, must be on a permanent foundation.
- d) Setbacks would be the same as whatever zone the commission decided on.
- e) It must include a patio or deck.

Ms. Vissage asked the commission for suggestions. Mr. Humphrey wanted to know why 6000 square feet lots when the tiny home development is 5500. Ms. Vissage explained that for the development it was because it was 8 per acre and 5500 worked out for that. Mr. Humphrey suggested that both be the same at 5500.

Ms. Vissage asked what districts the commission would want to be allowed and they agreed on the following:

- a) 501 single family Medium density
- b) 501 (a) single family medium density and duplex
- c) 502 multi family
- d) 503 multi family
- e) 504 manufactured home
- f) 505 manufactured home parks

As for tiny home developments, it would be the same rules as above for the units and setbacks. However, there were more regulations for the developments:

- 1) Staff and the board of zoning appeals will review site plans.
- 2) Guest parking is provided to try to avoid on-street parking.
- 3) Recreational space required.
- 4) Garbage disposal is required.
- 5) Bufferyards will be required.

Tiny home developments will be allowed in 502 and 503 (multifamily) as well as 505 (manufactured home park).

Ms. Vissage asked the board for any suggestions which included if a dumpster is used to being placed in an enclosure, add the word exterior for the 50-foot setback, and not require playgrounds for children. Recreational space could include green space, tennis courts, and playgrounds.

Zoning Ordinance Update Process

Ms. Vissage reminded the board of the items that were discussed at the last meeting concerning the commercial zoning district. New items that were changed were:

- Mini warehouses required doors to not be seen from the front- that were deleted.
- A required parking space for residential use in core commercial was deleted.



- Change the storage of inventory outside of the business to during business hours unless the storage area is in the footprint of the building.

Ms. Vissage started the discussion about board responsibilities which include planning commission and the board of zoning appeals. Changes that were suggested including:

- Allowing business owners with a valid business license to be a board member
- Functions of the planning commission will include reviewing and revising the comp plan at least every 5 to 10 years.

Ms. Vissage started the discussion about general regulations which include accessory uses, home occupations and non-conforming uses. Changes that were suggested included:

- Deleting section 708 which is Nonconforming Uses for specific uses which is covered under section 707.
- Non conforming uses change from 12 months to 6 months for discontinuance.
- No requirements of size for the private garage as an accessory use
- No height requirements for greenhouses as an accessory use
- Delete language without charge for parking at churches.
- Add dog groomers, educational services, and food preparation for approved home occupations.
- Reduce parking requirements for retail, grocery stores, and multifamily developments.

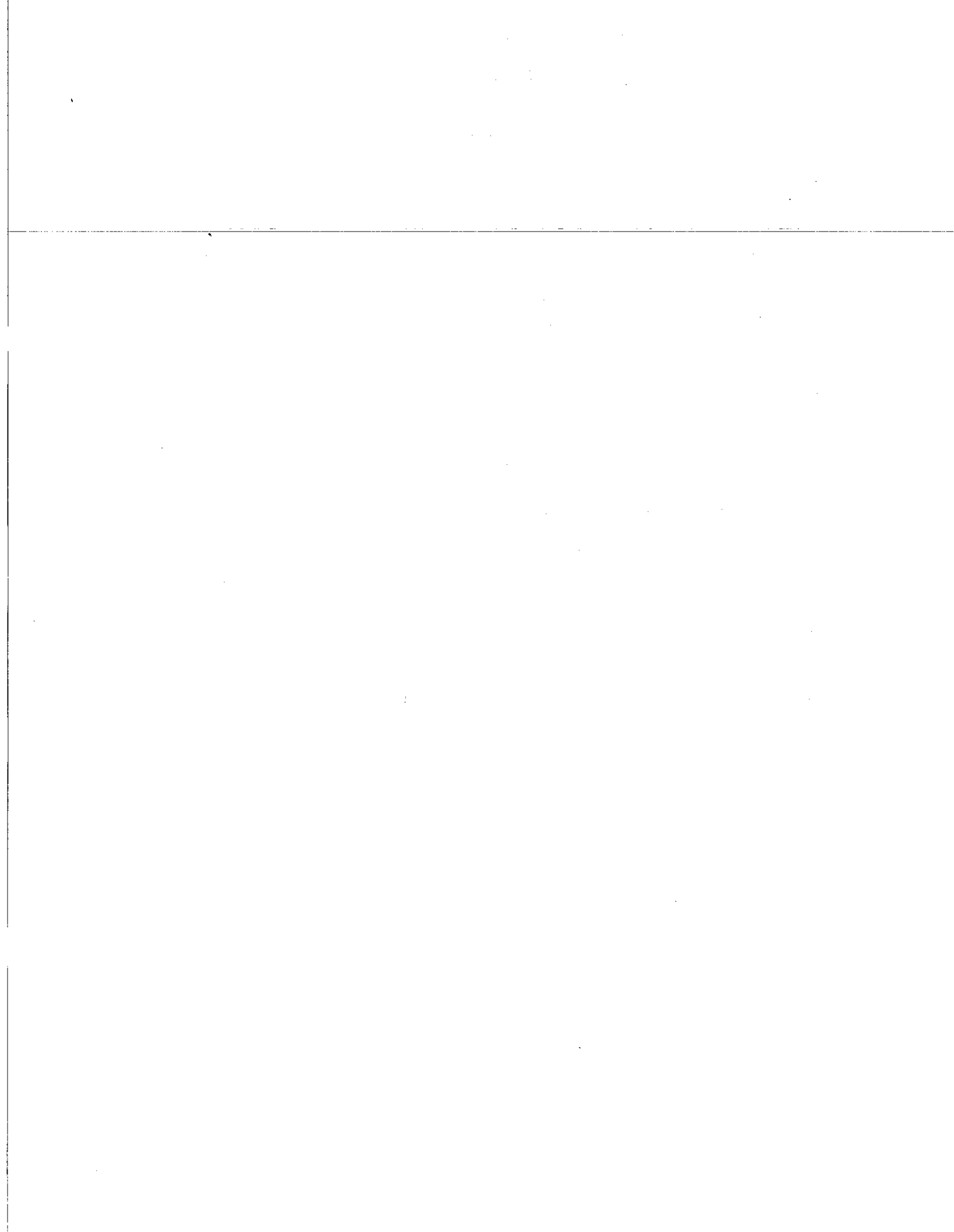
Other Business

Ms. Vissage shared a schedule with the board for the remaining zoning ordinance project. She hopes to meet with the council by April.

Ms. Vissage shared dates for the meetings for 2025 and Ms. Shore stated that the November date was incorrect. Ms. Vissage fixed the date and Ms. Shore also asked that we go ahead and change the November and December dates. Ms. Vissage requested that we wait until October when everyone knows their schedules at that time of the year.

Adjournment

Chairperson Elrod asked for a motion to adjourn the meeting and Mr. McDonald made a motion. Ms. Shore seconded the motion, and the board voted unanimously to adjourn the meeting at 7:30 PM.



Tiny Home Development (Special Exception)

Site Plan Approval The Zoning Administrator shall review the proposed development for conformance with all applicable regulations and present to the Board of Zoning Appeals for final approval.

Site Plan Requirements The plan shall be drawn by a registered engineer/surveyor of the state of South Carolina to scale of not less than 100 feet to 1 inch and shall contain the following information:

- A. The location of the proposed development and the type of surrounding land uses.
- B. The location and dimensions of streets, right-of-way, drives and parking spaces.
- C. The location and size of tiny home sites.
- D. The location and size of service buildings and areas and recreation areas.
- E. The location and type of screening, fences, or hedges.
- F. The names and addresses of abutting property owners and of developers. Any tiny home, service building, or recreation area located in any tiny home development shall be placed in accordance with an approved development plan.
- G. Existing and finished contours at intervals not more than 2 feet.
- H. The location of fire hydrants if applicable.
- I. Storage areas.
- J. Dumpsters if applicable.

Design Standards

Development Size The minimum area for a tiny home development shall be 1 acre.

Site Size Each tiny home shall be on a site not less than 5,500 square feet in area. The maximum number of tiny homes shall not exceed 8 dwelling units per acre. Tiny homes must be at least 300 square feet and no more than 1000 square feet. The units must be a permanent fixture (no wheels). The units must be single units, no duplexes, or multiplexes. The tiny homes must meet the latest International Building Code that the City of Liberty is currently following.

Setbacks No tiny home within the development shall be located closer than 50 feet from the development's exterior property line. Each tiny home shall be set back at

least 35 feet from the front and 15 from the side and rear lines of the site on which it is located.

Off-Street Parking Off-street vehicular parking shall be as follows: two spaces for each tiny home.

Access No tiny home shall have direct access to a public street or highway. All tiny home sites shall have access to an all-weather interior roadway which is not less than 30 feet in width having a paved surface not less than 20 feet in width. The developer should provide guest parking to avoid street parking.

Screening Where any property line of a tiny home development abuts land zoned for or occupied by another residential use, there shall be provided and maintained along the property line of the tiny home development a continuous visual screen not less than 6 feet in height. The screen shall be a wall, fence, compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery. Natural plant materials must be capable of reaching 6 feet in height after a three-year growing period.

Utility Requirements Within the area zoned, each tiny home site in a tiny home development shall be provided with approved water and sewer service which is connected to the municipal water and sewerage systems or other systems meeting the approval of DHEC.

Recreation Areas Recreation space of not less than 200 square feet of usable land for each tiny home site shall be provided in the tiny home development. For purposes of this section, "Usable Open Space" shall be construed to mean development, open space, and recreation amenities such as clubhouse, green space, playground, tennis or pickleball courts, swimming pool, or similar improvements.

Patio or Deck For each tiny home, there shall be constructed a permanent patio located adjacent to or attached to the tiny home pad. The patio should be at least 162 square feet around concrete or masonry construction. Each patio shall have sufficient gradient to direct drainage away from the tiny home pad. The patio shall not be within 5 feet of the property line. In lieu of the patio, a treated wood deck of the same dimensions may be used.

Operating Requirements The operator of each tiny home development shall comply with DHEC rules and regulations governing the sanitation and operation of tiny home developments.

Garbage Disposal Garbage containers with tight fitting covers shall be required for each site to permit the disposal of all garbage and rubbish. Collection will be on a regular basis to ensure the containers will not overflow. In lieu of individual containers, an 8 cubic yard dumpster for every 8 tiny homes may be provided which must be in enclosure.

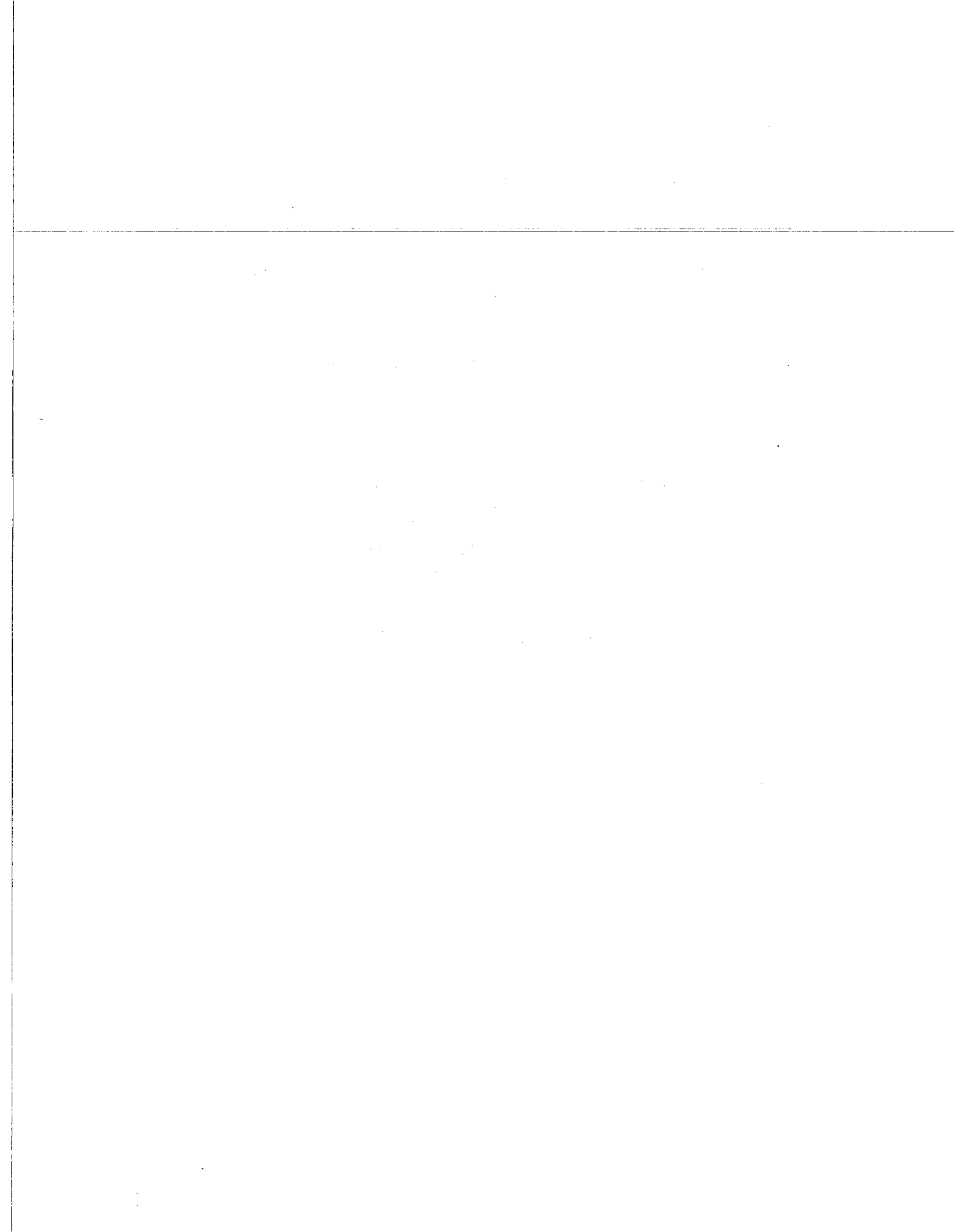
Street Lighting All streets within the development shall be lit at night. The lighting system shall be in accordance with standards recognized by the National Electric Codes.

Storage Area On each tiny home site, a space shall be designated for a storage building if provided and follow the accessory regulations stated in Sections 710 and 711.

Drainage Plan A Drainage Plan and a Sedimentation and Erosion Control Plan, mandatory stormwater detention plan shall be submitted and approved prior to final approval being granted by the Zoning Administrator.

Street Names Permanent Street names approved by the Pickens E911 shall be assigned to each road within the development.

Tiny home developments will be allowed in districts 502 (multifamily), 503 (mutli family), and 505 (Manufactured Home Park).



Tiny Home as Infill Development (Conditional Use)

Tiny homes can be used as infill development in specific zones if the following are met:

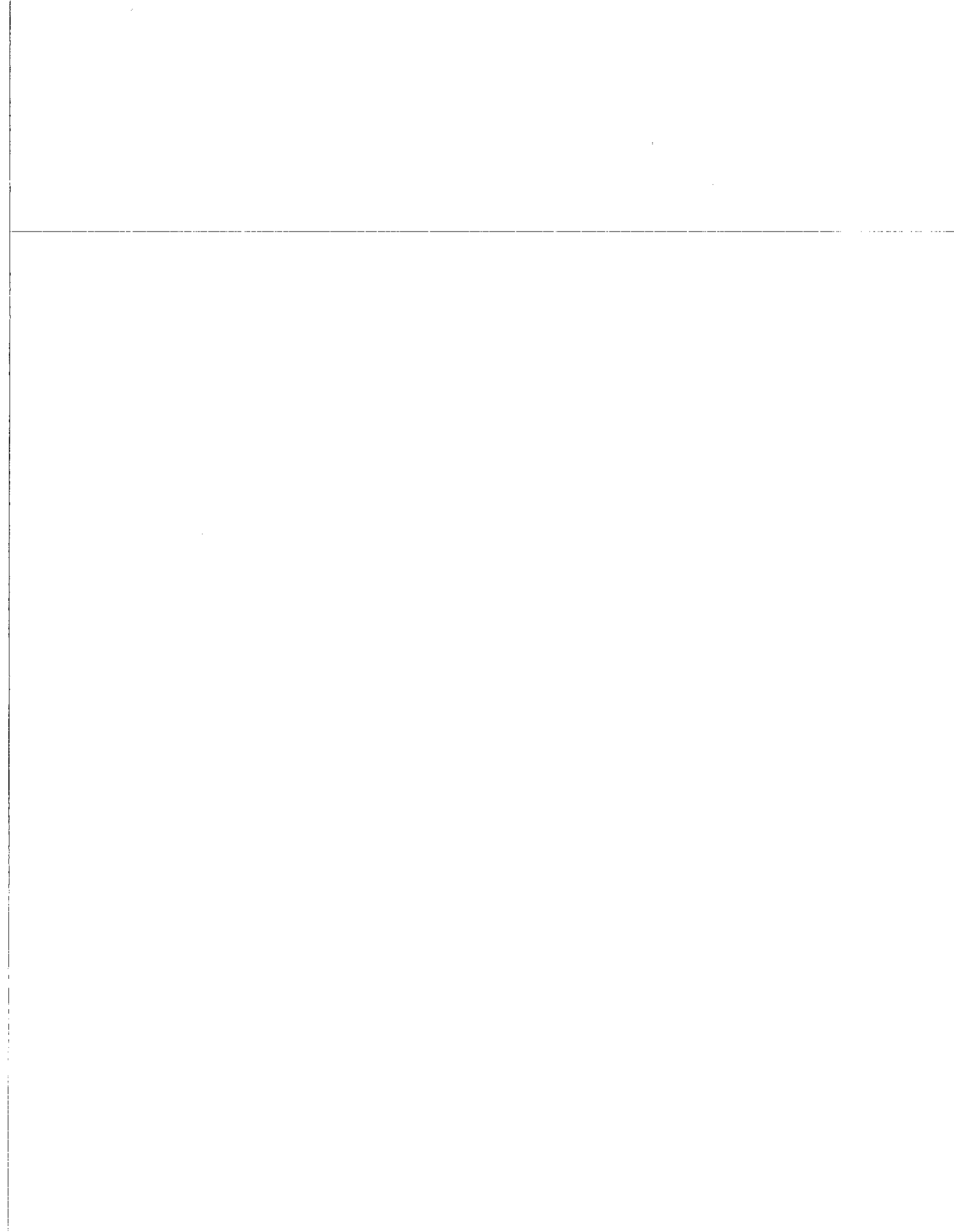
A) Each tiny home shall be on a site not less than 5,500 square feet in area. Tiny homes must be at least 300 square feet and no more than 1000 square feet. The units must be a permanent fixture (no wheels). The units must be single units, no duplexes, or multiplexes. Each tiny home must follow the latest International Building Code that the City of Liberty is currently following.

B) Setbacks Each tiny home shall be set back at least 35 feet from the front and 15 feet from the side and rear lines of the site on which it is located.

C) Off-Street Parking Off-street vehicular parking shall be as follows: two spaces for each tiny home.

D) Patio or Deck For each tiny home, there shall be constructed a permanent patio located adjacent to or attached to the tiny home pad. The patio shall be at least 162 square feet in concrete or masonry construction. Each patio shall have sufficient gradient to direct drainage away from the tiny home pad. The patio shall not be within 5 feet of the property line. In lieu of the patio, a treated wood deck of the same dimensions may be used.

Tiny homes as an infill development will be allowed in 501, 501 (a), 502, 503, 504, and 505 districts.



Section 510. LI Limited Industrial District.

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

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

- a) Research or experimental laboratory.
- b) Transportation terminal, excluding truck terminals which shall be permitted as conditional uses subject to the requirements of Section 510.3.f).
- c) Public building, facility, or land other than a school, playground, hospital, clinic, care home, or cultural facility.
- d) Public utility installation, not including transmission towers (see 510.3.j).
- e) Agricultural farms.
- f) Horticultural nursery.
- g) Office building and/or offices for governmental, business, professional, or general purposes.
- h) Commercial, trade, or vocational school.
- i) Off-street commercial parking lot or garage, as well as off-street parking or storage area for customers, clients, or employee-owned vehicles.
- j) Restaurants, delicatessens, and other eating establishments.
- k) Food preparation establishments for off-premises delivery.
- l) Manufacturing facilities that produce no emissions.
- m) Tattoo parlors.
- n) Any Industrial use plus operations incidental to such use which involves manufacturing, processing, or assembly operations, or the storage and sale of heavy materials, products, or equipment; but not including junk or salvage yards or uses which may cause injurious or obnoxious noise, vibration, smoke, gas fumes, odor, dust, fire hazards, dangerous radiation or similar conditions.
- o) Animal hospital and/or board facility.
- p) Warehouse.
- r) Bulk storage of petroleum products.

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

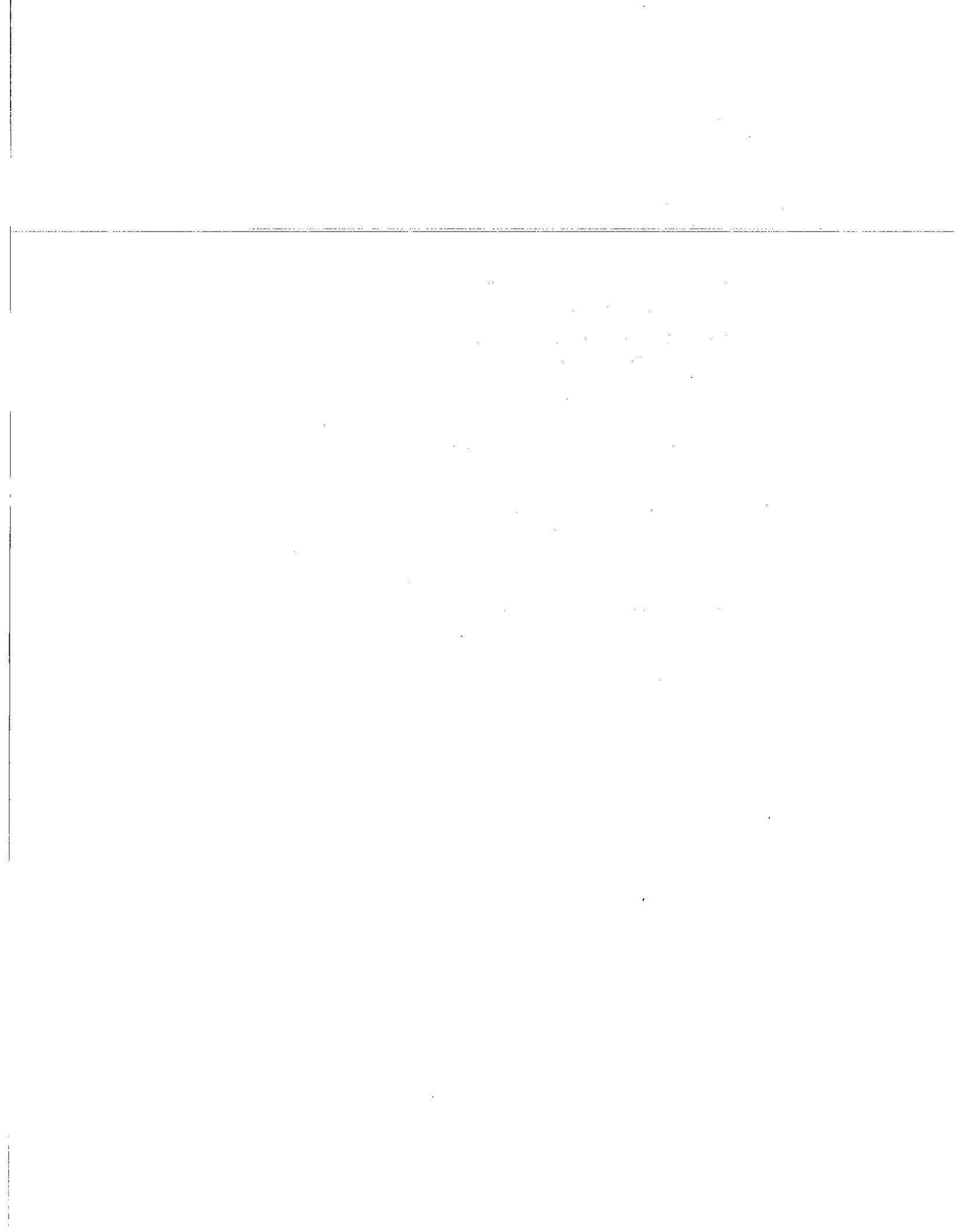
-
- a) Warehouse or other storage facility, if there is no external storage of junk or salvage materials of any type in conjunction with the operation.
 - b) Wholesale business outlet, if there is no open storage of junk or salvage materials of any type in conjunction with the operation.
 - c) Automobile 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, if there is no open storage of any type in conjunction with the operation.
 - d) Animal hospital and/or boarding facility provided all boarding arrangements are maintained within a building and no noise connected with the operation of the facility is audible beyond the premises.
 - e) Retail business provided such business is incidental to a permitted use; is located on the same premises as a permitted use; and involves no open storage of junk or salvage materials or any type in conjunction with the operation.
 - f) Truck terminal provided that paved acceleration and deceleration lanes of at least twelve (12) feet in width and one hundred (100) feet in length, respectively, are furnished and maintained at every point where trucks enter or leave terminal sites located adjacent to major streets, provided no safety hazard or impediment to traffic movement is reduced on any access road, and provided no open storage of any type is conducted in connection with the operation.
 - g) Watchman or caretaker's one-family dwelling provided that such a dwelling is located on the premises of a permitted use; and provided a member of the household is employed by the industry as a watchman or caretaker.
 - h) Dwelling incidental to a permitted agricultural or horticultural use provided that such related dwellings are occupied only by people employed directly on the premises.
 - i) Garage or shop for the repair and servicing of motor vehicles, equipment or machine parts provided any open yard storage incidental to such an operation conforms to the provisions of Subsection 508.3(b); and, provided no objectionable sound, vibration, heat, glare, or electrical disturbance is created which is perceptible beyond the premises.
 - j) Transmission towers, in accordance with the provisions set forth in Section 727 of this Ordinance.
 - k) Temporary use in compliance with the provisions of Article VIII, Section 804.
 - l) k) Retail or wholesale business or service, provided such business or service is incidental to permitted industrial use; and is located on the same premises.
 - l) Truck terminal, provided that paved acceleration and deceleration lanes of at least twelve (12) feet in width and one hundred (100) feet in length, respectively, are furnished and maintained at every point where trucks enter or leave terminal sites; and, provided sites for such facilities have direct access to major streets.
 - m) Private recreation facilities provided such facility is incidental to permitted use and located on the same premises.
 - n) Open yard use for the sale, rental and/or storage of new, used or salvaged, materials, or equipment, provided that such use is conducted in a manner that it will be located on a site no less than one (1) acre in size, and provided no burning of materials or products is conducted on the premises except by means approved by the Fire Chief or Fire Inspector; and in the case of external storage or used or salvaged materials and/or equipment, a buffer strip in compliance with Section 726 of this ordinance shall be required along all property lines.

-
- o) Temporary uses are permitted in compliance with the provisions of Article VIII, Section 804.

510.4 *Prohibited Uses*. Sexually Oriented Businesses (see Liberty Ordinance 0102) and mobile homes.

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

- a) Minimum Lot Area: Twenty thousand (20,000) square feet.
- b) Minimum Lot Width measured at the Building Line: one hundred (100) feet.
- c) Minimum Front Yard measured from the nearest abutting street right-of-way line: Forty (40) feet.
- d) Minimum Side Yard: Not less than twenty (20) feet on each side, except that when the property abuts a non-industrial zoning district not separated by a public right-of-way, a buffer strip in compliance with Section 726 of this ordinance shall be required. For side yard requirements pertaining to corner lots, see Sections 702 and 704.
- e) Minimum Rear Yard: Thirty-five (35) feet, except that when the property abuts a non-industrial zoning district not separated by a right-of-way, a buffer strip in compliance with Section 726 of this ordinance shall be required. For rear yard requirements pertaining to double frontage lots, see Article VII, Section 704.
- f) Maximum Building Height: Not more than thirty-five (35) feet, unless approved by the Fire Chief. For exceptions to height regulations, see Article VII, Section 722.
- g) Additional Requirements: Uses permitted in LI Zoning Districts shall meet all standards set forth in Article VII, pertaining to off-street parking, loading and other requirements.
- h) Signs: Signs permitted in LI Zoning Districts, including the conditions under which they may be located are set forth in Article VI.
- i) Any external storage of inventory, parts, or machinery is established to the rear of the front line of the principal structure and provided that such storage be completely enclosed by a solid fence or wall of at least six feet in height composed of treated wood or brick.



Section 511. BI Basic Industrial District.

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

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

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

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

- a) Any use permitted on a conditional basis in any LI Zoning District, subject to the conditions of Subsection 510.3 and Article VIII, Section 804.
- b) Retail or wholesale business or service, provided such business or service is incidental to a permitted industrial use; and is located on the same premises.
- c) Truck terminal, provided that paved acceleration and deceleration lanes of at least twelve (12) feet in width and one hundred (100) feet in length, respectively, are furnished and maintained at every point where trucks enter or leave terminal sites; and, provided sites for such facilities have direct access to major streets.
- d) Private recreation facilities provided such facility is incidental to a permitted use and located on the same premises.
- e) Open yard use for the sale, rental and/or storage of new, used or salvaged, materials, or equipment, provided that such use is conducted in a manner that it will be located on a site no less than one (1) acre in size, and provided no burning of materials or products is conducted on the premises except by means approved by the Fire Chief or Fire Inspector; and in the case of external storage or used or salvaged materials and/or equipment, a buffer strip in compliance with Section 726 of this ordinance shall be required along all property lines.
- f) Temporary uses are permitted in compliance with the provisions of Article VIII, Section 804.

511.4 *Prohibited Uses.* Mobile homes.

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

- a) Minimum Lot Area: Twenty thousand (20,000) square feet.
- b) Minimum Lot Width measured at the Building Line: One Hundred (100) feet.

-
- c) Minimum Front Yard measured from the nearest abutting street right-of-way line: Forty (40) feet.
 - d) Minimum Side Yard: No less than twenty (20) feet on each side, except that when the property abuts a non-industrial zoning district not separated by a right-of-way, a buffer strip in compliance with Section 726 of this ordinance shall be required. For side yard requirements pertaining to corner lots, see Article VII, Sections 702 and 704.
 - e) Minimum Rear Yard: Thirty-five (35) feet, except that where the property abuts another zoning district not separated by a right-of-way, a buffer strip in compliance with Section 726 of this ordinance shall be required. For rear yard requirements pertaining to double frontage lots see Article VII, Section 704.
 - f) Maximum Building Height: No more than thirty-five (35) feet, unless approved by the Fire Chief. For exceptions to height regulations, see Article VII, Section 722.
 - g) Additional Requirements: Uses permitted in BI Zoning Districts shall meet all standards set forth in Article VII pertaining to off-street parking, loading, and other requirements.
 - h) Signs: Signs permitted in BI Zoning Districts, including the conditions under which they may be located, are set forth in Article VI.
 - i) Any external storage of inventory, parts, or machinery is established to the rear of the front line of the principal structure and provided that such storage be completely enclosed by a solid fence or wall of at least six feet in height composed of treated wood or brick.

Section 512. Planned Development District.

512.1 *Intent of District.* The PDD district is established to encourage innovative and creative design of residential and/or commercial developments and to permit a greater amount of flexibility to a developer by removing some of the restrictions of conventional zoning. It is the intent of the district that such design and planning features be incorporated properly into all PDD districts hereafter created, and that the Planning Commission shall consider the existence and appropriateness of such features before any amendment to the Zoning Map is adopted to create such districts. The district is also intended to encourage developments that provide a full range of residential types to serve the inhabitants of the district. The regulations provide a mechanism to evaluate each application on its own merit. It is recognized that some concepts will be more successful than others and the approval of an application in one situation does not necessarily indicate the development will be applicable in other situations. It is emphasized that these provisions are not to be confused with nor designed to circumvent the intent or use of conventional zoning classifications as set forth in this ordinance.

A planned residential development is not intended to encourage greater density of development but rather to encourage ingenuity and resourcefulness in land planning, and to ensure the provision of park and recreation land and facilities for use of occupants in order to obtain a more desirable environment.

512.2 *Types of Planned Development Districts.* Two types of planned development districts accommodating primarily residential and/or nonresidential uses are created as follows:

- a) PDD-R Planned Unit Development - Residential: The PDD-R district is intended to accommodate primarily residential uses, with non-residential uses integrated into the design of such districts as secondary uses.
- b) PDD-C Planned Unit Development - Commercial: The PDD-C district is intended to accommodate primarily non-residential uses, with residential uses integrated into the design of such districts as secondary uses.

512.3 *Minimum Area.* The minimum area of a PDD shall be ten (10) contiguous acres to be under the control of a single developer or entity at the time of zoning approval.

512.4 *Maximum Area of Commercial or Service Uses.* In PDD-R districts in which commercial or service uses are permitted, the area of land devoted to such uses, including structures, parking, and related characteristics and accessory uses thereto shall not exceed the following percentages for any specific site size:

Site Size in Acres	Maximum Percentage of Commercial or Service [Uses]
0 but less than 25	20
25 but less than 50	30
50 but less than 80	40
80 or more	50

Provided, however, that these percentages shall apply only to commercial and service uses, and not to other non-residential uses such as schools, parks, community buildings, or public facilities. Required parking for commercial and service uses shall be counted towards maximum percentages.

512.5 *Permitted Accessory Uses and Structures.* Accessory uses and structures shall not be permitted in residential segments of planned unit developments.

512.6 *Uses and Structures Permitted Upon Review.* No review action by the Board of Adjustments is required to establish any specific use. Uses and structures permitted in the least restrictive land use classifications indicated in Section 511.3 for any specific site size are permitted outright, provided, however, that the Planning Commission shall ascertain that the effect and benefit usually derived from safeguards and conditions normally imposed upon uses permitted by review.

512.7 *Minimum Lot Area.* No minimum lot area is required for any specific structure.

512.8 *Minimum Lot Width, Minimum Yard Requirements, Maximum Lot Coverage, Maximum Height of Structures.* No structure shall be erected within twenty-five (25) feet from any external lot line of any planned development. Minimum lot width, minimum yard sizes, maximum lot coverage, and maximum height are not otherwise regulated within PDD districts, provided, however, that the Planning Commission shall ascertain that the characteristics of building siting shall be appropriate as related to structures within the planned unit development and otherwise fulfill the intent of this ordinance.

512.9 *Minimum Off-Street Parking and Loading.* The Planning Commission shall not approve a PDD site plan until the Building Inspector has reviewed and approved a parking scheme for the development.

512.10 *Amenity Area.* Each PDD with a residential component shall be provided with a public common area of at least one (1) acre in size, plus four hundred (400) square feet for each dwelling unit above twenty (20). Such common area shall be developed by the person, entity, corporation or developer developing the PDD and shall be deeded over to a neighborhood association within one (1) year after all units are sold. Such common area shall be completed before seventy-five percent (75%) of the occupancy permits for the total number of proposed units are issued. Such common area may be maintained as open space or may include recreational features such as tennis courts, a swimming pool, a clubhouse or similar facilities.

512.11 Each PDD development shall be serviced by sidewalks 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 developer of the PDD.

512.12 *Utilities Requirements.* Each lot within a PDD development shall be serviced by underground utilities.

512.13 *Spacing Requirements.* All residential structures within a PDD shall be spaced a minimum of fifteen (15) feet from any other residential structures.

512.14 *PDD Application and Preliminary Development Plan Approval.*

1. An applicant shall communicate his intentions to establish a Planned Development District, and the proposed characteristics thereof, to the zoning administrator prior to initiating an application for amendment to the zoning map. The zoning administrator shall place the developer on the agenda of the next Planning Commission meeting for a presentation and exchange or [of] ideas.
2. Applications for a Planned Development District shall be by amendment to the official zoning map in accordance with the provisions of Article III and shall include the following:
 - a. Preliminary Development Plan - The applicant shall submit three (3) copies of the proposed Planned Development which shall include the following:
 - (1) Vicinity map, title block, scale, north arrow, and property line survey.
 - (2) Total acreage of overall site.
 - (3) Location and number of acres of various areas by type of use (e.g., single-family detached, recreation, office, commercial, etc.).
 - (4) Number of units and density of various residential types, such number to represent the maximum number of units.

-
- (5) Minimum setbacks.
 - (6) Minimum and maximum residential dwelling unit floor areas.
 - (7) Preliminary landscape plan.
 - (8) Description of what is to be included in the common area.
 - (9) Approximate square footage of non-residential uses and approximate number of bedrooms in each residential unit.
 - (10) Primary traffic circulation pattern, including major points of ingress and egress.
 - (11) Approximate number of parking spaces per use.
 - (12) An indication that an acceptable drainage system can be designed for the proposed project.
 - (13) Any such information or descriptions as may be deemed reasonably appropriate for review.
- b. Statement of Intent - The applicant shall submit three (3) copies of a descriptive statement setting forth the characteristics of proposed Planned Unit Development including the following:
- (1) A description of the formation procedures and policies of any proposed homeowners association or other group maintenance agreement.
 - (2) A statement setting forth the proposed development schedule.
 - (3) A statement of the public improvements, both on and off-site, that are proposed for dedication and/or construction, and an estimate of the timing for providing such improvements.
 - (4) A statement of impact on public facilities, including water, sewer collection and treatment, schools, garbage collection, fire protection, etc., along with letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed Planned Development.
 - (5) A statement concerning the appearance, landscaping, screening, and maintenance of any proposed pond, lake, or retention pond contained in the development.
 - (6) Any such information of [or] descriptions as may be deemed reasonably appropriate for review.
3. A public hearing shall be held in accordance with procedures set forth in Article X.
 4. The Planning Commission at its next regular meeting following the public hearing, shall make a recommendation on the proposed Planned Development which shall be advisory to City Council.
 5. The City Council may, after fulfilling all applicable requirements of this section and all applicable requirements of Article X, act to either approve, approve with modifications, or disapprove the application for a Planned Development.
 6. Following approval of a PDD District, the official zoning map shall be amended to reflect such approval. Approval of a Planned Development District shall constitute authority for the applicant to submit a Final Development Plan to the Planning Commission for approval in accordance with the provisions of Section 512.17.

512.15 *Failure to Submit a Final Development Plan.* If no final development plan shall have been submitted within twelve (12) months of approval of PDD, the Planning commission and City Council of the City of Liberty may consider rezoning the property to the most appropriate zoning category in accordance with Article X of this Ordinance.

512.16 *Final Development Plan.* No building permit or certificate of occupancy shall be issued in a PDD district until the Planning Commission has approved and there is recorded a Final Development Plan meeting the requirements of this section. Three (3) copies of the final plan setting forth specific design characteristics of the Planned Development in accordance with the approved Preliminary Development Plan shall be submitted on paper plats no larger than 22 x 27 inches to the Planning Commission office and shall include, but not be limited to, the following information:

1. Vicinity map, title block, scale, north arrow and property line survey.
2. Location arrangement, and proposed use of all buildings or structures within the Planned Development.
3. Names of boundary streets.
4. Number of residential dwelling units by type and number of bedroom units in each.
5. Sketches of typical proposed structures, design standards, outdoor lighting fixtures, signs and landscaping.
6. Location of any utility easements.
7. Total floor area for all non-residential uses by type.
8. Open space areas, specifying the proposed treatment of improvements of all such areas and delineating those areas proposed for specific types of developed recreational facilities.
9. All off-street parking and loading areas and structures and the total number of spaces.
10. Traffic and pedestrian circulation systems including the location and width of all streets, driveways, service areas, entrances to parking areas, walkways, bicycle paths, etc.
11. Yard dimensions from the development boundaries and adjacent streets.
12. A detailed drainage plan.
13. Other such information or descriptions as may be deemed reasonably appropriate for Planning Commission review.

512.17 *Planning Commission Action.* The Planning Commission, acting upon the recommendation of the planning staff, may approve or disapprove the Final Development Plan submitted by the applicant. In reviewing the Final Development Plan, the Planning Commission may require any such design modifications as will assure compliance with the approved Preliminary Development Plan. In the event that the Planning Commission finds that the Final Development Plan is not in accordance with the approved Preliminary Development Plan, it shall disapprove the final plan.

512.18 *Recording of Final Development Plan and Statement of Intent.* Following approval of the Final Development Plan by the Planning Commission, one (1) copy of the Final Development Plan and Statement of Intent shall be recorded in the Register of Clerk of Court, Pickens County, one (1) copy of both documents shall be filed with the City Zoning Administrator and one (1) copy of both documents shall be filed with the Chairman of the Liberty Planning Commission.

512.19 *Subdivision Plats.* Approval of a Final Development Plan shall constitute authority for the applicant to prepare subdivision plats, in accordance with procedures set forth in the City of Liberty Subdivision Regulations.

512.20 *Changes to Planned Development Districts.* Changes to a proposed Planned Development District or to an approved Planned Development District may be permitted in accordance with one of the following procedures as determined by the Zoning Administrator.

1. **Minor Changes** - Changes to a Planned Development District which are of a design nature and which do not alter the original concept or use characteristics of the Planned Development District may be approved by the Planning Commission in accordance with the procedures established by Section 512.14, except that no minor change may be approved by the Planning Commission which is in conflict with specific conceptual considerations previously contained in City Council's preliminary approval.
2. **Major Changes** - Changes to a Planned Development District which would alter the basic concept and general characteristics of the Planned Development District may be approved by City Council in accordance with the procedures established by Section 512.15. Examples of major changes include but are not limited to the following: boundary changes, changes in the maximum number of structures or residential units; increased density; substantial changes to residential housing type; use changes; access changes, etc. Approval of a major change by City Council must be followed by final approval of a detailed design plan showing such changes as approved by the Planning Commission in accordance with Section 512.6.

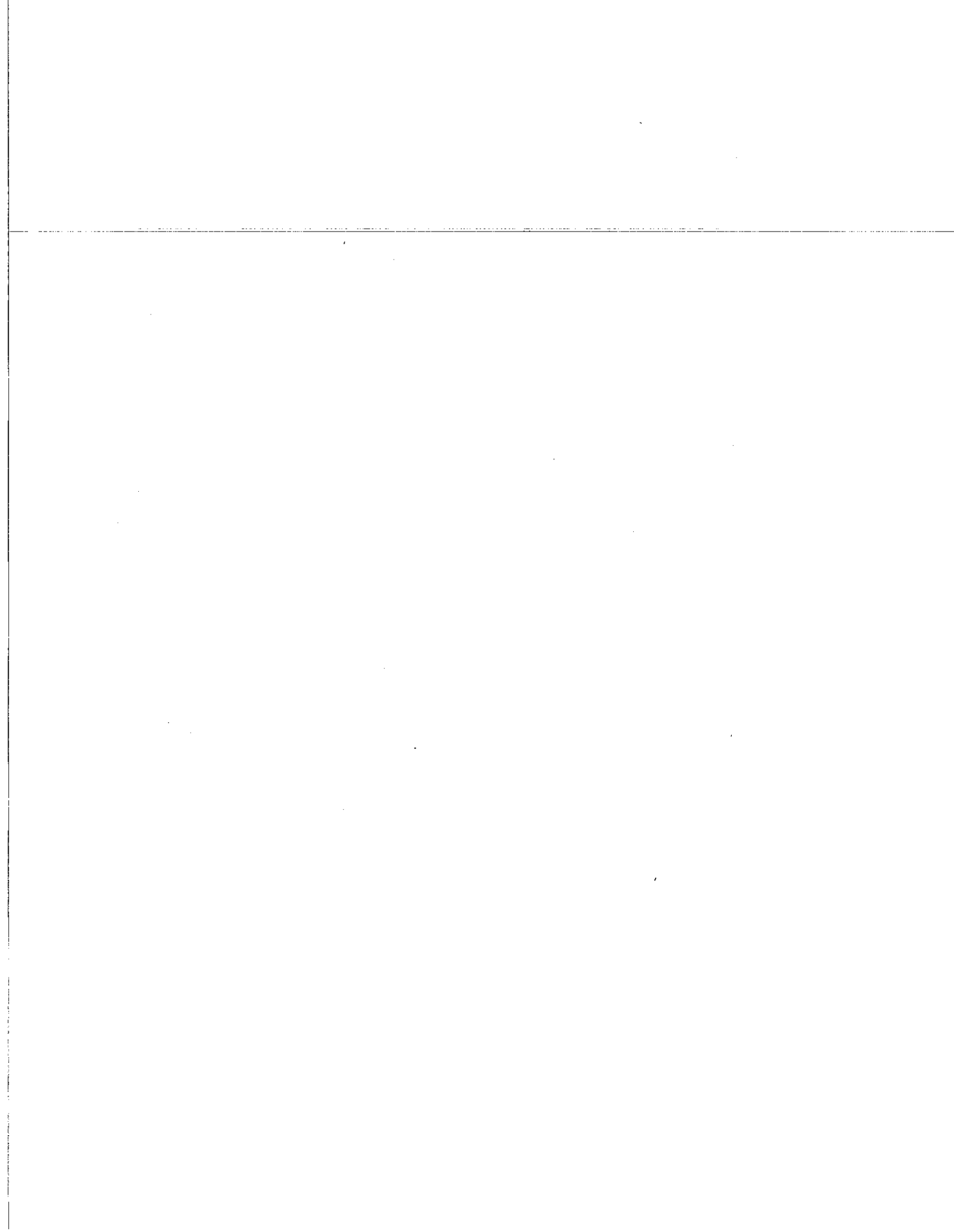
512.21 *Failure To Begin, Failure To Complete, of [or] Failure To Make Adequate Progress.* One year after final approval and each year thereafter, the Zoning Administrator shall present to the Planning Commission a status report on the progress of an approved development. If there is failure to complete, or failure to make adequate progress as set forth in the Statement of Intent, City Council may consider changing the district classification of the Planned Development in accordance with Article X.

512.22 *Screening Requirements.* Where non-residential commercial uses or structures in a planned unit development about a residence or residentially zoned parcel, or where non-residential commercial uses or structures about residential buildings in the same development, such non-residential areas shall be provided with a buffer strip in compliance with Section 726 of this ordinance.

512.23 *Public Facilities.* Final plans for all public facilities shall be submitted containing all information required in the preliminary plan. All public facilities and improvements made necessary as a result of the planned unit development shall be either constructed in advance of the approval of the final plan, or, at the election of the City, escrow deposits, irrevocable letters of credit in a form approved by the City, or performance bonds shall be delivered to guarantee construction of the required improvements.

512.24 *Application Fee [for] Planned Unit Development.* As planned unit developments are by their nature technical and complex and whereas the City of Liberty has no full time professional planner, applications for PDDs will be accompanied by a fee, to be established by City Council. The fee shall be used by the City of Liberty to retain an engineer, planning consultant, or other such professional to assist in the review of the preliminary plan, amendments to the plan and/or final plan. Upon completion of the project any unused portion of the application fee shall be refunded to the applicant.

512.25 *Prohibited Uses.* Sexually Oriented Businesses (see Liberty Ordinance 0102) and mobile homes.



Section 712. Off-Street Parking.

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

USE	PARKING SPACES REQUIRED
Automobile repair garages	1 space per 150 square feet of net floor area
Automobile sales lots	1 space per 50 square feet of net floor area for customer and employee parking
Automobile service stations	3 spaces for each service bay, with a minimum of 5 spaces required. Self service gasoline sales: Minimum of 2 permanent parking spaces
Banks and other financial institutions	1 space per 200 square feet of net floor area
Business and professional offices, government offices	1 space per 200 square feet of net floor area
Boarding and lodging houses	1 space per bedroom, plus 3 additional spaces
Churches and other places of worship	1 space per 3 seats in main auditorium
Clinics and similar operations	1.25 spaces per 200 square feet of net floor area
Dwellings, single and two-family	2 spaces per dwelling unit
Food stores, equal to or less than 3,500 square feet	1 space per 100 250 square feet of net floor area
Food stores, from 3,500 to 25,000 square feet	1 space per 200 350 square feet of floor area
Food stores, greater than 25,000 square feet	1 space per 300 450 square feet of floor area
Funeral homes	1 space per each 4 seats in main chapel or parlor
General business, commercial or personal service establishments catering to retail trade, but not including foods stores, service and repair businesses	1 space per 200 250 square feet of net floor area
Homes for the aged, rest homes, personal care homes, and similar institutional uses	1 space per 3 beds
Hospitals, sanitariums and nursing homes	1 space per 2 beds
Lodges, fraternal or social organizations	1 space per 200 square feet of net floor area
Motels, hotels, tourist homes and transient hotels	1.25 spaces per unit
Mobile homes	2 spaces per each mobile home lot
Multi-family apartment and condominium communities	1.75 parking spaces for each dwelling unit
Fee-simple dwelling units, attached or detached	2 spaces per dwelling unit
Restaurants, delicatessens, etc.	1 space per 300 square feet of net floor area
Shopping centers	1 space per 200 square feet of net floor area for all stores other than supermarkets or grocery stores. For grocery stores, see food store requirements above.
Schools, elementary, junior high	2 spaces per classroom
Schools, secondary	5 spaces per classroom
Schools, college, trade, or vocational	8 spaces per classroom
Community recreation centers, swimming pools, golf courses and similar uses	20 spaces

Theaters, auditoriums, funeral homes, gymnasiums, stadiums and other places of assembly	1 space per 4.00 seats
Wholesale, warehousing operations	1 space per 200 square feet of net area devoted to sales or display. 1 space per 500 square feet of net manufacturing area. 1 space per 5,000 square feet of net floor area devoted to storage. Manufacturing facilities 1 space per 200 square feet of net area devoted to sales or display. 1 space per 500 square feet of net manufacturing area. 1 space per 5,000 square feet of net floor area devoted to storage.

Section 1100. 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 Liberty, South Carolina.

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

1100.1 *Accessory*. A use of building subordinate to the principal building on a lot and used for purposes customarily incidental to the main or principal use or building and located on the same lot therewith.

1100.2 *Alley*. A secondary way that affords access to the side or rear of abutting property.

1100.3 *Alteration of Building*. Any change in the supporting members of a building (such as bearing walls, columns, or girders), any addition or reduction to a building; any change in use; or any relocation of a building from one location or position to another.

1100.4 *Automobile Service Station*. Buildings and premises on any parcel or lot where gasoline, oils, greases, batteries, tires, or automobile accessories may be supplied and dispensed at retail (or in connection with a private operation), where no part of the premises is used for the storage of dismantled or wrecked vehicle parts, and also where the following services may be rendered, and none other:

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

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

~~1100.5 *Board House*. Any dwelling in which three (3) or more persons either individually or as families are housed for rent with or without meals.~~

1100.6 *Buildable Area*. That portion of any lot which may be used or built upon in accordance with the regulations governing the given zoning district, within which the particular lot is located once the various front, side, and rear yard requirements for the District have been subtracted from the total lot area. For instructions related to the determination of Buildable Area, see Section 707.

1100.7 *Building*. A structure which is completely enclosed by a roof and by solid exterior walls along whose outside faces can be traced an unbroken line for the complete circumference of the structure, which is permanently affixed to a lot or lots, and used or intended for the shelter, support or enclosure of persons, animals, or property of any kind.

1100.8 *Building, Principal*. A building in which is conducted the principal use of the lot on which said building is situated.

1100.9 *Building Line*. That line which represents the distance from which a building or structure must be set back from a lot boundary line or a street right-of-way line or a street centerline according to the terms of this Ordinance. In all cases, the building lines of a lot shall be determined to run parallel to and set back the appropriate distance required within the district in which the lot is located from street right-of-way lines, street centerlines, or other boundary lines.

1100.10 *Camper*. A mobile home, tent, trailer, or other self-contained vehicle, designed for recreational purposes, made of metal or other materials, mounted on two or more wheels and either self-propelled or rigged for towing, provided such vehicle is less than thirty (30) feet in length and is not used for residential purposes within the City of Liberty.

1100.11 *Care Homes*. A rest home, nursing home, convalescent home, home for the aged, or similar use established and operated on a profit or non-profit basis to provide lodging and/or meals and/or domiciliary care for aged, infirm, chronically ill, or convalescent persons.

1100.12 *Clinic*. An establishment where medical or dental patients, who are not lodged overnight, are admitted for examination or treatment.

1100.13 *Communication Tower*. A tower, pole or similar structure that supports a commercially operated telecommunications antenna above ground in a fixed location, freestanding, guyed, or on a building.

1100.14 *Density*. The number of dwelling units per acre of land developed or used for residential purposes. Unless otherwise clearly stated, density requirements in this Ordinance are expressed in dwelling units per net acre. That is per acre of land devoted to residential use exclusive of land utilized for streets, alleys, parks, playgrounds, school ground, or other public uses.

1100.15 *District*. The term applied to various geographical areas of the City of Liberty for the purpose of interpreting the provisions of this Ordinance. The districts are designated with the use of symbols on the Official Zoning Map. Regulations controlling land use in the various districts within the City of Liberty are set forth in Article V of this Ordinance. The terms "district" and "zoning district" are synonymous and are used interchangeably throughout this Ordinance.

1100.16 *Dwelling*. A building or portion of a building arranged or designed to provide living quarters for one (1) family, but not to include a tent, travel trailer, tourist home, hotel, or motel.

-
- 1100.17 *Dwelling, One-Family*. A detached dwelling other than a mobile home designed or occupied exclusively by one family on a single lot.
- 1100.18 *Dwelling, Two-Family*. A dwelling arranged or designed to be occupied by two (2) families in separate dwelling units living independently of each other on a single lot.
- 1100.19 *Dwelling, Multi-Family*. A building or series of buildings on the same lot or portions thereof used or designed as dwellings for three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided. The terms "multiple-family" and "multi-family" are synonymous and are used interchangeably throughout this Ordinance.
- 1100.20 *Dwelling Unit*. One (1) or more rooms connected together and constituting a separate, independent housekeeping establishment for use on a basis with provisions for cooking, eating, sleeping, and physically set apart from any other rooms and dwelling units in the same structure or another structure, intended and designed to provide living quarters to one family.
- 1100.21 *Drive-In*. A retail or service enterprise oriented to automobile driving patrons wherein service is provided to the consumer on the outside and/or inside of the principal building. The term "drive-in" includes drive-in restaurants, and dairy bars, theaters, banks, laundries, food stores, car washes, and other similar retail service activities.
- 1100.22 *External Storage*. Storage of materials, inventory, parts, machinery, or equipment outside of the primary building.
- 1100.23 *Family*. One (1) or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, or adoption, no such family shall contain over three (3) persons.
- 1100.24 *Fee Simple Townhouse*. An attached housing unit in which real land property is platted and converted to the titleholder of the housing unit.
- 1100.25 *Fence*. A substantial, continuous barrier aesthetically constructed and extending from the surface of the ground to uniform height of not less than six (6) feet. The finished side of the fence shall face the public and be constructed of treated lumber, stockade, masonry, chain link or other approved material. Fabric fences shall not be allowed.
- 1100.26 *Floor Area Ratio*. A number generated by dividing the total gross area (in square feet) of a structure by the total gross area (in square feet) of the parcel containing the structure.
- 1100.27 *Garage, Private*. An accessory building or portion of a principal building used only for the private storage of motor vehicles as an accessory use.
- 1100.28 *Garage, Public*. Any garage other than a private garage which is used for storage, minor repair, rental, servicing, washing, adjusting, or equipping of automobiles or other vehicles.
- 1100.29 *Garage, Repair*. Buildings and premises designed or used for purposes indicated under "automobile service station" and/or major commercial repairs; provided that body work and painting shall be conducted within fully enclosed buildings and provided further that self-propelled vehicles in process of repair shall be stored in a fully enclosed and secluded area.
- 1100.30 *Home Occupation*. Any business activity conducted out of a dwelling. A home occupation shall include either a business operated on-site or a business in which the primary office, or storage facility is on-site but activities take place off-site.
- 1100.31 *Hotel*. A building or buildings in which lodging, with or without meals, is provided and offered to the public for compensation, which is open to transient or permanent guests. The word "hotel" includes the terms "motel" and "tourist court."

-
- 1100.32 *Junk or Salvage Yards*. The use of any part of a lot, whether inside or outside of a building, for the storage, keeping, abandonment, sale or resale of junk, salvage, or scrap materials; or the dismantling, demolition or abandonment of automobiles and other vehicles, machinery, equipment, or parts thereof.
- 1100.33 *Junked Car*. "Junked or abandoned vehicle" shall mean any vehicle without a current and valid license plate. A wrecked vehicle with a current license plate shall also be considered a junk vehicle.
- 1100.34 *Loading Space, Off-Street*. Space logically and conveniently located for pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled.
- 1100.35 *Lot*. An area designated as a separate and distinct parcel of land on a legally recorded deed as filed in the official records of Pickens County, as maintained in the Pickens County Court House.
- The terms "lot," "plot," "lot of record," "property," or "tract" whenever used in this Ordinance, are interchangeable.
- 1100.36 *Lot, Corner*. A lot located at the intersection of two (2) or more streets.
- 1100.37 *Lot, Double Frontage*. A lot which has frontage on more than one (1) street, provided, however, that no corner lot shall qualify as a double frontage lot unless said corner lot has frontage on three (3) or more streets.
- 1100.38 *Lot, Interior*. A lot, other than a corner lot, which has frontage on only one (1) street other than an alley.
- 1100.39 *Lot Depth*. The mean horizontal distance between front and rear lot lines.
- 1100.40 *Lot of Record*. An area designed as a separate and distinct parcel of land on a legally recorded subdivision plot or in a legally recorded deed as filed in the official records of Pickens County, as maintained in the Pickens County Court House.
- The terms "lot," "plot," "lot of record," "property," or "tract" whenever used in this Ordinance, are interchangeable.
- 1100.41 *Lot Width*. The distance between side lot lines measured at the front building line.
- 1100.42 *Major Recreational Equipment*. Equipment or vehicles used for recreational purposes, including but not limited to motor homes, recreational vehicles, campers, trailers, motorboats, sailboats, boat trailers, all terrain vehicles, off-road vehicles, motorcycles, snowmobiles, and bicycles.
- 1100.43 **Mobile Manufactured Homes**. A movable or portable dwelling on wheels or on a permanent foundation of masonry units cemented together and supported on concrete footings; conforming to typical construction standards for the area of location. The unit is constructed to be towed on its own chassis and designed for year-round occupancy, which includes two (2) or more units separately towable but designed to be joined into one integral unit, as well as a portable dwelling composed of a single unit. **All mobile homes under the jurisdiction of this Ordinance shall comply with the standards for mobile homes by the American National Standards Institute, Inc. (ANSI), A119.1 – 1969.**
- 1100.44 **Mobile Manufactured Home Park**. Premises where two (2) or more mobile homes are parked for living or sleeping purposes, or where spaces are set aside or offered for sale or rent for use for mobile homes for living or sleeping purposes, including any land, building, structure, or facility used by occupants or mobile homes on such premises.
- 1100.45 **Mobile Manufactured Home Space**. A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home.

1100.46 *Motel*. A building or buildings in which lodging, with or without meals, is provided and offered to the public for compensation, which is open to transient or permanent guests.

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

1100.47 *Natural Material*. Wood or other organic matter.

1100.48 *Nonconforming Use*. A structure of [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.

1100.49 *Parking Lot*. Any public or private open area used for the express purpose of parking automobiles and other vehicles, with the exception of areas on the premises of single-family dwellings used for parking purposes incidental to the principal use. Otherwise, parking lots may be the principal use on a given lot or an accessory use to the principal use on a given lot.

1100.50 *Parking Space*. A space within a parking lot or on a single-family dwelling lot expressly provided for purposes of parking an automobile or other vehicle.

1100.51 *Permanently Mounted*. Attached securely to a building, wall, canopy, or the ground or pavement; by means of concrete, bolts, metal braces, treated wood, or cedar.

1100.52 *Plot*. An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed as filed in the official records of Pickens County, as maintained in the Pickens County Court House.

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

1100.53 *Residence*. A building or portion of a building arranged or designated to provide living quarters for one (1) family.

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

1100.54 *Service Station*. See definition of "Automobile Service Station," 1100.4.

1100.55 *Sign*. The term "sign" shall mean and include every sign, billboard, poster panel, freestanding ground sign, roof sign, projecting sign, pylon sign, illuminated sign, sign painted on a wall, window, marquee, awning or canopy, and shall include any announcement, declaration, demonstration, display, ribbon, banner, illustration, or insignia used to advertise or promote the interests of any person when the same is placed in view of the general public, traveling along a public street right-of-way.

- a) **Freestanding Sign Structure**. A freestanding sign structure may contain a sign or signs on one (1) side only, or it may be a V-shaped structure or one containing signs back to back. A freestanding sign structure is one (1) sign.
- b) **Sign Area**. The area of a sign is the area of the face of the sign formed by a perimeter consisting of a series of straight lines enclosing all parts of the sign. The area of a freestanding sign structure is the area of the face or faces on one (1) side only.
- c) **Business Identification Sign**. A business identification sign is a sign that contains the name of the business enterprise located on the same premises as the sign and the nature of the business conducted there.
- d) **Business Identification Pylon Sign**. A business identification [pylon] sign is a sign erected on a single pole or multiple poles that contains only the name or the nature of the business conducted on the premises on which it is located.

-
- e) **Illuminated Signs.** A sign in which illumination techniques are used in any fashion to project the message on a sign.
 - f) **Portable Sign.** Temporary, moveable sign.
 - g) **Off Premises Signs.** Off premises signs are signs that advertised products or businesses that are not located on the parcel where the sign is located which would include billboards.

1100.56 *Special Exception.* A use so specifically designated in this Ordinance, that would not be appropriate for a location generally or without restriction throughout a given zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would in the opinion of the Board of Appeals, promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

1100.57 *Story.* That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no above floor, then the space between the floor and the above ceiling.

1100.58 *Story, Half.* A story in which one (1) or more exterior walls intersect a sloping roof no more than two (2) feet above the floor of such story.

1100.59 *Street.* A dedicated and accepted public right-of-way for vehicular traffic that affords the principal means of access to abutting properties.

1100.60 *Street Centerline.* That line surveyed and monumented by the governing body shall be the centerline of a street; or in the event that no centerline has been so determined, it shall be that line running midway between and parallel to the general direction of, the outside right-of-way lines of such streets.

1100.61 *Structure.* Anything constructed or erected, the use of which requires more or less permanent location on the ground, or which is attached to something having more or less permanent location on the ground. A "building," as defined in 1100.7, is a "structure."

1100.62 *Subdivision.* "Subdivision" means all divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land involving a new street or a change in existing streets, and includes resubdivision and, where appropriate, to the process of subdividing or to the land or area subdivided; provided, however, that the following exceptions are included within this definition only for the purpose of requiring that the local planning commission be informed and have record of such subdivisions:

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

1100.63 *Tract.* See "Lot," 1100.35.

1100.64 *Trailer.* Any vehicle or structure capable of moving, or being moved, over streets and highways on its own wheels or on flat beds or other carriers, which is designed or utilized to:

- 1) provide temporary or permanent quarters for the conduct of business, profession, trade, or occupation;
- 2) serve as a carrier of people, new or used goods, products, or equipment;
- 3) be used as a selling, advertising, or display device. For purposes of this Ordinance, the term "trailer" shall not include the term "camper," "mobile home," or "house trailer."

1100.65 *Travel Trailer*. A portable vehicle structure built on a chassis and designed to be used as a temporary dwelling for travel or recreational purposes.

1100.66 *Trailer, House*. The term "house trailer," for purposes of this Ordinance, shall be interchangeable with the term "Mobile Home," as defined in 1100.43.

1100.67 *Use, Accessory*. See "Accessory," 1100.1.

1100.68 *Use, Principal*. The primary purpose for which a lot is occupied and/or used.

1100.69 *Variance*. A modification of the strict terms of this Ordinance granted by the Board of Appeals where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property and not as the result of any action on the part of the property owner, a literal enforcement of the Ordinance would result in unnecessary and undue hardship, and where such modification will not authorize a principal or accessory use of the property which is not permitted within the zoning district in which the property is located.

1100.70 *Yard*. A space on the same lot with a principal building, open, unoccupied and unobstructed by building or structures from ground to sky except where encroachments and accessory buildings and structures are expressly permitted.

1100.71 *Yard, Front*. A yard situated between the front building line and the front lot line extending the full width of the lot.

1100.72 *Yard, Rear*. A yard situated between the rear building line and the rear lot line extending the full width of the lot.

1100.73 *Yard, Side*. A yard situated between a side building line and a side [lot] line and extending from the front yard to the rear yard.

1100.74 *Zoning District*. See "District," 1100.15.

ADD:

Tiny Home. Tiny homes must be at least 300 square feet and no more than 1000 square feet. The units must be a permanent fixture (no wheels). The units must be single units, no duplexes, or multiplexes. Each tiny home must follow the latest International Building Code that the City of Liberty is currently following.

Bed and Breakfast Bed and breakfast means a private owner-occupied residence providing accommodations for a charge to the public with no more than ten (10) guest rooms for rent.

