

ZONING ORDINANCE FOR CITY OF MANNING

**Adopted October 1996
Revised October 2002
Updated March 2006**

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ZONING ORDINANCE
FOR
THE CITY OF MANNING, SOUTH CAROLINA

This is an Ordinance for the City of Manning, South Carolina, regulating the location and uses of buildings, structures, land, size of buildings and other structures, size of yards, and the density of distribution of the population. This Ordinance is also for the purpose of 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 Zoning Appeals, and providing for the imposition of penalties for the violation of any provisions of this Ordinance.

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ARTICLE 1
ENACTMENT AND JURISDICTION

100 AUTHORITY

Pursuant to the authority conferred by the General Statutes of South Carolina, Code of Laws, the City of Manning does ordain and enact into law the following Articles and Sections:

101 PURPOSE

For the purpose of guiding development in accordance with existing and future needs and in accordance with a comprehensive plan, these regulations have been made in order to protect, promote and improve the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare; to lessen congestion in the streets; to secure safety from fire; to provide adequate light and air; to prevent the over-crowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public improvements.

102 TITLE

These regulations shall be known and may be cited as The Zoning Ordinance of Manning, South Carolina.

103 JURISDICTION

These regulations set forth herein shall apply to all land and improvements thereon within the boundaries of the City of Manning, South Carolina, and areas annexed thereto.

104 APPLICATIONS OF REGULATIONS

No buildings, structures, or land shall hereafter be used or occupied, and no building, structure or part thereof shall hereafter be erected, constructed, moved or structurally altered unless in conformity with all regulations of this Ordinance for the district in which it is located except as provided herein.

ARTICLE 2 DEFINITIONS

200 INTERPRETATION OF CERTAIN WORDS AND PHRASES

Except as specifically defined herein, all words used in this Ordinance have their customary dictionary definitions.

Words used in the present tense include the future tense.

Words used in the singular include the plural, and words used in the plural include the singular.

The word "shall" is mandatory; the word "may" is permissive.

The word "lot" includes the word "plat" or "parcel".

The word "structure" includes the word "building", and the words "building" or "structure" includes any parts thereof.

The word "person" includes a firm, association, organization, partnership, trust, company, corporation or any other entity usually defined in legal usage as a person, 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 "contiguous" as applied to lots or districts shall be interpreted as meaning "sharing a common boundary often (10) feet or more in length".

201 DEFINITIONS

Accessory - As applied to use or structure, means customarily and clearly subordinate or incidental, and on the same premises of such use or structure.

Alley - A minor way used or intended to be used primarily for vehicular access to the rear or side of properties otherwise abutting a street.

Amphitheater - an oval or round structure having tiers of seats rising gradually outward from an open space or arena at the center. The arena area where contests, live music concerts, plays and other public performances and rallies are held. The sponsor of events may charge a fee for admission or the events are open to the general public.

Bed and Breakfast Inns - A single dwelling unit containing less than ten (10) rental lodgings available to the public for accommodation of transient guests in which meals may or may not be provided.

Bingo Parlors - An establishment engaged primarily in operating bingo games with cash prizes and are operated for profit. These establishments often provide food and beverage services as an accessory use.

Boarding House - Same as "Rooming House".

Book Store -- establishment primarily engaged in the retailing of new or used books, newspapers, magazines, and other periodicals via electronic home shipping, mail order, or direct sales. Adult bookstores are excluded from this definition.

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.

The connection of two buildings by means of an open porch, breezeway, passageway, carport or other such open structure, with or without a roof, shall not be deemed to make them one building.

Building, Accessory - A detached building subordinate to the main building on a lot and used for purposes customarily incidental to the main or principal building and located on the same lot therewith. Uses customarily accessory to dwellings include:

Private garage not to exceed the following storage capacities:

- * One or two family dwellings: four (4) automobiles
- * Multiple-family dwellings: two (2) automobiles per dwelling unit
- * Group dwelling: 1.5 automobiles per sleeping room

Shed or tool room for the storage of equipment used in grounds or building maintenance.

Private kennel for no more than three (3) dogs or three (3) cats, four (4) months of age or older.

Private swimming pool and bathhouse or cabana.

Structures designed and used for purposes of shelter in the event of man-made or natural catastrophes.

Noncommercial flower, ornamental shrub or vegetable garden, greenhouse or salt houses not over eight (8) feet in height.

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

Club, Lodge, Civic or Fraternal Organization, Fraternity/Sorority - An incorporated or unincorporated association for civic, social, cultural, religious, literary, political, or like activities, operated for the benefit of its members and not open to the general public.

Cluster Housing - A tract of land which is planned and developed as an integral unit that provides common open space in a manner that is functional and useful to the residents of the development. As an incentive for providing such open space, conventional zoning and/or subdivision standards are relaxed to permit modifications in lot size and shape by concentrating single-family dwellings to specific areas of an overall tract.

Crematories - Funeral homes combined with crematories (cremating of the dead) are included in this definition.

Day Care Services and Facilities:

Child Day Care Center: Any agency, institution, center, home, nursery, nursery school, kindergarten, play school, or other place, however styled, and whether operated under public auspices as a private business or by an established religious denomination, in which are received for temporary custodial care apart from their parents part of the day or all of the day or night, and upon a number of successive days, one (1) or more children not related to the persons providing such temporary custodial care.

Adult Day Care Center: Any agency, institution, center, home or other place, however styled, and whether operated under public auspices as private business or by an established religious denomination, in which adults are received for temporary custodial care apart from their relatives part of the day, all of the day or night, and upon a number of successive days, one (1) or more adults not related to the persons providing such temporary custodial care. Residential mental retardation, mental health, and substance abuse facilities and community care faculties, and homes for the elderly are not included in this definition.

Family day care Center: A family day care home is one in which care is given by a family member during the day for one (1) and not more than six (6) children, including the day care parents' own children.

Community /Residential Care Facility: Establishment primarily engaged in providing twenty-four (24) hour residential and personal care services for (1) elderly and other persons who are unable to fully care for themselves; and/or (2) elderly or other persons who do not desire to live independently.

District - One of any number of continuous or contiguous geographic areas within which the provisions and regulations of this Ordinance apply uniformly to each class or kind of structure or land.

Drive-In Eating and Drinking Establishment - Any eating or drinking establishment which, by its structural design, site characteristics, or manner of food service encourages consumption of food or beverages in automobiles on the premises or upon public streets adjacent thereto.

Dwelling, Dwelling Unit, or Unit - One or more rooms connected together constituting a separate, independent housekeeping establishment physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities, but excluding lodging units located in hotels and motels.

Dwellings, Multiple-Family - A building containing three (3) or more dwelling units.

Dwelling, Single-Family Detached - A building containing no more or less than two (2) dwelling units, not physically attached to any other principal structure, and specifically excluding mobile homes.

Dwelling, Two-Family Detached (Duplex) - A building containing no more or less than two (2) dwelling units, not physically attached to any other principal structure.

Family - One (1) or more persons occupying a single dwelling unit, provided that, unless all members are related by blood or marriage, no such family shall contain over four (4) persons, but further provided that domestic servants employed on the premises may be housed within the single dwelling unit without being counted as a family or families.

Fitness and Recreational Sports Centers - Establishments primarily engaged in exercise and physical fitness conditioning and other activities such as swimming, aerobic dance, handball, and racquetball.

Flea Markets - an open air, selling of antiques, new or used household goods, etc by vendors to the general public.

Flood and Other Terms Related Thereto - Additional terms related to floods and protective measures therefrom are defined in Section 607, including Floodway, Flood Frequency, Flood Plain, Regulatory Flood, Regulatory Flood Protection, and Elevation.

Fraternal Organization, Fraternity - Same as "Club, Lodge..."

Funeral Homes - These include establishments primarily engaged in preparing the dead for burial or interment and conducting funerals (i.e. providing facilities for wake, arranging transportation for the dead, selling caskets and related merchandise).

Garage Sale/Yard Sale and Rummage Sale - The retailing of merchandise from the yard or garage or principal dwelling of a residence.

Gross Floor Area - The total horizontal area of all floors of a building including interior balconies and mezzanines, measured from the interior faces of the exterior walls of a building.

Group Commercial or Industrial Development - A single building containing twenty thousand (20,000) square floor area or two (2) or more buildings containing a combined total of twenty thousand (20,000) square feet gross floor area.

Group Housing Development - A single lot of record upon which is erected more than one (1) building containing dwelling units, whether rented or sold, and all the structures thereon; or a single lot upon which is erected a single structure designed to contain more than three (3) or more dwelling units.

Home Occupation - An occupation, profession, or trade customarily and commonly carried out by an occupant in a dwelling unit as a secondary use which is clearly incidental and subordinate to the residential character of the dwelling unit, and which, for purposes of this Ordinance, shall in all cases comply with the provisions of Section 713 herein.

Hotels and Motels - A building or part of a building containing ten (10) or more rental lodgings available to the public for accommodation of transient guests in which meals may or may not be provided.

Junk, Salvage, Scrap, or Wrecking Yards - Any use involving storage or processing of inoperable, disused, dismantled, or wrecked vehicles, equipment, or machinery, or the storage or processing of scrap metal, waste paper, rags, food processing wastes, construction wastes, industrial wastes, second-hand building materials or other scrap, salvage, waste, or junk materials.

Lot - An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed. The terms "lot", "plot", "lot of record", "property", or "tract" whenever used in this Ordinance are interchangeable.

Lot of Record - A lot defined by plat or described by metes and bounds which has been duly recorded with the Clerk of Court of Clarendon County.

Lot Types -

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

Lot, Double Frontage - A lot which has frontage on more than one (1) street, provided however, that no corner lot has frontage on three (3) or more streets.

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

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

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

Mobile Home/Manufactured Home - A movable or portable dwelling over thirty-two (32) feet in length and eight (8) feet or more in width, constructed to be towed on its own chassis and designed without a permanent foundation for year-round occupancy, and one which may include one (1) or more components than can be retracted for towing purposes and subsequently expanded for additional capacity; or of two (2) or more units separately towable but designed to be joined into one (1) integral unit, as well as a portable dwelling composed of a single unit.

The term "mobile home" used in this Ordinance shall not include prefabricated, modular or unitized dwellings placed on permanent foundations, nor shall it refer to travel trailers, campers, or similar units designed for recreation or other short-term uses unless used for a permanent dwelling.

Double-wide Mobile Home - A double-wide mobile home is a mobile home with two (2) or more units separately towable but designed to be joined into one (1) integral unit at the site.

Expandable Mobile Home - An expandable mobile home is a mobile home with one (1) or more room sections that fold, collapse or telescope into the principal unit when being transported and which can be expanded at the site to provide additional living area.

Mobile Home Park - Premises where three (3) 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 by mobile homes for living or sleeping purposes, including any land, building, structure, or facility used by occupants or mobile homes on such premises.

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

Nonconformity - A term applied to lots, structures, uses of land or structures, and characteristics of uses of land or structures which were lawful before the passage or amendment of this Ordinance, but which would be prohibited or regulated and restricted under the terms of this Ordinance or future amendment.

Park - An area or facility intended to be used for recreation, exercise, sports, or similar activities, or an area intended to enhance the enjoyment of natural features or natural beauty, but specifically excluding commercially operated amusement parks.

Parking Space, Offstreet - An area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street arranged so that no maneuvering incidental to parking shall be on any public street and so that an automobile may be parked or unparked therein without moving any other automobile.

Pet and Supplies Store – An establishment primarily engaged in the retailing of pets, pet food, and pet supplies. Pet care services, to include veterinary services, grooming services and boarding services, are excluded from this definition.

Principal Use - The significant or primary activity carried out within a structure or upon land (such as retail sales within a store or occupancy of a dwelling unit as a resident) as contrasted to accessory uses which are incidental or subordinate to primary uses (such as sale of soft drinks at an automobile service station). Certain uses may be either principal or accessory, depending on their relationship with other uses, as for example a newsstand as an accessory use within a hotel lobby or as a principal use within a separate structure.

Rooming and Boarding House - A building containing a single dwelling unit in which three (3) or more, but not more than twelve (12) nontransient persons, who are not members of the owner's or operator's family, are lodged, for compensation, with or without meals.

Setback Line - The setback line is the same as the depth or width of any required yard. Note that such line defines the minimum distance between any structure and an adjacent lot boundary and is not necessarily the same as the building line, which is the distance between the actual structure and an adjacent lot boundary.

Sight Area - The horizontal dimensions of sight areas are defined as triangular areas formed by the intersecting street lines and a straight line joining said street lines at points which are fifteen (15) feet distant from the point of intersection of the street lines in commercial and industrial districts and twenty-five (25) feet distant from the point of intersection of the street lines in residential districts, measured along the street lines. Such sight areas shall be established regardless of the angle of intersection of the street lines. The vertical dimensions of sight areas are defined as that vertical space between the height of two and one-half (2 1/2) feet and ten (10) feet in elevation above the nearest edge of street pavement of a paved street or above the nearest edge of riding surface of an unpaved street.

Sign - The word "sign" shall mean and include every sign, billboard, poster panel, free-standing ground 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 interest of any person when the same is placed in view of the general public, traveling along a public street right-of-way.

Advertising Sign – Any sign which relates in its subject matter to products, accommodations, services, or activities sold or offered elsewhere than upon the premises on which the sign is located. Mobile signs and portable signs may be advertising signs, and advertising signs include, but are not limited to, those signs commonly referred to as outdoor advertising signs, billboards, or poster boards.

Free-standing Sign Structure – A free-standing 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 free-standing sign structure is one (1) sign.

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

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.

Business Identification Pylon Sign – A business identification pylon sign is a sign erected on a single pole or multiple poles which contain only the name or the nature of the business conducted on the premises on which it is located.

Illuminated Signs – When artificial illumination techniques are used in any fashion to project the message on a sign, that sign shall be an illuminated sign.

Mobile Sign – A sign which may be moved from one location to another, is not permanently affixed to the ground, and is differentiated from a "portable sign" in that it may be equipped for transporting by motor vehicle or other mechanical means and including signs referred to as trailer signs. Those signs may be considered as either business signs or advertising signs according to their utilization. Any mobile sign used on the same lot for more than 45 days per year will be considered a freestanding sign.

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

Portable Sign – A sign which is movable by a person without aid of a motor vehicle or other mechanical equipment; a sign that is not permanent, affixed to a building, structure, or the ground. Those signs may be considered as either business signs or advertising signs, according to their utilization.

Temporary Sign – A sign or advertising display constructed on cloth, canvas, fabric, plywood, or other light material and designed or intended to be displayed for a short period of time.

A sign permit shall be obtained from the Zoning Administrator before placing any of the above signs on a lot or building.

Special Exception - A use granted by the Board of Zoning Appeals after a public hearing and a finding by the Board that the use meets specified conditions.

Street - A public thoroughfare designed to provide the principal means of access to abutting property, or designed to serve as a roadway for vehicular travel, or both, but excluding alleys.

Street Line - The right-of-way of a street.

Structure - Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground, including for the purposes of this Ordinance mobile homes, travel trailers, signs, mobile signs, portable signs, and satellite dishes, but excluding from definition as structures minor landscaping features such as ornamental pools, planting boxes, bird baths, paved surfaces, walkways, driveways, recreational equipment, flagpoles, and mailboxes.

Travel Trailer Parks - Any site, tract of land or lot upon which not less than two (2) overnight camp sites and/or overnight camping trailers occupied for temporary shelter, dwelling, recreation or vacation uses regardless of whether or not a charge is made for such services.

Yard - An open space unoccupied and unobstructed by any structure or portion thereof from a height of thirty (30) inches above the finished grade level of the ground, except as otherwise provided herein.

Yard, Front - A yard across the full width of the lot, measured from the front line of the lot.

Yard, Rear - A yard across the full width of the lot, measured from the rear line of the lot.

Yard, Side - A yard measured from the side line of the lot extending from the front yard to the rear yard.

**ARTICLE 3
ESTABLISHMENT OF DISTRICTS AND ZONING MAP**

300 ESTABLISHMENT OF DISTRICTS

For the purpose of these regulations, the City of Manning is hereby divided into the following districts:

Residential Districts

DD Development District
RS Single Family Residential District
MR Mixed Residential District
GR General Residential District
MH Mobile Home Residential District

Commercial Districts

OC Office Commercial
NC Neighborhood Commercial
GC General Commercial District
CC Core Commercial

Industrial Districts

LI Light/Limited Industrial District
HI Heavy Industrial

301 DISTRICT BOUNDARIES ESTABLISHED BY ZONING MAP

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

302 OFFICIAL ZONING MAP

At least one copy of the Official Zoning Map shall be maintained in the office of the Zoning Administrator. Such Official Zoning Map shall be attested by the City Clerk, and shall be available at all times for inspection by the general public.

If, in accordance with the provisions of this Ordinance and the South Carolina Code of Laws, changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Council. No amendment to this Ordinance which involves matters portrayed on the Official Zoning Map shall become effective until after such changes have been made on said Map.

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

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map maintained in the office of the Zoning Administrator plus official records of the City Clerk regarding actions of City Council to amend district boundaries shall constitute the only official description of the location of zoning district boundaries, and persons having recourse to this Ordinance for any purpose are hereby so notified.

303 INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists as to the boundaries of any zoning district, the following general rules of interpretation shall apply. It is the duty of the Zoning Administrator to interpret the location of zoning district boundaries. An appeal from an interpretation or finding of the Zoning Administrator may be taken as specified in Article 8, Section 808.

303.1 MAP SYMBOLS

A district or letter/number combination on the Official Zoning Map showing that the regulations pertaining to the district so designated extend throughout the whole area bounded by the district boundary line within which the designation appears.

303.2 WHERE BOUNDARIES APPROXIMATELY FOLLOW MANMADE OR NATURAL FEATURES.

District boundaries indicated as approximately following:

- 1) the center line of streets, highways, or alleys,
- 2) platted lot lines,
- 3) City limits,
- 4) railroad lines, or
- 5) the center lines of stream beds or other bodies of water, shall be construed to follow said features.

303.3 WHERE BOUNDARIES APPROXIMATELY PARALLEL OR ARE EXTENSIONS OF ABOVE FEATURES.

District boundaries indicated as approximately parallel to or extensions of features listed in Article 3, Section 303.2 shall be so construed and at such distances there from as indicated on the Official Zoning Map shall be determined by the scale of the Map.

ARTICLE 4
APPLICATION OF REGULATIONS

400 REGULATIONS REGARDED AS MINIMUM

Within each district, the regulations set forth by this Ordinance shall apply uniformly to each class or kind of structure or land. In their interpretation and application, the provisions of this Ordinance shall be held to the minimum requirements, adopted for the promotion of the public health, safety, morals, or general welfare.

401 ZONING AFFECTS POPULATION DENSITY, LOT COVERAGE YARDS AND OPEN SPACES

No building or other structure shall hereafter be created or altered

- 1) to accommodate or house a greater number of families than permitted;
- 2) to occupy a greater percentage of lot area than permitted; or
- 3) to leave a narrower or smaller rear yard, front yard, side yard, or other open space than required herein, or in any manner contrary to the provisions of this Ordinance.

402 YARD OR OPEN SPACE, OFFSTREET PARKING OR LOADING SPACE REQUIREMENTS FOR ONE BUILDING NOT TO BE INCLUDED AS SUCH REQUIREMENTS FOR ANY OTHER BUILDING

No part of a yard, or other open space or offstreet parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance shall be included as part of a yard, open space, or offstreet parking or loading space similarly required of any other building or use.

403 REDUCTION OF LOT AREA PROHIBITED

No yard or lot existing at the time of passage of these regulations shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of these regulations shall meet at least the minimum requirements established by these regulations.

404 RIGHTS-OF-WAY NOT TO BE CONSIDERED A PART OF LOT OR OPEN SPACE

Right-of-way easements for streets and roads shall not be considered a part of a lot or open space, or front, rear or side yard for the purpose of meeting lot dimension or area or yard requirements.

**ARTICLE 5
GENERAL PROVISIONS**

500 NONCONFORMITIES

It is the intent of this Ordinance to permit nonconformities to continue until they are removed but not to encourage their survival. Nonconformities are declared by this Ordinance to be incompatible with permitted uses in the districts involved. It is further the intent of this Ordinance that nonconformities shall not be enlarged upon, expanded or extended, reconstructed to continue nonconformity after major damage, or used as grounds for adding other structures or uses prohibited elsewhere in the same district.

500.1 CONTINUANCE OF NONCONFORMING USES, STRUCTURES, OR CHARACTERISTICS

500.1.1 CHANGE TO ANOTHER NONCONFORMING USE

A nonconforming use, structure, characteristic of use shall not be changed to another nonconforming use, structure, or characteristic of use unless the Board of Zoning Appeals finds that the new use, structure, or characteristic of use is more in character with the uses permitted in the district, in which case the Board of Zoning Appeals may permit such change as a special exception. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with the purpose of this Ordinance.

500.1.2 RECONSTRUCTION

A nonconforming structure shall not be demolished or removed and rebuilt or replaced as a nonconforming structure.

500.1.3 EXTENSION OR ENLARGEMENT

A nonconforming use, structure, or characteristic of use shall not be extended, enlarged, or intensified except in conformity with this Ordinance, provided, however, that any nonconforming use may be extended throughout any parts of a building where manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, provided, that the number of dwelling units in a nonconforming dwelling use shall not be increased over or exceed the number of dwelling units existing in the nonconforming use on the effective date of this Ordinance. No nonconforming use shall be extended to occupy any land outside such building.

500.1.4 REESTABLISHMENT

A nonconforming use or characteristic of use shall not be reestablished after vacancy, abandonment, or discontinuance for any period of twelve (12) consecutive months, except where Section 500.1.1 applies.

500.1.5 RECONSTRUCTION AFTER DAMAGE

A nonconforming structure shall not be rebuilt, altered, or repaired except in conformity with this Ordinance after being damaged in excess of fifty (50) percent of the replacement cost of the structure at the time of damage, provided that any permitted reconstruction shall be begun within six (6) months from the time of damage. The provisions of this subsection shall not apply to any owner-occupied dwelling.

500.1.6 REPAIR OR MAINTENANCE OF NONCONFORMING STRUCTURES

On any building devoted in whole or in part to any nonconformities, work may be done on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing, provided that the cubic content of the building as it existed at the time of passage or amendment of this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

500.2 DISCONTINUANCE OF CERTAIN NONCONFORMING LAND USES

Notwithstanding other provisions of this Ordinance, certain nonconforming land uses shall be discontinued either generally or in specific districts after periods of time set forth below. Upon application to the Board of Zoning Appeals, the Board, either according to general rule or upon findings in the specific case, may permit not more than one extension for not more than the time period indicated.

The date on which nonconforming land uses listed must cease shall be set forth on the certificate for occupancy for each, and if extension is granted, the termination date of such extension shall be added to the certificate of occupancy.

<u>NONCONFORMITIES</u>	<u>DISTRICT</u>	<u>DISCONTINUED</u>	<u>EXTENSION</u>
Wrecking, junk, scrap or salvage yards	All districts	2 years	6 months
Automotive & other sales lots, outdoor sales areas, outdoor storage yards for lumber, building materials, contractor's equipment	residential	2 years	6 months
Nonconforming structures and vegetation impeding vision at intersections.	All	180 days	30 days

500.3 NONCONFORMING LOTS OF RECORD

500.3.1 SINGLE LOTS

Notwithstanding limitations imposed by other provisions of this ordinance, a single-family dwelling or single-family mobile home and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance, so long as a single-family dwelling or single-family mobile home is a permitted use in that district. Such a lot must be in separate ownership and not of continuous frontage with other lots in the same ownership at the effective date of adoption or amendment of this ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements not involving area, width, or both, shall conform to the regulations for the district in which such lot is located.

500.3.2 ADJOINING LOTS

If two or more adjoining lots with continuous frontage are in single ownership at any time after the adoption or amendment of this ordinance and such lots individually are too small to meet the yard, width, or area requirements of the district in which they are located, such groups of lots shall be considered as a single lot or several lots of minimum permitted size and the land or lots in one ownership shall be subject to the requirements of this ordinance.

500.3.3 CONVERSION OF USE ON NONCONFORMING LOTS

The minimum yard requirements of this ordinance shall not be construed as prohibiting the conversion of an existing building which does not meet the minimum yard requirements to another use, so long as no further encroachment is made into the existing yards.

501 PRIOR BUILDING PERMITS

Nothing herein contained shall require any change in the plans, construction, or designated use of a structure for which a building permit has been heretofore legally issued and the construction of which shall have actually begun within ninety (90) days of the date of such permit and which entire structures shall be completed, according to such plans as are filed, within two (2) years after the effective date of this ordinance.

502 LOTS IN MULTIPLE DISTRICTS

Where a district boundary line as appearing on the official zoning map divides a lot in single ownership at the time of adoption of this ordinance or subsequent amendment into two or more different zoning districts, the district least restrictive in the opinion of the owner shall be deemed to apply to the whole thereof, providing, however, that in no case shall a zoning district boundary line dividing said lot be extended into any zoning district in excess of fifty (50) feet beyond the district boundary line dividing said lot.

503 BUILDING AND LOT TO HAVE ACCESS

Every building hereafter erected, structurally altered, or moved shall be on a lot adjacent to a public street or on a lot adjacent to a private street which meets all standards of the County and/or Highway Department.

504 ACCESSIBILITY FOR FIRE PROTECTION

Access for fire fighting equipment shall be provided to all structures hereafter erected.

505 ONE PRINCIPAL STRUCTURE PER LOT

No more than one (1) principle building and its customary accessory buildings may hereafter be erected on any residential lot, except as otherwise provided by this Ordinance.

506 ANNEXATION

Unless otherwise established by annexation ordinance, when annexation is accomplished the annexed area shall be classified RS-20, with such zoning district classification effective upon the effective date of the annexation. Immediately after the effective date of such annexation, the Zoning Administrator shall initiate zoning amendment proceedings as specified in Article 9 for the purposes of establishing appropriate zoning classifications for such annexed areas, and the public hearing therefore shall be scheduled to be held not more than ninety (90) days after the effective date of annexation.

507 WATER AND AIR POLLUTION

All uses must satisfactorily comply with the requirements of the South Carolina Department of Health and Environmental Control and the Clarendon County Department of Health regarding the protection of waterways from pollution by waste materials and the protection of the atmosphere from pollution by dust, smoke, or other waste materials.

508 SPECIAL EXCEPTIONS

Existing uses which by the terms of this Ordinance would be permissible only as special exceptions are hereby declared existing, conforming uses requiring no further action. Any use for which a special exception is required, or for which a special exception may be granted as provided in this Ordinance, in any district in which such use is provisionally permitted, shall be considered a conforming use once approval is granted by the Board of Zoning Appeals.

509 PROHIBITED USES

Any use which is not expressly permitted in a district shall be prohibited.

**ARTICLE 6
DISTRICT REGULATIONS**

600 DEVELOPMENT DISTRICT - DD

This district is intended to provide for large tracts of land located primarily on the fringe of urban growth where the predominate character of urban development has not yet been fully established, but where the current characteristics of use are predominantly residential, agricultural, or semi-developed, with scattered related uses. Certain structures and uses required to serve governmental, educational, religious, recreational, and other needs of such areas are permitted out-right or are permissible as special exceptions subject to restrictions and requirements intended to assure compatibility of uses within the district and adjacent thereto. It is further recognized that future demand for developable land will generate requests for amendments in zone designation to remove land from the DD classification and place it into other more intensely developed classifications as a natural consequence of urban expansion.

601 SINGLE FAMILY RESIDENTIAL DISTRICT - RS-6, RS-10 AND RS-20

The districts are intended for quiet, livable, low density neighborhoods with single-family detached dwellings on separate lots. The intent of this district is to prohibit the commercial and industrial uses of land and disallow any other use that would substantially interfere with the development or continuation of single-family detached dwelling in the district. The terms of this district promote the discontinuance of existing uses that would not be permitted as new uses under the provision of this section.

602 MOBILE HOME/MANUFACTURED HOME DISTRICT - MH

It is the intent of this district to provide "affordable" housing alternatives, and to promote compatibility of mobile home development with the City's predominantly single-family (conventional) residential housing environment.

603 GENERAL RESIDENTIAL DISTRICT - RG-1, RG-2

It is the intent of this district to provide for single-family and multi-family residential uses. Areas so designated are deemed suited to and have potential for such uses. This designation is applied principally to existing two-family projects and vacant land where unit and density flexibility will not adversely impact existing single-family residential uses.

604 OFFICE COMMERCIAL DISTRICT- OC

The intent of the OC-Office Commercial District is to develop and reserve land for business, office, institutional, specified public, semi-public, and residential purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a quiet, compatible and uncongested environment for office-type business or professional firms intermingled with dwellings and certain public or semi-public uses, and to discourage any encroachment by restricted retail uses capable of adversely affecting the specialized commercial, institutional and residential character of the district.

605 NEIGHBORHOOD COMMERCIAL - NC

This district is intended to accommodate commercial and service uses oriented primarily to servicing the needs of persons who live or work in nearby areas. Certain related structures and uses required to serve the needs of the areas are permitted outright or are permissible as special exceptions subject to restrictions and requirements intended to best fulfill the intent of this chapter.

606 GENERAL COMMERCIAL DISTRICT - GC

It is the intent of this Section that the GC Zoning District be developed and reserved for general business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible and economically healthy environment for business, financial, service, and professional uses which benefit from being located in close proximity to each other; and to discourage any encroachment by industrial, residential or other uses considered capable of adversely affecting the basic commercial character of the district.

607 CENTRAL/CORE BUSINESS DISTRICT - CC

This district is intended to accommodate those uses, which, taken together, form the central business district, characterized by retail core uses, intensive office employment and complimentary uses intended to service persons who shop or work in the central business district. Certain related structures and uses required to serve the needs of the area are permitted outright or are permissible as special exceptions subject to restrictions and requirements intended to best fulfill the needs of this district. Since the central business district of the City serves a unique and special function, it is the intent of this Chapter that the CC district classification be applied to one contiguous and continuous area.

608 LIGHT/LIMITED INDUSTRIAL DISTRICT - LI

This district is intended to accommodate wholesaling, distribution, storage, processing, light manufacturing and general commercial uses. Certain related structures and uses required to serve the needs of such uses are permitted outright or are permissible as special exceptions subject to restrictions and requirements intended to best fulfill the intent of this chapter.

609 HEAVY INDUSTRIAL DISTRICT - HI

This district is intended to accommodate primarily those uses of a manufacturing and industrial nature, and secondarily those uses which are functionally related thereto such as distribution storage, and processing. General commercial uses are allowed but are considered incidental to the predominantly industrial nature of the district. Certain related structures and uses required to serve the needs of the primary uses are permitted outright or are permissible as special exceptions or are prohibited in order to protect such uses from the potentially incompatible characteristics of industrial areas.

610 -FW AND -FP FLOOD PLAIN PROTECTIVE AREAS

The "-FW" and "-FP" designations are not intended to be utilized as district classification, but as designations which identify areas subject to regulations which are supplementary to the regulations of the district to which such designations are attached, appended, or "overlaid". Regulations which apply to areas designated on the Zoning Map as being within such appended or overlaid designations must be determined by joint reference to the regulations of both the basic district classification and the appended or overlaid classification.

611 PUD - PLANNED UNIT DEVELOPMENT DISTRICT

The intent of planned unit development districts is to derive the benefits of efficiency, economy, and flexibility by encouraging unified development of large sites, while also obtaining the advantage of creative site design, improved appearance, compatibility of uses, optimum service by community facilities, and better functioning of vehicular access and circulation. It is the intent of this chapter to allow development of large sites subject to specific regulations concerning permitted uses, but only subject to regulations concerning lot area, building coverage, yard spaces, and building height in so far as the city council shall deem appropriate to fulfill the intent of this chapter, upon presentation of certification from the owners, developers, or other parties at interest in the development of such sites that they will adhere to development policies which will fulfill the intent of this chapter

612 TABLE OF PERMITTED USES

Uses permitted in the General Zoning districts shall be as set forth in Table 1 and as modified by special provisions, exceptions and conditions contained elsewhere herein.

A. Symbols used in Table 1 are as follows:

1. "P" means that the indicated use is permitted in the indicated district.
2. "E" means that the indicated use is permitted in the indicated district, subject to the granting of a special exception by the Board of Zoning Appeals.
3. "A" means that the indicated use is permitted as an accessory use in the indicated district.
4. "A/E" means that the indicated use is permitted as an accessory use in the indicated district but is also permitted in these districts as a principal use if approved by the Board of Zoning Appeals as a special exception.
5. "C" means that the indicated use is permitted as a conditional use subject to meeting the conditions specified in the ordinance if approved by the Zoning Administrator.

B. Any use not permitted in a district is expressly prohibited (denoted by "-").

- C. A Section number following the use category means that the use is allowed, but must meet the conditions and requirements set forth in the Ordinance.
- D. The Zoning Administrator may utilize the Standard Industrial Classification Manual to determine the appropriate classification of a land use not indicated or listed.
- E. In residential districts, the following uses are prohibited:
 - 1. Storage in connection with a trade;
 - 2. Storage or long-term parking of commercial vehicles or industrial storage in excess of one day (See Section 722); and
 - 3. Storage of building materials except in connection with active construction.
- F. Any residential use lawfully existing within the OC, GC, or LI districts at the time of the adoption of this Ordinance shall be considered a conforming use. In case of fire or other disaster, these units can reconstruct.
- G. The bulk storage of petroleum products shall be permitted as an accessory use as part of a farm operation, provided no more than 10,000 gallons shall be stored on the property and such storage facility shall be located no closer than 100 feet from any dwelling unit.
- H. The raising of farm animals (hogs, chickens, cows, etc.) in a residential district (MH, RS, GR) shall be prohibited.

CITY OF MANNING ZONING DISTRICT

SECTION 612 TABLE OF PERMITTED USES - TABLE 1

LAND USES	DD	RS	MH	GR	OC	LC	NC	CC	GC	LI	HI	OFFSTREET PARKING
612.1 RESIDENTIAL												
1.1 Single-Family Dwelling	P	P	P	P	E	P/A	-	E	E	A	A	Two spaces per dwelling unit
1.2 Single-Family Dwelling (In Group Housing)	P	E	E	P	E	E	-	E	E	-	-	Two spaces per dwelling unit
1.3 Multi-Family, Triplexes	-	-	-	P	-	-	-	-	-	-	-	Two spaces per dwelling unit
1.4 Duplex	-	-	-	P	-	-	-	-	-	-	-	Two spaces per dwelling unit
1.5 Bed and Breakfast Homestay	-	E	E	E	E	E	-	-	P	-	-	One space per guest room, plus two spaces for the primary use
1.6 Manufacturing Housing On Individual Lot	-	-	P	-	-	-	-	-	-	-	-	Two spaces per unit
(See Section 716)												
1.7 Manufactured Housing	-	-	E	-	-	-	-	-	-	-	-	Two spaces per unit
In Groups Housing Development												
1.8 Manufactured Housing Park (Sec 721)	-	-	E	-	-	-	-	-	-	-	-	Two spaces per unit
1.9 Dormitory	E	-	-	E	-	-	-	-	-	-	-	One space per sleeping quarter
1.10 Apartments	-	-	-	P	-	-	-	E	E	-	-	Two spaces per unit
612.2 COMMERCIAL												
2.1 Offices	-	-	-	-	P	E	P	P	P	A	A	One space per 200 square feet of GFA
2.1.1 Medical Offices	-	-	-	-	P	E	P	P	P	A	A	Five spaces per doctor
2.1.2 Real Estate and Other Offices	-	-	-	-	P	E	P	P	P	A	-	One space per 250 square feet of GFA
2.1.3 Engineering	-	-	-	-	P	E	P	P	P	A	-	One space per 250 square feet of GFA
2.1.4 Accounting/Bookkeeping	-	-	-	-	P	E	P	P	P	A	-	One space per 250 square feet of GFA
2.1.5 Financial Institutions	-	-	-	-	-	-	-	P	P	A	-	One space per 250 square feet of GFA
2.1.6 Attorney & Legal Services	-	-	-	-	P	E	P	P	P	-	-	One space per 200 square feet of GFA
2.1.7 Business & Management Consultant	-	-	-	-	P	E	P	P	P	-	-	One space per 200 square feet of GFA
2.1.8 Data Processing Service	-	-	-	-	P	E	P	P	P	-	-	One space per 200 square feet of GFA
2.1.9 Detective Agency, Security Guard Services	-	-	-	-	P	E	P	P	P	-	-	One space per 200 square feet of GFA
2.1.10 Secretarial, Stenographers, Typesetting	-	-	-	-	P	E	P	P	P	-	-	One space per 200 square feet of GFA
2.1.11 Tax Services	-	-	-	-	P	E	P	P	P	-	-	One space per 200 square feet of GFA

**CITY OF MANNING ZONING DISTRICT
SECTION 612 TABLE OF PERMITTED USES - TABLE 1**

LAND USES	DD	RS	MH	GR	OC	LC	NC	CC	GC	LI	HI	OFFSTREET PARKING
2.1.12 Paging, Telephone & Answering Service	-	-	-	-	P	E	P	P	P	-	-	One space per 200 square feet of GFA
2.1.13 Surveyors	-	-	-	-	P	E	P	P	P	-	-	One space per 200 square feet of GFA
2.1.14 Dog Kennels	-	-	-	-	-	-	-	-	E	E	-	One space per 200 square feet of GFA
2.2 PUBLIC BUILDINGS/FACILITIES												
2.2.1 Government Buildings	E	E	E	E	P	-	P	P	P	P	P	One space per 250 square feet of GFA
2.2.2 Fire Stations	E	E	E	E	P	-	P	P	P	P	P	One space per 250 square feet of GFA
2.2.3 Library	E	E	E	E	P	-	P	P	P	P	-	One space per 250 square feet of GFA
2.2.4 Police Station	E	E	E	E	P	-	P	P	P	P	-	One space per 250 square feet of GFA
2.2.5 Utility Substation	P	E	E	E	E	-	E	P	P	P	P	One space per 200 square feet of GFA
2.2.6 Sewage Treatment Station	E	E	E	E	E	-	E	E	E	E	P	One space per 300 square feet of GFA
2.2.7 Water Treatment Station	-	-	-	-	E	-	E	-	-	E	P	One space per 200 square feet of GFA
2.2.8 Airport	-	-	-	-	-	-	-	-	-	E	-	No minimum
2.2.9 Park/Playground/Playfield	E	E	E	E	P	-	P	E	E	-	-	One space per four spectator seats
2.3 RETAIL SHOP												
2.3.1 Lumber/Building/Supply Yards	-	-	-	-	-	-	-	E	E	P	P	One space per 250 square feet of GFA
2.3.2 Garden	-	-	-	-	-	-	P	E	E	P	-	One space per 250 square feet of GFA
2.3.4 Paint/Glass/Wallpaper Stores	-	-	-	-	-	-	-	P	P	-	-	One space per 250 square feet of GFA
2.3.5 Retail/Wholesale Nurseries	-	-	-	-	-	-	P	E	P	P	-	One space per 250 square feet of GFA
2.3.6 Plumbing Supply & Equipment - Retail/Wholesale	-	-	-	-	-	-	-	P	P	P	-	One space per 250 square feet of GFA
2.4 GENERAL MERCHANDISE STORES												
2.4.1 Department Stores	-	-	-	-	-	-	-	P	P	-	-	One space per 250 square feet of GFA
2.4.2 Variety Stores	-	-	-	-	-	-	P	P	P	-	-	One space per 250 square feet of GFA
2.5 FOOD STORES												
2.5.1 Grocery Stores	-	-	-	-	-	-	P	P	P	-	-	One space per 250 square feet of GFA
2.5.2 Fruit Stores	-	-	-	-	-	-	P	P	P	-	-	One space per 250 square feet of GFA
2.5.3 Vegetable Markets	-	-	-	-	-	-	P	P	P	-	-	One space per 250 square feet of GFA
2.5.4 Retail Bakeries	-	-	-	-	-	-	P	P	P	A	-	One space per 250 square feet of GFA
2.6 FURNITURE/HOME FURNISHINGS/ EQUIPMENT STORE	-	-	-	-	-	-	P	P	P	A	-	One space per 250 square feet of GFA (not used for storage)

CITY OF MANNING ZONING DISTRICT

SECTION 612 TABLE OF PERMITTED USES - TABLE 1

LAND USES		DD	RS	MH	GR	OC	LC	NC	CC	GC	LI	HI	OFFSTREET PARKING
2.7 MISCELLANEOUS RETAIL													
2.7.1 Drug Stores		-	-	-	-	-	-	P	P	P	-	-	One space per 250 square feet of GFA (not used for storage)
2.7.2 Liquor Stores		-	-	-	-	-	-	E	P	P	-	-	One space per 250 square feet of GFA
2.7.3 Used Merchandise Stores		-	-	-	-	-	-	E	P	C	P	-	One space per 250 square feet of GFA
2.7.4 Florist		-	-	-	-	-	E	P	P	P	P	-	One space per 250 square feet of GFA
2.7.5 Antique Shops		-	-	-	-	-	-	E	P	P	-	-	One space per 250 square feet of GFA
2.7.6 Pet & Pet Supplies		-	-	-	-	-	-	-	P	P	-	-	One space per 250 square feet of GFA
2.7.7 Book Stores		-	-	-	-	-	-	-	P	P	-	-	One space per 250 square feet of GFA
2.7.8 Art Supply Stores		-	-	-	-	-	-	E	P	P	-	-	One space per 250 square feet of GFA
2.7.9 Candle Shops		-	-	-	-	-	-	E	P	P	-	-	One space per 250 square feet of GFA
2.7.10 Cemetery Memorial Dealers		-	-	-	-	-	-	-	-	P	-	-	One space per 250 square feet of GFA
2.7.11 Collectors Shops		-	-	-	-	-	-	E	P	P	-	-	One space per 250 square feet of GFA
2.7.12 Fireworks Shops		-	-	-	-	-	-	E	-	P	-	-	One space per 250 square feet of GFA
2.7.13 Flower Shops, Artificial or Dried		-	-	-	-	-	-	P	P	P	-	-	One space per 250 square feet of GFA
2.7.14 General Merchandise Auction Houses		-	-	-	-	-	-	E	P	P	-	-	One space per 250 square feet of GFA
2.7.15 Home Security Equipment Stores		-	-	-	-	-	-	E	P	P	-	-	One space per 250 square feet of GFA
2.7.16 Hot Tub Stores		-	-	-	-	-	-	E	P	P	-	-	One space per 250 square feet of GFA
2.7.17 Swimming Pool Supply Stores		-	-	-	-	-	-	E	E	P	-	-	One space per 250 square feet of GFA
2.7.18 Trophy Shops		-	-	-	-	-	-	P	P	P	-	-	One space per 250 square feet of GFA
2.7.19 Hardware Stores		-	-	-	-	-	-	E	P	P	-	-	One space per 250 square feet of GFA
2.7.20 Computer Sales, Service and Repair		-	-	-	-	-	E	P	P	P	A	-	One space per 250 square feet of GFA
2.7.21 Carpet, Retail & Wholesale, Cleaning, & Installation		-	-	-	-	-	-	-	P	P	-	-	One space per 250 square feet of GFA
2.7.22 Janitor Supplies		-	-	-	-	-	-	-	P	P	-	-	One space per 250 square feet of GFA
2.7.23 Video Tape Rental		-	-	-	-	-	-	P	P	P	-	-	One space per 250 square feet of GFA
2.7.24 Flea Market - Subject to Section 726		-	-	-	-	-	-	-	-	E	-	-	
2.8 BUSINESS SERVICES													
2.8.1 Hotel/Rooming House		-	-	-	-	-	-	-	E	P	-	-	One space for each guest room plus one space for each 3 employees

**CITY OF MANNING ZONING DISTRICT
SECTION 612 TABLE OF PERMITTED USES - TABLE 1**

LAND USES	DD	RS	MH	GR	OC	LC	NC	CC	GC	LI	HI	OFFSTREET PARKING
2.8.2 Hotel/Motel	-	-	-	-	-	-	-	E	P	-	-	One space for each guest room plus one space for each 3 employees
2.8.3 Rooming/Boarding House	-	-	-	-	-	-	-	E	P	-	-	One space for each guest room plus one space for each 3 employees
2.8.4 Camps/Trailer Parks	-	-	-	-	-	-	-	-	-	-	-	One space for each guest room plus one space for each 3 employees
2.8.5 Bed and Breakfast Establishments	-	E	-	E	-	E	-	E	P	-	-	One space for each guest room plus one space for each 3 employees
2.9 PERSONAL SERVICE												
2.9.1 Laundry/Cleaning/Garment Services	-	-	-	-	-	-	E	P	P	P	P	One space for each 300 square feet of GFA
2.9.3 Beauty Shops (See Sections 713 & 725)	-	E	E	E	E	E	P	P	P	-	-	One space for each 300 square feet of GFA
2.9.4 Barber Shops (See Sections 713 & 725)	-	E	E	E	E	E	P	P	P	-	-	One space for each 300 square feet of GFA
2.9.5 Shoe Repair Shops	-	-	-	-	-	-	P	P	P	-	-	One space for each 300 square feet of GFA
2.9.6 Funeral Homes	-	-	-	-	-	-	-	E	P	P	-	One space for each 300 square feet of GFA
2.9.7 Taxicab Services & Other Local/Inter-Urban Highway Transportation Services	-	-	-	-	-	-	-	-	-	-	-	One space for each 300 square feet of GFA
2.9.8 Photographer & Photograph Developing	-	-	-	-	-	E	P	P	P	-	-	One space per 250 square feet of GFA
2.9.9 Clothing Alteration	-	-	-	-	-	E	P	P	P	-	-	One space per 250 square feet of GFA
2.9.10 Caterers	-	-	-	-	-	E	P	P	P	-	-	One space per 250 square feet of GFA
2.9.11 Uniform Supply & Rental Service	-	-	-	-	-	-	-	-	P	P	-	One space per 250 square feet of GFA
2.9.12 Pest Control Service, Exterminators	-	-	-	-	-	-	-	P	P	-	-	One space per 250 square feet of GFA
2.9.13 Janitors, or Housekeeping Services	-	-	-	-	-	E	-	P	P	-	-	One space per 250 square feet of GFA
2.9.14 Locksmith	-	-	-	-	-	E	P	P	P	-	-	One space per 250 square feet of GFA
2.9.15 Manicurist	-	-	-	-	-	E	P	P	P	-	-	One space per 250 square feet of GFA
2.9.16 Parcel Delivery Company	-	-	-	-	-	-	-	P	P	P	-	One space per 250 square feet of GFA
2.9.17 Pool Cleaning Service	-	-	-	-	-	-	E	P	P	-	-	One space per 250 square feet of GFA
2.9.18 Sign Painters	-	-	-	-	-	-	-	-	P	P	P	One space per 250 square feet of GFA

**CITY OF MANNING ZONING DISTRICT
SECTION 612 TABLE OF PERMITTED USES - TABLE 1**

LAND USES	DD	RS	MH	GR	OC	LC	NC	CC	GC	LI	HI	OFFSTREET PARKING
2.9.19 Newspaper, Publishing & Wholesale	-	-	-	-	-	-	-	P	P	P	-	One space per 250 square feet of GFA
2.9.20 Heating & Cooling Contractors	-	-	-	-	-	-	-	E	P	P	-	One space per 250 square feet of GFA
2.9.21 Tanning Salons	-	-	-	-	-	-	E	-	P	-	-	One space per 250 square feet of GFA
2.9.22 Taxidermist	-	-	-	-	-	-	E	E	P	-	-	One space per 250 square feet of GFA
2.9.23 Uniform Supply & Rental Service	-	-	-	-	-	-	-	-	P	P	-	One space per 250 square feet of GFA
2.10 EATING/DRINKING ESTABLISHMENTS												
2.10.1 Eating/Drinking Places/ Restaurants	-	-	-	-	-	-	E	P	P	-	-	One space per 150 square feet of GFA
2.10.2 Drinking Places (Alcoholic Beverages)	-	-	-	-	-	-	-	E	E	-	-	One space per 150 square feet of GFA
2.10.3 Delicatessen	-	-	-	-	-	-	P	P	P	-	-	One space per 150 square feet of GFA
2.11 AUTOMOTIVE DEALERS/GASOLINE SERVICE STATIONS												
2.11.1 Motor Vehicle Dealers (New/Used)	-	-	-	-	-	E	-	E	P	-	P	One space per 300 square feet of GFA
2.11.2 Motor Vehicle Dealers (Used Only)	-	-	-	-	-	E	-	E	P	-	P	One space per 300 square feet of GFA
2.11.4 Boat Dealers	-	-	-	-	-	-	-	E	P	A	P	One space per 300 square feet of GFA
2.12 APPAREL & ACCESSORY STORES	-	-	-	-	-	-	-	P	P	A	-	One space per 100 square feet of GFA
2.13 OUTDOOR ADVERTISING SIGNS	-	-	-	-	-	-	-	-	P	P	P	None
2.14 BLUE PRINTING AND PHOTOCOPYING SERVICES	-	-	-	-	-	-	-	P	P	A	-	One space per 250 square feet of GFA
2.15.1 Radio and TV Stations	-	-	-	-	-	E	-	E	E	P	P	One space per 250 square feet of GFA
2.15.2 Radio & TV Antenna Towers	E	E	E	E	-	-	-	E	E	E	P	None
2.15.3 Adult Book Stores	-	-	-	-	-	-	-	-	-	-	-	-
2.16 AUTOMOTIVE REPAIRS, SERVICES, GARAGES												
2.16.1 Automotive Rental/Leasing	-	-	-	-	-	-	-	E	P	-	P	One space per 350 square feet of GFA
2.16.2 Automotive Repair/Garages	-	-	-	-	-	-	-	-	C	A	P	One space per 350 square feet of GFA
2.16.3 Car Washes	-	-	-	-	-	-	-	-	P	A	P	One space per 350 square feet of GFA

**CITY OF MANNING ZONING DISTRICT
SECTION 612 TABLE OF PERMITTED USES - TABLE 1**

LAND USES	DD	RS	MH	GR	OC	LC	NC	CC	GC	LI	HI	OFFSTREET PARKING
2.16.4 Truck Washes	-	-	-	-	-	-	-	-	-	A	P	One space per 350 square feet of GFA
2.17 WHOLESALE TRADE	-	-	-	-	-	-	-	-	E	P	P	One space per 800 square feet of GFA
2.18 WAREHOUSING												
2.18.1 Mini Warehousing	-	-	-	-	-	-	-	E	P	P	P	One space per 800 square feet of GFA
2.18.2 Warehouse Storage/	-	-	-	-	-	-	-	E	E	P	P	One space per 800 square feet of GFA
2.19 MISCELLANEOUS REPAIR SERVICE												
2.19.1 Radio/Television Repair Service	-	-	-	-	-	E	P	P	P	P	P	One space per 300 square feet of GFA
2.19.2 Refrigeration/AC Services/Repair Shops	-	-	-	-	-	-	E	E	E	P	P	One space per 300 square feet of GFA
2.19.3 Watch/Clock Jewelry Repair	-	-	-	-	-	E	P	P	P	P	P	One space per 300 square feet of GFA
2.19.4 Reupholster/Furniture Repair	-	-	-	-	-	-	-	P	P	P	P	One space per 300 square feet of GFA
2.19.5 Welding Repair	-	-	-	-	-	-	E	-	-	P	P	
2.20 MOTION PICTURE THEATER	-	-	-	-	-	-	-	P	P	-	-	One space for each four seats
2.21 AMUSEMENT AND RECREATION SERVICES												
2.21.1 Dance Studios/Schools	E	E	E	E	E	E	E	P	P	-	-	One space per 150 square feet of GFA
2.21.2 Fitness & Recreation Centers	-	-	-	-	-	E	-	P	P	-	-	One space per 150 square feet of GFA
2.21.3 Bingo Parlors	-	-	-	-	-	-	-	-	E	-	-	One space per 150 square feet of GFA
2.21.4 Bowling Alleys/ Billiard/Pool Establishments	-	-	-	-	-	-	-	-	E	-	-	One space per 150 square feet of GFA
2.21.5 Amusement Arcade	-	-	-	-	-	-	-	-	P	-	-	One space per 150 square feet of GFA
2.21.6 Athletic Arena	-	-	-	E	-	-	E	-	-	E	E	One space per 250 square feet of GFA
2.21.7 Carnival	-	C	C	C	C	-	C	C	E	-	-	One space per 250 square feet of GFA
2.21.8 Circus	-	C	C	C	C	-	C	C	C	-	-	One space per 250 square feet of GFA
2.21.9 Dance Hall	-	-	-	-	-	-	-	A	A	-	-	One space per 250 square feet of GFA
2.21.10 Skating & Other Rinks	-	-	-	-	-	-	-	-	P	-	-	One space per 250 square feet of GFA
2.21.11 Amphitheaters Subject to Section 726	-	-	-	-	-	-	-	-	E	-	-	
2.22 HEALTH SERVICES												
2.22.1 Physicians Offices	-	-	-	-	-	P	E	P	P	P	-	Five spaces per doctor

CITY OF MANNING ZONING DISTRICT

SECTION 612 TABLE OF PERMITTED USES - TABLE 1

LAND USES	DD	RS	MH	GR	OC	LC	NC	CC	GC	LI	HI	OFFSTREET PARKING
2.22.3 Hospitals	-	-	-	-	-	-	-	E	E	-	-	One space for each patient bed plus one space for each 300 square feet of GFA for office and administrative area
2.22.4 Medical/Dental Labs	-	-	-	-	E	-	E	E	P	P	P	One space for each patient bed plus one space for each 300 square feet of GFA for office and administrative area
2.22.5 Nursing/Rest Homes	-	-	-	-	-	-	-	-	E	-	-	1.1 space per patient bed
2.23 EDUCATIONAL SERVICES												
2.23.1 Elementary & Secondary Schools	E	E	E	E	P	-	E	-	-	-	-	One space for each 4 seats, based on max seating capacity for one classroom plus one space for each 300 square feet of GFA for administrative area
2.23.2 High Schools	E	E	E	E	P	-	E	-	-	-	-	One space for each 4 seats, based on max seating capacity for one classroom plus one space for each 300 square feet of GFA for administrative area
2.23.4 Vocational Schools	E	E	E	E	P	-	P	E	P	A	-	One space for each 4 seats, based on max seating capacity for one classroom plus one space for each 300 square feet of GFA for administrative area
2.23.4 Professional Schools	-	-	-	-	P	-	P	E	E	P	-	One space for each 4 seats, based on max seating capacity for one classroom plus one space for each 300 square feet of GFA for administrative area
2.23.5 Driving Training School	-	-	-	-	-	E	P	-	P	-	-	One space for each 4 seats, based on max seating capacity for one classroom plus one space for each 300 square feet of GFA for administrative area
2.23.6 Truck Training School	-	-	-	-	-	-	-	-	-	P	P	One space for each 4 seats, based on max seating capacity for one classroom plus one space for each 300 square feet of GFA for administrative area
2.24 SOCIAL SERVICES												
2.24.1 Child Day Care Facilities	E	E	E	E	E	E	E	E	E	E	-	One space for each 4 children per maximum capacity

CITY OF MANNING ZONING DISTRICT

SECTION 612 TABLE OF PERMITTED USES - TABLE 1

	DD	RS	MH	GR	OC	LC	NC	CC	GC	LI	HI	OFFSTREET PARKING
2.24.2 Family Day Care Homes	P	P	P	P	E	E	E	E	P	-	-	One space for each 4 children per maximum capacity
2.24.2 Residential Care	-	E	E	E	E	-	E	E	E	-	-	One space for each 4 children per maximum capacity
2.25 CHURCHES AND RELATED FACILITIES	P	E	E	E	P	E	P	E	P	-	-	One space for each 4 children per maximum capacity
2.26 CEMETERIES	E	E	E	E	E	-	E	E	E	E	E	None
2.27 MANUFACTURED HOUSING STRUCTURES FOR COMMERCIAL USE	-	-	-	-	-	-	-	E	E	E	-	
612.3 MANUFACTURING/INDUSTRIAL												
3.1 APPAREL & OTHER FINISHED PRODUCTS	-	-	-	-	-	-	-	-	-	P	P	One space for each 800 square feet of GFA or one space for each 2 employees at max employment on a single shift, plus one space for each company vehicle operating from the premises
3.2 TEXTILE MILL PRODUCTS	-	-	-	-	-	-	-	-	-	P	P	One space for each 800 square feet of GFA or one space for each 2 employees at max employment on a single shift, plus one space for each company vehicle operating from the premises
3.3 OUTDOOR STORAGE LOTS/ YARDS/ (EXCEPT JUNKYARDS, SCRAP YARDS, AND SALVAGE YARDS)	-	-	-	-	-	-	-	-	-	E	P	
3.4 JUNKYARDS	-	-	-	-	-	-	-	-	-	-	E	
3.5 SANITARY LANDFILLS	-	-	-	-	-	-	-	-	-	-	E	
3.6 MINING & QUARRYING	-	-	-	-	-	-	-	-	-	-	E	
3.7 BURROW PITS	-	-	-	-	-	-	-	-	-	-	E	
3.8 BULK STORAGE OF PETROLEUM PRODUCTS	-	-	-	-	-	-	-	-	-	E	P	
3.9 TRUCK TERMINALS	-	-	-	-	-	-	-	-	-	E	E	No minimum
612.4 AGRICULTURAL/FORESTRY AND FISHING												
4.1 Horticultural (but not keeping of livestock)	P	A	A	A	-	-	-	-	-	-	-	No minimum

SECTION 612 TABLE OF PERMITTED USES - TABLE 1

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SECTION 612
SCHEDULE OF ZONING DISTRICT REGULATIONS
TABLE 2

Zoning District	Density/Square Feet		Lot Width (Feet)	Setbacks (Feet)			Height of Structure (Feet)
	First Unit	Each Additional Unit		Front	Rear	Side	
DD	20,000	20,000	80	40	35	15	35
RS-6	6,000	6,000	50	30	25	5/5	35
RS-10	10,000	10,000	70	30	25	10/10	35
RS-20	20,000	20,000	80	30	25	15/15	35
RD	5,000	5,000	50	30	25	10/10	35
GR-1	5,000	5,000	50	30	25	10/10	35
GR-2	5,000	3,000	50	30	25	10/10	35
MH-1	5,000	5,000	50	30	25	15/15	35
MH-2	1 ACRE	5,000	100	35	20	8/8	35
OC	6,000	--	50	35	25	10/10	35
NC	6,000	--	50	35	25	10/10	35
CC	NONE	--	NONE	NONE	NONE	NONE	35
GC	6,000	--	50	35	25	20	35
LI	25,000	--	100	50	40	15/15	50
HI	50,000	--	100	50	40	20/20	60

**ARTICLE 7
SUPPLEMENTARY REGULATIONS**

700 OFFSTREET PARKING

Offstreet automobile storage or parking space shall be provided on every lot on which any uses are hereafter established. The number of parking spaces provided shall be least as great as the number specified in Section 612, Table 2 for the various uses. When application of said provision results in a fractional space requirement, the next larger requirement shall prevail.

700.1 LOCATION ON OTHER PROPERTY

If the required automobile parking spaces cannot reasonably be provided on the same lot on which the principal use is conducted, such spaces may be provided on other offstreet property, provided such property lies within four hundred feet of the main entrance to such principal use. Such automobile parking space shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner.

700.2 EXTENSION OF PARKING SPACE INTO A RESIDENTIAL DISTRICT

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

1. the parking space adjoins a commercial or industrial district;
2. has its only access to or fronts upon the same street as the property in the commercial or industrial district for which it provides the required parking space; and
3. is separated from abutting properties in the residential district by a ten foot wide evergreen buffer strip.

700.3 MODIFICATIONS TO PARKING REQUIREMENTS

The Board of Zoning Appeals may, as a special exception, subject to appropriate safeguards and conditions, grant a reduction in offstreet parking requirements of not more than fifty percent (50%) of that generally required for residential facilities intended for occupancy by the elderly, provided that adequate land is available for future expansion to accommodate the generally required amount of parking and that the site designs of such reduced parking area will facilitate future expansions if such are required.

701 OFFSTREET LOADING AND UNLOADING SPACE

Every lot on which a business, trade, or industrial uses is hereafter established, shall provide space as indicated herein for the loading and unloading of vehicles off the street. For the purpose of this section, an offstreet loading space shall have minimum dimensions of twelve feet by eight feet. Required space shall be considered as follows:

1. Retail businesses: One (1) space for each 5,000 square feet of gross floor area.
2. Wholesale and industrial uses: One (1) space for each 10,000 square feet of gross floor area.
3. Truck terminals: Sufficient space to accommodate the maximum number of trucks to be stored or to be loading and unloading at the terminal at any one time.

702 VISIBILITY AT INTERSECTIONS

At each corner of each street intersection, a sight area shall be maintained. Within the sight area no fence, wall, sign, or other structure, no slope or embankment, no parked vehicle, no hedge, foliage or other planting, and no other object or structure shall be placed, erected or maintained which will obstruct visibility within the sight area. This provision shall not apply to traffic, directional, warning, or information signs authorized by any public agency.

703 ACCESSORY STRUCTURES

An accessory building may be constructed in any portion of the lot behind the rear of principal structure, provided that the accessory structure does not come within four feet of any property line and does not come within four feet of any other structure.

704 STRUCTURES IN REQUIRED YARDS

The general definition of "yards" as set forth in Article II shall be construed subject to the following exceptions and interpretations:

1. Those objects which are excluded from the definition of a "structure" under Article 2, Section 201 (46) shall not be subject to regulation under interpretation of the definition of "yard".
2. Steps and open porches without roofs shall be allowed in any required yard.
3. Screening walls and fences not over seven feet in height are permitted outright in side and rear yards, provided no screening wall or fence in excess of five feet is permitted within six feet of a residential structure on adjacent property and further provided that no screening wall or fence shall be permitted within any sight area established in accordance with Section 702.
4. Eaves, cornices, gutter, and other minor architectural features projecting less than twenty-four inches from the main portion of a building shall be allowed to project into any yard.
5. In GC and LI districts, structures and devices incidental to servicing , and roofs over such structures and devices are permitted within required front yards, provided that they do not constitute a substantial impediment to visibility across such yards which would contribute to the creation of traffic hazards, and further provided that servicing operations in connection

therewith can be conducted so as not to interfere with public use of adjacent sidewalk or public streets.

6. No fence or wall shall be permitted in any required front yard which substantially impedes vision above a height of thirty inches, except as provided for GC and LI districts in Section 704(5).
7. Retaining walls in excess of thirty (30) inches in height may be permitted as a special exception in any yard; however, retaining walls that do not project more than thirty inches above the grade level at the property lines of adjoining lots are permitted outright.
8. Signs are permitted to encroach upon required yards in certain instances as set forth in Section 717.

705

ORIENTATION OF REQUIRED YARDS

In interpretation of requirements related to establishment of required yard, the Zoning Administrator shall apply the following interpretation to the orientation of such yards for corner lots and through lots.

1. Front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a corner lot or through lot is not in keeping with the prevailing yard pattern, the provisions of Section 706 may be applied.
2. Through lots shall have two (2) front yards and two (2) side yards.
3. Corner lots shall have two (2) front yards, one (1) side yard, and one (1) rear yard. The rear yard of a corner lot shall be the yard located behind the rear of the principal structure.

706

FRONT YARD SETBACKS

The front yard setback requirements of this Ordinance for dwellings shall not apply on any lot where the average setback of existing buildings located wholly or partly within one hundred feet on each side of such lot on the same side of the street is less than the minimum required setback. In such cases, the setback on such lot may be less than the required setback but no less than the average of the setbacks of the aforementioned existing buildings.

707

REQUIRED SEPARATION BETWEEN COMMERCIAL AND/OR INDUSTRIAL AND RESIDENTIAL LOTS

When the rear or side lot line of a lot zoned and used for commercial or industrial purposes adjoins the rear or side lot line of a lot zoned for residential purposes, the required yards for the commercial or industrial lot shall be increased by ten feet along the boundary of the residential district. If a yard is normally not required on the commercial or industrial lot, then the required yard shall be ten feet along the boundary of the residential district. This provision shall not apply when the aforesaid side or rear lot lines do not meet due to the presence of an easement, water course, or right-of-way greater than twenty-five feet in width. In such case, said easement, water

course, or right-of-way shall be deemed as a sufficient buffer for the purpose of this Ordinance.

708 REQUIRED CONCEALMENT OF LIGHTING

Lighting facilities used to illuminate parking areas for other purposes shall be so arranged that the source of light is concealed from adjacent residential properties and does not interfere with traffic.

709 GENERAL SCREENING REQUIREMENT (See Section 718, Buffer Yard)

Whenever screening is required, either a durable masonry wall, fence or natural planting, designed to be compatible with the character of adjoining properties, shall be provided to materially screen the uses within the subject property from the view of adjacent properties. Within or adjoining non-residential districts, walls, fences shall be at least five feet in height, measured from the ground along the common property line of adjoining properties. Within or adjoining residential districts, walls, and fences shall be at least five feet in height, but not greater than six feet in height, measured from the ground along the common lot line of adjoining properties. Walls and fences shall be constructed and maintained in a safe and sound condition. Where natural planting is to be used as screening, a strip of at least fifteen feet in width shall be reserved for this purpose. This planting strip shall be composed of an arrangement of shrubs and trees. The shrubs may be evergreen or deciduous and shall be arranged in one row at a minimum and planted at an initial height of at least three feet, with distance between shrubs being not more than five feet. The shrubs shall be of such variety that an average height of at least six feet could be expected as normal growth no later than two years from the time of planting. Trees, which may be either evergreen or deciduous, shall augment the arrangement of shrubs so that there will be created a screening effect or capacity to materially screen the uses within the subject property from the view of adjacent properties.

709.1 EXCEPTION

No screening shall be required to be installed within any sight area established in accordance with Section 702.

709.2 WAIVER OF SCREENING REQUIREMENT

In cases of unusual topographic circumstances, or size of tract involved, or where there exists screening devices comparable to the general screening/buffering requirements of Section 718, and in which the installation and maintenance of walls, fences, or natural planting would serve no useful purpose, the Zoning Administrator is hereby empowered to waive the requirements for screening, provided, however, that the spirit and intent of this Ordinance, and provisions pertaining to screening are adhered to. This subsection shall not be construed to negate the necessity for establishing screening for uses which are adjacent to vacant properties.

710 PARKING, STORAGE, OR USE OF MAJOR RECREATIONAL EQUIPMENT

No major recreational equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot, or in any location nor approved for such use.

711 PARKING AND STORAGE OF CERTAIN VEHICLES

Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially-zoned property other than in completely enclosed building.

712 GROUP DEVELOPMENTS

712.1 PLANNING COMMISSION REVIEW

Group developments can place internal burdens on the site on which it is located, and also create external impacts on the existing street system, surrounding land uses, and utility systems. For this reason, the site plans for group developments as defined in Sections 201.22 and 201.23 shall be approved by the Planning Commission.

712.2 TYPES OF GROUP DEVELOPMENTS (Definition)

- A. Group commercial or industrial developments consist of more than one (1) commercial or industrial structure erected on a single lot. Such developments shall include a single building containing more than one (1) commercial or industrial use, structure or business. A single building of twenty thousand square feet shall be considered a group development and must be reviewed for offstreet parking requirements (design, ingress, egress, etc.).
- B. Group housing developments consists of:
 - 1. Any structure containing more than three (3) or more dwelling units, and
 - 2. Any single lot containing two (2) or more dwelling units.

712.3 REGULATION OF GROUP COMMERCIAL OR INDUSTRIAL DEVELOPMENTS

Group commercial or industrial developments may be established in any commercial or industrial district provided that:

- A. They house only permitted or permissible uses for the district in which they are located.
- B. They meet all lot, yard, and other requirements of this Ordinance.
- C. Off-street Parking Facilities: Offstreet parking facilities established in connection with such developments shall be reviewed by the Planning

Commission to see that the design, location, and arrangement will not interfere with the efficient flow of traffic and with the access of emergency or service vehicles.

- D. They are reviewed by the Planning Commission. Before the Zoning Administrator may take action on any proposal for a zoning permit for the construction or enlargement of any group commercial or industrial development, the Planning Commission shall review site plans, descriptions, and other materials in order to determine the requirements of this Ordinance will be met by proposed development and further shall find that such development is in harmony with the intent and purposes of this Ordinance and shall certify such findings to the Zoning Administrator. In the event that the Planning Commission shall fail to report its findings to the Zoning Administrator within sixty (60) days from the time that all required materials are submitted, the Zoning Administrator may act upon such proposal as if the Planning Commission had reported favorably on all aspects thereof.

712.4 ZONING DISTRICT IN WHICH GROUP HOUSING REGULATIONS ARE ALLOWED

- A. Group housing development containing only detached single-family houses are allowed as special exceptions in the certain districts. The developments must also meet the minimum density requirements of the zoning district for each unit.
- B. Group housing developments containing detached and attached single-family houses are allowed as permitted uses in a GR District after approval by the Planning Commission (and as a special exception in a RM District).
- C. Lot area per dwelling unit: A group housing development shall conform to the minimum lot area per dwelling unit for the district in which it is located, provided however, that any group housing development containing more than one (1) structure shall have a lot area of at least twenty thousand square feet.
- D. Street access: Any building established in connection with such group housing development which does not face directly on a public street shall be provided with access to a public street by a paved driveway of not less than twelve feet in width for one-way streets and twenty feet in width for two-way streets.

MINIMUM SPACING BETWEEN DETACHED PRINCIPAL RESIDENTIAL BUILDINGS

Zoning District	Front to Front	Front to Side	Side to Side	Rear to Front	*Rear to Side	Rear to Rear
R-6, 10, 20;	35'	25'	20'	100'	20'	20'
RM-6,	35'	25'	20'	100'	20'	20'
10,20;						
GR-1 GR-2;	25'	20'		100'	20'	20'

*Rear to front minimum spacing may be reduced to fifty feet if adequate buffer yard provisions are made as determined by the Planning Commission.

- A. Where a door accesses the side or rear of a unit, the set-back should be increased by an additional five feet for that unit.
- B. A minimum of twenty-five percent (25%) of the property or land area shall be left in common open space. Any buffer strips or areas less than ten feet wide shall not be included in the open space calculation.

HOME OCCUPATIONS

Occupations, professions, or trades customarily carried on by occupants of dwelling units as secondary uses which are clearly incidental to use of dwelling units for residential purposes are allowed as accessory uses in districts where dwelling units are permitted as permitted uses, subject to the following provisions:

1. No person other than members of the family residing on the premises shall be engaged in such occupation.
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of home occupation.
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one (1) sign, not exceeding two square feet in area, non-illuminated, and mounted flat against the wall of the principal building.
4. The home occupation shall be conducted only within the principal structure.
5. There shall be no sales in connection with such home occupation.
6. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. Any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
7. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference

detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visible or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

8. No outdoor storage shall be allowed in connection with any home occupation.
9. Operation of home occupation shall be limited to the hours between 8:00 a.m. and 8:00 p.m.

714

DAY NURSERIES AND KINDERGARTENS

Day nurseries and kindergartens, where permitted, are subject to the following provisions:

1. General Requirements: Before granting a special exception for establishment of a day nursery or kindergarten, the Board of Zoning Appeals shall ensure that the applicant has applied to the South Carolina Department of Social Services (DSS) for a license to operate the facility and has received a letter from the regulatory agency (DSS) that the facility in question is suitable to accommodate the maximum number of children to be accommodated.
2. Fencing: A fenced play area of not less than three thousand square feet shall be provided which meets the requirements of the S. C. Department of Social Services.
3. Loading and Unloading: An area adequate for loading and unloading of children to be accommodated shall be provided and such area shall not be located within any public right-of-way.
4. Signs: In residential districts, signs in connection with any day nursery or kindergarten shall be limited to one (1) sign for each facility, not to exceed two square feet of display area. Signs are not to be illuminated.
5. Play Equipment: No play equipment shall be closer than twenty feet to any residential lot line.
6. Facilities, operation and maintenance shall meet the requirements of the appropriate health department.
7. Additional Conditions: The Board of Zoning Appeals shall determine if additional safeguards and conditions are appropriate in order to protect children accommodated from detrimental characteristics of uses of adjacent areas, or to protect adjacent areas from potentially incompatible characteristics arising from such day nurseries and kindergartens.

715

GARAGE SALES, YARD SALES, AND RUMMAGE SALES

Garage sales are permitted in all residential districts, provided that the following conditions are met:

1. The maximum period for each sale is two (2) days. The maximum number of sales allowed per year is two (2) per family.
2. No new or used merchandised is purchased or brought in for the sale.
3. All merchandise is that of the immediate family or families conducting the sale.
4. Only one (1) sign is posted advertising the sale and that sign is placed on the private property of the person conducting the sale.
5. The hours of the sale will be between 8:00 a.m. and 6:00 p.m. No Sunday sales are allowed.
6. No public address system is used.
7. No alcoholic beverage of any type is served or given on or near the premises.
8. If, upon inspection by the Zoning Administrator, the Building Inspector, or the Police Chief, he finds that in his opinion this Ordinance is being violated, a citation will be issued or the right to continue with the sale will be terminated at once.

716 MOBILE HOMES ON INDIVIDUAL LOTS

Individual mobile homes, where permitted, and group housing developments are subject to the following provisions:

1. The applicant shall apply for a mobile home permit from the Zoning Administrator.
2. The mobile home must be connected with all utilities.
3. The mobile home must be placed on a permanent masonry foundation and enclosed with a masonry, metal, or fiberglass material.

717 SIGN REGULATIONS

717.1. Purpose: The purpose of sign regulations is to encourage the effective use of signs as a means of communication in the City of Manning. Sign regulations also serve to maintain and enhance the aesthetics of the community. Also sign regulations should minimize the possible adverse effects of signs on nearby properties, and to enable the fair and consistent enforcement of these regulations. A sign may be erected, placed, created, or maintained in the City of Manning only in conformance with the standards, procedures, and requirements of these regulations.

717.2. General Provisions: These regulations are designed to;

- a. Establish a permit system that allows a variety of types of signs in commercial and industrial zones, and a limited variety of signs in residential zones.
- b. Allow signs that are small and incidental to the principal use of the property on which they are located without a requirement for a permit;

- c. Provide for temporary signs in limited circumstances;
- d. Prohibit all signs not expressly permitted in these regulations;
- e. Require a sign plan to be submitted along with each site plan as part of the initial steps in the planning process;
- f. Require all on-premise non-conforming signs on a zoned lot to come into compliance with the sign regulations when abandoned or when the costs of repairs or replacement of any such signs are beyond fifty (50%) percent of their replacement costs, regardless of any other provisions established elsewhere for amortization;
- g. Require a street address on the entrances of a building, or upon a free standing sign(s) or other type of sign(s), for each commercial or industrial property that is clearly conspicuous from each abutting street frontage.

717.3. Determination of the Size and Height of Signs:

- a. The entire area within a continuous perimeter, enclosing the extreme limits of a sign display, including any frame or border, shall constitute the area of a sign. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals, or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letters or devices;
- b. The area of multi-faced signs shall be computed by adding together the area of all sign faces visible from one point. When two (2) identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same structure, and not more than twenty-four (24") inches apart, the sign area shall be computed by the measurement of one of the faces;
- c. The height of a sign shall be computed as the distance from the ground at the base support of the sign to the top of the highest attached component of the sign;
- d. The maximum total permitted sign area of all individual signs for a particular parcel of land shall be established by reference to the sign regulations – Table III. The maximum total permitted sign area of all individual signs on a particular parcel of land except building markers, identification signs, and flags shall not exceed the lesser of the standards in Table III. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage. However, the sign area that is oriented

on a particular street may not exceed the sign area on that particular street;

- e. The maximum total sign area of any one (1) individual sign for a particular parcel of land shall be established by reference to the sign regulations -- Table III.

717.4. Signs Allowed on Private Property:

One freestanding business identification sign advertising the on-site business shall be permitted. (See footnote 3 in Table III for conditions allowing more than one [1] free standing sign);

Off premise business directional signs are allowed only under the following conditions:

1. Maximum size allowed on an off-premise business directional sign is sixteen (16 sq. ft.) square feet;
2. Maximum distance from business is five (500 ft.) hundred feet;
3. Written letter from off-premise property owners(s) authorizing the placement of the sign on his/her property;
4. The Board of Zoning Appeals may grant variances for the distance limits of no more than five (500 ft.) hundred feet for a total distance not exceed one (1,000 ft.) thousand feet from a business;
5. Five (5 ft.) foot setback from all property lines;
6. May not be placed in residential districts;
7. The off-premise sign will count as part of the number and total signage of on-premise signs allowed for each parcel of land.

Signs shall be allowed on private property in the City of Manning accordance with Table IV. If the letter "A" appears for a sign type in a column, then the sign is allowed without prior permit approval in the land use type represented by that column. If the letter "P" appears for a sign type in a column, then the sign is allowed with prior permit approval in the zoning classification represented by that column. If the letter "N" appears for a sign type in a column, such a sign is not allowed under any circumstances.

717.5. Signs Allowed on Public Property or Within the Public Rights-of-Way:

Permanent signs erected by or on behalf of the City of Manning, Clarendon County, or the State of South Carolina or the Federal Government identifying public property, public information, and directing or regulating pedestrian or vehicular traffic;

Informational signs of a public utility regarding its poles, lines, pipes, or facilities;

Banners advertising events of public interest sponsored by non-profit groups (i.e. groups established under Internal Revenue Code Section 501.C.3 and religious organizations chartered under South Carolina State Law) or governmental sponsored agencies that are placed at street locations or on the entity's property authorized for display by the City of Manning. The City Administrator/Zoning Administrator shall approve permits for all such banners on forms supplied for such purpose. No charge shall be incurred by the sponsoring entity provided that the banner(s) do not remain in place for more than thirty (30) days and are removed within 48 hours after the event has ended.

717.6. Temporary Signs: Shall be permitted only in accordance with the following guidelines;

- a. Subdivision under construction signs not exceeding twenty five feet in area announcing a land subdivision are permitted on the premises of the land subdivision. They shall be removed when seventy-five (75%) of the lots are conveyed.
- b. Sandwich board signs are permitted as a temporary sign on commercial zoned property with an annual permit issued by the Zoning Administrator. The maximum allowed sign is six (6 sq. ft.) square feet per sign face (one sign allowed per street front). However, for those commercial zoned lots where the principle structure is greater than 30,000 square feet, one sandwich board sign twenty (20 sq. ft.) square feet is allowed per street front, but limited to five feet in height. In lieu of the free-standing sign provided by Note 1, Table III, the following temporary sign(s) may be placed on any commercial or industrial zoned parcels using the following development standards:
 1. Greater than 20 sq. ft. and up to a maximum of 32 sq. ft.
 2. Minimum ground clearance is 30 inches.
 3. Maximum height is 10 ft.
 4. Wood and metal are the only approved materials. Minimum wood dimension is ¾ inch.
 5. All surfaces must be painted or laminated.
 6. The sign must be fully supported by only two (2) legs placed on the outside frame with no stabilizing legs, wires, or posts.
 7. The message must be permanently affixed to the sign i.e. no interchangeable reader boards.
 8. One sign will be allowed for each street frontage in the approved districts.
 9. Setbacks will be 5 feet from all property lines and outside all sight triangles.
 10. A permit will be required for each sign placed under the provisions of this paragraph. The permit will issued by the Zoning

Administrator as a temporary use permit and will be valid only for the parcel where the sign is placed.

11. The permit number must be displayed/affixed conspicuously on the sign or its frame.

- c. Contractor's signs for projects under construction are allowed as a temporary sign, provided such signs are removed within one week of projected completion.
- d. Banners are allowed for grand openings in all districts for thirty (30) days, and allowed year-round in the Core Commercial District (CC) upon obtaining an annual sign permit. Maximum size allowed is 50 sq. ft.
- e. Political Signs: Signs in this category shall be placed only on private property. During political season, signs shall be erected and removed as governed by the State of South Carolina and the South Carolina Department of Transportation.

717.7.1. Prohibited Signs:

All signs not expressly permitted under this ordinance are prohibited. Such signs include but not limited to:

- a. Signs displaying intermittent or flashing illumination or lights customarily used in traffic signals or in police, fire, ambulance, rescue vehicles or other warning signals, and signs using the words stop, danger, or any other words, phrase, symbols or character in a manner that might mislead or confuse motorist, or which hides from view any traffic or street sign or signal, or which obstruct the view of any intersection or driveway. However, reader boards may communicate an electronic message provided that the messages not change more than every two (2) seconds.
- b. Any sign or advertising device painted on a fence, power or telephone pole, tree, stone or any natural object;
- c. Signs placed or painted on a motor vehicle, trailer, or other object and parked with the primary purpose of providing a sign not otherwise allowed by this Ordinance;
- d. Inflatable signs and tethered balloons;
- e. Pennants and fluttering devices;
- f. Portable signs other than the sandwich board signs which are permitted as a temporary sign in 717.6.a. of this Ordinance.

717.8. Special Purpose Signs:

- a. Canopy Signs where required for safety reasons may have permanently attached signs placed upon them, beyond the maximum signage allowed on a zoned lot; provided that, the attached sign(s) do not exceed twenty (20%) percent of the surface area of the canopy to which the sign is attached; or ten (10%) percent of the ground floor area that the canopy covers (whichever is less), but not to exceed a total of one hundred thirty (130 sq. ft.) square feet of signage for the entire canopy.
- b. Directional Signs for non-residential private property with a business logo is permitted and shall not count against the total signage allowed on a zoned lot. The total sign area shall not exceed two (2) square feet. Such signs shall not exceed 30 inches in height
- c. Gasoline pump signs are permitted and shall not count against the total signage allowed on a zoned lot. Maximum size of each sign is 3 sq. ft.
- d. Oil rack signs are permitted and shall not count against the total signage allowed on a zoned lot. Maximum size of each sign is 3 sq. ft.
- e. Automobile Franchise signs: Automobile dealers shall be allowed separate freestanding signs for each brand or franchise of new cars sold by the dealership. The franchise signs herein allowed are in addition to all other freestanding signs normally earned on the zoned lot. However, all setbacks, height restrictions, and design standards required by the Ordinance shall be met and the maximum area for all franchise signs shall be 200 sq. ft. Any separate franchise signs shall not include a reader board sign attached thereto.

717.9. Off-Premise Advertising (Billboard):

Is defined as a sign that communicates the availability of goods, services and ideas not necessarily available on the premises on which the sign is located.

- a. Off-premise advertising signs are a permitted use out right only in the General Commercial (GC), Light-Industrial (LI) and Heavy Industry (HI) districts in the City of Manning subject to the requirements contain herein.
- b. Outdoor advertising structure design:
 - 1. No stacked (double deck) sign faces or side by side sign faces shall be allowed;
 - 2. Structures permitted after the effective date of this ordinance shall be designed and constructed with single steel pole structural support designed to meet the wind load requirements of the latest adopted building codes;

3. Within five (5) years after the adoption of this Ordinance, all existing billboards not constructed with monopole structures shall be replaced with such structures unless permitted to remain as originally constructed by action of the Board of Appeals.
- c. Spacing Requirements:
1. One (1,000 ft) thousand feet on the same side of the street, and seven (700 ft) hundred feet on the opposite side of the street measured from the spot directly opposite from existing off-premise advertising sign.
 2. The distance between advertising signs shall be measured along the centerline of the street or highway on which the signs have common frontage, and between perpendiculars to such centerline drawn from the sign to the centerline of each street. Back-to-back signs and V-signs (consistent to 717.3.) shall be considered as one sign for the purpose of spacing requirements;
 3. The maximum square footage for outdoor advertising facing shall be as following:
 1. General Commercial (GC) – three (300 ft.) hundred feet;
 2. Light Industrial (LI) – three hundred (300) ft;
 3. Heavy Industry (HI) – three (300 ft.) hundred feet;
- d. Setback Requirements:
1. Front property line: ten (10 ft.) feet.
 2. Side property line: ten (10 ft.) feet.
- e. Height Requirements:
1. Maximum height shall not exceed thirty-five (35 ft.) feet above the average roadway grade level with the following exceptions;
- f. Lighting Requirements:
1. Lighting for outdoor advertising signs shall be indirect, non-flashing.
- g. Landscaping Requirements:
1. Landscaping requirements shall be applied to outdoor advertising signs in the General Commercial (GC), Light Industrial (LI), and Heavy Industry (HI) Districts
 2. A landscape strip shall be located immediately adjoining the support structure of the billboard and extend the length of the billboard;
 3. A hedge or other durable planting of a least two (2 ft.) feet in height, attaining within four (4 yrs.) years after planting a minimum height of six (6 ft.) feet;
 4. Single-faced billboard with rear viewable from the public right-of-way or other public property shall have three (3) equally spaced eight (8 ft.) foot tall evergreen trees planted in the rear of the billboard and the reverse side of the sign shall be of one neutral color or natural dark tone.

717.10. General Sign Development Standards:

- a. The visual clearance at intersections shall be governed by the requirements as set forth in Sections 201 (Sight Area) and 702 (Visibility at Intersections) of this Ordinance;
- b. The vehicle area clearance of a sign where vehicles travel or are parked, shall have the bottom of a sign at least fourteen (14 ft) feet above the ground. Vehicle areas include driveways, alleys, parking lots, loading and maneuvering areas;
- c. The pedestrian area clearance of a sign where it extends over a sidewalk, walkway or other space accessible to pedestrians, shall be not less than nine (9 ft.) feet above the ground;
- d. Permanent signs shall be made of metal, rigid plastic, vinyl, or wood treated to be long lasting and other durable materials approved by the Zoning Administrator. Canvas and non-treated wood shall not be used for permanent signs;
- e. Florescent colors may not be used. All normal colors used in a skillfully designed sign are permitted.
- f. Sign illumination shall be achieved by direct lighting only when such lighting is shielded so as to not directly shine on abutting property, or in the line of vision of the public using the streets or sidewalks, and meet UL Standards and shall be inspected by the Clarendon-County Inspection Department.

Table III
MAXIMUM TOTAL SIGN AREA BY USE, NUMBER, DIMENSIONS,
AND LOCATION OF INDIVIDUAL SIGNS

Note: The maximum total square footage of sign area shall be based upon a percent of ground floor area of the principle building or a square footage allowance per linear front foot of street frontage or a specified maximum square footage-whichever is least as follows:

	Maximum Square Foot	Percent Ground Floor Area	Square Foot per Linear Front Foot of Street Frontage	Maximum Area of Free-Standing Sign (sq. ft.) 1, 2, 3	Height (feet)	Front/Side Setbacks (feet)	Percentage of Wall Area Maximum
All Single Family 6	8	N/A	N/A	6	5	5/5	N/A
All Duplex 6	8	N/A	N/A	6	5	5/5	N/A
Semi-Detached Dwelling 6	8	N/A	N/A	6	5	5/5	N/A
Townhouse 6	8	N/A	N/A	6	5	5/5	N/A
Tri/Quadruples Housing 6	100	N/A	0.5	6	10	10/10	N/A
Multi-Family 6	300	N/A	0.5	4	10	10/10	N/A
Mobile Home 6	8	N/A	N/A	6	10	10/10	N/A
Office Commercial	150	4%	2 in. ft.	50 (1sq.ft. per linear front foot Maximum of 50 sq.ft.)	15	10/10	10%
Neighborhood Commercial	500	6%	3 in. ft.	200 (1sq.ft. per linear front foot Maximum of 200 sq.ft.)	30	10/10	10%
General Commercial 4	750	10%	6 in. ft.	200 (1sq.ft. per linear front foot Maximum of 200 sq.ft.)	30	10/10	10%
Core Commercial District	150	20%	10 in. ft.	50 (1sq.ft. per linear front foot Maximum of 50 sq.ft.)	15	10/10	25%
Light Industrial	300	2%	N/A	150 (1sq.ft. per linear front foot Maximum of 150 sq.ft.)	15	10/10	5%
Heavy Industrial	300	2%	N/A	150 (1sq.ft. per linear front foot Maximum of 150 sq.ft.)	15	10/20	5%
Development District	36	N/A	N/A	36 (1sq.ft. per linear front foot Maximum of 150 sq.ft.)	10	10/20	N/A

1. Provision for a free-standing 6 sq. ft. maximum sign on all residential zoning parcels and a 20 sq. ft. maximum sign on all commercial and industrial zoning parcels. This is separate from all other sign provisions and no permit is required.
2. Lots fronting on two or more streets are allowed the permitted signage for each street frontage, but signage can not be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
3. Where two or more detached commercial zoned buildings occupy the same parcel, each may have one free-standing sign, provided the total sign area does not exceed the allowable limits specified in Exhibit 3
4. Shopping Center Rules: Shopping Centers shall be allowed two (2) signs per street front; provided that the buildings which comprise the center contain at least 50,000 square feet, and the street fronting earning the second sign be at least 200 feet long along the abutting street. Each freestanding sign shall not exceed 350 square feet. Wall-mounted signs shall be limited to 10 percent of the storefront to which the sign is attached.
5. The wall area maximum allowing for signs shall be figured by the percentage of the area of the wall on which the sign is a part or to which each such sign is most nearly parallel
6. For each non-residential use subdivision, multi-family, group housing, attached housing, cluster housing, or mobile home park project or entrance thereto, a free-standing sign is allowed, provided the sign area does not exceed 40 square feet in area or 20 feet in height, and if illuminated it is done by indirect or muted lighting.
7. Policy for off-premise directional sign is set forth in 717.4.b.

**TABLE IV
PERMITTED SIGN BY TYPE AND ZONING CLASSIFICATION**

	Free Standing 1, 2	Building Canopy	Building Roof	Building Marquee	Building Wall 3	Building Window	Banner/ Pennant ⁴	Flag	Portable Movable/ Sandwich
All Single Family (RS, MH)	A	N	N	N	A3	N	N	A	N
All Duplex (RG-1, RG-2)	A	N	N	N	A3	N	N	A	N
Semi-Detached Dwelling	A	N	N	N	A3	N	N	A	N
Townhouse (RG-1, RG-2)	A	N	N	N	A3	N	N	A	N
Tri/Quadruplex Housing (RG-1, 2)	A	N	N	N	A3	N	N	A	N
Multi-Family (RG-1, RG-2)	A	N	N	N	A3	N	N	A	N
Mobile Home (MH)	A	N	N	N	A3	N	N	A	N
Office Commercial (OC)	P	P	N	P	P	A	N ⁴	A	P
Neighborhood Commercial (NC)	P	P	N	P	P	A	N ⁴	A	P
General Commercial (GC)	P	P	P	P	P	A	N ⁴	A	P
Core Commercial District (CC)	P	P	N	P	P	A	P ⁴	A	P
Light Industrial (LI)	P	P	P	N	P	N	N ⁴	A	P
Heavy Industrial (HI)	P	N	P	N	P	N	N	A	N
Development District (DD)	P	N	N	N	N	N	N	A	N

A=Allowed without a Sign Permit

P=Allowed with a Sign Permit

N=Not Allowed

1. Provisions for a free six (6) sq. ft. maximum sign on all zoning parcels. This is separate from all other sign provisions and no permit is required.
2. On premise advertising only except as allowed in 714.b.
3. Only address and name of occupant allowed on sign, except for a commercial message drawing attention to an activity legally offered on the premises. Home occupation signs are limited to two (2) square feet.
4. Banners in commercial and industrial districts, other than CC, are only permitted as conditional uses limited up to three periods per year not to exceed 90 days. See 717.6.c
5. Directional signs are allowed without a permit if they do not exceed 2 sq. ft. (Commercial message or logo may be included)

718 BUFFER YARDS

718.1 PURPOSE AND DEFINITION OF BUFFER YARDS

The buffer yard is a unit of yard together with the planning required thereon. Both the amount of land, type and the amount of planting specified for each buffer yard required by this Ordinance are designed to ameliorate impacts between adjacent land uses or between a land use and a public road. The planting units required to buffer yards have been calculated to ensure that they do, in fact, function to "buffer".

Buffer yards shall be required to separate different land uses from each other to eliminate or minimize potential impacts such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impact of noise, odor, or danger from fires or explosions.

718.2 LOCATION OF BUFFER YARD

Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Buffer yards shall not be located on any portion of an existing public or private street or right-of-way.

718.3 DETERMINATION OF BUFFER YARD REQUIREMENTS

To determine the buffer yard required between two (2) adjacent parcels or between a parcel and a street, the following procedure shall be followed: See Table 2 and Illustrations, pages 7-16 to 7-18.

1. Identify the proposed land use. (Column A)
2. Identify the use of land adjacent to the proposed use. (Column B)
3. Determine the buffer yard required on each boundary (or segment thereof) of the subject parcel by referring to the following table of buffer yard requirements and illustrations which specify the buffer yard required between streets and adjacent land uses.

The letter designations in Table 3 refer to the type of buffer yard specified by the illustrations contained in this Section.

4. any of the several options contained in the illustrations (Buffers A through G) shall satisfy the requirement of buffering between adjacent land uses and street.

718.4 BUFFER YARD CHANGE OF USE

When a building or use of land is changed to a more intense use, the buffer yard shall be increased if necessary to meet the requirements for buffer yards between the new use and existing adjacent uses.

718.5 BUFFER YARD SPECIFICATIONS

The following illustrations graphically indicated the specifications of each buffer yard (see illustrations on pages 7-16 – 7-18). The requirements are stated in terms of the width of the buffer yard and the number of plants required per one hundred feet of buffer yard. The requirements of a buffer yard may be satisfied by any one of the options illustrated. the "plant unit multiplier" is a factor by which the basic number of plant materials required for a given buffer yard is determined given a change in the width of that yard. The type and quality of plant materials required by each buffer yard and each buffer yard option are specified by the following illustrations: Each illustration depicts the total buffer yard located between two (2) uses. Whenever a wall, fence, or berm is required within a buffer yard, these are shown as "structures" in the following illustrations wherein their respective specifications are also shown.

1. The exact placement of required plants and structures shall be the decision of the developer except that evergreen (or conifer) plant materials shall be placed in clusters rather than singly in order to maximize their chances of survival.
2. All buffer yard areas shall be seeded with lawn grass or suitable ground cover.

718.6 BUFFER YARD SUBSTITUTIONS

The following plant material substitutions shall satisfy the requirements of this Ordinance:

1. Evergreen canopy or evergreen understory trees may be substituted as follows:
 - a. In the case of deciduous canopy forest trees, up to a maximum of fifty percent (50%) of the total number of canopy trees otherwise required;
 - b. Evergreen canopy or evergreen understory trees may be substituted for deciduous shrubs, without limitations.
2. In all buffer yards, evergreen or conifer shrubs may be substituted for deciduous shrubs without limitation.
3. Any existing plant material which otherwise satisfies the requirements of this Section may be counted toward satisfying all such requirements.
4. Structures, where required, may be substituted with approval of the Planning Commission.

718.7 USE OF BUFFER YARDS

A buffer yard may be used for passive recreation; however, no plant material may be removed.

718.8 BUFFER YARD PART OF REQUIRED YARDS

Where front, side, and rear yards are required by this Ordinance, buffer yards may be established within such required yards.

718.9 REQUIREMENTS FOR MAINTAINING BUFFERS

1. **Responsibility.** The responsibility for maintenance of a required buffer shall remain with the owner of the property. Maintenance is required in order to ensure the proper functioning of a buffer as a landscaped area which reduces or eliminates nuisance and/or conflict. The owner shall be responsible for installing live, healthy plants. Replacement plants shall be provided for any required plants which die or are removed.
2. **Maintenance.** Maintenance shall consist of mowing, removal of litter, dead plant materials, and necessary pruning. Natural water courses within a buffer shall be maintained as free flowing and free of debris. Stream channels shall be maintained so as not to alter floodplain areas. Water may be supplied to each individual planting area.

Where pedestrian and bicycle trails are allowed within a buffer, these trails shall be maintained to provide for their safe use. Such maintenance shall include pruning of plants to remove obstructions, removal of dead plant materials, litter, or other hazards.


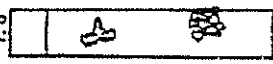


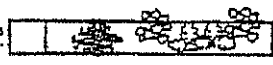

3. **Failure to Maintain.** Failure to maintain buffers shall be considered a violation of the Zoning Ordinance as provided in Article 8, Section 805, with penalties as described in Article 9, Section 807.

TABLE 3
TABLE OF BUFFERYARD REQUIREMENTS


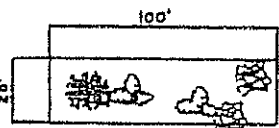



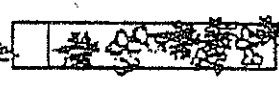
PROPOSED LAND USE	EXISTING ADJACENT LAND USE											
	single and duplex dwellings	townhouses, multi-plexes, apt. etc.	motels, group quarters, etc.	mobile home parks	stables, barns, etc.	religious, educational, recreational, nursing homes	office	commercial	industrial	vacant land	all other	street
single-family detached residence, individual mobile homes and duplexes	•	•	•	•	•	•	•	•	•	•	•	•
townhouses, multiplexes, apartments, and other residential uses	D	•	C	C	C	C	B	B	B	B/A	A	B
Motels, rooming houses, lodges and group quarters	D	C	B	C	C	C	B	B	B	B/A	B	B
Mobile home parks or courts	D	D	C	B	C	C	C	C	C	C	C	C
stables, barns, animal pens, etc (DD only)	E	E	E	E	•	D	D	D	C	B	B	C
Religious, recreation, education, daycare facilities and nursing homes	D	D	C	C	C	B	B	B	C	B	B	B
Office and Institutional	E	D	D	C	C	B	A	A	B	C	B	B
Commercial and institutional	E	D	D	C	C	B	A	A	B	C	B	B
Industrial Uses	F	F	E	F	C	E	D	D	D	D	C	D
All other uses, not specifically identified	E	D	D	C	C	B	A	A	B	C	B	B

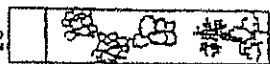
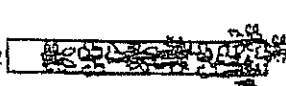
• No bufferyard required

BUFFER A


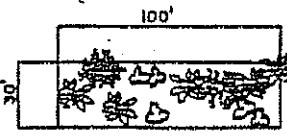



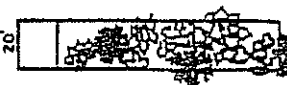
<u>MULTIPLIER</u>		<u>MULTIPLIER</u>		<u>STRUCTURES REQUIRES</u>
<u>REQUIRED PLANT UNITS/100'</u>				
2 Canopy Trees		8		F ₃ or H
2 Understory Trees				
3 Shrubs		1		
Evergreens/Conifers				

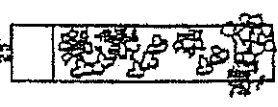

BUFFER B

REQUIRED PLANT UNITS/100'			
1 Canopy Trees		4	
2 Understory Trees			
3 Shrubs			
Evergreens/Conifers		.8	

.6	
1	

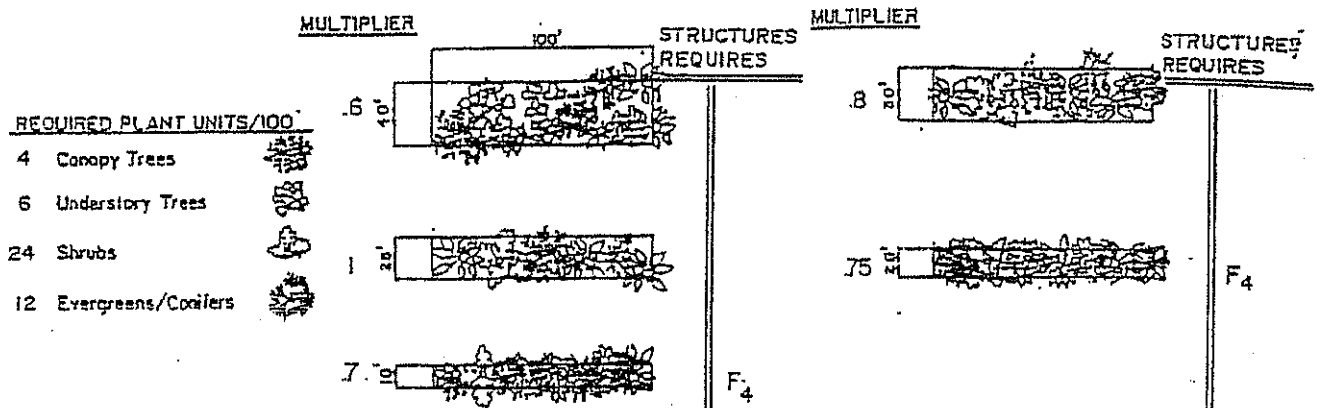
BUFFER C

REQUIRED PLANT UNITS/100'			
3 Canopy Trees		6	
8 Understory Trees			
9 Shrubs			
Evergreens/Conifers		1	

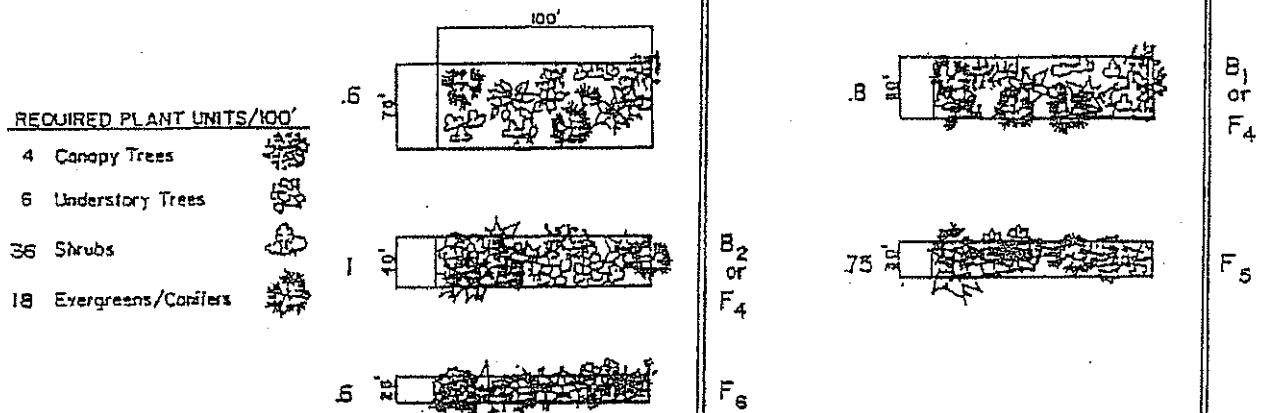
8	
1	

LOWER INTENSITY USE
↑
HIGHER INTENSITY USE

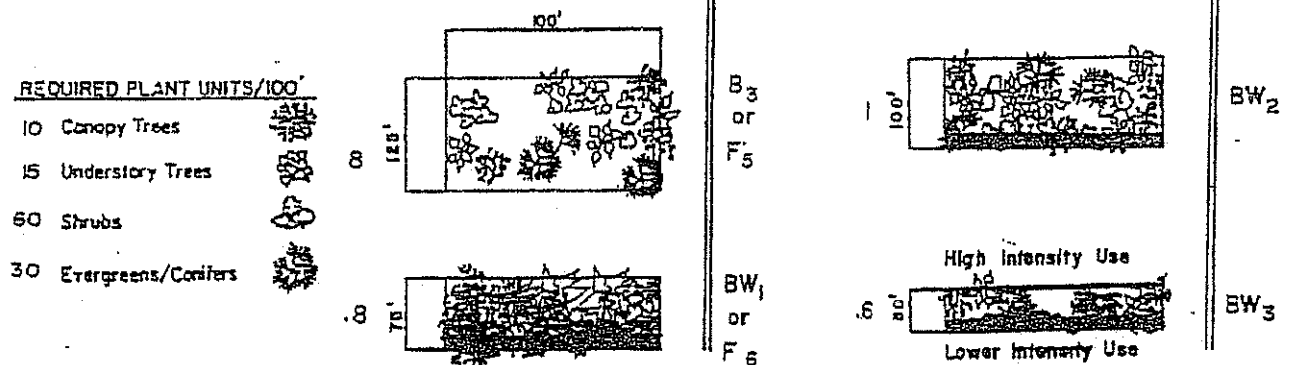
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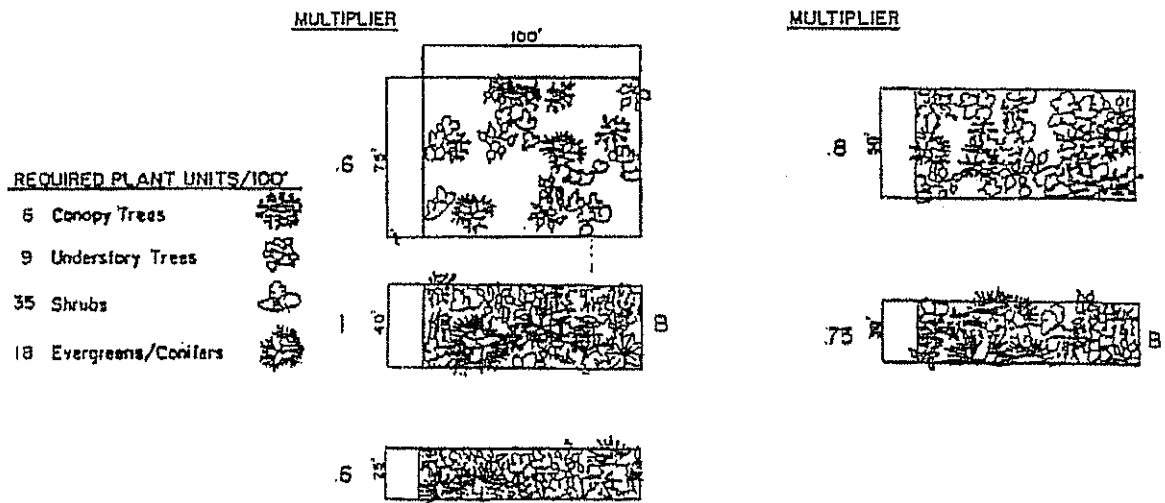
BUFFER E



BUFFER F



BUFFER G



STRUCTURES

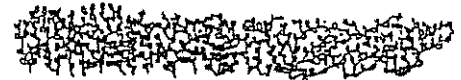
FENCES

WOOD STOCKADE MASONRY WALL



SYMBOL	HEIGHT	MATERIAL
F ₃	6'	Wood
F ₄	8'	Wood
F ₅	6'	Masonry
F ₆	8'	Masonry

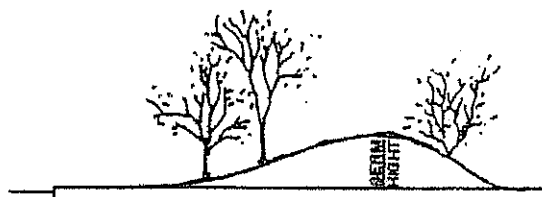
HEDGES



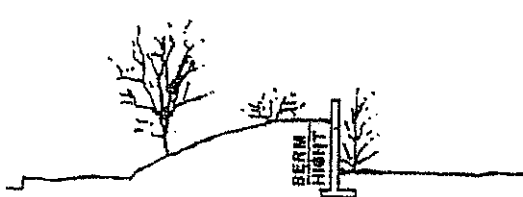
SYMBOL	HEIGHT	PLANT
H	6'	Refer to Approved Species List

Berms

Berm Walls



SYMBOL	HEIGHT	MATERIAL
B ₁	4'	EARTH
B ₂	5'	EARTH
B ₃	6'	EARTH



SYMBOL	HEIGHT
BW ₁	4' BERM W/6' MASONRY WALL
BW ₂	5' BERM W/7' MASONRY WALL
BW ₃	6' BERM W/8' MASONRY WALL

PLANNING DEVELOPMENT (PUD)

Planned Unit Development will be designed in accordance with the following provision:

1. **Permitted Accessory Uses and Structures.** No uses will be permitted in the Planned Unit Development District (PUD) that is not clearly specified and approved as part of the site plans.
2. **Minimum Lot Area.** The minimum land area required in order to establish a PUD is two acres.
3. **Height and Area Regulations.** Minimum setbacks, minimum lot width, minimum yard sizes, maximum lot coverage, and maximum height are not regulated within PUD districts provided however, that the Planning Commission and council shall ascertain that the characteristics of building setting as shown on the development plan shall be appropriate as related to structures within the planned units development and otherwise fulfill the intent of this chapter.
4. **Offstreet Parking and Loading.** Offstreet parking and loading requirements as set forth in Table 1, Section 612, shall be met for each use within the Planned Unit Development.
5. **Signs.** Signs are permitted in PUD's only in accordance with provisions of Article 7, Section 717, "Sign Regulations".
6. **Administrative Application and Review Procedures.**
 - a. **General.** The establishment of a PUD district shall be by amendment to the zoning map accompanied by certain sureties that the development will be in harmony with the intent of this chapter and that the public interest in adequate site design, access, and community facilities and amenities will be defended.

Application for amendment to establish a PUD district shall be subject to the provisions of Article 10 "Amendments" and in addition, the procedures described below shall apply. It is the intent of this section that the public interest will be served not only by consideration of those specific criteria set forth herein, but also by consideration of the community at-large. The provisions of the PUD district represent a relaxation of specific site design requirements as applied to other districts herein, and in return for the design flexibility granted thereby, the applicant for amendment to PUD district classification, by requesting the PUD designation and making application therefore shall abide by certain conditions and safeguards as may be imposed by the Council in establishing such developments. To that end the regulations set forth herein

are minimum requirements and it is the intent of this Chapter that the City Council may impose conditions and safeguards in excess of, or in addition to the specific requirements set forth herein, and the guarantee of meeting the minimum requirements set forth herein does not per se create an indication that an applicant should be entitled to such an amendment, and notice is hereby given to that effect.

- b. **Pre-application Conference.** The applicant is encouraged to communicate his intentions to establish a Planned Unit Development and the proposed characteristics thereof, to the Planning Commission staff prior to initiating an application for amendment in order to avoid undue delay in the review process after initiating such application, and in order to facilitate review of materials which may be in preliminary form, and in order to avoid unnecessary expense in preparation of materials in final form which may later be found to unacceptable or incomplete.
- c. **Application for Amendments.** The applicant shall make application for an amendment to PUD classification as specified by Article 10 herein.
- d. **Site Development Plans to be Submitted to Planning Commission for Review.** The applicant shall submit site development plans to the Planning Commission for review, which shall be similar in content and format to preliminary plans required for review by the land development regulations and in addition shall show locations of all buildings proposed to be constructed in such Planned Unit Development, drawing approximately to scale, and in addition shall indicate the proposed uses of all such buildings, and in addition appropriate for Planning Commission review.
- e. **Descriptive Statement to be Submitted to Planning Commission for Review.** The applicant shall submit a descriptive statement indicating the characteristics and standards to be followed in developing the proposed Planned Unit Development. The descriptive statement shall generally include, but not be limited to the following:
 - 1. legal description of proposed development boundaries;
 - 2. total number of acres in the development area;
 - 3. number of acres devoted to residential, commercial, industrial, and other non-residential uses to reflect requirements of Subsection 1 above;
 - 4. number of dwelling units of various types and overall density thereof;

5. number offstreet parking and loading spaces are needed to meet requirements of individual buildings as required by Subsection 7 above;
 6. if commercial development is proposed, indication of economic feasibility and justification for size of facilities;
 7. description of open space uses and areas proposed, adequacy thereof to serve anticipated demand, and if dedication of open space is proposed, procedures and conditions thereof;
 8. if a homeowners' association or other group maintenance or group ownership features are to be included, a description of the proposed procedures and operations thereof;
 9. an outline of development phasing indicating the timing of development of all proposed facilities, and justification of development phasing with respect to non-residential facilities in relation to residential facilities.
 10. design standards, administrative procedures and other characteristics which will guarantee the development of the project as an integrated, functionally operable, well planned whole; and
 11. other such information or descriptions as may be deemed reasonably appropriate for Planning Commission review.
- f. **Planning Commission Recommendation.** The Planning Commission shall make a recommendation upon the proposal which shall be advisory to the City Council. Requirements of Article 10, Section 1002, are applicable if the Planning Commission should fail to report within the time limit.
- g. **City Council Hearing.** A public hearing shall be held in accordance with procedures set for in Article 10.
- h. **City Council Approval.** The City Council may, after fulfilling all applicable requirements of this section and all applicable requirements of Article X, act to either approved or disapprove the application for amendment.
- i. **Issuance of Zoning or Building Permits.** The Zoning Administrator shall not issue any zoning permit or certificate of occupancy, and the building official shall not issue any building permit for work to Commerce within the PUD district unit:
1. the applicant shall have filed with the City Clerk and recorded, with the Register of Mesne Conveyances of the County, plats showing all proposed features of the Planned Unit Development as approved by the City Council which approval shall be certified by the City Clerk.

2. the applicant shall have completed any necessary agreements with the City so that the City may become a party to deed restrictions and other restrictive covenants related to the planned unit development and recorded such agreement with the Clerk and with the Register of Mesne Conveyances of the County.
 3. the applicant shall have recorded with the Register of Mesne Conveyances of the County, all required deed restrictions or other restrictive covenants are required by City Council upon approval of the amendment establishing the planned unit development district;
 4. the applicant shall have recorded, with the City Council and with the Register of Mesne Conveyances of the County, the descriptive statement as approve the City Council setting forth and committing the developer to certain design standards, development phasing schedules and other pertinent matters;
- j. **The Site Development Plan** as approved by the City Council in establishing the PUD district shall be the zoning district map for the PUD and this shall be the basis for issuance of zoning permits and building permits for construction of buildings in the PUD.
1. **Changes in Plans for PUD's.** Changes which do not require changes of the boundaries of an established PUD district or establishment of a new PUD district are not considered amendments of the zoning ordinance. Any change in boundary of such PUD district shall be accomplished only by following procedures as set forth in Article 10 herein. Changes in the approved characteristics or agreements relating to a PUD district, but not involving change in the boundary thereof shall be classified as either major changes or minor changes and shall be approved as follows:
- a. **Minor changes.** Revision of minor characteristic of the Planned Unit Development, such as relocation of driveways or revisions of floor plans of specific structures, may be authorized by the Planning Commission by the approved and recorded descriptive statement concerning development of the Planned Unit District. If the Planning Commission fails to approve a request for a minor change, the developer or other party of interest may then seek a change by the regular amendment process as outlined below for major changes.
 - b. **Major changes.** Major changes which materially affect the characteristics of the Planned Unit Development shall follow the same procedural requirements as for the amendment originally establishing the Planned Unit District, including Planning

Commission review, public hearing, and City Council determination, as set forth in Article 10 herein.

- c. It shall be the duty of the Zoning Administration to determine whether any specific request shall be considered a major change or a minor change, provided, however, that the applicant for change shall have the right to have any request for change processed as a major change.
- d. The zoning administrator shall issue no zoning permit or certificate of occupancy and the building official shall issue no building permit in connection with any action related to such changes until such changes have been duly recorded as for the original documents recorded as set forth in Subsection 6 above.

2. **Failure to Begin, Failure to Complete, or Failure to Make Progress.**

The descriptive statement as approved by City Council and duly recorded shall set forth the development for the project including phasing of development on non-residential uses in relationship to residential use. The City Council may require the posting of a bond with a corporate surety to guarantee that the schedule as set forth in the descriptive statement will be materially adhered to in order to guarantee construction of streets, utilities, and other facilities and amenities or to allow for rectification of improper development characteristics such as failure to develop areas designated as common open spaces. If there is failure to begin, or failure to complete, or failure to make adequate progress as agreed in descriptive statement, the City Council may enforce and collect upon such bonds or sureties as described above, or may change the district classification of the Planned Unit Development in accordance with provisions of Article 10, and thus terminate the right of the application to continue violation of the zoning ordinance subject to the penalties set forth in Article 8 or any appropriate combination of the above remedies may be taken. If the Planned Unit Development is not initiated within two years of its establishment, the Planning Commission shall initiate the rezoning of the property to an appropriate zoning district classification.

720 FLOODPLAIN PROTECTIVE (-FW AND -FP) AREA REGULATIONS

720.1 DEFINITIONS

Unless specifically defined below, words or phrases used in this section shall be interpreted to as to give them the same meaning as they have in common usage and so as to give this section its most reasonable application.

- 1. **Base Flood:** means the flood having one percent (1%) chance of being equaled or exceeded in any give year.

2. **Development:** means any manmade change to improve real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.
3. **Flood:** means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland waters.
 - b. The unusual and rapid accumulation of runoff of surface waters from any source.
4. **Floodplain or flood prone area:** means any land area susceptible to being inundated by water from any source (see definition of "flood").
5. **Floodplain variance:** means a grant of relief by a community from the terms of a floodplain management regulation.
6. **Floodproofing:** means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce to eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
7. **Habitable floor:** means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreations, or a combination thereof. A floor used only for storage purposes is not a "habitable floor".
8. **Mobile Home:** means a structure, transportable in one or more sections, which is build on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers. The term includes, but is not limited to, the definition of "mobile home" as set forth in regulations governing the Mobile Home Safety and Construction Standards Program (24 CFR 3282.7(a)).
9. **Person:** includes any individual or groups of individuals, corporation, partnership, associated, or any other entity, including state and local governments and agencies.
10. **Riverine:** means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.
11. **Structure:** means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a mobile home.
12. **Substantial improvement:** means any repair, reconstruction, or improvements of a structure, the cost of which equals or exceed fifty percent (50%) of the market value of the structure either before the improvement or repair is started, or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alternation affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing state or

local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places or a State inventory of historic places.

720.2 REQUIRED PROVISIONS

The following measures set out in this Section shall be required within Zone A of the Flood Hazard Boundary Map issued by the Federal Emergency Management Agency of this community.

720.3 ELEVATION DATA

The responsible person shall reasonably utilize any base flood elevation data available for the Floodplain Information Study by the U. S. Army Corps of Engineers, or other source, until such other data has been provided by the Zoning Administrator, as criteria for requiring that:

1. All new construction and substantial improvements or residential structures have the lowest floor (including basement) elevated to or above the base flood level; and
2. All new construction and substantial improvements of non-residential structures have the lowest floor (including basement) elevated or floodproofed to or above the base flood level.

720.4 INSURANCE RATES

For the purpose of the determination of applicable flood insurance risk premium rate within Zone A on a community's habitable floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement.

1. Obtain, or require the applicant to furnish, if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed.
2. Maintain a record of all such information.

720.5 WATER SYSTEMS

The responsible person and the City Engineer shall require within flood prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems.

720.6 SEWAGE SYSTEMS

The responsible person and the City Engineer shall require within flood prone areas:

1. New and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the systems into flood waters, and

2. On-site waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

720.7 SUBDIVISION SIZE LIMITATIONS

The responsible person shall require that all subdivision proposals and other proposed new developments greater than fifty (50) lots or five (5) acres, whichever is the lesser, include within such proposed base flood elevation data.

720.8 NOTIFICATION REQUIREMENT

The responsible person shall notify, in riverine situations, adjacent communities and the State Water Resources Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administration.

720.9 CARRYING CAPACITY

The responsible person shall assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. (Code 1981, Section 7.615).

720.10 MOBILE HOMES TO BE ANCHORED

The responsible person shall require that all mobile homes to be placed within Zone A on the community's Flood Hazard Boundary Map shall be anchored to resist flotation, collapse or lateral movement by providing frame ties to ground anchors. Specific requirements shall be that.

1. Frame ties be provided at each corner of the home with five (5) additional ties per side at intermediated points and mobile homes less than fifty feet long requiring four (4) additional ties per side;
2. All components of the anchoring system be capable of carrying a force of forty-eight hundred pounds; and
3. Any additions to the mobile home be similarly anchored.

720.11 OFFICIAL MAP

The Flood Hazard Boundary Map issued by the HUD Federal Insurance Administration for the City of Manning, SC dated April 15, 1986, with Panel Number 450052, and officially published revisions to this map, is adopted as the official map for the enforcement of this Section. Zone A on this map delineates the area within which the requirements of this Section will be enforced.

721 MOBILE HOME PARKS

Mobile home parks are permitted as special exceptions in MH districts. Before the Zoning Administrator shall issue a permit to establish a mobile home park, the Planning Commission must first review and approve the site

design and requirements contained herein and the Board of Zoning Appeals must conduct the public hearings as required for special exemptions.

The mobile home park shall meet the following requirements:

- A. **Number of units:** No more than seven (7) units per acre.
- B. **Park Lighting:** all roadway intersections shall be provided with a street light.
- C. **Mobile Home Lots:**
 - 1. All mobile home lots shall front upon an access road.
 - 2. All mobile home lots shall have a minimum of six thousand square feet and be a minimum of fifty feet wide.
 - 3. a mobile home shall not cover more than twenty-five percent (25%) of the lot on which it stands.
- D. **Setback Between Structures:**
 - 1. There shall be a minimum distance of twenty-five feet between the mobile home or any other building or structure and the abutting park roadway.
 - 2. Mobile homes shall be placed at least twenty feet apart from side or rear lot line.
 - 3. Mobile homes shall be at least twenty feet from any common buildings.
 - 4. No accessory structure shall be erected within five feet of any mobile home or within twenty feet of any mobile home or within twenty feet of any common building (i.e. offices or laundry facilities).
- E. **Park Recreation:** Not less than ten percent (10%) of the gross park site shall be set aside for recreational use.
- F. **Driveways:** Driveways shall be provided on lots where necessary for convenient access to mobile homes. The minimum width shall be fifteen feet for one-way traffic and thirty feet for two-way traffic.
- G. **Parking Spaces:** The design criteria for automobile parking shall be based upon two (2) parking spaces for each mobile home lot. Parking may be in tandem.
- H. **Outdoor Living Area:** Each mobile home lot shall be provided with an outdoor living and service area. Such area shall be improved as necessary to ensure reasonable privacy and comfort. The minimum area shall be not less than three hundred square feet.
- I. **Streets:**
 - 1. **General.** All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets to each mobile home space. Such access shall be provided by streets, driveways, or other means.
 - 2. **Entrance Street.** Entrances to mobile home parks shall have direct connections to a public street and shall be designed to allow free movement of traffic on such adjacent public streets. No parking

shall be permitted on the entrance street for a distance of fifty feet from its point of beginning.

3. **Dead End Streets.** The closed end shall be provided with an adequate vehicular turn-around (sixty feet diameter cul-de-sac).
 4. **Intersections.** Street intersections should generally be set at right angles. Non-aligned intersections and intersections of more than two (2) streets at one point should be avoided.
 5. **Extent of Improvements.** All streets shall be provided with a smooth, hard, and dense surface which shall be durable and well drained under normal use and weather conditions. The surface shall be maintained free of cracks and holes and its edges shall be protected by suitable means to prevent raveling and shifting of the base. Roads shall be paved to specifications of the SCDOT.
 6. **Pavement Widths.** Each mobile home space shall abut an access road of not less than thirty feet for two-way traffic and fifteen feet for one-way traffic.
- G. A site plan showing the above shall be submitted with the request for establishing a mobile home park and shall contain the following additional information:
1. The proposed title of the project and the name of the engineer, architect, designer, or landscape architect, and the developer.
 2. The northpoint, scale, and date. The scale of the site plan shall be no more than fifty feet to one (1) inch.
 3. The boundaries of the property involved, the general location of all existing easements, property lines, streets, and other existing physical features on or adjoining the project.
 4. The general location and dimensions of proposed streets, driveways, curb cuts, entrances and exits, and parking spaces.
 5. The general location of proposed mobile home sites, setback lines, and easements.
 6. General location, height and width of all fences, walls, screens, buffers, plantings, and landscaping.

722

COMMERCIAL VEHICLES

1. **Prohibition of Parking or storing of commercial vehicles in residential areas.** It shall be unlawful for anyone to park a commercial vehicle in a residential area within the corporate limits of the city without complying with Section two of this Ordinance.
2. **Prohibition of parking or storing of commercial vehicles in residential areas.** Storage or long-term parking of commercial vehicles, except that

vehicle having a factory Designated Gross Vehicle Weight Rating up to 17.5 thousand pounds may be parked in off-street parking.

- a. No commercial vehicle shall be left running for more than fifteen (15) minutes at a time.
- b. No commercial vehicle shall be parked or stored on public right-of-way at any time.
- c. Nothing in this ordinance should be construed as restricting the parking of emergency vehicles.
- d. No property owner without proof of ownership for a commercial vehicle with a cab is allowed to store or park the cab of such vehicle on this property.
- e. Not more than one vehicle per property owner shall be stored or parked on this property.

723

TEMPORARY USES

1. Temporary Use Permit – Permit issued by the city manager to engage in religious, philanthropic or commercial activities in an area of the city not zoned for that purpose on a temporary basis is described in the within Ordinance.
2. An administrative fee will be charged for permitting a temporary use. The Zoning Administrator is authorized to issue a permit for temporary uses as specified in this Ordinance. No temporary use may be established without receiving such permit.
3. All applicants filing for a temporary use permit must operate from a structure affixed to the ground with no display of goods outside the structure which will create a distraction or nuisance to vehicle traffic or the surrounding uses. All non-wheeled structure(s) should be sufficiently affixed to the ground and any temporary stand(s) shall require tie-down straps. Owners/operators of vehicles or towed wheeled structures are not required to utilize tie-downs however, said owner/operator shall be directly responsible for any damage to personal property resulting from the use of said vehicle.
4. All temporary use permits may be renewed no more than one time within each calendar year, provided that it is determined that said use is clearly of a temporary nature, causes no traffic congestion and will not create a nuisance. Any temporary use that creates a nuisance shall be given notice in writing by the city and upon failure to correct the same within a period of ten (10) days, the city shall revoke said permit.
5. Structure from which the temporary use is operated shall be removed within ten (10) days from the site after the temporary permit has expired.

6. Unless specified by the City of Manning's Zoning Regulations for a specific use, a minimum of five off-street parking spaces are required on the premises having the temporary use permit and ingress/egress areas shall be clearly marked. The parking area shall be a dust-free surface of asphalt, cured rock, concrete, or other such material approved by the Public Works Director.
7. The following temporary uses are permitted; but, subject to the general conditions and the specific conditions of Zoning and Business Licensing Regulations:
 - a. Carnivals or circus for a period not to exceed twenty-one (21) days.
 - b. Religious meetings in a tent or other temporary structure in Industrial or Commercial Zones, for a period not to exceed sixty (60) days.
 - c. Open lot sale of Christmas trees, in NC, GC, LI, and HI Districts for period not to exceed forty-five (45) days.
 - d. Contractor's office and equipment shed, in any district, for a period covering construction phase of the project not to exceed one (1) year, provided that such office be placed on the property to which it is appurtenant.
 - e. Firecracker stands in the NC, LI, or GC two (2) times per calendar year for a period not to exceed thirty (30) days per permit.
 - f. "Temporary retails sales" stands in the NC, GC, and Industrial Districts for a period not to exceed six (6) months, provided that:
 1. The sale stands are structures that are permanently affixed to the ground with ties as required.
 2. They are accessory to the principal use of the property.
 3. The sale stands are located within the buildable area of the property.
 4. Seating accommodations may be permitted for not more than 14 persons.
 5. All signs used must be in full compliance with Article VIII, Section 717 of the City of Manning's Zoning Ordinance.
8. Vendors regulated by the Striped Bass Festival and similar special events approved by the city, rummage sales, farmers and/or local citizens selling seasonal, locally grown products shall not be affected by this Ordinance.
9. Exception: Non-profit and government sponsored events that last less than two weeks are exempted from Section 1, 2, and 4 above. Firecracker stands are exempted from Section 3.

724

COMMUNITY RESIDENTIAL CARE

Community Residential Care providers twenty-four (24) hour or overnight care year round for children or adults, including the aged, retarded, emotionally disturbed, physically handicapped, delinquents, and others, may be allowed in various districts as follows:

1. Community/Residential Care facilities over nine (9) persons are permitted in accordance with state law.
2. Community/Residential Care facilities over nine (9) persons may be permitted on RS, MR, GR, OC, NC, or GC Districts as a special exception.
3. In reviewing such facilities the Board shall consider the impact of the project on the surrounding area and the amenities offered on site for residents, i.e. adequate open space, design of the facility, etc.

725

BEAUTY AND BARBER SHOPS

1. Beauty and Barber Shops shall be allowed as a Home Occupation (see Section 713) as a special exception within the Residential and General Residential.
2. Only the owner and family members living on the premises would be allowed to work in the Beauty and Barber Shop.
3. Facilities employing more than family members and with multiple chairs, etc., are encouraged to locate in the commercial zones where traffic, noise, off-street parking, and hours of operation will not be a limiting factor.

726

FLEA MARKETS, AMPHITHEATERS, AND OTHER USES

The Board of Zoning Appeals shall review and evaluate each request for a flea market, amphitheater, or other major outside uses with respect to all applicable requirements (off street parking, set backs, hours of operation, noise, etc.) contained herein and elsewhere in this ordinance. At the conclusion of the review, the Board may approve the proposal as presented, approved with specific modification or requirements or disapprove it.

**ARTICLE 8
ADMINISTRATION AND ENFORCEMENT**

800 ZONING ADMINISTRATOR

800.1 RESPONSIBILITY FOR ADMINISTRATION

The Zoning Administrator designated by the City Council shall administer and enforce this Ordinance. It is the intent of this Ordinance that all questions of administration and enforcement shall first be presented to the Zoning Administrator and that recourse from the decision of the Zoning Administrator shall be to the Board of Zoning Appeals as provided by law. It is further the intent of this Ordinance that the function of City Council under this Ordinance shall not include hearing and deciding questions of interpretation and enforcement which may arise, but that the City Council shall have only the responsibility of acting on proposals for amendment or repeal of this Ordinance.

800.2 DUTIES OF THE ZONING ADMINISTRATOR

The duties of the Zoning Administrator shall include:

- 1) Interpretation of the terms and provisions of this Ordinance.
- 2) Administration of the provisions of this Ordinance relating to zoning permits, certificates of zoning compliance; applications for variances, special exceptions and appeals from administrative decisions before the Board of Zoning Appeals; applications for zoning amendments, the presentation of same to the Planning Commission and City Council, and giving notice of hearings on such amendment requests as specified herein; and applications for special exceptions before the Board of Zoning Appeals.
- 3) The receipt of complaints from persons who allege that violations of this Ordinance have occurred, to properly investigate or cause to be investigated such complaints, and to initiate or cause to be initiated action to prevent, enjoin, abate, or remove such violations.
- 4) The maintenance of complete and accurate records relating to adoption, amendment, interpretation, enforcement and administration of the terms and provision of this Ordinance. Such official records shall be a public record and shall include but not be limited to:
 - a) The maintenance of the official copy of the text of the zoning ordinance and zoning map and other such records and official materials as may relate to the adoption, amendment, enforcement or administration of this Ordinance; and
 - b) The retention of records relating to applications and disposition of applications for variances, and appeals from administrative decisions before the Board of Zoning Appeals; applications for zoning permits, plats and plans in connection with said permits, certificates of zoning compliance, denials or permits and reasons for denying such permits; applications and deposition of applications for special exceptions before the Zoning Board of Appeals; and complaints from persons who allege that violations of this Ordinance have occurred.
- 5) Other such duties as may properly relate to the accomplishment of the spirit and intent

of this Ordinance.

801 ZONING PERMITS

801.1 ZONING PERMIT REQUIRED

No building or other structure shall be erected, moved, added to, or structurally altered without a zoning permit therefore issued by the Zoning Administrator. A zoning permit shall not be issued by the Zoning Administrator except in conformity with the provisions of this Ordinance. If the permit is denied, reasons will be stated for the denial.

801.2 APPLICATION FOR ZONING PERMITS

All applications for zoning permits shall be accompanied by plans drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact size and locations on the lot of all buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application or plans shall include such other information as lawfully may be required by the Zoning Administrator, including existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot and nearby lots; and such other matters as may be necessary to determine conformance with and provide for the enforcement of this Ordinance. One copy of the plans shall be returned to the applicant by the Zoning Administrator, after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy.

801.3 EXPIRATION OF ZONING PERMIT

If the work described in any zoning permit has not begun within six (6) months from the date of issuance thereof, the permit shall expire and be cancelled by the Zoning Administrator. If the work described in and zoning permit has not been substantially completed within one (1) year of the date of issuance thereof, said permit shall expire and be canceled by the Zoning Administrator. In the case of work which may reasonably be expected to require more than one (1) year for completion, the Zoning Administrator may specify a time limit in excess of one (1) year at the time of original issuance of the zoning permit. Written notice of the expiration of any zoning permit shall be given to the persons affected, including notice that further work as described in the canceled permit shall not proceed unless and until a special zoning permit has been obtained.

802 CERTIFICATE OF ZONING COMPLIANCE

It shall be unlawful to use, occupy or permit the use of occupancy of any building on premises, or both, or part thereof, hereafter created, erected, changed, converted, or wholly or partially altered or enlarged in its use or structure until a certificate of zoning compliance shall have been issued therefore by the Zoning Administrator stating that the building or proposed use of the building or land conforms to the requirements of this Ordinance.

802.1 TEMPORARY CERTIFICATE

A temporary certificate of zoning compliance may be issued by the Zoning Administrator for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion, provided that such temporary certificate may include such conditions and safeguards in order to protect the safety of the occupants as well as the public.

802.2 FAILURE TO OBTAIN CERTIFICATE

Failure to obtain a certificate of zoning compliance shall be a violation of this Ordinance, and punishable under Section 807 of this Ordinance.

803 CONSTRUCTION AND USE TO BE AS APPROVED

Zoning permits or certificates of zoning compliance issued on the basis of plans and applications approved by the Zoning Administrator and other officials or agencies where additional approval is required authorizes only the use, arrangement, location or construction set forth in such approved plans and applications, and no other use, arrangement, location or construction. Use, arrangement, location or construction at variance with that authorized shall be deemed in violation of this Ordinance, punishable as provided herein.

804 FEES

Where a special exception review, administrative appeal, variance, or mobile home permit is requested or when an amendment to this Ordinance is request by an individual or parties other than the City Council, Planning Commission, or Board of Zoning Appeals, a fee as indicated below shall be paid by the applicant or his representative for each application at the time the application is filed to cover administration and advertising expenses.

804.1 ZONING MAP AMENDMENT

A fee of \$55.00 will be paid for the first lot of record or acre, and \$5.00 for each additional lot or acre, whichever is greater, not to exceed \$100.00.

804.3 SPECIAL EXCEPTION, ADMINISTRATIVE APPEAL, VARIANCE, AND MOBILE HOME PERMIT

A fee of \$55.00 will be charged for a request for a special exception review, an administrative appeal, a variance, or a mobile home permit.

805 VIOLATIONS

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

806 COMPLAINTS REGARDING VIOLATIONS

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

807 PENALTIES FOR VIOLATIONS

Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined, as determined by the Court for each offense. Each day such violation continues shall constitute a separate offense. Nothing herein contained shall prevent the governing authority from taking such other lawful action as is necessary to prevent or remedy any violation.

808 APPEALS

It is the intention of this Ordinance that all questions arising in connection with the enforcement of the Ordinance shall be presented first to the Zoning Administrator and that such questions presented to the Board of Zoning Appeals only on appeal from the decision of the Zoning Administrator.

ARTICLE 9
BOARD OF ZONING APPEALS

900 ESTABLISHMENT

A Board of Zoning Appeals is hereby established. Said Board shall consist of three (3) members, appointed by City Council. The members shall serve for overlapping terms of four (4) years or thereafter until their successors are appointed. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall be removable for cause by the appointing authority upon written charges and after public hearing. The members shall serve without pay but may be reimbursed for any expenses incurred while representing the Board. None of the members shall hold any other public office or position in the Town.

901 PROCEEDINGS

The Board shall adopt rules necessary to the conduct of its affairs in accordance with the provisions of this Ordinance. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence, the acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the Zoning Administrator and shall be a public record.

902 DECISIONS

The concurring vote of two (2) members of the Board of Zoning Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance or to affect any variation of this Ordinance. On all appeals, applications and other matters brought before the Board of Zoning Appeals, the Board shall inform in writing all the parties involved of its decisions and the reasons thereof.

903 POWERS AND DUTIES

In exercising its powers, the Board of Zoning Appeals may, in conformity with the provisions of this Ordinance, reverse or affirm, wholly or in part, or may modify the order, requirements, decisions, or determinations, and to that end shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit. The Board, in the execution of the duties for which appointed, may subpoena witnesses and in case of contempt, may certify such fact to the Circuit Court having jurisdiction.

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

903.1 ADMINISTRATIVE REVIEW

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by any

officer, department, board or bureau of the City affected by any decision of the Zoning Administrator. Such appeal shall be taken within thirty (30) days by filing with the Zoning Administrator from whom the appeal is taken and with the Board of Zoning Appeals a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. The Board of Zoning Appeal shall fix a reasonable time for hearing the appeal, give a 15 day public notice thereof in a newspaper of general circulation, as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator from which the appeal is taken certifies to the Board of Zoning Appeals after notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Zoning Appeals or by a Court of Record on application, on notice to the Zoning Administrator from whom the appeal is taken and on due cause shown.

903.2 VARIANCE

903.2.1 DUTIES OF THE BOARD

1) The Board of Zoning Appeals shall have the power to authorize upon appeal in specific cases such variances from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship, so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship upon a finding by the Board of Zoning Appeals that:

- a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;
- b) The application of the Ordinance on this particular piece of property would create an unnecessary hardship;
- c) Such conditions are peculiar to the particular piece of property involved; and
- d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance or Comprehensive Plan; provided, however, that no variance may be granted for a use of land, building, or structure that is prohibited in a given district by the Ordinance.

2) With respect to uses of land, buildings and other structures, this Ordinance is declared to be a definition of the public interest by City Council, and the spirit of this Ordinance will not be observed by a variance which permits a use not generally or by special exception permitted in the district involved or any use expressly or by implication prohibited by the terms of this Ordinance in said district. Therefore, under no circumstances shall the Board of Zoning Appeals grant a variance to permit a use not generally or by special

exception permitted in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

3) No nonconforming use of neighboring lands, structures, or structures in the district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

4) Granting of a special exception shall not be considered as a basis for the granting of a variance, and the Board of Zoning Appeals shall grant no variance.

5) In granting any variance, the Board of Zoning Appeals may prescribe conditions and safeguards in conformity with this Ordinance.

903.2.2 PROCEDURES

1) A written application for a variance shall be submitted demonstrating:

a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;

b) That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance;

c) That the special conditions and circumstances do not result from the actions of the applicant;

d) That granting the variance requested would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance or the Comprehensive Plan; and

e) That the variance, if granted, would not permit a use not generally or by special exception permitted in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

2) Notice of public hearing shall be posted on the property for which a variance is sought and shall be published at least fifteen (15) days prior to the public hearing in a newspaper of general circulation in the City of Manning.

3) The hearing shall be held. Any party may appear in person, or by agent or attorney.

4) The Board of Zoning Appeals shall make findings that the requirements of Section 903.2.1 (1) have been met by the applicant.

5) The Board of Zoning Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

6) The Board of Zoning Appeals shall further make a finding that the granting of the variance will be in harmony with the general purposes and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

7) The Board of Zoning Appeals may prescribe a time limit within which the action for which the variance is requested shall be begun or completed, or both.

903.2.3 EFFECT OF FAILURE TO MEET CONDITIONS

1) Violation of conditions and safeguards prescribed in conformity with this Ordinance

when made a part of the terms under which the variance is granted shall be deemed as violations of this Ordinance, punishable under penalties established herein.

2) Failure to begin or complete, or begin and complete, an action for which a variance is granted, within the time limit specified, when such time limit is made a part of the terms under which the variance is granted shall void the variance.

903.3 SPECIAL EXCEPTIONS

903.3.1 DUTIES OF THE BOARD OF ZONING APPEALS

1) To hear and decide only such applications for special exceptions as the Board of Zoning Appeals is specifically authorized to pass upon by the terms of this Ordinance.

2) To decide such questions as are involved in determining whether special exceptions shall be granted.

3) To prescribe appropriate conditions and safeguards in conformity with the Ordinance.

4) To deny special exceptions when not in harmony with the intent and purpose of this Ordinance.

903.3.2 PROCEDURES

1) A written application for a special exception shall be submitted indicating the section of this Ordinance under which the special exception is sought and stating the grounds on which it is requested.

2) Notice of public hearing shall be posted on the property for which special exception is sought and shall be published at least fifteen (15) days prior to the public hearing in a newspaper of general circulation in the City of Manning.

3) The public hearing shall be held. Any party may appear in person, or by agent or attorney.

4) The Board of Zoning Appeals shall make a finding that it is empowered under the section of this Ordinance described in the application to grant the special exception, and that the granting of the special exception will not adversely affect the public interest.

5) The Board of Zoning Appeals may prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both.

903.3.3 EFFECT OF FAILURE TO MEET CONDITIONS

1) Violation of conditions or safeguards prescribed in conformity with this Ordinance, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this Ordinance, punishable under penalties established herein.

2) Failure to begin or complete, or begin and complete, any action for which a special exception is required, within the time limit specified when such time limit is made a part of the terms under which the special exception is granted, shall void the special exception.

903.3.4 DECISION OF THE BOARD OF ZONING APPEALS

The concurring vote of two (2) members of the Board of Zoning Appeals shall be necessary to grant a special exception. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent and failing to vote, indicating such fact, and shall keep records of its examination and other official actions, all

of which shall immediately be filed in the office of the Board of Zoning Administration and shall be made a public record.

904

APPEALS FROM THE DECISIONS OF THE BOARD OF ZONING APPEALS

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

ARTICLE 10 AMENDMENTS

1000 INITIATION OF PROPOSALS FOR ZONING AMENDMENTS

An amendment to the Zoning Ordinance text may be proposed by the City Council or the Planning Commission. A request for an amendment to the Zoning Map, other than a request from the City Council or Planning Commission, including property other than that owned by the applicant, shall include a written certification that the owners or authorized agents of all properties other than that owned by the applicant for amendment are in agreement with the proposed amendment. Requests for amendment shall be submitted in writing to the Zoning Administrator whose duty it shall be to present such amendments to the Planning Commission for review and to the City Council for determination.

1001 PLANNING COMMISSION REVIEW

All proposed amendments shall be submitted to the Planning Commission for study and recommendation. The Planning Commission shall study such proposals to determine:

- 1) The need and justification for the change.
- 2) When pertaining to a change in the district classification of the property, the effect of the change, if any, on the property and on surrounding properties.
- 3) When pertaining to a change in the district classification of the property, the amount of land in the general area and in the City having the same district classification as that requested.
- 4) The relationship of the proposed amendment to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance and the Comprehensive Plan.

1002 PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL

Within forty-five (45) days from the date that any proposed zoning amendment is referred to it (unless a longer period shall have been established by mutual agreement between the City Council and the Planning Commission in the particular case) the Planning Commission shall submit its report and recommendation to the City Council. The recommendation of the Planning Commission shall be advisory only, and shall not be binding on City Council. If the Planning Commission does not submit its report within the prescribed time, the City Council may proceed to act on the amendment without further awaiting the recommendations of the Planning Commission.

1003 PUBLIC HEARING TO BE HELD

Before taking action on any proposed amendment, the City Council shall hold a public hearing. Such public hearing shall be held at such times as the City Council shall decide.

1004 NOTICE OF PUBLIC HEARING

In scheduling a public hearing concerning zoning amendments, the Zoning Administrator shall publish a notice in a newspaper of general circulation in the City of Manning; at least fifteen (15) days prior to the hearing, which notice shall state the time, date, and place of the hearing, and shall have an appropriate descriptive title. When a proposed

amendment made by anyone other than the Planning Commission or City Council affects the district classification of a particular piece of property, the Zoning Administrator shall cause to be conspicuously located on or adjacent to the property affected, one (1) hearing notice for every one hundred (100) feet of street frontage or portion thereof. Such notice shall be posted at least fifteen (15) days prior to the hearing and shall indicate the nature of the change proposed, identification of the property affected, time, date and place of the hearing.

1005 RECONSIDERATION OF PROPOSED AMENDMENTS

The City Council shall not reconsider a proposed amendment to the Zoning Map if such amendment requests a change affecting the same lot, parcel, or portion thereof, for a period of one (1) year from the date of the amendment fee payment of the prior request unless the Planning Commission recommends to the City Council that such reconsideration be given, after the Planning Commission has found that either:

- 1) there has been a substantial change in the character of the area; or
- 2) evidence of factors or conditions exists which were not considered by the Planning Commission or the City Council in previous deliberations which might substantially alter the basis upon which the previous determination was reached.

1006 MINIMUM AREA FOR NEW DISTRICTS

No request from any individual, corporation, or agency other than the City Council or the Planning Commission for a change in zoning classification or creation of a separate district shall be considered which involves an area of less than two (2) acres, except that the following changes may be made to apply to areas of less than two (2) acres:

- 1) the extension of existing district boundaries;
- 2) the addition of GC zoning contiguous to existing LI or HI zone;
- 3) the addition of OC to NC, CC, or GC;
- 4) the addition of LI to HI.

**ARTICLE 11
LEGAL STATUS**

1100 SEPARABILITY

Should any section of provisions of this Ordinance or application of a provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part or application so declared to be unconstitutional or invalid.

1101 CONFLICT WITH OTHER LAWS

Whenever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive or that imposing the higher standards shall govern. Unless deed restrictions, covenants, or other contracts directly involve the City as a party in interest, the City shall have no administrative responsibility for enforcing such deed restrictions or covenants.

1102 EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after the date of its adoption by the Manning City Council.