

# **ZONING ORDINANCE**

## **TOWN OF ELGIN SOUTH CAROLINA**

Vismor, Ricketson & Associates, Inc.

## **TABLE OF CONTENTS**

<b>ARTICLE 1: ESTABLISHMENT OF ZONING DISTRICTS, PURPOSE OF DISTRICTS, AND RULES FOR THE INTERPRETATION OF DISTRICT BOUNDARIES.....</b>	<b>3</b>
<b>ARTICLE 2: ZONE DISTRICT REGULATIONS.....</b>	<b>7</b>
<b>ARTICLE 3: CONDITIONAL USE REGULATIONS.....</b>	<b>17</b>
<b>ARTICLE 4: COMMUNITY APPEARANCE, BUFFERING, LANDSCAPING, SCREENING AND TREE PROTECTION REGULATIONS.....</b>	<b>33</b>
<b>ARTICLE 5: SIGN REGULATIONS.....</b>	<b>47</b>
<b>ARTICLE 6: SUPPLEMENTAL OFF-STREET PARKING AND LOADING REGULATIONS.....</b>	<b>56</b>
<b>ARTICLE 7: GENERAL AND ANCILLARY REGULATIONS.....</b>	<b>62</b>
<b>ARTICLE 8: ADMINISTRATIVE PROCEDURES AND ENFORCEMENT REGULATIONS.....</b>	<b>74</b>
<b>ARTICLE 9: AMENDMENTS.....</b>	<b>83</b>
<b>ARTICLE 10: DEFINITIONS.....</b>	<b>86</b>
<b>ARTICLE 11: LEGAL STATUS PROVISIONS.....</b>	<b>97</b>

**ZONING ORDINANCE  
OF THE  
TOWN OF ELGIN,  
SOUTH CAROLINA**

**AN ORDINANCE OF THE TOWN OF ELGIN, SOUTH CAROLINA, REGULATING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND, THE HEIGHT OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS, THE DENSITY AND DISTRIBUTION OF POPULATION; CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THEREOF; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT; AND PROVIDING FOR THE IMPOSITION OF PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.**

**PREAMBLE**

IN ACCORDANCE WITH AUTHORITY CONFERRED BY THE GENERAL STATUTES OF SOUTH CAROLINA, 1976 CODE OF LAWS, TITLE 6, CHAPTER 29 OF THE COMPREHENSIVE PLANNING ENABLING ACT OF 1994, AS AMENDED, AND FOR THE PURPOSE OF PROMOTING PUBLIC HEALTH, SAFETY, MORALS, CONVENIENCE, ORDER, APPEARANCE, PROSPERITY, AND GENERAL WELFARE; LESSENING CONGESTION IN THE STREETS; SECURING SAFETY FROM FIRE; PROVIDING ADEQUATE LIGHT, AIR, AND OPEN SPACE; PREVENTING THE OVERCROWDING OF LAND; AVOIDING UNDUE CONCENTRATION OF POPULATION; FACILITATING THE CREATION OF A CONVENIENT, ATTRACTIVE AND HARMONIOUS COMMUNITY; PROTECTING AND PRESERVING SCENIC, HISTORIC AND ECOLOGICALLY SENSITIVE AREAS; FACILITATING THE PROVISION OF PUBLIC SERVICES, AFFORDABLE HOUSING, AND DISASTER EVACUATION, IN HARMONY WITH THE COMPREHENSIVE PLAN FOR THE TOWN OF ELGIN, SOUTH CAROLINA, THE TOWN COUNCIL HEREBY ORDAINS AND ENACTS INTO LAW THE FOLLOWING ARTICLES AND SECTIONS, WHICH SHALL COMPRISE AND BE KNOWN AS **THE ZONING ORDINANCE OF THE TOWN OF ELGIN, SOUTH CAROLINA**, AND SHALL BE APPLICABLE THROUGHOUT THE LEGALLY RECORDED CORPORATE LIMITS OF THE TOWN, AS NOW OR HEREAFTER ESTABLISHED.

**ARTICLE 1  
ESTABLISHMENT OF ZONING DISTRICTS,  
PURPOSE OF DISTRICTS, AND  
RULES FOR THE  
INTERPRETATION OF DISTRICT BOUNDARIES**

**Section 1.1 Establishment of Districts**

For the purpose of this Ordinance, the Town of Elgin is hereby divided into the following zoning districts:

**Map Symbol**

**RS-1 Single-family Residential District**  
**RS-2 Single-family Residential District**  
**RS-3 Single-family Residential District, Medium-High Density**  
**RG General Residential District**  
**OC Office Commercial District**  
**GC-1 Downtown Commercial District**  
**GC-2 General Commercial District**  
**LI Limited Industrial District**  
**DOD Design Overlay District**

**Section 1.2 Purpose of Districts**

Collectively, these districts are intended to advance the purposes of this Ordinance, as stated in the Preamble. Individually, each district is designed and intended to accomplish the following more specific objectives.

**RS-1, Single-family Residential District.** The RS-1 District is intended to foster, preserve and protect areas of the community in which the principal use of land is for detached, site built single-family dwellings, and limited residential support facilities at low densities.

**RS-2. Single-family Residential District.** The RS-2 District is intended to foster, preserve and protect areas of the community in which the principal use of land is for detached, site built single-family dwellings, manufactured dwellings and limited residential support facilities at low densities.

**RS-3, Single-family Residential District.** The RS-3 District is intended to foster, preserve and protect areas of the community in which the principal use of land is for detached, site built single-family dwellings, and limited residential support facilities at medium to high densities, where public sewer is available.

**RG, General Residential District.** The RG District is intended to accommodate a range of housing which meets the diverse economic and social needs of the population and to provide a protected residential environment. Senior housing, congregate care and group facilities, cluster subdivisions, town houses, patio homes and similar land conservation housing types are permitted with commonly maintained recreational and open space.

**OC, Office Commercial District.** The OC District is intended to accommodate office, institutional, limited personal service and residential uses in areas whose character is mixed, in transition, or otherwise suitable for mixed use development. It is designed principally for use along major streets and subdivision borders characterized by older houses to help ameliorate the consequences of change impacting these areas, and provide a transitional buffer between potentially incompatible commercial and residential development. It is also intended to accommodate "planned" mixed use projects in single ownership.

**GC-1, Downtown Commercial District.** The GC-1 District is intended to promote the concentration and vitality of commercial and business uses in Downtown Elgin. This district is characterized by wall-to-wall and lot-line-to-lot-line development, sidewalks, and public parking.

**GC-2, General Commercial District.** The GC-2 District is intended to provide for and promote the development and maintenance of commercial and business uses strategically located to serve the community and the larger region of which it is a part. Toward this end, a wide range of business, commercial and light industrial uses are permitted in this district.

**LI, Limited Industrial District.** The intent of the LI District is to provide for development of wholesaling, distribution, storage, processing and manufacturing uses in an environment suited to such uses and operations while promoting land use compatibility within the Town of Elgin.

**DOD, Design Overlay District.** The intent of the Design Overlay District is to promote unified planning and development along the Town's major commercial corridor (US 1), improve and enhance the aesthetic quality of land uses fronting on the corridor, and foster civic pride.

### **Section 1.3 Establishment of Official Zoning Map**

The boundaries of the use districts established by this Ordinance are shown on the official zoning map, which shall be identified by the signature of the Mayor, attested by the Town Clerk and maintained at Town Hall. The official zoning map and all amendments, certifications, citations and other matters entered on to the official zoning map are hereby made a part of this Ordinance and have the same legal effect as if fully set out herein.

No changes of any nature shall be made on the official Zoning Map or matters 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.

### **Section 1.4 Amendments to the Official Zoning Map**

Amendments to the official zoning map shall be adopted by Ordinance as provided for by this Ordinance. Promptly after the adoption of an amendment the Zoning Administrator shall alter or cause to be altered the official zoning map to indicate the amendment and the effective date of the Ordinance amending the map.

### **Section 1.5 Rules for Interpretation of District Boundaries on the Official Zoning Map**

Where uncertainty exists as to the boundaries of districts shown on the official zoning map, the following rules shall apply.

- (1) Boundaries indicated as approximately following the centerlines of streets, highways, alleys, or public utility easements shall be construed to follow such centerlines.

- (2) Boundaries indicated, as approximately following platted lot or tract lines shall be construed as following such lines, whether public or private.
- (3) Boundaries indicated as approximately following the town limits shall be construed as following such Town limits.
- (4) Boundaries indicated as parallel to, or extensions of features indicated in Subsections 1 through 3 above shall be so construed.

If distances are not specifically indicated on the official zoning map, or in other circumstances not covered by Subsections 1 through 3 above, the boundaries shall be determined by the use of scale of such map.

- (5) Where uncertainties continue to exist after the application of the other rules in this Section, appeal for clarification may be taken to the Board of Zoning Appeals.

### **Section 1.6 Zoning Annexed Property**

All the territory which may hereafter be annexed to the Town of Elgin shall be submitted first to the Elgin Planning Commission for zoning designation. Representatives of the annexed territory may request a zoning classification at the time of annexation, but it must be reviewed by the Commission, which shall submit its recommendation as to the type of zoning to be attached to said territory to Town Council.