



Zoning Ordinance
Adopted September 2018

Belton, South Carolina

Official Zoning Ordinance

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AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF BELTON, SOUTH CAROLINA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF TITLE VI, CHAPTER 29 OF THE 1976 OFFICIAL CODE OF SOUTH CAROLINA, 1994 CUMULATIVE SUPPLEMENT, THE SOUTH

CAROLINA COMPREHENSIVE PLANNING ENABLING ACT OF 1994 (S.C. CODE OF LAWS, SECTIONS 6-29-310 THROUGH 6-29-1200).

ARTICLE 1 - TITLE AND AUTHORITY

Section 1.1 Title

This Ordinance shall be known as the Zoning Ordinance of the City of Belton, South Carolina.

Section 1.2 Authority

This Ordinance was prepared in accordance with the provisions of Title VI, Chapter 29 of the 1976 Official Code of South Carolina, 1994 Cumulative Supplement, the South Carolina Planning Enabling Act.

ARTICLE 2 - PURPOSE

This Zoning Ordinance contains regulations to guide development in accordance with a comprehensive plan, and to protect and improve the environment of all citizens of Belton. These regulations are based on a study of the character of each area and its suitability for particular uses, and are intended to encourage the most appropriate use of land in the City of Belton.

ARTICLE 3 - ZONING DISTRICTS AND DISTRICT MAP

Section 3.1 Establishment of Districts

In order to administer this Zoning Ordinance, the City of Belton is divided into the following districts:

A. Residential Districts

- RS-1: Single-Family Residential District
- RS-2: Single-Family Residential District
- RM: Multi-Family Residential District
- MH: Mobile Home Residential District

B. Commercial Districts

- C-1: Core Commercial District
- C-2: Neighborhood Commercial District
- C-3: General Commercial District

C. Industrial Districts

- I-1: Industrial District

Section 3.2 Zoning District Map

The boundaries of the above zoning districts are established as shown on the Official Zoning Map of Belton, South Carolina, which is hereby adopted and declared to be a part of this Ordinance. The Zoning Map shall be signed by the Mayor and properly attested by the City Clerk.

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

A reproducible copy of the Official Zoning Map shall be kept on file in the office of the City Clerk and copies shall be available at all times for inspection by the public.

Section 3.3 Interpretation of District Boundaries

Where uncertainty exists regarding the boundaries of any of the districts shown on the zoning district map, the following rules shall apply:

1. Where district boundaries are shown as approximately following the center line of streets or highways, street lines or highway right-of-way lines, these center lines, street lines or highway right-of-way lines shall be construed to be the boundaries.
2. Where district boundaries are shown so that they approximately follow the lot lines, the lot lines shall be construed to be the boundaries.
3. Where district boundaries are shown approximately parallel to the center lines or street lines of streets or center lines or right-of-way lines of highways, the district boundaries shall be construed as being parallel to these lines, and at the distance from them as shown on the Official Zoning Map. If no distance is given, the dimensions shall be determined by using the scales appearing on the Official Zoning Map.
4. Where the boundaries of a district follow a railroad line, the boundaries shall be located in the middle of the main tracks of the railroad line.
5. Where the boundary of a district follows a stream, lake or other body of water, that boundary line shall be at the limit of the jurisdiction of the City, unless otherwise indicated.
6. Where any physical features existing on the ground do not coincide with those indicated on the zoning map, or in circumstances not covered by the previous regulations, the Zoning Board of Appeals shall interpret the exact location of the district boundaries.

Section 3.4 Classification of Annexed Territory

Any territory annexed to the City of Belton shall be automatically classified RS-1, Single-Family Residential until the territory is reclassified by the City Council of Belton after recommendation by the Planning Commission.

ARTICLE 4 - APPLICATION OF DISTRICT REGULATIONS

The regulations set by this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

Section 4.1 Use of Land or Structures

1. No land or structure shall hereafter be used or occupied, and no structure or parts shall hereafter be constructed, erected, altered or moved, unless in conformity with all of the regulations herein specified for the district in which it is located.
2. No structure shall hereafter be erected or altered:
 - a. with greater height, size, bulk or other dimensions;
 - b. to accommodate or house a greater number of families;
 - c. to occupy a greater percentage of lot area;
 - d. to have narrower or smaller rear yards, front yards, side yards or other open spaces than herein required; or in any other manner contrary to the provisions of this Ordinance.
3. No part of a yard or other open space, off-street parking or loading required about or in connection with any building for the purpose of complying with this Ordinance shall be included as a part of a yard, open space or off-street parking or loading space similarly required for any other building.
4. 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 yard requirements.

Section 4.2 Lot Reduction Prohibited

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

Section 4.3 Use of Substandard Lots of Record

Where the owner of a lot at the time of the adoption of this Ordinance does not own sufficient land to enable him to conform to the dimensional requirements of this Ordinance, such lot may

nonetheless be used as a building site and the Building Official is authorized to issue a permit for the use of the property, provided that the use conforms to the requirements of the district in which the lot is located.

ARTICLE 5 - DISTRICT REGULATIONS

Section 5.1 RS-1 - Single-Family Residential District

The purpose of this District is to provide for low to medium density residential development, together with churches, schools, recreational facilities and accessory uses normally necessary and compatible with residential uses. Horticultural or agricultural uses are also provided for in such areas, but not including the keeping of poultry or livestock. This District is intended to provide a homogeneous and aesthetically harmonious development of single-family dwelling units in low to medium density neighborhoods on lots having an area of 10,000 square feet or more.

Section 5.1.1 Permitted Uses:

1. Detached single-family dwellings, other than mobile homes.
2. Churches, rectories, parish houses, temples and synagogues, provided such uses built after the date of passage of this Ordinance shall have their principal means of access from a thoroughfare, and shall be located on a lot of at least one acre in area. Conversion of a residential structure into a church or synagogue is not permitted.
3. Public and private schools and usual accessory buildings.
4. Medical facilities, to include hospitals and public health facilities.
5. Home occupations as defined in this Ordinance.
6. Accessory structures and uses customarily incidental to the above uses, but not involving the conduct of a business.

Section 5.1.2 Conditional Uses:

1. Private kindergarten or pre-school nursery provided that:
 - a. such uses meet the minimum standards set forth for such facilities by the State Board of Health;
 - b. such use is located on a lot not less than 20,000 square feet in area; and
 - c. no structure on the lot is closer than twenty-five (25) feet to any abutting residential property lines.

2. Public utility substation or sub-installation including water towers, provided that:
 - a. such use is enclosed by a painted or chain link fence or wall at least six (6) feet in height above the finished grade;
 - b. there is neither office or commercial operation nor storage of vehicles or equipment on the premises; and
 - c. a landscaped strip not less than five (5) feet in width is planted and suitably maintained around the facility.
3. Cemetery provided that such use:
 - a. consists of a site of at least five (5) acres;
 - b. includes no crematorium or dwelling unit other than for a caretaker;
 - c. has a front yard setback of at least seventy (70) feet from the center line of the street or ten (10) feet from the street right-of-way line, whichever is further; and
 - d. maintains a non-illuminated sign no greater than thirty (30) square feet and ten (10) feet in height.
4. Recreational uses, such as tennis courts, swimming pools and similar activities, operated exclusively for the use of private membership, and not for commercial purposes provided:
 - a. that no such use, structure or accessory use is located closer than thirty (30) feet to any property line
 - b. provided that all facilities must be located on a site of at least two acres.
 - c. There shall be provided a continuous screen with a minimum height of six (6) feet between all structures and adjoining residential properties, when such structures are located within one hundred (100) feet of these properties. This screen may consist of a compact evergreen hedge, foliage or a louvered wall or fence.
5. Golf courses, not lighted for night play and not including miniature golf courses, putting greens, driving ranges and similar activities operated as a business, but including a building for a golf shop, locker room and snack bar as an accessory use to a permitted golf course provided:
 - a. no such building is located closer than one hundred (100) feet from adjoining property lines. Practice greens and tees may accompany a nine-hole or an eighteen-hole golf course when this course occupies at least fifty (50) acres.
 - b. There shall be provided a continuous screen with a minimum height of six (6) feet between all structures and adjoining residential properties, when such structures are

located within one hundred (100) feet of these properties. This screen may consist of a compact evergreen hedge, foliage or a louvered wall or fence.

6. Care Homes, Group Homes, Nursing Homes, and Assisted Living Facilities provided that:
 - a. such uses meet the minimum standards set forth for such facilities by the State Board of Health
 - b. such use is located on a lot not less than 40,000 square feet in area
 - c. no structure on the lot is closer than 25 feet to any abutting residential property line.
7. Temporary use in compliance with the provisions of Section 9.7 of this Ordinance.

Section 5.1.3. Special Exceptions

The following uses shall be permitted in the R-12 Zoning District as a special exception, subject to the conditions of this article and Article IX, Section 914:

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

2. An apartment may only be located on a lot with a single family residence.
3. A property with an apartment may not have more than two residences on the property
4. The owner must reside in either the primary or accessory dwelling at the time of construction
5. As a residential unit, the district setbacks shall apply
6. The proposed apartment will be no larger than 800 square feet (decks, patios, and porches without roofs will not be included in the 800 square feet) and have no more than two (2) bedrooms
7. The apartment must be a complete living space, with kitchen and bathroom facilities separated from the principal unit, utilizing the same gas, electrical, and water meters as the principal dwelling.
8. One (1) space, in addition to any parking requirements for the primary unit, shall be required, in the rear yard or in the garage.
9. The property shall retain a single family appearance from the street.
10. The accessory dwelling is to be occupied by a person related by blood, marriage or legal adoption to one or more family members living in the other portion of the dwelling
11. No apartment shall be used for income purposes
12. Prior to construction, a scaled site plan must be submitted, which shows, at a minimum, the location and dimensions of the principal structure, propose accessory dwelling unit, and required off street parking spaces; colors and materials for exterior use; and all applicable setbacks.
13. Occupancy of an accessory dwelling unit shall be limited to no more than two persons.
14. Neither the primary residence nor the accessory apartments shall be a manufactured home, mobile home, trailer, temporary building, or utility/storage shed.
15. The Board of Zoning Appeals shall hold a public hearing to determine if the proposed apartment meets the above conditions and is consistent with neighborhood design.

Section 5.1.4 Prohibited Uses

No activity that does not fall within the parameters of Sections 5.1.1, 5.1.2 and 5.1.3 shall be permitted within the R-1 Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity.

- a. Sexually Oriented Businesses
- b. Cellular Towers
- c. Tattoo Parlors
- d. Mobile homes, modular homes, trailers, and manufactured homes

Section 5.1.5 Other Requirements:

Uses permitted in RS-1 Zoning Districts shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this Ordinance may be subject to whatever relief is provided by Article 4, Section 4.3 of this Ordinance.

1. Minimum Lot Area: 10,000 square feet*
2. Minimum Lot Width Measured at the Building Line: 70 feet.
3. Minimum Front Yard Depth Measured from the Nearest Right-Of-Way Line: 25 feet.*
4. Minimum Side Yard: 10 feet for one side
5. Minimum Rear Yard: 30 feet.*
6. Maximum Building Height: 35 feet.*
7. Maximum Stories in Building: 2-1/2.
8. Bufferyard Requirements of Section 8

*For exceptions to regulations and for special dimensional requirements pertaining to corner and double-frontage lots, see Article 10.

Section 5.2 RS-2 - Single-Family Residential District

The purpose of this District is to provide for single-family residential development on medium-size lots, together with churches, schools, recreational facilities and accessory uses normally necessary and compatible with residential uses in areas of urban character appropriate to such uses. This district is located to protect existing development and to provide for development of vacant land with appropriate uses. This District is intended to provide a homogeneous and aesthetically harmonious development of single-family dwelling units in low to medium density neighborhoods on lots having an area of 6,000 square feet or more.

Section 5.2.1. Permitted Uses:

1. Any use permitted in the RS-1 Single-Family Residential District.

Section 5.2.2 Conditional Uses:

1. All conditional uses permitted in the RS-1 Zoning District.

Section 5.2.3 Special Exceptions:

1. All special exceptions permitted in the RS-1 Zoning District.

Section 5.2.4 Prohibited Uses

No activity that does not fall within the parameters of Sections 5.2.1, 5.2.2 and 5.2.3 shall be permitted within the R-2 Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity.

- a. Sexually Oriented Businesses
- b. Cellular Towers
- c. Tattoo Parlors
- d. Mobile homes, modular homes, trailers, and manufactured homes

Section 5.2.5 Other Requirements:

1. Minimum Lot Area: 6,000 square feet.
2. Minimum Lot Width Measured at the Building Line: 50 feet.
3. Minimum Front Yard Depth Measured From the Nearest Right-of-Way Line: 25 feet.
4. Minimum Side Yard: 7 feet for one side

5. Minimum Rear Yard: 20 feet.
6. Maximum Building Height: 35 feet.
7. Maximum Stories in Building: 2-1/2.
8. Bufferyard Requirements of Section 8

Section 5.3 RM – Multi-Family Residential District

The purpose of this District is to provide for medium to high density residential development which includes townhomes, duplexes, and multifamily. Churches, schools, recreational facilities and accessory uses normally necessary and compatible with residential uses are provided for in the area.

Section 5.3.1 Permitted Uses:

1. Any use permitted in the RS-2 Single-Family Residential District.
2. Two-family or duplex dwellings.
3. Town houses and multiple-family dwellings.
4. Nursery schools, day care centers and kindergartens provided all the requirements of the State Health Department pertaining to nursery schools and kindergartens are met.
5. Accessory structures and uses customarily incidental to the above uses, but not involving the conduct of business.

Section 5.3.2 Conditional Uses:

1. All conditional uses permitted in the RS-2 Zoning District except cemeteries.

Section 5.3.3 Special Exceptions:

1. All special exceptions permitted in the R-2 Zoning District.

Section 5.3.4 Prohibited Uses

No activity that does not fall within the parameters of Sections 5.3.1, 5.3.2 and 5.3.3 shall be permitted within the RM Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity.

- a. Sexually Oriented Businesses
- b. Cellular Towers
- c. Tattoo Parlors
- d. Mobile homes, modular homes, trailers, and manufactured homes

Section 5.3.4 Other Requirements

Other Requirements:

1. Unless otherwise specified elsewhere in this Ordinance, uses permitted in the RM-1 Zoning District shall be required to conform to the standards shown in Table 5.3

Table 5.3
Area, Bulk and Height Requirements

Dwellings				
	1	2	3 or More	Other Uses
Minimum Lot Requirements				
Lot Area Per Dwelling Unit	6,000 sq. ft.	4,500 sq. ft.	4,000 sq. ft./unit	--
Lot Area	6,000 sq. ft.	9,000 sq. ft.	12,000 sq. ft.	6,000 sq. ft.
Lot Width	50 ft.	65 ft.	80 ft.	50 ft.
Lot Depth	100 ft.	--	--	100 ft.
Minimum Yard Requirements				
Front Yard	25 ft.	25 ft.	25 ft.	25 ft.
Side Yard Aggregate Width	10 ft.	10 ft.	20 ft.	10 ft.
Width of One Side Yard	5 ft.	5 ft.	10 ft.	5 ft.
Rear Yard	20 ft.	20 ft.	20 ft.	20 ft.
Maximum Building Height				
Height	35 ft.	35 ft.	35 ft.	35 ft.
Stories	2-1/2	2-1/2	2-1/2	2-1/2

2. Bufferyard Requirements of Section 8

Section 5.4 MH – Mobile Home Residential District

The purpose of this district is designed to encourage the formation and continuance of a stable, healthy environment for one-family and two-family dwellings situated on lots of 6,000 square feet or more; and to discourage any encroachment by commercial, industrial, or other use capable of adversely affecting the residential character of the district.

Section 5.4.1 Permitted Uses:

1. Any use permitted in the RM Multi-Family Residential District
2. Mobile Homes - One mobile home unit per parcel, in full compliance with all standards included in Section 9.16 of this Ordinance.

Section 5.4.2 Conditional Uses:

1. All conditional uses permitted in the RM Multi Family Residential District, as shown in Section 5.3, shall be permitted in any MH Zoning District on a conditional basis. For any of these conditional uses within the MH District, a buffer strip in compliance with Section 8 of this ordinance shall be installed and maintained along all property lines bordering a parcel that is zoned for residential usage.

Section 5.4.3 Special Exceptions:

1. All special exceptions permitted in the R-2 Zoning District.

Section 5.4.4 Prohibited Uses

No activity that does not fall within the parameters of Sections 5.4.1, 5.4.2 and 5.4.3 shall be permitted within the RM Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity.

- a. Sexually Oriented Businesses
- b. Cellular Towers
- c. Tattoo Parlors
- d. Mobile homes, modular homes, trailers, and manufactured homes

Section 5.4.5 Other Requirements:

1. Uses permitted in MH Districts shall be required to conform to the following standards, except that use of substandard lots of record as of the effective date of this Ordinance may be subject to whatever relief is provided by Article 4, Section 4.3, of this Ordinance.
 - a. Minimum Lot Area: Six thousand (6,000) square feet.
 - b. Minimum Lot Width measured at the Building Line: Fifty (50) feet.
 - c. Minimum Front Yard Depth measured from the nearest street right-of-way line: Fifteen (15) feet.
 - d. Minimum Side Yard: Five (5) feet from one side, For side yard requirements pertaining to corner lots, see Section 9.5.
 - e. Minimum Rear Yard: Fifteen (15) feet. For rear yard requirements pertaining to double frontage lots Section 10.6
 - f. Maximum Building Height: Thirty-five (35) feet. For exceptions to height regulations, see Section 9.11
 - g. Additional Requirements: Uses permitted in MH Zoning District shall meet all standards set forth in Article 6, pertaining to off-street parking, loading and other requirements.
 - h. Bufferyard Requirements of Section 8

5.5 C-1 – Core Commercial District (SQUARE)

The purpose of this district is to permit concentrated development and redevelopment of businesses within the town center to more efficiently serve the community and its surrounding area.

Section 5.5.1 Permitted Uses:

1. General retail stores less than 25,000 square feet, provided that any external storage of inventory, parts, or machinery is established to the rear of the front line of the principal structure and provided that such storage be completely enclosed by a solid fence or wall of at least six feet in height composed of treated wood or brick
2. Service businesses, including - but not limited to plumbers, electricians, barbers, beauticians, repair services, tanning salons, etc., provided all services take place within an enclosed building and there is no external storage of inventory, parts, machinery or equipment
3. Professional Offices included but not limited to attorneys, accountants, and staffing offices.
4. Financial, Insurance and Real Estate Offices
5. Restaurants with no drive thrus
6. Retail food stores, including general groceries, produce stands, bakeries, meat markets (without slaughtering on-site), etc (less than 25,000 square feet).
7. Food preparation establishments for off-premise delivery
8. Day care centers (adult and child)
9. florist shops
10. alterations shop
11. Shoe repair, watch repair, locksmith, and other similar shops
12. Studios for artists, photographers, sculptors or musicians.
13. Jewelry store
14. Book store/newsstand
15. Antique store

16. Cultural and community centers, including libraries, museums, concert halls, reception halls, theaters, neighborhood recreation centers, churches and other religious facilities
17. Public utility facilities, including offices, electric transformer stations, gas regulator stations, telephone switching stations, excluding transmission towers
18. Schools
19. Veterinary offices with no external runs
20. Dry cleaning - excluding dry cleaning plants
21. Funeral homes
22. Commercial printers
23. ABC stores
24. Medical offices including but not limited to dentists, chiropractors, eye doctors, and other medical professionals.
25. Music venues, listening rooms
26. Facilities of city, county, state or federal government
27. Facilities of the Anderson County School System or other public service districts
28. Land use permitted in RS-2, Single Family Residential

Section 5.5.2 Conditional Uses:

1. Combination of residential structure within a use permitted herein provided that all dwelling units have direct access to the street.
2. Newspaper publishing plant provided that the requirements for parking, loading and unloading conform to those for industrial buildings, as set forth in Articles 6 and 7.
3. Community hospitals or clinics, including any functions which relate directly to the operation of the hospitals or clinics and are contained within the confines of said hospital or clinic.
4. Inns provided that it is located above the retail, parking is provided separately from the retail spots, and a separate entrance is available as well.

5. Temporary use in compliance with provisions in Section 9.23.

Section 5.5.3 Prohibited Uses

No activity that does not fall within the parameters of Sections 5.5.1, 5.5.2 and 5.5.3 shall be permitted within the C-1 Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity.

- a. Sexually Oriented Businesses
- b. Cellular Towers
- c. Tattoo Parlors
- d. Short Term Lenders

Section 5.5.4 Other Requirements

1. Minimum Lot Area: 6,000 square feet.
2. Minimum Lot Width Measured at the Building Line: 50 feet.
3. Minimum Front Yard Measured from the Nearest Abutting Street Right-of-Way Line: 10 feet.
4. Minimum Side Yard and Rear Yard: None, except a yard shall be provided on a lot where it abuts a residential district at least equal to the requirements of the abutting residential district. Where the district abuts any residential zoning district not separated by a street right-of-way, then a suitable planting screen, fence or wall at least six (6) feet in height above the finished grade shall be required.
5. Maximum Building Height: 60 feet, without the approval of the Fire Chief. * For structures in excess of sixty (60) feet, the Fire Chief's approval is necessary.
6. Bufferyard Requirements of Section 8
7. Building Materials and Colors
 - a. Building materials should be similar to the materials already being used in the city center area, or if dissimilar materials are being proposed, other characteristics such as scale and proportion, form, architectural detailing or color and texture, should be used to ensure that enough similarity exists for the building to relate to its surroundings.

- b. Materials should be selected for suitability to the type of building and design for which they are used. Material or color changes at outside corners of structures, which give the impression of "thinness" and artificiality, are prohibited.
- c. Neutral colors should be used for all exterior facades of the building. Neutrals such as beige, ivory, taupe, black, gray and shades of white appear to be without color.

8. Signs

- a. Signs not attached to buildings should be ground-mounted signs that are no more than twenty (20) square feet in area and five (5) feet in height. All ground-mounted signs shall be located a minimum of five (5) feet behind the street right-of way. No ground-mounted sign greater than five (5) square feet in area shall be located closer than ten (10) feet to any adjacent lot line. A fifteen-foot side-yard setback shall be required if the side lot line abuts a residential district. An arm sign may be substituted for a ground-mounted sign but shall meet all height and area requirements as provided. The height of a sign shall be measured from the highest point of a sign to the point of ground surface beneath it. Ornamentation such as caps and spires are not included in this measurement. The use of berms or raised landscape areas is only permitted to raise the base of the sign to the mean elevation of the fronting street.
- b. Internally illuminated signs, signs with lights inside the sign itself, should be prohibited. Signs which contain a high-intensity illuminating device causing it to blink, flash, pulsate, scroll, fluctuate, or animate, except signs giving public service information such as time, temperature, date, weather, or similar information with low-intensity lights are prohibited.
- c. Sign materials should be compatible with that of the building façade and should use colors that are compatible with those of the building front.
- d. Window signs may be painted on the glass or hung inside the window and should cover no more than 20% of the total window area.

Section 5.6 C-2 - Neighborhood Commercial District

The purpose of this district is to provide for retail shopping and personal service uses, developed individually or as a unit, to serve the needs of a small area or nearby residential neighborhoods.

Section 5.6.1 Permitted Uses:

A building or land shall be used only for the purposes listed below. All storage shall be screened from view from adjacent streets and residential districts.

1. Any uses permitted in the C-1 Core Commercial District.
2. Bakery occupying not more than 2,500 square feet of floor area provided all products produced on the premises shall be sold at retail on the premises.
3. Catering and delicatessen business.
4. Garden shops, florist shops and landscape offices.
5. Stores and shops for conducting retail business limited to four thousand (4,000) square feet each.
6. Sundry shops occupying not more than 2,500 square feet of floor area.
7. small appliance repair and other similar shops occupying not more than 2,500 square feet of floor areas
8. Coin Operated Laundries
9. Accessory structures and uses customarily incidental to the above uses.
10. Land use permitted in RS-2, Single Family Residential

Section 5.6.2 Conditional Uses:

1. Auto accessory stores, provided there is no storage of wrecked automobiles or scrapped or salvaged auto parts on the premises.
2. Automobile service station provided that:
 - a. operations involving major repairs, body and fender work, painting or the sale or rental of new or used cars, trucks, trailers or any type of boats are not conducted on the premises;
 - b. all pumps are set back at least twenty-five (25) feet from the right-of-way line of all abutting streets;
 - c. parking and/or service areas are separated from adjoining residential properties by a suitable planting screen, fence or wall at least six (6) feet in height above the finished grade.
3. Contractor's office provided there is no storage of vehicles, equipment or materials on the premises.
4. Delicatessen, restaurant, soda fountain or other eating and/or drinking establishments (other than drive-in establishments) provided that:
 - a. No outside loud-speaker systems are utilized;
 - b. all lights or lighting arrangements used for purposes of advertising or night operations are directed away from adjoining or nearby residential property;
 - c. parking and/or service areas are separated from adjoining residential properties by a suitable planting screen, fence or wall at least six (6) feet in height above the finished grade,
5. Dry cleaning or laundry pick-up agency, provided that any laundering, cleaning or pressing done on the premises involves only articles delivered to the premises by individual customers.
6. Meat, fish and/or poultry shops provided that no slaughtering is permitted. Any cleaning of fish or poultry necessary for such use may be permitted provided cleaning activities are conducted within the principal building enclosed on the premises.
7. Pet shop, provided all animals are housed within the principal building so that no sound is perceptible beyond the premises.
8. Public utility substation or sub-installation including water or fire towers, provided that such uses:
 - a. are enclosed by a painted or chain link fence or wall at least six (6) feet in height above finished grade;

- b. there is neither an office, a commercial operation nor storage of vehicles or equipment on the premises;
 - c. a landscaped strip not less than five (5) feet in width is planted and suitably maintained.
- 9. Combination of residential structures with any use herein permitted, provided that all dwelling units have direct access to an abutting street.
- 10. Temporary uses in compliance with provisions of Section 9.23.

Section 5.6.3 Prohibited Uses

No activity that does not fall within the parameters of Sections 5.6.1, 5.6.2 and 5.6.3 shall be permitted within the C-1 Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity.

- a. Sexually Oriented Businesses
- b. Cellular Towers
- c. Tattoo Parlors
- d. Short Term Lenders

Section 5.6.4 Other Requirements:

- 1. Minimum Lot Area: 6,000 square feet.
- 2. Minimum Lot Width, Measured at the Building Line: 50 feet.
- 3. Minimum Front Yard, Measured from the Nearest Abutting Street Right-of-Way Line: 25 feet.
- 4. Minimum Side Yard: 10 feet on each side.* Where the district abuts any residential zoning district not separated by a street right-of-way, a suitable planting screen, fence or wall at least six (6) feet in height above the finished grade shall be required.
- 5. Minimum Rear Yard: 15 feet. Where the district abuts any residential zoning district not separated by a street right-of-way, a suitable planting screen, fence or wall at least six (6) feet in height above finished grade shall be required.
- 6. Maximum Building Height: 35 feet.
- 7. Bufferyard Requirements of Section 8

Section 5.6.5 Additional Requirements:

1. Uses permitted in C-3 Zoning Districts shall meet all standards set forth in Article 6 pertaining to off-street parking, loading and other requirements.
2. For exceptions to regulations and for special dimensional requirements pertaining to corner and double-frontage lots, see Article 9.

Section 5.7 C-3 General Commercial District

It is the intent of this Section that the C3 Zoning District be developed and reserved for general business purposes. The regulations which apply within this district are designed to encourage the formation of 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 capable of adversely affecting the general commercial character of the district.

Section 5.7.1 Section Permitted Uses.

1. Any permitted uses listed in C2 (Neighborhood Commercial)
2. Convenience store
3. General retail stores
4. Restaurants with drive thrus
5. Kennels, as an accessory use to a veterinary office only, with no external runs
6. Radio or television studios
7. Group community residential care facilities
8. Hotels, motels, bed and breakfast, inns

Section 5.7.2 Conditional Uses:

1. Automobile service station provided all fuel pumps are set back at least twenty-five (25) feet from the right-of-way line of the street; provided all fuel tanks are installed underground. In addition, where the use abuts any residential zoning district not separated by a street right-of-way, a buffer shall be required.
2. Garage for the repairing and servicing of motor vehicles provided all operations are conducted within a fully enclosed building; and provided there is no open storage of wrecked vehicles; dismantled parts, or parts visible beyond the premises. One or more of the following options can be used to meet the screening requirements:
 - a. Solid stockade type fence or wall so as to be 100 percent opaque, of at least six (6) feet in height, constructed of treated wood, masonry, or stone

- b. Chain link fence fitted with slats so as to be 100 Percent opaque, of at least six (6) feet in height
 - c. Natural vegetative buffer of evergreen/non-deciduous plantings that at the time of planting shall be no less than five (5) feet in height and positioned in such a manner that at full growth, the buffer shall be no less than five (5) feet in height and that no discernible visual contact can be made through the buffer. The buffer shall be no less than four (4) feet wide. The ground area within the buffer shall be maintained with a natural landscaping treatment (bark, mulch, etc.), or land cover plantings (grass, creeping junipers, etc.). Natural existing evergreen/non-deciduous vegetation located on the same premises as the use may be used to fulfill or partially fulfill the buffer requirements.
- 3. Combination of residential structure with any use permitted herein.
 - 4. Newspaper publishing plant provided that the requirements for parking, loading, and unloading conform to those for industrial buildings, as set forth in Article VII.
 - 5. Car wash provided an off-street paved parking area capable of accommodating not less than one-half of hourly vehicle washing capacity awaiting entrance to the washing process is suitably located and maintained on the premises (such space to contain at least two hundred (200) square feet per waiting vehicle; and, provided no safety hazard or impediment to traffic movement is created by the operation of such an establishment.
 - 6. Animal hospital and/or boarding facility provided all board arrangements are maintained within a building and no noise connected with the operation of the facility is audible beyond the premises.
 - 7. Automobile, boat, recreational vehicle dealerships, open yard for the sale, rental, and/or storage of materials or equipment excluding junk or other salvage. In addition, where the use abuts any residential zoning district not separated by a street right-of-way, a buffer in compliance with Article 9 Ordinance shall be required.
 - 8. Community hospitals or clinics including any functions which relate directly to the operation of the hospitals or clinics and are contained within the confines of said hospital or clinic, and provided such uses are in compliance with the provisions of Section 10.
 - 9. Mini warehouse self-storage facilities, so long as no storage unit doors can be viewed from a public right-of-way, or adjoining parcel.
 - 10. Short Term lenders provided that:
 - a. Required separation: No such business may be located within 1,000 feet of another such business, or within 500 feet of an intersection. For the purposes of this requirement, measurement shall be made in a straight line, without regard to intervening structures

or objects from the edge of the closest right-of-way to the nearest portion of the property line of the premises where the business is proposed.

- b. No Outdoor Waiting: There shall be no outdoor queuing; an indoor waiting area large enough to accommodate all customers should be provided.

11. Temporary uses in compliance with the provisions of section 9.23 of this ordinance.

Section 5.7.3 Prohibited Uses

No activity that does not fall within the parameters of Sections 5.7.1, 5.7.2 and 5.7.3 shall be permitted within the C-3 Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity.

- a. Sexually Oriented Businesses
- b. Tattoo Parlors

Section 5.7.4 Other Requirements:

Unless otherwise specified elsewhere in this Ordinance, uses permitted in C-3 General Commercial Zoning Districts shall be required to conform to the following standards:

- 1. Minimum Lot Area: Six (6,000) square feet.
- 2. Minimum Lot Width measured at the Building Line: Fifty (50) feet.
- 3. Minimum Front Yard measured from the nearest abutting street right-of-way line: Twenty-five (25) feet.
- 4. Minimum Side Yard: Not less than ten (10) feet for each side.
- 5. Where the district abuts any residential zoning district not separated by a street right-of-way, a buffer strip in shall be required.
- 6. If a common wall is used the side setback shall be zero (0) feet.
- 6. Minimum Rear Yard: Twenty (20) feet. Where the district abuts any residential zoning district not separated by a public right-of-way, a buffer strip shall be required.
- 7. Maximum Building Height: sixty (60) feet. For structures in excess of sixty (60) feet, the Fire Chief's approval is necessary.
- 8. Bufferyard Requirements of Section 8

Section 5.7.5 Additional Requirements:

1. Uses permitted in C-3 Zoning Districts shall meet all standards set forth in Article 6, pertaining to off-street parking, loading and other requirements.
2. For exceptions to regulations and for special dimensional requirements pertaining to corner and double-frontage lots, see Article 8.

Section 5.8 I-1 - Limited Industrial District

The purpose of this district is to provide for businesses and light industries which are free from offensive influences in existing locations along certain thoroughfares near residential areas.

Section 5.8.1 Permitted Uses:

A building or land in a limited industrial district shall be used only for the following purposes, provided that all storage is screened from view from streets and adjacent residential districts, and that the loading operations are conducted at the side or rear of the property, not on a street.

1. Any use permitted in the C-3 General Commercial District except dwellings.
2. Bakery products, both wholesale and manufacturing.
3. Beverage blending and bottling, but not including distilling.
4. Laundry, dry-cleaning or dyeing plant.
5. Dairy products.
6. Exterminating establishments.
7. Printing, publishing and engraving establishments.
8. Wholesale houses and distributors.
9. Railroad rights-of-way, including a strip of land for tracks and auxiliary facilities for track operations, but excluding all other railroad operations and facilities.
10. Any other use not in conflict with any Ordinance of the City of Belton regulating nuisances; provided further that no building or occupancy permit shall be issued for any of the following uses, unless and until the location of these uses have been approved by the City Council upon recommendation of the Planning and Zoning Commission.
 - a. Acid manufacture.
 - b. Asphalt or asphalt products.
 - c. Automobile wrecking or junkyard.

- d. Cement, lime or gypsum manufacture.
- e. Fertilizer manufacture.
- f. Garbage, stockyard or slaughter of animals.

11. Accessory structures and uses customarily incidental to the above uses.

Section 5.8.2 Conditional Uses:

1. Any industrial use which involves manufacturing, processing, assembling or storage operations, provided that said manufacturing, processing, assembling or storage:
 - a. no way involves any junk or salvage operation;
 - b. any noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation or other injurious or obnoxious conditions related to the operation are not sufficient to create a nuisance beyond the premises.
2. Warehouse or other storage facility, provided there is no open storage of junk or salvage materials of any type in conjunction with the operation.
3. Wholesale business outlet, provided that there is no open storage of junk or salvage materials of any type in conjunction with the operation.
4. Automobile service station, provided that all pumps are set back at least twenty-five (25) feet from the right-of-way line of any street; and provided that there is no open storage of any type in conjunction with the operation.
5. Animal hospital and/or boarding facility provided all boarding arrangements are maintained within a building and no noise connected with the operation of the facility is discernible beyond the premises.
6. Retail business, provided such businesses are incidental to permitted use, located on the same premises as the permitted use, and involves no open storage of junk or salvage materials of any type in conjunction with the operation.
7. Truck terminal, provided that paved acceleration and deceleration lanes of at least ten (10) feet in width and one hundred (100) feet in length, respectively, are furnished and maintained where trucks enter and leave terminal sites located adjacent to major streets and provided no open storage of any type is conducted in connection with the operation.
8. Watchman or caretaker in one-family dwelling provided that such a dwelling:

- a. is located on the premises of permitted use;
 - b. that the head of the household is employed by the industry as a watchman or caretaker.
- 9. Dwelling incidental to a permitted agricultural or horticultural use, provided that such related dwellings are occupied only by persons employed directly on the premises.
- 10. Garage or shop for the repair and servicing of motor vehicles, provided no sound, vibration, heat, glare or electrical disturbances would create a nuisance beyond the premises.
- 11. Temporary use in compliance with the provisions of Section 9.23

Section 5.8.3 Prohibited Uses

No activity that does not fall within the parameters of Sections 5.8.1, 5.8.2 and 5.8.3 shall be permitted within the I-1 Zoning District. The following uses are expressly prohibited in order to increase ordinance clarity.

- a. Sexually Oriented Businesses
- b. Tattoo Parlors

Section 5.8.4 Other Requirements:

- 1. Minimum Lot Area: 1 acre (43,560 square feet).
- 2. Minimum Lot Width, Measured at the Building Line: 100 feet.
- 3. Minimum Front Yard, Measured from the Nearest Abutting Street Right-of-Way Line: 50 feet.
- 4. Minimum Side Yard and Rear Yard: None, unless the property abuts a residential or commercial zoning district, in which case at least sixty (60) feet on that particular side shall be required. Where the district abuts any residential zoning district not separated by a right-of-way, a suitable planting screen,, fence or wall of at least six (6) feet in height above the finished grade shall be required.*
- 5. Maximum Building Height: no more than 60 feet unless approved by the Fire Chief.
- 6. Bufferyard Requirements of Section 8

Section 5.8.5 Additional requirements:

Uses permitted in I-I Zoning Districts shall meet all standards set forth in Article 6 pertaining to off-street parking, loading and other requirements.

*For exceptions to regulations and for special dimensional requirements pertaining to corner and double-frontage lots, see Article 9.

ARTICLE 6 – OFF-STREET PARKING

In accordance with the standards set forth below, adequate parking shall be provided with the erection or enlargement of any principal building or increase in the capacity by the addition of dwelling units, guest rooms, seats or floor areas. Also, if there is conversion from one use to another requiring additional parking or increased loading and docking space, changes must conform to the below standards.

If parking cannot be provided on the premises, adequate off-street facilities must be provided no further than four hundred (400) feet from the main interest of the principal use.

All off-street automobile parking and storage shall be so arranged that it is not necessary to back onto a public street, road or highway when leaving the premises. This applies to all parking except in residential areas.

Both external and internal movement in and about parking areas shall be so arranged as to provide free and safe movement of vehicles and pedestrians using the facilities.

Section 6.1 Off-Street Parking Requirements

To conform to this Ordinance, off-street parking spaces shall contain at least two hundred (200) square feet each to accommodate one (1) vehicle.

The number of parking spaces shall conform at least to the minimum requirements shown in Table 6.1.

Table 6.1
Off-Street Parking Requirements

Use or Use Category	Spaces Required Per Basic Measuring Unit	Additional Requirements
Athletic Fields, gym, stadiums	One (1) space per 3,000 square feet of field area or	One (1)space per six (6) spectator sets, whichever is greater
Amusement place, dance hall, swimming pool, community centers, etc.	One (1) per 100 sq. ft. of floor area	
Assisted living and nursing homes	One (1) space per every three (3) beds	
Auto Sales	Four (4) spaces for each sales person	plus one (1) for every two (2) other employee
Bed and Breakfast	One (1) space per guest room	Plus 2 (two) space for owner/operator
Rooming, boarding or lodging house	One (1) per two (2) sleeping rooms	
Car wash and detailing	One (1) space per 500 square feet of sale, office and lounge area	
Childcare and day care	One (1) space per four (4) children or clients at maximum capacity	
Church or places of worship	One (1) per 5 (five) seats in main auditorium	Or five (5) per classroom, whichever is greater
Convenience store	Two (2) spaces for each pump	Plus one (1) for each 300 square feet
Country club or golf club	One (1) per five (5) members	Plus one (1) for resident manager and maintenance personnel
Funeral home	One (1) per 50 sq. ft. of floor area excluding storage and work area	30 spaces minimum
Furniture or appliance store	One (1) per 300 sq. ft. of floor area	Three (3) spaces minimum;
High School, Middle Schools, and Elementary Schools	Two (2) spaces per classroom	Plus five (5) administrative spaces
Hospital	One (1) space per two (2) patient beds	Plus one (1) for space for every 300 square feet of office and administrative areas

Hotel or motel	One (1) per sleeping room or	Plus one (1) per three (3) employees
Manufacturing or industrial establishment, similar establishment	One (1) per two (2) employees on maximum working shift	Plus space for storage of trucks or other vehicles used in connection with the business or industry
Medical Office Buildings	One (1) space for 150 square feet	Or five (5) space per doctor, whichever is greater
Office Buildings	One (1) space per 350 square feet	
One and two family dwellings	One (1) space per dwelling	
Personal Service (salons, barbers, etc.)	One (1) space per 200 square feet	
Private Clubs and lodges	One (1) for every five (5) members	Plus one (1) per every three (3) employees
Public libraries, museum, art gallery, or community center	1.25 spaces per 1,000 square feet	
Restaurants with drive thru	One (1) space per 150 square feet	Plus one (1) space for every two (2) employees on shift of greatest employment
Restaurants without drive thru	One (1) space for every four seats	plus one (1) space for every two (2) employees on shift of greatest employment
Retail stores with less than 25,000 square feet	One (1) space per every 500 square feet	
Retail stores with more than 25,000 square feet	One (1) space per every 300 square feet	
Self-Storage	One (1) space per storage unit	
Taverns, bars, clubs	1.25 space per 100 square feet	
Trade or business schools	One (1) per five (5) sets in main assembly room	Or five (5) per classroom, whichever is greatest plus one (1) per three (3) employees
Veterinary	One (1) per 400 square feet of floor area	Plus one (1) per three (3) employees
Community or Cultural Centers including museums and art studios	One (1) per 1000 gross floor space	

Professional Services (financial, insurance, legal)	One space per ever 200 square feet	
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Section 6.2.1 Interpretation of the Table in Section 6.1

1. The parking requirements in the chart are in addition to space for storage of trucks or other vehicles used in connection with any use.
2. Floor area as used in the chart shall be as defined in Article 11.
3. Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.
4. Except as otherwise provided, the number of employees shall be compiled on the basis of the maximum number of persons employed on the premises at one time on an average day or average night, whichever is greater. Seasonal variations in employment may be recognized in determining an average day.
5. The parking space requirements for a use not specifically listed in the chart shall be the same as for a listed use of similar characteristics of parking demand generation.
6. In the case of mixed uses, or uses with different parking requirements occupying the same building or premises, or in the case of joint use of a building or premises by more than one use having the same parking requirements, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
7. Off-street parking spaces shall be provided in accordance with these regulations whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise.

Section 6.2 Joint Use and off-Site Facilities

1. All parking spaces required in this ordinance shall be located on the same lot with the building or use served, except that where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required spaces may be located and maintained at a distance not to exceed three hundred (300) feet from an institutional building or other nonresidential building served.
2. Up to fifty percent (50%) of the parking spaces required for (a) theaters, public auditoriums, bowling alleys and similar uses, and up to one hundred percent (100%) of the parking spaces required for a church auditorium, may be provided and used jointly by (b) banks, offices, retail stores, repair shops, service establishments and similar uses not normally open, used or

operated during the same hours as those uses listed in (a), and up to one hundred percent (100%) of parking spaces provided for schools may be provided and used jointly by a church auditorium provided, however, that written agreement thereto is properly executed and recorded as specified below.

3. In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, such parking space shall be established by a recorded covenant or agreement as parking space to be used in conjunction with the principal use and shall be reserved as such through an encumbrance on the title of the property to be designated as required parking space, such encumbrance to be valid for the total period the use or uses for which the parking is needed are in existence. A certificate of recording of the covenant or agreement shall be furnished to the Administrator.

Section 6.4 Parking in Yards

Off-street parking spaces may be located in half of the required minimum front yard measured from the building line. Driveway space for access to the parking areas or drive-in service facilities may be located in a required front yard.

Section 6.5 Special Requirements

Section 6.5.1 Separation from Walkways and Streets

Off-street parking spaces shall be separated from walkways, sidewalks, streets or alleys by a wall, fence, curbing or other approved protective device,, or by a distance of four (4) feet so that vehicles cannot protrude over publicly-owned areas.

Section 6.5.2 Entrances and Exits

Location and design of entrances and exits shall be in accord with applicable requirements of the City of Belton and State Highway Department "Driveway Entrances" standards. Landscaping, curbing or approved barriers shall be provided along lot boundaries to control entrance and exit of vehicles or pedestrians.

Section 6.5.3 Screening

When off-street parking areas for ten or more automobiles are located closer than fifty (50) feet to a lot in a residential district, or to any lot upon which there is a dwelling as permitted use under these regulations, and where such parking areas are not entirely screened visually from such lot by an intervening building or structure, there shall be provided a continuous, visual screen with a minimum height of six (6) feet. Such screen may consist of a compact evergreen hedge or foliage screening or a louvered wall or fence.

Section 6.5.4 Interference with Traffic

Off-street parking spaces shall be connected to a street or alley by a drive. No space shall be designed such that maneuvering into and out of the space will interfere with traffic flow on a street or alley.

Section 6.6 Off-Street Loading Requirements

Any structure or building constructed after the enactment of this Ordinance shall provide docking space as specified in this Article. The use of such space shall not in any way hinder the free movement of either vehicular or pedestrian traffic when in use. This space shall have the minimum dimensions of twelve feet by thirty-five feet (12' X 35') with fourteen feet (14') overhead clearance. Utilizing vehicles shall not be required to back onto a major public thoroughfare when leaving the premises. Docking facilities shall be required to conform to the following requirements:

Table 6.2
Off-Street Loading Requirements

Use or Use Category	Floor Area As defined In Article X In Square feet	Loading Spaces Required
Retail store, department store, restaurant, wholesale house, warehouse, general service, manufacturing or industrial establishment	2,000 – 10,000	One
	10,000 – 20,000	Two
	20,000 – 40,000	Three
	40,000 – 60,000	Four
	Each 50,000	One Additional
	Over 60,000	One Additional
Apartment building, motel, hotel, office building, hospital or similar institutions, or places of public assembly	5,000 – 10,000	One
	10,000 – 100,000	Two
	100,000 – 200,000	Three
	Each 100,000	One Additional
	Over 200,000	One Additional
Funeral home or mortuary	2,500 – 4,000	One
	4,000 – 6,000	Two
	Each 10,000	One Additional
	Over 6,000	One Additional

Section 6.6.1 Special Requirements

1. Loading space for mortuaries: Loading spaces for a mortuary may be reduced to ten feet by twenty-five feet (10' X 25') and vertical clearance reduced to eight (3) feet.

2. Entrances and exits: Location and design of entrances and exits shall be in accord with applicable requirements of the City of Belton and South Carolina Highway Department "Driveway Entrances" standards. Where the entrance or exit of a building is designed for truck loading and unloading, that entrance or exit shall provide at least one off-street loading space.

ARTICLE 7 – SIGN REGULATIONS

The purpose of the regulations in this section is to regulate all exterior and interior signs placed for exterior observance so as to protect property values, to ensure light, air and open space, to reduce hazards at intersections, to prevent the accumulation of trash, to encourage attractive community appearance, and to protect health, safety and general public welfare by governing the location, size and other characteristics of signs in each of the use districts established in this Ordinance.

Section 7.1 General Provisions

All signs within the City of Belton shall comply with the following regulations:

- 7.1.2 **Traffic** – No illumination simulating traffic control devices or emergency vehicles shall be used. No advertising sign shall interfere with vision of vehicles operated along a highway, street or road; or at any intersection of any street, highway, or road with a railroad track.
- 7.1.3 **Hazard and Directional Signs** – Warning and directional signs less than three square feet in area, consisting solely of arrows, or words such as “steps”, “fire escape”, “exit”, “entrance”, “parking lot”, “danger”, or similar symbols and displaying neither the name of a product nor any advertising matter shall not be included in computing maximum allowable sign area.
- 7.1.4 **Illumination:**
 - 1. No sign shall be illuminated by lights which are intermittently cut on or off, change in intensity and/or color, or otherwise create the illusion of flashing or movement, with the exception of constant paced scrolling messages. The illuminated part of the sign cannot be more than thirty-two (32) square feet.
 - 2. Illumination from all bare light bulbs shall be directed towards the face of the sign except where power rating of individual bulbs does not exceed 15 watts.
 - 3. An illuminated sign within 500 feet of a residential district shall be shielded in a manner preventing light being cast into such districts.
 - 4. An illuminated sign within a residential district shall be shielded in such a manner as to prevent illumination from being cast into residences within 100 feet thereof.

7.1.5 Height, Setback and Location:

1. A projecting wall sign:
 - a) shall not project more than five feet from building
 - b) shall have bottom at least ten feet from grade and top no higher than whichever is lowest: 25 feet above grade or the height of the building at building line
 - c) shall have no exposed guy wires or turnbuckles
2. Free standing signs, awning signs, canopy signs, marquee signs and temporary signs must have a minimum setback from the curb of the street and in no case be installed within the street right-of-way or project into the vertical plane of the street right-of-way.
3. Facia signs shall not project more than 18 inches from the wall of building and shall not extend more than six inches above the parapet, eaves or building facade.
4. Roof mount signs may not project more than ten feet above the highest point of the roof or parapet.
5. No sign shall obstruct any fire escape, or any window, door, or opening used as a means of ingress or egress for fire fighting purposes, or so as to prevent free passage from one part of a room to any other part thereof. No sign shall be attached in any manner to a fire escape or be so placed as to interfere with any opening required for legal ventilation.

7.1.6 Construction of Signs – The design, selection of materials, supports, installations, and electrical wiring for all permanent signs erected in the City of Belton shall conform to the International Building Code.

Section 7.2 Administration and Enforcement

7.2.1 Sign Permit Required:

- a. Except for temporary signs it shall be unlawful, after enactment of this Ordinance, for any person to erect or place a sign within the corporate limits of the City of Belton unless a sign permit is secured.
- b. In the event that the owner wishes to alter an existing sign for which a permit has been issued, a new petition must be submitted.
- c. The existence of a permanent sign at the time of passage of this article which does not conform with the standards of this Ordinance or other Ordinances of the City of Belton shall constitute a vested right. When any such is removed or whenever any renovation, change, maintenance or routine painting up to 50 percent of the sign replacement cost, such sign shall not be replaced or

renovated except in conformity with the regulations of this and other Ordinances of the City of Belton.

- d. Existence of a temporary sign at the time of passage of this article shall not constitute vested right. No permit shall be required of the business/owner to erect a temporary sign. A temporary sign shall be allowed only for a period of 30 days during each calendar quarter.

Section 7.3 Sign Regulations by Zoning District

7.3.1 Residential – In any residential district, there shall not be any sign except as follows:

1. One sign, not exceeding three square feet in total area, attached to the building or on a rod or post not more than five feet high and stating only the address and name of the occupants of the lot or both. Those numbers or letters attached to the owner's home shall be counted in calculating sign area.
2. One sign, bulletin, or announcement board, or entrance marker for each church or institution not exceeding twenty square feet in area, except that if the street frontage of such church, public or charitable institution exceeds one hundred feet, one such sign for each hundred feet computed to the nearest hundred, but in no event no more than three such signs for each church or public or charitable institution.
3. One "For Sale" or "For Rent" sign, not exceeding eight square feet in area, advertising the property on which the sign is located for each licensed realtor listing the property and/or the property owner.
4. One building contractor's or developer's sign, not exceeding twenty square feet in total area on a lot where a building is actually under construction. Subcontractors may present signs not exceeding eight square feet each.
5. One free standing sign not exceeding twelve square feet and/or facia sign not exceeding six square feet, erected by an historical organization recognized by the Belton City Council, denoting historical significance of a home or events which took place on the lot.

7.3.2 Multi-Family – In any multi-family residential district, there shall not be any sign except as follows:

1. Either one freestanding sign, not exceeding twenty square feet in total area and not exceeding eight feet in height above grade, denoting the name of the apartment house, or on facia, canopy, projecting wall, or marquee sign not

exceeding twenty square feet in total area, denoting the name of the apartment house.

7.3.3. *Commercial and Industrial* – In any business district and any industrial district, there shall not be any on premise signs except as follows:

1. One freestanding sign with area no greater than fifty (50) square feet and overall height above grade no greater than twenty (20) feet.
2. A shopping center may erect a maximum of two freestanding signs with a maximum total area of one square foot per frontage foot, but not to exceed 500 square feet.
3. Any combination projecting wall and roof mounted, painted wall, painted window, or marquee signs with total sign area as shown below:

Table 7.3
Signs in Business and Industrial Districts

Distance From Street (Property Line Boundary to Building Front)	Total Area Allowed For Building With Less Than 50 Feet Frontage	Total Area Allowed For Buildings With More Than 50 Feet Frontage (Square feet per frontage foot)
0-99	50 sq. ft.	1
100-399	100 sq. ft.	2
400 or more	150 sq. ft.	3

7.3.3 *Core Commercial Signs* – the sign regulations below are for the core commercial (C-1_) district:

- a. Signs not attached to buildings should be ground-mounted signs that are no more than twenty (20) square feet in area and five (5) feet in height. All ground-mounted signs shall be located a minimum of five (5) feet behind the street right-of way. No ground-mounted sign greater than five (5) square feet in area shall be located closer than ten (10) feet to any adjacent lot line. A fifteen-foot side-yard setback shall be required if the side lot line abuts a residential district. An arm sign may be substituted for a ground-mounted sign but shall meet all height and area requirements as provided. The height of a sign shall be measured from the highest point of a sign to the point of ground surface beneath it. Ornamentation such as caps and spires are not included in this measurement. The use of berms or raised landscape areas is only permitted to raise the base of the sign to the mean elevation of the fronting street.
- b. Internally illuminated signs, signs with lights inside the sign itself, should be prohibited. Signs which contain a high-intensity illuminating device causing it to blink, flash, pulsate,

scroll, fluctuate, or animate, except signs giving public service information such as time, temperature, date, weather, or similar information with low-intensity lights are prohibited.

- c. Sign materials should be compatible with that of the building façade and should use colors that are compatible with those of the building front.

Section 7.3 Prohibited Signs

Off-Premise Signs are not allowed with the City of Belton except to provide directions.

Section 7. Political Campaign Signs

- 1) On occupied residential or commercial property, political signs shall be allowed throughout the City of Belton, beginning thirty (30) days prior to a Primary Election and extending until two (2) days after the primary, but would extend until two (2) days after a general election for those candidates winning the primary. No permit shall be necessary. These signs shall not be greater than thirty-two (32) square feet in sign area per sign face.
- 2) In all unoccupied residential and commercial area or vacant ground, a permit shall be necessary prior to the erection of any political signs. With an approved permit, the signs shall be allowed beginning thirty (30) days prior to a Primary Election and extending until two (2) days after the primary, but would extend until two (2) days after a general election for those candidates winning the primary. These signs shall not be greater than thirty-two (32) square feet in sign area per sign face.
- 3) No political signs shall be allowed on public property, city easements, or right of ways.

Section 7.5 Temporary Signs

Temporary and portable signs are not allowed within the City of Belton except for the following instances:

- 1) Community event temporary signs for charitable, religious, cultural, government or other like organizations may be placed within twenty-one (21) days of the advertised date of the event and shall be removed within forty-eight hours of the event. A temporary permit will be issued by the Zoning Administrator.
- 2) Temporary signs may be allowed for a grand opening of a new business for 15 days on the premises of the business. A temporary permit will be issued by the Zoning Administrator.
- 3) Sandwich boards are allowed as long as they are taken in and out every day.
- 4) All other temporary signs must have an application on file and can have 10 days every three months.

SECTION 8 - BUFFERYARDS

Section 8.1 - Purpose

The purpose of the bufferyard is to improve compatibility and minimize nuisances between adjacent land uses. The bufferyard offers several options, each of which will buffer to an equivalent degree by varying distance [setback and/or density (mass)].

Section 8.2 - Location

Bufferyards shall be located on the outer perimeter of a lot, extending to the lot boundary lines. Bufferyards shall not be located on any portion of an existing public or private right-of-way.

Sec. 8.3 - Determination of bufferyard requirements

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

1. Identify from Article IV whether the proposed use/district requires a bufferyard;
2. Identify the proposed land use;
3. Identify the use of lands adjacent to the proposed use; and
4. Determine the bufferyard required on each boundary or segment thereof of the proposed land use by referring to the Table 3 of Bufferyard Requirements and Illustrations contained herein which specify the bufferyard options required between a proposed use and the existing adjacent uses.

Section 8.4 - Responsibility for bufferyard/screening

When a use is the first to develop on two adjacent vacant parcels, the first use shall provide the buffer, specified by the Table of Bufferyards Requirements for vacant land.

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

Section 8.5 - Bufferyard specifications

The attached illustrations specify the type and quantity of plant materials required by each bufferyard. The requirements are stated in terms of width of the bufferyard and the number of plants required per 100 feet of bufferyard. The requirements of a bufferyard may be met by any of the options illustrated. The "plant unit multiplier" is a factor by which the basic number of plant materials required for a particular bufferyard is determined when there is a change in the width of that yard. Each illustration depicts the total bufferyard required between two uses. Whenever a wall, fence, or berm is required within a bufferyard, these are shown as "structures" in the illustrations wherein their respective specifications also are shown. The exact placement of required plants shall be the decision of the developer except that evergreen (or conifer) plants shall be planted in clusters rather than singly in order to maximize their chances of survival and increase screening capabilities. All bufferyards shall be seeded with lawn grass or have a suitable ground cover.

Section 8.6 - Minimum plant size

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

Table 8.1
Minimum Plant Sizes

Plant Material Type	Planting in Bufferyards Abutting Structures, Fences, Berms	All Other Plants
Canopy Tree		
Single Stem	1½" Caliper	2½" Caliper
Multi-Stem Clump	6' Height	10' Height
Understory Tree	4' Height	1½" Caliper
Evergreen Tree	3' Height	5' Height
Shrub		
Deciduous	15" Height	24" Height
Evergreen	12" Height	18" Height

Section 8.7 - Bufferyard substitutions

Any existing healthy, well-formed plant materials which are greater than or equal to the recommended buffer and which otherwise satisfy the requirements of this section may be counted towards satisfying all such requirements. Structures, where required, may be substituted with approval of the Planning Commission.

Section 8.8 - Use of bufferyards.

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

Section 8.8 - Containers and dumpsters/outdoor utility equipment

All exterior dumpsters or exterior garbage containers (excluding containers or groups of containers with a combined capacity of less than six cubic yards) shall be screened on all but one side by an F3 or F4 fence or wall, intensive landscaping, or other suitable opaque enclosure. The average height of the enclosure shall be one (1) foot more than the height of the container but shall not be required to exceed eight (8) feet in height. The open side shall not be visible from the street.

Section 8.10 - Appearance of fences and walls

All fences and walls used as part of the bufferyard requirements must have a finished side that is facing adjoining property. The interior side of the fence or wall may be finished as the owner deems appropriate. Where fences or walls are applicable bufferyards, they shall be established

along the inside line of the bufferyard, toward the proposed use, except for ornamental fences, which may be built on the property line.

Section 8.11 - Berms

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

Section 8.12 - Required maintenance

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

BUFFERYARD 1

Required Plants Per 100' of Length

2	Canopy Trees	
4	Understory Trees	
4	Evergreens/Conifers	
4	Shrubs	
14	Total	

Percentage of Required Plant Material

25%

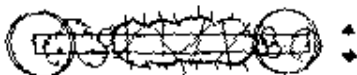


5'

50%



75%

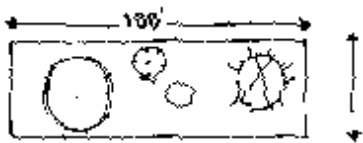


100%

Bufferyard Width

30'

Adjacent Use



20'

Proposed Use

10'

Required Plants Per 100' of Length

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

28 Total

Percentage of Required Plant Material

25%

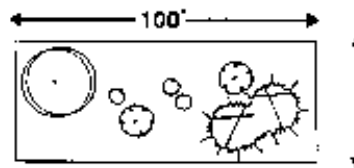
50%

75%

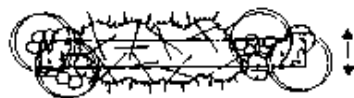
100%



Adjacent Use



Proposed Use



Bufferyard Width

40'

30'

20'

10'

BUFFERYARD 2

BUFFERYARD 3

Required Plants Per 100' of Length

4 Canopy Trees

8 Understory Trees

12 Evergreens/Conifers

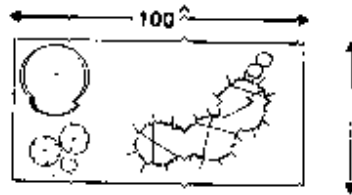
12 Shrubs

36 Total



Percentage of Required Plant Material

25%



Proposed Use

Structure Required F3
Bufferyard Width

50'

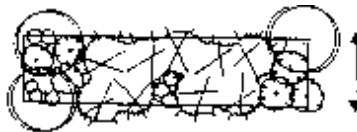
50%



Structure Required B1

40'

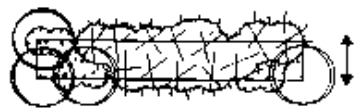
75%



Structure Required B3

25'

100%



Adjacent Use

15'

Required Plants Per 100' of Length

- 4 Canopy Trees
- 8 Understory Trees
- 12 Evergreens/Conifers
- 12 Shrubs

36 Total

Percentage of Required Plant Material

25%

50%

75%

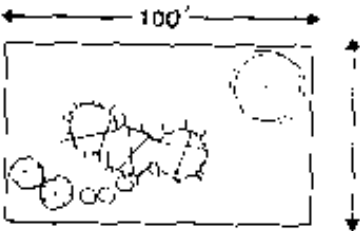
100%



Adjacent Use

Bufferyard Width

60'



Proposed Use

50'



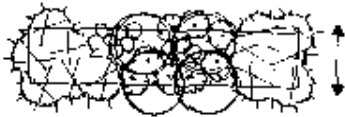
Structure Required B1

30'



Structure Required B3

20'



Structure Required F3

BUFFERYARD 4

BUFFERYARD 5

Required Plants Per 100' of Length

6	Canopy Trees	
12	Understory Trees	
12	Evergreen/Conifers	
16	Shrubs	
46	Total	

Percentage of Required Plant Material

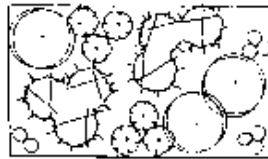
25%

50%

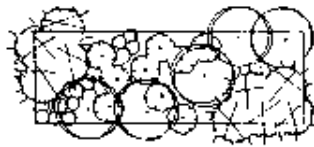
75%

100%

Structure Required B1
Proposed Use



Structure Required B2



Structure Required B3/BF1

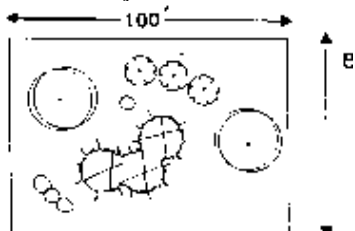


Structure Required F3

Bufferyard Width

75'

Adjacent Use



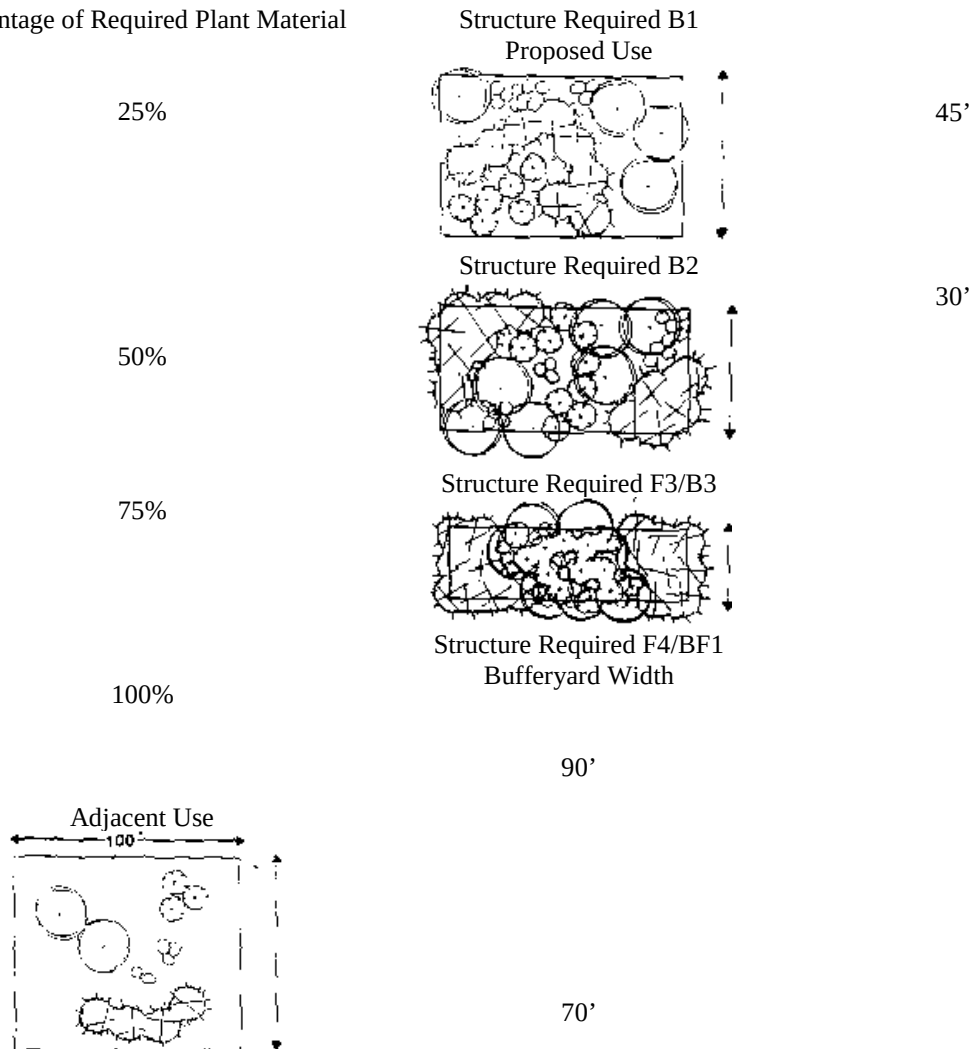
60'

BUFFERYARD 6

Required Plants Per 100' of Length

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

Percentage of Required Plant Material



STRUCTURE ILLUSTRATIONS

FENCES

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

WALLS

F4	6'	
F5	8'	
Masonry Wall		(poured concrete, stucco, concrete block, brick, etc.)

BERMS

BERMS/FENCES



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

Proposed Land Use	Existing Adjacent Uses										
	Single Family Residential	All Other Single Family Residential	Mobile Home Park	Multi-Family & All Other Residential	Religious Recreation & Child Care	Office and Commercial	Research And Industrial	Institutional	Vacant Industrial & Commercial	Vacant Single Family Residential	Streets
Single Family Residence	0	0	0	0	0	0	0	0	0	0	0
1-3 Units per gross acre	2	0	0	0	1	1	1	1	1	2	1
4-11 units per gross acre	4	1	1	1	1	1	2	2	1	4	1
12 or more units/gross acre	5	2	1	2	1	1	2	2	1	5	1
Religious, Recreational, or Child	2	2	2	2	0	0	0	0	0	2	0
Office and Commercial	4	2	1	2	2	0	0	2	0	2	1
Less than .35 to 1.00 F.A.D.*	5	3	2	3	3	0	0	2	0	3	1
1.00 F.A.R. to shopping	6	3	2	3	4	0	0	2	0	4	2
Research & Industrial	6	5	4	5	4	3	0	6	2	5	2
Institutional Uses	4	2	2	2	1	0	0	0	1	2	1

SECTION 9 - GENERAL AND SUPPLEMENTARY PROVISIONS

Section 9.1 - Certain public service uses

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

1. Post Office.
2. Police and Fire Stations, and other municipal buildings.
3. Sewerage Treatment Facilities.
4. Water Treatment and Water Storage Facilities.
5. Telephone Exchange and Repeater Stations.
6. Radio and TV Station Masts.
7. Electric utility facilities.

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

Prior to the granting of a building permit for any of the above-listed uses in a residential district or within 200' of a residential district, the Board of Zoning Appeals shall hold a public hearing on the matter. At least fifteen (15) days notice of time and place of which shall be published in a newspaper of general circulation in the City of Belton. Based on the hearing and the expected impact of such uses on contiguous uses and conditions, the Board of Zoning Appeals may elect to deny such request in favor of a more acceptable site elsewhere.

Section 9.2 - Water and air pollution

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

Section 9.3 - Street access

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

Section 9.4 - Location of buildings on lots and residential limitations

Every building or use hereafter erected or established shall be located on a Lot of Record and every one and two-family residential structure, except as herein provided, shall be located on an individual Lot of Record. In all cases, the principal buildings on a lot shall be located within

the area formed by the building lines at outer boundaries, and in no case shall such buildings infringe beyond the building lines into the respective front, side, or rear yard setbacks or any other setback requirements for the district in which the lot is located.

Section 9.5 - Corner lots

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

Section 9.6 - Double frontage lots

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

Section 9.7- Preexisting front setbacks

The setback requirements of this ordinance shall not apply to any lot where the average setback on already built upon lots, located wholly or in part within one hundred (90) feet of each such lot and within the block and zoning district fronting on the same street as such lot, is less than the minimum required setback. In such cases, the setback on such a lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots. However, in no case shall setbacks be less than fifteen (15) feet.

Section 9.8- Measurement of front, side, and rear setbacks; determination of buildable area

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

Section 9.9 - Visibility at street intersections

In all zoning districts established by this ordinance, except the CBD district, no fence, wall terrace, sign, shrubbery, planting or other structure or object capable of obstructing driver vision between the heights of three (3) and ten (10) feet above the finished street level shall be permitted on a corner lot within twenty-five (25) feet of the point formed by the intersection of the street right-of-way lines (or such lines extended in case of a rounded corner) which bound said lot.

Section 9.10 - Visibility at private drives and entrances intersecting with public streets

At the intersection of any private drive or entrance or exit with a public street, no fence, wall, hedge, or other planting or sign forming a material impediment to visibility between a height of two and one-half (2½) feet and seven (7) feet shall be erected, planted, placed or maintained within fifteen (15) feet of the intersection.

Section 9.11- Exceptions to height limits

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

Section 9.12 - Public and commercial recreational facilities adjacent to residential uses

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

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

Section 9.13 - Common open space

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

Section 9.14 - Parking, storage or use of campers or other major recreational equipment

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

Section 9.15 - Parking and storage of certain vehicles

It shall be unlawful for any person, partnership, corporation, or other legal entity to permit, park or store a truck, automotive vehicle or trailer of any kind or type, on any parcel within the municipal corporate limits except within a completely enclosed building:

1. that is not operable;
2. that does not display a lawful and current license tag;
3. that does not have current liability insurance thereon;
4. that is not a part of a business operation such as an auto mechanics shop with a valid City of Belton business license.

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

If in violation of this ordinance, written notice shall be submitted to the owner or permittee of the parked or stored vehicle that such vehicle shall be removed within thirty (30) days from the date of such notice or be subject to the penalties detailed in Section 911. This section shall be enforced by the City of Belton Police Department.

Section 9.16 - Manufactured Home

A manufactured home is defined as any dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site bearing a label certifying it is built in compliance with the federal Manufactured Home Construction and Safety Standards (24 CFR 32100).

All manufactured homes brought into the city of Belton or relocated within the city subsequent to the adoption of this ordinance, whether placed in a manufactured home park or on an individual parcel, shall be required to be in compliance with each of the following requirements: No Certificate of Occupancy shall be issued for any manufactured home originally brought into the City of Belton or relocated within the City subsequent to the adoption of this ordinance unless a Certificate of Zoning Compliance shall have been issued by the Zoning Administrator, to certify that the manufactured home is in full compliance with this ordinance.

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

1. Has a gable roof having a pitch with a minimum vertical rise of three and one-half (3.5) feet for each twelve (10) feet of horizontal run;
2. Has a roof finished with roofing material with a fire rating of Class C or better and that is commonly uses in standards residential construction
3. Has a minimum width of sixteen (16) feet;
4. Has a roof structure that provides an eave projection of no less than six (6) inches which may include a gutter.
5. Has exterior siding, comparable in compositions, appearance and durability to the exterior siding commonly uses in standard residential constructions, consisting of one or more of the following:
 - a. Vinyl or aluminum lap siding whose reflectivity does not exceed that of flat white paint;
 - b. Cedar or other wood siding;
 - c. Wood grain, weather resistance press board sign;

- d. Stucco siding; or
 - e. Brick or stone siding.
6. Skirting must be installed and maintains so that it enclosed the area under the manufactures multi section homes and modular porches, decks, or other addition to ground level. The foundation skirting or curtain wall may be of brick, masonry, or similar materials designed and manufactured for permanent outdoor installation.
 7. A permanent landing and steps with handrails are required for each outside doorway excluding the front door. The structure must include steps which lead to ground level. The landing, handrails, and steps must meet the following requirements:
 - a. A minimum 4 X 4 landing shall be required outside each exit door
 - b. The landing shall not be more then 8.5 inches below the threshold
 - c. Steps shall be 8 ¼ inches maximum in height. Treads shall be a minimum of nine inches wide.
 - d. All wood components in contact with the ground must be treated and approved for ground contact.
 - e. If steps are 30 inches or greater in height, permanent handrails are to be installed.
 8. A front porch shall be erected and be at least 8'X10'.
 9. Units shall be placed on permanent foundation supports of concrete or other suitable material adequate for the load
 10. Mobile features shall be removed.
 11. If the proposed unit will be replacing another dwelling unit (mobile home. Manufactures home, stick built) or be built within an existing neighborhood, the home must be constructed to blend in with the street and/or neighborhood. It should have the aesthetic qualities of other dwelling units in the area.
 12. Decorated windows, bay windows, columns, and fancier exterior trim are encouraged.
 13. Each manufactured home shall be anchored according to the HUD regulations of the National Manufactured Housing Construction and Safety Standards Act or the Manufacturer's Installation Manual.





Section 9.17 - Non-conforming mobile homes

Where a mobile home exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance, such mobile home may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. A non-conforming mobile home may not, under any circumstances, be enlarged or altered in a way which increases its non-conformity.
2. An occupied non-conforming mobile home may be replaced by another home either by choice or by the owner or if the existing mobile home is destroyed or substantially damaged at the time of occupancy. Such mobile home may be replaced so long as the replacement mobile home is of more recent manufacture than the existing mobile home. Said replacement mobile home shall bear a seal or label showing certification by the Department of Housing and Urban Development of compliance with the National Manufactured Housing Construction and Safety Standards Act.
3. If a non-conforming home is abandoned for a period of at least six (6) consecutive months, it shall be considered vacant and shall not be allowed occupancy nor shall it be allowed to be replaced by another mobile home. During any time of the six-month period stated above that a moving permit is issued the applicant has six (6) months from

date of issuance of the permit to replace the manufactured home with an approved mobile home and occupy the lot in question.

4. Should a non-conforming mobile home be moved for any distance on a lot of record, it shall conform to all other applicable provisions of this Ordinance including parking, maximum lot coverage and front, side and rear yard requirements. Said non-conforming mobile home may be moved to another lot so long as the lot is located in a district where the structure is permitted and so long as other applicable provisions of this Ordinance are met.

Section 9.18 - Nonconforming buildings or uses.

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

1. changed to another nonconforming use;
2. reused or reoccupied after discontinuance of use or occupancy for a period exceeding six (6) months;
3. reestablished, reoccupied, or replaced with the same or similar building, or land use after physical removal or relocation from its specific site location at the time of passage of this Ordinance;
4. repaired, rebuilt, or altered after damage exceeding fifty (50) percent of its replacement cost at the time of destruction. Reconstruction or repair, when legal, must begin within six (6) months after damage is incurred.
5. enlarged or altered in a way which increases its nonconformity.

Nothing in this section shall be meant to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official lawfully charged with protecting the public safety, upon order of such official.

Section 9.19 - Home occupation

A home occupation shall be permitted in any residential district and shall be in conformance with the following requirements:

1. A home occupation shall be conducted entirely within the boundaries of the site and the activities of such Home Occupation shall not be visible or audible beyond the boundaries of the site.
2. No more than twenty- five (25) percent of the floor area of a dwelling unit may be used in connection with a Home Occupation. A utility and/or storage shed, garage, or other accessory building may not be used as the main building of the home occupation. It can be used for storage of parts.
3. No person other than a resident of the dwelling unit shall be employed in the Home Occupation.

4. Storage, other than within the dwelling unit, of goods, materials or products connected with the home occupation shall be limited to a maximum of one hundred (90) square feet and must be completely within an enclosed accessory building or garage.
5. There shall be no exterior indication of the home occupation or variation from the residential character of the principal dwelling. One (1) non illuminated professional or business name plate not exceeding one (1) square feet in area mounted flat against the wall of a building in which a permitted home occupation is conducted.
6. The Home Occupation shall not generate vehicular traffic and/or vehicular parking which degrades or is otherwise detrimental to the residential nature of the neighborhood and thus becomes objectionable to neighboring residents and others affected by such parking or traffic.
7. No customer of client may come to the premises except during her hours of 7 AM and 9 PM.
8. No deliveries may originate from on be made to the premises except during the houses of 8 AM and 6 PM.
9. The number of clientele at the premises shall be limited to no more than 2 clients or customers at a time on the premises unless otherwise stated in the table.
10. Home occupations are limited to professional services and retails sales incidental to such services. Professional services are defined as any service offered for a fee. The primary activity of a home occupation shall not be on site retail sales, manufacturing or assembly.
11. The following home occupations shall be permitted. Other home occupation uses not listed shall be reviewed by the Board of Zoning Appeals:

Accounting & Bookkeeping	Art & Music Instruction (no more than four (4) students at time)
Attorney	Barber/Beauty Parlor
Insurance Agent	Chiropractor
Tailor/Sewing/Alterations	Massage Therapist
Notary Public	Photographer
Real Estate Agent	Secretarial Services
Tax Consultant	Tutoring
Day Care (no more than six (6) unrelated children)	

12. In addition to other uses deemed unacceptable by the Zoning Administrator, Board of Zoning Appeals, and/or City Council. The following uses shall not be considered home occupations:

Animal hospitals, kennels, and stables	Adult entertainment/escort services
Food processing and handling	Group instruction of more than four (4) persons
Private clubs	Drive in facilities
Hotels and motels	Retail or wholesale facilities
Eating and drinking establishments	Funeral homes
Medical/dental offices	Medical clinics
Hospitals	Daycare with more than six unrelated children
Nursing home/.assisted living facilities	Limousine, taxi or tow truck services
Welding shop/metal fabrication	Repair services related to automobiles, motorcycles, appliances, small engines, garden equipment or other machinery

13. There shall be no Home occupation activities that are objectionable due to glare, dust, odor, vibration, noise, or that disturb the peace.
14. Home Occupations shall not be conducted in a rental unit without a notarized, written statement from the landlord granting permission.
15. Home Occupations are only allowed in single family detached dwellings (not allowed in apartments, townhomes, duplexes, condos, manufactured homes, or mobile homes).
16. Home Occupations are valid for only the person and the address approved and non transferrable.
17. Review of the original Home Occupation application and other pertinent information shall be accomplished by the Board of Zoning Appeals with a public hearing. The final approval shall remain effect for one year unless the Home Occupation permit has been revoked. The Home Occupation permit shall be subject to review and renewed on an annual basis in conjunction with the issuance of or renewal of the business license.

Section 9.20- Accessory uses

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

9.20.1 Uses Customarily Accessory to Dwellings

1. Private garage;

2. Open storage space or parking area for motor vehicles provided that such space shall not be used for more than one (1) commercial vehicle licensed as one ton or less in capacity per family residing on the premises.
3. Shed or tool room for the storage of equipment used in grounds or building maintenance.
4. Pet House. Kennels used for commercial purposes are prohibited.
5. Private swimming pool and bath house.
6. Structures designed and used for purposes of shelter in the event of man-made or natural catastrophes.
7. Noncommercial flower, ornamental shrub or vegetable garden or greenhouse.
8. Garage Apartments
9. Accessory Apartments

9.20.2 Uses Customarily Accessory to a Church

1. Religious education buildings.
2. Parsonage or parish house, together with any use accessory to a dwelling as listed under Subsection 920.1
3. Off-street parking area for the use of members and visitors of the church.

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

1. Off-street parking or storage areas for customer, client, or employee owned vehicles.
2. Completely enclosed building for the storage of supplies, stock, or merchandise.
3. Light manufacturing and/or repair facility incidental to the principal use provided that dust, odor, smoke, noise, vibration, heat, or glare produced as a result of such manufacturing or repair operation is not perceptible from any boundary line or the lot on which said principal and accessory uses are located and provided such operation is not otherwise specifically prohibited in the district in which the principal use is located.

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

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

Section 9.21- Setback and other yard requirements for accessory uses

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

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

Section 9.22 – Principal Uses

Each parcel shall have only one principal use with the exception of shopping centers that are located on parcel. Accessory uses are not considered principal uses and will be allowed where listed in this ordinance.

Section 9.23 - Temporary uses

The zoning administrator is authorized to issue a temporary certificate of zoning compliance for temporary uses, as follows:

1. Carnival or circus for a period not to exceed twenty-one (21) days, subject to the approval of the city council.
2. Religious meeting in a tent or other temporary structure, for a period not to exceed sixty (60) days.
3. Open lot sale of Christmas trees, Districts for a period not to exceed forty-five (45) days.
4. Sale of fireworks for a period not to exceed forty-five (45) days.
5. Real estate sales office, in any district, for a period not to exceed one (1) year, provided no cooking or sleeping accommodations are maintained in the structure.
6. Contractor's office and equipment sheds, in any district, for a period of one (1) year, provided that such office is placed on the property to which it is appurtenant.
7. All temporary certificates of zoning compliance may be renewed provided that it is determined that said use is clearly of a temporary nature, will cause no traffic congestion and will not create a nuisance to surrounding uses.

SECTION 10. - ADMINISTRATION, ENFORCEMENT, APPEAL, COMPLAINTS AND REMEDIES

Section 10.1 - Administration and enforcement

The duly appointed zoning administrator shall hereby be given the authority and responsibility to administer and enforce the provisions of this ordinance.

If the zoning administrator shall find that any provision of this ordinance is being violated, he shall notify in writing the person responsible for such violations, indicate the nature of the violation, and order the action necessary to correct it. He shall order discontinuance of any illegal work being done; the person responsible for such violations must comply within thirty (30) days of such notice or be subject to the penalties detailed in Section 9.11.

Section 10.2 - Building and sign permits required

No building, sign, or other structure shall be erected, moved, added to, or structurally altered without a permit issued by the zoning administrator. No building or sign permit shall be issued unless a certificate of zoning compliance shall have been issued by the zoning administrator to indicate that the proposed building or sign is in full compliance with the provisions of this ordinance, unless a special exception or variance is granted as provided by this ordinance. The zoning administrator shall issue sign permits in accordance with the provisions of the building code in effect in the City of Belton.

Section 10.3 - Application for certificates of zoning compliance

All applications for certificates of zoning compliance shall be accompanied by the appropriate permit fee and by plans in triplicate drawn to a scale of $\frac{1}{4}'' = 1'$ showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of building(s) already existing, if any; and the location and dimensions of the proposed building(s) or alteration. The sketch or diagram need not be professionally drawn. The application shall include such other information as lawfully may be required by the zoning administrator, including existing or proposed buildings or alterations, existing or proposed uses of buildings and land, the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this ordinance.

One (1) copy of the plan shall be returned to the applicant by the zoning administrator, with approval or disapproval noted and shall be attested to the same by the signature of the zoning administrator on such copy. The original copy of the plans, similarly marked, shall be retained by the zoning administrator.

Section 10.4 - Certificates of occupancy for new, altered, or nonconforming uses

It shall be unlawful to use, occupy or permit the use of any building or premises, or both, or parts thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of occupancy shall have been issued therefore by the building official stating that the proposed use of the building or land conforms to the requirements of this ordinance.

The building official shall maintain a record of all certificates of occupancy and a copy shall be furnished upon request to any person.

Failure to obtain a certificate of occupancy shall be a violation of this ordinance, and be punishable under Section 9.11 of this ordinance.

Section 10.5 - Conditional uses

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

Conditional uses shall be permitted subject to a determination by the zoning administrator that they conform to all regulations set forth herein and elsewhere in this ordinance, with particular reference to those requirements established for those districts in which they are proposed for location.

Section 10.6 - Conditional use administration and duration

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

Section 10.7 - Expiration of building permit

If the work in any building has not begun within six (6) months from the date of issuance thereof, said permit shall expire; it shall be canceled by the zoning administrator, and written notice thereof shall be given to the persons affected.

Sec. 10.8 - Complaint regarding violations

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

Section 10.9 - Penalties for violation

Any person charged with violating any provisions of this ordinance shall be charged with a misdemeanor and, upon conviction, shall be fined and/or imprisoned, as determined by the court, for each offense.

Nothing herein contained shall prevent the city from taking such lawful action as is necessary to prevent or remedy any violation.

Section 10.10 - Appeal from the decision of the zoning administrator

It is the intent 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 question shall be presented to the zoning board of appeals only on appeal from the decision of the zoning administrator.

Section 10.11 - Application fees

Fees will be levied in order to partially defray expenditures associated with application processing. These fees are due upon submission of an application and shall be determined by the City of Belton.

Section 10.12 - Special exceptions

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

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

SECTION 11. - BOARD OF ZONING APPEALS

Section 11.1 – Board of Zoning Appeals membership, terms of office

The Board of Zoning Appeals shall consist of five (5) members, to be appointed by the City Council for terms of four (4) years. Prospective members shall be nominated by a City Council member and approved by a majority vote of those City Council members present and voting. All members must be legal residents or own a business inside of the City Limits with a valid business license of the City of Belton and shall not hold any other elected or appointed public office in Anderson County. Board of Zoning Appeal members shall serve no more than two (2) successive full terms. Any Board of Zoning Appeal member whose term has expired shall continue to serve until a replacement shall have been appointed by the City Council.

Section 11.2 - Initial appointments of members

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

Section 11.2 – Officers

The officers of the board shall be a chairman and vice chairman elected for one year terms at the first meeting of the board in each calendar year. The board shall appoint a member of the staff as secretary of the board.

Section 11.3– Chairman

The chairman shall be a voting member of the board and shall:

1. Call meetings of the board
2. Preside at meetings and hearings
3. Act as spokesperson for the board
4. Sign documents for the board
5. Perform other duties approved by the board

Section 11.4- Vice Chairman

The vice-chairman shall exercise the duties of the chairman in the absence, disability, or disqualification of the chairman. In the absence of the chairman and vice chairman, an acting chairman shall be elected by the members present.

Section 11.5- Secretary

The secretary shall:

1. Provide and publish notice of meetings and appeals
2. Assist the chairman in preparation of agenda
3. Keep minutes of meetings and hearings

4. Properly post property involved in appeals for variance or special exceptions
5. Maintain records as public records
6. Attend to board correspondence
7. Perform other duties normally carried out by the secretary.
8. Contact all applicants who are on the agenda to verify the date of the meeting
9. Contact all commission members to verify their attendance of each meeting.

Section 11.6 – Meetings

11.6.1 Time and Place

An annual schedule of regular meetings shall be adopted, published and posted at City Hall in December of each year. Special meetings may be called by the chairman upon 24 hour notice, posted, and delivered to all members and local news media. Meetings shall be held in City Council Chambers and shall be open to the public.

11.6.2 Agenda

A written agenda shall be furnished by the secretary to each member of the board and the news media, and shall be posted at least seven (7) days prior to each regular meeting, and at least 24 hours prior to a special meeting. Applicants that would like to be placed on the agenda must have their completed application and/or information to the secretary no later than seven (7) days prior to the scheduled meeting. Items cannot be added to the agendas of regularly schedule meetings after the seven (7) day deadline. All applicants must be present at the meeting to have their case heard. If the applicant does not attend the meeting, the commission will table the case until the next scheduled meeting.

11.6.3 Quorum

A majority of the members of the board shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.

11.6.4 Voting

A member must be present to vote. Each member shall vote on every question unless disqualified by law. The question of disqualification shall be decided by the member affected, who shall announce, the reason for disqualification, give it to the chairman in writing, have it placed in the minutes, and refrain from deliberating or voting on the question.

Section 11.7 – Appeals Procedures

11.7.1 Form of Appeal

Appeals from administrative decision, applications for variance and application for special exceptions shall be filed on forms approved by the board and provided to applicants by the secretary. The board may require additional information deemed necessary. The failure to submit adequate information may be grounds for dismissal.

11.7.2 Time for Appeal

An appeal from an administration decision must be filed within fifteen (15) days after the decision becomes a matter of public record by denial or issuance of a permit or the filing of a written decision at City Hall. An appeal shall be filed by delivery of the approved appeal form to the secretary of the board who shall notify the official appealed from.

11.7.3 Withdrawal of Appeal

Any appeal or application may be withdrawn by written notice delivered to the secretary prior to action by the board. An appeal from an administrative decision which is withdrawn may not be refiled after the fifteen (15) days time to appeal has expired. Withdrawn application for variance and special exception may be refilled after six (6) months.

11.7.4 Disposition

The board may deliberate and make final disposition of a matter by majority vote of members present and qualified to vote; provided not less than a quorum are qualified to vote. The vote may be taken at the same or subsequent meetings. A member may not vote on a matter which he or she has not heard. Deliberating and voting shall be done in public.

Section 11.8- Public Hearings

11.8.1 Notice

Public notice of a hearing of the board shall be published in a local newspaper and posted on or adjacent to the property affected at least fifteen (15) days prior to the hearing. The notice shall contain a description of each matter to be heard and identify the applicant and property affected.

11.8.2 Witnesses

Parties of interest may present testimony under oath. Witnesses may be compelled to attend by subpoena request at least ten (10) days prior to hearing and signed by the chairman. The board may call its own witnesses when deemed appropriate.

11.8.3 Cross Examination

No party shall have the right to cross examine witnesses; however, the opportunity to examine opposing witnesses may be freely extended when conducted in an orderly matter. Intimidation of witnesses will not be allowed.

11.8.4 Evidence

Relevant documents, photographs, maps, plans, drawings, etc will be received in the record. Relevant testimony which is not cumulative or hearsay shall be received.

11.8.5 Conduct of Hearing

The normal order of hearing shall be:

1. Statement of matter to be heard

2. Presentation by applicant (10 minute limit)
3. Presentation by official appealed (10 minute limit)
4. Presentation by opponents (10 minute limit)
5. Rebuttal by applicant (5 minute limit)
6. Unsworn public comment
7. Board may question participant

11.8.6 Form of Order

An order shall be issued disposing of a matter by granting or denying relief with such conditions may be deemed necessary; or affirming, modifying, or reversing an administrative decision. Findings of fact and conclusions of law shall be separately stated in an order.

11.8.7 Service of Order

The secretary shall deliver a copy of an order to each party of interest by certified mail immediately upon execution of the order by the chairman.

11.8.8 Rehearing

The board may grant a rehearing of an application which has been dismissed or denied upon written request filed with the secretary within fifteen (15) days after delivery of the order accompanied by new evidence which could not reasonably have been presented at the hearing, or evidence of a clerical error or mutual mistake of fact affecting the outcome.

Section 11.9 Records

11.9.1 Minutes

The secretary shall record all meetings and hearings of the commission on tape which shall be preserved until final action is taken on all matters presented. The secretary shall prepare minutes each meeting for approval by the commission at the next regular meeting. Minutes shall be maintained as public records.

11.9.2 Reports

The secretary shall assist in the preparation and forwarding of all reports and recommendations of the commission in appropriate form. Copies of all notices, correspondence, reports and forms shall be maintained as public records.

11.9.3 Attendance

The minutes shall show the members in attendance at each meeting and the reason for absence submitted by any member. The commission shall recommend to the governing body the removal for cause of any member who is absent from three consecutive meetings without adequate reason.

Section 11.10 - Powers and duties of the board of zoning appeals.

- A. The Board of Zoning Appeals is empowered to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this act.
- B. The Board of Zoning Appeals may grant a variance only under exceptional circumstances, where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions should be granted unless the applicant shall show and the Board shall find that:
 - 1. The particular property, because of size, shape, topography, or other physical conditions, suffers singular disadvantage through the operation of this ordinance, which disadvantage does not apply to other properties in the vicinity; and
 - 2. Because of the disadvantage, the owner is unable to make reasonable use of the affected property; and
 - 3. This disadvantage does not exist because of conditions created by the owner or applicant; and
 - 4. Grant of the variance (1) will not be contrary to the public or neighborhood interest, (2) will not adversely affect other property in the vicinity, and (3) will be in harmony with the spirit, intent, and purpose of this Ordinance.
 - 5. The variance granted shall be the minimum variance that will make possible the legal use of the land, building, or structure.
- C. In passing upon an appeal or variance, the Board shall not consider prospective financial loss or gain to the owner or applicant, nor shall the Board by variance permit to be established or carried on in any district an activity, business, operation which is not otherwise allowed in such district by a specific provision of this ordinance.
- D. In granting a variance, the Board of Zoning Appeals may impose such reasonable and additional stipulations, conditions, or safeguards that may or may not be elsewhere prescribed in this or any ordinance that, in its judgment, will better fulfill the purposes of this ordinance; and, to that end, shall have all the powers of the officer from whom the appeal is taken and may direct the issuance of a permit. The Board, in the execution of the duties for which appointed, may subpoena witnesses and in case of contempt may certify such fact to the circuit court in and for the County of Belton.
- E. The Board of Zoning Appeals can hear and decide special exceptions according to the conditions set out in the applicable zoning district regulations.
- F. The Board of Zoning Appeals will approve or disapprove Home Occupations Applications with a public hearing.
- G. The Board of Zoning Appeals will approve or disapprove manufactured/nodular homes with a public hearing.

SECTION 12. - PLANNING COMMISSION

Section 12.1 - Establishment of a planning commission

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

Section 12.2 - Planning commission membership, terms of office

The Planning Commission shall consist of five (5) members, to be appointed by the City Council for terms of four (4) years. Prospective Planning Commission members shall be nominated by a City Council member and approved by a majority vote of those City Council members present and voting. All Planning Commission members must be legal residents or own a business inside of the City Limits with a valid business license of the City of Belton and shall not hold any other elected or appointed public office. Planning Commission members shall serve no more than two (2) successive full terms. Any Planning Commission member whose term has expired shall continue to serve until a replacement shall have been appointed by the City Council.

Section 12.3 - Initial appointments of planning commission members

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

Section 12.4 – Officers

The officers of the commission shall be a chairman and vice chairman elected for one year terms at the first meeting of the commission in each calendar year. The commission shall appoint a member of the staff as secretary of the commission.

Section 12.5 – Chairman

The chairman shall be a voting member of the commission and shall:

1. Call meetings of the commission
2. Preside at meetings and hearings
3. Act as spokesperson for the commission
4. Sign documents for the commission
5. Transmit reports and recommendations to council
6. Perform other duties approved by the commission.

Section 12.6- Vice Chairman

The vice-chairman shall exercise the duties of the chairman in the absence, disability, or disqualification of the chairman. In the absence of the chairman and vice chairman, an acting chairman shall be elected by the members present.

Section 12.7- Secretary

The secretary shall:

1. Provide notice of meetings
2. Assist the chairman in preparation of agenda
3. Keep minutes of meetings and hearings
4. Maintain commission records as public records
5. Attend to commission correspondence
6. Perform other duties normally carried out by the secretary.
7. Contact all applicants who are on the agenda to verify the date of the meeting
8. Contact all commission members to verify their attendance of each meeting.

Section 12.8 – Meetings

12.8.1 Time and Place

An annual schedule of regular meetings shall be adopted, published and posted at City Hall in December of each year. Special meetings may be called by the chairman upon 24 hour notice, posted, and delivered to all members and local news media. Meetings shall be held in City Council Chambers and shall be open to the public.

12.8.2 Agenda

A written agenda shall be furnished by the secretary to each member of the commission and the news media, and shall be posted at least seven (7) days prior to each regular meeting, and at least 24 hours prior to a special meeting. Applicants that would like to be placed on the agenda must have their completed application and/or information to the secretary no later than seven (7) days prior to the scheduled meeting. Items cannot be added to the agendas of regularly scheduled meetings after the seven (7) day deadline. All applicants must be present at the meeting to have their case heard. If the applicant does not attend the meeting, the commission will table the case until the next scheduled meeting.

12.8.3 Quorum

A majority of the members of the commission shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.

12.8.4 Voting

A member must be present to vote. Each member shall vote on every question unless disqualified by law. The question of disqualification shall be decided by the member affected, who shall announce, the reason for disqualification, give it to the chairman in writing, have it placed in the minutes, and refrain from deliberating or voting on the question.

Section 12.9- Public Hearings

12.9.1 Notice

The secretary shall give the notice for all public hearings conducted by the commission. Members of the public desiring to be heard shall give written notice to the secretary prior to the commencement of the hearing. A signup sheet will be available for those wanting to speak.

12.9.2 Procedure

In matters brought before the commission for public hearing which were initiated by an applicant, the applicant, his agent or attorney shall be heard first, members of the public next and staff last. The applicant shall have the right to reply last. No person may speak for more than five (5) minutes without consent of the commission. No person speaking at a public hearing shall be subject to cross examination. All questions shall be posed by members of the commission. In matters not initiated by an applicant, members of the public shall speak in the order in which requests were received or in such order as the commission shall determine.

Section 12.10 Records

12.10.1 Minutes

The secretary shall record all meetings and hearings of the commission on tape which shall be preserved until final action is taken on all matters presented. The secretary shall prepare minutes each meeting for approval by the commission at the next regular meeting. Minutes shall be maintained as public records.

12.10.2 Reports

The secretary shall assist in the preparation and forwarding of all reports and recommendations of the commission in appropriate form. Copies of all notices, correspondence, reports and forms shall be maintained as public records.

12.10.3 Attendance

The minutes shall show the members in attendance at each meeting and the reason for absence submitted by any member. The commission shall recommend to the governing body the removal for cause of any member who is absent from three consecutive meetings without adequate reason.

Section 12.11- Function and powers of the planning commission.

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

1. Prepare and revise periodically a comprehensive plan and program for the development of the city.

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

ARTICLE 13 - DEFINITIONS

Section 13.1 - Interpretation of certain terms or words

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

The word "shall" is mandatory.

The word "may" is permissive.

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

The word "structure" includes the word "building."

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

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

The word "map" or "zoning map" shall mean the Official Zoning Map of the City of Belton, South Carolina.

The term "Planning Commission" refers to the City of Belton Planning Commission. The term "Council," "City Council," or "Mayor and Council" refer to the legally constituted and elected governing body of the City of Belton. The term "Building Official" or "Zoning Administrator" refers to that person or persons designated by the Council for the purpose of administering the building and/or zoning codes. The term "Board of Appeals" refers to the Board of Zoning Appeals of the City of Belton.

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

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

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

Automobile service station. Buildings and premises on any parcel or lot where gasoline, oils, greases, batteries, tires and automobile accessories may be supplied and dispensed at retail (or

in connection with a private operation), where no part of the premises is used for the storage of dismantled or wrecked vehicles parts, and also where the following services may be rendered, and none other:

- 1) sale and service of spark plugs, batteries, and distributors;
- 2) tire repair and servicing, but no recapping;
- 3) replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, floor mats, seat covers, wiper blades, windshield wipers, grease retainers, and wheel bearings;
- 4) washing and polishing;
- 5) greasing and lubrication;
- 6) exchanging fuel oil pumps and installing fuel lines;
- 7) minor servicing and replacing of carburetors;
- 8) emergency wiring repairs;
- 9) adjusting and repair of brakes;
- 10) minor adjustment of engines, not involving removal of the head and/or crank case, or racing the motor;
- 11) sale of cold drinks, packaged foods and other products targeted to the traveling public, as accessory only to the principal operation.

Berm. A mound of earth.

Bufferyard. A bufferyard is a permanent unit of land, together with planting, fences, berms, walls, and other screening devices required thereon.

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

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

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

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

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

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

Day care. A service established for the daytime care of persons not related to the operator.

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

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

Duplex. See "Dwelling, Two Family."

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

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

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

Dwelling, multi-family. A building or series of buildings on the same lot or portions thereof used or designed as dwelling for three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided. The

terms "multiple-family" and "multi-family" are synonymous and are used interchangeably throughout this ordinance.

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

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

Evergreen. A plant which has green foliage throughout the year.

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

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

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

Gas station. Building and premises on any parcel or lot where gasoline and accessories may be dispensed at retail (or in connection with a private operation), where no part of the premises is used for the storage of dismantled or wrecked vehicle parts, and also where the following services may be rendered, and none other:

1. Sale of cold drinks, packaged foods and other products targeted to the traveling public, as accessory only to the principal operation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Manufactured housing.

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

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

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

Natural material. Wood or other organic matter.

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

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

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

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

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

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

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

Service station. See definition of "automobile service station."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Tract. See "lot."

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

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

Use, accessory. See "accessory."

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

Variance. A modification of the strict terms of this ordinance granted by the Board of Appeals where such modification will not be contrary to the public interest, and where, owing to

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

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

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

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

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

Zoning district. See "district."

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

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

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

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

Religious institution. Any church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities.

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

Residential use. The lawful utilization of any structure as a dwelling unit for single family, two family, and/or multiple family occupation.

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

The following definitions apply to the regulation of telecommunications towers.

Antenna. A device, dish or array used to transmit or receive telecommunications signals.

Communications tower. As used in this ordinance shall mean a tower, pole, or similar structure which supports a telecommunications antenna operated for commercial purposes above ground in a fixed location, free-standing, guyed, or on a building.

Height. The height of a communications tower is the distance from the base of the tower to the top of the structure.

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

ARTICLE 14. - LEGAL STATUS PROVISIONS

Section 14.1- Conflict with other ordinances

Whenever there is, or appears to be, a conflict between any provision of this Zoning Ordinance with the provisions of any other lawful ordinance, regulation or resolution, the more restrictive shall apply.

Section 14.2. - Severability clause

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional, void or unenforceable, all other subsections, provisions, complete sections and the ordinance in its entirety hereof shall continue to be and remain in full force and effect.

Section 14.3 - Repeal of conflicting ordinances

Any ordinance or part of ordinances conflicting with the provisions of this Ordinance are hereby repealed so far as the same affects this Ordinance.

Section 14.4 - Effective date

This ordinance shall take effect and be in force from and after the date of its adoption by the City of Belton City Council.