



City of Liberty- Regular Session

May 11th, 2026, at 6:45 PM

Rosewood Center- 419 E Main St., Liberty, SC 29657

- **Call to Order**
 - Mayor Andrea Wagner
- **Invocation**
- **Pledge of Allegiance**
- **Public Session**
 - (Speakers are allowed 3 minutes)
- **Presentation**
 - Terracon
- **Approval of Minutes –**
 - April 13th, 2026, Regular Session
 - May 5th, 2026, Work Session
- **New Business: (1st Readings/ Resolutions)**
 - 2026-2027 Fiscal Year Operating Budget
 - 2025-2026 Zoning Ordinance
- **Old Business: (2nd Readings)**
 - Special Event Ordinance
 - AN ORDINANCE CREATED FOR LIMITED-TIME SPECIAL EVENTS
- **City/Financial Report**



City of Liberty- Regular Session

April 13th, 2026 – 6:45 PM

Rosewood Center- 419 E Main St., Liberty, SC 29657

- **Call to Order**
 - Mayor Andrea Wagner
 - TIME: 6:46 PM
 - All Council Members Present
- **Invocation**
 - Council Member Gerald Wilson
- **Pledge of Allegiance**
- **Public Session**
 - (Speakers are allowed 3 minutes)
- **Presentation:**
 - Harper General Contractors (Builders)
 - Love Bailey CPA 2024/2025 Audit Presentation - Will Wallis
- **Approval of Minutes –**
 - **December 8th, 2025- Regular Session**
 - Motion: Council Member Jon Humphrey
 - 2nd: Council Member Rhonda Whitaker
 - Discussion:

 - Vote: 7-0
 - **March 9th, 2026- Regular Session**
 - Motion: Council Member Mikail Cantley
 - 2nd: Council Member Jeff Massie
 - Discussion:

 - Vote: 7-0

- **March 30th, 2026- Special Called Session**
 - Motion: Council Member Rhonda Whitaker
 - 2nd: Council Member Jon Humphrey
 - Discussion:

 - Vote: 7-0

- **April 7th, 2026- Work Session**
 - Motion: Council Member Gerald Wilson
 - 2nd: Council Member Jeff Massie
 - Discussion:

 - Vote: 7-0

- **New Business: (1st Readings/ Resolutions)**
 - Special Event Ordinance
 - AN ORDINANCE CREATED FOR LIMITED-TIME SPECIAL EVENTS.
 - Motion: Council Member Cooley
 - 2nd: Council Member Cantley
 - Discussion:
 - 1st: Remove fees and add as appendix in budget
 - 2nd: Remove “This keeps short-term series (like a 2–3-week market) simple.”
 - 3rd: Require Liability Insurance naming the City as a third-party insurer
 - 4th: Extract: Depending on the size and type of event, the City may require personnel including Police and/or Public Works to work the event. All City personnel involved during the day(s) of the event will be charged back to the event organizer. The City shall determine the personnel numbers necessary to ensure the safety of participants, minimize the inconvenience to City residents, and reduce any potential public liability exposure to the event organizer, as well as the City.”

- Motion to Amend: Council Member Jon Humphrey
 - 2nd: Council Member Gerald Wilson
 - Vote: 7-0
- Vote for 1st reading with amendments:
 - Vote: 7-0
- **Old Business: (2nd Readings)**
- **City/Financial Report**
- **Department Head Reports**
 - Josh Black- Parks and Recreation Director
 - Adam Manley- Public Works Director
 - Vic Tetter- Police Chief
- **City Council Comments**
 - Council Member Jon Humphrey (At-Large)

Thanked the Police Department for their quick response and recognized recent improvements at Mills Park, including mulch and barriers. Council Member Humphrey shared that SC Waffle Fest was a great success, with a packed crowd and strong community presence. He appreciated seeing citizens coming and going throughout the day and the overall sense of community.
 - Council Member Rhonda Whitaker (At-Large)

Council Member Whitaker shared that SC Waffle Fest was a great event and believes it will continue to grow. She also enjoyed meeting the new football coach, Bobby Ruff. She spoke about the Liberty Community Scholarship is hosting a fundraiser, with a portion of proceeds going toward scholarships to be awarded at the end of the school year for Liberty students and the career center.
 - Council Member Mikail Cantley (Ward 1)

Provided an update on Beattie Street, noting a letter has been sent and they are awaiting a response. Will be meeting with Terracon on Friday, April 17, alongside

Mayor Wagner for further evaluation. Thanked Cat's Garage for helping over 62 cats. Council Member Cantley acknowledged Adam Manley and Public Works for their outstanding work clearing brush and trees. Also shared that a new sign has been ordered. Thanked staff, Recreation, Police, and the US Waffle Company for their work on SC Waffle Fest.

- Council Member Gerald Wilson (Ward 2)

Council Member Wilson received a call regarding a pothole on Hilladale Road. He will miss both meetings in May. Referenced an article shared by Councilmember Cooley and raised questions about what services the City is entitled to from the County, noting that city taxes should reflect premium services. Requested our Attorney, Mary McCormac to look into this. Mentioned the upcoming Pickens Joint Regional meeting and will report back. He also thanked those who attended recent events.

- Council Member William "Bo" Cooley (Ward 3)

Thanked Harper Builders for their continued support and involvement on planning for the new police building and City Hall. Highlighted the recent car show hosted by Buddy Philips and the strong turnout. Council Member Cooley addressed ongoing concerns about school crossing safety at Summit Drive and Highway 93 and suggested possibly placing an officer there to assist with traffic in the morning. Announced Diamond Day this Saturday at Dugout Park, the first in several years, with vendors and children's activities planned. Also shared that a Jeep show is coming up in June, with trophies featuring the 150th anniversary logo.

- Council Member Jeff Massie (Ward 4)

Thanked Councilmember Cooley for the car show. Shared concerns from residents in Lakewood Heights regarding frequent fender benders at intersections and asked about the possibility of additional signage or flashing signals to improve safety. Mentioned observing flushing crews and noted there were none currently operating. Attended Easley's Spring Fling, described it as a large event, and connected with vendors to encourage participation in Liberty events. Thanked Mayor Wagner and staff for their continued work.

- **Mayor's Announcements**

Mayor Wagner shared that it has been a busy few weeks, with a successful SC Waffle Fest and continued work. Gave a special thank you to Ciera Wilson and everyone involved in making SC Waffle Fest a success. Following the event, the City hosted a

budget retreat, spending several hours working through priorities and planning ahead. Also attended a kickoff meeting with REWA and met with Century Concrete to discuss opportunities for better use of Sarlin Park. Met with Duke Energy to explore the addition of Tesla charging stations (Sarlin Park) as part of ongoing efforts to bring more business and activity into downtown. Expressed appreciation for all partners involved in these recent initiatives. Noted that City staff have been hard at work over the past few weeks managing daily responsibilities while also supporting these larger efforts. Shared that the public hearing for the budget will take place next month in May. Provided an update on Sarlin Park, where cleanup efforts are underway and Public Works has begun planning for the garden space.

- **Motion to Enter Executive Session**

- Motion: Council Member Cantley
- 2nd: Council Member Whitaker
- Discussion:

- Vote: 7-0

- **Pursuant to SC Code Section 30-4-70(A)(2)**

- For the purpose of discussing potential negotiations incident to contractual arrangements, proposed sale or purchase of real property, and the receipt of legal advice regarding same.
- Council will discuss two matters regarding real property and City facilities.

(After returning to regular session, Council may or may not vote or take action on the matter discussed in executive session.)

- **Motion to Exit Executive Session**

- Motion: Council Member Massie
- 2nd: Council Member Humphrey
- Discussion:

- Vote: 7-0

- **Motion to Approve (Mills Ave Location for City Hall/Police Building)**
 - Motion: Council Member Cantley
 - 2nd: Council Member Massie
 - Discussion:

 - Vote: 7-0
- **Motion to Approve (Purchasing the Pickens County Performing Arts Center)**
 - Motion: No Motion
 - 2nd: No 2nd
 - Discussion:

 - Vote: 0-0
- **Adjournment**
 - Motion: Council Member Whitaker
 - 2nd: Council Member Humphrey
 - Discussion:

 - Vote: 7-0



AGENDA

LIBERTY CITY COUNCIL

Work Session

May 5th, 2026, at 6:45 pm Rosewood Center-

419 E Main St. Liberty, SC 29657

TOPICS FOR DISCUSSION:

- Welcome & Call to Order - Mayor Andrea Wagner
TIME: 6:46 PM
- 26/27 Fiscal Year Budget
 - Forensic Audit*
 - Discussion regarding a forensic audit covering approximately 4–8 years
 - Mention of 3 forensic audit items
 - Discussion about a mini excavator
 - PAR Grant noted as due/processed by the 10th of each month
 - Transfer discussion involving: Brownfields
 - Legal Review and Codification of Ordinances**
 - Legal review involving approximately 56 ordinances
 - Goal is a full review of ordinances
 - Ordinances should become a “living document”
 - Plan to review approximately chapters per month
 - Annexation orders discussed
 - Temporary section setup discussed:
 - Approximately 2 items per month for a year
 - “Top 10” list for Mary that are most important
 - Hospitality 150th Celebration (HTax Fund Balance)
 - Discussion surrounding:
 - New Year’s Eve plans
 - Sponsorship opportunities for the 150th Celebration
- Water Department Updates
 - No Shut List for Medical/Essential Businesses
 - Internal Policy Change: Disconnects
 - Proposal to split disconnects over 2 days
 - Discussion about whether an ordinance amendment is needed
Mention of: “No shut off” amendment

- **Speed Bumps on Alta Vista Ct/Dr**
 - Study completed regarding:
 - Speed bumps near Tractor Supply traffic area
 - Tentative timing: September
 - Rubber speed bumps could potentially be moved
 - Mention of month-to-month/half schedule and signage
- **Discussion and possible action to promote budget transparency by establishing a council-approved amount that requires individual line-item(s).**
 - Discussion about budget transparency initiative
 - Approximate amount referenced: \$1,000
- **Updates on Lakewood Heights Tennis Court Repairs**
 - Need for: 3 contractor bids
 - Asphalt work discussed involving: Tennis courts, Pickleball courts
Basketball courts
 - Estimated cost range: Approximately \$20,000
- **Updates on Sarlin Park Courtyard Flower Bed**
 - Project discussed in 4 stages
 - Cleanup portion already completed
 - Reached out to 3 companies: Only 1 provided a full breakdown
 - Goal to keep area open during work
 - Estimated: 3–4-day job around \$7,600
 - Discussion about sealing: Below or at foundation level

- **Adjournment**
@TIME: 8:30 PM

Forensic Audit*

- The primary purpose of a forensic audit for a municipality is to detect, investigate, and document evidence of fraud, misconduct, or illegal activities—such as embezzlement, bribery, or asset misappropriation—to support potential legal proceedings and ensure financial integrity.

Legal Review and Codification of Ordinances**

-The legal review and recodification of ordinances is a systematic process where experienced attorneys and editorial staff review a municipality's laws to remove obsolete provisions, resolve inconsistencies, and ensure compliance with state statutes. This process typically involves organizing ordinances into a logical structure of chapters and sections, followed by drafting, reviewing, and publishing an updated code for adoption by the governing body.

STATE OF SOUTH CAROLINA COUNTY OF PICKENS	ORDINANCE NO.: 2026 - ____
--	----------------------------

AN ORDINANCE OF THE CITY OF LIBERTY, SOUTH CAROLINA, ADOPTING A BUDGET AND PROVIDING FOR THE REVENUE NEEDED TO OPERATE THE CITY, PROVIDE CITY SERVICES, AND MEET DEBT SERVICE REQUIREMENTS FOR THE FISCAL YEAR ENDING JUNE 30, 2027.

WHEREAS, S.C. Code Ann. §5-9-30(5) provides that, in the Mayor-Council form of government, the mayor of a municipality has the authority and responsibility to prepare and submit the annual budget and capital program to the municipal council; and,

WHEREAS, the City Code of the City of Liberty sets forth budgeting and tax levy provisions in Article IV (“Financial Administration.”); and,

WHEREAS, the Mayor of the City of Liberty has prepared and presented to the Council a budget for the fiscal year beginning July 1, 2026, and ending June 30, 2027 (“FY2026-27 Budget”); and,

WHEREAS, a copy of the FY2026-27 Budget has been made available to the Council and to the public prior to this meeting, and is incorporated herein by reference; and,

NOW, THEREFORE, BE IT ORDAINED by City Council, duly assembled with a quorum present, and after due consideration and discussion, as follows:

The clauses above are adopted by reference as if fully recited again herein.

SECTION 1. PUBLIC NOTICE AND PUBLIC HEARING. Pursuant to S.C. Code Ann. §6-1-80, notice of a public hearing on the FY2026-27 Budget was published in at least one South Carolina newspaper of general circulation in the area, on Wednesday the 22nd of April 2026. The notice advertised a public hearing on the FY2026-27 Budget to be held on Monday the 11th of May, 2026, which date was not less than 15 days after the date of publication of the notice. The published notice was a minimum of two columns wide with a bold headline, and contained the information required by S.C. Code Ann. §6-1-80. The form of the published notice is attached hereto.

SECTION 2. APPROVAL OF BUDGET. Pursuant to S.C. Code Ann. §5-9-40, the Council has the authority and responsibility to approve the annual budget for FY2026-27, and hereby approves such budget in accordance with its terms.

SECTION 3. FY2025-26 TAX LEVY. For FY2025-26, the City levied an *ad valorem* property tax in the amount of 84.4 mills.

SECTION 4. ESTABLISHMENT OF PROPERTY TAX LEVY. In order to raise the revenues needed to operate the City and to defray expenses as presented in the FY2026-27 Budget, Council hereby ordains that an *ad valorem* property tax at the millage rate hereinafter stated to cover the period from the first day of July 2026 to the 30th day of June 2027, both inclusive, for the sums and in the manner hereinafter mentioned, is and shall be levied, collected and paid into the Treasury of Pickens County, South Carolina, for credit to the City of Liberty, for the use and service thereof. The millage rate for such *ad valorem* property tax shall be 84.4 mills, constituting a reduction in the millage rate from the previous fiscal year. Such millage rate shall be applied to the value of all real estate and personal property of every description owned and used in the City of Liberty, except such as is exempt from taxation under the Constitution and law of the State of South Carolina.

SECTION 5. APPROPRIATION. Funds are hereby appropriated as shown in the FY2026-27 Budget and the documents attached thereto and incorporated herein by reference, comprising a total appropriated amount of \$5,640,998.58 and consisting of General Fund, Utility Fund, Hospitality Fund, and Victims Fund

SECTION 6. BILLING AND COLLECTION. The billing dates, the penalty dates, and the amount of penalty which shall be levied for delinquent taxes shall be the same as those established by Pickens County, South Carolina, pursuant to State law. The Pickens County Delinquent Tax Collector is hereby authorized to collect delinquent property taxes.

SECTION 7. ADMINISTRATION AND TRANSFER. The Mayor of the City of Liberty shall administer the budget and is authorized to transfer any sum from one budget line item to another or from one department or division to another; provided that: no such transfer may be made from one fund to another fund, may conflict with any existing bond or other financial covenants, or may conflict with any previously adopted policy of Council. Changes or amendments that alter the total expenditures of any fund must be approved by Council.

SECTION 8. ANY INCONSISTENT ORDINANCES. Any ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 9. SEVERABILITY. Should any section, phrase, sentence, or portion of this ordinance be found invalid by a court of competent jurisdiction, such finding shall not invalidate the remaining portions.

SECTION 10. EFFECTIVE DATE. Following enactment by positive majority vote, this ordinance shall take effect, in the manner required by law, on July 1, 2026, and shall remain in effect through June 30, 2027.

IT IS SO ORDAINED.

SIGNED, SEALED, AND DELIVERED THIS _____ DAY OF _____ 2026.

CITY COUNCIL:

Andrea Wagner, Mayor

ATTEST:

Ciera Wilson, Clerk of Council

Public hearing:

First reading:

Second reading:

Water & Sewer Base Rate & Usage Charges – ¾” Meter (Primarily Residential)

¾” Meter	Inside City	Outside City
Water Base Rate – up to 2000 Gallons	\$23.07 Per Month	\$34.34 Per Month
Sewer Base Rate – up to 2000 Gallons	\$26.27 Per Month	\$39.47 Per Month
Water & Sewer Base Rate up to 2000 gallons	\$49.34 Per Month	\$73.81 Per Month
Water – Additional 1000 Gallon Units	\$5.86 Per Unit	\$8.58 Per Unit
Sewer – Additional 1000 Gallon Units	\$10.64 Per Unit	\$16.65 Per Unit

Water Base Rate & Usage Charges (larger than ¾” Meter)

Meter Size	Inside City	Outside City
1” Meter—up to 3,000 Gallons	\$32.3	\$59.97
1 1/2” Meter—up to 5,000 Gallons	\$53.41	\$102.62
2” Meter—up to 15,000 Gallons	\$135.58	\$275.24
3” Meter—up to 50,000 Gallons	\$287.09	\$586.09
4” Meter—up to 150,000 Gallons	\$708.12	\$1457.18
6” Meter—up to 250,000 Gallons	\$1057.72	\$2159.99
8” Meter—up to 400,000 Gallons	\$1692.35	\$3347.97
Irrigation Meter—no base charge	\$5.76 Per Unit	\$8.48 Per Unit
Water—Additional 1000 Gallons	\$5.76 Per Unit	\$8.48 Per Unit

Sewer – Commercial Base Rate & Usage Charges

Meter Size	Inside City	Outside City
Commercial – up to 2000 Gallons	\$29.98 Per Month	\$48.25 Per Month
Sewer – Additional 1000 Gallon Units	10.64 Per Unit	17.33 Per Unit

Water & Sewer Tap Fees (Includes Service, Irrigation & Fire Lines)

	Inside City	Outside City
Water Tap Fee 5/8" x 3/4"	\$2600	\$3600
Water Tap Fee 1"	\$3250	\$4200
Water Tap Fee 2"	***	***
Water Tap Fee 3" or above	***	***
Sewer Tap Fee 4"	\$2600	\$3600
Sewer Tap Fee Over 4"	***	***
Irrigation	\$1000	\$1500

****Case-by-case basis determined by the city engineer (Rosier) cost estimate for each request.**

Miscellaneous Water & sewer Fees – All customers (inside & outside City)

Deposit – Property Owner	N/A
Deposit Renter (applied/refunded when deactivated)	\$100
Trash Only Customer Deposit	\$32
Trash only Customer Start Up Fee	\$35
Connection Fee (establishing account)	\$35
Disconnect Fee (Applied once cutoff list is created & subject to cutoff)	\$50
Transfer Service Fee (within our service area)	\$35
Cleaning (5 day minimum)	\$5 per day
Late Penalty	\$10% per month
Non-Sufficient Check or Bank Draft Fee	\$30
Meter Testing (refunded if meter is defective)	\$50 / \$82.50
Moving Meter for customer	City's cost / +65%
Meter Tampering fee	\$150 / \$247.50
Meter Damage Fee	Cost of repair/replacement/ +65%
Cramer Roper Fee (Per meter unit)	\$3.10 per month
Sewer Maintenance Fee (Per meter unit)	\$2.50 per month
Bulk Water Sales (1000 – gallon units)	\$8.48
Credit Card Convenience fee	3% per transaction

Residential Solid Waste Charges

	Inside City	Outside City (1)
Weekly Trash Pickup	\$15.00 per month	\$23.76 per month
Additional Residential Cart Fee- limit 1	\$11.50 per month	19.76 per month
Bulk Items (Brush & Brown Goods) (2) **	\$3 per month	N/A

(1) If fuel costs rise above \$3.25 per gallon and remain at or above that rate for thirty consecutive days, the City reserves the right to apply a \$0.75 surcharge. This surcharge will be reflected on the following month's bill. For example, if fuel prices remain above \$3.25 throughout July, the surcharge would be applied to the August bill. (2) New outside-the-city trash customers must be pre-approved by the City Administrator based on proximity of current customers and the availability of staff and resources. (3) Bulk item fee will be charged to all customers within the city that are charged the weekly pickup fee. See Ordinance.867-79 for services & limitations of bulk item pickups.

Business/Commercial Solid Waste Charges (Inside City Only)

	Inside City Only
Bagged Trash – up to 3 pickups a week	\$30
Additional Commercial Cart Fee	\$20
Extra Large Dumpster – 1 pickup a week	\$150
Extra Large Dumpster – 2 pickups a week	\$225
Extra Large Dumpster – 3 pickups a week	\$300
Large Dumpster – 1 pickup a week	\$150
Large Dumpster – 2 pickups a week	\$225
Large Dumpster – 3 pickups a week	\$300
Medium Dumpster – 1 pickup a week	\$120
Medium Dumpster – 2 pickups a week	\$175
Medium Dumpster – 3 pickups a week	\$220
Small Dumpster – 1 pickup a week	\$90
Small Dumpster – 2 pickups a week	\$130
Small Dumpster – 3 pickups a week	\$170

(1) If fuel costs rise above \$3.25 per gallon and remain at or above that rate for thirty consecutive days, the City reserves the right to apply a \$0.75 surcharge. This surcharge will be reflected on the following month's bill. For example, if fuel prices remain above \$3.25 throughout July, the surcharge would be applied to the August bill.

Sports Fees

Tackle Football	\$90.00
Volleyball	\$80.00
Basketball	\$80.00
Cheerleading	\$100.00
Showcase Uniform	\$130
Softball	\$80.00
Baseball	\$80.00
T-Ball	\$80.00
Soccer	\$80.00
Flag Football	\$80.00
Athletic camps	\$25

**** For athletes who signed up for Cheerleading prior to July 1 2026, an additional \$60 charge for uniforms will be collected to total \$100. After this date, the cheerleading fee will return to a onetime payment of \$100**

Adult Rates

Co-ed Volleyball	\$30.00 Per player
Co-ed Softball	\$30.00 Per player
Co-Ed Basketball	\$30.00 Per player
Co-Ed Team Rate	\$250 per team

Athletic Events

SCAAP Event	\$5 (youth) \$10 (Adults)
City Events	\$5

Facility Rental Fees

Facility	1 st Hour Rate	Additional Hour	Lights	Cleaning Fee
Rosewood	\$210	\$60	\$85	\$120
Football Stadium	\$210	\$60	\$85	\$120
Woodside Ballpark	\$210	\$60	\$85	\$120
City Gym	\$60	\$35	\$35	\$80
Mills Avenue Gym	\$60	\$35	\$35	\$80
Water Tower Field	\$110	\$60	\$85	\$40
Morris Field	\$110	\$60	\$85	\$40
Islen Field	\$110	\$60	\$85	\$40
Freedom Park Field	\$110	\$60	\$85	\$40
Freedom Park (small) gazebo	\$25	\$15	--	\$20
Freedom Park (large) gazebo	\$35	\$15	--	\$20
Rosewood Parking lot	\$30	\$30	--	\$20
Football Stadium Parking lot	\$30	\$30	--	\$20
Mills Avenue Gym Parking Lot	\$30	\$30	--	\$20

(1) Organizations recognized as 501(c)(3) or registered nonprofit will not be charged a rental fee for use of City facilities. Documentation verifying nonprofit status may be required prior to approval of the reservation.

Signs

Type	Fee
Grand Opening Temporary Sign	\$0 for 60 days for grand openings
Temporary Sign	\$10
Permanent Sign/ Application	\$25

Planning & Zoning Fees

Type	Fee
Certificate of Zoning Compliance	\$25
Zoning Appeal	\$50
Zoning Variance	\$50
Rezoning Request	\$50

Building Permit Fees

Building Valuation	Fees
\$50,000 or less	\$100 for the first \$5,000 plus \$7 for each additional \$1,000 units (or fraction thereof)
\$50,001 to \$100,000	\$365 for the first \$50,000 plus \$6 for each additional \$1,000 units (or fraction thereof)
\$100,001 to \$500,000	\$665 for the first \$100,000 plus \$5 for each additional \$1,000 units (or fraction thereof)
\$500,001 and up	\$2,665 for the first \$500,000 plus \$4 for each additional \$1,000 units (or fraction thereof)

Building Miscellaneous Fees

Grading Permit — less than ½ acre	\$50
Grading Permit — ½ acre to less than 2 acres	\$150
Grading Permit — 2 acres to less than 5 acres	\$150
Grading Permit — 5 acres or more	\$400 plus \$20 for each additional acre
Demolition Permit:	\$150 per structure or \$150 plus an additional \$50 per unit or utility tap for multi-unit complexes or structures, whichever is greater
Moving (moving building or structure outside of jurisdiction)	\$150
Home Occupation Permit:	\$75
Reinspection Fee (Reinspection is defined as any trip made in addition to those specifically named on the permit job card or any trip made as the result of condemned or disapproved work, calling for inspections prior to the work being ready for inspection, and additional trips made because access to the structure was not provided. Fee must be paid prior to reinspection)	\$50 per reinspection
Failure to Appear or Cancel Inspection	\$50
Commencing work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permit	Respective fee is doubled
Life Safety Inspection	\$100

Plan Review Fees (are in addition to the Building Permit Fee)

Single Family & Duplex Residential Units — Not Part of Group Development	Fee
Up to 2400 square feet of total floor area:	\$75
2401 – 4800 square feet of total floor area	\$150
4801 – unlimited square feet of total floor area	\$250
Single Family & Duplex Residential Units — Part of Group Development	100% of the Permit Fee
Non-Residential & Multi-Family Properties	100% in addition of the Permit Fee
Alterations, Additions, and/or Accessory Buildings	100% in addition of the Permit Fee
Projects That Exceed 2 Resubmissions of Revised Plans — Each Submission Will Be Assessed	100% in addition of the Permit Fee

Nuisance Abatement Fees*

Type	Admin Fee	Abatement Fee
Tall & overgrown grass & vegetation — each abatement	\$100	Cost of abatement
Litter (Defined in Section 729) — each abatement	\$100	Cost of abatement
Unsafe or Dangerous Structures — each abatement	\$250	Cost of abatement
Property Maintenance Code Violations (includes securing building) — each abatement	\$100	Cost of abatement
Other Nuisance Items — each abatement	\$100	Cost of abatement
Late Penalty, Once Invoiced	5% Per Month	

When the City abates a nuisance condition, charge both the Admin Fee and the Abatement Fee

** Calculated from national published actuary tables

FOIA Fees

Type	Rate
Search/retrieval time (per hour)	\$14-35
Paper copies on Copier (each page)*	\$.10
Other paper copies via an outside source	Actual cost
Create an electronic copy (per hour, if agreed upon by City)	\$14-20
CD/DVD (each)	\$1
Flash Drive/External Drive	Actual Cost

No charge when there are ten copies or less

Miscellaneous Fees

Type	Rate
Payment via Credit/Debit Card Convenience Charge for business licenses, event related and hospitality taxes	3.4 % plus 35 cents
Payment via Credit/Debit Card Convenience Charge for utility payments	3.5% plus 30 cents
Payment via Credit/Debit Card Convenience Charge for all other payments	3.5% plus 30 cents
Payment via Credit/Debit Card for rec transactions	3.5% plus 30 cents
Parks & Recreation “Fan Favorite” voting fee	\$1.00

Event	Booth/participation
Waffle Fest	**
4 th of July	**
Halloween	Free to participate
Christmas Market	**
Christmas Parade	Free to participate
Electrical outlet	\$50

**** Event booth rental/participation fees may vary depending on the type of event, location, and specific needs associated with the reservation. The final fee will be determined by the City Administrator or their designee.**

STATE OF SOUTH CAROLINA COUNTY OF PICKENS	ORDINANCE NO.: 2026-_____
--	----------------------------------

AN ORDINANCE OF THE CITY OF LIBERTY, SOUTH CAROLINA, REPEALING THE EXISTING “APPENDIX A – ZONING” CODIFIED IN THE LIBERTY CITY CODE AND REPLACING IT IN ITS ENTIRETY WITH AN UPDATED “APPENDIX A – ZONING.”

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (the “Act”) authorizes local governments to enact zoning ordinances for the general purposes of guiding development in accordance with existing and future needs and of promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare (See, S.C. Code Ann. §6-29-710); and,

WHEREAS, pursuant to the Act, the City of Liberty previously enacted and enforced a zoning ordinance codified at Appendix A in the Liberty City Code; and,

WHEREAS, the City of Liberty Planning Commission spent many months preparing recommended updates to the City of Liberty Comprehensive Plan; and,

WHEREAS, after continuing work on the Comprehensive Plan, Council ultimately adopted an updated Plan on December 9, 2024; and,

WHEREAS, once a Comprehensive Plan has been adopted or updated, the zoning ordinance is the primary and most important tool available to local governments to help implement the plans for future growth and development of the community set forth in the Plan; and,

WHEREAS, accordingly, the City of Liberty Planning Commission spent many months preparing the update to the City zoning ordinance; and,

WHEREAS, a public hearing on the new zoning ordinance was held on March 24th, 2026; and,

WHEREAS, after careful review and consideration, Council finds that adoption of the updated zoning ordinance furthers the general purposes of guiding development in accordance with existing and future needs and of promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare; and,

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Liberty, South Carolina, duly assembled with a quorum present, as follows:

1. The recitals above are incorporated by reference as if fully set forth herein.
2. The existing “Appendix A – Zoning” in the City of Liberty Code is hereby repealed.
3. The attached updated zoning ordinance entitled “Appendix A – Zoning” is hereby enacted and shall replace the former “Appendix A – Zoning.”
4. The new “Appendix A – Zoning” shall be immediately effective upon positive majority vote at second reading.

IT IS SO ORDAINED.

SIGNED, SEALED, AND DELIVERED THIS _____ DAY OF _____ 2026.

CITY COUNCIL:

Andrea Wagner, Mayor

ATTEST:

Ciera Wilson, Interim Clerk of Council

Public hearing: March 24th, 2026

First reading: May 11th, 2026

Second reading:

STATE OF SOUTH CAROLINA COUNTY OF PICKENS	ORDINANCE NO.: 2026-_____
--	---------------------------

AN ORDINANCE OF THE CITY OF LIBERTY, SOUTH CAROLINA, CREATING SPECIAL EVENT VENDOR LICENSING OPTIONS FOR VENDORS PARTICIPATING IN LIMITED-TIME SPECIAL EVENTS.

WHEREAS, Council wishes to fairly balance the desire to avoid taking customers away from local businesses, while attracting vendors to provide services and products desired by residents and visitors attending special events; and,

WHEREAS, Council wishes to provide additional vendor licensing options applicable to vendors participating in limited-time special events; and,

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Liberty, South Carolina, in Council duly assembled with a quorum present, as follows:

1. The recitals above are incorporated by reference as if fully set forth herein.
2. The fees set in this ordinance may be amended by Council from time-to-time via ordinance, and also may be set or amended and attached as an addendum to the annual fiscal year budget. If no amendment is included in a particular budget, the existing fees shall remain in place until such time as Council acts to amend the fees.
3. The following text shall be inserted in the Liberty City Code as new Article X in Chapter II (BUSINESSES AND LICENSES), entitled "Special Event Vendor Licenses."

Special Event Vendor Licensing Options

For all permitted special events within the City of Liberty, vendor licensing may be handled using one of the following options, as determined by the event organizer and approved by the City.

Option 1: Event Host Lump Sum Payment

Under Option 1, individual vendors are not required to obtain a separate special event license from the City for participation in that specific event. The event organizer may elect to pay a single, consolidated fee on behalf of all participating vendors. This fee is based on the total number of vendors participating in the event:

- **1–10 vendors: \$150**
- **11–20 vendors: \$375**
- **21–50 vendors: \$750**
- **51–100 vendors: \$1,500**
- **101+ vendors: \$2,000**

Adjustment. All fees listed above are subject to adjustment at the sole discretion of the City, based on the operational needs, staffing requirements, and overall budget considerations associated with the event, based on the event’s nature, size, and needs.

Option 2: Individual Vendor Licensing

Alternatively, under Option 2, each vendor participating in the event must obtain a Special Event Vendor License from the City of Liberty prior to the event. Per vendor fee:

- **Artisan/merchandise vendors: \$25**
- **Food/drink vendors: \$40**

Each vendor is responsible for submitting the required application and payment. Failure to obtain a license may result in denial of participation. Food/drink Vendors are also responsible for monthly Hospitality Taxes.

Additional Provisions

The event host shall be required to obtain liability insurance and provide an insurance certificate for the event(s) naming the City of Liberty as an additional insured.

The selected licensing option must be declared by the event organizer at the time of permit application.

The City reserves the right to verify vendor counts and assess additional fees if the reported number of vendors is exceeded.

The special event vendor license applies only to the approved special event and does not replace the requirement for a City business license where otherwise applicable.

Exemptions

Charitable, Educational, and Religious Organizations

Organizations that are exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code shall be exempt from the requirement to obtain a City of Liberty special event vendor license.

Qualifying Events

Events that are produced, promoted, or sponsored by a verified 501(c)(3) organization may be exempt from vendor licensing requirements, provided that:

- The organization provides proof of valid 501(c)(3) status; and,
- The event is conducted primarily for charitable, educational, or community purposes; and all proceeds from the event, including vendor fees or sales, are directed back to and benefit the 501(c)(3) organization.

Vendor Participation at Exempt Events

Vendors participating in a qualifying exempt event shall not be required to obtain a Special Event Vendor License if all of their proceeds are submitted to the 501(c)(3) organization.

Vendors operating independently and retaining their own profits may still be required to obtain a Special Event Vendor License or be included under the event host's lump sum payment option, as determined by the City

Ongoing or Recurring Special Events

Any event that operates continuously or on a recurring basis over multiple days, weeks, or months (including markets, pop-ups, or seasonal events) shall be classified as an Ongoing Special Event, with the following licensing options.

Option 1: Event-Based Coverage (Short-Term Series)

For events lasting up to 30 consecutive days, the event organizer may select either:

- The lump sum vendor tier, based on the maximum number of vendors present at any one time: or,
- Require individual vendor licensing.

Option 2: Extended Events (30+ Day Series)

For events lasting more than 30 consecutive days, vendors are each required to obtain a City business license.

Additional Provisions

- Vendors participating in multiple events must be properly licensed for each event or obtain a longer-term license as applicable.
- The City reserves the right to reclassify events to prevent misuse of short-term event classifications.

Compensation For City Staffing

At its sole discretion., the City may require personnel including Police and/or Public Works to work an event. The cost of all required City personnel involved with the event will be charged back to the event organizer. To the extent practicable, the City will provide a cost estimate for required City personnel in advance of the event.

The event organizer may be required to hire off-duty sworn City of Liberty Police Officer(s) to provide security in order to ensure public safety. The Chief of Police will determine the number of officers required. As of the date of this ordinance, the charge for security is \$40 per hour per officer for a minimum of three (3) hours. If there is alcohol served at the event, a minimum of two (2) officers must be present. The hourly charge may be increased in the future at the City's sole discretion; thus, it is the event organizer's responsibility to ascertain the applicable charge for security at the time the application for the special event is submitted.

Depending on the amount of required City staffing, the City may require a deposit toward such costs in advance of the event. The final bill for City staffing shall be transmitted to the event organizer as soon as practicable once all such costs are received by the City. The event organizer shall remit payment within 30 calendar days after transmission of the bill.

4. All ordinances or parts of ordinances that may be in conflict with this ordinance are hereby repealed.
5. Should a court of competent jurisdiction find any portion of this ordinance be invalid, the remainder of the ordinance shall remain in effect.
6. This ordinance shall become effective immediately upon positive majority vote on second reading.

IT IS SO ORDAINED.

SIGNED, SEALED, AND DELIVERED THIS _____ DAY OF _____ 2026.

CITY COUNCIL:

Andrea Wagner, Mayor

ATTEST:

Ciera Wilson, Interim Clerk of Council

First reading: April 13, 2026

Second reading:

SPECIAL EVENT VENDOR LICENSES – RATES AND FEES (as of July 1, 2026)

Event host lump sum option fee:

- **1–10 vendors: \$150**
- **11–20 vendors: \$375**
- **21–50 vendors: \$750**
- **51–100 vendors: \$1,500**
- **101+ vendors: \$2,000**

Individual Vendor option fee:

- **Artisan/merchandise vendors: \$25**
- **Food/drink vendors: \$40**

Police hourly charge;

- **\$40 per hour per officer**

All fees and charges are subject to change at Council's discretion, either in the City's annual fiscal year budget or via ordinance.



Council Report

City of Liberty
Q3 2025/2026

Basis of Preparation

This report is prepared solely for the confidential use of City of Liberty. In the preparation of this report GREENE FINNEY CAULEY LLP has relied upon the unaudited financial and non-financial information provided to them. The analysis and report must not be recited or referred to in whole or in part in any other document. The analysis and report must not be made available, copied or recited to any other party without our express written permission. GREENE FINNEY CAULEY LLP neither owes nor accepts any duty to any other party and shall not be liable for any loss, damage or expense of whatsoever nature which is caused by their reliance on the report or the analysis contained herein.

Financial Report

Profit & Loss -Q3 2025/2026

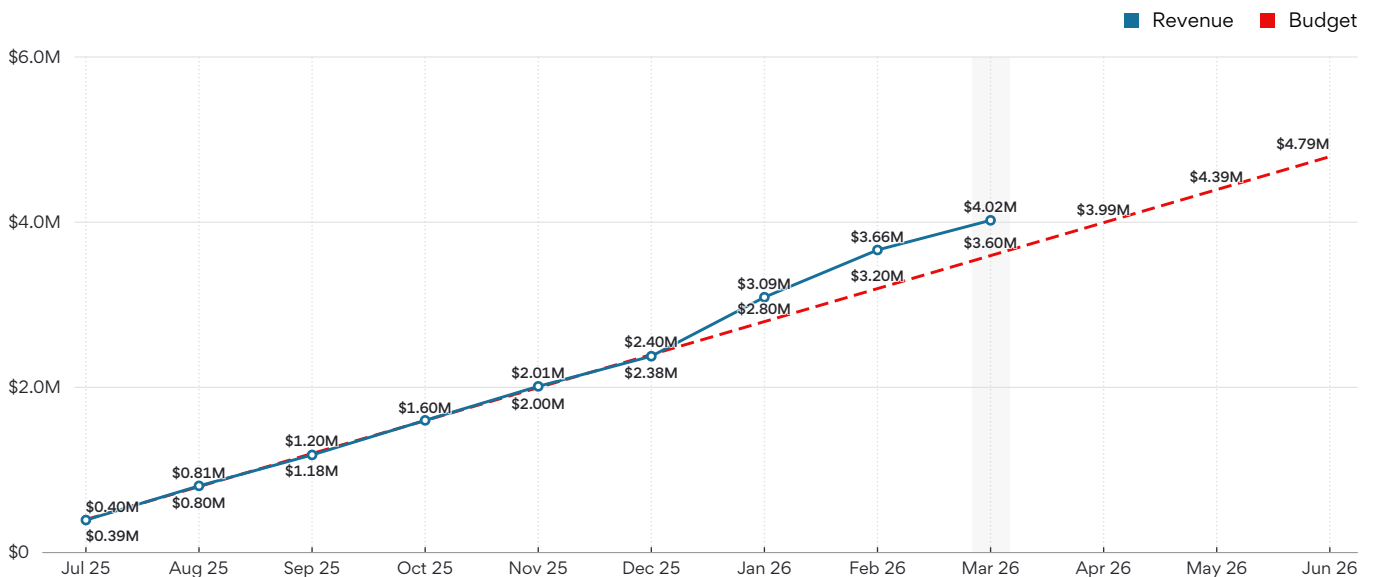
INCOME STATEMENT		Q3 2025/2026
Revenue		
10 - General Fund		\$1,056,959
20 - Utility Fund		\$528,098
41 - Hospitality Tax		\$59,435
Other		\$700
Total Revenue		\$1,645,192
Expenses		
10 - General Fund		\$596,940
20 - Utility Fund		\$476,492
41 - Hospitality Tax		\$16,840
42 - Victims Services		\$1,462
99 - Other		\$984
Total Expenses		\$1,092,718
Operating Profit		\$552,474
Net Income		\$552,474

Profit & Loss -2025/2026

INCOME STATEMENT	2025/2026 (YTD)	Budgeted	\$ Left in Budget	% left in Full Budget
Revenue				
10 - General Fund	\$2,318,290	\$2,746,455	(\$428,165)	-15.59%
20 - Utility Fund	\$1,582,972	\$1,900,960	(\$317,988)	-16.73%
41 - Hospitality Tax	\$119,346	\$142,000	(\$22,654)	-15.95%
42 - Victim Services	\$0	\$4,190	(\$4,190)	-100.00%
Other	\$1,850	\$0	\$1,850	-
Total Revenue	\$4,022,458	\$4,793,605	(\$771,146)	-16.09%
Expenses				
10 - General Fund	\$2,141,152	\$2,746,454	(\$605,303)	-22.04%
20 - Utility Fund	\$1,608,082	\$1,821,075	(\$212,993)	-11.70%
41 - Hospitality Tax	\$62,162	\$142,000	(\$79,838)	-56.22%
42 - Victims Services	\$3,658	\$4,190	(\$532)	-12.69%
99 - Other	\$5,310	\$0	\$5,310	-
Total Expenses	\$3,820,364	\$4,713,719	(\$893,355)	-18.95%
Operating Profit	\$202,094	\$79,885	\$122,209	152.98%
Net Income	\$202,094	\$79,885	\$122,209	152.98%

INCOME STATEMENT	2025/2026	Budget (rest of the year)	Total
Revenue			
10 - General Fund	\$2,318,290	\$686,614	\$3,004,904
20 - Utility Fund	\$1,582,972	\$475,240	\$2,058,212
41 - Hospitality Tax	\$119,346	\$35,500	\$154,846
42 - Victim Services	\$0	\$1,047	\$1,047
Other	\$1,850	\$0	\$1,850
Total Revenue	\$4,022,458	\$1,198,401	\$5,220,860
Expenses			
10 - General Fund	\$2,141,152	\$686,613	\$2,827,765
20 - Utility Fund	\$1,608,082	\$455,269	\$2,063,351
41 - Hospitality Tax	\$62,162	\$35,500	\$97,662
42 - Victims Services	\$3,658	\$1,048	\$4,706
99 - Other	\$5,310	\$0	\$5,310
Total Expenses	\$3,820,364	\$1,178,430	\$4,998,794
Operating Profit	\$202,094	\$19,972	\$222,066
Net Income	\$202,094	\$19,972	\$222,066

Revenue vs Budget



Profit & Loss by Fund - March 2026

General Fund Net Income (Loss) for Q3 2025/2026 is \$459,034 and Year to date thru March 2026 is \$171,829.

Utility Fund Net Income (Loss) for Q3 2025/2026 is \$51,606 and Year to date thru March 2026 is (\$25,110) .

Hospitality Fund Net Income (Loss) for Q3 2025/2026 is \$42,596 and Year to date thru March 2026 is \$57,184.

Victim's Services Net Income (Loss) for Q3 2025/2026 is (\$1,462) and Year to date thru March 2026 is (\$3,658).

Other Funds Net Income (Loss) showing \$700 for Q3 2025/2026 and Year to date thru September 2024 is \$1,850.

Bank Balance at March 2026 is \$3,321,925.10.

The City had an overall net gain(loss) of \$552,474 for the month of Q3 2025/2026 .

The city is 8 months through the 2026 fiscal year - a good basis to guide progress is comparing budget to actual results. 33.3% of budget remaining would be the goal. For budgeted revenue, total budgeted revenue remaining is at 17.52% - ahead of budget. General fund is ahead of budget at 10.07% remaining while Utility fund is also ahead of budget at 25.74%. Hospitality tax revenue is slightly behind budget at 50.06%.

For expenditures, total expenditures are 27.9% of budget remaining, slightly behind the 33.3% goal. General fund is at 29.06% of budget remaining, behind the 33.3% goal. Utility fund is at 23.98% of budget remaining, behind the goal of 33.3%. Overall, revenues are exceeding budget by \$750K while expenditures were exceeded budget by \$253K for FY 2026.

Utility fund had a year-to-date net income of (\$25,110).

City of Liberty, like many municipalities, are subject to a cyclical revenue cycle throughout their fiscal year. During the year there are months where revenues are minimal and not able to cover expenses incurred in that particular month. This is often offset by months of windfalls from property tax, annual licenses, and other periodic services that create a large surplus of income to help offset the less active months. We are entering the time of the year where large payments for property taxes are received by the city. Tax Programs from MASC are also typically received in a large lump sum in June. Franchise fees are often received once a quarter.



CITY OF LIBERTY
ZONING ORDINANCE
2025-2026
DRAFT

DRAFT

Planning Commission:

Hester Elrod, Chairperson

Bo McDonald, Vice Chairperson

Karin Shore

Doug Finster

Will Hyatt

Mayor Andrea Wagner

Council:

Jon Humphrey

Gerald Wilson

Rhonda Whitaker

Mikail Cantley

William Cooley

Jeff Massie

SC Appalachian Council of Governments

Jennifer Vissage, Senior Planner

DRAFT

ARTICLE I. AUTHORITY AND ENACTMENT CLAUSE

In pursuance of authority conferred by the General Statutes of South Carolina, 1976 Code of Laws, 1994 Cumulative Supplement, Volume 2, Title 6, Chapter 29, Section 710, and for the purpose of promoting the health, safety, morals or general welfare of the community; lessening congestion in the streets, securing safety from fire; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the adequate provision of transportation, water, sewage, schools, parks, and other public improvements, protecting scenic areas, and protecting areas subject to periodic flooding against development, in accordance within a Comprehensive Plan, the City Council of the City of Liberty does ordain and enact into law the following articles and sections:

Section 100. Jurisdiction.

The regulations set forth in this ordinance shall be applicable within the corporate limits of the City of Liberty, South Carolina, as now or hereafter established.

Section 101. Compliance.

This ordinance shall take effect and all regulations included herein shall be in full force from and after the date of its adoption by the Liberty City Council.

ARTICLE II. SHORT TITLE

This ordinance shall be known and may be cited as "The Zoning Ordinance of the City of Liberty, South Carolina."

DRAFT

ARTICLE III. ESTABLISHMENT OF ZONING DISTRICTS AND RULES FOR THE INTERPRETATION OF DISTRICT BOUNDARIES

Section 300. Establishment of Districts.

For the purpose of this Ordinance, the City of Liberty is hereby divided into the following zoning districts:

LR Low-Density Residential District
MR Medium Density Residential District
RM-8 Multi-Family Residential District
RM-16 Multi-Family Residential District
MH-SF Manufactured Home Single Family Residential District
MH Manufactured Home Park District
NC Neighborhood Commercial District
GC General Commercial District
CC Core Commercial District
LI Limited Industrial District
PDD Planned Development District

Section 301. District Boundaries.

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

The Official Zoning Map shall be identified by the signature of the Mayor attested by the City Clerk and bearing the Seal of the City under the words: "Official Zoning Map, City of Liberty, South Carolina," together with the date of the adoption of this Ordinance.

If, in accordance with the provisions of this Ordinance and South Carolina 1976 Code of Laws, 1994 Supplement, Volume 2, Title VI, Chapter 29, Section 730, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the official zoning map promptly by the City Clerk within seven days after the amendment has been approved by the City Council. No amendment to this Ordinance, which involves matter portrayed on the Official Zoning Map, shall become effective until after such change has been made on said map.

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

Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map, which shall be located in the office of the City Clerk, shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the City.

Section 302. Rules for Interpretation of District Boundaries.

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

302.1 Boundaries indicated as approximately following the centerlines of right-of-way lines of streets, highways, alleys, or public utility easements shall be construed to follow such centerlines.

302.2 Boundaries indicated as approximately following platted lots or tract lines shall be construed as following such lines, whether public or private.

302.3 Boundaries indicated as approximately following city limits shall be construed as following such city limits.

302.4 Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

302.5 Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines.

302.6 Boundaries indicated as parallel to, or extensions of features indicated in Subsections 1 through 5 above shall be construed. In the case of distances not specifically indicated on the Official Zoning Map, or in other circumstances not covered by Subsections 1 through 5 above, the Board of Appeals shall interpret the district boundaries.

Section 303. Annexation and Other Adjustments to City Limits.

Where city limit boundaries change by virtue of annexation or some other means, the following provisions shall apply:

303.1 When new land areas are incorporated or otherwise annexed into the City, the ordinance to annex the area shall designate a zoning district or zoning districts for which the annexed area is to be classified.

303.2 In all cases, where additions or deletions in the City of Liberty's total land area require adjustments in the Zoning District boundaries, said amendments shall be made on the Zoning Map within 60 days and the date of Council action shall be noted.

ARTICLE IV. 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 of [or] land, except as hereinafter provided. Except where relief provisions are set forth elsewhere in this Ordinance, the following general standards for the enforcement of District Regulations shall apply.

Section 400. Use of Land or Structures.

400.1 No land or structure shall hereinafter be used or occupied, and no structure or parts hereafter be constructed, erected, altered, or moved, unless in conformity with all the regulations herein specified for the district in which located.

400.2 No structure shall hereafter be erected or altered:

- a) with greater height, size, bulk, or other dimensions.
- b) to convert any structure into a dwelling or to increase the number of units within a dwelling to accommodate a greater number of dwelling units or families than is permitted in the zoning district in which it is located.
- 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 required herein, or in any other manner contrary to the provisions of this Ordinance.

400.3 No part of a yard, or other open space, off-street parking, or loading [space] required in connection with any building for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

Section 401. 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 402. Use of Substandard Lots of Record.

Where, at the time of the adoption of this ordinance, an existing lot of record, that was recorded in compliance with all regulations in effect at the time it was recorded, does not conform to the dimensional requirements of this ordinance, it may nonetheless be used as a building site and the Zoning Administrator is authorized to issue a Certificate of Zoning Compliance for the use of the property. The Zoning Administrator shall establish setbacks to conform as closely as possible to the dimensional requirements of this ordinance, but so as not to prohibit reasonable use of the parcel. If any of two (2) or more adjoining lots under the same ownership do not conform to the dimensional requirements of this ordinance, then the lots must be combined to meet more closely, if not completely, the dimensional requirements of this ordinance for the issuance of a Certificate of Zoning Compliance.

Section 403. Railroad Right-of-Way Requirements.

In all districts, where property adjoins the Norfolk Southern Railroad's one hundred (100) foot right-of-way, the rear and/or side setback requirement shall be waived.

ARTICLE V. REQUIREMENTS BY DISTRICT

Section 500. - LR Low Density Residential District.

500.1 Intent of District. It is the intent of this Section that the LR Zoning District be developed and reserved for low-density residential purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy environment for one-family dwellings situated on lots having an area of 12,000 square feet or more and to discourage any encroachment by commercial, industrial or other uses capable of adversely affecting the residential character of the district.

500.2 Permitted Uses. *The following uses shall be permitted in any LR Zoning District:*

- 1) Detached single-family dwelling meeting International Building Code requirements (manufactured homes are not permitted) which includes modular homes.
- 2) Community recreation facilities including but not limited to golf courses, parks, playgrounds, country clubs, wildlife reservations, but not including commercial amusement park facilities, unlighted golf course, excluding miniature golf courses and driving ranges. A public park, playground or other public recreation area or community recreation building with exterior lights must be fifty (50) feet from residential property line.
- 3) Customary home occupation established under the provisions of Section 708.
- 4) Accessory use in compliance with the provisions of Sections 709 and 710.
- 5) Publicly owned building, facilities, and/or land.

500.3 Conditional Uses. *The following uses shall be permitted in any LR Zoning District on a conditional basis, subject to conditions in Article VIII, Section 804. For any conditional use within the LR District, a buffer strip in compliance with Section 726 of this ordinance shall be installed and maintained along all property lines bordering a parcel that is zoned for residential usage.*

- 1) Church, synagogue, temple, and other places of worship; provided that:
 - a) Such use is housed in a permanent structure, which meets all building, electrical, and plumbing codes for places of public assembly,
 - b) Such use is found on a lot not less than 20,000 square feet in area,
 - c) No structure on the lot is closer than 25 feet to any abutting property line zoned for residential use, and
 - d) Exterior and parking lot lights do not reflect onto adjoining residences.
- 2) Private kindergarten, Day-Care Center, 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 found on a lot not less than 20,000 square feet in area.
 - c) No structure on the lot is closer than 25 feet to any abutting residential property line, and
 - d) A five-foot wall or fence is constructed around any play area.
 - e) Exterior and parking lot lights do not reflect on the adjoining residences.
- 3) Elementary, middle, or high school or institution of higher learning provided that:
 - a) The lot is at least five (5) acres in size.
 - b) No structure or parking area is placed within fifty (50) feet of any property line.
 - c) All the parking requirements are provided onsite.

- d) Exterior and parking lot lights do not reflect on adjoining residences.
- 4) Care homes, nursing homes, and assisted living facilities, provided:
 - a) Such uses meet the minimum standards set forth for such facilities by the state board of health.
 - b) Such use is found on a lot not less than forty thousand (40,000) square feet in area.
 - c) No structure on the lot is closer than twenty-five (25) feet to any abutting residential property line.
 - d) Exterior and parking lot lights do not reflect on adjoining residences.
- 5) Public utility substations or sub-installation including water towers; provided that:
 - a) Such use is enclosed by a wall or fence at least six (6) feet in height above finished grade,
 - b) There is neither office nor 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 around the facility.
- 6) Cemetery provided such use:
 - a) consists of a site of at least five (5) acres.
 - b) Has a front yard setback of at least seventy (70) feet from the centerline of the street right-of-way, and
 - c) Maintains only a non-illuminated sign no greater than thirty (30) square feet.
- 7) Temporary use in compliance with the provisions of Article VIII, Section 804.
- 8) Library/museum provided that:
 - a) Such use is on a parcel of land that is at least two (2) acres.
 - b) No building, parking area, or accessory use shall be placed within thirty (30) feet of any abutting property line.
 - c) Exterior and parking lot lights do not reflect onto adjoining residences.

500.4 Special Exceptions A special exception is permission, or approval granted an applicant to use land in a district for a purpose other than that permitted outright in that district.

The Board of Zoning Appeals will allow the following special exceptions with approval:

- 1) Bed and Breakfast Inn, providing at least three, but no more than six rooms for paying guests and providing that such use:
 - a. It is operated by the individual owner of the property, and the use is subordinate and incidental to the principal residential use.
 - b. Produces no alteration or change in the character or the exterior appearance of the principal building from that of a dwelling.
 - c. Serves no meals other than breakfast for the paying guests.
 - d. Sells only articles made on the premises or those articles custom made for the establishment and do not display products to the street or neighboring property.
 - e. Provides off-street parking, no more and no less than the one parking place per bedroom plus three additional places (parking need not be paved).
 - f. Limits signage to one sign, not to exceed three square feet.

- g. The Board of Zoning Appeals shall hold a public hearing to determine if the proposed Bed and Breakfast meets the above criteria and is consistent with neighborhood design.
- 2) Accessory dwelling provided that such use meets the following conditions:
- a. There may only be (1) accessory dwelling per lot.
 - b. May only be found on a lot with a single-family residence.
 - c. A property with an accessory dwelling may not have more than two (2) units on the property.
 - d. Accessory dwelling units must follow accessory unit setbacks found in section 711.
 - e. The proposed accessory dwelling will be no larger than eight hundred (800) square feet (decks, patios, and porches without roofs will not be included in the eight hundred (800) square feet) and have no more than two (2) bedrooms.
 - f. The accessory dwelling must be a complete living space, with kitchen and bathroom facilities separated from the principal unit. The accessory dwelling unit must meet all International Building Codes, following the most recent version adopted by council.
 - g. One (1) space, in addition to any parking requirements for the primary unit, shall be required, in the rear yard or in the garage.
 - h. The property shall retain a single-family appearance from the street.
 - i. 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.
 - j. Occupancy of an accessory dwelling unit shall be limited to no more than two (2) persons per bedroom.
 - k. Neither the primary residence nor the accessory dwellings shall be a manufactured home, mobile home, trailer, temporary building, or utility/storage shed.
 - l. The board of zoning appeals shall hold a public hearing to determine if the proposed accessory dwelling meets the above conditions and is consistent with neighborhood design.
 - m. The property owner must reside in either the single-family home or accessory dwelling.

500.5 Prohibited uses. No activity that does not fall within the parameters of Sections 500.2, 500.3, or 500.4 shall be permitted within the LR Zoning District. The following uses are expressly prohibited to increase ordinance clarity:

- 1) Sexually oriented businesses.
- 2) Cellular towers.
- 3) Tattoo parlors.
- 4) Manufactured homes, trailers, and mobile homes.
- 5) Sheds converted into living quarters
- 6) RVs, campers, travel trailers to be used as permanent living quarters.

500.6 *Other Requirements.* Uses permitted in LR 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 in Article IV, Section 402 of this Ordinance.

Minimum Lot Square Footage	Single Family – 12,000 Square Feet
Minimum Square Footage of Building	Single Family – 1000 Total Square Feet
Minimum Lot Width	Single Family – 75 feet
Front Setback	Single Family – 35 feet
Side Setback	Single Family – 10 feet
Rear Setback	Single Family – 30 feet
Height	Single Family – 35 feet

Section 501. - MR Medium Density Residential District.

501.1 *Intent of District.* It is the intent of this Section that the MR Zoning District be developed and reserved for medium density one-family residential purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy environment for one-family dwellings situated on lots of 10,000 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.

501.2 *Permitted Uses.* The following uses shall be permitted in any MR Zoning District:

All uses permitted in LR Low Density Residential District, as shown in Section 500.2.

501.3 *Conditional Uses.* All conditional uses permitted in the LR Low Density Residential District, as shown in Section 500.3, shall be permitted in any MR Zoning District on a conditional basis, subject to conditions in Article VIII, Section 804. For any conditional use within the MR District, a buffer strip in compliance with Section 726 of this ordinance shall be installed and maintained along all property lines bordering a parcel that is zoned for residential usage.

- 1) Group Transitional Homes which are defined as a home structured as a single housekeeping unit and in accordance with any applicable state code, rules and regulations that provides a support setting for persons for reasons not limited to mental/physical disability, homelessness, elderly, or transitional veterans, will be allowed as long as the following conditions are met:
 - a. No more than six (6) unrelated people may be living in the home at one time. This does not include the supervisors.
 - b. Supervision must be on the premises twenty-four (24) hours a day.
 - c. The unit/home must meet all zoning regulations and building codes of the City of Liberty.

501.4 *Special Exceptions:*

All special exceptions permitted in LR 500 listed in section 500.4 are allowed in MR 501 District.

501.5 *Prohibited uses.* No activity that does not fall within the parameters of Sections 501.2, 501.3, or 501.4 shall be permitted within the MR Zoning District. The following uses are expressly prohibited to increase ordinance clarity:

- 1) Sexually oriented businesses.
- 2) Cellular towers.
- 3) Tattoo parlors.
- 4) Manufactured homes, trailers, and mobile homes.
- 5) sheds converted into living quarters
- 6) RVs, campers, travel trailers to be used as permanent living quarters.

501.6 Other Requirements. Uses permitted in MR 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 IV, Section 402, of this Ordinance.

Minimum Lot Square Footage	10,000 Square Feet
Minimum Square Footage of Building	1,000 Total Square Feet
Minimum Lot Width	60 feet
Front Setback	35 feet
Side Setback	10 feet
Rear Setback	20 feet
Height	35 feet

Section 501(a). - MRD Medium Density Duplex Residential District.

501(a).1 Intent of District. It is the intent of this Section that the MRD Zoning District be developed and reserved for medium density one-family and two-family residential purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy environment for one-family and two-family dwellings and to discourage any encroachment by commercial, industrial, or other use capable of adversely affecting the residential character of the district.

501(a).2 Permitted Uses. The following uses shall be permitted in any MRD Zoning District:

1. All uses permitted in 501 MR Residential District, as shown in Section 501.2.
2. Duplex Units as defined by Two-Family Dwellings in this Ordinance.
3. Townhomes

501(a).3 Conditional Uses. All conditional uses permitted in the 501 MR Residential District, as shown in Section 501.3, shall be permitted in any MRD Zoning District on a conditional basis, subject to conditions in Article VIII, Section 804.

501(a).4 Special Exceptions 501.4 all special exceptions permitted in MR District are allowed in MRD 501 (a) District.

501(a).5 *Prohibited uses.* No activity that does not fall within the parameters of Sections 501(a).2, 501(a).3, or 501(a).4 shall be permitted within the LR Zoning District. The following uses are expressly prohibited to increase ordinance clarity:

- 1) Sexually oriented businesses.
- 2) Cellular towers.
- 3) Tattoo parlors.
- 4) Manufactured homes, and trailers
- 5) Sheds converted into living quarters
- 6) RVs, Campers, and travel trailers to be used as permanent living quarters.

501(a).6 *Other Requirements.* Uses permitted in MRD 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 IV, [Section 402](#), of this Ordinance.

Minimum Lot Square Footage	Single Family – 8,000 Square Feet Duplexes – 4,500 Square feet per building Townhomes – 2500 square feet per unit
Minimum Square Footage of Building	Single Family – 1,000 Total Square Feet Duplexes – N/A
Minimum Lot Width	50 feet
Front Setback	35 feet
Side Setback	10 feet
Rear Setback	15 feet
Height	35 feet
Distance Between Buildings	Duplexes & Townhomes – 10 feet

Section 502. - RM-8 Residential, Multi-Family District.

502.1 *Intent of District.* It is the intent of this section that the RM-8 Zoning District be developed and reserved for medium-to-high density residential purposes. The regulations that apply within this district are designed to encourage the formation and continuation of a stable, healthy environment for various types of multi-family dwellings, and to discourage unwanted encroachment by commercial, industrial, or other uses that could adversely affect the residential character of the district.

502.2 *Permitted Uses.* The following uses shall be permitted in any RM-8 Zoning District:

- 1) All uses permitted in the MRD Residential District, as shown in Section 501(a).2.

- 2) Duplexes,
- 3) Patio Homes
- 4) Multi-family dwellings.
- 5) Townhomes

502.3 Conditional Uses. All conditional uses permitted in the MRD Residential District, as shown in Section 501(a).3, shall be permitted in any RM-8 Zoning District on a conditional basis, subject to conditions in Article VIII, Section 804.

502.4 Prohibited uses. No activity that does not fall within the parameters of Sections 502.2, 502.3, or 502.4 shall be permitted within the RM-8 Zoning District. The following uses are expressly prohibited to increase ordinance clarity:

- 1) Sexually oriented businesses.
- 2) Cellular towers.
- 3) Tattoo parlors.
- 4) Manufactured homes, trailers, and mobile homes.
- 5) Sheds converted into living quarters.
- 6) RVs, traveler trailers, campers converted into permanent living quarters.

502.5 Other Requirements. Unless otherwise specified elsewhere in this Ordinance, multi-family uses permitted in RM-8 Zoning Districts shall be required to conform to the following standards:

Minimum Square Footage	Multi Family 20,000 square feet (the maximum density for multi-family dwellings shall be eight (8) units per acre). Single Family – 8,000 square feet Duplexes – 5,000 square feet per building Townhomes – 2500 square feet per unit
Minimum Square Footage of Building	Single Family – 1,000 Total Square Feet
Minimum Lot Width	Multi Family - 100 feet Single Family – 50 feet Duplexes – 50 feet Townhomes- 50 feet
Front Setback	35 feet
Side Setback	15 feet
Rear Setback	30 feet

Height	35 feet
--------	---------

A buffer strip in compliance with Section 726 of this ordinance shall be provided if the parcel borders.

The maximum number of residents permitted in any dwelling unit within the RM-8 zone shall be two (2.00) per bedroom.

Section 503. - RM-16 Residential, Multi-Family District.

503.1 Intent of District. It is the intent of this section that the RM-16 Zoning District be developed and reserved for medium-to-high density residential purposes. The regulations, which apply within this district, are designed to encourage the formation and continuance of a stable, healthy environment for several diverse types of multi-family dwellings, and to discourage unwanted encroachment of commercial, industrial, or other uses capable of adversely affecting the residential character of the district.

503.2 Permitted Uses. The following uses shall be permitted in any RM-16 Zoning District:

a) All uses permitted in the RM-8 Residential District, as shown in Section 502.2.

503.3 Conditional Uses. All conditional uses permitted in the RM-8 Residential District, as shown in Section 502.3, shall be permitted in any RM-16 Zoning District on a conditional basis, subject to conditions in Article VIII, Section 804.

503.4 Prohibited uses. No activity that does not fall within the parameters of Sections 503.2, 503.3, or 503.4 shall be permitted within the RM-16 Zoning District. The following uses are expressly prohibited to increase ordinance clarity:

- 1) Sexually oriented businesses.
- 2) Cellular towers.
- 3) Tattoo parlors.
- 4) Manufactured homes, trailers, and mobile homes.
- 5) Sheds converted into permanently living quarters.
- 6) RVs, trailers, and campers to be used as permanent living quarters.

503.5 Other Requirements. Unless otherwise specified elsewhere in this Ordinance, multi-family uses permitted in RM-16 Zoning Districts shall be required to conform to the following standards:

Minimum Square Footage	Multi Family 1-acre (The maximum density for multi-family dwellings shall be sixteen (16) units per acre). Single Family – 8,000 square feet Duplexes – 5,000 square feet per building Townhomes – 2500 square feet per unit
Minimum Square Footage of Building	Single Family – 1,000 Total Square Feet
Minimum Lot Width	Multi Family - 100 feet Single Family – 50 feet

	Duplexes – 50 feet Townhomes – 50 feet
Front Setback	35 feet
Side Setback	10 feet
Rear Setback	15 feet
Height	35 feet

Multiple family dwelling

A buffer strip in compliance with Section 726 of this ordinance shall be provided if the parcel borders any parcel zoned LR or MR.

The maximum number of residents permitted in any dwelling unit within the RM-16 zone shall be two (2.00) per bedroom.

Section 504. - Manufactured home Manufactured-Single Family District (MH-SF).

504.1 Intent of District. It is the intent of this Section that the MH-SF Zoning District be developed as single family and manufactured home districts on lots of at least 6,000 square feet.

504.2 Permitted Uses. The following uses shall be permitted in any MH-SF Zoning District:

- 1) All uses permitted in MRD Residential District, as shown in Section 503.2.
- 2) One manufactured home unit per parcel, in full compliance with all standards included in Section 725 of this Ordinance.

504.3 Conditional Uses.

1) All conditional uses permitted in the MRD Residential District, as shown in Section 503.3, shall be permitted in any MH-SF Zoning District on a conditional basis, subject to conditions in Article VIII, Section 804. For any of these conditional uses within the MH-SF District, a buffer strip in compliance with Section 726 of this ordinance shall be installed and maintained along all property lines bordering a parcel that is zoned for residential usage.

504.4 Prohibited uses. No activity that does not fall within the parameters of Sections 504.2, 504.3, or 504.4 shall be permitted within the MH-SF Zoning District. The following uses are expressly prohibited to increase ordinance clarity:

- 1) Sexually oriented businesses.
- 2) Cellular towers.
- 3) Tattoo parlors.
- 4) Sheds converted into living quarters
- 5) RVs, travel trailers, campers to be used as permanent living quarters.

504.5 Other Requirements. Uses permitted in MH-SF 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 IV, Section 402, of this Ordinance.

Minimum Lot Square Footage	Single Family – 8,000 square feet
	Manufactured/Modular Homes – 6,000 square feet

Minimum Square Footage of Building	Single Family – 1,000 Total Square Feet Manufactured/Modular Homes- N/A
Minimum Lot Width	Single Family – 50 feet Manufactured/Modular Homes – 50 feet
Front Setback	35 feet
Side Setback	8 feet
Rear Setback	15 feet
Height	35 feet

Section 505. - Manufactured Home Manufactured Home Park District (MH).

505.1 Purpose. The purpose of the Manufactured Home Park District is to provide a sound and healthy residential environment sufficient to meet the unique needs of inhabitants living in the manufactured homes, to protect manufactured home parks from encroachment by incompatible uses, and to encourage the consolidation of manufactured homes into manufactured home parks. Any manufactured home park within the City of Liberty shall henceforth be in conformance with the regulations set forth herein.

505.2 Permitted Uses. The following uses shall be permitted in any manufactured home park district.

Any permitted uses in Manufactured Home Single District (504) are allowed.

Manufactured home parks: Provided they are first submitted to and approved by the Planning Commission, and are found to be in conformance with the following minimum requirements:

- 1) The minimum area for a manufactured home park shall be two (2) acres.
- 2) The maximum number of manufactured homes per acre shall not exceed four (4).
- 3) The development of manufactured home parks shall be considered in accordance with an overall plan which shall be reviewed and approved by the Planning Commission and shall include provisions for:
- 4) The maximum height of a manufactured home shall be fifteen (15) feet.
- 5) The site plan for a manufactured home park shall be reviewed by the Pickens County Department of Health and Environmental Control, which shall advise the Planning Commission of the City of Liberty of its findings in writing, prior to the Commission's recommendations on the proposal.
- 6) Signs for manufactured home parks shall conform to Article VI of this Ordinance.
- 7) The City Council may revoke any license to maintain and operate a manufactured home park when the licensee has been found guilty by a court of competent authority of violating any provisions of this Ordinance.
- 8) No manufactured home unit or other structure within a manufactured home park shall be placed closer than 25 feet to any front exterior property line, 15 feet to any side exterior property line, or 35 feet to any rear exterior property line.
- 9) No building shall be erected at a distance of less than twenty (20) feet from any manufactured home or building in the park. Therefore, a unit must be 10 feet from each side lot line to meet the 20 feet regulation.
- 10) A minimum of twenty percent (20%) of the manufactured home park area or twenty thousand (20,000) square feet shall be preserved as open space.

- 11) All manufactured home units located in the City after the adoption of this Ordinance must be in full compliance with Section 725 herein.
- 12) The location use plan and dimensions of each building or structure to be constructed and the location of each manufactured home unit to be parked. The location, dimension and arrangement of all open spaces, yards, access ways, entrances, exits, off-street parking facilities, pedestrian walkways, location and width of roads, streets, and sidewalks, location, dimensions and arrangements of all areas devoted to planting lawns, trees, or similar purposes with a description including the height and density of all trees for planting to be used for screening, location and description of all facilities to be used for sewage disposal, water supply and storm water drainage.
- 13) The manufactured home park shall be developed in accordance with the plan submitted. Any changes shall be reviewed and approved by the Planning Commission. New ownership will need to show any changes to the park.

505.3 Landscaping. The proposed development shall be designated as a single architectural scheme with appropriate common landscaping.

505.4 Parking. Parking spaces shall be provided at a ratio of one and one-half (1-1/2) spaces for each manufactured home.

505.5 Prohibited uses. No activity that does not fall within the parameters of Sections 505.2, 505.3, or 505.4 shall be permitted within the MHMP Zoning District. The following uses are expressly prohibited to increase ordinance clarity:

- (a) Sexually oriented businesses.
- (b) Cellular towers.
- (c) Tattoo parlors.
- (d) Sheds converted into living quarters
- (e) RVs, traveler trailers, campers to be used as permanent living quarters.

505.6 Other Requirements. Uses permitted shall meet all standards in Article VII pertaining to off-street parking, loading, and other requirements.

Section 506. - NC Neighborhood Commercial District.

506.1 Intent of District. It is the intent of this Section that the NC Zoning District be developed and reserved for local or neighborhood-oriented business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy, and compatible environment for uses that are located so as to provide nearby residential areas with convenient shopping and service facilities; control traffic and parking congestion; avoid the development of "strip" business districts; and discourage industrial and other encroachment capable of adversely affecting the localized commercial character of the district.

506.2 Permitted Uses. The following uses shall be permitted in NC Zoning District:

- 1) General offices.
- 2) Government offices/buildings.
- 3) Retail businesses no more than twenty-five thousand (25,000) square feet—sale of merchandise on premises, including but not limited to:
 - a) Drug store or pharmacy.
 - b) Small convenience store.
 - c) Florist shop.

- d) Antique store.
 - e) Newsstand or bookstore.
 - f) Bakery
 - g) Gift store.
 - h) Arts and crafts store.
 - i) Hardware store.
 - j) Hobby or toy store.
 - k) Variety store.
 - l) Grocery Store (less than 25000 square feet)
 - m) Delis /Butcher Shops
 - n) Dog Groomers
- 4) Personal services including but not limited to:
- a) Branch bank and other financial institutions.
 - b) Barber or beauty shop.
 - c) Alterations.
 - d) Laundry/dry cleaning.
 - e) Funeral homes.
 - f) Jewelry/repair.
 - g) Dance, music art schools.
 - h) Locksmith/gunsmith.
 - i) Salons/Barber Shops
 - j) Plumbers, Electricians, Repair Services
 - k) Photographers
- 5) Professional services, including but not limited to:
- a) Lawyers.
 - b) Engineers.
 - c) Architects.
 - d) Accountant.
 - e) Real estate.
- 6) Nursing homes, assisted living facilities, group homes, and care homes.
- 7) Cultural centers, including but not limited to:
- a) Libraries.
 - b) Museums.
 - c) Theaters.
 - d) Art Gallery

- e) Event Venues
- 8) Parks, playgrounds, and other public recreational areas.
- 9) Medical offices, including:
 - a) Doctors.
 - b) Chiropractor.
 - c) Eye doctor.
 - d) Lab.
 - e) Clinic.
 - f) Urgent Care
- 10) Restaurants and other eating establishments without drive thru windows.
- 11) Child and adult day cares.

506.3. Conditional uses. The following uses shall be permitted in any NC Zoning District on a conditional basis, subject to the conditions of this section, unless otherwise noted, and Article IX, Sections 804.

- 1) Animal hospital or animal 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.
- 2) public utility substations, installation, water towers, and fire towers provided that:
 - a) Such use is enclosed by a painted or chain link fence or wall at least 6 feet in height about finishes grade.
 - b) No office or commercial operations are on the premises.
 - c) No storage of vehicles or equipment is on the premises.
 - d) Landscaped strips not less than five (5) feet in width are planted and maintained.
- 3) Car wash provided an off-street paved parking area accommodating at least one-half of the hourly vehicle washing capacity for vehicles awaiting entrance to the washing process is suitably located and maintained on the premises. Such space shall contain at least two hundred (200) square feet per waiting vehicle and no safety hazard or impediment to traffic movement shall be created by the operation of such an establishment.
- 4) Cemetery provided such use:
 - a) It consists of a site at least five (5) acres in size.
 - b) Includes no crematorium or dwelling unit other than for a caretaker and immediate family members.
 - c) It has a front setback of at least forty-five (45) feet from the edge of the street right-of-way. If there is no established right-of-way, the setback shall be at least seventy (70) feet from the centerline of the road.
- 5) Tattoo Parlors if all state regulations concerning location of tattoo parlors are met.
- 6) Single-family residence if it was in place before this ordinance was first adopted.

506.4. Special exceptions. The following uses shall be allowed in the NC Zoning District as a special exception, subject to the conditions of this article and Article IX, Section 914 and will have to be approved by the board of zoning appeals.

The Board of Zoning Appeals will allow the following special exceptions with approval:

- 1) Bed and Breakfast Inn, providing at least three, but no more than six rooms for paying guests and provided that such use:
 - a) It is operated by the individual owner of the property, and the use is subordinate and incidental to the principal residential use.

- b) Produces no alteration or change in the character or the exterior appearance of the principal building from that of a dwelling.
 - c) Serve no meals other than breakfast for the paying guests.
 - d) Special events will be allowed on the premises.
 - e) Wine and beer will be allowed to be served on premises to guests and special events.
 - f) Sell only articles made on the premises or those articles custom made for the establishment and do not display products to the street or neighboring property.
 - g) Provides off-street parking, no more and no less than one parking place per bedroom plus three additional places (parking need not be paved).
 - h) Limits signage to one sign, not to exceed three square feet.
 - i) The Board of Zoning Appeals shall hold a public hearing to determine if the proposed Bed and Breakfast meet the above criteria and is consistent with neighborhood design.
- 2) Home occupation. A home occupation shall be permitted in any residential district and shall be in conformance with the requirements in Section 708. Home occupations are only allowed to be established in detached single-family units that are used as a residence.
- 3) Accessory dwelling provided that such use meets the following conditions:
- a) There may only be (1) accessory dwelling per lot.
 - b) May only be found on a lot with a single-family residence.
 - c) A property with an accessory dwelling may not have more than two (2) units on the property.
 - d) Accessory dwelling units must follow accessory unit setbacks found in section 711.
 - e) The proposed accessory dwelling will be no larger than eight hundred (800) square feet (decks, patios, and porches without roofs will not be included in the eight hundred (800) square feet) and have no more than two (2) bedrooms.
 - f) The accessory dwelling must be a complete living space, with kitchen and bathroom facilities separated from the principal unit. The accessory dwelling unit must meet all International Building Codes, following the most recent version adopted by council.
 - g) One (1) space, in addition to any parking requirements for the primary unit, shall be required, in the rear yard or in the garage.
 - h) The property shall retain a single-family appearance from the street.
 - i) 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.
 - j) Occupancy of an accessory dwelling unit shall be limited to no more than two (2) persons per bedroom.
 - k) Neither the primary residence nor the accessory dwellings shall be a manufactured home, mobile home, trailer, temporary building, or utility/storage shed.
 - l) The board of zoning appeals shall hold a public hearing to determine if the proposed accessory dwelling meets the above conditions and is consistent with neighborhood design.
 - m) The property owner must reside in either the single-family home or accessory dwelling.

506.5 Prohibited Uses:

- 1) Sexually Oriented Businesses

- 2) cell/communication towers

506.6 *Other Requirements.* Unless otherwise specified elsewhere in this Ordinance, uses permitted in NC Neighborhood Commercial Zoning Districts shall be required to conform to the following standards:

Minimum lot area	6,000 square feet
Minimum lot width	50 feet
Minimum front setback	25 feet
Minimum side setback	10 feet
Minimum rear setback	15 feet
Minimum building height	35 feet

- 1) Signs: Signs permitted in NC Zoning Districts, including the conditions under which they may be located, are set forth in Article VI.
- 2) No external display of inventory shall be permitted within any NC Zone.
- 3) No external storage of equipment, inventory, or supplies shall be permitted within any NC Zone unless completely enclosed by a solid fence or wall. Equipment may be displayed during business hours. Inventory may remain outside if the inventory section is part of the building footprint.

Section 507. - GC General Commercial District.

507.1 *Intent of District.* It is the intent of this Section that the GC Zoning District be developed and reserved for general business purposes. The regulations, which apply within this district, are designed to encourage the formation of continuance of a compatible and economically healthy environment for business, financial service and professional uses that 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.

507.2 Permitted Uses. The following uses shall be permitted in any GC Zoning District.

- a) Any use, together with the conditions attached thereto permitted in the NC Zoning Districts.
- b) General retail stores, 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 (6) feet in height composed of treated wood or brick.
- c) Service businesses, including, but not limited to plumbers, electricians, small engine machine shops, repair services, and similar uses, provided all services take place within an enclosed building and 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 is completely enclosed by a solid fence or wall of at least six (6) feet in height composed of treated wood, brick, or chain link fencing with privacy slats, which must be black or natural green in color, with approved shrubbery.⁸⁰⁴
- d) Restaurants (with or without a drive-in window).
- e) Food stores, including general grocers, produce stands, delis, bakeries, meat markets (without slaughtering on-site).
- f) Food preparation establishments for off-premises delivery.
- g) Schools.
- h) Horticulture nurseries.
- i) Mini warehouse self-storage facilities,

507.3 *Conditional Uses.* The following uses shall be permitted on a conditional basis in any GC Zoning District, subject to the conditions set forth in Article VIII, Section 804.

- 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 in compliance with Section 726 of this ordinance 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 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 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 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 Section 726 of this Ordinance shall be required.
- 8) Community hospitals or clinics include any functions which relate directly to the operation of the hospitals or clinics and are contained within the confines of said hospital or clinic.
- 9) Transmission towers, in accordance with the provisions set forth in Section 727 of this Ordinance.
- 10) Temporary uses in compliance with the provisions of Article VIII, Section 804.
- 11) single family residence if it was in place prior to the first adoption of the zoning ordinance.
- 12) Tattoo parlors if all state regulations concerning locations of tattoo parlors are met.
- 13) metal buildings for businesses will be allowed if the sides that can be seen from the road must be covered with brick, stone, etc.

507.4 Prohibited Uses.

- 1) Sexually oriented businesses.

507.5 *Other Requirements.* Unless otherwise specified elsewhere in this Ordinance, uses permitted in GC General Commercial Zoning Districts shall be required to conform to the following standards:

Minimum lot area	None
Minimum lot width	None
Minimum front setback	35 feet
Minimum side setback	None
Minimum rear setback	25 feet
Maximum building height	35 feet

Section 508. - CC Core Commercial District.

508.1 *Intent of District.* The CC Core Commercial District intends to encourage the maintenance of a centrally located trade and commercial service area and to provide for the orderly expansion of such uses.

The downtown core commercial is identified within the following boundaries:

- 1) South Palmetto Street from West Main Street to Depot Street
- 2) West Main Street from South Palmetto Street to Anderson Drive
- 3) Anderson Drive from West Main Street to Depot Street
- 4) Depot Street from South Palmetto Street to Anderson Drive

All properties are located within the boundaries that will include South Commerce Street and West Front Street.

508.2 *Permitted Uses.* The following uses may be permitted in any CC Core Commercial District:

Section 508. - CC Core Commercial District.

508.1 *Intent of District.* The CC Core Commercial District intends to encourage the maintenance of a centrally located trade and commercial service area and to provide for the orderly expansion of such uses.

508.2 *Permitted Uses.* The following uses may be permitted in any CC Core Commercial District:

- 1) General offices.
- 2) Government offices/buildings.
- 3) Retail businesses no more than twenty-five thousand (25,000) square feet—sale of merchandise on premises, including but not limited to:
 - 1) Drug store or pharmacy.
 - 2) Small convenience store.
 - 3) Florist shop.
 - 4) Antique store.
 - 5) Newsstand or bookstore.
 - 6) Bakery.
 - 7) Gift store.
 - 8) Arts and crafts store.
 - 9) Hardware store.

-
- 2) Hobby or toy store.
 - 3) Variety store.
 - 4) Grocery Store (less than 25000 square feet)
 - 5) Delis/Butcher Shops
 - 6) Dog Groomers
 - 7) Personal services including but not limited to:
 - 1) Branch bank and other financial institutions.
 - 2) Barber or beauty shop.
 - 3) Alterations.
 - 4) Laundry/dry cleaning.
 - 5) Funeral homes.
 - 6) Jewelry/repair.
 - 7) Dance, music art schools.
 - 8) Locksmith/gunsmith.
 - 9) Salons/Barber Shops
 - 10) Plumbers, Electricians, Repair Services
 - 11) Photographers
 - 8) Professional services, including but not limited to:
 - 1) Lawyers.
 - 2) Engineers.
 - 3) Architects.
 - 4) Accountant.
 - 5) Real estate.
 - 9) Nursing homes, assisted living facilities, group homes, and care homes.
 - 10) Cultural centers, including but not limited to:
 - 1) Libraries.
 - 2) Museums.
 - 3) Theaters.
 - 4) Art Gallery
 - 5) Event Venues
 - 11) Parks, playgrounds, and other public recreational areas.
 - 12) Medical offices, including:
 - 1) Doctors.
 - 2) Chiropractor.
 - 3) Eye doctor.
-

-
- 4) Lab.
 - 5) Clinic.
 - 6) Urgent Care
- 13) Restaurants and other eating establishments without drive thru windows.
 - 14) Child and adult day cares.
 - 15) Bars and Taverns

508.3 Conditional Uses. The following uses maybe permitted on a conditional basis in the CC Zoning District, subject to the conditions set forth in Article VIII, [Section 804.](#):

- 1) Animal hospital or animal 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.
 - 2) public utility substations, installation, water towers, and fire towers provided that:
 - (a) Such use is enclosed by a painted or chain link fence or wall at least 6 feet in height about finishes grade.
 - (b) No office or commercial operations are on the premises.
 - (c) No storage of vehicles or equipment is on the premises.
 - (d) Landscaped strips not less than five (5) feet in width are planted and maintained.
 - 3) Car wash provided an off-street paved parking area accommodating at least one-half of the hourly vehicle washing capacity for vehicles awaiting entrance to the washing process is suitably located and maintained on the premises. Such space shall contain at least two hundred (200) square feet per waiting vehicle and no safety hazard or impediment to traffic movement shall be created by the operation of such an establishment.
 - 4) Cemetery provided such use:
 - (a) It consists of a site at least five (5) acres in size.
 - (b) Includes no crematorium or dwelling unit other than for a caretaker and immediate family members.
 - (c) It has a front setback of at least forty-five (45) feet from the edge of the street right-of-way. If there is no established right-of-way, the setback shall be at least seventy (70) feet from the centerline of the road.
 - 5) Single-family residence if it was in place before this ordinance was first adopted.
 - 6) A combination of residential and commercial may be allowed if the following conditions are met:
 - (a) If a residential unit is located on the first floor, the street-facing portion of all properties must be used for commercial, not residential space.
 - (b) Should a commercial space cease to be used for commercial purposes, meaning that it ceases to be actively operated as a retail or service operation open for business to the public, for more than 12 months, the formerly residential space at street level may only be used in conformity with the allowed uses of the district. Rental lease agreements should reflect this possibility. Owner-occupied residential use may continue for one year after commercial space use ends but must cease if commercial use is not resumed in that period.
 - (c) Ingress and egress to rental units must be made outside of the commercial space. This applies to first and second floor units.
-

-
- (d) The exterior of each residential unit must meet applicable zoning and code requirements.
 - (e) The residential unit must meet and maintain all applicable life safety, code, occupancy limits, and inspection requirements imposed by State and local law and regulations.
 - (f) The residential unit may not be expanded, enlarged, extended, either vertically or horizontally.
 - (g) If used for rental purposes, the lessor of the residential unit must obtain and maintain a valid City business license.
 - (h) If used for rental purposes, the lessor of the residential unit is responsible for compliance with all applicable State and local taxes and fees, as well as all applicable rental housing and public accommodation taxes, laws, rules, and regulations.
 - (i) All residential use of street level space in the CC District is undertaken at the owner's risk and responsibility for safety and legal compliance rests solely on the owner.
 - (j) Short Term rentals will be allowed if the lessor has an applicable business license with the City of Liberty.
- 7) Tattoo Parlors will be permitted if the state regulations about the location of a tattoo parlor are met.

508.4 Prohibited Uses.

- 1) Sexually Oriented Businesses
 - 2) Cell/Communication Towers
 - 3) metal buildings for primary business use
 - 4) temporary buildings for primary business use
-

Section 509. LI Limited Industrial District.

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

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

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

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

1. Warehouse or other storage facility, if there is no external storage of junk or salvage materials of any type in conjunction with the operation.
 2. Wholesale business outlet, if there is no open storage of junk or salvage materials of any type in conjunction with the operation.
-

-
3. Automobile service station provided that all fuel pumps are set back at least twenty-five (25) feet from the right-of-way line of any street; provided all fuel tanks are installed underground; and, if there is no open storage of any type in conjunction with the operation.
 4. Animal hospital and/or boarding facility provided all boarding arrangements are maintained within a building and no noise connected with the operation of the facility is audible beyond the premises.
 5. Retail business provided such business is incidental to permitted use; is located on the same premises as a permitted use; and involves no open storage of junk or salvage materials or any type in conjunction with the operation.
 6. Truck terminal provided that paved acceleration and deceleration lanes of at least twelve (12) feet in width and one hundred (100) feet in length, respectively, are furnished and maintained at every point where trucks enter or leave terminal sites located adjacent to major streets, provided no safety hazard or impediment to traffic movement is reduced on any access road, and provided no open storage of any type is conducted in connection with the operation.
 7. 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.
 8. Dwelling incidentally permitted agricultural or horticultural use provided that such related dwellings are occupied only by people employed directly on the premises.
 9. Garage or shop for the repair and servicing of motor vehicles, equipment or machine parts provided any open yard storage incidental to such an operation conforms to the provisions of Subsection 508.3(b); and provided no objectionable sound, vibration, heat, glare, or electrical disturbance is created which is perceptible beyond the premises.
 10. Transmission towers, in accordance with the provisions set forth in Section 727 of this Ordinance.
 11. Temporary use in compliance with the provisions of Article VIII, Section 804.
 12. Retail or wholesale business or service provided such business, or service is incidental to permitted industrial use; and is located on the same premises.
 13. Truck terminal, provided that paved acceleration and deceleration lanes of at least twelve (12) feet in width and one hundred (100) feet in length, respectively, are furnished and maintained at every point where trucks enter or leave terminal sites; and, provided sites for such facilities have direct access to major streets.
 14. Private recreation facilities provided such facility is incidental to permitted use and located on the same premises.
 15. Open yard use for the sale, rental and/or storage of new, used or salvaged, materials, or equipment, provided that such use is conducted in a manner that it will be located on a site no less than one (1) acre in size, and provided no burning of materials or products is conducted on the premises except by means approved by the Fire Chief or Fire Inspector; and in the case of external storage or used or salvaged materials and/or equipment, a buffer strip in compliance with Section 726 of this ordinance shall be required along all property lines.
 16. Temporary uses are permitted in compliance with the provisions of Article VIII, Section 804.

509.4 Special Exceptions

A short-term rental development (tiny houses, small cottages, etc) can be developed in a limited industrial zone when the following conditions are met and approved by the board of zoning appeals:

1. A minimum of two (2) acres with a maximum of eight (8) units per acre.
-

-
2. Tiny houses or small cottages in the range of three hundred (300) to one thousand (1,000) square feet. The units must be a permanent fixture (no wheels). The units must be single units, no duplexes, or multiplexes.
 3. There must be ten feet between each unit.
 4. Minimum of one parking space per unit.
 5. A community area is allowed (laundry, meeting room) but no bath houses.
 6. Each unit must have a bathroom.
 7. Site plans addressing landscaping, curb and gutter, streets, and layout must be submitted.
 8. Plans and/or photos of the types of units must be submitted for review. (The board has the right to deny any type of design they deem to not fit the City of Liberty).

509.5 Prohibited Uses.

1. Sexually Oriented Businesses
2. Manufactured homes.

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

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

Section 510. Planned Development District. PDD

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

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

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

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

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

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

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

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

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

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

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

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

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

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

510.11 Each PDD development shall be serviced by sidewalks in the public right-of-way to be located parallel to the front yard lines of each lot in the PDD. Said sidewalks shall be installed by the developer of the PDD.

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

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

510.14 PDD Application and Preliminary Development Plan Approval.

1. An applicant shall communicate his intentions to establish a Planned Development District, and the proposed characteristics thereof, to the zoning administrator prior to initiating an application for amendment to the zoning map. The zoning administrator shall place the developer on the agenda of the next Planning Commission meeting for a presentation and exchange or [of] ideas.
2. Applications for a Planned Development District shall be by amendment to the official zoning map in accordance with the provisions of Article III and shall include the following:
 - a. Preliminary Development Plan - The applicant shall submit three (3) copies of the proposed Planned Development which shall include the following:
 - (1) Vicinity map, title block, scale, north arrow, and property line survey.
 - (2) Total acreage of overall site.
 - (3) Location and number of acres of various areas by type of use (e.g., single-family detached, recreation, office, commercial, etc.).
 - (4) Number of units and density of various residential types, such number to represent the maximum number of units.
 - (5) Minimum setbacks.
 - (6) Minimum and maximum residential dwelling unit floor areas.
 - (7) Preliminary landscape plan.
 - (8) Description of what is to be included in the common area.
 - (9) Approximate square footage of non-residential uses and approximate number of bedrooms in each residential unit.
 - (10) Primary traffic circulation pattern, including major points of ingress and egress.
 - (11) Approximate number of parking spaces per use.

-
- (12) An indication that an acceptable drainage system can be designed for the proposed project.
- (13) Any such information or descriptions may be deemed reasonably appropriate for review.
- b. Statement of Intent - The applicant shall submit three (3) copies of a descriptive statement setting forth the characteristics of proposed Planned Unit Development including the following:
- (1) A description of the formation procedures and policies of any proposed homeowner's association or other group maintenance agreement.
 - (2) A statement setting forth the proposed development schedule.
 - (3) A statement of the public improvements, both on and off-site, that are proposed for dedication and/or construction, and an estimate of the timing for providing such improvements.
 - (4) A statement of impact on public facilities, including water, sewer collection and treatment, schools, garbage collection, fire protection, etc., along with letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed Planned Development.
 - (5) A statement concerning the appearance, landscaping, screening, and maintenance of any proposed pond, lake, or retention pond contained in the development.
 - (6) Any such information of [or] descriptions may be deemed reasonably appropriate for review.
3. A public hearing shall be held in accordance with procedures set forth in Article X.
 4. The Planning Commission at its next regular meeting following the public hearing shall make a recommendation on the proposed Planned Development which shall be advisory to City Council.
 5. The City Council may, after fulfilling all applicable requirements of this section and all applicable requirements of Article X, act to either approve, approve with modifications, or disapprove the application for Planned Development.
 6. Following approval of a PDD District, the official zoning map shall be amended to reflect such approval. Approval of a Planned Development District shall constitute authority for the applicant to submit a Final Development Plan to the Planning Commission for approval in accordance with the provisions of Section 512.17.
- 510.15 Failure to Submit a Final Development Plan.* If no final development plan shall have been submitted within twelve (12) months of approval of PDD, the Planning commission and City Council of the City of Liberty may consider rezoning the property to the most appropriate zoning category in accordance with Article X of this Ordinance.
- 510.16 Final Development Plan.* No building permit or certificate of occupancy shall be issued in a PDD district until the Planning Commission has approved and there is recorded a Final Development Plan meeting the requirements of this section. Three (3) copies of the final plan setting forth specific design characteristics of the Planned Development in accordance with the approved Preliminary Development Plan shall be submitted on paper plats no larger than 22 x 27 inches to the Planning Commission office and shall include, but not be limited to, the following information:
1. Vicinity map, title block, scale, north arrow, and property line survey.
 2. Location arrangement, and proposed use of all buildings or structures within the Planned Development.
 3. Names of boundary streets.
 4. Number of residential dwelling units by type and number of bedroom units in each.
 5. Sketches of typical proposed structures, design standards, outdoor lighting fixtures, signs, and landscaping.
 6. Location of any utility easements.
 7. Total floor area for all non-residential uses by type.

-
8. Open space areas, specifying the proposed treatment of improvements of all such areas and delineating those areas proposed for specific types of developed recreational facilities.
 9. All off-street parking and loading areas and structures and the total number of spaces.
 10. Traffic and pedestrian circulation systems including the location and width of all streets, driveways, service areas, entrances to parking areas, walkways, bicycle paths, etc.
 11. Yard dimensions from the development boundaries and adjacent streets.
 12. A detailed drainage plan.
 13. Other such information or descriptions as may be deemed reasonably appropriate for Planning Commission review.

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

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

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

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

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

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

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

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

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

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

DRAFT

ARTICLE VI. SIGN REGULATIONS

The regulations herein shall apply and govern all zoning districts. Regulations apply to any sign intended for view from a public right-of-way. No sign shall be erected or maintained unless it follows the regulations of this Article, except that a nonconforming sign, which shall comply with the provisions set forth in Article VII, may be maintained if in existence prior to the adoption of this ordinance.

Section 600. General Provisions.

The following regulations shall apply to all permitted signs in the City of Liberty.

600.1 A permit shall be required for the erection, alteration, or reconstruction of any sign intended for view from the public right-of-way unless otherwise noted and shall be issued by the Zoning Administrator in accordance with Article VIII of this Ordinance. Sign permits are \$25.00. Religious and non-profit organizations are exempt from fees.

600.2 Signs must be constructed of durable materials, maintained in good condition, and not permitted to become dilapidated. Signs are made of ridged material. Banners are made of flexible material.

Section 601. Prohibited Signs.

The following signs are prohibited in the City of Liberty:

- 1) Signs Imitating Warning Signals. No sign shall display intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles, nor shall any sign use the words "stop," "danger," or any other word, phrase, symbol, or character in a manner that might mislead or confuse the driver of an automobile.
- 2) Signs Within a Street or Highway Right-of-Way. Except as herein provided, no sign whatsoever, whether temporary or permanent except traffic signs and signals and information signs erected by a public agency, is permitted within any street or highway right-of-way.
- 3) Certain Attached and Painted Signs. Signs painted on or attached to trees, fence posts, and telephone or other utility poles or signs painted on or attached to rocks or other natural features or painted on the roofs of buildings are prohibited.
- 4) Roof Signs. Attached, mounted, or painted on a roof structure are prohibited. This does not pertain to signs attached to or printed on a fascia.
- 5) Off-Premises Signs. Off-premises signs, including billboards, are prohibited in the City of Liberty.

Section 602. Signs For Which a Permit is Not Required.

A permit is not required for the following types of signs in any Zoning District.

- 1) Traffic, directional, warning, or information signs authorized by any public agency.
 - 2) Official notices issued by any court, public agency, or government office.
 - 3) One non-illuminated "for sale," "for rent," or "for lease" sign thirty (30) square feet in other than residential districts and located not less than ten (10) feet back from the street right-of-way line, unless attached to the front wall of a building.
 - 4) Entrance, exit and instructional signs, so long as they do not exceed four (4) square feet in area, are no higher than three (3) feet above adjacent pavement and contain no advertisement.
 - 5) Identification signs indicating the name and street number or owner or occupant of a parcel, so long as such signs do not exceed four (4) square feet of copy area.
 - 6) Bulletin boards, which are defined as temporary signs which primarily display the name of a non-commercial place of public assembly and announce the upcoming events of that organization. To not
-

require a permit, such a sign shall not exceed thirty-two square feet of copy area or five (5) feet in height. Signs of this type shall be restricted to one (1) per parcel for a maximum of thirty (30) days.

- 7) Signs identifying projects under construction which denote the name of the project, the architect, engineer, contractor, owner, etc., so long as such signs do not exceed thirty-two (32) square feet in residential districts, or thirty-two (32) square feet in non-residential zones, are not illuminated, and are removed within seven days of completion of the project. There is one sign per parcel.
- 8) Signs attached or integrated into a gasoline pump, automatic bank teller machine, or drive through component of a fast-food restaurant, which give operational instructions to users, the price of the product, the brand name of the product, or descriptive information about the product. Signs cannot be attached to the building.
- 9) Signs inside of the glass of any building.

Section 603. Regulations Applying Specified Types of Signs.

The following regulations apply to the following specified types of signs:

- 1) Wall Signs. Signs on the walls of a building (including signs attached flat against the wall, painted wall signs, and projecting signs) meet the following requirements:
 - a. Signs on the Front Surface of a Building. The total area of signs on the exterior front surface of a building shall not exceed fifteen (15%) percent of the front surface of the building, so long as the figure does not exceed the total amount of sign area permitted within the Zoning District where the signs or signs are to be located.
 - b. Signs on the Side and Rear Surface of a Building. The total area of signs on a side or rear surface of a building shall not exceed ten (10%) percent of the exterior side or rear surface of the building, respectively, so long as this figure does not exceed the total amount of sign area permitted within the Zoning District where the sign or signs are to be located.
 - 2) Subdivision Entrance Signs. One (1) or two (2) signs shall be permitted at each entrance of a residential subdivision, provided that such signs do not exceed a total of Thirty-Two (32) square feet at any subdivision entrance. Provided further that such signs shall have a maximum height of six (6) feet. If illuminated, only indirect lighting shall be permitted.
 - 3) Private Directional Signs. Signs indicating the location and direction of premises available for or in the process of development, but not erected upon such premises, and having inscribed thereon the name of the owner, developer, builder, or agency may be erected and maintained, provided:
 - a. the size of any such sign is not more than thirty-two (32) square feet.
 - b. not more than one (1) such sign is erected for each five hundred (500) feet of street frontage.
 - 4) Political Campaign Signs
 - a. Political campaign signs shall be permitted in compliance with the regulations included herein. Such signs shall conform with all other provisions of this and all other applicable ordinances of the City of Liberty.
 - b. Usage of a political campaign sign by any candidate or supporters of any issue shall require issuance of a Political Campaign Sign Permit by the City of Liberty.
 - c. Permits for political campaign signs shall not exceed a period commencing from (45) forty-five days prior to the date of the election through the seventh day after the last date upon which that candidate's name or that issue appears on a ballot for a primary, runoff, general or special election.
 - d. To secure a political campaign sign permit, the applicant must pledge to remove all political signs within seven days after the expiration of the political campaign sign permit. The property
-

owner's permission must be granted for the placement of any political sign on private property. The placement of such signs on the public right-of-way, or the attachment of any such sign to a tree, fence post, or utility pole is prohibited.

- e. The size of any such sign is not more than six (6) square feet, and not more than three (3) feet in length.

5) Freestanding Signs

- a. One freestanding monument sign is allowed for a parcel of land containing a single business or use, and this sign shall:
 - i. Be limited to one (1) freestanding sign monument; sign assembly a maximum of sixty (60) square feet in area (to be included in the total allowable sign area) may be incorporated into the freestanding monument sign.
 - ii. Be located on the premises of the business to which it refers.
 - iii. Be set back ten (10) feet from any public road right-of-way and property line and may be in a buffer yard.
 - iv. Be a maximum of fifteen (15) feet above the finished grade elevation at the edge of the adjacent public roadway.
 - v. Be a maximum of twenty (20) feet in width.
 - vi. Not restrict visibility to vehicular or pedestrian traffic.
 - vii. Be permanently mounted to the ground.
- b. One (1) freestanding monument sign is allowed for a parcel of land containing more than one business or use, and this sign shall:
 - i. Be limited to one (1) freestanding monument sign assembly or structure.
 - ii. Be located on the premises of said business.
 - iii. Be set back ten (10) feet from any public right-of-way and property line and may be located within a buffer yard.
 - iv. Be a maximum of fifteen (15) feet above the finished grade elevation at the edge of the adjacent public roadway.
 - v. Be a maximum of one hundred and twenty (120) square feet in total area.
 - vi. If containing one (1) area for changeable copy or an electronic message board; this area is to be incorporated within the main sign area and be included as part of the total allowable sign area. The area for changeable copy or electronic message board a maximum of twenty-four (24) square feet
 - vii. Be permanently mounted to the ground.
 - viii. Not restrict visibility to vehicular or pedestrian traffic.

6) Portable or A Frame Signs.

- a. Definition: A mobile sign that is mounted on a trailer-type frame or portable wood or metal frame not permanently attached to the ground.
 - b. Usage of portable signs shall conform to permitting requirements in Section 600.1, construction, and maintenance requirements in Section 600.2.
-

-
- c. If a portable sign is to be illuminated it shall follow the National Electrical Code. Utilization of an above ground electric extension cord is expressly prohibited.
 - d. Portable signs shall not exceed a maximum size of thirty-two (32) square feet. Frame signs shall not exceed twelve (12) square feet per side.
 - e. One (1) portable sign, in addition to the number of signs permitted under Section 607.1 of this ordinance, may be used by a licensed business, institution, or civic organization. Utilization of a portable sign under this provision shall require the issuance of a Sales Event Sign Permit by the City of Liberty. The City Council of Liberty is hereby authorized to establish a fee for the Sales Event Sign Permit. Any sign permitted under this provision shall conform to all requirements of the Zoning Ordinance and all applicable ordinances of the City of Liberty.
 - f. Portable signs must be on the premises of the property. No off-premises portable signs will be allowed in the City of Liberty.
- 7) Temporary Use of Fluttering Ribbons and Banners. Fluttering ribbons and banners may be used by a licensed business, institution, or civic organization in NC and GC districts:
 - a) One banner or fluttering banner per business. An application for sixty days is required.
 - b) The banner must not be more than 3X6 feet, and the fluttering banner may not be more than four feet in height. Fluttering Banners are not allowed in CC or NC districts.
 - c) Banners for special events at major intersections are allowed once every 30 days.

Section 604. Sign Illumination.

Illumination devices shall be so placed and so shielded that rays therefrom or from the sign itself will not be directly cast into any residential district, sleeping room in any district, or in the eyes of an automobile driver. All illumination devices and wiring shall be installed in a permanent and safe manner.

Section 605. Signs Permitted in Residential Districts.

Permitted Signs and Conditions. The following types of signs are permitted in LR, MR, MRD, MH, RM-8, and RM-16 Districts:

- 1) Signs for which permits are not required.
- 2) For multiple family dwellings, group dwellings, and for buildings other than dwellings, a single non-illuminated business identification sign or bulletin board not exceeding thirty-two (32) square feet in area. Such signs or bulletin boards shall be set back not less than ten (10) feet from any street right-of-way line.
- 3) Subdivision signs and private directional signs
- 4) One (1) non-illuminated professional or business name plate not exceeding three (3) square feet in area mounted flat against the wall of a building in which there is conducted a permitted home occupation.

Section 606. Signs Permitted in General Commercial and Industrial Districts.

Permitted Signs and Conditions:

- 1) All signs permitted in residential districts are permitted in commercial and industrial districts.
 - 2) Freestanding Signs per the regulations listed in 603.5
 - 3) Wall Signs per the regulations listed in 603.1.
 - 4) Portable or A Frame Signs per regulations listed in 603.6
 - 5) Temporary Banners and Fluttering Banners per regulations listed in 603.7.
-

-
- 6) Sandwich Boards if they do not impede pedestrian traffic and ADA is compliant with location. Sandwich board should be taken up every day at the end of business.

Section 607. Signs Permitted in Mobile Home Districts.

Permitted Signs and Conditions. The following types of signs are permitted in MH Districts:

- 1) Signs illuminated or non-illuminated, not to exceed a combined total sign area of one hundred twenty (120) square feet per Mobile Home Park.

Section 608. Application for Sign Permit.

608.1 General. Applications for sign permits shall include a sketch of the sign to show:

- Size
- Shape
- Materials to be utilized
- Copy
- Illumination
- Location on building, if attached

Detached Signs. In addition, permit applications for detached signs shall be accompanied by a plot plan or sketch of the site, to show:

- The location of the sign
- Scale
- Dimensions of parcel lines
- Height of the sign
- Any support structure to be utilized

DRAFT

ARTICLE VII. - GENERAL PROVISIONS

Section 700. - Water and Air Pollution.

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

Section 701. - Street Access.

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

Section 702. - Corner Lots.

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

Section 703. - 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 everyone- 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, rear yard, or other setbacks required for the district in which the lot is located.

Section 704. - Double Frontage Lots.

On lots having frontage on two streets, but not located on a corner, the minimum front yard 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 yard shall be provided in accordance with the regulations set forth in this Ordinance on all the street frontages.

Section 705. - Front Yard Requirements.

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 (100) feet of each such lot and within the block and zoning district and 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 706. - Measurement of Front, Side, Rear Yards; Determination of Buildable Area.

The required front, side, and rear yards 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 yard 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 707. - 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 use at the time of the enactment of this Ordinance may be continued even though such use does not conform to the provisions of this Ordinance. However, in the event that any of the following shall occur, the nonconforming status shall terminate, and the parcel, building, structure, or land, shall only be used in full compliance with the requirements of this

Ordinance for the zoning district in which the use is located, as well as any other City, county, state, or federal regulation, law, or statute.

- (1) changed to another nonconforming use.
- (2) reused or reoccupied after discontinuance of use or occupancy for a period exceeding six months.
- (3) re-established, reoccupied, or replaced with the same or similar building, or land use after physical removal or relocation from its specific site location.
- (4) repaired, rebuilt, or altered after damage exceeding seventy-five (75) percent of its replacement cost at the time of destruction.
- (5) enlarged or altered in a way that increases its nonconformity except for single-family homes, which are considered exempt.
- (6) property use or owner changes

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 708 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 (100) 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) nonilluminated professional or business name plate not exceeding one (1) square foot 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 that 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 or client may come to the premises except during her hours of 7:00 a.m. and 9:00 p.m.
- 8) No deliveries may originate from one being made to the premises except during the hours of 8:00 a.m. and 6:00 p.m.
- 9) The number of clientele at the premises shall be limited to no more than two (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. The board of zoning appeals shall review other home occupation uses not listed:

Accounting and bookkeeping	Art and 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	Educational Services
Day care (no more than six (6) unrelated children)	Dog Grooming

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 (6) unrelated children
Nursing home/assisted living facilities	Limousine or taxi service

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 property owner granting permission.

15. Home occupations are only allowed in single-family detached dwellings (not allowed in apartments, townhomes, duplexes, condominiums, manufactured homes, or mobile homes).

16. Home occupations are valid for only the person and the address approved and non-transferable.

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 in 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 709. - Accessory Uses.

In addition to the principal uses, each of the following uses is 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.

709.1 Uses Customarily Accessory to Dwellings.

- 1) Private garage
- 2) Open storage space or parking area for motor vehicles provided that such space does not exceed the maximum respective storage capacities listed under Subsection 710.1(a) above; and 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) Private kennels. Kennels used for commercial purposes are prohibited.

- 5) Private swimming pool and bathhouse or cabana.
- 6) Structures designed and used for purposes of shelter in the event of fabricated or natural catastrophes.
- 7) Noncommercial flower, ornamental shrub or vegetable garden, greenhouse, or slat house
- 8) Fences that are within the property line in residential areas. Fences must be made of sturdy material including but not limited to chain link, wood, metal, etc. Tarps and other similar materials are not allowed and must be removed within sixty days of the adoption of this ordinance.

709.2 Uses Customarily Accessory to Church Building.

- 1) Religious education buildings.
- 2) Parsonage, pastorium or parish house, together with any use accessory to a dwelling as listed under Subsection 710.1.
- 3) Off-street parking area for the use of members and visitors of the church.

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

- 1) Off-street parking or storage area for customers, clients, 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 of 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.

Section 710. - 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, except that in the RM zoning district the minimum side setback shall be eight (8) feet, and in the CBD district the minimum side and rear setbacks shall be five (5) feet. The accessory use shall occupy not more than thirty (30) percent of the required rear and side yard. 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, except that in the CBD district the minimum setback shall be five (5) feet.

Section 711. - Off Street Parking.

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

USE	PARKING SPACES REQUIRED
Automobile repair garages	1 space per 150 square feet of net floor area

Automobile sales lots	1 space per 50 square feet of net floor area for customer and employee parking
Automobile service stations	3 spaces for each service bay, with a minimum of 5 spaces required. Self-service gasoline sales: Minimum of 2 permanent parking spaces
Banks and other financial institutions	1 space per 200 square feet of net floor area
Business and professional offices, government offices	1 space per 200 square feet of net floor area
Boarding and lodging houses	1 space per bedroom, plus 3 additional spaces
Churches and other places of worship	1 space per 3 seats in main auditorium
Clinics and similar operations	1.25 spaces per 200 square feet of net floor area
Dwellings, single and two-family	2 spaces per dwelling unit
Food stores, equal to or less than 2,500 square feet	1 space per 250 square feet of net floor area
Food stores, from 2,500 to 25,000 square feet	1 space per 250 square feet of floor area
Food stores, greater than 25,000 square feet	1 space per 300 square feet of floor area
Funeral homes	1 space per each 4 seats in main chapel or parlor
General business, commercial or personal service establishments catering to retail trade, but not including food stores, service, and repair businesses	1 space per 250 square feet of net floor area
Homes for the aged, rest homes, personal care homes, and similar institutional uses	1 space per 3 beds
Hospitals, sanitariums, and nursing homes	1 space per 2 beds
Lodges, fraternal or social organizations	1 space per 200 square feet of net floor area

Motels, hotels, tourist homes, and transient hotels	1.25 spaces per unit
Mobile homes	2 spaces per mobile home lot
Multi-family apartment and condominium communities	1.75 parking spaces for each dwelling unit
Fee-simple dwelling units, attached or detached	2 spaces per dwelling unit
Restaurants, delicatessens, etc.	1 space per 300 square feet of net floor area
Shopping centers	1 space per 200 square feet of net floor area for all stores other than supermarkets or grocery stores. For grocery stores, see the food store requirements above.
Schools, elementary, junior high	2 spaces per classroom
Schools, secondary	5 spaces per classroom
Schools, college, trade, or vocational	8 spaces per classroom
Community recreation centers, swimming pools, golf courses, and similar uses	20 spaces
Theaters, auditoriums, funeral homes, gymnasiums, stadiums, and other places of assembly	1 space per 4.00 seats
Wholesale, warehousing operations	1 space per 200 square feet of net area devoted to sales or display. 1 space per 500 square feet of net manufacturing area. 1 space per 5,000 square feet of net floor area devoted to storage. Manufacturing facilities 1 space per 200 square feet of net area devoted to sales or display. 1 space per 500 square feet of net manufacturing area. 1 space per 5,000 square feet of net floor area devoted to storage.

Section 712. - Parking Space Area Requirements.

Parking lot design should conform to the following standards.

a)

Angle of Parking Space	Width of Stall	Depth of Stall	Area of Stall	Minimum Driveway Width	Length of Curb
Parallel	9'	23' 0"	207' 0"	12' - 24'	23' 0"
30 degrees	9'	17' 4"	156' 0"	11' - 24'	18' 0"

45 degrees	9'	19' 10"	178' 6"	13' - 24'	12' 9"
60 degrees	9'	20' 0"	189' 0"	18' - 24'	10' 5"
90 degrees	9'	20' 0"	180' 0"	24'	9' 0"

b) All parking areas except those within Agricultural Districts shall be paved.

Section 713. - Location on Other Property.

If the required automobile space cannot be provided on the same lot on which the principal use is conducted, such spaces may be provided on other off-street property provided such property lies within four hundred (400) feet of the main entrance to such principal use. Such an automobile parking space shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner.

Section 714. - Common Off-Street Parking Areas.

Two or more principal uses may utilize a common area in order to comply with off-street parking requirements, providing that the total number of individual spaces available in such common area is not less than the sum of the spaces required for the individual uses as separately computed in accordance with the provisions of this section, and provided that the owner of said lot relinquish his development rights over the property until such time as parking space is provided elsewhere. If the activities sharing combined parking are not in operation at the same time, each parking space may be counted for each activity.

Section 715 Off-Street Parking In GC and NC districts.

- 1) Parking areas shall be designed as a series of smaller lots that provide space for no more than 20 cars for double-sided parking and ten cars for single-sided parking. The small parking lots shall be separated by minimum five-foot-wide internal planting areas that feature trees planted in grass or other approved landscape material.
- 2) In areas where off-street parking is provided in front of the front of the front of the front building line, one canopy tree shall be provided at a ratio of one tree to every five parking spaces in that area.
- 3) In areas where parking is provided behind the front building line, each parking space shall be within 50 feet of a planted or retained tree trunk.
- 4) Where slopes over five percent exist, parking bays shall be terraced, with planting between changes in level.
- 5) Where over 100 parking spaces are provided, pedestrian pathways identified with smaller scale pavement (pavers or scoring) oriented toward the principal building entrance shall be provided.
- 6) Each separate planting area shall have a minimum of 150 square feet per tree and shall have a minimum dimension of at least five feet.
- 7) In addition to required trees, planting areas shall be landscaped with shrubs, ground cover, or other approved landscaping material not exceeding 3 1/2 feet in height.
- 8) Where parking is adjacent to a public right-of-way, a six-foot-wide landscape buffer shall be provided between the edge of the right-of-way and the edge of the parking lot. In addition to the required trees, the buffer shall consist of one of the following:
 - a. Landscape requirements: at least one shrub to every three linear feet.
 - b. Berm requirements with a two-foot minimum height. Berms shall be planted with ground covers and shrubs.

Section 716. - Use of Public Rights-of-Way for Maneuvering.

When determining parking area requirements for uses other than residential, portions of the public right-of-way on streets may not be considered as permissible for maneuvering incidental to parking. Parking facilities should provide space outside the public rights-of-way for maneuvering incidental to parking.

Section 717. - Extension of Parking Space into a Residential District.

Required parking space may extend up to one hundred twenty (120) feet into a residential zoning district, provided that: (1) the parking space adjoins a commercial or industrial district; (2) has its only access to, or fronts upon, the same street as the property in the commercial or industrial district for which it provides the required parking space; and (3) is separated from abutting properties in the residential district by a ten (10) foot wide evergreen buffer strip.

Section 718. - Spacing Requirements for Curb Cuts.

Curb cuts for service drives, entrances, exits and similar facilities shall not be located closer than fifty (50) feet to the intersection of any public street right-of-way lines. Private curb cuts shall be no greater than forty (40) feet in width and shall be placed no closer than ten (10) feet to any property or lot line.

Section 719. - Off-Street Loading and Unloading Spaces.

Except in CC Core Commercial District every lot on which a business, trade, or industry is hereafter established, shall provide space as indicated herein for the loading and unloading of vehicles off the street. Such space shall have access to an alley, or if there is no alley, to a street. For the purpose of this section, an off-street loading space shall have minimum dimensions of twelve (12) feet by forty (40) feet and be clear and free of obstructions at all times. Required space shall be considered as follows:

1. Retail Business: One (1) space for each five thousand (5,000) square feet of gross-floor area.
2. Wholesale, industrial, governmental, and institutional uses, including public assembly places, hospitals, and educational institutions: One (1) space for the first twenty-five thousand (25,000) square feet of total floor space area. For anything more than twenty-five thousand (25,000) square feet, such uses shall provide loading spaces according to the following schedule:

Square Feet	No. of Spaces
25,001 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 349,999	5
For each additional 100,000 or fraction thereof	1 additional

3. Multi-family residences with ten (10) or more dwelling units: One (1) space.

Section 720. - Visibility at Street Intersections.

In all zoning districts established by this Ordinance, except the CC Core Commercial 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 721. - 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 (2-1/2) feet and seven (7) feet shall be erected, planted, placed or maintained within fifteen (15) feet of the intersection.

Section 722. - 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, roof signs, flag poles, masts and aerials, 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 723. - Parking, Storing or Use of Campers or Other Major Recreational Equipment.

No recreational equipment shall be parked or stored on any lot in a residential neighborhood or core commercial district closer 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 48 hours during loading or unloaded. The parking of such equipment shall be in observance of all set back, yard, and other requirements set forth within the district in which they are located. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot. No such equipment shall be parked in any location when not registered, operable or not approved for such use. No recreational vehicle over 36 feet in length shall be parked on any lot zoned for residential purposes. A special exception will be allowed for a temporary RV to be lived in while a home is being built or renovated but for no more than six months.

Section 724. - 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, automobile vehicle or trailer of any kind or type, on any property within municipal corporate limits: (1) that is not operable; and (2) that does not display a lawful and current license tag; and (3) does not have current liability insurance thereon. These vehicles must be stored in a completely enclosed building or in a rear yard behind an approved minimum 6' solid fence or not visible from the road or any neighboring building. Storage areas of such vehicles or trailers shall always be kept in a neat and sanitary condition, in a manner that will not disturb the use or enjoyment of neighboring lots due to odor or other adverse environmental impact. If property is used for commercial purposes the above rules apply except these vehicles may also be stored in the side yard.

724.1 Parking, storage of vehicles, trailers, and equipment. No vehicles, trailers or equipment shall be parked or stored on any lot in a residential neighborhood or core commercial district closer 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 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 parked in any location not approved for such use. No vehicle, trailer, or equipment over 20 feet in length shall be parked on any lot zoned for residential purposes.

724.2 Exceptions:

1. Passenger vehicles.
2. Construction equipment and vehicles on a permitted site.

Section 725. – Manufactured Home Standards.

Manufactured Homes (allowed if 20 years old or less): factory-built homes with standardized part construction, transported, and affixed to the land, not usually on a foundation. They are built after 1976 and follow the HUD building codes for manufactured homes, which are different from stick-built codes.

Modular Homes (allowed): Modular homes are partially constructed in a factory and pieced together at the site. They are placed on a permanent foundation and are built with repeated sections called modules. They must comply with local building codes and standards.

Manufactured homes will only be allowed on the 504 District and existing manufactured homes parks. Modular homes will be allowed in all residential zones.

725.1 A manufactured home cannot be more than 20 years old. Manufactured homes must receive a moving permit from Pickens County. A zoning compliance form must be received from the City of Liberty before allowing the manufactured home to be placed.

725.2 Manufactured Home Standards

No Certificate of Occupancy shall be issued for any manufactured home originally brought into the City of Liberty 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 subject to this ordinance shall meet or exceed the construction standards promulgated by the US Department of Housing and Urban Development, as well as the South Carolina Manufactured Housing Board, including:

a. A permanent landing and steps with handrails are required for each outside doorway. The structure must include steps that lead to ground level. The landing, handrails, and steps must meet the requirements below:

A minimum of 3 ft. by 3 ft. landing shall be required outside of each exit door.

a. The landing shall not be more than 8 ½ inches below the threshold.

Steps shall be 8 ¼ inches maximum in height. Treads shall be a minimum of 9 inches wide.

All wood components in contact with the ground must be treated and approved for ground contact.

If steps are 30 inches or greater in height, permanent handrails are to be installed.

The pitch of the roof must have a minimum vertical rise of two ½ feet for every twelve feet of horizontal run, and the roof must be finished with a type of shingle that is commonly used in conventional residential site-built dwellings.

The exterior siding shall consist of wood, hardboard, or vinyl comparable in composition, appearance and durability to the exterior siding commonly used in conventional residential site-built dwellings. Has exterior siding, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction, consisting of one or more of the following:

Vinyl siding whose reflectivity does not exceed that of flat white paint.

Cedar or other wood siding.

Wood grain.

Stucco siding; or

Brick or stone siding.

Skirting or a curtain wall, un-pierced except for required ventilation and access door, must be installed and maintained so that it encloses the area under manufactured multi-section homes and modular porches, decks, or other additions to ground level. The foundation of skirting or curtain wall may be brick, masonry, or vinyl or similar materials designed and manufactured for permanent outdoor installation. Materials used for skirting should be erected so as not to create a fire hazard and should be maintained in a state of good repair. The skirting or curtain wall must be installed before a Certificate of Occupancy may be issued.

The home must be placed on footings and piers that meet the requirements of the Manufacturer's Installation Manual. Should the manufacturer's instructions not be available, these following shall apply:

a. Footings - The base of all piers shall be comprised of solid masonry block at least 3,000 psi strength. Piers less than 80" in height shall use blocks 16" x 16" x 4" in size. Piers more than 80" in height shall use blocks 24" x 24" x 6" in size.

Piers - Piers less than 36" in height shall use 8" x 16" concrete block with open cells vertical.

i. The piers shall be covered with a 2" x 8" x 16" wood or 4" masonry cap.

All piers between 36" and 80" in height and all corner piers must be double blocked (8" x 16" blocked inter-locked) and capped with a 4" x 16" x 16" pressure treated pier cap or a 4" masonry cap.

Piers over 80" in height require engineering.

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. If the manufacturer's instructions are not available, the table below should be used.

A manufactured home that is more than 20 years old that is in existence will be grandfathered in but must meet all the codes mentioned above and building code as well. If the non-conforming manufactured home is removed from the property, a new one can be replaced but it must be less than 20 years old and meet all codes and regulations.

Section 726. - Buffer yards.

726.1 Purpose. The purpose of the bufferyard is to improve the relationship between adjacent land uses including (1) minimizing nuisances and (2) promoting compatibility.

The bufferyard offers several options, each of which will buffer to an equivalent degree by varying distance (setback) and/or density (mass).

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

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

726.4 Determination of Bufferyard Requirements. To determine the bufferyard required between two adjacent parcels, the following procedure shall be followed:

(1) Identify the proposed land use.

(2) identify the use of lands adjacent to the proposed use.

(3) Determine the bufferyard required on each boundary (or segment thereof) of the proposed land use by referring to the Table of Bufferyard Requirements and Illustrations contained in Appendix B, which specify the bufferyard options required between a proposed use and the existing adjacent uses.

726.5 Responsibility for Bufferyard/Screening. A buffer shall be required along any property line that borders a property of less intense zoning, as specified in Appendix B.

726.6 Bufferyard Specifications. The illustrations in Appendix B specify the type and quantity of plant materials required by each bufferyard. The requirements are stated in terms of the width of the bufferyard and the number of plants required per 100 feet of bufferyard. Any one of the options illustrated may specify the requirements of a bufferyard. The "plant unit multiplier" is a factor by which the basic number of plant materials required for a given bufferyard is determined given 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 following 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) plant materials shall be planted in clusters rather than singly to maximize their chances of survival and increase screening. All bufferyard areas shall be seeded with lawn grass or suitable ground cover.

726.7 *Minimum Plant Size.* Plants should be sufficiently sized to ensure buffering and screening at the time of installation. Where the Bufferyard Illustration indicates a mass or line of plants parallel to the length of the property line, the plant materials shall be sufficiently sized to ensure obscurity at the time of installation. However, seeding plants may be used where berms or structures are required as part of the bufferyard.

Minimum Plant Sizes

Plant Material Type	Planting in Bufferyards Abutting Structures, Fences, Berms	All Other Plants
Canopy Tree Single Stem Multi-Stem Clump	1-1/2" Caliper 6' Height	2-1/2" Caliper 10' Height
Understory Tree	4' Height	1-1/2" Caliper
Evergreen Tree	3' Height	5' Height
Shrub Deciduous Evergreen	15" Height 12" Height	24" Height 18" height

726.8 *Bufferyard Substitutions.*

(1) 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.

(2) Structures, where required, may be substituted with approval of the Planning Commission.

726.9 *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.

726.10 *Containers and Dumpsters.* All exterior dumpsters or exterior garbage containers (excluding containers of groups of containers with a combined capacity of less than six cubic yards) shall be screened on all but one side by a 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.

726.11 *Fences and Walls - Appearance.* All fences and walls used as part of the bufferyard requirements must have a finished side 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 bufferyard requirements, 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.

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

726.13 *Required Maintenance.* The maintenance of the required bufferyards shall be the responsibility of the property owner. Moreover, all such yards should be properly maintained to ensure continued buffering. Failure to do so is a violation of this Ordinance and may be remedied in the manner prescribed for violations.

APPENDIX B

Bufferyard Table





Proposed Land Use	Existing Adjacent Land Uses										
	Single Family Residential on Local Streets	All Other Single Family Residential	Mobile Home Park	Multi-Family & All Other Residential	Religious Recreation & Child Care	Office & Commercial	Industrial	Research & Institutional	Vacant Industrial & Commercial	Vacant Single Family Residential	Streets
Single Family Residences and Duplexes	0	0	0	0	0	0	0	0	0	0	0
Multi-Family Residential:											
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 per gross acre	5	2	1	2	1	1	2	2	1	5	1
Mobile Home Park	4	2	0	2	2	1	2	2	2	2	2
Religious, Recreational, or Child Care	2	2	2	2	0	0	0	0	0	2	0
Office & Commercial Use:											
Less than .35 F.A.R.	4	2	1	2	2	0	0	2	0	2	1
.35 to 1.00 F.A.R.	5	3	2	3	3	0	0	2	0	3	1

1.00 F.A.R. to Shopping Centers	6	5	4	4	4	3	0	6	0	5	2
Industrial	6	5	4	5	5	3	0	5	3	5	2
Research & Institution al Uses	4	3	2	3	3	1	1	0	2	3	1


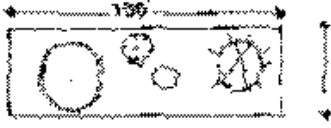

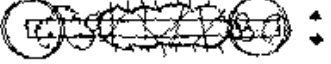
DRAFT

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		Buffer Yard Width
25%	<p>Proposed Use</p> 	30 feet
50%	<p>Adjacent Use</p> 	20 feet
75%		10 feet
100%		5 feet

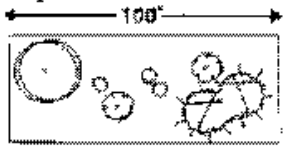
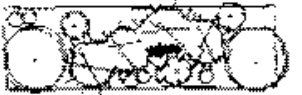

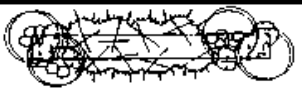


BUFFERYARD 2

Required Plants Per 100' of Length





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

28 Total



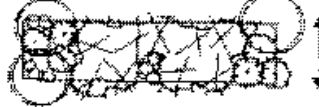
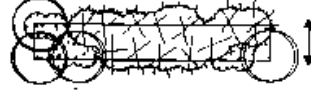
Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use</p>	40 feet
50%		30 feet
75%		20 feet
100%		10 feet

BUFFERYARD 3

Required Plants Per 100' of Length





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

36 Total

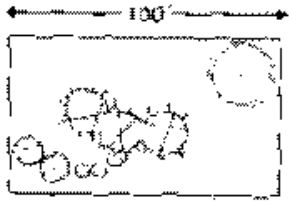



Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p> 	50 feet
50%	<p>Adjacent Use</p>  <p>structure required B 1</p>	40 feet
75%	 <p>structure required B 3</p>	25 feet
100%	 <p>structure required F 3</p>	15 feet

BUFFERYARD 4

Required Plants Per 100' of Length





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

36 Total

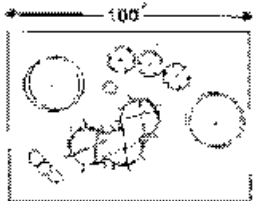
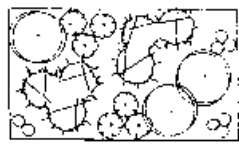
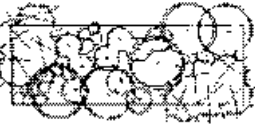

Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use</p>	60 feet
50%	 <p>structure required B 1</p>	50 feet
75%	 <p>structure required B 3</p>	30 feet
100%	 <p>structure required F 3</p>	20 feet

BUFFERYARD 5

Required Plants Per 100' of Length





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

46	Total	
----	-------	--

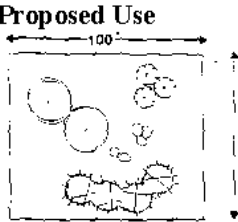
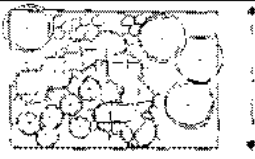
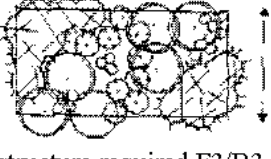
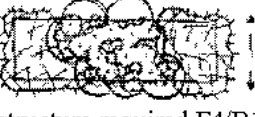
Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use structure required B1</p>	75 feet
50%	 <p>structure required B2</p>	60 feet
75%	 <p>structure required B3/F1</p>	35 feet
100%	 <p>structure required F3</p>	25 feet

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	Proposed Use	Buffer Yard Width
25%	 <p>structure required B1</p>	90 feet
50%	 <p>structure required B2</p>	70 feet
75%	 <p>structure required F3/B3</p>	45 feet
100%	 <p>structure required F4/B1</p>	30 feet

STRUCTURE ILLUSTRATIONS

FENCES:

<u>Symbol</u>	<u>Height</u>
F1	3 feet
F2	4 feet
F3	6 feet



Wood Stockade/Opaque Fence (non-perishable supports)

WALLS:

<u>Symbol</u>	<u>Height</u>
F4	6 feet
F5	8 feet



Masonry Wall (poured concrete, stucco, concrete block, brick, etc.)

BERMS:

BERMS/FENCES



<u>Symbol</u>	<u>Height</u>	<u>Material</u>	<u>Symbol</u>	<u>Height</u>
B1	3 feet	Earth	BF1	3 foot berm with 3 foot stockade fence
B2	4 feet	Earth	BF2	4 foot berm with 4 foot stockade fence
B3	5 feet	Earth	BF3	5 foot berm with 5 foot stockade fence

Section 727. - Communication Towers.

Communication towers shall be permitted in the following zoning districts, in accordance with the specified height, upon a finding by the Zoning Board of Appeals that the tower is compatible with the surrounding area.

Districts	Height Limitation
LR, MR, RM-8, RM-16, MH-SF, CC, NC	Communication Towers are not permitted in residential and commercial zones listed to the left.

GC	Freestanding and guyed towers are permitted, at a height not to exceed one hundred eighty (180) feet. An antenna mounted on a building is permitted, with a height not to exceed twenty (20) feet above the highest part of the structure.
LI, BI	Freestanding and guyed towers are permitted, with a height not to exceed three hundred sixty (360) feet. An antenna mounted on a building is permitted, with a height not to exceed twenty (20) feet above the highest part of the structure.

727.2 Other Requirement. Unless otherwise specified elsewhere in this Ordinance, communication towers permitted within the City of Liberty shall be required to conform to the following standards:

- 1) Minimum Front Setback: Fifty (50) percent of the height of the proposed communication tower.
- 2) Minimum Rear Setback: Fifty (50) percent of the height of the proposed communication tower.
- 3) Minimum Side Setback: Fifty (50) percent of the height of the proposed communication tower.
- 4) Fencing: A solid stock-ade type fence or wall of at least six (6) feet in height, constructed of treated wood, masonry, or stone or a chain link fence of at least six (6) feet in height must be installed to secure the premises.

Section 728. - Nuisance Abatement of Conditions Creating a Threat to Public Health and Safety.

(1) It shall be the duty of the Zoning Administrator to enforce this Article. He may enforce the provisions of this Article by the inspection of the property, investigation of complaints and observance of persons who violate any of its provisions. He may enter at any reasonable time upon public or private property to investigate conditions related to the matters covered by this chapter.

(2) The Zoning Administrator shall be empowered to issue a written notice when any provisions of this Article have been violated. Such notice shall allow ten (10) days from its receipt for performance of any act it requires, shall specify the manner in which the violation may be corrected, and shall state that noncompliance may result in further legal action, provided, however, that where it appears that the same owner, occupant, or person responsible has been given notice for the same violation at the same location within the previous one hundred eighty (180) days, such requirements of a ten (10) day waiting period may be waived and action commenced immediately.

(3) Within five (5) days following receipt of the notice, any person receiving such notice, believing that the literal application of this Article will cause undue hardship or has been misconstrued, may file a written appeal with the Construction, Maintenance and Aesthetic Board of Appeals for such relief as may grant, by way of a reasonable extension of time or relief from strict compliance with the provisions of this Article. The circumstances justifying such findings are:

- (a) Inability to immediately comply due to severe financial distress.
- (b) the non-availability of services or equipment with which to comply, without fault of the applicant; or
- (c) other extenuating circumstances showing a good faith intention on the part of the applicant.

(4) In the event that any person receiving such notice fails or refuses to correct the violation within the time prescribed, such person shall be deemed in violation of this Article.

(5) Such a violation shall be a misdemeanor, punishable by penalty as prescribed herein. In the event such violation has not been corrected within ten (10) days as set forth above, the City of Liberty, or its agents, may go upon the property to correct the violation and the City of Liberty shall bill the owner directly for such costs (including inspection, administration, labor and equipment costs), and if not paid in full within ninety (90) days, the City shall obtain a judgment against the property owner or add the costs to the ad valorem taxes on such property.

728.1 Notification of Violators. Service of notice to violators shall be as follows:

- (1) by delivering personally to one or more of the following: the owner of the property, or the person responsible.
- (2) by depositing the notice in the U.S. postal service addressed to the owner or person responsible at his last known address with the postage prepaid thereon, and certified; and
- (3) in the event service of notice cannot be obtained in either of the above methods, by posting and keeping posted for 24 hours a copy of the notice in a conspicuous place on the premises where the violation has occurred and published once a week for three (3) weeks in a newspaper of general circulation in the City such information as is necessary to inform an owner or person responsible of the location of the premises and type of offense.

728.2 Nuisance Abatement of Conditions Creating Peril to Public Health and Safety. Whenever the Zoning Administrator shall determine that a public nuisance is such an imminent peril to the health or safety of the public or to public or private property and that the time required to follow the procedures outlined in Section [728] would seriously threaten the health or safety of the public or create injury to public or private property, the Zoning Administrator may order forthwith the abatement of such nuisances in the form of public nuisance, requiring that the public nuisance be eliminated within 72 hours, or else the party or parties responsible shall be guilty of a misdemeanor. The City may use city forces, or it may employ contractors when, after 72 hours, the party or parties responsible have not acted in accordance with the City's notice. Thereafter, all proceedings required by Section [728] shall be held. The City may at its option bill the owner directly for such costs (including inspections, administration, and labor and equipment costs) and if not paid in full within ninety (90) days, a judgment against the property owner may be obtained.

728.3 *Immunity.* No person carrying out the provisions of this Article shall be held to answer in any civil or criminal action.

Section 729. - Property Appearance.

729.1 *Purpose.* It is the intent of the City of Liberty to provide for uniform prohibition throughout the City of all litter on all public or public property, and to curb thereby the desecration of the beauty of the City and harm to the health, welfare, and safety of its citizens caused by individuals who litter. It is further the purpose of this Section to ensure to the greatest extent possible that all lands of the City of Liberty shall be maintained in a clean condition that shall be defined herein as having no litter.

729.2 *Definition.* Litter includes but is not limited to sand, gravel, slag, brickbats, rubbish, waste materials, including but not limited to tin or aluminum cans, refuse, garbage, rash, debris, dead animals, bottles, scrap glass, scrap metal, junk, junk vehicles, junk vehicle parts, scrap paper, disposable packages, or containers and all other similar materials and any substance of any kind or nature whatsoever and discarded materials of every kind and description that creates a public health, safety, or fire hazard or a public nuisance, defined as interference with the enjoyment and use of property.

729.3 *Requirements.* All residential, commercial, institutional, and vacant properties are required to be kept free of litter by the owners, managers, tenants, or agents. Such areas shall include but are not limited to:

- 1) Sidewalks, driveways, yards, and parking areas must be kept clean by owners, tenants, agents, and managers.
- 2) Garbage container areas must be maintained in clean conditions.
- 3) Construction sites must be kept clean.

Section 730 Donations Bins/Sites

730.1 Definitions

Unattended Donation Bins: any unattended container, receptacle, or similar device that is located on any property within the city used for soliciting and collecting donations of salvageable personal property for a nonprofit organization and/or charity.

Attended Donation Site: any site with a building and storage that is located on any property within the city used for the collection of salvage personal property for a nonprofit organization and/or charity. An employee of the organization is there to collect and organize all donations during normal business hours.

730.1 Unattended Donation Bins Regulations:

The organization or charity must be a local organization within the city, county or state and/or have a location/office in the city, county, or state.

The area surrounding the box must be free of all junk, garage, trash, etc. The owner is responsible for removing all items and trash or will have to reimburse to the city for removing items and trash not located in the box.

No donation site will be allowed in residential areas or the city center district. It will only be allowed in General Business Districts.

Donation sites cannot be placed in required parking spaces, driving aisles, loading space, or public right of way.

Unattended bins cannot impede any pedestrian walkways, bike paths, or vehicular traffic.

The bins cannot be more than seven (7) feet in height and twenty-five (25) square feet in area; anything bigger than this would be considered an accessory use.

Must adhere to all setback requirements and cannot be placed between the principal structure and front lot line.

It should not be located within ten feet of a fire hydrant.

A zoning compliance form must be on file with a site plan of where the box will be located.

A letter from the property owner with permission to place the box on the site must be on file.

A sign with the organization's contact information must be on the bin.

Section 731 Automatic Ice Machines

1. No ice machines will be allowed in residential areas or the city center district.

2. Ice Machines cannot be placed in required parking spaces, drive aisles, loading space, or public right of way.

3. Ice machines cannot impede any pedestrian walkways, bike paths, or vehicular traffic

4. Must adhere to all setback requirements and cannot be placed between the principal structure and front lot line.

5. Shall not be located within ten feet of a fire hydrant.

6. A zoning compliance form must be on file with a site plan of where the box will be located.

A letter from the property owner with permission to place the box on the site must be on file.

A sign with the organization's contact information must be on the bin.

Section 732 Landscaping. Landscape design standards are as follows for GB and NC:

1. A landscape plan shall be provided for the entire site.
2. All trees planted in front of the front building line shall be at least two inches in diameter for single-stemmed trees, or 8 to 10 feet in height for multi-stemmed trees at the time of planting.
3. Existing trees having a DBH (diameter-at-breast-height, measured at 4 1/2 feet above ground level) over eight inches shall be preserved unless removal is approved by the Board of Architectural Review. If a preserved tree dies, it must be replaced with a two-inch-diameter tree of the same or similar tree species, subject to approval by the zoning administrator.

-
4. Impervious materials shall not be placed over the critical root zone of a preserved tree. The critical zone is a ratio of one inch DBH to one-foot radius around the tree.
 5. All exposed soil areas shall be covered with bark, mulch, or other weed control measures.
 6. Canopy trees shall be planted along property lines abutting a street at a ratio of one tree for every 30 linear feet in a minimum eight-foot-wide planting strip. Trees may be clustered.
 7. Shrubs shall be evergreen only.

DRAFT

ARTICLE VIII. - ADMINISTRATION, ENFORCEMENT, APPEAL, COMPLAINTS AND REMEDIES

Section 800. 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 finds that any of the provisions of this Ordinance are 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; or shall take any other action authorized by this Ordinance to ensure compliance with its provisions.

Section 801. Building and Sign Permits Required.

No building, sign, or other structure shall be erected, moved, added to, or structurally altered without a permit therefore, issued by the Building Official. 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 variance is granted as provided by this Ordinance.

The Zoning Administrator shall issue sign permits in accordance with the provisions of this Ordinance and the Building Code in effect in the City of Liberty.

Section 802. Application for Certificates of Zoning Compliance.

802.1 New Constructions, Additions and Alterations. All applications for Certificates of Zoning Compliance shall be accompanied by plans in duplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. 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.

For multi-family residential, office, institutional, commercial, and industrial construction, plans shall be stamped by a licensed surveyor, architect, engineer, or site planner.

One copy of the plan shall be returned to the applicant by the Zoning Administrator, with demarcation of approval or disapproval 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 803. Certificates of Occupancy for New or Altered 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 punishable under Section 807 of this Ordinance.

Section 804. Conditional and Temporary Uses.

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

804.1 General Requirements. 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 reference to those requirements established for those districts in which they are proposed for location.

804.2 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.

804.3 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 in GC and LI Districts, for a period not to exceed sixty (60) days.
- 3) Open lot sale of Christmas trees, in the NC, GC, CC, and LI Districts for a period not to exceed forty-five (45) days.
- 4) 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.
- 5) Contractor's office and equipment sheds, in any district, for a period of one (1) year, provided that such office be placed on the property to which it is appurtenant.
- 6) Firework stands in the NC, GC, and LI Districts for a period not to exceed forty-five (45) days.
- 7) All temporary Certificates of Zoning Compliance may be renewed if 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 805. Expiration of Building Permit.

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

Section 806. 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, immediately investigate, and take action thereon as provided by this Ordinance.

Section 807. Penalties for Violation.

Any person charged with violating any provisions of this Ordinance shall be charged with a misdemeanor and, upon conviction, may be fined up to \$1,000 per day or imprisoned, as determined by the Court, for each offense.

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

ARTICLE IX. - ZONING BOARD OF APPEALS & PLANNING COMMISSION

Section 900. Establishment of Zoning Board of Appeals.

A Zoning Board of Appeals is hereby established. Said Board shall consist of five members, who shall be citizens of the City of Liberty or a business owner within the City of Liberty with a valid business license. The spots to be filled by business owners will be limited to two spots. If the business owner closes their business, city council will have 90 days to replace them. The board members shall be appointed by the Liberty City Council for overlapping terms of 3 years. Initial appointment shall be as follows: One (1) member for a term of three (3) years; one (1) member for a term of two (2) years; and one (1) member for a term of one (1) member. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall serve without pay but may be reimbursed for any expenses incurred while representing the Board.

The Board of Zoning Appeals has the authority to make final administrative decisions for the local government concerning the zoning ordinance. The powers of the board are limited to three specific subject matter areas: determining appeals from administrative decisions of the zoning administrator, granting, or denying applications for variances, and granting or denying applications for special exceptions. A variance allows the board to modify an otherwise legitimate zoning restriction when, due to unusual conditions, the restriction may be more burdensome than was intended. The board of appeals has the exclusive power to permit uses by special exception subject to standards and conditions in the zoning ordinance. Appeals from administrative actions and decisions of the zoning administrator are taken to the board of zoning appeals. The Board of Zoning Appeals is a quasi-judicial board, which means the board has final say; city council has no say in the decisions of the board of zoning appeals. If the applicant does not agree with the Board of Zoning Appeals decision, the next step would be circuit court. The Board of Zoning Appeals meets once a month as needed.

900.1 Proceedings of the Zoning Board of Appeals.

The Zoning Board of Appeals shall elect a chair and a vice-chair from its members who shall serve for one (1) year or until re-elected or until their successors are elected. The Board shall appoint a secretary, who may be a City officer, an employee of the City, or a member of the Board of Appeals. The Board shall adopt rules and bylaws in accordance with the provisions of this Ordinance and of the General Statutes of South Carolina, 1976 Code of Law, 1984 Cumulative Supplement, Title VI, Chapter 29, and Section 780. Meetings of the Board shall be held at the call of the Chair and at such other times as the Board may determine. All meetings of the Board should be open to the public.

900.2 Board of Zoning Appeals Meetings

1. Regular Meetings: The meeting scheduled will be posted annually every January with deadlines included.
 2. Special Meetings: Special meetings may be held at the call of the chair or of an acting chair if notice of such meetings shall be given to all members at least twenty-four (24) hours before the time for which the meeting is called.
 3. Open Meetings and Records: All meetings of the Board of Zoning Appeals at which official action is taken shall be open to the public and all records of the Board shall be a public record. Residents and business owners of the City of Liberty are allowed to speak for three minutes during public comments and public hearings. If a group would like to have a spokesperson, the chair may determine how long they can speak.
 4. Quorum: Three members shall constitute a quorum of this Board for transacting business and taking official action. Whenever a quorum is not present at a regular or special meeting, those present may postpone the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda or introduced by members. No action taken at such a meeting shall be official unless and until ratified and confirmed in a subsequent meeting of this Board at which a quorum is present.
 5. Voting: Voting shall be by vote and shall not be recorded by yeas and nays unless such a record is requested at the time the vote is taken by a member of this Board.
-

6. Attendance by Commissioners: No member of the Commission shall miss three consecutive meetings without due cause. The City Council shall consider absence from the three consecutive meetings. The Mayor and Council shall then appoint a new member.

7. Proxy: None shall be accepted.

8. Parliamentary Procedure: Procedure in all meetings of this Commission shall be governed by Roberts Rules of Order except when such rules of order conflict with Commission By-Laws.

9. Conflict of Interest: No member shall vote or participate in discussion on any issue in which they have a personal, professional, or financial interest. If a member has a conflict of interest, they must recuse themselves prior to the start of discussion of the agenda item. The recusal must be in writing and given to staff to include the minutes. The recusal must also be stated at the meeting prior to the discussion of the agenda item.

900.3 Decisions of the Zoning Board of Appeals.

The concurring vote of two (2) members of the Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance or to affect any variation of this Ordinance. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. On all appeals, applications and matters brought before the Board of Appeals, the Board shall inform in writing all the parties involved of this [their] decisions and the reasons, therefore.

900.4 Appeals, Hearing, and Notice of the Board of Zoning Appeals.

Appeals to the Board may be made by any person aggrieved or by any officer, department, board, or bureau of the municipality. An appeal from an administrative decision must be filed within 30 days after the decision becomes a matter of public record by denial of issuance of a permit or the filing of a written decision in the office of the Zoning Administrator. An appeal shall be filed by delivery of the approved appeal form with the officer from whom the appeal is taken and with the Board of Appeals notice of appeal specifying the ground thereof. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

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

The Board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, within thirty (30) days of when the appeal was filed, and give public notice thereof in a newspaper of general circulation in the community and post a sign on the property affected by the zoning appeal at least fifteen (15) days prior to the meeting, as well as provide notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or by attorney.

Residents and business owners of the City of Liberty are allowed to speak for three minutes during public comments and public hearings. If a group would like to have a spokesperson, the chair may determine how long they can speak.

900.5 Powers and Duties of the Board of Appeals.

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

(1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this act.

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

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

To decide on other such matters where a decision of the Board of Appeals may be specifically required by the provisions of the Ordinance.

In exercising the above powers, the Board of Appeals may, in conformity with the provisions of this act: reverse or affirm wholly or in part, or may modify the order, requirements, decision, or determination; and, to that end, shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit. The Board, in the execution of the duties for which appointed, may subpoena witnesses and in case of contempt may certify such fact to the circuit court in and for the County of Pickens.

900.6 Appeals from Decisions of the Board of Appeals.

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

Section 901 Planning Commission.

The Planning Commission is hereby established. Said Board shall consist of five members, who shall be citizens of the City of Liberty or a business owner within the City of Liberty with a valid business license. The spots to be filled by business owners will be limited to two spots. If the business owner board member closes their business, the city council will have 90 days to replace them. The board members shall be appointed by the Liberty City Council for overlapping terms of 3 years. Initial appointment shall be as follows: One (1) member for a term of three (3) years; one (1) member for a term of two (2) years; and one (1) member for a term of one (1) member. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall serve without pay but may be reimbursed for any expenses incurred while representing the Board.

The Planning Commission plays a significant role in the planning process. First, it acts as an advisory board to the City Council on all planning and development issues. Second, the commission assures that the general plan is implemented by reviewing rezoning applications on a case-by-case basis. The Planning Commission is an advisory board to the City Council with text amendments to the comprehensive plan and the zoning ordinance as well as rezoning requests. Planning Commission will assist the city with revising and updating the Comprehensive Plan every 5 to 10 years. The decisions of the Planning Commission are not final; the city council makes the final decision based on the recommendations of the Planning Commission. The Planning Commission meets once a month as needed.

The Planning Commission shall fix a reasonable time for the hearing of a rezoning request within thirty (30) days of when the rezoning application was filed, and give public notice thereof in a newspaper of general circulation in the community and post a sign on the property affected by the zoning appeal at least fifteen (15) days prior to the meeting, as well as provide notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or by attorney.

901.1 Membership of the Planning Commission

1. Length of Term: Planning Commission Members shall serve a staggered term of three years that will commence with notification from the City Council and last until December 31 of the year in which the term expires. Three members will serve a three-year term, and two members will serve a two-year term. Members of the Planning Commission may be reappointed without limit.
2. Resignation: Any member of the Planning Commission may resign at any time by submitting notice of resignation to the Secretary.

901.2 Officers.

1. Officers: Annually, at the regular meeting of the Planning Commission meeting held in the month of January, the Commission shall elect a Chair, Vice Chair, and a Secretary. The officers may succeed themselves. The Planning Commission shall have five members.
2. Tenure: The officers shall serve from the date of their election until January 30 of the following year or until their successors have been elected.
3. Chair: The Chair shall preside at all meetings of the Planning Commission and at other meetings and public hearings called by the Commission. The chair will approve all agenda items before it is posted to the public.
4. Vice Chair: The Vice Chair shall serve as Chair in the absence or disability of the Chair. In the event of the death or resignation of the Chair, the Vice Chair shall perform; the latter is duties until the Commission shall elect a new Chair.
5. Secretary: The secretary shall assist the Chair in the preparation of the agenda for Planning Commission meetings, shall prepare, and send out notices for regular and special meetings, shall prepare and distribute minutes of the Commission meetings.
6. Additional Duties: The Chair, Vice Chair, and Secretary shall perform such other duties and functions as may from time to time be required by the Commission by its by-laws.

901.3 Meetings.

1. Regular Meetings: The meeting scheduled will be posted annually every January with deadlines included.
2. Special Meetings: Special meetings may be held at the call of the chair or of an acting chair if notice of such meetings shall be given to all members at least twenty-four (24) hours before the time for which the meeting is called.
3. Open Meetings and Records: All meetings of the Planning Commission at which official action is taken shall be open to the public and all records of the Commission shall be a public record. Residents and business owners of the City of Liberty are allowed to speak for three minutes during public comments and public hearings. If a group would like to have a spokesperson, the chair may determine how long they can speak.

Comments from the public will be taken at every meeting during the general comment section as well as anytime during the public hearing portion of the Planning Commission meeting. The public comments will be limited to three minutes per person per topic. The general understanding shall be that if the topic is not on the agenda, speakers will need to understand that the board and/staff will have to come back after research for a full response.

4. Quorum: Three members shall constitute a quorum of this Commission for transacting business and taking official action. Whenever a quorum is not present at a regular or special meeting, those present may postpone the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda or introduced by members. No action taken at such a meeting shall be official unless and until ratified and confirmed in a subsequent meeting of this Commission at which a quorum is present.
 5. Voting: Voting shall be by vote and shall not be recorded by yeas and nays unless such a record is requested at the time the vote is taken by a member of this Commission.
-

6. Conflict of Interest: No member shall vote or participate in discussion on any issue in which they have a personal, professional, or financial interest. If a member has a conflict of interest, they must recuse themselves prior to the start of discussion of the agenda item. The recusal must be in writing and given to staff to include the minutes. The recusal must also be stated at the meeting prior to the discussion of the agenda item.

7. Attendance by Commissioners: No member of the Commission shall miss three consecutive meetings without due cause. The City Council shall consider absence from the three consecutive meetings. The Mayor and Council shall then appoint a new member.

8. Proxy: None shall be accepted.

9. Parliamentary Procedure: Procedure in all meetings of this Commission shall be governed by Roberts' Rules of Order except when such rules of order conflict with Commission By-Laws.

901.5 Committees.

1. Special Committees: The Chair of this Commission may create special committees, without limit to the number of members, to study matters that in his judgment would not be properly included in the work of the Commission. He shall designate one member of each committee as its Chair.

2. Committee Meetings: Any committee shall meet at the call of its Chair.

3. Quorum Ratification: A majority of its members shall constitute a quorum of any committee. When a quorum is not present at a committee meeting, the Chair of the Commission may designate other members of this commission as temporary members of such committee with full functional rights in that particular meeting. In the absence of a quorum, any member of the committee, after reviewing the fill and after discussion with a member who was present, may join in making a recommendation to this Commission; if a majority action of the committee is so attained, the resultant recommendation may be received. However, such satisfying action shall be called to the attention of this Commission at the time of the presentation.

Section 902 Amendment to the Bylaws.

1. Amendments to the By-Laws: Changes may be made to the by-laws of the Planning Commission and the Board of Zoning Appeals by the affirmative vote of three members.

ARTICLE X. AMENDMENTS

Section 1000. Authority.

This Ordinance, including the Official Zoning Map of Liberty, South Carolina, may be amended from time to time by the City Council as herein specified, but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the Planning Commission for review or recommendation. The Planning Commission shall have thirty (30) days within which to submit its report. If the Planning Commission fails to submit a report within the thirty (30) day period, it shall be deemed to have approved the proposed amendment.

Section 1001. Requirements for Change.

When the public necessity, convenience, general welfare, or good zoning practice justifies such action, and after the required review and report by the Planning Commission, the City Council may undertake the necessary steps to amend the Zoning Ordinance.

Section 1002. Procedure for Amendments.

Requests to amend the Zoning Ordinance shall be processed in ordinance with the following requirements:

1002.1 Initiation of Amendments. A proposed amendment to the Zoning Ordinance may be initiated by the City Council, the Planning Commission or by application filed with the Secretary of the Planning Commission by the owner or owners of the property proposed to be changed, provided, however, that action shall not be initiated for a zoning amendment affecting the same parcel or parcels of property, or any part thereof, and requesting the same change in district classification by a property owner or owners more often than once every six (6) months.

1002.2 Application Procedure. Application forms for amendment requests shall be obtained from the Secretary of the City of Liberty. Completed forms, together with an application fee to cover administrative costs (as established by City Council resolution), plus any additional information the applicant believes to be pertinent, will be filed with the City for submission to the Planning Commission. Any communication purporting to be an application for an amendment shall be regarded as mere notice of intent to make application until it is made in the form required.

Applications for amendments must be submitted, in proper form, at least 30 days prior to a Planning Commission meeting in order to be heard at that meeting.

1002.3 Hearing by the Planning Commission. All papers and other data submitted by the applicant on behalf of the amendment request shall be transmitted to the Planning Commission.

The Planning Commission, at regular meeting shall review the application, conduct a public hearing, and prepare a report, including its recommendation, for transmittal to the City Council.

All meetings of the Planning Commission shall be open to the public. At a meeting, any party may appear in person, or by agent, or by attorney.

No member of the Planning Commission shall participate in a matter in which he has any pecuniary or special interest.

The Planning Commission shall hold a public hearing regarding any proposed amendments. Such hearing shall be advertised with the time and place of the hearing to be published in a newspaper of general circulation serving the municipality at least fifteen (15) days prior to the hearing. In rezoning cases, conspicuous notice must be posted at least fifteen (15) days prior to the hearing on or adjacent to the property, with one notice visible from each public street bordering the property.

Following action by the Planning Commission, the recommendation along with all papers and data pertinent to the application shall be transmitted to the City Council for final action.

1002.4 Changes to the Zoning Ordinance Text or Map. The original Ordinance or amendment to the Zoning Ordinance must be adopted by an ordinance on two (2) readings by City Council at least six days apart. Any necessary changes shall be made to the Zoning Ordinance text or Map. The City Clerk shall maintain a written

record of the type and date of such change. Until such change is made, no action by the City Council on text or map amendments to the Zoning Ordinance shall be considered official, unless the City Clerk fails to make the change within seven (7) days after formal action by the City Council. In the latter event, action by the City Council shall be considered official seven (7) days after the date of action even if the City Clerk has failed to make the appropriate changes.

DRAFT

ARTICLE XI. - DEFINITION OF TERMS USED IN THIS ORDINANCE

Section 1100. Interpretation of Certain Terms or Words.

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

The word "shall" is mandatory.

The word "may" is permissive.

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

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

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

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

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

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

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

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

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

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

- a) sale and service of spark plugs, batteries, and distributors.
 - b) tire repair and servicing, but no recapping.
 - c) replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, floor mats, seat covers, wiper blades, windshield wipers, grease retainers, and wheel bearings.
 - d) washing and polishing.
 - e) greasing and lubrication.
 - f) exchanging fuel oil pumps and installing fuel lines.
 - g) minor servicing and replacing carburetors.
 - h) emergency wiring repairs.
 - i) adjusting and repairing brakes.
 - j) minor repairs of engines, not involving removal of the head and/or crank case, or racing the motor.
-

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

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

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

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

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

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

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

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

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

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

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

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

1100.17 Dwelling, One-Family. A detached dwelling other than a mobile home designed or occupied exclusively by one family on a single lot.

1100.18 Dwelling, Two-Family. A dwelling arranged or designed to be occupied by two (2) families in separate dwelling units living independently of each other on a single lot.

1100.19 Dwelling, Multi-Family. A building or series of buildings on the same lot or portions thereof used or designed as dwellings for three (3) or more families living independently of each other, with the number of families

in residence not exceeding the number of dwelling units provided. The terms "multiple family" and "multi-family" are synonymous and are used interchangeably throughout this Ordinance.

1100.20 Dwelling Unit. One (1) or more rooms connected together and constituting a separate, independent housekeeping establishment for use on a basis with provisions for cooking, eating, sleeping, and physically set apart from any other rooms and dwelling units in the same structure or another structure, intended and designed to provide living quarters to one family. A structure where a person lives or intends to live. SC Residential Landlord and Tenant Act required that residential structures provide utilities, sanitation, and safety features. It must be designed for human habitation. The International Building Code states that a structure must meet standards for foundation stability, ceiling height, ventilation, and emergency egress. Sheds typically do not have these things.

1100.21 Drive-In. A retail or service enterprise oriented to automobile driving patrons wherein service is provided to the consumer on the outside and/or inside of the principal building. The term "drive-in" includes drive-in restaurants, dairy bars, theaters, banks, laundry, food stores, car washes, and other similar retail service activities.

1100.22 External Storage. Storage of materials, inventory, parts, machinery, or equipment outside of the primary building.

1100.23 Family. One (1) or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, or adoption, no such family shall contain over three (3) persons.

1100.24 Fee Simple Townhouse. An attached housing unit in which real land property is platted and converted to the titleholder of the housing unit.

1100.25 Fence. A substantial, continuous barrier aesthetically constructed and extending from the surface of the ground to uniform height of not less than six (6) feet. The finished side of the fence shall face the public and be constructed of treated lumber, stockade, masonry, chain link, or other approved material. Fabric fences shall not be allowed.

1100.26 Floor Area Ratio. A number generated by dividing the total gross area (in square feet) of a structure by the total gross area (in square feet) of the parcel containing the structure.

1100.27 Garage, Private. An accessory building or portion of a principal building is used only for the private storage of motor vehicles as an accessory use.

1100.28 Garage, Public. Any garage other than a private garage which is used for storage, minor repair, rental, servicing, washing, adjusting, or equipping of automobiles or other vehicles.

1100.29 Garage, Repair. Buildings and premises designed or used for purposes indicated under "automobile service station" and/or major commercial repairs; provided that body work and painting shall be conducted within fully enclosed buildings and provided further that self-propelled vehicles in process of repair shall be stored in a fully enclosed and secluded area.

1100.30 Home Occupation. Any business activity conducted out of a dwelling. A home occupation shall include either a business operated on-site or a business in which the primary office or storage facility is on-site, but activities take place off-site.

1100.31 Hotel. A building or buildings in which lodging, with or without meals, is provided and offered to the public for compensation, which is open to transient or permanent guests. The word "hotel" includes the terms "motel" and "tourist court."

1100.32 Junk or Salvage Yards. The use of any part of a lot, whether inside or outside of a building, for the storage, keeping, abandonment, sale or resale of junk, salvage, or scrap materials; or the dismantling, demolition or abandonment of automobiles and other vehicles, machinery, equipment, or parts thereof.

1100.33 Junked Car. "Junked or abandoned vehicle" shall mean any vehicle without a current and valid license plate. A wrecked vehicle with a current license plate shall also be considered a junk vehicle.

1100.34 Loading Space, Off-Street. Space logically and conveniently located for pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled.

1100.35 Lot. An area designated as a separate and distinct parcel of land on a legally recorded deed as filed in the official records of Pickens County, as maintained in the Pickens County Court House.

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

1100.36 Lot, Corner. A lot located at the intersection of two (2) or more streets.

1100.37 Lot, Double Frontage. A lot which has frontage on more than one (1) street, provided, however, that no corner lot shall qualify as a double frontage lot unless said corner lot has frontage on three (3) or more streets.

1100.38 Lot, Interior. A lot, other than a corner lot, which has frontage on only one (1) street other than an alley.

1100.39 Lot Depth. The mean horizontal distance between front and rear lot lines.

1100.40 Lot of Record. An area designed as a separate and distinct parcel of land on a legally recorded subdivision plot or in a legally recorded deed as filed in the official records of Pickens County, as maintained in the Pickens County Court House.

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

1100.41 Lot Width. The distance between side lot lines measured at the front building line.

1100.42 Major Recreational Equipment. Equipment or vehicles used for recreational purposes, including but not limited to motor homes, recreational vehicles, campers, trailers, motorboats, sailboats, boat trailers, all-terrain vehicles, off-road vehicles, motorcycles, snowmobiles, and bicycles.

1100.43 Manufactured Homes. A movable or portable dwelling on wheels or on a permanent foundation of masonry units cemented together and supported on concrete footings, conforming to typical construction standards for the area of location. The unit is constructed to be towed on its own chassis and designed for year-round occupancy, which includes two (2) or more units separately towable but designed to be joined into one integral unit, as well as a portable dwelling composed of a single unit.

1100.44 Manufactured Home Park. Premises where two (2) or more mobile homes are parked for living or sleeping purposes, or where spaces are set aside or offered for sale or rent for use for mobile homes for living or sleeping purposes, including any land, building, structure, or facility used by occupants or mobile homes on such premises.

1100.45 Manufactured Home Space. A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home.

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

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

1100.47 Natural Material. Wood or other organic matter.

1100.48 Nonconforming Use. A structure of [or] land lawfully occupied by an existing use which does not conform with the permitted uses for the zoning district in which it is situated, either at the effective date of this Ordinance or as the result of subsequent amendments to this Ordinance.

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

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

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

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

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

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

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

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

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

a) Freestanding Sign Structure. A freestanding sign structure may contain a sign or signs on one (1) side only, or it may be a V-shaped structure or one containing signs back-to-back. A freestanding sign structure is one (1) sign.

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

c) Business Identification Sign. A business identification sign is a sign that contains the name of the business enterprise located on the same premises as the sign and the nature of the business conducted there.

d) Business Identification Pylon Sign. A business identification [pylon] sign is a sign erected on a single pole or multiple poles that contains only the name or the nature of the business conducted on the premises on which it is located.

e) Illuminated Signs. A sign in which illumination techniques are used in any fashion to project the message on a sign.

f) Portable Sign. Temporary, moveable sign.

g) Off Premises Signs. Off premises signs are signs that advertised products or businesses that are not located on the parcel where the sign is located which would include billboards.

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

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

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

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

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

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

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

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

1100.63 Tract. See "Lot," 1100.35.

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

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

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

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

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

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

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

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

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

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

1100.74 Zoning District. See "District," 1100.15.

1100.75 Tiny Home. Tiny homes must be at least 300 square feet and no more than 1000 square feet. The units must be a permanent fixture (no wheels). The units must be single units, no duplexes, or multiplexes. Each tiny home must follow the latest International Building Code that the City of Liberty is currently following.

1100.76 Bed and Breakfast. A private owner occupies residence providing accommodations for a charge to the public with no more than seven (7) guest rooms for rent.

1100.77 Shed a simple roofed structure, typically made of wood or metal, used as a storage shed, a shelter for animals, or a workshop.

1100.78

DRAFT

ARTICLE XII. LEGAL STATUS PROVISIONS

Section 1200. Conflict with Other Laws.

Whenever the regulations of this Ordinance require a greater width or size of yards, or require a greater percentage of lot to be left unoccupied, or impose other more restrictive standards than are required in or under any other statutes, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by this Ordinance, the provisions of such statute shall govern.

Section 1201. Validity.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof that is not specifically declared to be invalid or unconstitutional.

Section 1202. Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict herewith are repealed to the extent necessary to give this Ordinance full force and effect.

Section 1203. Effective Date.

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

Section 1204. Comprehensive Plan Revision Requirements.

All planning elements must be an expression of the planning commission recommendations to the appropriate governing bodies with regard to the wise and efficient use of public funds, the growth, development, and redevelopment of its area of jurisdiction, and consideration of the fiscal impacts on property owners. Regulations of the zoning ordinance must be made in accordance with the comprehensive plan for the jurisdiction and be made with an effort to promoting the purposes set forth throughout this chapter. As the plan or elements are revised, it is important to amend any ordinances based on the plan to conform to the most current comprehensive plan. Regular review of the comprehensive plan is mandatory under S.C. Code § 6-29-510(E) that requires the following plan updates:

The Planning Commission must re-evaluate the comprehensive plan elements at least every five years to determine whether changes in the amount, kind, or direction of development of the area or other reasons make it desirable to make additions or amendments to the plan.

The comprehensive plan, including all elements of the plan, must be updated at least every ten years. The Planning Commission must prepare and recommend a new plan and the governing body must adopt a new comprehensive plan every ten years. The Comprehensive Plan was last updated and adopted on December 9th, 2024.

USE TABLE

Zoning District	500	501	501 (a)	502	503	504 / 505	N C	G C	C C	I N
Accessory Dwellings	SE	SE	SE	SE	SE	SE	X	X	X	X
accountants	X	X	X	X	X	X	P	P	C	
alterations	X	X	X	X	X	X	P	P	C	
antique store	X	X	X	X	X	X	P	P	P	
Apartments	X	X	X	P	P	P	X	X	X	X
architects	X	X	X	X	X	X	P	P	C	
art galleries	X	X	X	X	X	X	P	P	P	
arts/crafts store	X	X	X	X	X	X	P	P	P	
Auto Garage	X	X	X	X	X	X	X	C	X	C
bakery	X	X	X	X	X	X	P	P	P	P
bank/financial	X	X	X	X	X	X	P	P	C	
barber/salon	X	X	X	X	X	X	P	P	C	
Bed and Breakfast	SE	SE	SE	SE	SE	SE	S E	X	X	
car wash	X	X	X	X	X	X	X	C	X	
Care Homes	C	C	C	C	C	C	P	P	X	
Cemetery	C	C	C	C	C	C	C	C	X	
chiropractor	X	X	X	X	X	X	P	P	C	
clinic	X	X	X	X	X	X	P	P	C	
Combo res/commercial	X	X	X	X	X	X	X	C	C	
communication towers	X	X	X	X	X	X	X	C	X	C
convenience store	X	X	X	X	X	X	P	P	P	
dance/art schools	X	X	X	X	X	X	P	P	P	
Daycares (Adult and Kids)	C	C	C	C	C	C	P	P	P	
dealerships	X	X	X	X	X	X	X	C	X	
delis	X	X	X	X	X	X	P	P	P	P
doctor office	X	X	X	X	X	X	P	P	C	
dog grooming	X	X	X	X	X	X	P	P	P	
drug/pharmacy	X	X	X	X	X	X	P	P	P	
Duplexes	X	X	P	P	P	P	X	X	X	
electricians	X	X	X	X	X	X	P	P	C	
engineers	X	X	X	X	X	X	P	P	P	
Event Venue	X	X	X	X	X	X	P	P	P	
eye doctor	X	X	X	X	X	X	P	P	C	
florist	X	X	X	X	X	X	P	P	P	
Food Prep	X	X	X	X	X	X	P	P	P	P

restaurants with or without drive thru	X	X	X	X	X	X	X	P	X	P
retail greater than 25000 square feet	X	X	X	X	X	X	X	P	P	C
Schools	C	C	C	C	C	C	X	X	X	
Service Station with pumps	X	X	X	X	X	X	X	C	P	C
services less than 2000 square feet	X	X	X	X	X	X	P	P	P	
Sexually oriented businesses	X	X	X	X	X	X	X	X	X	X
sheds as businesses	X	X	X	X	X	X	X	X	X	X
sheds as living quarters	X	X	X	X	X	X	X	X	X	X
Single Family	P	P	P	P	P	P	X	X	X	C
Substation	C	C	C	C	C	C	C	C	C	C
tattoo	X	X	X	X	X	X	C	C	X	P
Temporary Uses	C	C	C	C	C	C	X	X	X	C
theaters	X	X	X	X	X	X	P	P	P	
Tiny Homes	X	X	X	X	X	X	X	X	X	X
Townhomes	X	X	P	P	P	P	X	X	X	
urgent care	X	X	X	X	X	X	P	P	P	
variety store	X	X	X	X	X	X	P	P	P	
	500	501	501 1 (a)	502	503	504 /50 5	N C	G C	C C	I N

Deputy Administrator Report

Updates

I have implemented monthly group meetings with department heads, individual meetings with department heads and the Mayor, as well as monthly staff meetings at City Hall. These meetings are intended to improve communication, increase efficiency, and help ensure council tickets are completed in a timely manner.

I have also been assisting the Mayor with budget preparation for the upcoming fiscal year.

The Mayor, Ciera, and I also met with representatives from United Way of Pickens County to discuss opportunities for community partnerships, volunteer initiatives, and ways the City can continue strengthening community outreach efforts.

Last week, the City also celebrated its third annual Public Service Recognition Week to recognize and appreciate the employees who serve the community each day. This was our first year having a sponsor, ClearWater Solutions, which allowed us to provide staff with lunch catered by Little Bistro as well as coffee and muffins from Moose on Main.

EPA Brownfields Update

Director Manley, the Mayor, and I attended the EPA Brownfields Conference in Columbia to gain additional insight into the grant process and learn more about successful projects across the state.

On May 8th, Terracon conducted an LBP (Lead-Based Paint) and ACM (Asbestos-Containing Material) survey on Rosewood. If the property tests are positive, the City may be eligible to apply for an EPA Cleanup Grant. Additional updates will be provided as information becomes available.

Old City Hall Update

We are preparing to begin reviewing files at Old City Hall to determine what actions need to be taken in accordance with South Carolina records retention policies.

Staffing Updates

Adam and I reached out to three individuals and interviewed two applicants for the CDL driver position that became vacant after May 8th. We moved forward with Dakota Will. His start date is scheduled for 5/18.

Administrative/Accounts Payable Update

Gina continued processing monthly reporting requirements, maintaining compliance with records retention and financial reporting procedures, and coordinating with outside agencies on ongoing projects and agreements.

She also participated in professional development opportunities, worked on office organization efforts, and is preparing to assist with budget review and account analysis within the City's accounting software.

Water Department Update

Dana continued maintaining daily operations, meeting monthly deadlines, assisting customers, processing payments, and keeping records and work orders updated.

The department also worked through operational challenges this month, including delays with utility bill distribution and system access changes that created additional manual work.

Communications Update

A large portion of April was dedicated to business license renewals, which were due on April 30th. Much of the month consisted of processing renewals, assisting businesses, answering questions, and ensuring accounts were completed prior to the deadline.

At this time, 29 businesses within the city limits remain unpaid, along with 77 out-of-city businesses currently operating without an active business license. Beginning next week, officers will begin visiting these businesses in person to provide notice of their delinquent status and assist them with becoming compliant.

Ciera also continued planning the City's Fourth of July event and assisted with transitioning Gina into processing and accepting monthly hospitality tax payments.



Month of April

Lakewood Heights Courts: contacted 3 paving companies for an estimate, Upstate Sealants LLC, Lesley Courts & Paving, Priority Paving. Waiting for Quotes.

Rosewood Center: Fixed pothole in parking lot, need to talk about the restroom floors, windows and playground.

Sarlin Park Gazebo: The ramp beam is rotten; we added support to the beam with new wood. Discussed the plans for the islands and area behind Mexican restaurant.

Dugout Park: Put up new windscreens that's sponsored by Knights companies on all fields. Got a quote for ADA pathway to Iselin field to restrooms and concession stand between fields. Placed two new handicapped signs up.

City Stadium: Ladies' restroom door on visitor side needs to be replaced, bottom is falling out. Will get estimated cost.

Mile loop and Cemetery? Who will this responsibility fall under? Parks and Rec or Public works

PARD Grant: Have contacted Safe play solutions, to obtain a contract for playground installation. Mrs. Edwards has sent documentation to Tiffany Chandler for signatures, once completed Mrs. Edwards will upload information into system.

PC Recreation Grant: All requested documentation has been submitted to Scott Lang, Waiting on status. Funding will go towards Morris Field lighting and a new compact tractor.

Naming of locations that do not have a name: Example City Stadium, WaterTower field, Field beside the gym, City Gym.

PUBLIC WORKS/UTILITIES REPORT

April 2026

UTILITY DEPARTMENT

- The Utility Department repaired 5 water leaks
- The Utility Department made 2 sewer taps
- The Utility Department cleaned and unstopped 5 sewer blockages and performed any repairs as needed
- The Utility Department has began point repairs and line replacement on several reoccurring sewer back-ups and issues
- The Utility Department completed a total of 53 work orders and 234 locate tickets
- Along with the Public Works Department, the Utility Department has continued repairs and cleaning up of the maintenance building and property
- We have upcoming Asbestos training on May 12th and 13th in Clemson. This will certify each Utility employee in asbestos line repair and abatement and will also give the city and asbestos license
-

PUBLIC WORKS DEPARTMENT

- The Public Works Department picked up 21.67 tons of brush and hauled to the Pickens County Landfill
- The Public Works Department picked up 4.24 tons of furniture/brown goods and hauled to the Pickens County Landfill
- The Public Works Department continues to repair potholes and has continued clearing road right of ways and overgrown roadways

- We have temporarily stabilized the portion of W Front St, known as “thrill hill”. We have a plan in place to permanently address this situation as soon as we have proper equipment and materials
- We will be working on an RIA Grant in the fall to have work completed to re-open N Azale St

LIBERTY POLICE DEPARTMENT

Victor C. Tetter II
Chief of Police
vtetter@libertypd.org

P.O. Box 716
147B Kay Holcombe Rd.
Liberty, SC 29657
Phone: (864) 843-3956

Monthly Report April 2026

Warnings Issued – 100
Citations Issued – 152

Total Arrested – 8

One for Financial Transaction Card Fraud x4, Petit Larceny, & FTC Theft.
One for PWID, Marijuana, Driving Under Suspension, & Speeding.
One for Disorderly Conduct.
One for Petit Larceny
One for Driving without a License & Speeding.
One for Driving without a License, 2nd offense, & Vehicle Equipment Violation.
One for Driving without a License, Operating an Unregistered & Uninsured Vehicle.
One for PWID Marijuana.

Community & Events

Highway Safety Law Enforcement Awards Ceremony

On April 3, 2026, the Liberty Police Department was recognized in Columbia, South Carolina, and presented with the Bronze-Level 2025 Law Enforcement Challenge Award. This marks the department's first receipt of this award since 2020. The department participates in the Law Enforcement Network (LEN) Challenge, which includes monthly proactive traffic enforcement and participation in statewide campaigns focused on DUI prevention, seat belt and child passenger safety, speed enforcement, and the safety of vulnerable roadway users.

Officer Borrico and Chief Tetter attended the award ceremony. Officer Borrico serves as the Liberty Police Department's designated point of contact and accepted the award on behalf of the department.

Buddy's 1st Annual Car Show

On April 11, 2026, officers conducted traffic control operations for Buddy's 1st Annual Car Show, held in memory of Buddy Phillips Sr., including coordinating road closures before and throughout the event. Officers maintained a safe and secure environment for attendees. Event proceeds were distributed between the Liberty Recreation Department and Pickens County Meals on Wheels.

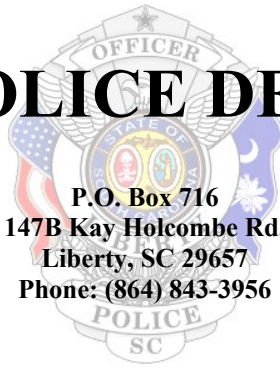
Hot Pursuit 5K Run/Walk and 1-Mile Catch-a-Cop

On April 18, 2026, Liberty Police officers, in collaboration with neighboring law enforcement agencies and the Youth Leadership Academy, participated in the 4th Annual Hot Pursuit 5K and 1-Mile Catch-A-Cop event held at the Pickens County Airport. The event featured a 1-mile fun run in which participants chased uniformed first responders and collected flags. Following the run, participating children were given the opportunity to ride with first responders in a parade featuring emergency lights and sirens. The event raised enough funds to support the installation of a wheelchair-accessible swing at the playground located at the Pickens County Airport on Highway 178 in Liberty.

LIBERTY POLICE DEPARTMENT

Victor C. Tetter II
Chief of Police
vtetter@libertypd.org

P.O. Box 716
147B Kay Holcombe Rd.
Liberty, SC 29657
Phone: (864) 843-3956



Azalea Festival

On April 25, 2026, Sgt. Thomas attended the Azalea Festival in collaboration with Pickens County Crime Stoppers, where they operated an informational booth and distributed promotional items and outreach materials to attendees.

Hiring & Training

The Police Department received new Motorola V700 body-worn cameras at no cost, replacing the previously issued V300 models. The cameras have been assigned to officers and are currently in service. These cameras are an essential tool in promoting transparency, accountability, and public trust, while also enhancing officer safety and supporting accurate documentation of events.

The Police Department is still currently accepting applications from both certified and uncertified candidates for a vacant officer position. Recruitment efforts are ongoing to attract qualified applicants to support the continued service and safety of our community.