DRAFT as of March 24, 2026 CHAPTER 25 – PLANNING AND LAND DEVELOPMENT

Sec. 25-1 Membership in regional planning council.

The county, by virtue of a 1972 agreement, as subsequently amended, is a member of the Catawba Regional Planning Council of Governments.

Sec. 25-2 Authority and Jurisdiction

I. The Land Development Regulations are hereby enacted to provide for the health, safety and welfare of the general public by ensuring the orderly development of the County through fair and consistent administration and enforcement.

II. These regulations shall apply to land development in unincorporated Union County and include the changing of land characteristics through development or through the subdivision of land.

III. Whenever the provisions of any other federal, state, or local statute, ordinance, or regulation impose higher standards than are required by these regulations, the provisions of such statute, ordinance, or regulation shall apply.

IV. These land development regulations are adopted under the authority of and pursuant to Chapter 29 of Title 6, South Carolina Code, 1976, as amended.

V. Should any section or provision of this chapter be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the ordinance as a whole, or any other part thereof, other than the part so declared to be unconstitutional or invalid.

Sec. 25-3 Purpose

The principal purposes of these Land Development Regulations are as follows:

I. Protect land values through good and responsible development.

II. Implement the Union County's Comprehensive Plan, specifically to adopt a land development ordinance.

III. Conserve and ensure access to the county's natural and scenic resources for future generations to enjoy.

IV. Secure the safety of residents from the hazards of improper development.

V. Enhance the development process by mitigating potential negative effects of new development.

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Sec. 25-4 Administration

I. Designated Administrator of Chapter

The County Council may designate a Land Development Administrator to manage and implement the provisions of this chapter. All matters of interpretation of this Chapter shall be considered first by the designated Land Development Administrator.

II. Nonconformities

Nonconforming buildings or uses, are buildings or land use activities that were established prior to the enactment of this chapter and that do not meet one (1) or more requirement(s) of this chapter. The lawful use of any structure present at the time of enactment of this chapter may be continued indefinitely even though such use does not conform to the provisions of this chapter. Nonconforming structures may not altered in such a manner that increases the nonconformity.

III. Conflicts

There is no intent given by the provisions of this chapter to repeal, revoke, annul or in any way impair or interfere with any rules, regulations, or permits previously adopted or issued, or which shall be adopted or issued pursuant to law, relating to the use of buildings or premises; nor is it intended by these regulations to interfere with or revoke or annul any easements, covenants, or other agreements between parties. However, when the regulations made under this chapter impose more restrictive standards than are required in or under another statue, local ordinance, or regulation, the regulations in this chapter shall govern.

IV. Appeals

Any person who believes that he or she is aggrieved by an error made by an administrative official of Union County in the enforcement of this Chapter shall have the right to appeal any order, requirement, decision, or determination issued by an administrative official to the appropriate appeals body, as established by herein.

A. Appeals of an order, requirement, decision, or determination made by the Land Development Administrator shall be directed to the Union County Planning Commission. The Planning Commission shall have no more than thirty (30) days to act on the appeal after conducting a public hearing on the matter, with public notice advertised in a newspaper of general circulation in the community at least fifteen (15) days prior to the hearing date. Additional forms of communication may be utilized as needed.

B. Appeals of an order, requirement, decision, or determination made by the Union County Planning Commission as per this Chapter must be directed to the circuit court within thirty (30) days after actual notice of the decision.

DRAFT

C. Appeals shall be submitted in writing to the Land Development Administrator and must be filed within thirty (30) days from the date that the appealing party has received notice of the action from which the appeal is taken.

D. An appeal shall stay all legal proceedings in furtherance of the action appealed, unless the Land Development Administrator or designated authority determines that a stay would cause imminent peril to life and property.

E. In rendering a decision on the appeal, the Planning Commission may affirm, reverse, or modify the order, requirement, decision, or determination issued by the Land Development Administrator.

F. All final decisions on orders and decisions of the Planning Commission must be in writing and copies must be permanently filed with the office of the Land Development Administrator.

V. Variances

A. Applications for a variance to the requirements of this chapter shall be submitted on an approved form to the Land Development Administrator.

B. In considering an application for a variance the County Council shall conduct a public hearing on the matter, with public notice advertised in a newspaper of general circulation in the community at least fifteen (15) days prior to the hearing date. Additional forms of communication may be utilized as needed.

C. All decisions of the County Council with respect to variance applications shall be in writing and must be permanently filed with the office of the Land Development Administrator.

VI. Fees

A fee schedule may be provided and imposed by county council to offset certain administrative costs associated with the administration of this chapter.

VII. Enforcement and Violations

A. Enforcement. The county shall enforce the following, as applicable, to ensure that all subdivisions and land development projects meet the requirements of this chapter.

B. Violations. Violation of the provisions of this Chapter or failure to comply with any of its requirements, shall constitute a misdemeanor. Any person who violates this article or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than one hundred dollars ($100.00). Each day after notice of violation shall be considered a separate offense. Nothing herein contained shall prevent Union County, South Carolina from taking such other lawful action as is necessary to prevent or remedy any violation.

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Sec. 25-5 Subdivisions

I. Major Subdivision Submittal Requirements

A. Major Subdivisions for the purpose of this Chapter shall include any divisions of a tract or parcel of land into seven or more lots or building sites, whether immediate or in the future for sale, lease, or building development.

B. All applications to create or modify a major subdivision shall contain the information required by this subsection and submitted to the Land Development Administrator for approval prior to recording with the Union County Register of Deeds. The Land Development Administrator shall have thirty (30) calendar days from the date of submission to act in writing on a completed application for subdivision.

C. Major Subdivisions not approved as per these regulations and bearing a stamp of approval by the Land Development Administrator are not permitted to be filed or recorded by the Register of Deeds.

D. Information required by the applicant requesting a Major Subdivision are as follows:

1. A completed application form, as provided by the administrator.
2. Ownership information, including a warranty showing every individual person or entity having legal and/or equitable ownership interest in the property upon which the application is sought.
3. If the applicant represents the property owner, an affidavit is required from the owner to authorize the request.
4. Determination of the existence of restrictive covenants, and verification if applicable.
5. Major Subdivision plan drawing. The subdivision plan must, at a minimum, include the following information:
    a. Proposed lot boundaries;
    b. Existing roads within or abutting the proposed subdivision;
    c. Existing community driveways, if any;
    d. Existing utilities lines, transformers, pump stations, or similar facilities;
    e. All existing utilities and easements;
    f. All proposed utilities and easements;
    g. Proposed roads, if any, consistent with Chapter 27, and Chapter 25, Section 25-6 of the Union County Code of Ordinances;
    h. The means of access to each lot, either through a public road, private road, or easement;
    i. Proposed open space areas;
    j. State building codes, if applicable
    k. Floodplain information as required by Chapter 9 of the Union County Code of Ordinances; and

DRAFT

l. The subdivision plan must be drawn to scale and must bear the seal of a registered land surveyor to certify that the plan was completed in compliance with all applicable state regulations and survey standards. Submitted plans are required to be referenced by South Carolina State Plane Coordinates, as defined in the S.C. Code of Laws (The South Carolina Coordinate Act, as amended).

E. Subdivisions excluded from these requirements are stated herein. Note, excluded subdivisions qualifying for this exemption must still be drawn to scale and submitted to the Union County Register of Deeds for recording.

1. The combination or recombination of portions of previously platted lots where the total number of lots is not increased.
2. The combination or recombination of entire lots of record where no new street or change in existing streets is involved.
3. The division of land into parcels of five (5) acres or more where no new street is involved.
4. Simple subdivisions with no more than six (6) lots created at the time of subdivision, if the subdivided parcel is not part of a larger common plan.
5. Family subdivisions as defined by this chapter.

Sec. 25-6 Development Standards

I. Lot Standards

A. Minimum Lot Size
The minimum lot size established by this chapter for newly created single-family residential lots located in major subdivisions utilizing septic systems is three-quarter acre. The minimum lot size established by this chapter for newly created single-family residential lots located in major subdivisions utilizing public sewer is one-quarter acre.

All newly created non single-family residential properties within the unincorporated Union County shall be sized to provide proper spacing for setbacks, utilities, storm water control, and fire access at a minimum.

B. Minimum Setback requirements for all structures
1. Front Setback.
   a. Twenty-Five (25) feet as measured from the right of way along private or County maintained roadways. Where no right of way is defined, setback shall be Fifty (50) feet as measured from the centerline of roadway.
   b. One Hundred (100) feet as measured from the right of way along State maintained roadways.
   c. Corner lots shall be considered to possess two frontages, with minimum setback requirements from each frontage accordingly.
2. Rear Setback.

DRAFT

a. Twenty-Five (25) feet as measured from the rear property line. Single-family residential accessory structure rear setbacks may be ten (10) feet if not utilizing a permanent foundation.

3. Side Setback.
   a. Ten (10) feet as measured from the side property line.

C. Minimum Lot Frontage
All newly created lots shall have a minimum of fifty (50) feet of road frontage on any roadway dedicated to public use.

D. Flag Lots
Flag Lot poles shall be a minimum of twenty-five (25) feet wide. Flag Lot poles shall be spaced at least fifty (50) feet apart. Each Flag Lot shall serve no more than two properties.

II. Land Standards

A. Streets and Related Improvements
1. All newly created lots must have direct access to a roadway dedicated to public use or via defined easement.
2. Minimum 50' is required for all road rights-of-way. Minimum 66' right-of-way is required if road will be dedicated to County for maintenance.
3. Newly created major subdivisions with more than 50 developable lots shall have at minimum two ingress/egress points.
4. If roads are constructed to Union County standards: inspection and approval of the roadbed, surface paving, driveway pipes, and stormwater runoff management shall be obtained from the county engineering department prior to final approval and adoption into the county road system by the county council.

B. Water Facilities
1. If public water is to be provided to a major subdivision or land development project, approval of the water distribution system is at the discretion of the water district charged with serving the area. If the subdivision or land development project is to be served by wells, approval of wells shall be at the discretion of South Carolina Department of Health and Environmental Control.
2. The water provider shall furnish evidence in writing that the subdivision or land development project can be adequately serviced.

C. Wastewater Facilities
1. If public sewer is to be provided to a major subdivision or land development project, approval of the wastewater collection system is at the discretion of the wastewater provider providing the service.
2. The wastewater provider shall furnish evidence in writing that the subdivision or land development project can be adequately serviced.

DRAFT

3. If the subdivision or land development project is to be served by septic tank(s), approval of septic tanks shall be at the discretion of South Carolina Department of Environmental Services.

D. Stormwater
    1. The requirements of this section shall be deemed to have been met for any major subdivision or land development project for which there is an approved stormwater management and sediment control plan from the South Carolina Department of Environmental Services relating to erosion and sediment control and/or stormwater management.
    2. The developer or owner shall furnish written approval from the South Carolina Department of Environmental Services prior to the issuance of County approval.

E. Open Space
    1. Major Subdivisions shall require at a minimum 25% of the subdivision area be allocated as open space. At least half of the designated open space must be contiguous and may be preserved and maintained as required by common ownership via a homeowners association or through private ownership via deed restriction. Open space requirements for major subdivisions may be reduced for larger lot size communities.
    2. Bufferyards at least fifty (50) feet wide shall be required along all external property lines facing a thoroughfare. Required bufferyard areas may count towards open space requirements.
    3. Land designated as common open space and used in meeting open space requirements shall not be separately sold, subdivided, or developed for any use other than those defined herein.
    4. Consideration for open spaces shall be given to areas considered environmentally or ecologically sensitive.

III. Land Development Permit

A. A land development permit is required prior to the commencement of any land development activity or application for building permit within unincorporated Union County with the exception of an individual single-family residence that is not part of a larger common plan, or for a single-family residential accessory use.

B. Application for a land development permit shall be made to the Land Development Administrator on forms furnished by him or her prior to any land development activities.

C. All applications for land development permits shall contain the information required by this section and submitted to the Land Development Administrator. The Land Development Administrator shall have thirty (30) calendar days from the date of submission to act in writing on a completed application for a land development permit.

DRAFT

D. If new public roadways are to be built as part of any development, a development plan shall be required. A completed land development permit application form shall accompany the development plan, as well as a statement of ownership, or a notarized letter from the property owner authorizing the request.

The Development Plan must include the following information at a minimum, and must be drawn to scale:

1. Location map
2. Existing lot boundaries
3. Existing roads within or abutting the proposed development
4. All driveways and roadways proposed for site
5. All existing utilities and easements
6. All proposed utilities and easements
7. Proposed buildings or structures
8. Proposed parking areas, driveways, and sidewalks
9. Setback lines
10. Drainage features and conceptual stormwater management systems
11. Floodplain, if applicable
12. State building codes, if applicable

Sec. 25-7 Supplemental Development Standards for Specific Uses

I. Purpose. The purpose of this section is to improve the impact and siting of certain developments, whose characteristics could adversely affect surrounding property and environmental conditions. All land development permits for the uses outlined in Section 25-7 shall require Planning Commission approval.

A. A land development permit application is required prior to the commencement of all development activities outlined in Section 25-7 within unincorporated Union County.

B. The planning commission shall review and evaluate each application with respect to all applicable development standards contained in this chapter. At the conclusion of its review, the planning commission may approve the proposal as presented, approve it with specified conditions, or disapprove it.

C. If the application is approved, the planning commission shall cause the land development permit to be issued, or, if conditionally approved, the planning commission shall cause such permit to be issued contingent on any specified conditions imposed. If the application is denied, the applicant shall be notified in writing by the Land Development Administrator, with the reasons stated therein.

D. The Planning Commission shall act in writing on a completed application for land development for uses specified in Section 25-7 within sixty (60) calendar days. Failure to act

DRAFT

by the Planning Commission on a completed application within sixty (60) calendar days constitutes approval.

II. Development Plan Submittal requirements

All applications for land development permits for the uses outlined in Section 25-7 shall be accompanied by a development plan which contains the supplemental information required by this section and submitted to the Planning Commission for approval. A completed application form supplied by the county shall accompany the development plan, as well as a statement of ownership or a notarized letter from the property owner authorizing the request.

The Development Plan must include the following information at a minimum, and must be drawn to scale:

1. Location map
2. Existing lot boundaries
3. Existing roads within or abutting the proposed development
4. All driveways and roadways proposed for site
5. All existing utilities and easements
6. All proposed utilities and easements
7. Proposed buildings or structures
8. Proposed parking areas, driveways, and sidewalks
9. Setback lines
10. Drainage features and conceptual stormwater management systems
11. Floodplain, if applicable
12. Any additional information as required by Section 25-7, Chapter III

III. Applicability. The additional requirements of Section 25-7 shall apply only to the following new proposed uses as of the date of adoption of this ordinance:

A. Solid waste management facility.

Due to the consideration for public health and safety and potential pollution to the environment resulting from solid waste collection and disposal sites, the following standards shall apply.

1. No sanitary landfill, incinerator, or dump site shall be located within 1000 feet of any existing residential use. No transfer station shall be located within 750 feet of any existing residential use. Convenience centers or Drop-off centers shall not be located within 500 feet of any existing residential use. For purposes of this section, measurement shall be made in a straight line from the nearest portion of the building or structure used as part of the premises to the nearest property line of a residential use.

DRAFT

2. A permit must be obtained from the South Carolina Department of Environmental Services prior to securing county approval. The state permit shall have been issued within six months of the date of the request for county approval.
3. A drainage plan shall accompany the request showing all off-site drainage and runoff.
4. Proposed facilities shall have direct access off a state-maintained road.
5. No waste material capable of being blown from the site shall remain uncovered or unsecured at the close of business daily.
6. Sanitary landfills, incinerators, or dump sites shall be a minimum of ten (10) acres in size. Transfer stations shall be a minimum of two (2) acres in size. Convenience centers or Drop off centers shall be a minimum of one (1) acre in size.
7. Bufferyards at least fifty (50) feet wide shall be required along all side and rear property lines. Bufferyards shall contain a mixture of shrubs, canopy, understory, and evergreen trees, and must be planted and maintained in a healthy manner. Existing vegetation is preferred and may be substituted in lieu of new plantings.

B. Hazardous waste and nuclear waste disposal sites.

All hazardous and nuclear waste sites are declared by this Chapter to be wholly incompatible with prevailing environmental conditions as well as existing and planned development in the county. No such sites shall be reviewed or permitted without the submission by the applicant of a comprehensive environmental impact statement prepared by a registered engineer. As well, a geotechnical engineering firm shall certify in writing that the rock formations being utilized to contain the waste are impermeable and that the surrounding groundwater sources will not be contaminated.

Due to consideration for the public health and safety and potential pollution to the environment resulting from hazardous waste and nuclear waste disposal sites, any such uses proposed for the county shall comply with the following supplemental standards:

1. No such use shall be located within two (2) miles of any existing residential use. For purposes of this section, measurement shall be made in a straight line from the nearest portion of the building or structure used as part of the premises to the nearest property line of a residential use.
2. All relevant federal, state, and local permits must be obtained prior to securing county approval. The permits shall have been issued within six months of the date of the request for county approval.
3. A drainage plan shall accompany the request showing all off-site drainage and runoff.
4. Proposed facilities shall have direct access off a state maintained road.
5. Site shall be a minimum of ten acres in size.
6. Bufferyards at least one-hundred (100) feet wide shall be required along all side and rear property lines. Bufferyards shall contain a mixture of shrubs, canopy, understory, and evergreen trees, and must be planted and maintained in a healthy

DRAFT

manner. Existing vegetation is preferred and may be substituted in lieu of new plantings.

C. Mining and extraction operations.
Due to the land disturbing nature of these operations, pollution to air and water, and use of explosives to break up earth materials, such uses shall be permitted in the county only under the following conditions:

1. No such use shall be located within 2,000 feet of any residential use. Where explosives are to be employed, the minimum distance shall be increased to two (2) miles. For purposes of this section, measurement shall be made in a straight line from the nearest portion of the property utilized as part of the premises to the nearest property line of a residential use.
2. A mining permit must be obtained from the South Carolina Department of Environmental Services prior to securing county approval, or as a condition of approval. The mining permit must also include information concerning an approved reclamation plan and bonding requirements, if applicable.
3. Bufferyards at least one hundred (100) feet wide shall be required along all side and rear property lines. Bufferyards shall contain a mixture of shrubs, canopy, understory, and evergreen trees, and must be planted and maintained in a healthy manner. Existing vegetation is preferred and may be substituted in lieu of new plantings.

Mining and extraction uses in existence on the date of passage of the Chapter from which this section is derived which are nonconforming, and any extension of such uses, operations, activities or business on such parcel or contiguous parcels under the same ownership on the date of passage of the Chapter from which this section is derived, shall be exempt from these and all other requirements contained herein.

D. Salvage yards and junkyards (as defined in Chapter 7, Article VI of the Union County Code of Ordinances, as amended)

1. No such use shall be located within 1,000 feet of any existing residential use. For purposes of this section, measurement shall be made in a straight line from the nearest portion of the building or structure used as part of the premises to the nearest property line of a residential use.
2. Bufferyards at least fifty (50) feet wide shall be required along all side and rear property lines. Bufferyards shall contain a mixture of shrubs, canopy, understory, and evergreen trees, and must be planted and maintained in a healthy manner. Existing vegetation is preferred and may be substituted in lieu of new plantings.

E. Manufactured Home Parks

1. Manufactured Home Parks shall have a maximum density of four (4) units per acre.
2. Proposed Manufactured Home Parks shall have access off a state-maintained road.

DRAFT

3. Bufferyards at least fifty (50) feet wide shall be required along all side and rear property lines. Bufferyards shall contain a mixture of shrubs, canopy, understory, and evergreen trees, and must be planted and maintained in a healthy manner. Existing vegetation is preferred and may be substituted in lieu of new plantings.

F. Multi-Family Residential Housing

1. Multi-Family Residential Housing shall have a maximum density of eight (8) units per acre.
2. Apartment complexes and Condominium complexes shall have access off a state-maintained road.
3. Multi-Family Residential Housing shall require at a minimum 25% of the project area be allocated as open space.
4. Minimum parking requirements for multi-family residential housing shall be two (2) spaces per unit plus a minimum of 10% of the total number of multi-family units to allow for visitor parking. Parking areas shall be properly lighted for safety and landscaped with a mixture of shrubs and canopy trees. Accessible parking for persons with disabilities shall also be required as per the Americans With Disabilities Act (ADA). The number, size, and location of accessible spaces shall be in accordance with ADA Standards for Accessible Design.
5. Bufferyards at least fifty (50) feet wide shall be required along all side and rear property lines. Bufferyards shall contain a mixture of shrubs, canopy, understory, and evergreen trees, and must be planted and maintained in a healthy manner. Existing vegetation is preferred and may be substituted in lieu of new plantings.

G. Solar Farms

1. The height of solar farm panels shall be measured from the highest natural grade below each solar panel to the top of that panel. Every component of the solar energy farm shall be limited to a maximum fifteen (15) feet in height. Poles and wires necessary to connect to public electric utility shall not be subject to this requirement.
2. All solar farms shall be completely enclosed with a minimum of six (6) feet high chain link or security fencing as measured from the natural grade of the fencing perimeter). The fence must be secure at all times.
3. A facility decommission plan is required prior to obtaining County approval. At least annually, the latest facility decommission plan shall be recorded in the Union County Register of Deeds Office. An applicant must include a decommissioning plan with their development permit application that describes the anticipated life of the solar farm. Simultaneously at the time of application submission the owner of the solar energy system shall provide Union County with a fifty thousand dollar ($50,000.00) or 125% of the decommission costs, whichever is greater, surety or performance bond to be maintained by the solar energy system owner or subsequent owner(s) until the solar energy system is decommissioned. Following a continuous six-month period in which no electricity is generated, the permit holder

DRAFT

shall have six (6) months to complete decommissioning of the solar farm. Decommissioning includes removal of solar panels, buildings, cabling, electrical components and any other associated facilities below grade as described in the decommissioning plan. Prior to the issuance of any electrical permit, the owner of the solar energy system must submit a notarized affidavit acknowledging the above decommissioning obligations. Decommissioning plan must be passed by conveyance to successive owner(s). The fence and gate requirements shall continue until such solar energy system is removed from the parcel or parcels of land upon which it was constructed. Upon failure to accomplish the decommissioning plan, the Union County Building Inspector may take action authorized in the Union County Code of Ordinances as applicable to unsafe buildings.

DRAFT

Sec. 25-8 Definitions

For purposes of this chapter, the following definitions are hereby identified:

Apartment: A part of a property intended for residential use including one or more rooms or enclosed spaces located on one or more floors (or parts thereof) in a building or buildings.

Bufferyards: A mixture of shrubs, canopy, understory, and evergreen trees, planted and maintained in a healthy manner, that provides screening between uses or between a use and a thoroughfare. Existing vegetation is preferred and may be substituted in lieu of new plantings. Fencing may also be utilized in conjunction with vegetation, but not in lieu of vegetation.

Canopy Tree: A tree that is capable of growing to a mature height of more than 30 feet tall.

Condominium: The individual ownership of a particular apartment in a building and the common right to a share, with other co-owners, in the general and limited common elements of the property.

Evergreen Trees: A tree that retains its green foliage throughout the year.

Family Subdivision: The division of land into two or more new lots at one time or over a period of time where conveyance may only be to members of the immediate family of the property owner. Immediate Family is defined as any person who is a natural or legally defined offspring, stepchild, spouse, sibling, aunt, uncle, niece, nephew, grandchild, grandparent, or parent of the property owner.

Flag Lot: A tract of land or lot with a developable area connected to a road by a narrow strip of land (referred to as a flag pole) used for access.

Hazardous Waste Facility and/or Nuclear Waste Facility: All structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste or nuclear waste, including all operations or storage areas, diked overflow, or emergency spillway areas.

Land Development: The changing of land characteristics through development, redevelopment, construction. Land Development activities may include condominium complexes, apartment complexes, townhomes/townhouses, commercial parks, shopping centers, industrial parks, manufactured home parks, commercial and industrial structures, or similar developments.

Landfill: A disposal facility or part of a facility where solid waste is placed in or on land, and which is not a land treatment facility, a surface impoundment, or an injection well.

Lot: A single parcel or tract of contiguous land intended as a unit for transfer of ownership, or for building development, or both.

Manufactured Home: A structure transportable in one or more sections when erected on site and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent

DRAFT

foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure.

Manufactured Home Park: Land in which spaces are offered for rent or lease for the placement of two or more manufactured homes and in which the primary use of the park is residential.

Mining and Extraction Operations: The mining of natural mineral deposits by removing the overburden lying above such deposits and mining directly from the deposits exposed. The term includes but is not limited to such practices as open-cut mining, open-pit mining, strip mining, quarrying, and dredging.

Multi-Family Residence: A property containing two or more dwelling units which are joined together by a common wall. Includes apartments, condominiums, duplexes, tri-plex, quad-plex, and townhomes/townhouses.

Open Space: Natural areas of undisturbed vegetation or areas replanted with vegetation after construction, including, but not limited to, woodlands, recreational areas (whether active or passive in nature), greenways, or natural watercourses. All open space must be maintained to be reasonably free of hazards, nuisances, or unhealthy conditions. Watercourses considered to be open space must remain free flowing and reasonably devoid of debris.

Private driveway: Used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons or the general public.

Private road: This means, relates to, and includes the entire right-of-way of roads, avenues, boulevards, lanes, courts, thoroughfares, culs-de-sac and other ways considered public but not publicly owned and maintained.

Public road: This means, relates to, and includes the entire right-of-way of roads, avenues, boulevards, highways, freeways, lanes, courts, thoroughfares, collectors, culs-de-sac and other ways considered public and either dedicated to, purchased by, adversely possessed or condemned and accepted by the state or the county council.

Setback: The minimum distance permitted between the road right-of-way line and any building, or any projections thereof, other than steps, eaves, chimneys, bay windows, and fire escapes.

Shrubs: a woody plant that is typically smaller than a tree, often utilized in landscaping.

Single-Family Residence: A free-standing residential dwelling existing on a single lot.

Single-Family Residential Accessory: A subordinate structure detached from but located on the same lot as a Single-Family Residence.

Solar Farm: A series of large scale ground-mounted solar collectors placed on a parcel for the purpose of generating photovoltaic power ("PV") for resale purposes. Rooftop solar panels or panels used in conjunction with residential uses are not considered a Solar Farm for the purposes of this ordinance.

DRAFT

Solid Waste Facility: Any land, structures, or systems used for the disposal or storage of solid waste material, including garbage, sewage, trash, rubble, construction debris, and all other kinds of organic or inorganic refuse by abandonment, discarding, dumping, reduction, burial, incineration, or any other similar means.

Structure: Anything constructed or erected which requires permanent location above grade. For purposes of this section, structure does not include landscaping features, fences, walls, mechanical equipment, recreational equipment, agricultural uses, or pole/storage barns.

Subdivision (Major): Any divisions of a tract or parcel of land into seven or more lots or building sites, whether immediate or in the future for sale, lease, or building development.

Subdivision (Simple): Any divisions of a tract or parcel of land into at least two (2) but no more than six (6) lots created at the time of subdivision, if the subdivided parcel is not part of a larger common plan.

Townhome/Townhouse: A residential dwelling connected to other units by common walls and a roof, where the owner typically owns the unit and the land it sits on, but shares ownership of common areas.

Transfer Station: A combination of structures, machinery, or devices at a place or facility where solid waste is taken from collection vehicles and placed in other transportation units, with or without reduction of volume, for movement to another solid waste management facility.

Understory Tree: A single- or multi-stem tree which normally reaches a height of between ten and 30 feet at maturity.

Variance: A grant of relief from a term or terms of this chapter. A variance may not be granted when the variance will result in violation of other federal, state, or local laws, regulations, or ordinances.

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