

ARTICLE 1 TITLE AND AUTHORITY

1.1 TITLE

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

1.2 AUTHORITY

This Zoning Ordinance is designed and adopted pursuant to the authority conferred by the General Statutes of South Carolina, 1976 Code of Laws, 1994 Cumulative Supplement, Title VI, Chapter 29 [S.C. Planning Enabling Act of 1994]

1.3 LEGAL STATUS

Whenever the regulations set forth in this Ordinance require more restrictive standards than are required in or under any other statute, 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.

ARTICLE 2 PURPOSE

2.1 PURPOSE

The zoning regulations and districts set forth herein, have been made in accordance with the City of Anderson, 1990 Comprehensive Land Use Plan, and are deemed necessary in order to preserve and promote health, safety, welfare, comfort, convenience, order, efficient government, and the systematic future development of the City, economic and industrial prosperity; prevent or relieve congestion of population and traffic, control fire hazards, preserve the natural and historic features of the City and beautify the same. This Ordinance divides the City into districts (zones) and regulates them in a way that facilitates the use and development of all areas of the City, and is designed to insure a fair and adequate division of light and air among buildings, protect the residential districts, conserve property values, facilitate adequate provision of water, sewage, schools, parks and other public facilities, and generally encourage the most appropriate use of land throughout the City.

The format of this Ordinance is designed to expedite administration and promote understanding for land use regulation. Use of this Ordinance requires familiarity with its total content. It is necessary to consider the intent of any individual clause with respect to the comprehensive context in which it is presented.

ARTICLE 3
ESTABLISHMENT OF ZONING DISTRICTS AND
DISTRICT BOUNDARIES

3.1 CRITERIA

The City of Anderson is divided into seventeen (17) zoning districts and two (2) overlay districts as determined by the purposes set forth in Article II, taking into account the design, size, and intensity of the use, and/or location of one or more of the following:

<ul style="list-style-type: none">• Sanitary sewer and stormwater drainage structures;
<ul style="list-style-type: none">• Water mains (lines) for purposes of extinguishing fires, and for consumption;
<ul style="list-style-type: none">• Fire stations and fire equipment;
<ul style="list-style-type: none">• Police protection;
<ul style="list-style-type: none">• Transportation facilities, including streets, sidewalks, and bridges;
<ul style="list-style-type: none">• Schools, parks, greenways and other public facilities and requirements;
<ul style="list-style-type: none">• Other utilities services;
<ul style="list-style-type: none">• Potential hazards from fire, flooding and diseases;
<ul style="list-style-type: none">• Access of light and air to buildings;
<ul style="list-style-type: none">• Access for fire and police protection and refuse collection;

3.2 ESTABLISHMENT OF THE DISTRICTS

For the purpose of this Ordinance and based upon the criteria established in Section 3.1, the City of Anderson is hereby divided into the following zoning districts:

ABBREVIATION	CLASSIFICATION
RA	Residential, Agriculture, 40,000 sf. min.
R-40	Residential, Single-Family, 40,000 sf. min.
R-20	Residential, Single-Family, 20,000 sf. min.
R-15	Residential, Single-Family, 15,000 sf. min.
R-10	Residential, Single-Family, 10,000 sf. min.
R-5	Residential, Single-Family, 5,000 sf. min.
RG	Residential General, Multi-Family, 4 units/acre
RM-10	Residential, Multi-Family, 10 units/acre
RM-18	Residential, Multi-Family, 18 units/acre
NP	Neighborhood Professional District
LO	Limited Office District
NC	Neighborhood Commercial District
GC	General Commercial District
CBD	Central Business District
LI	Light Industrial District
HI	Heavy Industrial District
HO	Historic Overlay District
EO	Environmental Overlay District
PDD	Planned Development District

3.3 DISTRICT BOUNDARIES

The boundaries of the zoning districts established in Section 3.2 are hereby delineated on the Official Zoning Map of the City of Anderson, which together with all explanatory matter thereon, is hereby adopted and declared to be an integral 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 Anderson, 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, Title VI, Article 29, changes are made in district boundaries or other matters, such changes shall be portrayed 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 that 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 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 Office of the Division of Planning and Transportation, shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the City.

3.4 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists as to the location of a district boundary line as delineated on the Official Zoning Map, the precise location of the boundary line is to be determined as follows:

- 3.4.1** Where a district boundary line is shown as following along or superimposed upon a lot or tract line (public or private), such lot or tract line shall be deemed to be the boundary line;
- 3.4.2** Where a district boundary line is indicated by a designated number of feet, that distance shall control;
- 3.4.3** Where a district boundary line is shown within or following along a highway, street, alley, or public thoroughfare, such boundary line shall be deemed to be in the center of that facility except in the cases where the side of said facility is designated as the boundary line;
- 3.4.4** Where a district boundary line is shown as following along or superimposed upon a railroad track or tracks, such boundary line shall be deemed to be in the center of the tracks when there is one set of tracks, and in the center of the railroad right-of-way in the event that there are numerous tracks;
- 3.4.5** Where a district boundary line is shown as following along or superimposed upon a stream, river, canal, or lake, such boundary line shall be deemed to be located in the center of the watercourse, except in cases where the bank (side) of watercourse is designated as the boundary line;

3.4.6 Where a district boundary line is shown as parallel to or an extension of features indicated in sub-sections 1 through 5, such boundary line shall be construed to be parallel to or an extension of the existing feature.

3.4.7 Where a district boundary line is shown and its location cannot be determined by any of the rules in sub-sections 1 through 6, its precise location shall be determined by the Board of Zoning Appeals, using a process of scaling on the map, from fixtures, objects, or other features shown on the maps.

3.5 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:

3.5.1 The appropriate classification of newly annexed lands into the city shall be determined by the City Council during the annexation process, based upon the proposed use of the land, as well as those criteria listed in Section 3-1. Of course, the City Council or property owner may later desire to change such classification through normal amendment procedure.

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

ARTICLE 4

APPLICATION OF DISTRICT REGULATIONS

The regulations set forth by this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of land use. Additionally, the following general standards for the enforcement of regulations shall apply, except where provisions for relief are set forth elsewhere in this Ordinance.

4.1 USE OF LAND OR STRUCTURES

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

4.1.2 No structure shall hereafter be erected or altered:

- a)** with greater height, size, bulk, or other dimensions;
- b)** to accommodate or house a greater number of families;
- c)** to occupy a greater percentage of lot area;
- d)** to have narrower or smaller rear yards, front yards, side yards, or other open spaces, than is herein allowed; or in any other manner contrary to the provisions of this Ordinance.

4.1.3 No part of a yard, 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.

4.2 REDUCTION OF LOT SIZE

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.

4.3 USE OF SUBSTANDARD LOTS OF RECORD

Recorded lots which at the time of the adoption of this Ordinance, do not conform to the dimensional requirements of this Ordinance, may nonetheless be utilized as building sites 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 the zoning district in which the non-conforming lot is located, but not so as to prohibit a reasonable use of the parcel. If any 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 prior to the issuance of a Certificate of Zoning Compliance.