

ARTICLE 6

DEFINITIONS

SECTION 1: INTERPRETATION OF CERTAIN TERMS OR WORDS

Except as specifically defined herein, all words used in this Ordinance have their customary dictionary definitions. Words used in the present tense include future tense. Words used in the singular include the plural, and words used in the plural include the singular.

The word “shall” is always mandatory;

The word “may” is permissive;

The word “lot” includes “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 term “Planning Commission” refers to the Georgetown County Planning Commission; and

The term “County Council” refers to the legally constituted and elected governing body of Georgetown County.

SECTION 2: MEANINGS

ADT (Average Daily Trip) The average number of vehicles per day that pass over a given point.

Access A way or means of approach to provide vehicular or pedestrian entrance or exit to a property.

Access Classification A ranking system for roadways uses to determine the appropriate degree of access management. Factors considered include functional classification; the appropriate local governments adopted plan for the roadway, subdivision of abutting properties, and existing level of access control.

Access Connection Any driveway, street, turnout or other means of providing for the vehicles to or from the public roadway system.

Access Management The process of providing and managing access to land development while preserving the regional flow of traffic in terms of safety, capacity, and speed.

Access Road A street designed to provide vehicular access to abutting property and to discourage through traffic.

ADA The Americans with Disabilities Act.

Aisle The distance measured between furthest points of parking spaces for ingress and egress.

Applicant Any authorized agent, entity, or person(s) submitting an application for development

As-Built A map, plan, or layout that shows the location and boundaries of land including existing utility lines and facilities.

Berm A mound of soil, either natural or man-made, intended to buffer land uses or limit access.

Bike Path A surfaced or unsurfaced path designated for use by non-motorized vehicles.

Bikeway A surfaced or unsurfaced pathway designed to be used by non-motorized cycles along the edge of an existing street.

Block A parcel of land bounded by streets or a combination of streets, highways, railroad rights of-way, waterways, or any other barrier to the continuity of development.

Buffer An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural vegetation or created by the use of trees, shrubs, and/or berms, designed to continuously limit the view and sound from the site to adjacent sites or properties.

Building Line The line parallel to the front property line and/or highway right-of-way line that touches the part of the building closest to the street.

Building Permit A written license or permit issued by a local building official that authorizes the construction or renovation of a building or structure at a specific location.

Cemeteries Land that is set apart and used for the interment of the dead or in which bodies (human or other) have been buried. A cemetery may include a structure for the purpose of cremation of remains (human or other) and may include facilities for storing ashes of said remain that have been cremated or interment of the dead in sealed crypts or compartments.

Common Area (See open space-common)

Conditional Approval The action taken by the Georgetown County Planning Commission that provides authorization for a site specific development plan or phased-development plan which is subject to further approval.

Culvert A structure designed to convey a watercourse, not incorporated in a closed drainage system, under a road, railway, or pedestrian walk.

Curb A vertical or upward sloping edge of a roadway usually made of concrete or paving materials.

Dedication An act of transmitting property or interest thereto.

Deed A legal document conveying ownership of real property.

Density The permitted number of dwelling units per acre of land to be developed.

Design Standards Standards that set forth specific improvement requirements as well as layout criteria.

Detention Basin A pond, pool, or basin used for the storage of water runoff and the controlled release of such runoff.

Developer The legal or beneficial owner(s) of a lot of any land included in a proposed development. Also the holder of an option or contract to purchase, or any other person having enforceable proprietary interest in such land.

Development Plan A development plan submitted to the Planning Commission by a landowner describing with reasonable certainty the types and density or intensity of uses for a specific property or properties. The plan may be in the form of, but is not limited to, the following plans or approvals; planned development; subdivision plat; preliminary or general development plan; rezoning plan; or other land-use approval designations as are used by Georgetown County with regard to submitted plans.

Driveway A paved or unpaved area used for ingress or egress of vehicles, and allowing access from a street to a building or other structure or facility. Driveways are not inclusive of public or private roads constructed in accordance with the design standards found in this ordinance.

Easement A grant by the property owner to any person, firm, or corporation, or to the general public, of the use of a strip or parcel of land for a specified purpose.

Engineer A registered professional engineer in good standing with the South Carolina Board of Registration for Professional Engineers and Land Surveyors.

Entranceway Treatments (See open space – common)

Financial Guarantee-Bonded Plats A certified letter of credit or cash deposit where the agent posts 125% of the engineer's itemized construction cost estimates for remaining required improvements.

Financial Guarantee- Roadway Dedication A certified letter of credit or cash deposit where the agent posts funds, in accordance with the Georgetown County Street Dedication Requirements, to cover the repair of defects or deficiencies to roadways dedicated to Georgetown County.

Floodplain Areas subject to periodic flooding which are shown on maps prepared by the Federal Emergency Management Agency (FEMA) for Georgetown County and maintained by the Georgetown County Flood Control Officer.

Floodway The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface evaluation more than one (1) foot.

Golf Course (See open space – common)

Governing Authority The Georgetown County Council having jurisdiction in the area and matter involved.

Grade The slope of a street, public way, or other land specified in percentage (%) terms.

Greenbelts (See open space – recreational)

Greenways (See open space – recreational)

Group Development Group developments include commercial complexes, industrial parks, multi-family complexes (where lot submission does not take place) and office complexes with multiple units located in a single structure on commonly owned and maintained property.

Gutter A shallow channel usually set along a curb or the pavement edge of a road for purposed of catching and carrying off runoff water.

HOA (Homeowner's Association) A group of property owners, established by legal documents, charged with the management of a development, typically having the right to assess fees.

HPR (Horizontal Property Regime) A type of HOA.

Intersection A point where two (2) or more streets cross at grade.

Island In street design, a raised curbed area placed to guide traffic and separate lanes or used for landscaping, signage, or lighting.

Joint Access (or Shared Access) A driveway connecting two (2) or more contiguous sites to the public/private street system.

Land Contract Sale Parcel A parcel created through a contractual agreement in which no deed to transfer ownership occurs until the agreed upon purchase price has been paid in full. The purchaser may or may not be responsible for the property taxes of the parcel.

Land Development The changing of land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, mobile home parks, and similar develops for sale, lease, or any combination of owner and rental characteristics.

Landowner An owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns and personal representatives of the owner. “Landowner” may include a person holding a valid option to purchase real property pursuant to a contract with the owner to act as his agent or representative for purposes of submitting a proposed site specific development plan or a phased development plan pursuant to this ordinance.

Lease Parcel A parcel created for lease, rental, or contractual purposes, and for which the ownership does not change.

Lot A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built on.

Lot, Corner A lot abutting upon two (2) or more streets at their intersection or upon two parts of the same street forming an interior angle of less than one hundred thirty-five degrees (135°).

Lot Depth The average distance measured from the front line to the rear lot line.

Lot, Flag A large lot not meeting the minimum frontage requirements specified in the Georgetown County Zoning Ordinance and where access to the public road is by a narrow, private easement or driveway.

Lot Frontage That portion of the lot abutting a street right-of-way line.

Lot, Nonconforming A lot that does not meet the dimensional requirements of the district in which it is located and that existed before the requirement of the zoning ordinance became effective.

Lot, Through – (double frontage lot) A lot that fronts upon two parallel streets or road rights-of-way; or, that fronts upon two streets or road rights-of-way that do not intersect at the boundaries of the lot.

Lot of Record A lot or parcel that exists as shown or described on a plat or deed in the records of the Registrar of Deeds Office.

Lot Size The size of a lot measured within the lot lines and expressed in terms of acres or square feet. Lots created through the development of land shall meet the minimum size requirements as specified in the zoning ordinance.

Lot Width The horizontal distance between side lot lines measures parallel to the front lot line at the minimum required front setback line as defined in the zoning ordinance.

Major Development Developments requiring formal review and approval of the Georgetown County Planning Commission. Major Developments include the following:

- A. The creation or extension of any new public street
- B. The creation of more than ten (10) lots/units (including the parent tract) or where a private street of 800 feet or greater is utilized to obtain access;
- C. The creation of more than ten (10) lots/units (including the parent tract) regardless of whether adequate access already exists; and
- D. Any group development containing more than ten (10) units or generating more than 1,000 ADT's.

Median A barrier placed between lanes of traffic flowing in opposite directions.

Minor Development Developments requiring the review and approval of the Georgetown County Planning Department as authorized by the Planning Commission. Minor developments include the division of land allowing for the creation of up to ten (10) lots/units (including the parent tract) where creation or extension of a public right-of-way is not required to obtain access.

Mobile Home Park A site where five (5) or more mobile homes are parked for living or sleeping purposes, or where spaces are set aside or offered for rent for use for mobile homes for living or sleeping purposes, including any land, building, structure, or facility used by occupants of mobile homes on such premises.

Natural Water Bodies (See open space – recreation)

Official Map A legal document adopted by the governing body of a community that pinpoints the location of future streets and sites for other anticipated public facilities.

Open Space–Common Improved areas within a land development set-aside for use by all residents in the community. Common open spaces may include the following:

- A. **Entranceway Treatments** – Areas in the development facing an exterior street in which signs are placed next to an interior street to inform motorists of the name of the development.
- B. **Golf Courses** – An area of improved land, planted with grasses and including natural or artificial obstacles, in which the game of golf can be played.

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- C. Mail Centers – Areas designed and intended to be used for the centralized location of mail boxes for incoming and outgoing mail or packages when individual mail boxes will not be located at individual lots or residences.
- D. Wetlands – Wetlands include swamps, marshes, bogs, and similar areas as determined by the appropriate regulatory agency.
- E. Open Space – recreational Areas designed for active or passive uses that are planned, improved, accessible, and useable by persons living within a development. Recreational open spaces may include the following:
- F. Amenities Areas – Areas within a development in which impervious surfaces are added to provide recreational opportunities. Amenities areas may include but are not limited to swimming pools, tennis courts, racquetball courts, and shuffleboard courts.
- G. Greenways – Open spaces designed to incorporate natural settings such as creeks and significant stands of trees within neighborhoods that are entirely within a development and do not abut the exterior boundary of the property. Greenways may be used for certain active uses such as walking, jogging, or bicycling. Greenways differ from a park or square in that their detailing is natural and/or informally planted except along rights-of-way, and may contain irregular topography.
- H. Greenbelts – Greenbelts are at least fifty (50) feet in width that may run along the perimeter of a neighborhood, and serve to buffer a neighborhood from surrounding non-compatible uses such as a highway corridor, industrial district, agricultural areas or adjacent towns. Greenbelts may also link a development to a connected series of planned greenways or greenbelts throughout a community.
- I. Natural or Man-made Water Bodies – Any bay, lake, pond or river greater than three acres in size and created by nature.
- J. Playgrounds – Playgrounds provide sunny and shaded areas for children as well as open shelter with benches for parents. Playgrounds may be built within parks or may stand alone within a residential block.
- K. Playfields – Playfields provide areas designed for a variety of sports/athletic activities in which specific field/play area dimensions are required. Playfields usually include fields for softball, soccer, baseball/t-ball, football, and/or volleyball.
- L. Plaza – A plaza is an open area adjacent to, or part of, a civic building or facility. Plazas function as gathering places and may incorporate a variety of non-permanent activities such as vendors and display stands. Plazas may be left unplanted and may incorporate impervious surfaces.

- M. Park – Parks may be designed for passive and/or active recreational uses that create a central space that serves an entire neighborhood or group of neighborhoods. Parks may incorporate physical features that are an asset to the community such as lake or river frontage, high ground, or significant stands of trees.
- N. Picnic Areas - Areas designed for an outing or excursion in which those taking part share a meal in an area in which the land has been only minimally developed. Picnic areas include tables that may be covered and screened to provide shelter from inclement weather and insects and may include grilles for cooking.
- O. Squares – Squares are areas for passive recreational use. Squares are bounded completely by streets. A square allows for informal gatherings or child play. They must be improved open space but cannot be covered with impervious materials.
- P. Village Green – Open space which serves as a focal point for a development. Village greens are typically bounded by streets and contain planted areas. The village green may contain a monument or gazebo and have civic buildings (churches, community centers, and government buildings) located around the perimeter of the green.
- Q. Open Space – improved - Cleared of underbrush and debris.

Out-parcel Any lot created from an overall tract wherein the remaining tract is larger than any single lot created and wherein the conditions and locations of access to such lot from a public highway or street may be restricted and/or provided through easements granted by the larger tract holder.

POA (Property Owner’s Association) A type of HOA.

Parcel Split A lot created through the subdivision of property into two or more parcels, lots or tracts.

Parent Tract The original lot, parcel, or tract of land as established in the Georgetown County Assessor’s records, from which the proposed subdivided lot(s) will be split. For the purposes of determining minor or major development status, a parent tract is reviewed to determine the total number of parcel splits within a 10-year period.

Park (See open space – recreational)

Parking Lane A lane usually located on the sides of streets, designed to provide on-street parking for vehicular traffic.

Parking Space An area provided for the parking of a motor vehicle.

Phased Development Plan A development plan submitted to the Planning Commission authorized by the local governing body to make land-use decisions that shows the types and density or intensity of uses for a specific property or properties to be developed in phases, but which do not satisfy the requirements for a site specific development plan.

Picnic Area (See open space – recreational)

Plat A map, plan, or layout indicating the location and boundaries of individual properties or a map upon which the developer's plan of the subdivision is presented for approval.

Platting Action Plats prepared for the purposes of displaying changes to property that are required to be recorded as legal documents with the Registrar of Deeds Office and require the review and approval of the Georgetown County Planning Department. Submittal requirements for such plats are shown in Article 2, Section 4. Platting actions include the following:

- A. Parcel Splits
- B. Boundary Surveys/Re-surveys
- C. Estate Plats and Family Transfers
- D. Court Orders
- E. Lot Combinations
- F. Lot Reconfigurations
- G. Mortgage Plats, Lease Parcels, Land Contract Sales Parcel
- H. Easements
- I. As-Built or Record Plans
- J. Conceptual Phasing Plats for Group Developments
- K. Closing Plats for Group Developments
- L. Cemetery Lots

Playfields (See open space – recreational)

Playgrounds (See open space – recreational)

Plaza (See open space – recreational)

Private Road Any road or thoroughfare for vehicular travel which is privately owned and maintained and which provides the principal means of access to abutting properties

Preliminary Approval The action taken by the County Planning Commission which results in the authorization of a site specific development plan or a phased development plan.

Public Road A road under the jurisdiction of the public

Real Property All real property that is subject to the land-use and development ordinances or regulations enacted, approved or promulgated by the Georgetown County Council, and includes the earth, water and air above, below or on the surface, and includes improvements or structures customarily regarded as part of real property.

Reserve Strip A strip of fee simple property directly adjacent to an abutting property line. The property can not be classified as a building lot, utility easement, open space, recreation space or buffer yard.

Retention Basin A pond, pool, or basin used for the permanent storage of water runoff

Right-of-way Land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose. Except for existing county roads located on prescriptive easements, right-of-way as defined herein are characterized by fee-simple ownership. For roads maintained by the county without fee simple ownership, the right-of-way shall be measured from the point of the ditch farthest from the centerline of the road.

SCDOT South Carolina Department of Transportation

Shoulder The graded part of the right-of-way that lies between the edges of the main pavement or curb line and the right-of-way line or ditch

Sidewalk A paved path provided for pedestrian use and usually located at the side of the road within the right-of-way

Sight Triangle A triangular shaped portion of property included within the right-of-way and established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. Sight triangles shall adhere to the requirements established in the most current edition of SCDOT Highway Design Manual.

Site Plan An accurately scaled development plan that illustrates the existing conditions on a land parcel as well as depicting details of a proposed development.

Squares (See open space – recreational)

Storm Water Detention A provision for storage of storm water runoff and controlled release of such runoff after a flood or storm.

Street Any vehicular way that is an existing state, county, municipal, or private right-of-way. For the purpose of this Ordinance, “streets” are divided into the following categories:

Arterial A street or highway which is used to move fast or heavy traffic between population centers, around population centers, or from one section of the area to another. Streets usually considered arterial are: freeways, highways, pikes, and interstates

Collector Street A vehicular way designated primarily to connect arterials, or to connect local streets with arterials, or to provide access from residential areas to major destination points such as shopping or employment centers, and which may be expected to carry a significant volume of traffic having neither origin nor destination on the street. Streets usually considered collector are: streets, avenues, boulevards, parkways, and roads.

Subcollector Street A vehicular way designated primarily to connect local streets with collectors and which may be expected to carry some-what higher traffic volumes the residential origin streets. Streets usually considered subcollector are: drives, streets, avenues, and roads.

Access Street The lowest order of street. Provides frontage for access to lots, and carries traffic usually originating on same. Streets usually considered access are: circles, courts, paths, places, trails, and ways.

Subdivider Any person, firm, corporation or other legal entity subdividing land within the jurisdiction of this Ordinance.

Subdivision 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, lease, or building development, and includes all divisions of land involving a new street or change in existing streets, and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots of record; however, the following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivisions:

- A. the combination or recombination of portions of 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;
- B. the division of land into parcels of five acres or more where no new street is involved and plats of these exceptions must be received as information by the planning agency which shall indicate that fact on the plats; and
- C. the combination or recombination of entire lots of record where no new street or change in existing streets is involved.

Surveyor A registered land surveyor in good standing with the South Carolina Board of Engineering Examiners.

Trip A single or one-way vehicle movement to or from a property or study area

Vested Right The right to undertake and complete the development of property under the terms and conditions of a site specific development plan or a phased development plan as provided in this ordinance, the Vested Rights Act and in Georgetown County land development ordinances or regulations.

Village Greens (See open space – recreational)

Wetland Wetlands include swamps, marshes, bogs and similar areas as determined by applicable regulatory agencies

Yard An open space on the same lot with the principal building, open, unoccupied and unobstructed by buildings from the ground to the sky except as otherwise provided in this Ordinance.

Front Yard The area extending across the entire width of the lot between the front lot line and the nearest part of the building foundation, including covered porches, elevated decks, etc.

Side Yard A yard extending along the side lot line from the front yard to the rear lot line and lying between the side lot line and the nearest part of the building foundation, including covered porches, elevated decks, etc.

Rear Yard The yard extending across the rear of the lot between inner side yard lines and lying between the rear lot line and the nearest part of the building foundation, including covered porches, elevated decks, etc.

Zoning Ordinance The officially adopted Zoning Ordinance of Georgetown County, South Carolina.