

## **DEFINITIONS**

AASHTO	The American Association of State Highway and Transportation Officials.
Addition	A structure added to the original structure at some time after the completion of the original, or an extension, alteration, or increase in floor area or height of a building or structure.
Accessory	A use, structure or part of a structure customarily incidental and subordinate to the principal use of a zoning lot or of a structure. An accessory use is located on the same zoning lot as the principal use, except in the cases of off-street parking and temporary construction facilities.
Adjacent	Next to or within 100 feet. Adjacent properties include those properties which abut a property, as well as properties with any portion being located within 100 feet of any boundary of the subject property.
Accessory Dwelling Units	In a residential or attached housing district, a subordinate dwelling, attached to or detached from the main building, without separate utilities, which is not used for commercial purposes nor rented but which may contain servants quarters, a washroom, a storage room for domestic storage only, and/or space for one or more automobiles. In any district, a subordinate dwelling, the use of which is incidental to and used only in conjunction with the main building.
Administrative and Business Office	The use of a building or a portion of a building for the provision of executive, management, or administrative services.
Administrative Decision	Any order, requirement, decision, or determination by the Planning Director or his or her designee relating to the administration or enforcement of the Town of Kiawah Island Land Use Planning/Zoning Regulations.
Administrative Permit	A permit which may be granted by the Planning Director or other designated administrative official.
Adult Day Care Facility	A facility licensed by the South Carolina Department of Health and Environmental Control (DHEC) for adults 18 years of age or older, which offers in a group setting a program of individual and group activities and therapies. The program is directed toward providing community-based day care services for those adults in need of a supportive setting. The program shall provide a minimum of four and a maximum of 14 hours of operation a day. (See S.C. DHEC. Regulation 61-75, Standards for Licensing-Day Care Facilities for Adults).
Agricultural Processing	The preliminary processing and packaging of agricultural products, such as a packing shed. Agricultural processing shall not include slaughter houses, butcheries, tanneries or rendering plants.

Agricultural Sales and Service

An establishment engaged in the retail or wholesale sale from the premises of feed, grain, fertilizers, pesticides and similar goods.

Agriculture

The production, keeping or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program.

Alley

Minor right-of-way used primarily for vehicular access to the rear or side of properties otherwise abutting a street at the front.

Alteration, Structural

Any change in the supporting members of a building or structure, such as bearing walls, columns, beams, or girders, or in the dimensional or configurations of the roof or exterior walls. Structural alterations shall not include the application of exterior siding to an existing building for the purpose of beautifying and modernizing.

Ambient Air Quality Standard

An acceptable concentration of an air pollutant in a community.

Animal

Any live or dead dog, cat, nonhuman primate, guinea pig, hamster, rabbit, or any other warm blooded animal, which is being used, or is intended for use for research, teaching, testing, experimentation, or exhibition purposes, or as a pet. This term excludes: Birds, rats of genus *Rattus* and mice of the genus *Mus* bred for use in research, and horses not used for research purposes and other farm animals, such as, but not limited to livestock or poultry, used or intended for use as food or fibre, or livestock or poultry used or intended for use for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber. With respect to a dog, the term means all dogs, including those used for hunting, security, or breeding purposes.

Animal Aquaculture

Land devoted to the hatching, raising, and breeding of fish, shrimp or other aquatic animals for commercial purposes. Animal aquaculture shall include those accessory uses and activities customarily associated with this type of operation, as determined by the Planning Director.

Animal, Exotic

Any animal not identified in the definition of “animal” that is native to a foreign country or of foreign origin or character, is not native to the United States, or was introduced from abroad. This term specifically

includes animals such as, but not limited to, lions, tigers, leopards, elephants, camels, antelope, anteaters, kangaroos, water buffalo, and species of foreign domestic cattle, such as Ankole, Gayal, and Yak.

Animal Production	The raising of animals on pasture land or production of animal products on an agricultural or commercial basis. Animal Production shall include those accessory uses and activities customarily associated with this type of operation, as determined by the Planning Director. Animal Production shall not include concentrated animal feeding operations, slaughter houses or butcheries.
Apartment	One or more rooms with a private bath and kitchen facilities comprising an independent, self-contained dwelling unit in a building containing two or more dwelling units.
Applicant	An owner of property or a developer submitting an application for an approval pursuant to Articles 12A, 12C or 12E of this Code.
Application	The relevant application form and all accompanying documents required by Articles 12A, 12C or 12E for approval of a use or development plan.
ARB	The Kiawah Island Architectural Review Board that is operational pursuant to the Declaration of Rights, Restrictions, Affirmative Obligations and Conditions Applicable to all Property in Kiawah Island, as amended.
Arboretum	<i>See Botanical Gardens.</i>
Arborist, Certified	A person certified by the International Society of Arboriculture.
Archive	<i>See Library.</i>
Art Gallery	A room or structure in which original works of art or limited editions of original art are bought, sold, loaned, appraised, or exhibited to the public.
ASTM	The American Society for Testing Materials.
Aviation	Airports, landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security. Aviation also includes facilities for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express between modes of transportation.
Bank	A financial institution that is open to the public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities.
Bar (or Lounge)	A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, where 25 percent or more of the gross

receipts are for sale of alcohol. This use includes taverns, cocktail lounges, and any member exclusive bars or lounges.

Banner	A strip of cloth containing a message or advertisement.
Barn	A farm building used for storing farm products or sheltering livestock. This term excludes any residential use or non-agricultural use.
Base Course	The layer or layers of specified or selected material of designated thickness or rate of application, placed upon a sub-base or subgrade to comprise a component of the pavement structure, to support the pavement or subsequent layer of construction.
Beachfront (or Oceanfront) (Property)	Property situated along or having direct access to a beach.
Bed and Breakfast	A portion of an owner-occupied dwelling unit or detached accessory structure offering transient lodging, with or without breakfast, to paying guests on an overnight basis, usually staying less than seven days.
Berm	A man-made landscape feature generally consisting of a linear mound of soil. Temporary soil stockpiles and retaining walls shall not be considered a berm.
Block	An area within the Town enclosed by streets and occupied by or intended for buildings; or, if said word is used as a term of measurement, it shall mean the distance along a side or street between the nearest two streets which intersect said street on said side.
Board of Zoning Appeals (BZA)	The Board of Zoning Appeals for the Town of Kiawah Island, South Carolina is also referred to as the "Board" or "BZA."
Boat Slip	A docking space alongside a pier, wharf or mooring dolphins in which a waterborne boat may be moored. For purposes of this ordinance and in the absence of an authorized quantity of boat slips by state or federal regulating agencies, a boat slip shall be considered a minimum length of 25 feet for side mooring and 15 feet for stern moorings.
Boat Yard	A land-based operation primarily for the repair and service of boats, including any incidental storage of boats in the process of being repaired. This term does not include boat building.
Botanical Garden	A place, generally open to the public for a fee, where a wide variety of plants are cultivated for scientific, educational, or ornamental purposes.
Bridge	A structure, including supports, erected over a depression or an obstruction, and having a track or passageway for carrying traffic or other moving loads.
Buffer, Landscape	A vegetated area of varying width designed exclusively to provide screening between adjoining properties, rights-of-ways, parking lots and

structures.

Buffer, Critical Line	An area of varying width providing a visual, spatial, and ecological transition zone between the OCRM Critical Line and land development.
Bufferyard	A strip of land, identified on a concept plan, site plan or development plan, established to protect one type of land use from another land use or to provide screening. Normally, a buffer is landscaped and kept in open space uses.
Building	A structure which is permanently affixed to the ground, has a roof supported by columns or walls, and is used for human, animal, or chattel enclosure. When a portion thereof is completely separated from every other portion by a dividing wall (or firewall when applicable) without openings or an unenclosed breezeway, then each such portion shall be deemed to be a separate building.
Building Code	A recorded description of building and structural specifications prepared and approved in compliance with the Building Code, of the Municipal Code, Town of Kiawah Island, South Carolina.
Building Cover	The proportion, expressed as a percentage, of the area of a zoning lot covered by all buildings located thereon, including the area covered by all overhanging roofs.
Building Height	The vertical distance between the base flood elevation, or ground level if the structure is not in a Flood Hazard area as defined by the Federal Emergency Management Agency (FEMA), and: 1) the average height level between the eaves and ridge line of a gable, hip or gambrel roof; or 2) the highest point of a mansard roof; or 3) the highest point of the coping of a flat roof.
Building Line	Any line parallel or approximately parallel to the street line or other property line and beyond which buildings may be erected.
Building Official	The officer or other designated authority charged with the administration and enforcement of this Ordinance.
Building Permit	An official document or certificate issued under the Building Code for any carpentry, masonry, roofing, or related construction or repair. A building permit is not required for construction under 1,000 dollars, unless the construction or repair involves a structural modification or work done by a contractor.
Building, Principal	A building in which is conducted the principal use of the zoning lot on which it is situated. In a residential district, any dwelling shall be deemed to be a principal building on which the lot is situated.
Bulk Standards	Regulations that establish the maximum size of buildings and structures on a lot and the buildable area within the building or structure may be located.

Bus Passenger Stand	A small, roofed structure, usually having three walls, located near a street and designed primarily for the protection and convenience of bus passengers.
Business	Includes retail, commercial and manufacturing uses and districts as herein defined.
Business (Vocational or Trade) School	A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college, or university.
Canopy	A roofed structure constructed of fabric or other material supported by the building or by support extending to the ground directly under the canopy and placed so as to extend outward from the building providing a protective shield for doors, windows and other openings and for protection from sun or weather.
Canopy Tree	A tree, with a diameter of at least 2½ inches (as measured 6 inches above grade) at the time of planting, which will grow to a minimum height of 50 feet at maturity.
Capital Improvements Program	A proposed schedule setting forth all future capital facility projects in order of construction priority, together with cost estimates and the anticipated means of financing such projects which are required to implement the Comprehensive Plan.
Caretaker	An individual or family who resides on premises as an accessory use for the purpose of maintaining, protecting, or operating a permitted principal use on the premises.
Catering Service	An establishment that prepares and provides food and related services to off-premise locations.
Causeway	An earthen structure with at least one side adjacent to a depression, wetland, or marsh that supports a road for carrying traffic or other moving loads.
Cemetery	Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoriums, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.
Center Line of Street	The line surveyed and monumented as the center line of the street; or if such center line has not been surveyed, it shall be the line running midway between the curbs or ditches of such street.
Child Day Care Facility	A facility or dwelling unit that regularly (more than twice a week, for more than four hours, but less than 24 hours) provides child day care for

seven or more children. This definition includes “Child Care Centers” and “Group Day Care Homes,” which are licensed by the South Carolina Department of Social Services (DSS).

Charter Boat (or other Recreational Watercraft) Rental	A land-based operation primarily for the rental or leasing of boats or other recreational watercraft.
Church	A place of assembly and worship by a recognized religion including synagogues, temples, churches, instruction rooms and the place of residence for ministers, priests, rabbis, teachers and directors of the premises, but does not include a parochial or similar school.
Cocktail Lounge	A business establishment which sells alcoholic beverages for consumption on the premises as its primary trade.
College or University Facility	An educational institution that offers courses of general or specialized study leading to a degree.
Common Open Space	Open space, not in individually owned lots or dedicated for public use, but which is designed and intended for the common use or enjoyment of the residents of the development. Common open space shall be substantially free of structures, but may contain such improvements as are approved as a part of the development plan for such district and are appropriate for the residents of the district.
Communication Service	An establishment primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms, but excludes those classified as major utility facilities.
Communications Tower	A tower of any size that supports communication equipment, transmission or reception, and is utilized by commercial, governmental, or other public or quasi-public users. This does not include communication towers for amateur radio operators licensed by the federal Communications Commission which are exempt from local zoning restrictions or communications towers under 100 feet in height used solely for educational communications purposes.
Community Character	The image of a community or area as defined by such factors as its built environment, natural features and open space elements, type of housing, architectural style, infrastructure, and the type and quality of public facilities and services.
Community Recreation	A recreational facility that is the principal use of a parcel of land and that is for use by residents and guests of the following: a particular residential Development, Planned Development, church, private primary or secondary educational facility, community affiliated

non-profit organization. Community Recreation can include both indoor and outdoor facilities.

**Community Recreation Center**

A public or quasi-public building designed for and used as a social, recreation, and cultural center. As a part of such recreation centers, there may be included craft rooms, music rooms, game rooms, meeting rooms, auditoriums, swimming pools, and kitchen facilities. Kitchen facilities and dining areas shall be used for special events only.

**Community Residential Care Facility**

A facility licensed by the South Carolina Department of Health and Environmental Control (DHEC), which offers room and board and provides a degree of personal assistance for a period of time in excess of 24 consecutive hours for 10 or more persons, 18 years old or older, unrelated to the operator. Included in this definition is any facility (other than a hospital), which offers a beneficial or protected environment specifically for the mentally ill, drug addicted or alcoholic, or provides or purports to provide any specific procedure or process for the cure or improvement of that disease or condition. A Community Residential Care Facility with 9 or fewer residents shall be considered a “family.” (See S.C. DHEC Standard for Licensing, Regulation 61-84-Community Residential Care Facility).

**Comprehensive Plan**

The master plan adopted pursuant to the South Carolina Code.

**Concentrated Animal Feeding Operation**

A confined area or facility within which the property is not grazed or cropped annually, and which is used and maintained for the purposes of engaging in the business of the reception and feeding of: more than 50 beef or dairy cattle; more than 50 horses; more than 150 hogs, sheep or goats; more than 1,000 or more birds, such as turkeys, chickens, ducks or geese: or more than 1,000 small animals, such as guinea pigs, rabbits, and minks. This term shall also include commercial feed lots.

**Conditional Approval**

The official action of the Zoning and Planning Commission conferring certain rights subsequent to preliminary approval but prior to final approval after specific elements of a preliminary plat have been agreed upon by the Commission and the applicant.

**Conditional Use Permit**

A permit formerly issued by the Planning Department authorizing a particular use in a specified location within a zoning district, upon demonstrating that such use complies with all the conditions and standards specified by the zoning Ordinance.

**Congregate Living**

A residential facility providing 24-hour supervision and assisted living for no more than 15 elderly residents (age 60 or older), not needing regular medical attention.

Construction Plan	Complete construction drawings of a facility or improvement, including but not limited to road plans and profiles and drainage plans.
Construction Permit	A series of permits that may include building, electrical, plumbing, HVAC (Heating, Ventilating and Air Conditioning), or gas permits.
Construction Services	Any of the activities commonly referred to as construction and shall include without limiting thereby, plumbing, heating, roofing, interior remodeling, excavating.
Consumer Convenience Service	An establishment providing services, primarily to individuals, of a frequent or recurrent nature.
Contextual Zoning	Zoning that regulates the height and bulk of new buildings, their setback from the street line, and their width along the street frontage, to conform with the character of the neighborhood.
Convalescent Service	A use providing bed care and in-patient services for persons requiring regular medical attention, but excluding a facility providing surgical or emergency medical services. This term excludes facilities providing care for alcoholism, drug addiction, mental disease, or communicable disease. Typical uses include nursing homes.
Convenience Store	Establishments primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, newspapers, and limited household supplies, to customers who generally purchase only a few items. Convenience stores shall not include fuel pumps or the selling of fuel for motor vehicles.
Convention Center or Visitors Bureau	A formal meeting place where the building or rooms are rented or leased to the members, representatives, or delegates of a particular group. These centers can usually accommodate large groups.
Council	The Town Council of the Town of Kiawah Island, South Carolina ("Town Council") is also referred to as the "Council."
Country Club	Land area and buildings containing golf courses, recreational facilities, a clubhouse, and other customary accessory uses, open only to members and their guests.
County	Charleston County, South Carolina.
County Health Department.	The Charleston County Health Department.
County Public Works Department.	The Charleston County Department of Public Works.

Courtyard	An open unoccupied space, other than a yard, on the same Zoning lot with a building, unobstructed from floor or ground level to the sky.
Counseling Service	An establishment providing counseling, guidance, or similar services to persons requiring rehabilitative or vocational assistance. This term includes job training and placement services.
Crop Production	The raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis. Crop production shall include those accessory uses and activities customarily associated with these types of agricultural operations, as determined by the Planning Director. This definition excludes any agricultural uses that are more specifically defined in this Ordinance.
Cul-de-sac	The turnaround at the end of a dead-end street, but can be used to describe a street with only one means of ingress and egress and having a turnaround at the end.
Culvert	Any structure not classified as a bridge which provides an opening under any roadway, including pipe culverts and any structure so named in the plans.
Curb	A stone, concrete or other improved boundary usually marking the edge of a road or other paved area.
Data Processing Services	Establishments primarily involved in the compiling, storage, and maintenance of documents, records, and other types of information in digital form utilizing a main frame computer.
Decibel (Db)	A unit which describes the sound pressure level or intensity of sound. A sound level meter is calibrated in decibels.
Decision-Making Body	The entity that is authorized to finally approve or deny an application or permit as required under this Ordinance.
Dedication	The action of a property owner, developer or subdivider to transfer property, or an interest in property, to the Town or other service provider. The approval of a land development plan or subdivision plat may not be deemed to automatically constitute or effect an acceptance by the Town of a proposed dedication of a street, easement, or other ground shown on the plat. Acceptance of the dedication must be by action of the Town Council by ordinance, independent of the action on the application.
Density, Dwelling Unit Capacity	The determination of dwelling unit capacity for group dwellings is calculated as six (6) persons per dwelling unit.
Density, Dwelling Units Per Acre	The number of dwelling units per acre. The determination of dwelling units per acre is calculated exclusive of water bodies and land below the mean high water level.

Design Professional	An individual or firm appropriately licensed and registered in the State of South Carolina.
Detention	The temporary holding back of stormwater and releasing it at a controlled rate.
Developer	The legal or beneficial owner or owners of a lot or of any land included in a proposed development; or the holder of an option or contract to purchase, or any other person having an enforceable proprietary interest in such land.
Development	The planning for or carrying out of a building activity or mining operation, the making of material change in the use or appearance of any structure or property, or the dividing of land into three or more parcels.
Development Agreement	Current Development Agreement with KRA (Kiawah Resort Associates) or their successors.
Development Application	A request for any development approval, including all supplementary information specified in the code or on the application form.
Diameter Breast Height (DBH)	The total diameter, in inches, of a tree trunk or trunks measured at a point 4½ feet above existing grade (at the base of the tree). In measuring DBH, the circumference of the tree shall be measured with a standard diameter tape, and the circumference shall be divided by 3.14.
Director of Public Works	The Director of the Charleston County Department of Public Works of the Town of Kiawah Island, or his authorized representative.
Dock	A structure extending into or upon a waterway, marshland or other natural water feature that provides docking space for ten boats or less.
Dock, Community	Any docking facility that provides access for more than four families, has effective docking space of no more than 250 linear feet and is not a marina. Effective docking space means adequate length and water depth to dock a 20-foot boat.
Dock, Fixed	A structure that can either be a portion of a dock that does not float, but is fixed, i.e the walkway and pierhead, or it is the fixed pierhead which is the deck area at the end of a walkway.
Dock, Floating	A structure that is part of a pier or dock that floats and provides easy access to moored boats.
Dock, Joint Use	Any private dock intended for the use of two to four families.
Dock, Private	Any facility that provides access for one family, and is not a marina.

Drainage	The removal of surface water or groundwater from land by drains, grading or other means.
Drip Line	An imaginary vertical line extending from the outermost circumference of the branches of a tree to the ground.
Driveway	A paved or unpaved area used for ingress or egress of vehicles from a street to a building, garage or other structure or facility.
Dry Stack Storage for Watercraft	A facility for storing boats out of water. This is principally a land operation, where boats are dry stored or “stacked” until such time as they are transferred to the water for use.
Duplex	A building designed as a single structure, containing two separate living units, each of which is designed to be occupied as a separate permanent residence for one family.
Dwelling, Single-Family Attached	Two or more dwelling units, constructed with common or abutting walls and each located on a separate lot. Also known as townhouses or rowhouses.
Dwelling, Single-Family Detached	One dwelling unit that is not attached to any other dwelling units and is located on an individual lot.
Dwelling, Multi-Family	A building or portion thereof containing three or more dwelling units and used for occupancy by three or more households living independently of each other.
Dwelling Unit	One (1) or more connecting rooms, designed, occupied or intended for occupancy as a separate living quarter for occupancy by a single household, which have direct access to the outside or to a common hall, with cooking, sleeping and sanitary facilities provided within the dwelling unit. Dwelling units are usually located in dwellings, but may be included as a mixed or accessory use in buildings or in group quarters.
Dwellings, Accessory Residential	A dwelling unit which is accessory to a primary use and intended for occupancy in support of the primary use, such as caretakers or family members. Units rented or leased independently of the primary structure are not accessory.
District	A section of the Town for which the regulations governing the area, height or use of the building are uniform.
Easement	A privilege or right of use, access or enjoyment granted on, above, under or across a particular tract of land by the landowner.
Easement, Drainage	The right of access of stormwater runoff from the adjacent natural drainage basin into the drainage way within the drainage easement.

Earth Roads	Those in which the traveled roadway is constructed of compacted earth material.
Educational Nursery	<i>See Pre-School.</i>
Elderly Residential Care Facility	A facility which provides full-time residential care, for not more than ten (10) elderly persons who are unrelated to the operator, and require personal assistance (personal assistance is defined by S.C.D.H.E.C. Regulation Number 61-84 - Standards for Licensing - Community Residential care Facility, as amended May 24, 1992).
Electric Substation	Structures and appurtenant facilities used for the distribution of electric energy in voltages less than 115,000 volts.
Escrow	A surety bond, certified check, or other instrument readily convertible to cash, provided by the Applicant, payable to the Town, and held by a responsible third person until the fulfillment of a specified condition.
Enlargement	An increase in the size of an existing structure or use, including physical size of the property, building, parking, or other improvements. Enlargement would also include the addition of other structures or uses on the lot.
Facade	The entire building wall, fascia, windows, doors, canopy and on any complete elevation.
Family	An individual, or two or more persons related by blood or marriage living together; or a group of not more than six individuals, including live-in servants, not related by blood or marriage but living together as a single housekeeping unit. Residents of Community Residential Care Facilities licensed by the South Carolina Department of Health and Environmental Control (DHEC) for nine or fewer individuals shall be considered a family.
Family Day Care Home	An occupied residence in which child day care is provided on more than two days a week for periods of less than 24 hours, but more than four hours, for no more than six children, including those children living in the home and children received for day care who are related to the resident caregiver. Family day care homes are licensed by the South Carolina Department of Social Services (DSS). (See S.C. code of laws, 1976, as amended, Section § 20-7-2700).
Family, Immediate	The property owner's or property owner's spouse's, parents, children, grandparents, grandchildren, nieces, nephews, aunts or uncles.
Farm	A parcel of land five acres or more that is used for one or more of the following: the tilling of the land, the raising of crops, fruits, and

vegetables, and the raising and keeping of animals and plants.

FEMA	The Federal Emergency Management Agency, which promulgates Flood Boundary and Floodway Maps.
Fence (or Wall)	An upright barrier or structure, including any gate which is part thereof, comprised of any material, including without limitation, hedgerow or other plant material, which serves to enclose, divide, protect, confine, screen, or mark the boundary of an area or structure or any portion thereof, or, in the case of a wall, also to support.
Financial Guarantee	Surety intended to ensure that all improvements, facilities, or work required by this Ordinance will be completed, restored or maintained in compliance with this Ordinance.
Financial Service	An establishment primarily engaged in the provision of financial and banking services.
Finished Grade	The average elevation of a lot after construction.
Flag	A piece of fabric or other flexible material, usually rectangular and of distinctive design which is used as a symbol, such as for a nation, state, locality, or corporation.
Flexible Zoning	Zoning techniques designed to allow flexibility in use and/or density of project design, including, but not necessarily limited to, cluster development, floating zones, performance zoning, planned development, overlay zones and conditional uses.
Floodplain	Any land with a one percent chance of being inundated by water from any source in any given year, as identified by the Federal Emergency Management Agency (FEMA) or other credible floodplain storage.
Floor Area	The sum of the gross horizontal areas of the several floors of the building, measured from the exterior faces of the exterior walls or from the center lines of walls separating two buildings, computed as follows: (1) floor space devoted to the principal use of the premises, including accessory storage areas located within selling or working space, such as counters, racks, or closets; (2) any basement floor area devoted to the production or processing of goods or to business or professional offices. Floor area shall not include space devoted primarily to storage purposes (except as otherwise noted herein), off-street parking or loading facilities, including ramps, and maneuvering space, or basement floor area, other than area devoted to retailing activities, the production or processing of goods, or business or professional offices.
Floor Area Ratio (FAR)	The ratio of the total usable floor space of all buildings on a parcel divided by the total highland area.
Florist	A commercial activity offering for sale cut flowers, ornamental plants, floral arrangements, real or artificial, and related accessories including

cards, figurines, and indoor ornamental fixtures.

Food Sales	An establishment primarily engaged in the retail sale of food for home consumption. These establishments may include the sale of beer and wine in unopened containers for off-premise consumption where the sale of products other than beer and wine comprise at least 51 percent of the gross sales of the establishment, and at least 51 percent of the total display or shelf space is devoted to products other than beer and wine.
Funeral Service	An establishment engaged in undertaking services such as preparing the human or animal dead for burial and arranging and managing funerals.
Garage Apartment	A single dwelling unit located over a private detached garage and containing square footage no greater than that of the garage.
Garage, Private	An accessory structure or space on a lot with a dwelling unit devoted to or designed for the storage of automobiles and small (3/4 ton capacity or less) trucks and boats less than 20 feet in length and not used for business purposes or occupancy.
Garden Supplies Center	A commercial activity offering for sale indoor or outdoor plants, garden fixtures, packaged plant food, or pesticides, garden tools, manually or power operated with associated parts and accessories. Not included is farm equipment elsewhere provided for in this Ordinance.
Gasoline Service Station	Any premises used primarily for the retail sale of fuel for automobiles, light and medium trucks, motorcycles, recreational vehicles, and other consumer motor vehicles. Gasoline service stations may include light maintenance such as engine tune-ups, lubrication, minor repairs, and carburetor cleaning, but shall not include heavy vehicle maintenance activities such as engine overhauls, automobile painting, and body fender work. This term may also include the sale of motor vehicle accessories, or used tires taken in trade on the premises, but does not include vehicle, moving truck, or trailer sales or rental.
General Contractor	An establishment that has the ability to furnish a variety of building materials and provide multiple construction services at a specified price.
Geographical Information System (GIS)	A computer-based system for generating maps comprised of different informational elements.
Golf Course	A tract of land laid out for at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards, and that may include a clubhouse and shelter.
Governing Body	<i>See Town Council.</i>
Government Office	Federal, state, county or city offices, administrative, clerical or public

contact services, together with incidental storage and maintenance of necessary vehicles.

Grade

For the purpose of determining building height:

1. For buildings adjoining one street only, it is the elevation of the sidewalk directly opposite the center of that wall which adjoins the street; in such case where the average elevation of the finished ground surface adjacent to the exterior walls of the building is lower than the elevation of the sidewalk grade, or where there is no sidewalk grade, or where there are no sidewalks, the grade shall be the average elevation of the ground on the lowest side adjacent to the exterior walls of the building.
2. For buildings adjoining more than one street, it is the elevation of the sidewalk directly opposite the center of the wall adjoining the street having the lowest sidewalk elevation.
3. For buildings having no wall adjoining the street, it is the average level of the finished ground surface adjacent to the exterior walls of the building.
4. All walls which are approximately parallel to and not more than 25 feet from a front lot line shall be considered as adjoining the street. In alleys, the surface of the paving shall be considered to be the sidewalk elevation. Where the elevation of the sidewalk or alley paving has not been established, the Public Works Director shall determine such elevation for the purpose of this Ordinance.

Greenhouse

A partially or fully enclosed structure which is used for the growth of plants.

Greenhouse Production

Ornamental plants or food crops grown for wholesale sale within an enclosed structure or under cover.

Gross Floor Area

The total enclosed area of all floors in a building with a clear height of more than six (6) feet, measured to the outside surface of the exterior walls. Parking facilities, driveways, and airspace above the atria ground floor are excluded from gross floor area calculations. Enclosed loading areas and off-street maneuvering area also are excluded, but not the dock area itself.

Gross Leasable Area (GLA)

The total floor area for which the tenant pays rent and that is designed for the tenant's occupancy and exclusive use. GLA does not include public or common areas, such as utility rooms, stairwells and malls.

Ground Cover

Low-growing plant material less than 18 inches in height.

Ground Floor Level.

The Natural Ground or the lowest floor elevation for structures as set forth in the Town's floodplain management ordinance, whichever is higher provided, however, that Ground Floor Level shall not exceed 14 feet above Natural Ground. This definition shall not be construed to prevent an owner from constructing a first floor higher than Ground Floor Level, provided, however, that height is measured from Ground

Floor Level.

Group Care Home, Residential

A staffed residence, licensed by the South Carolina Department of Social Services (DSS), with a population of fewer than 20 children who are in care apart from their parents, relatives, or guardians on a full-time basis. Group Care Homes are classified by different levels of care ranging from independent to assisted living.

Group Residential/Quarters

The residential use of a site, on a weekly or longer basis, for occupancy by groups of more than six persons not defined as a family, such as fraternity or sorority houses, dormitories, or residence halls. This term does not include rooming or boarding houses.

Hardware Store

A retail store where items such as plumbing, heating, and electrical supplies, sporting goods, and paints are sold.

Head-In Parking Spaces

Parking spaces which are directly accessed from street right-of-way that require the user to drive backwards in the right-of-way to enter or exit this space.

Heavy Construction Services

Services involved in road, bridge, building, or other infrastructure construction.

Height

The elevation from Ground Floor Level as measured in feet and stories. Height in stories is the number of habitable floors (stories) exclusive of the area below the first finished floor. One-half story is a habitable floor which has heated square footage that is no greater than one-half the heated square footage of the largest story. In measuring the height of a building, the following structures shall be excluded: chimneys, cooling towers, elevator bulkheads, tanks, water towers, radio and television towers, ornamental cupolas, domes or spires, and parapet walls not exceeding four (4) feet in height.

Height (Of Signs)

The vertical distance measured from ground level at the base of the sign structure to the highest point of sign structure.

Highland

The area of land above the OCRM Critical Line.

Historical Site

A structure or place of outstanding historical and cultural significance and designated as such by the Town of Kiawah Island, the State of South Carolina, or the National Register of Historic Places.

Hobby Shop

An accessory use housed in a dwelling or in an accessory building in which the residents of the premises engage in recreation activities, none of which shall disturb the neighbors on either side or in the rear thereof, and which no goods may be publicly displayed, offered for sale, or advertised for sale, nor may any sign be used in connection therewith.

Home Health Agencies	A public, nonprofit, or proprietary organization licensed by the South Carolina Department of Health and Environmental Control (DHEC) which furnishes or offers to furnish home health services. These services include part-time or intermittent skilled nursing care, as ordered by a physician and provided by or under the supervision of a registered nurse, and at least one other therapeutic service. The majority of home health services are furnished on a visiting basis in a place of temporary or permanent residence used as the individual's home. (See S.C. DHEC Regulation 61-77, Standards for Licensing Home Health Agencies) .
Home Improvement Center	A facility with over 5,000 square feet of floor area engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, paint and glass, housewares and household appliances, and garden supplies. Facilities under 5,000 square feet shall be considered a "hardware store."
Home Occupation	An accessory use of a dwelling unit or its accessory structure for gainful employment.
Homeowners' (or Property Owners') Association	A formally constituted non-profit association or corporation made up of the property owners and/or residents of a fixed area. The Homeowners' or property owners' association may take responsibility for costs and upkeep of common open space or facilities, or enforce certain covenants and restrictions.
Horticultural Production	Land used to grow horticultural and floricultural specialties (such as flowers, shrubs, or trees intended for ornamental or landscaping purposes) for wholesale or retail sale in order to be transplanted to a different location. Retail sales shall not comprise more than 25 percent of gross sales. This definition excludes crop and greenhouse production that have been identified elsewhere in this Ordinance.
Horticulture and Landscaping Services	This activity shall include landscaping, tree trimming, tree removal, and other similar services together with associated equipment and machinery directed toward the care of trees, plants, or lawns.
Hospital	A licensed facility primarily providing in-patient medical, surgical, or psychiatric care for a period exceeding 24 hours. Hospital facilities may also include out-patient services and the following types of accessory activities: out-patient diagnostic and treatment centers, rehabilitation facilities, offices, laboratories, teaching facilities, meeting areas, cafeterias, maintenance, and parking facilities. This definition includes General Hospitals, Specialized Hospitals, Chronic Hospitals, Psychiatric and Substance Abuse Hospitals or Hospices. (See S.C. Department of Health and Environmental Control Regulation 61-16, Standards for Licensing-hospital and General Infirmaries, and Regulation 61-78, Standards for Licensing-Hospices).

Hotel or Inn	A building or arrangement of buildings designed and occupied as a temporary abiding place of individuals who are lodged with or without meals, in which the rooms are usually occupied singularly for hire, and in which there are six or more sleeping rooms.
Hydroponics	Land used to produce, for wholesale sale, plants grown in nutrient-enriched water, where no soil is used.
Impact Fees	Charges assessed against newly-developing property that attempt to recover the cost incurred by a local government in providing the public facilities required to serve the new development.
Impervious Surface	Any material which prevents, impedes or slows infiltration or absorption of storm water directly into the ground at the rate of absorption of vegetation bearing soils, including buildings, asphalt, concrete, gravel and other surfaces.
Improvements	Street pavements, curbs, sanitary and storm sewers, permanent street monuments, sidewalks, drainage, culverts, utilities, water lines and connections, sewer lines and connections, lighting fixtures and other similar capital and public facility projects.
Incentive Zoning	The granting by the approving authority of additional development capacity in exchange for a public benefit or amenity.
Indigenous Produce	Fresh fruit, vegetables, and agronomic crops (crops such as field corn, soybean, wheat, and oats) grown in, or are characteristic of Charleston County. This term specifically excludes livestock, animals, or seafood.
Infill Development	The addition of new housing or other buildings on scattered vacant sites in a built-up area.
Inoperable Vehicle	Any motor-driven vehicle, regardless of size, which is incapable of being self-propelled upon the public streets of the Town or which does not meet the requirements for operation upon the public streets, including a current motor vehicle registration.
Island Based Employee	Employees that are employed full or part time on Kiawah Island, yet reside off the Island.
Kennel	A facility that provides boarding for three or more dogs, cats, or other household pets for a fee, and may include grooming, breeding, training, or selling of animals.
KICA	The Kiawah Island Community Association, Inc.

KICA Covenants

Refers to the Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc. recorded in the RMC Office for Charleston County in Book M 114, Page 407, and amendments thereto.

Kiawah Island

The area within the Town of Kiawah Island, South Carolina, including its surrounding marshes and nearby islands and includes all lands and areas encompassed within the boundaries of the low lands, high lands marsh lands and waterways. Kiawah Island is bounded by the Atlantic Ocean to the East, the Kiawah River to the South and the Stono River to the North.

Kindergarten

A school for children of pre-public school age in which constructive endeavors, object lessons and helpful games are prominent features of the curriculum.

Land Development

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 developments for sale, lease, or any combination of owner and rental characteristics.

Land Surveyor

To determine the boundaries, area, or elevations of (land or structures on the earth's surface) by means of measuring angles and distances, using the techniques of geometry and trigonometry.

Library

A room or building for exhibiting, or an institution in charge of, a collection of books; artistic, historical, or scientific objects.

Liquor, Beer, or Wine Sales

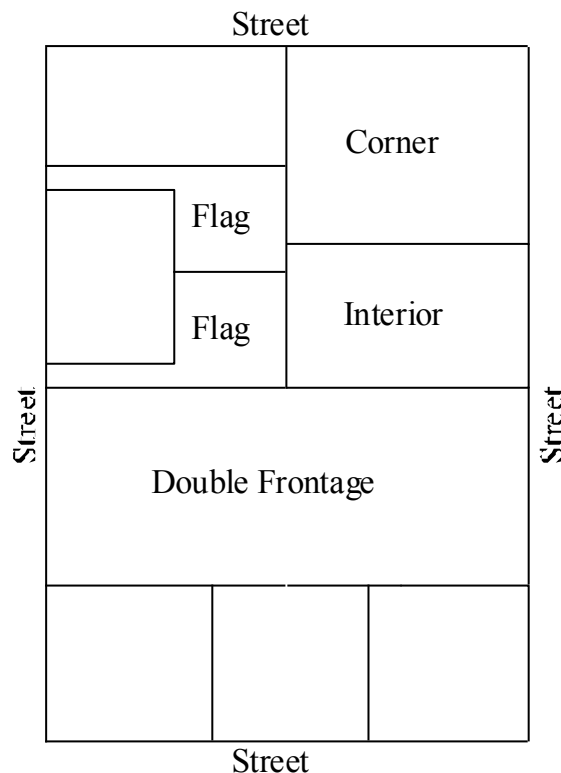
An establishment primarily engaged in the retail sale of alcoholic beverages for off-premises consumption. This definition includes all retail stores where the sale of alcoholic beverages comprises 49 percent or more of gross sales.

Living Area

That portion of the dwelling unit utilized for living purposes within the exterior walls of the structure and does not include porches, breezeways, garages and carports.

Lodging House

A building other than a hotel, where lodging for five or more persons is provided for compensation.



Lot	The Development Parcel identified in a Subdivision Plat recorded in the Charleston County, RMC office; also referenced to as zoning lot, parcel, plot or tract.
Lot Area	The area of the lot shall be the net horizontal area of the lot and shall not include portions of streets, alleys and areas below mean high water and water bodies.
Lot Coverage	Total percentage of lot area that is impervious including buildings, and pervious driveways and walkways, and other pervious paved areas and including pervious decks and porches.
Lot, Double-Frontage	An interior lot that abuts on two parallel streets or that abuts on two streets that do not intersect at the boundaries of the lot. Lots with access on a street and alley shall not be considered double-frontage lots.
Lot, Flag	A lot having no frontage or access to a street or place except by a narrow strip or easement.
Lot Frontage	The distance for which a zoning lot abuts on a street.
Lot Line	A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.
Lot Line, Front	The lot line(s) separating a lot from a street right-of-way(s).
Lot Line, Interior	The lot line other than a front lot line.
Lot Line, Rear	The lot line opposite and most distant from the front lot line.
Lot Line, Side	Any lot line other than a front or rear lot line.
Lot Width	<ol style="list-style-type: none"> <li>1. Width of a Corner Lot: <ol style="list-style-type: none"> <li>A. if there are two street yard lines, the shorter of such lines;</li> <li>B. if there are more than two street yard lines, the average length of the two shortest of such lines.</li> </ol> </li> <li>2. Width of an Interior Lot: the length of the front yard line.</li> <li>3. Width of a Through Lot: a width or widths determined on the basis of a reasonable division of the lot into segments fronting on several streets.</li> </ol>
Lot, Corner	Either a lot bounded entirely by streets or a lot which adjoins the point of intersection or meeting of two or more streets.
Lot, Depth	The mean horizontal distance between the front and rear lot lines.
Lot, Interior	A lot other than a corner lot.
Lot, Through	An interior lot which abuts on two or more streets.

Lots of Record, Approved	A platted parcel or parcels of land created and recorded with the Register of Mesne Conveyance of Charleston County since January 1, 1955, in conformance with the subdivision regulations and bearing the Planning Commission or Council stamp of approval, or identical parcels created and recorded by plat or meets and bounds prior to January 1, 1955.
Lot, Zoning	Any lot that falls within the jurisdiction of the Town of Kiawah Island's Planning/Land Use Regulations.
Main Utility Lines	Those facilities including piping, conduits, outlets, and other appurtenances necessary for the proper functioning of essential services to a development including water, electricity, gas, sanitary sewer, storm sewer, cable, communications, etc.
Maintenance Agreement	An agreement which may be required and accepted by the Town or another designated governmental agency to ensure that necessary improvements are maintained and will function as required for a specific period of time.
Maintenance Guarantee	Any security which may be required and accepted by the Town or another designated governmental agency to ensure that necessary improvements are maintained and will function as required for a specific period of time.
Major Recreational Equipment	A term including, but not limited to, boat, boat trailer, recreational vehicle, and containers for transporting such equipment, whether occupied thereby or not.
Manufactured Housing Unit	Any residential dwelling Unit Constructed to Standards and Codes Set Forth by the United States Department of Housing and Urban Development, including the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Article 5401). The term does not include recreational vehicles, travel trailers or motorized homes licensed for travel on highways, nor manufactured housing units designed and built to meet applicable requirements of South Carolina Modular Buildings Construction Act.
Manufacturing and Production	An establishment engaged in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, this is a subordinate part of sales. Relatively few customers come to the site.
Marina	A marina is any of the following as defined by OCRM: (a) locked harbor facility; (b) any facility which provides fueling, pump-out, maintenance or repair services (regardless of length);

- (c) any facility which has permanent docking space of 250 linear feet or greater;
- (d) any water area with a structure which is used for docking or otherwise mooring vessels and constructed to provide temporary or permanent docking space for more than ten boats; or
- (e) a dry stack facility.

Maximum Extent Feasible	The point at which all possible measures have been undertaken by the applicant, at which point further measures would involve physical or economic hardships that would render a development project unfeasible or would be unreasonable in the judgment of a review or Decision-Making Body.
Mean Sea Level	Elevation 0.0 as determined by NGVD29 datum.
Medical Clinic – Outpatient Services	An office or clinic for the private practice of health care professionals licensed by the State of South Carolina. The majority of patient encounters in the office or clinic involve examination, diagnosis, treatment, or surgical procedures on an outpatient basis not extending beyond a 24 hour period. This definition excludes any facilities that have been more specifically defined in this Ordinance.
Medical Office	An office used exclusively by a physician, dentist, and/or similar personnel for the treatment and examination of patients solely on an outpatient basis, provided that no overnight patients shall be kept on the premises.
Medical Services	Any services provided by a licensed medical practitioner.
MHW	Mean High Water.
Mini-Warehouse	A structure containing separate, individual and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time.
Mixed-use Structure	A structure containing both residential and nonresidential uses.
MLW	Mean Low Water.
Modular Building Unit	A building including the necessary electrical, plumbing, heating, ventilating, and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building and not designed for ready removal to another site. A modular Building Unit must meet the applicable requirements of the South Carolina Modular Buildings Construction Act. This term is not to be limited to residential dwellings.

Motion Picture/Live Theater	A structure that contains audience seating, one or more screens/auditoriums, and a lobby and refreshment stand.
Motor Vehicle	Every vehicle that is self-propelled that can be licensed and registered to be driven on public streets, roads or rights-of-ways, except mopeds, and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.
MSL	Mean Sea Level.
Mulching Operation	An operation that produces mulch. Mulch consists of organic substances placed on the earth as a protective covering around plants to retard weed growth and prevent moisture evaporation and freezing of roots.
Multi-Family	See “Dwelling, Multi-Family” for definition.
Museum	A registered nonprofit organization displaying, preserving, and/or exhibiting objects of community and cultural interest in one or more of the arts and sciences.
Natural Ground	The average elevation of a lot or development parcel prior to Development activity.
Nature Exhibition	A public display of materials or living things of the outdoors, including the re-creation of native natural wildlife habitats. This term does not include facilities, such as zoos, where the primary purpose is the display of live animals.
News Syndicate Services	A publication, printed on newsprint, intended for general circulation, and published regularly at short intervals, containing information and editorials on current events and news of general interest.
NGVD	The National Geodetic Vertical Datum.
Non-Commercial Copy	Material written for informational purposes only. This material is non-promotional and does not advertise a business or service.
Nonconforming Lot	A tract of land, designated on a duly recorded subdivision plat, or by duly recorded deed, or by other lawful means, that complied with the lot area, lot width and lot depth standards of the zoning district in which it was located at the time of its creation, but which does not comply with the minimum lot area, lot width or lot depth requirements of the zoning district in which it is now located.
Nonconforming Sign	A sign that was legally established but which no longer complies with the Sign Regulations of this Ordinance.
Nonconforming Structure	A structure or portion thereof which was lawfully erected or altered, but which does not comply with the regulations applicable to new structures in the zoning district in which it is located.

Nonconforming Use	A use which was lawfully established and maintained, but which does not comply with the use regulations applicable to new uses in the zoning district in which it is located; the use of any land, building, or structure which does not conform with currently applicable use regulations, but which complied with use regulations in effect at the time the use was established.
Office	A building used primarily for conducting the affairs of a business, profession, service, industry, or government or like activity, and may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper or candy stand, and child care facilities.
Office of Coastal Resource Management (OCRM) Critical Line Area	This line is defined by the South Carolina Department of Health and Environmental Control's Office of Ocean and Coastal Resource Management at the date of application and determines their jurisdiction.
Office/Warehouse Complex	A structure or group of structures offering compartments of varying size for rental to different tenants for the storage of commercial goods or wares, conducting of certain retail trade activities, or provision of those personal or business services permitted by zoning.
Open Space	An area that is not divided into building lots, streets, driveways, parking lots or rights-of-way and is intended to provide light and air, and is designed for either environmental resource protection, wildlife habitats, scenic views, or recreational purposes as allowed.
Open Storage	The location of bulk items, assemblies or sub-assemblies in areas exposed to weather, in whole or in part, for the end use of further manufacturing process, sale or transportation. This shall include, but not be limited to, open display of transportation vehicles, marine craft, aircraft, mobile homes, modules, recreation vehicles, junk yards, or "piggy-back" containers. It does not include uses that are totally enclosed.
Outdoor Living Space	Uncovered, horizontal open space on a Zoning lot, which space: <ol style="list-style-type: none"> <li>1. Does not include loading or parking areas, driveways, or refuse storage area and is so arranged as to prevent entry by motor vehicles;</li> <li>2. Is paved, landscaped, or otherwise improved to make it suitable for passive or active outdoor recreational use and in the case of roofs and balconies is so arranged as to be safe for use by children;</li> <li>3. Is readily accessible to the residents of the building for which it is required; and</li> <li>4. May include land, balcony, and roof areas.</li> </ol>
Outside Storage	The keeping, in an unroofed area, of any goods, junk, material, merchandise or vehicles in the same place for more than 24 hours.
Owner	An individual, firm, association, syndicate, partnership or corporation having a sufficient proprietary interest in land to seek development of the land.

Patio Home	A detached one family dwelling on a separate lot with open space setbacks on three sides and with a court.
Parcel	A contiguous lot or tract of land owned and recorded as the property of the same person or persons, or controlled by a single entity.
Park	An open space with natural vegetation and landscaping; may include recreational facilities.
Parking Lot	An open area providing off-street parking for the motor vehicles of residents, tourists, customers, or employees on a temporary, daily, or overnight basis.
Parking Garage	A building where residents, tourists, customers, or employees park their motor vehicles on a temporary or daily basis with a service charge or fee being paid to the owner or operator.
Parks and Recreation	Parks, playgrounds, swimming pools, recreation facilities, and open spaces available to the general public, either without a fee or under the management or control of a public agency.
Parole or Probation Office	An office for those who supervise parolees or persons placed on probation by a court in criminal proceedings.
Paved Streets	Those in which the traveled roadway is constructed of a layer or layers of materials with the surface usually being constructed of Portland cement concrete or asphaltic concrete.
Pavement	The uppermost layer of material placed on the street usually as the wearing or riding surface. This term is used interchangeably with surface course or surfacing and will usually imply portland cement concrete or asphalt concrete.
Pennants, Streamers, and Other Moving Devices	Pennants, ribbons, streamers, spinners, light bulbs, or other similar moving devices when part of a sign, or when used to draw attention to a business or its signs.
Pending Ordinance Doctrine	The Zoning Administrator has the authority to refuse a permit for a use which is repugnant to the terms of a proposed zoning ordinance or amendment pending at the time of application for the permit. An ordinance is legally pending when the governing body has resolved to consider a particular scheme of rezoning and has advertised to the public its intention to hold public hearings on the rezoning.
Person	Individual, proprietorship, partnership, corporation, association, or other legal entity.
Personal Improvement Education	An establishment primarily engaged in the provision of information or

instruction relating to a particular subject or hobby. This term excludes any educational services more specifically defined in this Ordinance.

**Personal Improvement Service**

An establishment primarily engaged in the provision of informational, instructional, personal improvements or similar services, excluding any services that have been more specifically defined in this Ordinance.

**Personal Services Establishment**

An Establishment that provides nonmedically related services, including, but not limited to, beauty and barber shops; clothing rental; dry cleaning pick-up stores; shoe repair shops; tanning salons. These uses may also include accessory retail sales of products related to the services provided.

**Pet, Household**

Domestic animals typically kept for company or enjoyment within the home. Household pets shall include but not be limited to: domestic cats; domestic dogs; domestic ferrets; gerbils; guinea pigs; hamsters; domestic laboratory mice; domestic rabbits; goldfish, canaries and parrots.

**Pet Grooming Salons**

An establishment primarily engaged in the grooming of household pets.

**Pet Store**

An establishment primarily engaged in the retail sale of household pets.

**Pervious Surface**

Any material that permits full or partial absorption of storm water into previously unimproved land. This may include walkways and driveways which are pervious to stormwater.

**Pier**

A structure that accesses water for any number of uses that consists of walkway, pierhead and floating dock.

**Planned Development District**

A zoning district established under the provisions of Section 12A-213.

**Planning Commission**

The Planning Commission of the Town of Kiawah island as created by the Town Council and given the responsibilities set forth in the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (the "Act"). See the Act, Sections 6-29-340 through 6-29-380; may also be referred to as "Commission," "Local Planning Commission" or "Planning and Zoning Commission".

**Planning Director**

The Director of the Charleston County Planning Department, or his authorized representative, who shall also serve as the zoning enforcement officer.

**Plants**

The term plants is meant to include seed, seedlings, nursery stock, roots, tubers, bulbs, cuttings, and other plant parts used in the propagation of field crops, vegetables, fruits, flowers, or other plants.

Plat	A recorded graphic description of property prepared and approved in compliance with Article 12C, Subdivision Regulations of the Municipal Code, Town of Kiawah Island, South Carolina, as amended.
Plat, Conditional	A plat proposed in accordance with the provisions of the Subdivision Regulations, which provides detailed land development specifications and is submitted subsequent to an approved preliminary plat and construction plan.
Plat, Final Plat Approval	The official action of the Commission approving or conditionally approving a preliminary, conditional or final plat.
Plat, Final	A plat proposed in accordance with the provisions of the Subdivision Regulations, which is in the proper format for filing and recordation. Approval is granted upon completion or installation of all improvements, or the posting of a performance guarantee assuring completion or installation.
Plat, Preliminary	A plat prepared in accordance with the provisions of the Subdivision Regulations, which is submitted for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it.
Postal Service, United States	Postal services, including post offices, bulk mail processing, or sorting centers operated by the United States Postal Service.
Pre-School	A school, with an accredited training program and staffed with certified teachers, for children who are not old enough to attend kindergarten.
Preliminary Approval	The official action of the Zoning and Planning Commission conferring certain rights prior to final approval after specific elements of a preliminary plat have been agreed upon by the Commission and the applicant.
Preserved	To remain relatively unchanged. In relation to open space, preserved shall mean land placed in a Conservation Easement with a permanent deed restriction that prohibits further development.
Principal Use	The primary or predominant use to which a property is or may be devoted and to which all other uses on the premises are accessory.
Private Club	A privately-owned, by-invitation-only association of two or more members who may have the use of land and facilities owned or leased by the club and made available to members, their guests, and others as the club owner(s) may allow from time to time; membership may be for social, civic, recreational, and/or other lawful purposes with such membership conditioned upon the receipt of dues, fees, or other charges as are levied by the club owners.
Private Postal or Mailing Services	A commercial business which conducts the retail sale of stationery products, provides packaging and mail services (both U.S. Postal and private service), and provides mailboxes for lease.
Professional Office	A use providing professional or consulting services in the fields of law,

architecture, design, engineering, accounting, and similar professions. This term does not include “Medical Office or Clinic” or “Parole or Probation Office.”

Protected Tree	Any tree with a diameter breast height of 24 inches or greater, excluding pine trees, and any tree with a diameter breast height of six inches or greater within required buffers or any other required landscape areas.
Publicly Designated Area	An area set aside for public use, by any federal, state, or local government.
Public (or Community) Health Care Center	A publicly owned facility or not-for-profit organization providing health services for ambulatory patients. These centers can include related facilities, such as laboratories, clinics, and administrative offices typically operated in connection with such care centers. This term does not include facilities to treat mental health or substance abuse.
Public Project	Any project by or for a public agency using real property, as owner or tenant that falls within the jurisdiction of the Town of Kiawah Island. These public agencies include: <ol style="list-style-type: none"><li>1. Agencies and departments of the State of South Carolina,</li><li>2. Counties, county agencies and departments, and</li><li>3. Municipalities, municipal agencies, and departments.</li></ol>
Public Works Director	The Director of the Department of Public Works of the County of Charleston or an authorized representative.
Rack	A storage slip for a boat in a dry stack storage facility.
Radio and Television Broadcasting Studio	An establishment containing one or more broadcasting studios for over-the-air, cable or satellite delivery of radio or television programs, or studios for the audio or video recording or filming of musical performances, radio or television programs or motion pictures. This term does not include a transmission tower.
Recreation and Entertainment, Indoor	Participatory and spectator-oriented recreation and entertainment uses conducted within an enclosed building, excluding any sexually oriented businesses.
Recreation and Entertainment, Outdoor	Participatory and spectator-oriented recreation and entertainment uses conducted in open, partially enclosed, or screened facilities, excluding any sexually oriented businesses.
Recreation Center	A building designed for and used as a social, recreation, and cultural center. As a part of such recreation centers there may be included craft

rooms, music rooms, game rooms, meeting rooms, auditoriums, swimming pools, and kitchen facilities.

**Recreation (or Vacation) Camp**

An area or tract of land primarily used for recreational purposes that retains an open air or natural character. Accommodations for temporary occupancy, such as cabins and tents, may be located or placed in these areas. This definition does not include areas for recreational vehicles or motorized campers.

**Recreational Equipment**

Equipment associated with indoor and/or outdoor participatory and spectator-oriented recreation and entertainment uses.

**Recreational Vehicle**

A highway vehicular, portable structure designed as a temporary dwelling for travel, recreational, and vacation uses. The term includes camping trailer, motor home, travel trailer, and truck campers; the term does not include manufactured housing units.

**Recreational Vehicle Park**

Any lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy as temporary living quarters for purposes of recreation or vacation. This term does not include any premises on which unoccupied recreational vehicles, whether new or used, are parked for the purposes of inspection, sale, storage, or repair.

**Recycling Center**

An establishment engaged in the processing, collection and transfer of recyclable materials. Typical recyclable materials include: glass, paper, plastic, cans, motor oil, or other source-separated, non-decayable materials.

**Recycling Collection (Drop-off) Facility**

A facility used for the collection and transfer, but not the actual processing, of any of the following recyclable materials: glass, paper, plastic, cans, or other source-separated, non-decayable materials. "Recyclable materials" at a Recycling Collection Facility shall not include motor oil, chemicals, household appliances, tires, automobiles, automobile parts, or decayable materials.

**Rehabilitation Facility**

A facility operated for the primary purpose of assisting in the rehabilitation of disabled individuals through an integrated program of medical, psychological, social, or vocational evaluation and services under competent professional supervision.

**Religious Assembly**

A church, synagogue, temple, monastery, convent, retreat center or any permanent or temporary building providing regular, organized religious worship of any denomination and religious education incidental thereto, but excluding private primary or secondary educational facilities day care facilities. A property tax exemption obtained pursuant to state law shall constitute prima facie evidence of religious assembly use.

Relocated Tree	A protected tree that has been relocated in accordance with the requirements of this Ordinance.
Remodel	The internal or external alteration or change, in whole or in part, of a structure or thing that changes its characteristic appearance or the fundamental purpose of its existing design or arrangement and the uses contemplated. Not included in this meaning are the terms "enlargement" and "extension".
Repair Service, Commercial	An establishment engaged in the repair or servicing of industrial, business or consumer machinery, equipment, tools, scientific or professional instruments, or similar products or by-products. Firms that service consumer goods do so mainly by providing centralized services for separate retail outlets.
Repair Service, Consumer	An establishment primarily engaged in the provision of repair services to individuals and households rather than firms, but excluding vehicle and commercial repair services.
Required Tree	Term used to refer, either collectively or separately, to all trees required to be retained or replaced.
Residential Building or Use	A residential building is a building containing only residential uses and uses accessory thereto.
Residential Short Term	Any real property rented except dwelling units rented less than two weeks per annum.
Residential Treatment Facility for Children and Adolescents	A facility licensed by the South Carolina Department of Health and Environmental Control (DHEC) operated for the assessment, diagnosis, treatment, and care of two or more children and/or adolescents in need of mental health treatment. The services include a special education program, recreational facilities, and residential treatment. This definition excludes facilities that are appropriately licensed by the State Department of Social Services. (See S.C. DHEC Regulation 61-103, Standards for Licensing-residential Treatment Facilities for Children and Adolescents)
Responsible Entity	Either (1) the unit of local government responsible under State law for the maintenance of the roadway, or (2) in the case of private roadways (non-publicly maintained), the owner of the property on which the roadway is located, or a homeowners association, if existing, previously created to maintain the roadway.
Restaurant, Fast Food	An establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried or griddled quickly, or heated in a device such as a

microwave oven. A Fast-food Restaurant generally has one or more of the following characteristics:

1. It serves ready-to-eat foods, frozen deserts, or beverages in edible or paper, plastic or disposable containers;
2. It serves foods that customers carry to the restaurant's seating facilities, to motor vehicles, or off-premises; or
3. It serves foods through a pass-through window, (which includes any and all drive-in restaurants)
4. Alcoholic beverages shall not comprise more than 25 percent of gross receipts.

Restaurant, General	An establishment engaged in the preparation and retail sale of food and beverages for on-premises consumption, where the sales of alcoholic beverages does not comprise more than 25 percent of gross receipts. This definition does not include Fast-Food restaurants.
Retail Sales and Services, General	An establishment primarily engaged in the sale of new or used products to the general public, but excluding those establishments more specifically defined in this Ordinance.
Retirement Housing	The use of a site for one or more dwelling units designed for independent living and marketed specifically for the elderly, persons with physical disabilities or both.
Review Body	The entity that is authorized to recommend approval or denial of an application or permit required under this Ordinance.
Right-of-way	Land that has been, or is being, dedicated for the construction and maintenance of a street. "Right-of-way" may also be used to identify an area dedicated for use as part of a drainage system or utility corridor.
Road Code	A recorded description of right-of-way specifications prepared and approved in compliance with Article 12E, Road Code of the Municipal Code, Town of Kiawah Island, South Carolina.
Roadside Stand	A small open air structure for the retail sale of sweetgrass baskets or indigenous produce grown or produced on the farm where the Roadside Stand is located.
Roadway	The entire area between the outside limits of construction, including appertaining structures, all slopes, ramps intersections, drive, and side ditches, channels waterways, etc., necessary for proper drainage. This term shall in general be considered synonymous with "street" or "road".
Rock Road	Those in which the traveled roadway is constructed of compacted rock material creating a rock driving surface.
Rooming House	A dwelling other than a hotel where for compensation and by pre-arrangement for definite periods, lodging is provided for three or more,

but not exceeding 20, persons on a weekly or monthly basis.

Rowhouse	<i>See Townhouse.</i>
Safety Service	Facilities for the conduct of public safety and emergency services.
School, Primary	A public, private or parochial school offering instruction at the elementary school level in the branches of learning and study required to be taught in the public schools of South Carolina.
School, Secondary	A public, private or parochial school offering instruction at the middle (junior) and senior high school levels in the branches of learning and study required to be taught in the public schools of South Carolina.
Scrap and Salvage Service (or Junk Yard)	An establishment primarily engaged in the storage, retail or wholesale sale, assembling, dismantling, sorting, distributing, or other processing of scrap, used equipment, mechanical components, or waste materials.
Screening	Various combinations of walls, fences, earthen berms, trees, shrubbery, and landscape materials which comprise a screening plan approved by the Planning Director or designee to fulfill the requirements and serve the purposes of these regulations.
Screening, Semi-Opaque	A combination of screening elements to partially obscure horizontal views between abutting or adjacent properties.
Servants Quarters	An accessory building or portion of a main building located on the same lot as the main building and used as living quarters for servants employed on the premises and not rented or otherwise used as a separate domicile.
Self-service Storage (or Mini Warehousing)	Storage services primarily for personal effects and household goods within enclosed storage areas having individual access, but excluding use as workshops, hobby shops, manufacturing, or commercial activity.
Service Station, Gasoline	A facility limited to retail sales to the public of gasoline, motor oil, lubricants, motor fuels, travel aides, and minor automobile accessories.
Setback	A required minimum distance from a lot line or street right-of-way that establishes an area within which a structure shall not be erected.
Setback, Front	The setback measured from all street right-of-way(s).
Setback, Interior	The setback measured from any interior lot line.
Setback, Line	A line measured from and parallel to a lot line.
Setback, Rear	The setback measured from the rear lot line.

Setback, Side	Any setback other than a rear or front setback.
Sewer	Any pipe or conduit used to collect and convey sewage or stormwater runoff from the generating source to treatment plants or receiving streams.
Sewer, Lateral	Pipes conducting sewage from individual buildings to larger pipes called truck or interceptor sewers that are generally located in street rights-of-way.
Sewer, Main	In any system of continuous piping, the principal artery of the water or sewer system to which branches or lines may be connected.
Shopping Center	A group or cluster of stores or buildings, divided for separate commercial or service facilities, organized in a balanced arrangement for retail trade, with provisions for parking.
Shrub	A self-supporting perennial plant of low stature characterized by multiple stems and branches running continuous from the base.
Sight Triangle	A triangular-shaped portion of land established at street intersections in which nothing is permitted which limits or obstructs the sight distance of motorists entering or leaving the intersection. The sides of the triangle measure 25 feet from the intersection of the projected edge of pavement lines.
Sign	Any device or representation for visual communication that is used to announce, direct attention, or advertise, and which is located on or attached to the premises, real property, structures on real property, or a vehicle, and which is visible from a public street or way.
Sign, Abandoned	A sign advertising a person, business, service, event or other activity that is no longer available or a sign containing inaccurate or outdated information.
Sign, Animated	Any sign so designed as to facilitate or permit the rotation, oscillation, or other movement of the sign or of any of its visible parts.
Sign, Area of	The entire area within a continuous perimeter, enclosing the extreme limits of sign display, including any frame or border. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The area of signs composed of individual letters, numerals, or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letters or devices. Area devoted to required house numbers shall not be included in the calculation of maximum sign area. The calculation for a double-faced sign shall be the area of one face only. Double-faced signs shall be constructed so that both faces are either parallel or have an interior angle of less than 90 degrees, and the two faces shall not be more than 12 inches apart.
Sign, Flashing	Any lighted or electrical sign that emits light in sudden transitory bursts.

For purposes of this Ordinance, strobe lights in window fronts visible from public rights-of-way are included in this definition. On/off time and temperature signs and message boards are not considered flashing signs for the purpose of this Ordinance.

Sign, Free-standing	A sign supported by a sign structure secured in the ground and which is wholly independent of any building, other than the sign structure, for support. A sign on a fence shall be considered a freestanding sign.
Sign, Height of	The vertical distance measured from ground level at the base of the sign structure to the highest point of sign structure.
Sign, Illuminated	A sign designed to give forth artificial light or to reflect artificial light from a source incorporated in or associated with such sign.
Sign Imitating Traffic Devices (Signals)	Signs of such size, location, movement, content, coloring or of a manner of illumination that could be confused with or construed to be traffic control devices; or hide from view any traffic or street signal; or obstruct the view in any direction from a street intersection.
Sign Imitating Traffic Signs	Signs that imitate official traffic signs or signals or signs that contain the words 'stop', 'go', 'danger', 'slow', 'caution', 'warning', or similar words in such a fashion as to imitate official traffic signs or signals.
Sign in Disrepair	Any sign that contains damaged or defective parts, or otherwise presents an unsightly appearance due to lack of maintenance.
Sign in Marshes	Signs erected or displayed in a marsh area or on land subject to periodic inundation by tidal action.
Sign, Monument	A free-standing sign with a sign (support) structure that: (1) is designed as one architecturally unified and proportional element with the sign itself, (2) is at least 90 percent of the width of the sign face and (3) is solid from grade at the base of the sign to the top of the sign structure.
Sign, Off-Premises	Any sign located or proposed to be located at any place other than within the same platted parcel of land on which the specific business or activity being identified on such sign is itself located or conducted.
Sign, On-premises	A sign which directs attention to a business or profession conducted, or to a principal commodity, service or entertainment sold or offered on the premises where such sign is located.
Sign, Pedestal	A free-standing sign with a sign (support) structure that: (1) is designed as one architecturally unified and proportional element with the sign itself, (2) is at least 50 percent of the width of the sign face and (3) is solid from grade at the base of the sign to the top of the sign structure.

Sign, Portable	Signs which usually rest on the ground on wheels or metal legs, and may be temporarily anchored by weights and/or cables attached to stakes driven into the ground.
Sign, Real Estate	Temporary sign advertising the real property upon which the sign is located for rent or lease or sale; advertising a business or businesses to be located on the premises; or advertising the architect, contractor, developer, finance organization, subcontractor or material vendor upon which property such individual is furnishing labor, services or material.
Sign, Roof	Any sign erected upon, against, or directly above a roof or roof eave, or on or above any architectural appendage above the roof or roof eave.
Sign, Snipe	A non-permitted sign pasted or attached to utility poles, trees, fences, or other locations.
Sign, Temporary	Signs that are not permanently attached to a building, other structures or the ground and do not meet structural standards recognized and enforced by the Building Inspections Services Department.
Sign, Vehicle	A permanent or temporary sign affixed, painted on, or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is displayed to attract the attention of the motoring public or pedestrian traffic.
Sign, Wall/Facade	A sign painted on or attached to the outside of a building, and erected parallel to the face of a building and supported throughout its length by such building.
Single Family, Detached Dwelling	A building containing one Dwelling unit that is not attached to any other Dwelling Unit and is surrounded by yards or open space.
Social (or Civic) Organization	An establishment providing meeting, recreational, or social facilities for a nonprofit association, primarily for use by members and guests of youth organizations, fraternal organizations, and other similar groups. This use does not include any type of residential facility, such as fraternity or sorority houses.
Social Club (or Lodge)	A building, structure, or grounds, or portion thereof, which is owned by or leased to private organizations, social clubs, or non-profit associations for meeting, recreational, or social purposes. The use of such premises is restricted to the members of these organizations and their guests.
Special Exception Use	A use which may be permitted by the BZA pursuant to Section 12A-506 of this Zoning Ordinance.
Special Trade Contractor	An establishment that specializes in a specific aspect of construction, such as carpentry, electrical, painting, plumbing, roofing, or tile.

Stable	A building or land where horses are kept for private or commercial use including boarding, sale, rental, breeding or raising of horses.
Standard Cubic Foot (Scf)	A cubic foot of gas at standard temperature and pressure, which are 68 degrees Fahrenheit and 29.92 inches of mercury.
Stealth Tower	A communications tower not exceeding 120' in height designed to unobtrusively blend into the existing surroundings so as not to have the appearance of a communication tower and is designed to hide, obscure or conceal the presence of the towers and antennas. Examples of Stealth Towers include, but are not limited to, antenna tower alternative structures, architecturally roof-mounted antennas, building-mounted antennas painted to match the existing or proposed trees and landscaping, antenna structures designed to look like light poles or electrical utility poles, artificial trees, clock towers, flagpoles, steeples, water towers or water tanks.
Story	That part of a building included between the surface of one floor and the surface of the floor next above, or if there be no floor above, that part of the building which is above the surface of the highest floor of the building.
Story, First	First habitat interior floor of a structure above the required flood elevation.
Street	A vehicular way which may also serve in part as a way for pedestrian traffic, whether called a street, highway, thoroughfare, parkway, thoroughway, road, avenue, boulevard, land, place, alley, mall, or other designated.
Street, Arterial	A street used primarily or designed for through traffic, usually on a continuous route.
Street, Collector	A street used or designed to carry traffic from minor streets to arterial or major streets
Street, Cul-de-sac	A street with only one means of ingress and egress and having a turnaround at the end.
Street Line	A lot line separating a street from a lot or parcel.
Street, Local	A street other than an arterial or collector used or designated primarily to provide access to abutting property. Marginal access streets, cul-de-sacs, and loop streets are examples of types of local streets. See also Street, Minor.
Street, Loop	A [local] street that has its only ingress and egress at two points on the same [collector] street.
Street, Minor	A street other than an arterial or collector used or designated primarily to provide access to abutting property. Marginal access streets, cul-de-sac streets, and loop streets are examples of types of minor streets.

Street, Stub	A street that intersects with a local street and extends, usually one lot deep, to the property line of the development or rear of the block being developed.
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 a more or less permanent location on the ground.
Structural Alterations	Any change in the supporting member of a building such as a bearing wall, column, beams or girders.
Subdivider	Any person, firm, corporation, partnership or association acting individually or as a unit who causes land to be divided for the use of himself or others.
Subdivision	The division of a lot, block, tract, or parcel into two (2) or more lots, blocks, tracts or parcels or any division of land involving the dedication of a new street or other public right-of-way or a change in existing streets, alleys, easements, water, sewer or other public improvements. Subdivision also includes the resubdivision of a previously subdivided lot, block, tract or parcel. Subdivision regulations ("land development regulations") are defined pursuant to Section 6.29.1110(2) of the South Carolina Code.
Subdivision Improvement Agreement	An agreement which may be required and accepted by the City or another designated governmental agency to ensure that necessary improvements required as part of an application for development will be satisfactorily completed.
Subdivision Regulations	A recorded description of development standards prepared and approved in compliance with Article 12C, Subdivision Regulations of the Municipal Code, Town of Kiawah Island, South Carolina.
Subgrade	The top surface of a roadbed upon which the pavement structure and shoulders are constructed.
Swale	A depression in the ground that channels runoff.
Swale, Minor	A drainage system with a drainage swale not exceeding one foot in depth.
Swale, Major	A drainage system with a drainage swale one foot in depth or greater.
Teardown	The construction or remodeling of single-family homes to the maximum allowable size permitted by land use and zoning regulation in neighborhoods distinctly characterized by considerably smaller homes.
Temporary	Existing or continuing for a limited period of time as determined by a Decision-Making Body.
Temporary Building	A building used temporarily for the storage of construction materials and equipment incidental and necessary to on-site permitted construction or utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a

	subdivision under construction.
Tobacconists	Tobacco retailers whose business exclusively or primarily involves the sale of tobacco products and related goods.
Town	The Town of Kiawah Island, South Carolina, a municipal corporation organized and existing under the laws of the State of South Carolina.
Town Council	The Town Council of the Town of Kiawah Island, South Carolina; also referred to as the "Council."
Townhouse	A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from another unit by one or more vertical common fire-resistant walls.
Tract	The entire land area of a proposed subdivision.
Traffic Mitigation Measures	Improvements and/or transportation management strategies to restore or maintain acceptable levels of service for a roadway segment or segments, including, but not limited to turn lane additions, acceleration/deceleration lanes, a new off-Island Reception Center/Security Checkpoint, other road widening alternatives, vanpools, and other alternatives to decrease traffic volume or increase roadway capacity.
Traffic Mitigation Plan	A plan to restore or maintain acceptable levels of service for a roadway segment or segments.
Tree	Any self-supporting woody plant having a single trunk or trunks of two inches DBH or greater and usually having branches.
Tree Protection Fencing	A fence or wall at least four feet in height that ensures the protection of protected and grand trees during development.
Understory Tree	A tree, 10 to 12 feet tall at the time of planting, which will grow to a minimum height of 20 feet at maturity.
Use	The purpose or activity for which land and buildings are designed, arranged or intended, or for which land or buildings are occupied or maintained.
Use, Multiple	The development of land or buildings for a variety of complementary or integrated residential, non-residential or community service uses.
Use Permitted by Right	A principal use permitted without the requirement of a special exception.
Utility	A provider of electricity, gas, water, sewage service, telephone, cable or other similar service for principal development, and the provider of the service is publicly regulated.
Utility Service, Major	Facilities and structures that are necessary for the generation,

transmission, and/or distribution of utilities to support principal development, such as generation facilities, electrical and telephone switching facilities, electric substations, pumping stations, sewage collection or disposal facilities, water or sewage treatment plants, water storage tanks, sewage collector or trunk lines, water mains, and similar facilities.

Utility Service, Minor	Minor structures, such as lines and poles that are necessary to distribute utilities and provide service.
Variance	A relaxation by the Board of Zoning Appeals of the dimensional regulations of the Ordinance where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the results of actions or the situation of the applicant, a literal enforcement of this code would result in unnecessary and undue hardship; and such variance is consistent with Section 6.29.800 of the Code of Laws of South Carolina Title 6, Chapter 29.
Vehicle Repair, Consumer	An establishment that primarily provides service to automobiles, light and medium trucks, motorcycles or recreational vehicles. These services include the maintenance, repair, or refinishing of motor vehicles, including both minor and major mechanical overhauling, paint and body work. Generally, the customer does not wait at the site while the service or repair is being performed. This term excludes any dismantling or scrap and salvage service.
Vehicle Service, Limited	An establishment that provides direct services to motor vehicles where the driver or passengers generally wait in the vehicle or nearby while the service is performed.
Vehicle Storage	An establishment offering long or short-term storage of operating vehicles or vehicles contracted for repair. This term excludes any dismantling, scrap and salvage service, or junked vehicle yards.
Veterinary Service	An establishment offering veterinary services and hospitals for animals.
Vibration	The periodic displacement or oscillation of the earth.
Wall (or Fence)	A structural device erected to serve as an architectural element, landscape element, visual screen or physical barrier.
Waste-related Use	Uses that collect or receive solid or liquid waste for disposal, treatment, transfer to another location, or production of energy from the waste. This term does not include uses otherwise defined as utilities.
Water and Sewage Treatment Facility	Water and sewer utility facilities shall include facilities providing service, maintenance, or repair of essential public utilities to one or more developments including, but not limited to wells, pumping stations, boosters, reservoir, repeaters, water storage tanks, lift stations, regulators, and other similar facilities.

Water Body	Property determined to be under water no less than eleven (11) months of the year and under such standing water for a continuous period of no less than nine (9) months of the year.
Water Main	In any system of continuous piping, the principal artery of the water or sewer system to which branches or lines may be connected.
Waterfront Property	Property within 500 feet of any river, tidal wetland or waterway, including saltwater marshes. Property abutting freshwater wetlands shall not be considered “waterfront” property.
Wetlands, Freshwater	Those areas of land that are inundated or saturated by fresh water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions and delineated as freshwater wetlands by the U.S. Army Corps of Engineers.
Wholesale Sales	An establishment engaged in the wholesale sale of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking, and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.
Written Interpretation	Any review or evaluation by the Planning Director, in written form, concerning the Town of Kiawah Island Land Use/Planning Regulations, Comprehensive Plan, or any other relevant documents.
Yard	An open, unoccupied space other than a court, on the lot in which a building is situated, and which is unobstructed from the ground to the sky.
Yard, Front	An open space unoccupied by buildings or structures (except as hereafter provided) across the full width of the Lot extending from the front line of the principal building to the front property line of the Lot.
Yard, Front Depth	The minimum horizontal distance from the front line of the principal building to the front line of the Lot.
Yard, Rear	An open space unoccupied by buildings or structures (except as hereafter provided) across the full width of the Lot extending from the rear line of the principal building to the rear property line of the Lot.
Yard, Rear Depth	The minimum horizontal distance from the rear line of the principal building to the rear line of the Lot.
Zoning District	A specifically delineated geographic area or zone in the Town of Kiawah Island within which uniform development regulations and requirements govern the use, density, and the placement, spacing, or size of buildings.
Zoning Permit	A permit issued by the Planning Department that acknowledges that the

intended land use, structure, building, or construction complies with the provisions of the Land Use Planning/Zoning Regulations or authorized variance there from. A Zoning Permit shall be required prior to the activities described in Section 12A-511.

**All definitions not found herein are defined as they appear in the latest edition of *The Black's Law Dictionary*.**