

ARTICLE VI – COMMERCIAL DISTRICTS**Section 6.1 CENTRAL BUSINESS DISTRICT (CBD)**

The Walterboro Central Business District has special needs and opportunities that need to be protected and enhanced by this zoning district. This zoning district is both a successor to and a continuation of the City's Downtown Improvement District Ordinance, and incorporates the requirements of that ordinance into the present document.

The policies and regulations contained within the CBD section of Walterboro's *Zoning Ordinance* encourage pedestrian-oriented retail and service activities and mix residential and business activity in single building. The CBD discourages large commercial uses, industrial uses, and other uses that could threaten the economic and historic character of Walterboro's downtown. In the Central Business District (CBD), the objectives are to maintain a pedestrian scale, to enhance the historic character of existing development and to encourage patronage of CBD businesses by residents of and visitors to Walterboro.

The City of Walterboro shall establish an Architectural Review Process to provide preliminary guidance and approval to any changes to existing facades and structures or new construction within the Central Business District.

6.1.1 Permitted Uses. Retail sales are permitted in the CBD, unless otherwise specified. Other uses permitted outright, or permitted with conditions or as special exceptions in the CBD are shown in Table 6.1.1. Uses not listed in this table are not permitted in the CBD, but may be allowed by determination of similarity by the Codes Enforcement Officer.

Table 6.1.1 Permitted Uses and Parking Requirements in the CBD

Use	Permitted	Conditional Use	Special Exception	Parking Required	Standard
Accessory apartments		X		2 spaces	Per dwelling unit
Amusement Centers		X		1 space	Per 250 sq ft
Assembly Hall			X	1 space	Per 5 seats
Athletic Club, sports lessons		X		1 space	Per 200 sq ft
Automatic teller machines	X			1 space	Per 150 sq ft
Bakery, on-site baking & sales	X			1 space	Per 200 sq ft
Bank	X			1 space	Per 150 sq ft
Bar, tavern	X			1 space	Per 3 seats of capacity
Barber, beauty shop	X			2 spaces	Per chair
Bowling Alley, skating rinks		X		5 spaces 1 space	Per lane Per 150 sq ft
Brew-on premises store, brew pub, micro-brewery	X			1 space	Per 3 seats of capacity
Cabinetry/woodworking restoration shop		X		1 space	Per 300 sq ft
Café, restaurant		X		1 space	Per 3 seats of capacity, plus 1 space per 150 sq ft of food prep area

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Use	Permitted	Conditional Use	Special Exception	Parking Required	Standard
Caterer	X			1 space	Per 150 sq ft
Community center			X	1 space	Per 300 sq ft
Dwelling units, multi-family	X			2 spaces	Per dwelling unit
Hotel, motel		X		1 space	Per room, plus 1 space per 250 sq ft of office space, plus spaces required for food and beverage facilities
Museum	X			1 space	Per 300 sq ft
Micro-retail (permanent structure)		X		1 space	Per 150 sq ft
Open air market, produce market, farmer's market (permanent & seasonal)		X		1 space	Per 250 sq ft of open space
Park, playground	X			1 space	Per 150 sq ft of open space
Parking lot		X			
Parking garage, public or private		X			
Personal & business services	X			1 space	Per 300 sq ft
Public safety & public/private utility structures			X	1 space	Per 250 sq ft
School of art, dance, music		X		1 space	Per 250 sq ft
Schools, public, private, commercial		X		1 space	Per classroom and administrative office
Theatres	X			1 space	Per 3 seats

6.1.2 Conditional Uses. The determination of compliance for conditional uses is the responsibility of the Codes Enforcement Officer who may in turn refer the decision to the Planning Commission. Specific conditions for the conditional uses in the CBD are included in Table 6.1.3. All conditions must be met before approval may be issued.

6.1.3 Accessory Uses. Accessory apartments are permitted only on the second floor or above or in the rear half of the ground floor.

Table 6.1.2 Conditional Uses in the Central Business District

Use	Conditions
Accessory apartments	Only on second floor or above in the rear half of the ground floor
Amusement centers	Maximum hours of operation from 8 AM until midnight
Athletic club, sports lessons	Maximum hours of operation from 8 AM until midnight
Bowling alley, skating rinks	Maximum hours of operation from 8 AM until midnight
Cabinetry/woodworking shop, restoration	Maximum hours of operation from 8 AM until midnight
Hotel, motel	Maximum height three stories
Micro-retail (permanent structure)	Maximum hours of operation from 8 AM until midnight
Parking lot	Lot shall have adequate buffers on all sides adjacent to other uses. Lot shall be adequately landscaped on all access streets.
Parking garage, public or private	Shall be adequately landscaped and buffered for safety and neighborhood compatibility. Traffic impact.
Schools, art, dance, music	Maximum hours of operation from 8 AM until midnight
Schools, public, private, commercial	Maximum hours of operation from 8 AM until midnight

6.1.4 Special Exceptions. Special exceptions are reviewed by the Board of Zoning Appeals for a determination of conformance. The factors to be reviewed and the process are described fully in Article III, Section 3.4. Additional factors or those which should be given special consideration by the Board of Zoning Appeals within the CBD include the following:

1. *Public safety and public utility structures.* In addition to other standards listed in this Ordinance, public safety and utility structures in the CBD shall be adequately landscaped and fenced for safety and neighborhood compatibility.
2. *Assembly halls and community centers.* In addition to the other standards listed in this Ordinance, assembly halls and community centers in the CBD shall be reviewed for traffic and parking impacts and neighborhood compatibility.

Table 6.1.3 Special Exceptions

Use	Conditions
Public Safety Public utility structures	Landscaped Fenced
Assembly Halls, Community Centers	Traffic Impacts Parking Impacts Neighborhood Compatibility

Table 6.1.4 Development Standards

Minimum lot size	0 sq ft
Minimum lot width	0 ft
Front setback	0 ft
Side setback	0 ft
Corner side yard	0 ft
Rear yard	0 ft
Maximum building size (% of lot)	100%
Maximum stories	3

6.1.5 Parking. Parking garages are permitted. See other requirements in Table 6.1.1.

6.1.6 Signage. Businesses within the Central Business District (CBD), which rely on daily traffic (motor vehicle and pedestrian), shall have the ability to identify themselves to potential customers by on-premises signs that are visible from the street and sidewalks, while preventing clutter and confusion.

Signs should be visible to pedestrians and motorists alike without causing distraction and potential danger.

Signs shall be maintained in good repair at all times and the messages on signs must be current.

The objectives for sign regulations in the CBD are:

1. To prevent the proliferation of signs that are distracting to motorists, reduce the effectiveness of traffic signs used for directing and warning the public and creating potential accidents.
2. To enable the public to locate goods, services, and facilities without excessive difficulty and confusion.
3. To prevent placement of signs that will conceal or obscure signs of neighboring businesses.
4. To encourage uniformity in sign number and size throughout the CBD.

General Requirements

- A. No sign shall be erected, altered, or reconstructed unless a sign permit has been issued by the City's Codes Enforcement Officer. The exception is that one (1) sign real estate marketing sign per street frontage, pertaining to the sale or lease of the premises, is allowed without a permit. The sign shall have a maximum of thirty-two (32) square feet in surface area per side and be a maximum of five (5) feet high.
- B. Signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic control devices or street signs.
- C. Every sign shall be constructed and maintained in a manner consistent with the building code provisions and maintained in good structural condition at all times. The message must be kept current on all signs, except for historical signs.

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- D. No sign shall be illuminated by other than a steady, continuous light; neither intermittent nor flashing illumination will be permitted. Illumination shall be located, shielded, and directed so as to not be directly visible from any public street or residentially zoned property at grade level. All artificial illumination shall be designed, located, shielded and directed as to illuminate only the sign face and to prevent the casting of glare or direct light upon adjacent residential property or streets.
- E. Signage on canopies, awnings, or marquees shall be limited to the name of or type of business only, and may not contain any other message without permission of the Planning Commission.
- F. No signs shall be placed in the Central Business District, except those listed below.
- G. No billboards or large marquees shall be placed within the District in order to preserve the historical character of the area.
- H. No building components, such as the entire masonry façade, the transom panel area, an awning or a window shall be partially painted or covered to serve as a background for sign lettering. A metal plaque or wood sign not exceeding nine (9) square feet in area is permitted below the transom level.
- I. No attention-getting devices, including pennants, streamers, festooned lights, "whirligigs," nor any sign which is designed to be moved by the wind shall be permitted, except once a year for a period not to exceed seven (7) days.
- J. One flag display, consisting of three (3) flags, displayed according to proper flag protocol on a maximum of three (3) poles, is permitted for each business property in the CBD.

Size of Signs

- A. The scale and proportions of the sign should take into account the preservation of the historic theme of the CBD and the building on which it is mounted.
- B. The size of individual signs should be limited to the extent necessary to prevent them from obscuring or competing with other elements of the building.
- C. All signs shall be designed in good taste and reflect the historical character of the CBD.
- D. The only types of signs that shall be permitted in this district are those listed below:

Types of Signs

- A. **Wall Signs** shall be fixed flat against the wall of a building or on the face of a marquee wall. Signs shall be installed parallel to the building façade.
- B. **Pole Mounted Signs** shall meet the following criteria:
 - 1. The maximum size of pole mounted size shall be twelve (12) inches wide and twenty-four (24) inches tall with a thickness of no more than three-quarter (3/4) inches.
 - 2. The maximum lettering on the signs shall be no more than two (2) inches high and conform to the font style of the other signs within the CBD.
 - 3. The sign should be mounted at about seven (7) feet on the pole so as not to cause undue injury to passing pedestrians.
- C. **Window Signs** shall be placed on the interior side of the building. Signs painted on glass windows are allowed, provided that the letter height does not exceed twelve (12) inches and that only black, bronze, gold or white letters are used.

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- D. **Sandwich Boards** are the only portable signs that shall be permitted. If there is not sufficient space on the business property, they may be placed in the sidewalks subject to the following requirements:
1. Signs shall not exceed three (3) feet six (6) inches in height and three (3) feet in width.
 2. Signs shall be placed on the property as far as possible from the entrance to minimize encroachment.
 3. If placement of the sign on the sidewalk is necessary the sign shall not cover more than twenty-five (25) percent of the width of the sidewalk. Placement of the signs shall not impede normal traffic flow or passage of handicapped persons.
 4. Signs shall be situated on or immediately adjacent to the subject property unless the Zoning Board of Appeals grants approval for variance.
- E. **Canopy Signs.** Canopy or awning signs shall meet the following criteria:
- A. A sign message on a canopy or awning shall contain only the name of the business and/or the type of business, type of goods sold, or services rendered. Each business is permitted up to one (1) sign hung under a canopy or awning provided the message on the sign is perpendicular to the building and the sign is at least eight and one half (8-1/2) feet above the surface of the sidewalk and is no more than four (4) square feet in size. If a wall sign is not used, a business is permitted to use up to one (1) canopy or awning sign.
 - B. Signage on the canopy or awning sign shall be limited to no greater than one-half of the area bounded by the edges of the canopy or awning not including any drip flap or vertical fascia surface. If signage is only found in fringe drip-flap portion of the canopy, the entire portion of said area shall be utilized for signage.
- F. **Signs not located on the premises of a business shall not be permitted. (AMENDED, ORD. 2006-15, AUG 11, 2006, CITY CLERK)**
- G. **Non-Conforming Signs.** Signs existing at the time of the enactment of this ordinance and not conforming to the provisions herein, but which were constructed in compliance with previous regulations and ordinances, shall be regarded as non-conforming signs and subject to the following regulations:

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1. Any sign constructed after the adoption date of this ordinance and which is found to exist in violation of this ordinance shall be declared to be illegally non-conforming and shall be removed after thirty (30) days notice. If the owner or lessee fails to remove the sign during the permitted time, then the city or independent contractor secured by the city shall remove the sign and the ensuing charges shall be assessed to the owner or lessee.
2. Non-conforming signs shall not be structurally enhanced or modified so as to prolong the life of the sign.
3. No changes in the existing non-conforming signs shall be allowed except for those repairs which are necessary to keep the sign in good working order.
4. Non-conforming signs must be brought into conformance at the time of an application for site plan approval.
5. All non-conforming signs are required to be brought into compliance within three (3) years from the adoption of this ordinance, or when there is a change in business ownership, type or name, or if the sign becomes damaged to an amount greater than fifty (50) percent of its replacement cost. Signs which have a value greater than two thousand (\$2000) dollars at the time of the passage of the ordinance shall be depreciated. The monetary value to be depreciated shall be assessed value according to the Colleton County Tax Assessor Office.

6.1.7 Landscape and Buffers. Landscaping in the CBD is intended to protect and preserve the appearance and character of the district. It should be maintained and enhanced around the "islands" that have been created for the separation of parking spaces and also the Walterboro City Plaza and Veteran's Memorial (on East Washington Street) and the areas of designed off-street parking. Buffers are required for any off-street parking areas within the CBD in order to soften the impact of development.

The landscaping required for the CBD shall provide shade to pedestrians; improve the appearance of the district, and to promote a balance between nature and the built environment. Within the CBD, street trees used in small gardens along the sidewalks benefit pedestrians and businesses.

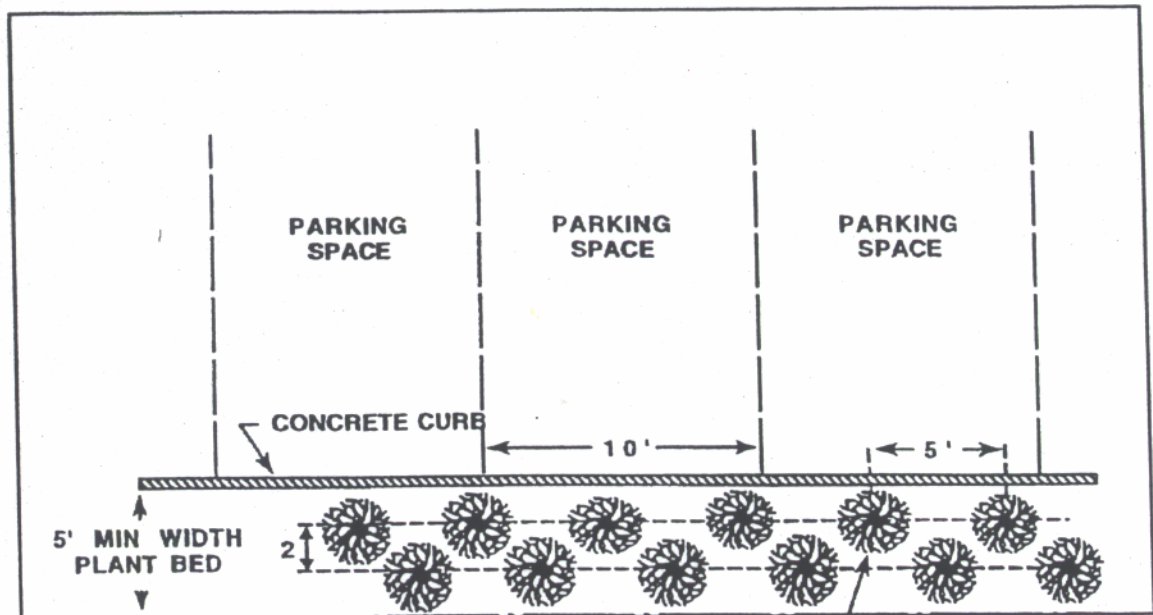
Landscaping of off-street parking: The landscaping of the off-street parking facilities shall meet the following criteria:

1. A landscape plan shall be submitted with the required site plan.
2. Landscaping shall be located so it does not obscure traffic signs or fire hydrants, or obstruct driver's sight distance within the parking areas and at driveway entrances and exits.
3. All plant materials shall be installed as to not alter drainage patterns in the CBD.
4. Landscaping shall be disbursed throughout the parking lot in order to break up large expanses of pavement.
5. Minimum landscaping will include one (1) canopy tree per every five (5) spaces and one hundred (100) square feet of landscaping area per five (5) spaces.

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6. Permeable areas are required to reduce the impact of storm water run-off created by development. Paving with impervious surfaces (which are those that do not absorb water and include concrete and asphalt) shall be limited to eighty (80) percent of the parking area surface.

Buffers: Due to the nature and character of the Central Business District, the layout of the streets and the proximity of neighboring businesses, buffers shall only be required around off-street parking areas. A buffer is a portion of land usually in the form of linear strips maintained with natural or installed landscaping used to soften the impact of development. Buffers shall be located on the outer perimeter of the off-street parking facilities and contain grasses, shrubs and trees. The buffers shall be low-density screens intended to add to the beauty and character of the city while providing spatial separation between the parking area and the businesses. The buffer area shall be a minimum width of five (5) feet. The buffer area shall consist of a combination of twelve (12) ornamental shrubs, two (2) under story trees and landscaped grass areas, or other appropriate ground cover, per one hundred (100) linear feet. The shrubs may be clustered to ensure their survival. A sample site plan is illustrated by the following diagram.



6.1.8 Special Stipulations

A. Façade Standards

1. No wiring on building facades facing Washington Street, Lucas Street or Walter Street shall be allowed unless concealed in conduit. Normal weather head installations are permitted. Compliance with applicable electrical codes is required.
2. No ground floor canopies, marquis, fins, metal awnings or other similar building projections which extend more than twelve (12) inches over the public right-of-way shall be allowed. Exceptions to this standard may be determined by the Codes Enforcement Officer.
3. No unused and non-decorative metal hooks, clips, angles, cables, rods, brackets or frames shall be allowed on building facades.
4. No non-masonry paneled area covering original brickwork or masonry shall be allowed except that which is recessed in the original transom area. Exceptions to this standard may be determined by the Codes Enforcement Officer.
5. Unpainted brickwork on building facades shall remain unpainted and shall be maintained properly and kept in a neat and clean appearance.
6. No damaged or deteriorated windows shall be allowed. No window shall be painted over or permanently boarded up. Plastic cannot be used to replace glass in windows.
7. The entire building façade shall be maintained with proper finishes. Metal surfaces, except anodized aluminum or copper, shall be painted or otherwise finished. Painted surfaces shall be maintained in good repair with a neat and clean appearance without flaking, chipping or discoloration.
8. Buildings with facades facing Washington Street, Lucas Street or Walter Street may furnish, install and maintain canvas awnings and frames appropriate for the building. Reinforced vinyl fabric is considered canvas and is acceptable.

B. Color Standards

1. The main body of a building façade shall be painted in a "Light Tone." "Light Tones" are tints and hues of natural colors such as beige, tan, white, off-white, gray or pewter. A masonry façade shall be painted in a flat finish.
2. The trim of a building façade shall be painted in a "Light Tone" or "Historic Color." "Historic Colors" are muted tones, tints and hues of primary and secondary colors such as burgundy, plum, deep green, navy blue, chocolate brown or mustard.
3. No building trim or façade shall be painted or otherwise finished in a fluorescent color such as pink, turquoise or lime green or in a pure or nearly pure primary or secondary color such as bright red, yellow, blue, orange, green or violet.
4. Canvas awnings may be in a solid or striped color and shall not be allowed in fluorescent color.
5. No painted graphics shall be allowed on a building façade, canopy or awning; no striping shall be allowed on building facades. Excepted from this, at the discretion of the Codes Enforcement Officer, are original graphics and artwork.

C. Demolition of building facades within the CBD.

The continual and uninterrupted pattern of building facades which exist in the City of Walterboro's CBD contributes greatly to the historic character of the CBD and overall quality of life in the City of Walterboro. The demolition of building facades in the CBD would result in breaks in the pattern of continual buildings and said breaks would contribute to blight and other conditions which would be detrimental to the historic character of the CBD, values of properties located in the CBD, and central business revitalization efforts.

1. All requests for demolition permits for buildings located in the CBD shall be accompanied by a plan which details efforts which will be taken to preserve or replace the existing building façade.
2. No demolition permit shall be issued for buildings located in the CBD until acceptable façade preservation or new construction plans have been approved by City Administration.
3. A performance bond in the estimated amount of replacement façade construction cost shall be posted with the City of Walterboro prior to issuance of a demolition permit.
4. A courtesy notice of all requests for demolition permits in the CBD shall be provided for comment to the Colleton County Historic and Preservation Society, the Downtown Walterboro Development Corporation and any other organization requesting notification.

D. New construction within the CBD.

Because the continual and uninterrupted pattern of building facades which exist in the City of Walterboro's CBD contributes greatly to the historic character of the CBD and overall quality of life in the City of Walterboro, the construction of new buildings or building facades shall be architecturally compatible with existing facades in the CBD.