

HIGHWAY COMMERCIAL DISTRICT (HCD)

Section 6.4 HIGHWAY COMMERCIAL DISTRICT (HCD)

The Highway Commercial District encourages the development of large commercial buildings, retail centers, hotels, and other similar activities along major thoroughfares and away from residential and other activities that could be adversely affected by the large volumes of traffic these types of uses generate.

6.4.1 Permitted Uses. Retail stores are permitted in the HCD, unless otherwise specified. Other uses permitted outright, or permitted with conditions or as special exceptions in the HCD are shown in Table 12. Uses not listed in this table are not permitted in HCD, but may be allowed by a determination of similarity by the Codes Enforcement Officer as described in Article III, Section 3.4.3.

6.4.2 On-Site Parking. At the time of the construction of any principal building, or when a structural alteration or other changes in a principal building produce an increase in floor area and seating or bed capacity, or when a conversion in use occurs, areas for parking motor vehicles on site are required according to the standards shown in Table 6.4.1.

The Zoning Board of Appeals may grant a reduction in the parking requirements in Table 6.4.1 if it is determined that the reduced number of parking spaces can satisfy demand.

Table 6.4.1 Permitted Uses and Parking Requirements in the Highway Commercial District

Use	Permitted	Conditional Use	Special Exception	Parking Required	Standard
Accessory apartments		X		2 spaces	Per dwelling unit
Agriculture, horticulture, silviculture		X			TBD
Amusement Centers	X			4 spaces	Per 250 sq ft
Amusement parks, miniature golf, driving Ranges	X			1 space	Per 250 sq ft; 1 space/tee; 2 spaces per miniature golf hole
Animal hospital	X			1 space	Per 250 sq ft
Athletic Club, sports lessons	X			1 space	Per 200 sq ft
Automatic teller machines	X			1 space	Per 150 sq ft
Automotive sales, rental, parts & service		X		1 space 4 spaces	Per 150 sq ft Per bay
Bank	X			1 space	Per 150 sq ft
Bar, tavern	X			1 space	Per 4 seats
Barber, beauty shop	X			2 spaces	Per chair
Bottle gas sales, storage, distribution		X		1 space	Per 2000 sq ft And 1-15'x30' Loading space
Bowling alley, skating rinks	X			1 space	Per 250 sq ft
Brew-on-premises store, brew pub, Micro-brewery	X			1 space	Per 3 seats of Capacity

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Cabinetry/woodworking shop, restoration	X			1 space	Per 300 sq ft
Café, restaurant, drive-in	X			1 space	Per 3 seats of Capacity, plus 1 space per 150 sq ft of food prep area
Campground, private	X			1 space	Per site
Caterer	X			1 space	Per 150 sq ft
Clinic, public or private	X			1 space	Per 250 sq ft
Commercial dental, medical optical Laboratory	X			1 space	Per 150 sq ft
Community center	X			1 space	Per 300 sq ft
Convenience store with gasoline	X			1 space	Per 250 sq ft Plus up to 5 Tandem lanes
Day care	X			2 spaces	Per classroom, Plus 1 space Per 150 sq ft of Floor space
Dwelling units, single- or multi-family		X		2 spaces	Per dwelling unit
Equipment and material storage yards		X		1 space	Per 3000 sq ft
House of worship		X		1 space	Per 3 seats
Hotel, motel	X			1 space	Per room, plus 1 space per 50 sq ft, plus space for food & beverage facilities
Kennels		X		1 space	Per 250 sq ft
Laundry, self-service	X			1 space	Per 250 sq ft
Mobile home park*		X		1 covered space	Per unit, ½ Uncovered Guest space Per unit and ¼ storage space unit
Mobile home sales		X		1 space	Per 250 sq ft
Mortuary, cemetery, crematorium	X			1 space	Per 50 sq ft of assembly rooms and parlors

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Museum	X			1 space	Per 300 sq ft
Nursery, greenhouse (commercial)	X			1 space	Per 2000 sq ft Site area, plus 1-15'x30' loading space
Nursing home, assisted living facility	X			1 space	Per residential or bedroom facility, plus 1 space per 150 sq ft of office space
Open air market, produce market, farmer's Market (permanent and seasonal)		X		1 space	Per 250 sq ft
Park, playground	X			1 space	Per 150 sq ft Of open space
Parking lot	X				
Parking garage, public or private	X				
Pawn shops, currency exchange check Cashing	X			1 space	Per 250 sq ft
Personal and business services	X			1 space	Per 300 sq ft
Professional offices, including medical, Real estate	X			1 space	Per 300 sq ft
Public safety and public/private utility Structures			X	1 space	Per 250 sq ft
Recreational facility		X		1 space	Per 300 sq ft
School of art, dance, music	X			1 space	Per 250 sq ft
Schools, public, private, commercial	X		X	1 space	Per classroom And Admin. Office
Sewerage disposal/treatment plant		X		1 space	Per 250 sq ft
Sexually oriented businesses*	X			1 space	Per 250 sq ft
Shopping center	X			1 space	Per 200 sq ft
Storage facility, min-warehouse		X		1 space	Per 3000 sq ft
Theatres	X			1 space	Per 3 seats
Telecommunication towers**			X		
Welding shop	X			1 space	Per 300 sq ft

*Subject to the regulations specified in Section 8 of the Zoning Ordinance.

**Subject to the regulations specified in Section 7 of the Zoning Ordinance.

6.4.3 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 HCD are included in Table 6.4.2. All conditions must be met before approval may be issued.

Table 6.4.2 Conditional Uses in the Highway Commercial District (HCD)

Use	Conditions
Accessory apartments	Must be for resident caretaker or manager of permitted use
Agriculture, horticulture, silviculture	No poultry or livestock
Automotive sales, rentals, parts, and service	Outside storage must be adequately screened. No vehicles may be parked outside overnight on the property of automobile service stations or car washes. No noise or light trespass on residential properties.
Bottle gas sales, storage, distribution	Sufficient distance from adjacent uses to assure public safety. Adequate screening and buffers between storage yard/parking lots and residential properties. No light, odor, or noise trespass onto residential properties. No overnight parking of vehicles in locations visible from the street.
Campground, private	Must be adequately buffered and screened from adjacent uses.
Dwelling units, single-family subdivisions or multi-family units	Must be adequately buffered and screened from adjacent uses. Entrance and highway frontage must be landscaped. Internal roads must be paved. Potential traffic congestion at external access points must be mitigated, i.e., traffic lights, etc.
Equipment and material storage yard	Outside storage must be screened sufficiently to provide completely opaque, screening at chest-height. This use cannot be located within 500 feet of another storage yard. No noise, odor, or light trespass on adjacent properties.
House of Worship	Traffic Impacts
Kennels	No noise or odor trespass on adjacent properties. All animals must be kept indoors at night. Facility must be of adequate size to accommodate all animals indoors.
Mobile Home Sales	No structure shall be located within 50 feet of the street right-of-way. Display homes along roadway must be parallel to road and be set up to look like residences, including skirting. Unassembled structures must not be visible from the road. Access roads must be paved at least 50 feet from the street.
Recreation facilities	Adequate screening and buffers between structure/parking lots and adjacent properties. No light or noise trespass onto residential properties. Maximum hours of operation from 10am until midnight if near residential properties.
Sewerage disposal/treatment plant	Facility must be screened sufficiently to provide completely opaque, screening at chest-height. This use cannot be located within 500 ft of another sewerage disposal/treatment plant. No noise, odor, or light trespass on adjacent properties.

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Storage, mini-warehouses	Setbacks to fence line. Sufficient screening of structures/parking lots to not affect adjacent uses, particularly residential. Outside storage must be screened sufficient to provide completely opaque, screening at chest-height. This use cannot be located within 500 feet of another storage/mini-warehouse facility. No noise, odor, or light trespass on adjacent properties. No structure shall be over three stories. No outside storage of vehicles or boats shall be visible from the street.
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6.4.4 Special Exceptions. Special exceptions are reviewed by the Board of Zoning Appeals for a determination of conformance (Table 6.4.1). The factors to be reviewed and the process are described fully in Article III. Additional factors or those which should be given special consideration by the Board of Zoning Appeals within the HCD 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 HCD shall be adequately landscaped and fenced for safety and neighborhood compatibility.
2. *Public, private and commercial schools.* In addition to the other standards listed in this Ordinance, assembly halls and community centers in the HCD shall be reviewed for traffic and parking impacts and zoning district compatibility.

Table 6.4.3 Special Exceptions

Use	Conditions
Public Safety Public utility structures	Landscaped Fenced
Public, private and Commercial schools	Traffic Impacts Parking Impacts Zoning District Compatibility

Table 6.4.4 Development Standards

Minimum lot size	6,000 sq ft
Minimum lot width	50 ft
Front setback	35 ft
Side setback	0 ft
Corner side yard	20 ft
Rear yard	15 ft
Maximum building size (% if total lot)	45%
Maximum stories	NA

Substandard Lots of Record. Where the owner of a lot at the time of the adoption of this chapter does not own sufficient land to enable him/her to conform to the dimensional requirements of this chapter, such lot may nonetheless be used as a building site, provided that the lot requirements are not reduced below the minimum specified in this chapter by more than twenty (20) percent. The use of substandard lots of record is encouraged, but the setbacks must be approved by the Zoning Board of Appeals. Any lot of record existing at the time of the adoption of this chapter, which has a lot area which is less than that required by this chapter, shall be subject to the following exceptions and modifications:

1. The Maximum lot coverage by buildings on such lot, subject to all other requirements, shall not exceed sixty (60) percent.
2. **Adjoining lots.** When two (2) or more adjoining lots with contiguous frontage are in one ownership at any time after the adoption of this chapter and those lots, individually, are smaller in area than required in this chapter, then that group of lots shall be considered as a single lot or several lots of minimum permitted area for the district in which they are located. In no case of adjoining lots may more than one (1) combined lot be divided so as to result in lots containing less than the minimum permitted area for the zoning district in which the property is located. If, however, the owner of two (2) or more adjoining lots with insufficient land dimensions decides to build on or sell off these lots he must first combine the lots to comply with the requirements of this chapter. Any lot requiring waivers below the twenty (20) percent minimum set forth in this section may be approved by the Zoning Board of Appeals provided that further decreased dimensional requirements shall conform as closely as possible to the required dimensions.

6.4.5 Parking. Parking restrictions are noted Table 6.4.1.

6.4.6 Signage. It is the intent of this section to ensure that businesses in the Highway Commercial District shall have the ability to identify their businesses to potential customers.

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

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General Requirements

- A. No sign shall be erected, altered, or reconstructed unless a sign permit has been issued by the City's Code 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 maximum of five (5) feet high.
- B. Signs shall not be permitted where they obstruct motorist vision of pedestrians, 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 except for historical signs.
- 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 so 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 message without permission of the Planning Commission.
- F. No signs shall be placed in the Highway Commercial District, except those listed below.
- ~~G. Any off-premises signs shall be placed, with the Planning Commission's permission, on roadways outside of the HCD in other districts and must meet those districts' guidelines.~~ **(AMENDED 03/6/07 – ORDINANCE 2007-02)**
- H. 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.
- I. 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 HCD.

General Guidelines

- A. The scale and proportions of the sign should take into account the scale and proportions of the building on which it is mounted.
- B. 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 protect the character of the neighborhood in which it is placed.
- 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 perpendicular to the building façade.
- B. Ground-Mounted Signs**
Businesses with a minimum building setback of twenty (20) feet from the fronting right-of-way shall be permitted the use of a ground mounted sign in addition to any other permitted signage. The maximum height of such signs shall not exceed twenty (20) feet. The maximum area for such signs shall be no more than thirty-two (32) square feet.
- 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 six (6) inches and that only black, bronze, gold or white letter is used.
- D. Canopy Signs.** Canopy or awning signs shall meet the following criteria:
1. 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.
 2. Signage on the canopy or awning sign shall be limited to no greater than one-half (1/2) 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 portions of the canopy, the entire portion of said area shall be utilized for signage.
- E. Free-standing on-premises signs** shall meet the following criteria:
1. Free-standing signs are allowed one (1) square foot of sign face per lineal foot of street frontage for the first one hundred (100) feet; and one half (1/2) square foot of sign for each lineal foot in excess of one hundred (100) feet, up to a maximum of three hundred (300) square feet.
 2. One (1) free-standing sign is allowed for each developed site, lot or parcel. Where a site or parcel fronts on more than one (1) street, one (1) additional free-standing sign permitted for each additional street upon which it fronts, provided the additional signs each face different streets.
 3. Where two (2) or more detached buildings occupy the *same* lot or parcel, each *may* have one (1) free-standing sign, provided the total area does not exceed the allowable limits specified by the Ordinance, based on the total lineal street frontage of the site or parcel on which they are to be located.
 4. Where two (2) or more attached businesses or buildings occupy the same site or parcel, i.e., shopping center, only one (1) free-standing sign for the aggregate businesses shall be permitted per street frontage.

F. Signs not located on the premises of a business shall not be permitted. (AMENDED 08/11/06 – ORD. 2006-15 – 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:

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 at the rate of one thousand (\$1000) dollars per year and removed when fully depreciated, the value to be determined by the assessed value according to the Colleton County tax assessor's office.

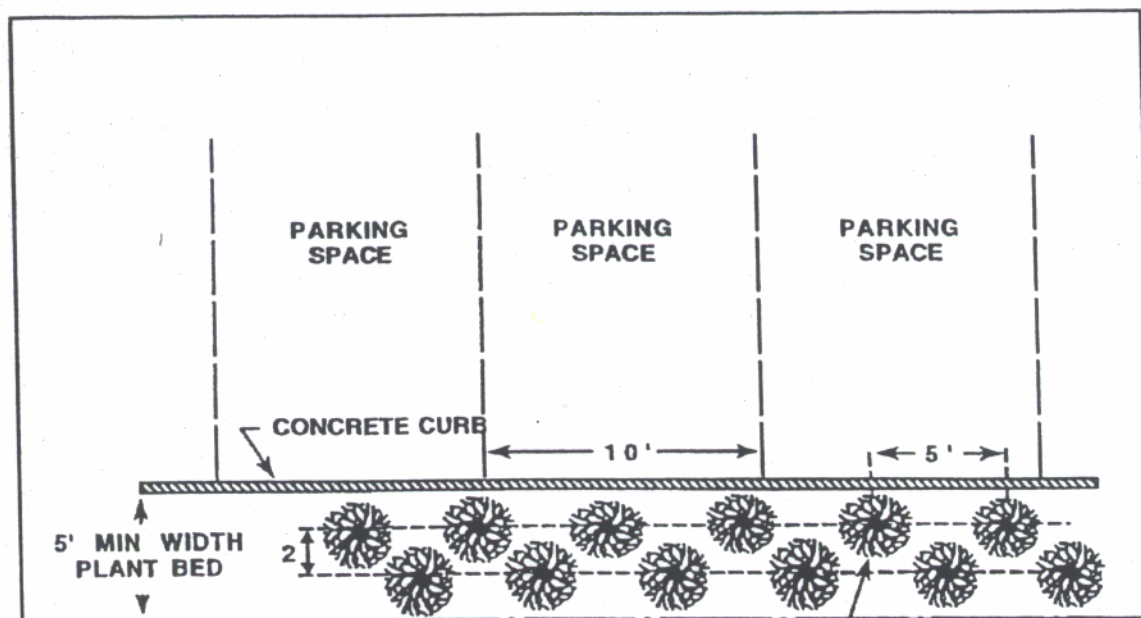
6.4.7 Landscape and Buffers. The landscaping and buffering requirements in the HCD are intended to create optimum spatial separation between businesses without interfering with traffic flow and pedestrian safety.

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

- A. A landscape plan shall be submitted with the required site plan.
- B. 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.
- C. All plant material shall be installed to not alter the drainage patterns in the HCD.
- D. Landscaping shall be disbursed throughout the parking lot in order to break up large expanses of pavement.
- E. Minimum landscaping shall be two (2) canopy trees per every ten (10) spaces and one hundred (100) square feet of landscaping area per ten (10) spaces.
- F. Permeable areas are required to reduce the impacts of storm-water run-off created by development. Paving with impervious surfaces such as asphalt or concrete shall be limited to eighty (80) percent of the parking area surface.

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Buffer Areas: Buffer areas are required in the Highway Commercial District to screen developments from adjacent land uses, thereby reducing nuisances and promoting land use compatibility. Buffer areas in the HCD shall be maximum density screen landscaping, shown in the diagram below, located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. The buffer areas shall not be located on any portion of an existing street or right-of-way causing distraction; however, they may occupy part or all of any front, side, rear yard or setback in order to create maximum spatial separation between land uses. Buffer Areas shall be a width of twenty-five (25) feet and include a solid fence to screen the commercial activities from Single Family, Medium Density and High Density Residential areas.



6.4.8 Special Stipulations

Loading. All loading must be done from the side or rear of the Highway Commercial District structure. Loading from the rear of the business shall be screened to prevent intrusion upon neighboring residential districts.

Mobile Home Parks

The intent of the Mobile Home Park (MHP) regulations is to ensure the provision of a high quality residential environment, to meet the needs of inhabitants of mobile home parks, to protect mobile home parks from encroachment by incompatible uses, and to encourage the consolidation of mobile homes into mobile home parks.

Permit Required. In order to qualify for a Mobile Home Park permit, a proposed park must meet the requirements listed below.

Density. Mobile homes at a density not to exceed seven (7) units per acre are permitted.

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Accessory Uses. Accessory buildings and accessory uses customarily incidental to any of the above principal uses are permitted. All accessory uses shall comply with the standards of the MHP district. No accessory use shall be established or erected prior to the establishment or erected to the establishment or erection of the principal use to which it is accessory. No existing accessory use may be expanded or extended except in compliance with the regulations of this ordinance.

The following are permitted accessory uses:

1. Private attached and detached garages and carports.
2. Storage sheds or tool rooms.
3. Detached greenhouses.
4. Children's playhouse and play equipment, including basketball apparatus, volleyball nets, swing sets, jungle gyms.
5. Private dish antennas / satellite earth stations under five (5) feet in diameter may be located anywhere within the property lines; larger satellite dishes may not be located in a front or side yard and must be screened from adjacent properties.
6. Private above-grade or below-grade swimming pools and pool houses.

Development Standards

Minimum lot size	5 acres
Minimum lot width	150 ft
Front setback	25 ft
Side setback-Park	25 ft
Rear yard-Park	15 ft
Minimum mobile home space	4000 sq ft
Minimum mobile home space width	40 ft
Interior side yard (mobile home space) setback	15 ft
Common recreational / open space	100 sq ft per home space; 2,500 sq ft minimum per MHP

Parking. Two (2) on-site parking spaces shall be provided for each mobile home space.

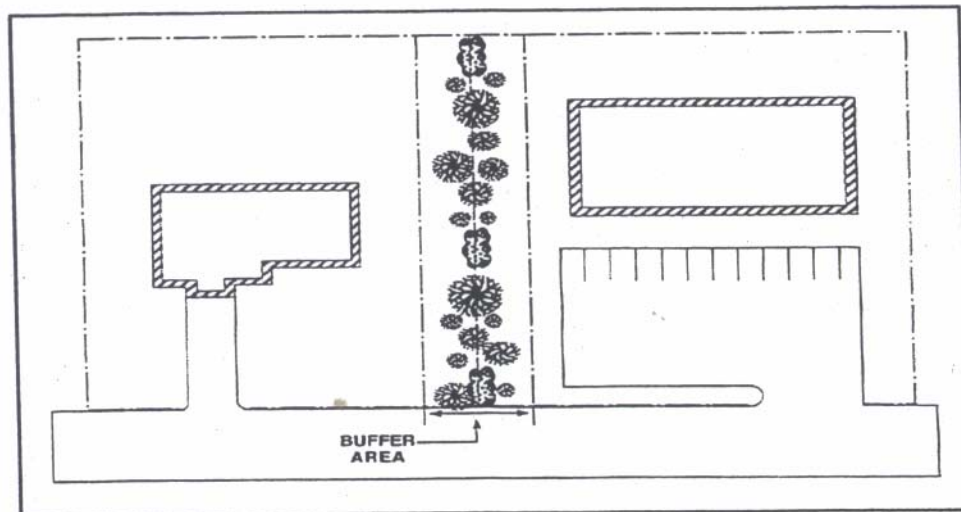
Signage. The following signs shall be allowed in MHPs and are exempt from permits:

1. House numbers.
2. Election signs.
3. Home occupation signs. One (1) unlighted sign less than two (2) square feet in size mounted on a wall of the principal building.
4. Directional signs.
5. Parking and traffic signs.
6. Temporary construction signs.
7. Real estate marketing signs. One (1) sign per street frontage pertaining to the sale or lease of the premises. The sign shall have a minimum of six (6) square feet in surface area per side and be a maximum of three and one-half (3.5) feet higher.

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Landscaped Buffers. The landscaping and buffering requirements in the MHP district are intended to protect and preserve the appearance, character, general health, safety and welfare of the residential neighborhoods subject to the following:

1. The arrangement of trees and shrubs shall be done in a manner that provides separation between mobile home parks and abutting residential, commercial and industrial districts.
2. Front yards and side yards of mobile home parks that front on public streets shall be provided with landscaped buffers, except for the area that is devoted to driveways and off-street parking space.
3. Landscaped buffer areas are required in MHPs to prevent land use incompatibilities. Buffer areas in the MHP shall be medium-density screen landscaping located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line; the following diagram illustrates this approach. Buffers shall not be located on any portion of an existing street or right-of-way.



Home Occupations. A home occupation, or home-based business, is that accessory use of a dwelling that shall constitute either entirely or partly the livelihood of a person living in the dwelling. A home occupation shall be allowed by the Codes Enforcement Officer in the MHP, subject to the following:

1. The primary use of the structure must remain as a single-family residence. No more than twenty-five (25) percent, to a maximum of seven hundred fifty (750) square feet, whichever is less, shall be used for the purposes of a home occupation.
2. A home occupation shall be conducted solely by resident occupants plus no more than one additional full-time equivalent employee.
3. There shall be no outside storage or processing. All activity must be conducted within a pre-existing structure.
4. The activity produces no alteration or change in the residential character or outside appearance of the primary structure.
5. No goods are located on site except for samples or designs produced on site.

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6. The activity shall be subject to all business licenses, revenue collection ordinance and other codes of the City of Walterboro and State of South Carolina.
7. Activities specifically prohibited include repair or service of motor vehicles and other large equipment; service or manufacturing processes which would normally require industrial zoning; any activity which may become a nuisance due to noise, unsightly appearance, heat, glare, vibration, smoke, dust, electrical interference, unhealthy conditions or odor; and any activity which may affect surrounding property.
8. There shall be no exterior display or signage allowed except for one, unlighted sign less than two square feet in size mounted on a wall of the principal building.
9. There is no outside storage of goods or materials.
10. No traffic or parking activity, sewerage or water use shall be generated by the activity in greater volumes than would normally be expected in a residential neighborhood; any need for parking generated by such home occupation shall be met off the street and other than in a required front yard.