



CITY OF WALHALLA PLANNING COMMISSION

Chris Grant, Chair
Jessie Bunning
William Tatum

Kelvin Bryant, Vice Chair
Lynn McClain

Monday, April 10, 2023

Planning Commission Meeting

5:30 PM

206 North Church Street

Walhalla, South Carolina 29691

AGENDA

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes - March 13, 2023
4. Public Hearings
 - a. Request to rezone 2 parcels, +/- 2.19 acres at the corner of Frank Martin Dr and N Poplar St from R-25 (Single-family residential with a minimum lot size of 25,000 sq ft) to MFR (Multi-family residential)
 - b. Request to rezone 8 parcels, +/-3.75 acres along Booker Drive from GR (General Residential) to OC (Office Commercial)
5. Public Comments, Non-Agenda Items
6. Other Business
 - a. Training Reminder - CE course April 11th at 10AM
7. Adjournment

City of Walhalla Planning Commission
Monday, March 13, 2023 • 5:30 PM
Council Chambers • City Hall
Walhalla, South Carolina
Minutes

In accordance with the South Carolina Freedom of Information Act, Section 30-4-10 et seq., South Carolina Code, 1976, the media was duly notified of the date, time, and place of the meeting.

Planning Commission Members Present: Kelvin Bryant, Jessie Bunning, Regina Orr, William Tatum

Members Absent: Chris Grant

Staff Present: Brandon Burton and Celia Myers

Call to Order: Vice Chair Bryant called the meeting to order at 5:30PM, with a quorum present to conduct the meeting and welcomed all present to the meeting.

Approval of Agenda: Vice Chair Bryant called for any changes to the agenda. Hearing none, he called for a motion to approve the agenda. Mr. Tatum moved to approve the agenda; Ms. Orr seconded. The agenda was unanimously approved.

Approval of Minutes: Vice Chair Bryant called for any changes to the Planning Commission minutes of the February 13, 2023 meeting. Hearing none, Mr. Tatum moved to approve the minutes; Ms. Bunning seconded. The minutes were unanimously approved.

Ordinances

Proposed Historic Preservation Ordinance

Celia Myers presented the final draft of the proposed Historic Preservation Ordinance and informed the Commissioners that a public hearing was scheduled to accept comments. Vice Chair Bryant opened the public hearing and ask for comments to be brought forth. None were heard. He then closed the public hearing. Vice Chair Bryant called for any discussion among the Commissioners. None was presented. The Vice Chair called for a motion. Mr. Tatum moved to send the draft ordinance to Council with a recommendation of approval; Ms. Bunning seconded. The motion to recommend the ordinance to Council was approved 4-0.

Proposed Backyard Chicken Ordinance

Ms. Bunning moved to remove the ordinance from the table for action; Mr. Bryant seconded. The motion passed 4-0. Mrs. Myers presented the proposed amendment to the Animal Ordinance and provided both zoning and parcel maps of properties 1 acre or more, as requested by the Commission at their February meeting. Vice Chair Bryant opened the public hearing and ask for comments to be brought forth. None were heard. He then closed the public hearing. Vice Chair Bryant called for any discussion among the Commissioners. Commissioners thanked staff for the maps. The Vice Chair called for a motion. Ms. Bunning moved to send the draft ordinance to Council with a recommendation of approval. Mr. Tatum seconded; and the motion was passed 4-0.

Proposed Short-Term Rental Ordinance

Ms. Bunning moved to remove the ordinance from the table for action; Mr. Bryant seconded. The motion passed 4-0. Mrs. Myers presented the proposed short-term rental ordinance. She added that one citizen had called to provide comments; a copy of which were provided to the Commission. Vice Chair Bryant opened the

public hearing and ask for comments to be brought forth. None were heard. He then closed the public hearing. Vice Chair Bryant called for any discussion among the Commissioners. Discussion included the comments provided via phone call. Mr. Tatum moved to send the draft ordinance to Council with a recommendation of approval and the following amendments:

- (1) Take out the short-term permit and require the existing zoning permit instead;
- (2) Change the maximum days rented to forty-five (45) days; and
- (3) Change the response time to 1 hour.

Ms. Bunning seconded the motion to recommend as amended. The motion to recommend as motion was passed 4-0.

Proposed Right-of-Way Annexation Ordinance

Ms. Myers presented a draft ordinance to annex SC DOT right-of-way that abuts City. Vice Chair Bryant opened the public hearing and ask for comments to be brought forth. None were heard. He then closed the public hearing. Vice Chair Bryant called for any discussion among the Commissioners. None was presented. Mr. Tatum moved to send to Council with their recommendation of approval; and Mr. Bryant seconded. The motion to recommend approval was unanimous.

Public Comments, Non-Agenda Items: No comments were presented at this time.

Other Business

Preliminary Subdivisions - Josh Circle

Mrs. Myers provided the staff report and recommendation for applicant Cliff Powell's request to subdivide of land at Josh Circle for up to ten lots. Staff recommended the following:

Approval of Phase I, with the following conditions.

- (1) Developer must submit detailed preliminary plat prior to applying for and obtaining a zoning permit.
- (2) Developer must obtain all necessary permits prior to proceeding with development;

Approval of Phase II, with the following condition,

- (1) Developer must submit detailed preliminary plat of proposed Phase II lots;
- (2) Developer must extend the water line along Josh Circle to serve Phase II prior to applying for and obtaining a zoning permit.
- (3) Developer must obtain all necessary permits prior to proceeding with development.

Vice Chair Bryant asked the applicant Cliff Powell to address the Commission. Mr. Powell provided the Commission with the history of the property (trailers), and shared that Phase I would include 5 homes, all 2 or 3 bedroom and 2 bath, in the range of \$159,000 to \$199,000. He added that such development would improve the area. He further stated that a maintenance agreement would be developed and signed by future owners for the maintenance of Josh Circle (road) infrastructure. He also provided handouts of proposed house plans. Vice Chair Bryant stated that he went by the area and loved the idea of improving it. Ms. Orr agreed. Mr. Tatum questioned the green space set aside. Mr. Powell explained that unless water and sewer were extended, the green space along S Pine would not be developed. He added that it might make a nice pocket park or dog park. Mr. Tatum asked how many drives would be located off Josh. Mr. Powell indicated that it would depend on SCDOT approval, but possibly up to three. Vice Chair Bryant moved to accept staff's recommendation of approval with stated conditions; Mr. Tatum seconded. The motion to approve was unanimous.

Comprehensive Plan Update

Mrs. Myers provided an update to the Comp Plan process, following feedback from Council. The Commission elected to place the Chair Chris Grant on the Steering Committee and the following:

- (1) Ms. Bunning on the Community Facilities and Services Focus Group;
- (2) Mr. Bryant on the Housing and Transportation Focus Group;
- (3) Mr. Tatum on the Cultural/Historic Resources and Health and Active Living Focus Group; and
- (4) Ms. Orr's replacement on the Population, Economic Development and Land Use Focus Group.

Vice Chair Bryant called for any other business. Hearing none, he adjourned the meeting at 6:10 pm, after Mr. Tatum seconded Ms. Bunning's motion.

Respectfully Submitted,

Celia Boyd Myers, AICP
Community Development Manager

**City of Walhalla
Planning Commission Staff Report
April 2023**

Applicant: Manuel Almonte, Palmetto Construction & Designs

Current Owners: Palmetto Construction & Designs

Property Addresses: Corner of Frank Martin Drive and North Poplar Street

TMS #(s): 500-06-01-005 and 500-06-01-007

Acreage: +/- (Total +/-2.19 acres)

Current Zoning: R-25 (Single Family Residential, with a minimum lot size of 25,000 sq ft)

Requested Zoning: MFR (Multi-Family Residential)

Surrounding Zoning: North: R-25 (Single Family Residential)
South: MFR (Multi-Family Residential)
East: R-25 (Single Family Residential)
West: R-25 (Single Family Residential)

Surrounding Land Use: North: Residential
South: Residential
East: Residential
West: Residential

Evaluation: This request is to rezone two (2) parcels of property described above from R-25 (Single Family Residential) to MFR (Multi-Family Residential). The reasoning is to allow the construction of 12 duplex or quad multi-family homes.

The purpose of the R-25 Zoning District is to provide for low-density single-family residential purposes on lots not small than 25,000 square feet and discourage any encroachment by commercial, industrial or other use capable of adversely affecting the residential character of the district

The purpose of the MFR Zoning District is to provide for medium- and high-density residential purposes on lots or parcels not less than 15,000 square feet and to discourage unwarranted uses capable of adversely affecting the residential character of the district.

Residential uses and zoning surround the subject parcels. The Housing Chapter in the City's Comprehensive Plan (2015)

identifies the goals of (1) Continued blend of renovation, rehabilitation and new housing constructions; (2) Encouragement of Planned Unit Developments in large undeveloped tracts to promote mixed housing; (3) Provision a mixture of housing choices for all income levels; and a policy to tailor its land use objectives to ensure a proper amount of affordable housing.

Public Outreach:

Staff hereby certifies that the following public notification actions have been completed:

- Public hearing sign was posted on subject properties;
- Public hearing notice was posted on the City's website;
- Planning Commission public hearing notice published in the *Seneca Journal*

Public Feedback:

To date, staff has received two phone calls requesting more information.

Staff Recommendation:

Due to its compatibility with adjacent zoning of the area and the Housing and Future Land Use chapter of the 2015 Comprehensive Plan, staff recommends approval of this request.



CITY OF WALHALLA Community Development

206 N Church St. • P.O. Box 1099 • Walhalla, SC 29691 • (864) 638-4343 • Fax (864) 638-4357 • www.CityofWalhalla.com

Application for Rezoning

3/3/2023

Date of Submission

Application Number

Applicant's Information

Applicant Name: Manuel Almonte
Mailing Address: 9 Staffordshire Way, Simpsonville SC 29681
Telephone: 864-386-1921
Email: MannyPalmetto@yahoo.com

Owner's Information

(If Different from Applicant)

Owner Name: Palmetto Construction & Designs
Mailing Address: 9 Staffordshire Way, Simpsonville SC 29681
Telephone: 864 486 1921
Email: MannyPalmetto@yahoo.com

Designation of Agent: *(Complete only if owner is not the applicant)*

I hereby appoint the person named the Applicant as my agent to represent me in the request for rezoning:

Owner's Signature

Date

Project Information

Property Location: _____
Parcel Number(s): 500-06-01-005, 500-06-01-007
Current Zoning: R 25 Requested Zoning: MFR
Current Land Use: 100 Residential Vacant Land Total Acreage: 2.19
Purpose of Rezoning: Build about 12 duplex or quad multi family home.

Covenants/Deed Restrictions

Are there any Private Covenants or Deed Restrictions on the Property? _____ Yes _____ No

If you indicated no, your signature is required.

Applicant's Signature

Date

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application, pursuant to State Law (Section 6-29-1145), determining existence of restrictive covenants. Copies may be obtained at the Oconee County Register of Deeds. It is the applicant's responsibility for checking any subdivision or private covenants pertaining to the property.

Please provide additional information of the proposed use of the property including, but not limited to: General description of proposed use; Plans for protection of abutting properties, if applicable; Any additional information deemed reasonable for review:

We plan on building multi family duplex rental units. The exterior of the units will be vinyl

siding with 30 year roofing architectural shingles. Landscaping will be 20 feet from Frank

Martin Dr onto the property. All trees within 20 feet from the abutting property will remain

undisturbed unless absolutely necessary to remove. All units will be individually landscaped. Shrubbery will

be planted throughout the property.

An accurate plat (survey) of the property must be submitted with this application.

As the applicant, I hereby confirm that all required information and materials for this application are authentic and have been submitted to the Walhalla Community Development office.

3/3/2023

Applicant's Signature

Date

For Office Use Only:

Approved

Conditional

Denied

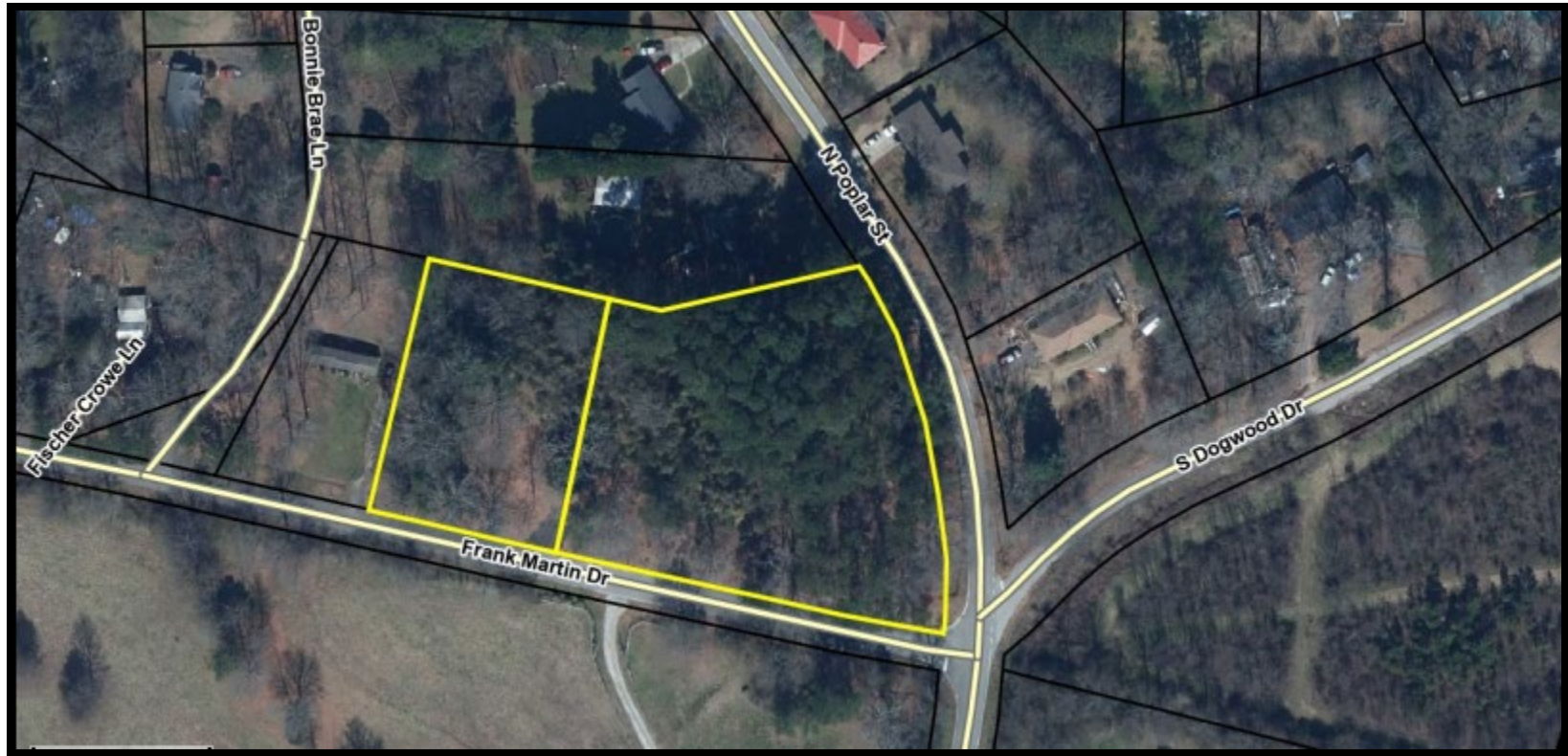
Date Submitted: _____

Planning Commission Public Hearing: _____

City Council 1st Reading: _____

City Council 2nd Reading/Public Hearing: _____

AERIAL MAP



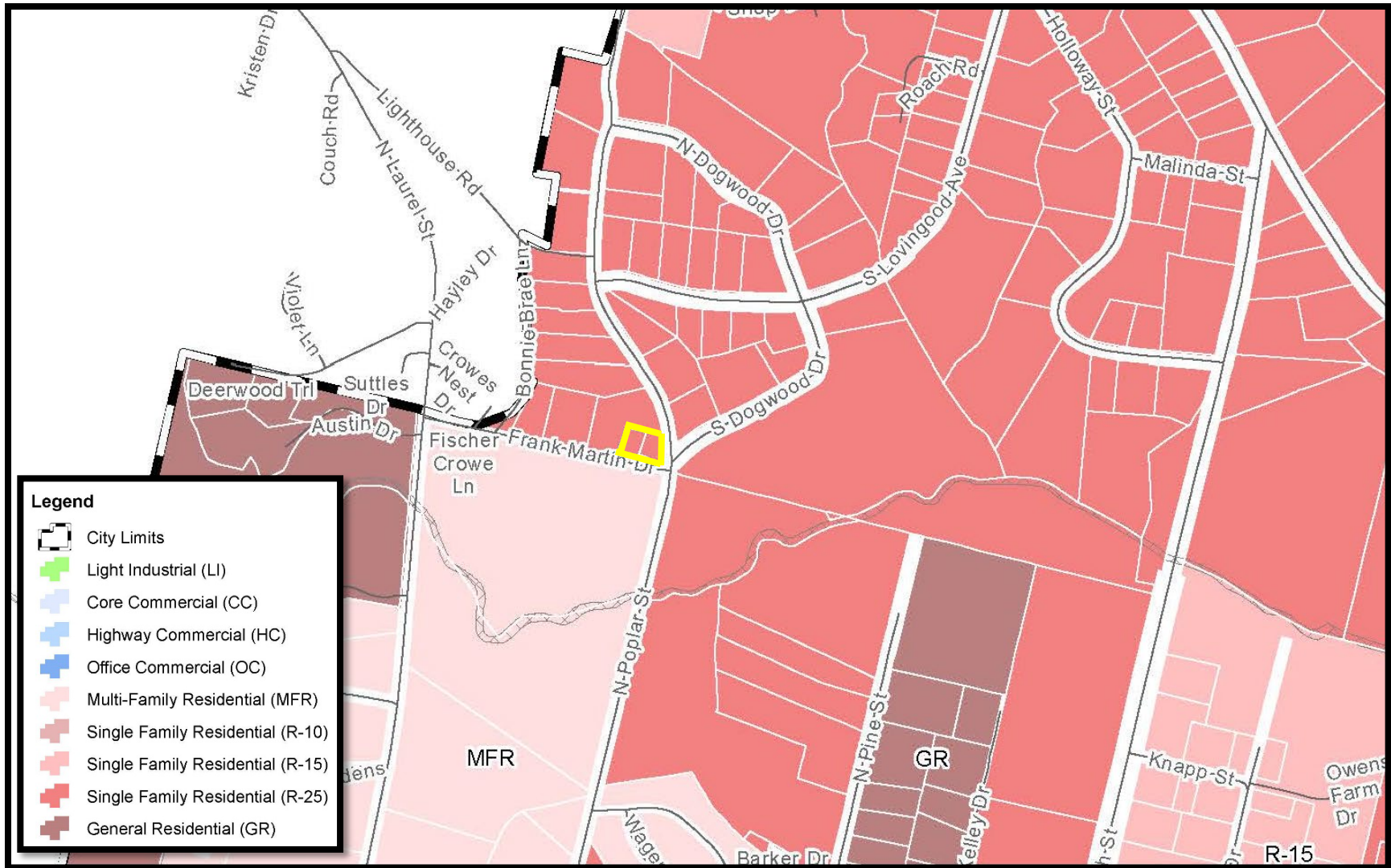
**Rezoning Request - Single Family Residential (R-25) to Multi-Family Residential (MFR)
Properties at the corner of Frank Martin Drive and North Poplar Street
TMS 500-06-01-005 and 500-06-01-007**

AERIAL MAP



**Rezoning Request - Single Family Residential (R-25) to Multi-Family Residential (MFR)
Properties at the corner of Frank Martin Drive and North Poplar Street
TMS 500-06-01-005 and 500-06-01-007**

ZONING MAP



Rezoning Request - Single Family Resident (R-25) to Multi-Family Residential (MFR)

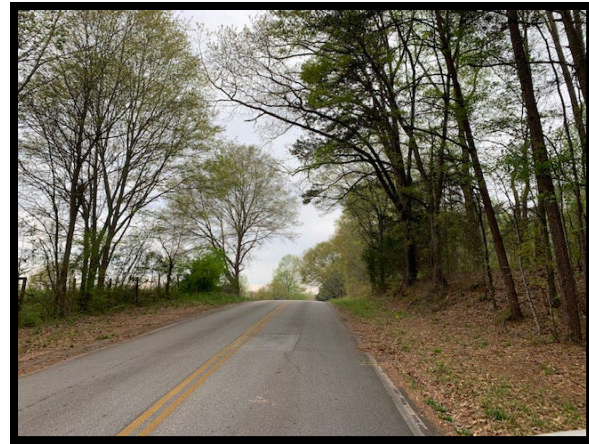
Properties at the corner of Frank Martin Drive and North Poplar Street

TMS 500-06-01-005 and 500-06-01-007

Photographs



Looking East from Frank Martin Drive
(Intersection of Frank Martin Drive and South Poplar Street)



Looking West on Frank Martin Drive
(Intersection of Frank Martin Drive and South Poplar Street)



Looking South from Frank Martin Drive
(Intersection of Frank Martin Drive and South Poplar Street)



Looking North from Frank Martin Drive
(Intersection of Frank Martin Drive and South Poplar Street)

Photographs



West onto the property
(Public hearing sign posted)

§ 330-1.14 **R-25 Single-Family Residential District.**

- A. Intent of district. It is the intent of this section that the R-25 Zoning District be developed and reserved for low-density single-family residential purposes. No use or activity shall be permitted that would disturb or impair the natural character of the district. Areas impaired during construction shall be corrected, so as not to disturb the character of the district. The regulations which apply within this district are designed to encourage the formation and continuation of a stable, healthy environment with single-family dwelling units situated on lots of 25,000 square feet or more, and to discourage any encroachment by commercial, industrial or other use capable of adversely affecting the residential character of the district.
- B. Permitted uses. The following buildings and uses shall be permitted in any R-25 Zoning District:
- (1) Single-family dwellings, detached (other than mobile homes);
 - (2) Cultivation of land and general gardening, horticulture or growing agricultural crops, and plant nursery and sales;
 - (3) Accessory buildings and structures in conjunction with permitted uses as prescribed in § **330-1.46**.
- C. Conditional uses. The following uses shall be permitted in any R-25 Zoning District, subject to the conditions of this Part 1:
- (1) Temporary use in compliance with the provisions of § **330-1.45**.
 - (2) Lots containing one acre or more which is suitable for agriculture purposes, and which are in the R-25 Zoning District, may have horses and cattle at one animal per acre of pasturage, unless the County Extension Services Officer certifies that the land uses will support additional animals, grandfathered for one year and ceases to exist. This subsection is not to exclude Subsection **B(3)** or uses therein.
 - (3) A single parcel or lot which is two acres or greater may have one horse or head of cattle for each two acres unless the County Extension Service Officer certifies that the land uses will support additional animals. Such certificate shall be presented to the Zoning Administrator. Any such conditional use is subject to an annual review. This subsection is not to exclude Subsection **B(3)** or uses therein.
 - (4) Home occupations pursuant to § **330-1.43**.
 - (5) Bed-and-breakfast facilities shall be allowed but must meet the following requirements:
 - (a) The building shall be occupied by an owner or tenant at any time that a room is leased.
 - (b) One sign shall be allowed on the property, no larger than six feet tall and eight feet long.
 - (c) A maximum of six bedrooms shall be allowed, with no more than two adults in each room.
 - (d) All occupants shall sleep in bedrooms only.

- (e) Parking shall conform to Article VI of this Part 1.
 - (f) Rooms shall be rented to tenants for a maximum of 14 consecutive days.
 - (g) Cooking shall be allowed in the kitchen area only, with the exception of outdoor grills.
- D. Special exception uses. Certain uses within an R-25 Zoning District are to be special exception uses pursuant to the requirements and procedures of § 330-1.47 and all subsections and all conditions stipulated herein:
- (1) Antennas, towers, masts and similar structures measuring over 17 feet above the top of the highest peak of the roofline.
- E. Other requirements. Uses permitted or conditionally permitted in R-25 Zoning Districts shall be required to conform to the specific dimensional requirements unless otherwise specified. All other relevant portions of this Part 1 shall apply.
- (1) Minimum lot requirements: 25,000 square feet.
 - (2) Minimum width in feet: 100 feet measured at the front setback line; but in no case is the lot to be less than 25 feet at the right-of-way line.
 - (3) Minimum setback requirements:
 - (a) Front: 30 feet.
 - (b) Side: 10 feet.
 - (c) Rear: 15 feet.
 - (4) Maximum height of building: 2.5 stories or 35 feet. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
 - (5) Maximum structure surface coverage of lot: 35%.

§ 330-1.18 **MFR Multifamily Residential District.**

A. Intent of district.

- (1) It is the intent of this section that the MFR Zoning District be developed and reserved for medium- and high-density residential purposes on lots or parcels not less than 15,000 square feet. The regulations which apply within this district are designed to encourage the formation and continuation of a stable, healthy environment and to discourage unwarranted uses capable of adversely affecting the residential character of the district.
- (2) If a property contained within the MFR District is also included in the Downtown Development Overlay District, the requirements of § **330-1.10A** of this Part 1 will also apply to said property. See § **330-1.25** for sign standards for properties within the overlay district.

B. Permitted uses. The following uses shall be permitted in any MFR Zoning District:

- (1) All permitted uses in the R-15 Single Family Residential District, as shown in § **330-1.15B**;
- (2) Multifamily dwellings;
- (3) Duplex dwellings.

C. Conditional uses. The following uses shall be permitted in any MFR Zoning District on a conditional basis:

- (1) All conditional uses permitted in the R-15 Zoning District.

D. Special exception uses. Certain uses within any MFR Zoning District are to be special exception uses pursuant to the requirements and procedures of § **330-1.47** and all subsections and all conditions stipulated herein:

- (1) Antennas, towers, masts and similar structures measuring over 17 feet above the top of the highest peak of the roofline.

E. Other requirements. Uses permitted or conditioned in MFR Zoning District shall be required to conform to the specific dimension requirements unless otherwise specified. All other relevant portions of this Part 1 shall apply.

- (1) Minimum lot requirements: 15,000 square feet, except that the minimum area per dwelling unit on a lot for multifamily dwellings shall not be less than indicated by dwelling unit type in the following table:

Table 1
Lot Area Square Footage Required for Multifamily Dwellings

Unit Type	Stories			
	1	2	3	4
Efficiency	2,000	1,435	1,410	1,240
1-bedroom	2,000	1,775	1,625	1,438
2-bedroom	2,650	2,475	2,125	1,825
3-bedroom	3,525	3,175	2,653	2,200
4 or more bedrooms	4,373	3,975	3,492	2,725

(2) Maximum dwelling units per acre. The maximum dwelling units per acre shall not exceed the number indicated by dwelling unit type in Table 2. In instances where the permitted figure is determined to include a fraction, the less round number shall apply.

Table 2
Permitted Multiple Dwelling Units Per Acre by Unit Type

Unit Type	Stories			
	1	2	3	4
Efficiency	21	30	30	35
1-bedroom	21	24	26	30
2-bedroom	16	17	20	23
3-bedroom	12	13	16	19
4 or more bedrooms	9	10	12	15

(3) Minimum width in feet: 75 feet measured at the front setback line; but in no case is the lot to be less than 25 feet at the right-of-way line.

(4) Minimum setback requirements:

(a) Front: 35 feet.

- (b) Side: 10 feet.
- (c) Rear: 20 feet.
- (5) Maximum height. [**Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)**]
 - (a) Multifamily building: four stories or 56 feet.
 - (b) Single-family building: 2.5 stories or 35 feet.
- (6) Maximum impervious surface coverage of lot: 60%.
- (7) Open space requirement: not less than 30% of lot.
- (8) Parking as required by Article VI. Rear yard setbacks may be used for parking. Refer to § **330-1.31**.

**City of Walhalla
Planning Commission Staff Report
April 2023**

Applicant: City of Walhalla

Current Owners: 207 Booker LLC; Oconee County; Lee Mischelle Snow; Robert Morton; Jose Herrera; Osiel & Elvia Aguirre; Ray & Alicia Keys; Jessica Vargas

Property Addresses: 207 Booker Drive; 203 Booker Drive; 200 S Tugaloo Street; 201 S Tugaloo Street; 105 #B Booker Drive; 105 Booker Drive; 103 Booker Drive; 205 S Tugaloo Street

TMS #(s): 500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014

Acreage: +/- 0.51; 1.15; 0.53; 0.36; 0.22; 0.28; 0.45; 0.25 (Total 3.75)

Current Zoning: GR (General Residential)

Requested Zoning: OC (Office Commercial)

Surrounding Zoning: North: CC (Core Commercial)
South: GR (General Residential)
East: OC (Office Commercial)
West: GR (General Residential)

Surrounding Land Use: North: Commercial/Government
South: Residential
East: Residential/Government/Commercial
West: Government/Cemetery

Evaluation: This request is to rezone eight (8) parcels of property described above from GR (General Residential) to OC (Office Commercial). The reasoning is to better reflect the existing land uses and to provide a transition zone between the established residential and commercial districts.

The purpose of the GR Zoning District is provide for medium-density residential purposes on lots not less than 5,000 square feet in size.

The purpose of the OC Zoning District is to provide for local or neighborhood-oriented business and compatible residential use purposes.

Both commercial and residential uses are adjacent to the subject parcels. The Future Land Use Chapter in the City's Comprehensive Plan (2015) identifies the goal of expanding of the downtown business district in an orderly manner, as well as policies to review the current zoning, make amendments as needed and to consider mixed use if compatible.

Public Outreach:

Staff hereby certifies that the following public notification actions have been completed:

- Rezoning notification letters were sent to the affected property owners and adjacent property owners of the subject properties;
- Public hearing notice was posted on the City's website;
- Planning Commission public hearing notice published in the *Seneca Journal*

Public Feedback:

To date, staff has received two phone calls requesting more information.

Staff Recommendation:

Due to its previous and current use; its compatibility with the character of the area and the Future Land Use chapter of the 2015 Comprehensive Plan, and its ability to act as a transition zone between the established residential (GR) and commercial (CC) districts, staff recommends approval of this request.

AERIAL MAP



Rezoning Request - General Residential (GR) to Office Commercial (OC)

Properties along Booker Drive

TMS 500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014

AERIAL MAP

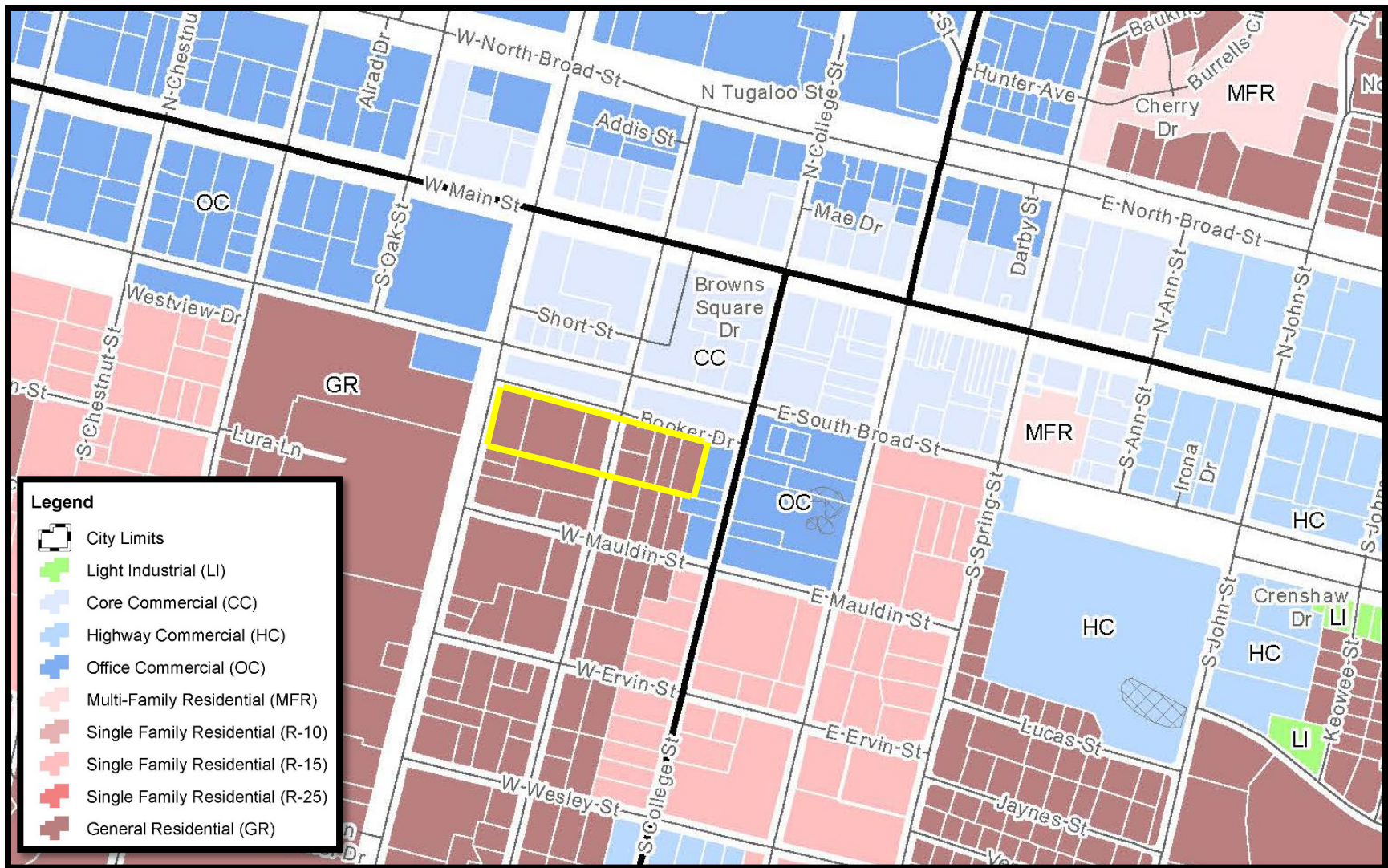


Rezoning Request - General Residential (GR) to Office Commercial (OC)

Properties along Booker Drive

TMS 500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014

ZONING MAP



Rezoning Request - General Residential (GR) to Office Commercial (OC)

Properties along Booker Drive

TMS 500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014

Photographs



Looking West from Booker Drive
(Intersection of Booker Drive and South Church Street)



Looking South from Booker Drive
(Intersection of Booker Drive and South Church Street)



Looking East from Booker Drive
(Intersection of Booker Drive and South Church Street)



Looking West along Booker Drive
(Intersection of Booker Drive and South Tugaloo Street)

§ 330-1.17 **GR General Residential District.**

- A. Intent of district. It is the intent of this section that the GR Zoning District be developed and reserved for medium-density residential purposes on lots not less than 5,000 square feet in size. The regulations which apply within this district are designed to discourage any land use which would generate nonresidential traffic on local or collector streets, to encourage the formation and continuation of a stable, healthy residential environment and to discourage unwarranted encroachment of commercial, industrial or other uses capable of adversely affecting the residential character of the district.
- B. Permitted uses. The following uses shall be permitted in any GR Zoning Districts:
- (1) All permitted uses in the R-15 Single-Family Residential District, as shown in § **330-1.15B**.
 - (2) Duplex dwellings and dwellings with garage apartments, with no more than two dwelling units per building.
- C. Conditional uses. The following uses shall be permitted on a conditional basis in any GR Zoning District:
- (1) All conditional uses permitted in the R-25 and R-15 Zoning Districts, as shown in § **330-1.14C** and § **330-1.15C**;
 - (2) Public or private care homes, provided such uses meet the following requirements:
 - (a) Minimum lot area: one acre.
 - (b) Minimum lot width: 100 feet, measured at the front setback line.
 - (c) Minimum front yard setback: 35 feet.
 - (d) Minimum side yard setback: 15 feet.
 - (e) Minimum rear yard setback: 20 feet.
 - (f) Maximum building height: 2.5 stories or 35 feet. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
 - (3) Vegetative screening. The owner of any public or private care home in this district which adjoins a lot restricted to residential use shall provide and maintain a suitable vegetative screen at least six feet in height above finished grade between it and any lot restricted to residential use.
 - (4) Additional requirements. Any public or private care home in this district shall meet all standards set forth in county, state, federal and local law.
- D. Special exception uses.
- (1) Certain uses within any GR Zoning District are to be special exception uses pursuant to the

requirements and procedures of § **330-1.47** and all subsections and all conditions stipulated herein:

- (a) Antennas, towers, masts and similar structures measuring over 17 feet above the top of the highest peak of the roofline.
- (b) Mobile homes. Mobile homes and mobile home parks are special exceptions in any GR Districts, subject to the requirements and procedures of § **330-1.47**, all subsections and all conditions stipulated herein.

(2) Mobile home parks.

- (a) Each mobile home park shall be no less than one acre in size and be located on a well-drained site properly graded to ensure rapid drainage and freedom from stagnant pools of water.
- (b) Each mobile home park shall not contain more than eight mobile home units per gross acre.
- (c) Mobile home spaces shall be provided consisting of an average of not less than 5,000 square feet in area, each space to be at least 40 feet wide and 100 feet in depth.
- (d) All mobile home spaces shall abut upon an all-weather surface driveway not less than 20 feet in width, which shall have unobstructed access to a street. The driveway surface may be of concrete, brick, asphalt, gravel or similar material, but not grass or dirt.
- (e) Each mobile home park must be serviced by an approved community or public water and sewer system, and safe and adequate provisions for the centralized collection of waste and garbage must be provided by the owner or operator of the mobile home park, all of which shall comply fully with all laws, ordinances or regulations prescribed by the County Board of Health and the South Carolina Department of Health and Environmental Control (SCDHEC).
- (f) Mobile home parks shall have a minimum of 25% common open space for active or passive recreation, which shall be easily accessible from all mobile home lots or spaces.
- (g) All mobile homes, within or outside of mobile home parks, shall adhere to the standards and conditions set forth in Subsection **E**, below.

E. Manufactured home standards. [**Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)**]

- (1) Manufactured homes are permitted by special exception in the GR General Residential District and must comply with the requirements of Chapter **199**, Manufactured Homes, of the City Code.
- (2) Abandoned mobile homes.

(a) Any mobile home which has been abandoned and is declared to be a nuisance under the terms of this Part **1** or Chapter **199** shall be removed by the owner of the land within 90 days of notification. A mobile home shall be considered abandoned if any one of the following applies:

[1] If it has been unoccupied with utilities disconnected for a period of one year or greater; or

[2] If it has been deemed unsafe, unfit or condemned by the Building Inspector, code official or a Health Authority and no attempt has been made to remedy or repair to current code requirements within 60 days of being declared uninhabitable; or

[3] If the needed repairs exceed 75% of its replacement value.

(b) The City may recover from the owner of the land upon which such abandoned mobile home is located the expense of removal and disposal of the mobile home and any administrative fees.

(3) Enforcement. It shall be unlawful for any person to place or park any mobile home or manufactured home upon any premises within the corporate limits, except as provided by this Part **1**, Chapter **199** and any amendments thereto; and in the event of any violation of these provisions, such shall be sufficient grounds for the City of Walhalla to discontinue all municipal services to such mobile home.

F. Other requirements. Uses permitted or conditional uses in GR Zoning Districts shall be required to conform to the specific dimensional requirements unless otherwise specified. All other relevant portions of this Part 1 shall apply.

(1) Minimum lot requirements: 5,000 square feet.

(2) Minimum width in feet: 60 feet measured at the front setback line, but in no case is the lot to be less than 25 feet at the right-of-way line.

(3) Minimum setback requirements:

(a) Front: 25 feet.

(b) Side: 10 feet.

(c) Rear: 10 feet.

(4) Maximum height of building: 2.5 stories or 35 feet. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

(5) Maximum structure surface coverage of lot: 60%.

§ 330-1.19 **OC Office Commercial District.**

A. Purposes.

- (1) It is the intent of this section that the OC Zoning District be developed and reserved for local or neighborhood-oriented business and compatible residential use purposes. The regulations which apply within this district are designed to encourage the formation and continuation of a stable, healthy and compatible environment for uses that are located so as to provide nearby residential areas with convenient shopping and service facilities; reduce traffic and parking congestion; avoid the development of "strip" business districts; promote residential uses compatible with commercial activities; and discourage industrial and other encroachment capable of adversely affecting the localized commercial character of the district.
- (2) If a property contained within the OC District is also included in the Downtown Development Overlay District, the requirements of § **330-1.10A** of this Part **1** will also apply to said property. See § **330-1.25** for sign standards for properties within the overlay district.

B. Permitted uses. The following uses shall be permitted in the OC Zoning District:

- (1) Retail business involving the sale or rental of merchandise on the premises, specifically including, but not limited to:
 - (a) Gift shop.
 - (b) Candy store.
 - (c) Office equipment and supplies shop.
 - (d) Drugstore or pharmacy, health and beauty aids.
 - (e) Grocery store.
 - (f) Hardware store, household goods, wallpaper.
 - (g) Package liquor store.
 - (h) Video and record store.
 - (i) Flower shop.
 - (j) Catalog sale store.
- (2) Business involving the rendering of a personal service or the servicing of small equipment, specifically including, but not limited to:
 - (a) Bank, savings and loan association, personal loan agency.
 - (b) Barbershop, beauty shop, or combination thereof.
 - (c) Self-service dry cleaning or laundromat.

- (d) Medical, dental or chiropractic office.
- (e) Real estate agency.
- (f) School offering instruction in art, music, dancing, drama or similar cultural activities.
- (g) Shoe repair shop.
- (h) Club, lodge, union hall or social center.
- (i) Legal office.
- (j) Insurance sales office.
- (k) Custom embroidery production and sales.

(3) Accessory use in compliance with the provisions of § **330-1.46**.

(4) All residential activities as described in the MFR Zoning District.

C. Conditional uses. The following uses shall be permitted on a conditional basis in any OC Zoning District:

- (1) Auto accessory store, provided there is no storage of wrecked automobiles or scrapped or salvage auto parts on the premises.
- (2) Automobile service station (not gasoline stations), provided operations involving major repairs, body and fender work, painting or the sale or rental of new or used cars or trucks, trailers of any type or boats is not conducted on the premises. No junk or salvage vehicles shall be stored on site.
- (3) Bakery, provided that goods baked on the premises are sold only at retail on the premises.
- (4) Delicatessen, restaurant, soda fountain or other eating and drinking establishments (other than drive-in establishments), provided no outside loudspeaker systems are utilized, and provided all lights or lighting arrangements used for purposes of advertising or night operations are directed away from adjoining or nearby residential properties.
- (5) Dry cleaning or laundry pickup agency, provided that any laundering, cleaning or pressing done on the premises involves only articles delivered to the premises by individual customers.
- (6) Temporary use in compliance with the provisions of § **330-1.45**.
- (7) Funeral homes, provided that the minimum lot size is one acre.
- (8) Single-family and multifamily residential uses as set forth in the MFR District.
- (9) Any commercial establishment selling or serving alcoholic beverages, whether consumed on the premises or not.

(10) Accessory uses as provided for in § **330-1.46**.

(11) Major retailers, provided they adhere to the following conditions: They must comply with the Downtown Design Guidelines. **[Added 9-21-2021 by Ord. No. 2021-17]**

D. Special exception uses. Certain uses within any OC Zoning District are to be special exception uses pursuant to the requirements and procedures of § **330-1.47** and all subsections and all conditions stipulated herein:

(1) Gasoline filling stations. In addition to all conditions of the special exception use permit, at a minimum all pumps must be set back at least 25 feet from the right-of-way line of all abutting streets. No junk or salvage vehicles shall be stored on site.

(2) Antennas, towers, masts and similar structures measuring over 17 feet above the top of the highest peak of the roofline.

(3) Communication towers.

E. Other requirements. Uses in Office Commercial Zoning Districts shall be required to conform to the standards set forth below. All other relevant portions of this Part 1 shall apply.

(1) Minimum lot requirements: 8,000 square feet.

(2) Minimum width in feet: 60 feet measured at the front setback line.

(3) Minimum setback requirements.

(a) Front: 30 feet.

(b) Side: 10 feet on either side, but the total shall not be less than 25 feet.

(c) Rear: 10 feet.

(4) Maximum height of building: four stories or 56 feet. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

(5) Maximum structure surface coverage of lot: 60%.

(6) There shall be no more than two access points on an arterial street for every one lot of record; provided, however:

(a) If a primary access to a lot of record is available on an intersecting street, then access on the arterial street shall be limited to one access per lot of record.

(b) Such access on an arterial street is granted only provided that there is a minimum of 80 feet from such access to the right-of-way of an intersecting street.

(c) There shall be no more than one access point granted within a given 50 feet of frontage.

(7) No drive-throughs of any kind are permitted. **[Added 9-21-2021 by Ord. No. 2021-17]**