

716. - Highway Commercial District (HC).

Intent. It is the intent of this section that the Highway Commercial District be established and appropriate land reserved for general business purposes and with particular consideration for the automobile-oriented commercial development existing or proposed along the county's roadways. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible and economically healthy environment for business, financial, service, amusement, entertainment and professional uses which benefit from being located in close proximity to each other; and to discourage any encroachment by industrial or other uses capable of adversely affecting the basic commercial character of the district.

716.1 Permitted Uses.

- (A) Retail business involving the sale of merchandise on the premises in permanent buildings specifically including:
 - 1. Antique stores, gift or curio stores;
 - 2. Appliance, household furnishings, radio, television stores;
 - 3. Art supply, book, magazine, newspaper, photographic and camera supply and service, office supply and equipment, hobby and toy stores;
 - 4. Clothing, millinery or hat and shoe stores;
 - 5. Hardware, paint, sporting goods stores;
 - 6. Five- and ten-cent, general, or variety stores, music and/or record stores;
 - 7. Drug, grocery, fruit, nut, candy, and vegetable stores; and
 - 8. Florist shops and package liquor stores.
- (B) Businesses involving the rendering of personal or professional services or the repair and servicing of small equipment specifically including:
 - 1. Appliance, radio, television repair shops;
 - 2. Banks, savings and loan associations, personal loan agencies, and branches;
 - 3. Barber shops and beauty shops;
 - 4. Bicycle repair and sales shops;
 - 5. Dressmakers, seamstresses and tailors;
 - 6. Dry cleaning self-service and/or laundry self-service facilities;
 - 7. Insurance and/or real estate agencies;
 - 8. Locksmith or gunsmith shops;
 - 9. Medical and dental clinics and laboratories, excluding outpatient treatment clinics, as defined in section 448.5;
 - 10. Hospitals, group care facilities;
 - 11. Offices for governmental, business, professional or general purposes;
 - 12. Photographic studios;
 - 13. Schools offering instruction in art, music, dancing, drama, or similar cultural activities;
 - 14. Secretarial and/or telephone answering services; and
 - 15. Shoe repair shops.
- (C) Theaters, taverns, billiard halls, bowling alleys and skating rinks;

- (D) Radio and/or television stations including transmission towers;
- (E) Restaurants, including drive-ins;
- (F) Private or semi-private clubs, lodges, union halls or social centers;
- (G) Off-street commercial parking lots;
- (H) Single-family dwellings;
- (I) Hotels, motels and tourist homes provided:
 1. *Minimum Lot Area:* Twenty-five thousand (25,000) square feet or one thousand (1,000) square feet per accommodation for one- or two-story structures and seven hundred (700) square feet per accommodation for three (3) or more story structures, whichever is greater.
 2. *Maximum Building Height:* Unlimited provided that parking standards and other regulatory requirements are met.
- (J) Shopping centers and malls;
- (K) Mini-warehouses;
- (L) Golf courses, miniature golf courses and driving ranges;
- (M) Farming and farm buildings excluding confined areas for animals/livestock for commercial uses, hog houses, feed lots, slaughter areas/pens/houses, and poultry houses; and
- (N) Railroad depots;
- (O) Accessory uses.
- (P) Reserved.
- [Q] Campers or recreation vehicles subject to the special provisions of Article 12.
- (R) Churches, synagogues, temples, and other places of worship subject to the provisions of Article 12.
- (S) Beer, wine, and spirit production, tastings, and retail sales of related merchandise. Production includes a facility used to process raw materials to finished product, and to age, bottle, store, and sell said products. No distribution is allowed.

(Ord. No. 45-95, § 1, 7-18-95; Ord. No. 164-97, § 4, 1-20-98; Ord. No. 31-01, § 1, 6-19-01; Ord. No. 157-02, § 2, 12-17-02; Ord. No. 138-04, § 2(Att. 1), 2-1-05; Ord. No. 30-16, § 2, 6-7-16; Ord. No. 88-16, § 7, 11-1-16)

716.2 Conditional Uses.

- (A) Convenience stores with or without gasoline.
- (B) Publicly owned buildings, facilities, or lands, provided the review as required by Section 6-29-540 of South Carolina State Law is complete.
- (C) Publicly or privately owned utility substations or sub-installations, including water towers, provided the review as required by Section 6-29-540 of the South Carolina State Law has been completed.
- (D) Auto/boat/motorcycle/recreation vehicle/truck/construction and farm equipment service and repair subject to section 1207.
- (E) Combination of a residential structure with any use permitted herein provided that the dwelling has direct access to the street. The connection of two (2) buildings by means of an open porch, breezeway, carport, or other such open structure, with or without a roof, shall not be deemed to make them one (1) building.

- (F) Car washes provided that off-street paved parking areas capable of adequate storage for waiting vehicles is suitably located and maintained on the premises; and provided no safety hazard or impediment to traffic movement is created by the operation of such an establishment.
- (G) Animals hospitals and/or boarding facilities provided all boarding arrangements are maintained within a building and no noises connected with the operation of the facility is perceptible beyond the premises.
- (H) Auto sales, mobile home sales, boat sales.
- (I) Automobile Storage including stand alone tow yards.
- (J) Open yard uses for the sale, rental, and/or storage of new, used, or salvaged materials, or equipment provided subject to section 1209.
- (K) Stands, shelter or vehicles for the retail sales of seasonal agricultural produce, shrimp and ice provided that:
 - 1. Temporary stands, shelters or vehicles must obtain a Certificate of Zoning Compliance annually;
 - 2. All stands, shelters, mobile sales must meet South Carolina DHEC regulations;
 - 3. Off-site temporary stand, shelters or vehicles may meet a minimum front yard setback of twenty (20) feet if the stand, shelter or vehicle is completely removed after the produce season;
 - 4. Off-site stands or shelters that remain on the property where the zoning district permits it and are not disassembled after the produce/shrimp season, must meet the setbacks of the zoning district in which they are located;
 - 5. A minimum of four (4) parking spaces must be provided and suitably maintained;
 - 6. The size of such stands or shelters shall not exceed three hundred (300) square feet;
 - 7. Mobile shrimp and produce sales may not be located within two thousand (2,000) feet of a permanent business specifically owned or leased for the purpose of selling seafood or produce;
 - 8. Stands, shelter or vehicles erected on properties where the owner of said properties are growing seasonal produce are not required to obtain a Certificate of Zoning Compliance provided that sections 702.2(B), 2., 3., 4. and 5. above are met.
 - 9. Ingress and egress of vehicle traffic shall not create a hazard for traffic on an adjacent street; and
 - 10. Signage for produce stands shall obtain a temporary sign permit meeting the following:
 - (a) Temporary stands, shelters or vehicles shall be allowed no more than one (1) temporary ground sign on-site and be no larger than forty (40) square feet.
 - (b) All signage must be set back ten (10) feet from the paved portion of the road and out of the highway right-of-way.
 - (c) Temporary signs shall be permitted off-site provided;
 - 1. Only two (2) signs in one (1) road direction from the stand site shall be allowed or one (1) sign per road direction;
 - 2. The sign(s) are no larger than twenty-five (25) square feet;
 - 3. The signs(s) are placed no further than two thousand (2,000) linear feet from the stand site;
 - 4. The sign(s) are not placed in the highway right-of-way; and

5. Not placed on utility poles, trees, fences, other state authorized signs, rocks or natural appurtenances.
- (d) All signage associated with existing produce stands shall come into compliance within ninety (90) days of the adoption of this Ordinance.
- (L) Trade shops of all kinds, including but not limited to: cabinet, carpentry, electrical, plumbing, heating and air conditioning, welding, sheet metal and machine shops, trophy and extermination shops; provided that such uses shall not create a public or private nuisance and other applicable laws are met. All uses and work shall be conducted entirely within a fully enclosed structure.
 - (M) Manufacture of precision instruments, articles and equipment provided: such uses shall not create a public or private nuisance and all other applicable laws are met. All uses and work shall be conducted entirely within a fully enclosed structure.
 - (N) Indoor amusement and/or entertainment commercial uses provided the following performance standards are met:
 1. Such uses shall be completely contained inside a fully enclosed building/structure;
 2. Such uses shall not produce noise, vibration, smoke, gas, fumes, odor, dust, fire hazards, dangerous radiation or any other condition that creates a public or private nuisance beyond the premises; and
 3. Parking/landscape plans as required by Article XI and Article XII of the Zoning Ordinance shall be submitted, reviewed and approved by the Zoning Administrator prior to the issuance of a certificate of zoning compliance form.
 - (O) Requirements regarding certain types of game machines. In those instances where there exist machines of the payout type, or an in-line pin game, or a video game with free-play features operated by a slot wherein is deposited any coin or thing of value (except machines of the non-payout pin table type with levers or "flippers" operated by the player by which the course of the ball can be altered or changed), the following criteria shall additionally apply:
 1. The said premises shall be limited to five (5) machines per structure enclosed by exterior walls as defined by the Standard Building Code; and
 2. Anything with more than five (5) machines within a structure enclosed by exterior walls as defined by the Standard Building Code shall be considered a video arcade establishment and must meet the following spacing requirements:
 - a. One thousand (1,000) feet from a residentially zoned district or residential structure.
 - b. Five hundred (500) feet from a church, cemetery, place of worship, daycare center, public or private elementary or secondary education school.
 - c. One thousand (1,000) feet from another video gaming arcade.
 - d. Measurements of distance separations shall be in a straight line from the closest points of the building(s) [in] which the video gaming machines are located.
 3. The right to maintain a legal nonconforming establishment covered by subsection (N)(2) of this section shall terminate three (3) years after the effective date of this ordinance [subsection (N)].
 - (P) Family Fun Parks:
 1. Zoning Compliance:
 - a. The Zoning Administrator may issue a zoning compliance to operate a family fun park after determining that the proposed operation complies with all applicable provisions of this Section.
 - b. Compliance may be revoked if the county determines that there have been more than three (3) violations of this ordinance within a thirty (30) day time frame.

2. Definition: A Family Fun Park is defined as an event open to the public which includes rides, play areas and concessions. Said parks shall be limited to twelve (12) rides. The majority of rides shall be sized to accommodate children.
3. Location:
 - a. A Family Fun Park shall be located on the same parcels, or parcels adjacent to and under the same ownership or lease, as a shopping mall. The combination of parcels shall total at least fifty (50) acres.
 - b. The shopping mall must have paved parking areas in excess of that required by the Zoning Ordinance.
4. Operational Time Frame and Hours of Operation.
 - a. Park operations shall be limited to ninety (90) total days within a calendar year.
 - b. Family Fun Parks shall be limited to operating between the hours of 8:00 a.m. until 10:00 p.m. This shall include set up, take down and maintenance.
5. Operational Plan.
 - a. The operator shall provide Horry County with a copy of an operational plan, which shall include a copy of a site plan showing the location of the Family Fun Park, indicates hours of operation, security and First Aid measures being taken, traffic plan and a copy of the lease and or license agreement for use of the property.
 - b. The operational plan shall be approved by Horry County Public Safety.
6. Other Restrictions.
 - a. No employee, agent or other representative of the family fun park may live, sleep or otherwise reside on the premises.
 - b. All family fun parks shall be subject to the Horry County Noise Ordinance.
 - c. Family Fun Parks shall meet all SCDHEC requirements.
 - d. Such uses shall not produce noise, vibration, smoke, gas, fumes, odor, dust, fire hazards, dangerous radiation or any other condition that creates a public or private nuisance beyond the premises.
 - e. All portable bathroom facilities and dumpsters shall be screened from major highways.
 - f. All equipment shall be set up so as to not create any hazards with sight distance in the parking lot or on adjacent right-of-ways.

(Q) Reserved.

(R) Therapeutic massage spas provided that:

1. All massage therapists shall be licensed by the State of South Carolina; and
2. Services offered and advertised shall not include any type of bathing services performed by an employee or agent of the spa; and
3. Hours of operation are limited to 8:00 a.m. to 10:00 p.m.

(Ord. No. 134-89, 2-6-90; Ord. No. 137-97, §§ 7, 10, 12-2-97; Ord. No. 51-99, §§ 15, 26, 12-7-99; Ord. No. 47-01, § 1, 4-17-01; Ord. No. 114-01, § 1, 9-4-01; Ord. No. 81-03, § 1, 8-19-03; Ord. No. 138-04, § 2(Att. 1), 2-1-05; Ord. No. 29-10, § 1, 5-18-10; Ord. No. 52-13, § 7, 10-1-13)

716.3 Special Exceptions: Owing to their potential negative impact on the community, the following use[s] may be approved as a special exception by the Zoning Board of Appeals:

(A) Outpatient treatment facilities for alcoholism and drug addition, subject to the following conditions:

- (1) That the special exception shall not be located closer than two thousand (2,000) feet (measured from property line) from any house of worship, day care center, public or private elementary or secondary education school, public park, public library, or the following residential zoning districts: SF 40, SF 20, SF 10 and SF 6, as well as their corresponding MR [MSF] classifications; GR, RR, RC and MHP, except in unusual circumstances where mitigating conditions can be imposed to minimize adverse effects to residential uses;
- (2) That the special exception will be in substantial harmony with the area in which it is to be located;
- (3) That the special exception will not be injurious to adjoining property;
- (4) That the special exception will contribute to the economic vitality and promote the general welfare of the community;
- (5) That the special exception will not discourage or negate the use of surrounding property for use(s) permitted by right;
- (6) In granting the special exception, the Zoning Board of Appeals may impose such reasonable and additional stipulations, conditions, or safeguards as, in its judgment, will enhance the siting of the proposed special exception.

(Ord. No. 164-97, § 5, 1-20-98)

(B) Bed and breakfast establishments (B&Bs) subject to the following conditions:

1. That the special exception complies with all applicable development standards.
2. That the special exception will be in substantial harmony with the area in which it is to be located.
3. That the special exception will not be injurious to adjoining property.
4. That the special exception will contribute to the economic vitality and promote the general welfare of the community.
5. That the special exception will not discourage or negate the use of surrounding property for uses(s) permitted by right.
6. In granting a special exception, the Board of Zoning Appeals may impose such reasonable and additional stipulations, conditions, or safeguards as, in its judgement, will enhance the siting of the proposed special exception.

(Ord. No. 87-01, § 1, 7-10-01)

716.4 Other Requirements.

(A) Area, yard and height requirements as set forth in Article VIII shall be met; and,

(B) Signs permitted in Highway Commercial Districts including the conditions under which they may be located are set forth in Article X.

(Ord. No. 67-88, 4-18-89; Ord. No. 134-89, 2-6-90; Ord. No. 88-91, § 1, 2-4-92; Ord. No. 34-94, § 1, 5-17-94; Ord. No. 37-97, § 2, 4-1-97; Ord. No. 164-97, § 5, 1-20-98; Ord. No. 67-07, § 1, 5-1-07)