



**Agenda
City Council
April 20, 2026
5:30 PM**

Council Chamber, Clemson City Hall

4/20/26 Public Hearing: RZNE-000529-2026 (Elm Street Lot), 2023-R-01 Proposed Text Amendment (Rooftop Canopies)

- a. The City of Clemson City Council will hold public hearings on the matters listed below. The sessions will begin at 5:30 p.m. on Monday, April 20, 2026 in the Council Chambers in City Hall, 1250 Tiger Boulevard, Clemson, SC 29631. Please note that the sessions will be held concurrently. Comments may be submitted in person during the hearings, and in writing through the MyCivic app on the City's website prior to the session.

RZNE-000529-2026 (Elm Street Lot)

An application for a zoning map amendment (rezoning) was submitted by Mr. Russell B. Hebert, agent for the property owner (Calhoun Properties, LLC), on February 3, 2026. As proposed, one .71 acre parcel of land (TMP# 4044-12-85-7048) located at the intersection of College Avenue and Elm Street, addressed as 108 Elm Street, would be rezoned from Office Professional District to RM-4 Multi-family Residential District. No specific development project is currently associated with this requested rezoning. The Planning Commission approved a positive recommendation to City Council on the matter at their regular monthly meeting on March 9, 2026.

2023-R-01 Proposed Text Amendment (Rooftop Canopies)

This proposed text amendment stems from a request by a local hotel to amend City Code to allow for the installation of a canopy that would provide shelter/shade during roof top events, thereby facilitating increased utilization of the space. Currently, any increase in structure height of the hotel, including the installation of a roof top canopy, would result in violating zoning district height limitations. As drafted, the proposed amendment, among other things, defines what constitutes a canopy; establishes rooftop canopies exceeding height limits as a conditional accessory use for hotels only in the General Commercial District; requires review and approval of proposed canopies by the Board of Architectural Review; mandates professional design and installation; and establishes safety measures and limits on time of use. The Planning Commission approved a positive recommendation to City Council on the matter at their regular monthly meeting on March 9, 2026.

Links to copies of documents will be published on the Agenda Center page of the City website.

Contact the Planning and Development Department (864-653-2050) for more information.

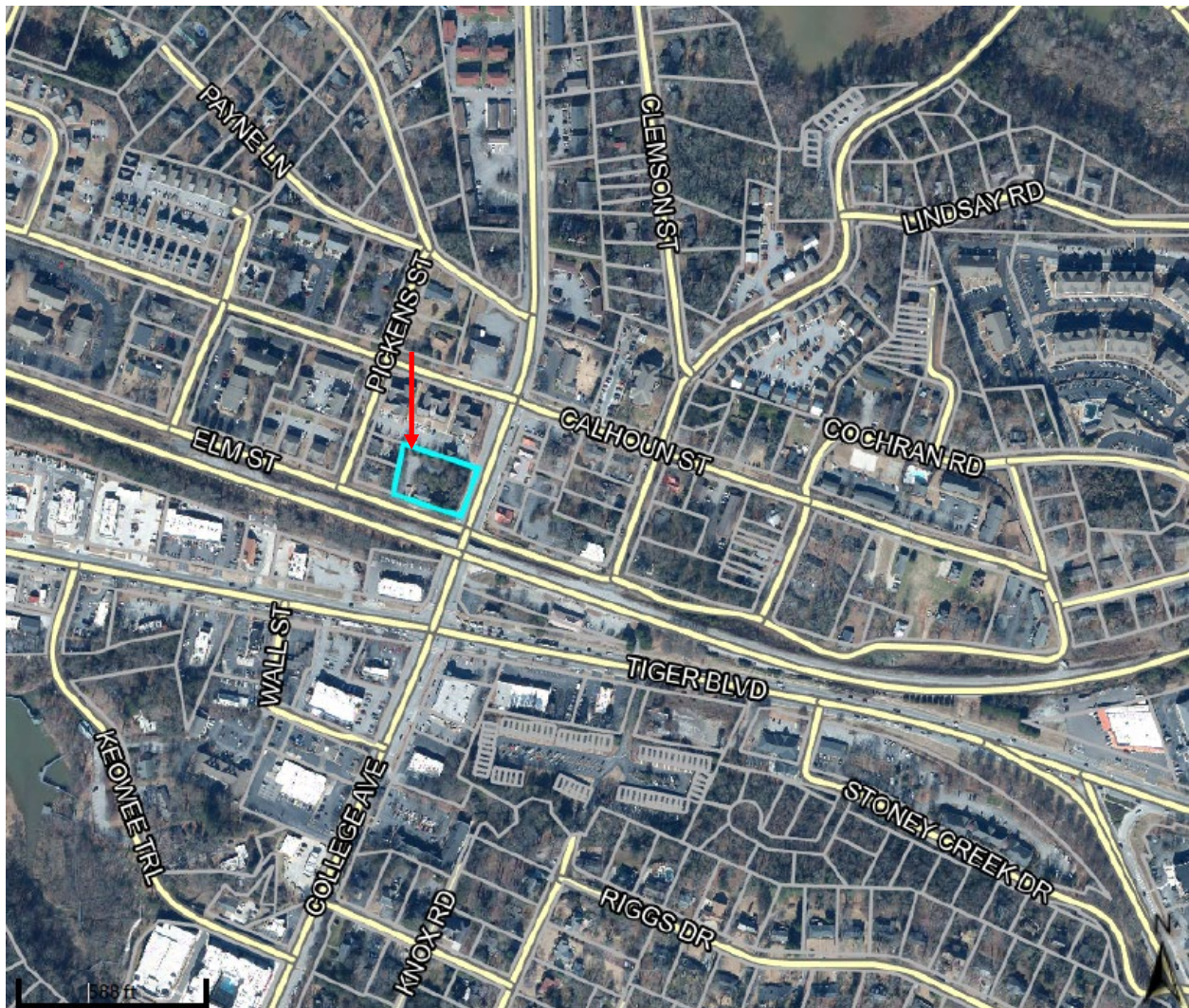
Report on RZNE-000529-2026 Proposed Map Amendment (Elm Street Lot)

April 20, 2026

An application for a zoning map amendment (rezoning) was submitted by Mr. Russell B. Hebert, the agent for the property owner (Calhoun Properties, LLC), on February 3, 2026. As proposed, one .71 acre parcel of land (TMP# 4044-12-85-7048) located at the intersection of College Avenue and Elm Street, addressed as 108 Elm Street, would be rezoned from *Office Professional District* to *RM-4 Multi-family Residential District*. No specific development project is currently associated with this requested rezoning, but the applicant notes on the application that the parcel could be better utilized as a RM-4 Residential District property.

The Planning Commission approved a positive recommendation to City Council on the matter at their regular monthly meeting on March 9, 2026.

LOCATION



TAX ASSESSOR INFORMATION



- Legend**
- Parcels
 - 911 Address
 - Roads

Parcel ID	4044-12-85-7048	Account	Commercial	Ownership	CALHOUN	Documents			
Account No	R0053944	Type			PROPERTIES	Date	Price	Doc	Vacant or
Property	108 ELM ST	Class	Office		PO BOX				Improved
Address	CLEMSON		Building		1767	10/7/2003	\$60,000	775/1293	Improved
District	5-Clemson	Acreage	0.709		CLEMSON,	9/1/2000	\$100,000	574/339	Improved
Brief	NW/CORNER ELM ST	LEA	0085		SC 29633				
Tax Description	COLLEGE AVE, PLAT 400/108, 1915 CALHOUN PLAT FILED IN GIS UNDER CALHOUN LAND CO	Code		Value	\$413,500				
	(Note: Not to be used on legal documents)								

Date created: 2/19/2026
 Last Data Uploaded: 2/19/2026 8:16:32 AM



Existing Condition Images



View from Southwest on Elm Street

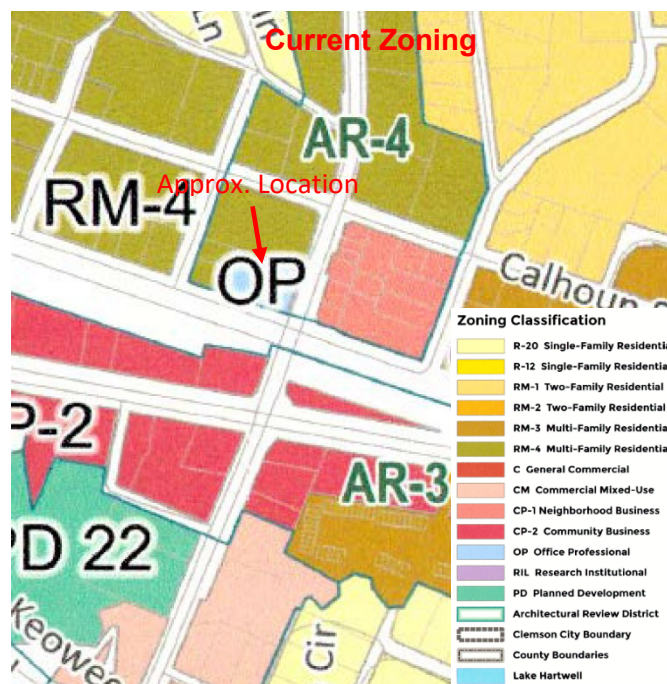


View from Southeast on Elm Street



View of Property from Southeast on College Avenue
Zoning

As stated above, the parcel proposed for rezoning is currently zoned Office Professional District, which is a district intended, among other things, to permit a moderate usage of land while providing buffers between residential neighborhoods and traffic arteries or commercial areas. The requested rezoning would change the parcel’s zoning to RM-4 Multi-family District, a multi-family residential district meant to maintain and promote medium- to high-density residential development for multiple-unit, patio home and zero-lot-line housing.



Neighboring properties situated on the north and west sides of the parcel are zoned RM-4 District, and are occupied by student-oriented development. Properties located to the east zoned CP-1 Neighborhood Commercial District are occupied by businesses, but are separated from the parcel by the College Avenue right-of-way. The southern property boundary abuts the Elm Street right-of-way, which in turn abuts the Norfolk Southern Railroad right-of-way, providing significant separation from the General Commercial District properties on located near the corner of College Avenue and Tiger Boulevard.

Comprehensive Plan

Although the Comprehensive Plan’s Future Land Use Map shows the parcel as a commercial property, it should be noted that it is situated in an area primarily identified for high-density residential, and, due to the existence of the multiple rights-of-way, it stands alone, isolated from all other non-residential uses.



In addition to the Future Land Use Map, the Comprehensive Plan includes a Residential Framework map that delineates various areas recommended for special consideration

of prioritization. Although the parcel proposed for rezoning was not included (likely because of its current commercial use), it abuts the area called out for Student Housing Prioritization, which is perhaps the most likely future use if the requested rezoning is approved.



Impact On Services

Comments on the proposed rezoning were solicited from pertinent City departments to identify a possible impacts of the change on service delivery. No impacts were identified.

Review Status

The Planning Commission took up the matter at their regular monthly meeting on March 9, 2026. Following their review, they approved a positive recommendation to City Council on the proposed zoning map amendment. City Council is scheduled to hold a public hearing on the proposal on April 20, 2026.

Application

utmesign id: 81e88d5d-ffff-f011-8d4d-00002a1fcaeb



1250 Tiger Blvd, Suite 4 • Clemson, SC 29631-2662
 (864) 653-2050
 Fax (864) 653-2057
 www.cityofclemson.org

RZNE-00529-2026
 PC

PLANNING COMMISSION ZONING AMENDMENT APPLICATION

Please complete in ink and return to the Planning and Codes Administration Department with required attachments, information, and filing fee. Zoning Map Amendment (Rezoning) applications require a filing fee of \$250, a current survey of the property, a copy of the deed, and a designation of agent if owner is not the applicant. **Both sides of this application must be completed; incomplete applications will not be accepted.**

- An amendment to the zoning ordinance text or the zoning map may be initiated by the city council, the planning commission, or the board of zoning appeals.
- An amendment to the zoning map for changing a zoning district designation of property may be initiated by the owner of the property affected or by an agent authorized by the owner in writing.

RZNE-000529-2026

File no.: R - _ _	PIN: 4044-12-85-7048	Date submitted: 2/3/2026	Planning Commission meeting date: 3/9/2026
Amendment type: <input checked="" type="checkbox"/> Map amendment (Rezoning) <input type="checkbox"/> Text amendment			
Initiated by: <input type="checkbox"/> Owner/Agent <input type="checkbox"/> City Council <input checked="" type="checkbox"/> Planning Commission <input type="checkbox"/> Board of Zoning Appeals			

OWNER(S) INFORMATION			
Last name: Calhoun Properties	First:	Middle:	Interest: <input checked="" type="checkbox"/> Sole owner <input type="checkbox"/> Co-owner
Mailing address: P O Box 1767	City: Clemson	State: SC	ZIP Code: 29631
Daytime phone no.: (706) 633-8864	Fax no.: ()	E-mail: calmgt@aol.com	

APPLICANT INFORMATION			
<i>To be completed only if Owner is not Applicant:</i>			
Applicant's last name: Hebert	First: Russell	Middle: Benedict	
Mailing address: 506 Bentbrook Lane	City: Clemson	State: SC	ZIP Code: 29631
Daytime phone no.: (864) 356-1152	Fax no.: ()	E-mail: russellhebertiii@gmail.com	

PROPERTY INFORMATION			
THE OWNER/APPLICANT HEREBY REQUESTS that the property described below be rezoned from <u>OP</u> to <u>RM4</u>			
Property address: 108 Elm Street Clemson, SC	Property dimensions: 189x162x218x150	Property area: approx 30, 925 sf	

DESIGNATION OF AGENT		
<i>To be completed by Owner(s) only if Owner is not Applicant. All owners must sign.</i>		
I (we) hereby appoint the person named as Applicant's my (our) agent to represent me (us) in this request for a zoning map amendment.		
Pickens M Lindsay <i>Owner name</i>	<u>Pickens M Lindsay</u> <i>Owner signature</i>	01/21/26 <i>Date</i>
<i>To be completed by Applicant:</i>		
I certify that the information in this request is correct.		

wheresign ID: 81E28L6b-FF6-F011-8U4U-05AU5A1FC428

Russ Hebert III		01/21/26
<i>Applicant name</i>	<i>Applicant signature</i>	<i>Date</i>

Rev. 12-09-05; 06-15-07

REQUIRED INFORMATION

REASONS FOR ZONING AMENDMENT REQUEST: I (we) request the rezoning for the following reasons:

The property has become obsolete for our current office use. Size, Location and new "work at home" environment. Property was historically RM4 and was changed to suit our needs in early 2000's. The property is surrounded by RM4 properties and will be the highest and best use for property in the near future.

This proposed text amendment stems from a request by the Shepherd Hotel’s management team to amend City Code to allow for the installation of a canopy that would provide shelter/shade during roof top events, thereby facilitating increased utilization of the space. Currently, any increase in structure height of the hotel, including the installation of a roof top canopy, would result in violating district height limitations. Additionally, Code contains no standards aimed at ensuring roof top canopies are designed, installed, and maintained in a safe and proper manner. As drafted, this proposed amendment addresses these issues by:

- a) defining what constitutes a canopy;
- b) establishing roof top canopies exceeding height limits as a conditional accessory use for *only* hotels located the C District;
- c) requiring approval by the BAR, who will approve heights and setbacks, and *may* impose conditions to mitigate visual impacts and improve the aesthetics of the project;
- d) mandating professional structural design and installation, and requiring an engineering analysis for existing roofs;
- e) setting limits on time of use of walls, as well as enabling the documentation of wind speed;
- f) requiring a safety plan be posted on site;
- g) and, for duly approved canopies meeting all standards, providing relief from the height limitations.

The Planning Commission approved a positive recommendation to City Council on the proposal at their regular monthly meeting on March 9, 2026.

CODE OF ORDINANCES

CHAPTER 19 ZONING (1)

Sec. 19-107. Definitions.

Canopy means an overhead roof structure, typically consisting of a fabric or metal covering attached to a supporting frame, intended to provide shade or shelter from weather conditions (such as sun, hail, snow and rain). A canopy does not have permanent walls, but may be configured to allow for the use of walls needed to provide additional shelter and/or screening on a temporary basis. A canopy mounted on top of a roof can be an accessory use provided it meets the Conditional Use Standards for Roof Top Canopy.

ARTICLE IV. NON-RESIDENTIAL DISTRICTS AND DISTRICT REGULATIONS

Table 19-403. Accessory Uses for Non-residential Districts											
P = Permitted Use C = Conditional Use SE = Special Exception A=Accessory Dash (-) = Use not Permitted											
USE CATEGORY	NAICS Code	C	CM	CP-1	CP-2	CP-3	OP	RIL	OR	M	C/SE Reference
A. ACCESSORY USES AND/OR STRUCTURES											
...											See Sec. 19-405 J.
Home Occupations		C	C	-	C	-	-	-	-	-	

Roof Top Canopy Exceeding Height Limits		C	-	-	-	-	-	-	-	-	
---	--	---	---	---	---	---	---	---	---	---	--

Sec. 19-405. Standards for conditional use and special exceptions for non-residential districts.

J. ACCESSORY USES AND STRUCTURES IN NON-RESIDENTIAL DISTRICTS

10. Roof Top Canopy

a. Conditional Use Standards

1. Shall be limited to Hotels only.
2. Design, placement, and anchorage of the canopy must be certified by an appropriately South Carolina licensed engineer and be approved by the City Building Official. Plans submitted for roof top canopies proposed to be installed on existing buildings must be accompanied by an engineering analysis of the structure’s capability of supporting the intended use and anticipated occupancy limits.
3. Walls are only allowed to be used during events, and shall be installed no earlier than twenty-four (24) hours prior to the start of the event, and must be removed no later than twenty-four (24) hours after the end of the event.
4. The canopy design, appearance, and installation location must be approved by the Board of Architectural Review (BAR); collapsable and certified glass or isinglass (or similar product) folding systems (which may have a permanent component in the canopy design) and collapsable insulated panel roofing structures are permitted.
5. Canopy height and setbacks from the edge of buildings will be determined by the BAR, who may impose whatever conditions are deemed appropriate to mitigate visual impacts of the structure and/or create an aesthetically better project; canopy height is permitted up to 8’ clear height (under support system) on the perimeter of the canopy at the outer edges of the building provided glass or isinglass (or similar product) is used.
6. A weather station capable of accurately measuring and recording roof top wind speeds must be permanently installed prior to the use of any approved canopy, which will meet current building requirements for wind loads.
7. A sign detailing an approved safety plan for the canopy area and surroundings must be posted in a highly-visible place on the roof top. The safety plan will include what measures must be taken at different wind speeds as determined by the certifying engineer.

ARTICLE VI. GENERAL AND SUPPLEMENTARY REGULATIONS

DIVISION 1. GENERAL PROVISIONS

Sec. 19-603. Exceptions to maximum structure height.

Unless otherwise noted, the district regulation height limitations shall not apply to chimneys, church spires, flag poles, antennas, utility or communications towers, non-habitable architectural features, or necessary mechanical features not occupying more than one-tenth (1/10) of the roof area, provided they shall not exceed 30 percent of the district standard.

2023-R-01 Proposed Text Amendment (Rooftop Canopy Standards)

Proposed text in RED font

Public Hearing – April 20, 2026

District regulation height limitations shall not apply to Roof Top Canopies that meet Conditional Use Standards.

(Ord. No. CC-2014-05, § 1, 8-18-14; Ord. No. CC-2015-31, 8-17-15; Ord. No CC-2026-XX, X-X-X)