

1. Agenda

Documents:

[07-08-24_PC_MEETING_AGENDA.PDF](#)

2. Meeting Materials

Documents:

[REPORT ON RZNE-000272-2024 CAMBRIDGE DRIVE PARCELS.PDF](#)
[DISCUSSION ITEMS 6.A ABD 6.B -- BACKGROUND INFORMATION.PDF](#)
[BONDING VACANT COMMERCIAL SPACE - DISCUSSION DRAFT.PDF](#)
[CP-2 DISTRICT PARKING-SETBACK DISCUSSION DRAFT.PDF](#)
[BUFFERYARD DISCUSSION DRAFT.PDF](#)



CITY OF
Clemson
PLANNING &
DEVELOPMENT

AGENDA

City of Clemson Planning Commission Meeting

6:00 p.m., Monday, July 8, 2024

1250 Tiger Blvd., Suite 2

City Hall – Council Chambers

The public may attend City of Clemson meetings in person at this time.

You can also view these meetings on the City of Clemson's YouTube channel within 2-business days.

How to Submit Public Comments

1. In person during appropriate portions of meetings
2. On the City's MyCivic web platform no later than 5:00 p.m. the day before the meeting.

1. Call to Order

2. Public Session

3. Adoption of Minutes

- a. June 10, 2024 – Regular Meeting

4. Action Items

- a. RZNE-000272-2024 Proposed Map Amendment (Cambridge Parcels)

5. Advisory Items

6. Discussion Items

- a. Additional Discussion of Bonding for Commercial Space in Mixed-Use Buildings
- b. Additional Discussion of Maximum Front Setbacks and Parking Location Requirements in CP-2 District
- c. Bufferyard and Screening Requirements

7. Staff Reports

8. Other Items

- a. Planning Commission Representation at Council Meetings
- b. Future Workshops and Other Events

9. Adjourn

**Report on RZNE-000272-2024 Proposed Map Amendment
Cambridge Drive Parcels**

Planning Commission Meeting Date
July 08, 2024

827

854

Ingles Supermarket

826

1811 1813 1903
1809 1911 1913
1807

2002
2004

2211 2213

2307 2309

101
103

111

140

Clemson Heritage

1613
161
1605

Cambridge Creek

1211 1100
1209 814
1203 812 714
1308 913
1302 911
1013 905
1011 402 309 311
501 410 412
602 604 509 511
612 614
111
115
117
123
125

209 211
213
215
219
101

205

203

201

119

120
118
116
114

Cambridge Dr

Monaco Estates

Monaco Cir

Prince Ranier Dr

103 201
200
114
112
302
301
321
322

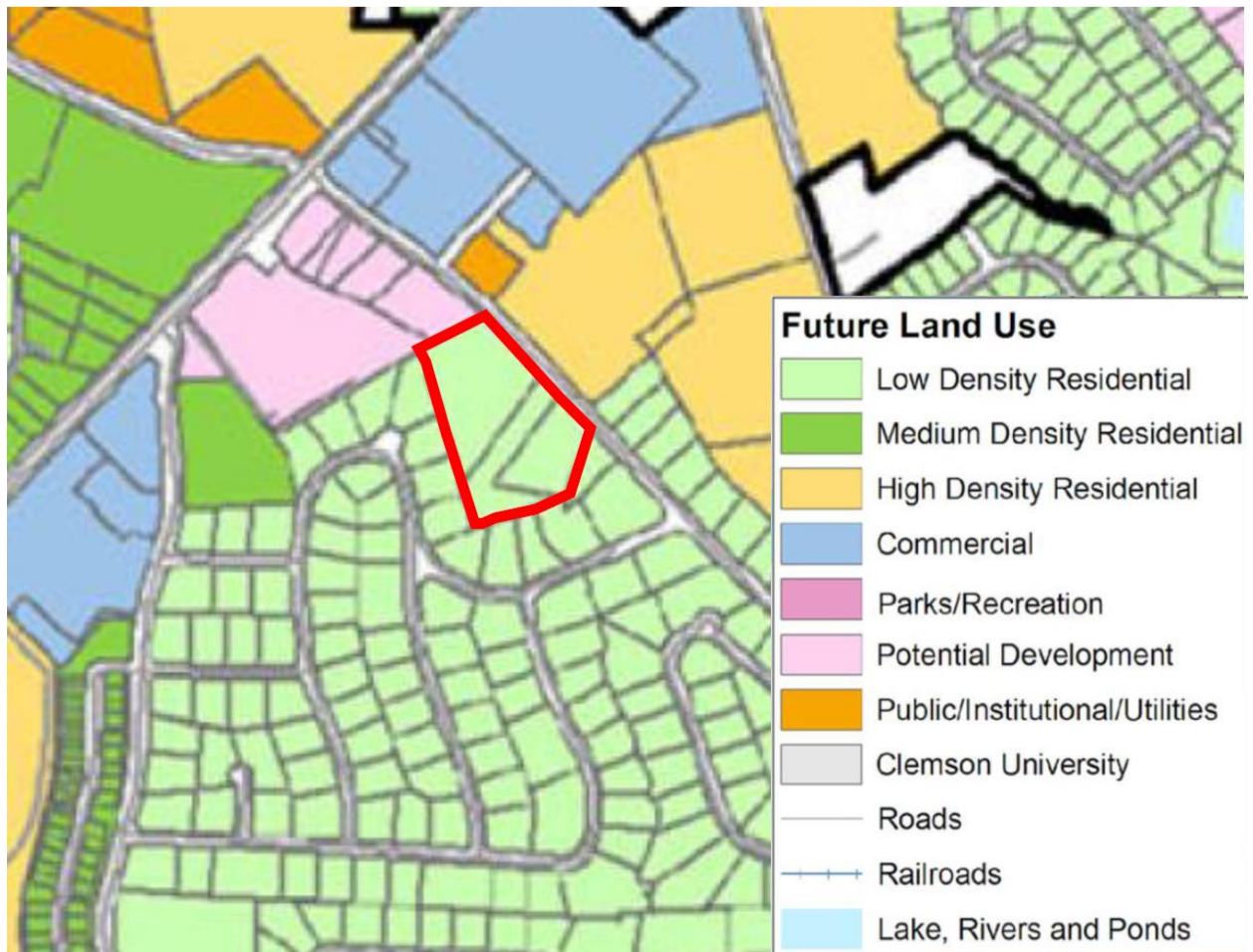
287 ft

As noted above the properties are currently zoned R-20 District, with an older single-family residence situated on each. Vehicular access for the properties is from Cambridge Drive by individual private drives; all other nearby single-family residential development on the south side of Cambridge Drive is accessed through the internal streets of Monaco Estates. Surrounding development varies in type, with student-



3

across Cambridge Drive (part of which was developed as Heritage Assisted Living) was identified for high density residential development.



Application Information

dotloop signature verification: dotloop.us/kXWV-frRG-D0nV

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

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-000272-2024	PIN: 4064 - 09 - 07 - 3032	Date submitted: 05 / 23 / 24	Planning Commission meeting date: 07 / 08 / 24
Amendment type: ☐ Map amendment (Rezoning) ☐ Text amendment			
Initiated by: ☒ Owner/Agent ☐ City Council ☐ Planning Commission ☐ Board of Zoning Appeals			

OWNER(S) INFORMATION

Last name: Gibson	First: Don	Middle:	Interest ☐ Sole owner ☒ Co-owner
Mailing address: 30 Jackson Court	City: Piedmont	State: SC	ZIP Code: 29673
Daytime phone no.: (864) 505-5142	Fax no.: ()	E-mail:	

APPLICANT INFORMATION

To be completed only if Owner is not Applicant:

Applicant's last name: Newton	First: Eric	Middle: B.
Mailing address: 107 Sloan Street, Ste 3E	City: Clemson	State: S.C.
Daytime phone no.: (864) 505-5990	Fax no.: ()	ZIP Code: 29631
		E-mail: Eric@EricNewton.com

PROPERTY INFORMATION

THE OWNER/APPLICANT HEREBY REQUESTS that the property described below be rezoned from R-20 to RM-3			
Property address: 201 Cambridge Drive	Property dimensions: 165x254x263x398	Property area: 1.46 acres	

DESIGNATION OF AGENT

To be completed by Owner(s) only if Owner is not Applicant. **All owners must sign.**

I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this request for a zoning map amendment.

Don Gibson, Rhonda Kale, Drew Green		05/21/2024
Owner name		Date
To be completed by Applicant:		

I certify that the information in this request is correct.

Rutledge Development, LLC		05/17/24
Applicant name	Applicant signature	Date

Report on RZNE-000272-2024 Proposed Map Amendment (Cambridge Drive Parcels)

dotloop signature verification: d1ip.us/7gQ4-k8h8-vZt6



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- 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-000272-2024	PIN: 4064 - 09 - 07 - 1065	Date submitted: 05 / 23 / 24	Planning Commission meeting date: 07 / 08 / 24
Amendment type: ☐ Map amendment (Rezoning) ☐ Text amendment			
Initiated by: ☒ Owner/Agent ☐ City Council ☐ Planning Commission ☐ Board of Zoning Appeals			

OWNER(S) INFORMATION

Last name: <u>Kale</u>	First: <u>Rhonda</u>	Middle:	Interest ☒ Sole owner ☐ Co-owner
Mailing address: <u>123 Bluebird Lane</u>	City: <u>Central</u>	State: <u>SC</u>	ZIP Code: <u>29630</u>
Daytime phone no.: (864) <u>360-1316</u>	Fax no.: ()	E-mail:	

APPLICANT INFORMATION

To be completed only if Owner is not Applicant:

Applicant's last name: <u>Newton</u>	First: <u>Eric</u>	Middle: <u>B.</u>
Mailing address: <u>107 Sloan Street, Ste 3E</u>	City: <u>Clemson</u>	State: <u>S.C.</u>
Daytime phone no.: (864) <u>505-5990</u>	Fax no.: ()	ZIP Code: <u>29631</u>
		E-mail: <u>Eric@EricNewton.com</u>

PROPERTY INFORMATION

THE OWNER/APPLICANT HEREBY REQUESTS that the property described below be rezoned from <u>R-20</u> to <u>RM-3</u>		
Property address: <u>203 Cambridge Drive</u>	Property dimensions: <u>165x254x263x398</u>	Property area: <u>7.46 acres</u> 1.54

DESIGNATION OF AGENT

To be completed by Owner(s) only if Owner is not Applicant. **All owners must sign.**

I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this request for a zoning map amendment.

<u>Rhonda Kale</u>	<u>Rhonda Kale</u>	<u>05/21/2024</u>
Owner name	Owner signature	Date

To be completed by Applicant:

I certify that the information in this request is correct.

<u>Rutledge Development, LLC</u>	<u>[Signature]</u>	<u>05/17/24</u>
Applicant name	Applicant signature	Date

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

Report on RZNE-000272-2024 Proposed Map Amendment (Cambridge Drive Parcels)

dotloop signature verification: dtdp.us/gT6c-K3yN-V0dQ



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- 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-000272-2024	PIN: 4064- 09 - 07 - 0278	Date submitted: 03 / 27 / 24	Planning Commission meeting date: 07 / 08 / 24
Amendment type: ☒ Map amendment (Rezoning) ☐ Text amendment			
Initiated by: ☒ Owner/Agent ☐ City Council ☐ Planning Commission ☐ Board of Zoning Appeals			

OWNER(S) INFORMATION

Last name: Gibson	First: Don	Middle:	Interest: ☐ Sole owner ☐ Co-owner
Mailing address: 30 Jackson Court	City: Piedmont	State: SC	ZIP Code: 29673
Daytime phone no.: (864) 505-5142	Fax no.: ()	E-mail: dgibson@rockspringsbaptist.com	

APPLICANT INFORMATION

To be completed only if Owner is not Applicant:

Applicant's last name: Newton	First: Eric	Middle: B.	
Mailing address: 107 Sloan Street, Ste 3E	City: Clemson	State: S.C.	ZIP Code: 29631
Daytime phone no.: (864) 505-5990	Fax no.: ()	E-mail: Eric@EricNewton.com	

PROPERTY INFORMATION

THE OWNER/APPLICANT HEREBY REQUESTS that the property described below be rezoned from <u>R-20</u> to <u>RM-3</u>			
Property address: <u>205 Cambridge Drive</u>	Property dimensions: <u>165x254x263x398</u>	Property area: <u>7.46 acres</u> 3.0	

DESIGNATION OF AGENT

To be completed by Owner(s) only if Owner is not Applicant. **All owners must sign.**

I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this request for a zoning map amendment.

Don Gibson		05/21/2024
Owner name	Owner signature	Date

To be completed by Applicant:

I certify that the information in this request is correct.

<u>Rutledge Development, LLC</u>		<u>05/17/24</u>
Applicant name	Applicant signature	Date

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

REQUIRED INFORMATION

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

Cambridge Drive is a transition area from Commercial to Multi-Family. The current zoning, R-20, is not the highest and best use for the property. Townhomes similar to what was built at Cambridge Creek would be a great transition area considering the property adjoins Cambridge Creek (RM-3) which adjoins PD + CP2 zoning areas. Cambridge Drive needs more sidewalks along the road in order to make it safer for pedestrians walking from other parts of the area. Allowing the rezoning request would make it more feasible for a higher density residential project, which would allow for improvements along the corridor.

FOR DISCUSSION PURPOSES ONLY

Planning Commission Meeting – July 8, 2024

(Note: This document was originally presented for background information for the discussion at the June 10, 2024 meeting – no changes to it have been made)

Agenda Item 6a.: Bonding for Commercial Space in Mixed-Use Buildings

One of the primary concerns often noted by members of the public regarding the development of mixed-use projects, other than the fact that they are typically student-oriented residential developments not always popular with some people, is the inability of developers to quickly fill the new commercial space that they bring. Although the reasons for this will vary somewhat from project to project, many people are quick to simply blame the vacancy on a lack of need for new commercial space. This perception, however, is countered by the City's overall low commercial vacancy rate. Instead of a lack of need, the new mixed-use projects, which tend to be located in some of the most visible locations in the City, already have the public's attention and for many are assumed to be representative for all commercial space. In short, if the brand new developments situated around hundreds of students contain vacant commercial space they can't fill, it must mean that more commercial space is not needed. The truth in most cases, however, lies not with the need for more space, but with the costs associated with getting it ready for tenants to occupy.

The City of Clemson is a rapidly growing small city located in one of the fastest growing regions in the country, which makes it a very desirable location. Few existing commercial spaces remain vacant for long; over the last several years, periodic surveys of commercial space have consistently shown that the City's vacancy rate tends to be about 7%, a number most other cities our size would be envious of. Still, there is no doubt that some recently completed mixed-use projects have been slow in filling their commercial suites. And though the reasons do vary, one of the main causes is related to the developer's hesitancy to spend the money needed to complete a commercial space until a particular tenant is identified and their specific needs established. As a result, it is common for most retail suites to be left incomplete in a 'shell' condition for future upfit. And, given the financially lucrative nature of student housing in today's market, well designed luxury developments are generally able to be profitable even with unfilled retail or office space. As a result, if the commercial component of a project is not needed to ensure success, the costs associated with completing retail or office space can be shifted, or at least a significant portion of it, onto the tenant. As a result, spaces can remain in a shell condition for an extended period with no major negative impact on the owners.

In an effort to address this issue, staff recommends consideration of a new conditional use standard that will require the developers of mixed-use projects in the City to post a bond equal to 150% of the estimated cost of the build-out of all commercial space left unfinished at the time of the issuance of a certificate of occupancy for the residential component. When build-out of the space for the first tenant is completed, the bond will be released.

FOR DISCUSSION PURPOSES ONLY

Planning Commission Meeting – July 8, 2024

(Note: This document was originally presented for background information for the discussion at the June 10, 2024 meeting – no changes to it have been made)

Suggested text:

A bond in an amount equal to 150% of the estimated cost for building out the unfinished commercial space in mixed-use structures shall be posted at the time of the issuance of the Certificate of Occupancy for the residential component of said project. The amount shall be based on the current average cost for commercial construction in the area as determined by the City. The bond, which shall be released upon completion of the initial upfit of the designated commercial space may, in the event the upfit is completed by units or phases, may be proportionately reduced.

Agenda Item 6b.: Maximum Front Setbacks and Parking Location Requirements in CP-2 District

This two-part item was put forth by staff in the hopes of gaining additional insight on how to approach possible changes to a commercial zoning district. Currently all existing CP-2 (Community Business) District properties are located in the highway commercial areas along Tiger Boulevard (US 76/123) and Old Greenville Highway (Hwy 93). This area, as is well known, includes a number of businesses with drive-throughs. In recent years, as many of these businesses have either been constructed or remodeled, staff has become aware that that the district's front setback requirements do not always easily accommodate the installation of drive-through lanes, and may even prohibit them. It is hoped that discussion of the matter will result in the identification of a workable remedy.

Also presented for discussion are the parking location requirements of the CP-2 District. As noted above, many of the CP-2 District properties are situated along Tiger Boulevard, with some of those adjoining Corps of Engineers property. Therefore, there is a real opportunity to enhance future commercial development in the area by requiring new structures near the waterfront to be oriented to the lake. This would, of course, mean that much of the parking would need to be placed behind the businesses, which is generally considered a best practice in planning and necessary for making an area more walkable. But, as this would result in parking lots along the highway, it may also result in limiting many of the benefits received from the reorientation, especially in the event of the development of a larger business such as a grocery store. The goal of initiating discussion of this matter is to weigh the potential benefits of the reorientation, and to identify options such as the creation of conditional use standards based on square footage or other steps that could account for individual site conditions and address issues associated with the nature of a proposed development.

FOR DISCUSSION ONLY

Planning Commission Meeting July 8, 2024 – Agenda Item 6.a

A. RESIDENTIAL USES

1. Residential Developments, Various

a. Mixed-use Structures

1. Conditional Use Standards *[C District Only]*

a. Principal use structure(s) that:

- i. Front a public right-of-way shall have service, retail, or office uses along 100 percent of the facade that abuts the street, sidewalk, or grade level with the exception of Addison Lane and Daniel Drive.
- ii. Principal use structure(s) that otherwise abut a public sidewalk, City of Clemson property or property owned by the U.S. Army Corps of Engineers shall have service, retail, or office uses along a minimum of 50% of the façade. On-site amenities may utilize the remaining frontage;
- iii. On-site leasing and/or on-site management offices, shall comprise the lessor of 25% of a building facade abutting a public right-of-way or sidewalk or a maximum of 2,000 square feet; and
- iv. No on-site amenities shall occupy the ground floor frontage along any public right-of-way or sidewalk.

b. Of the required ground level commercial space, at least 50% of the frontage shall have a minimum depth of 50 feet. The remaining portion shall have a minimum depth of 35 feet. No commercial use shall be allowed to have a width of less than 15 feet.

c. No more than one entrance, not exceeding 25 feet in width per street frontage, may be allowed to provide vehicular access to the interior of the building or site. An additional five feet of width for a pedestrian sidewalk shall be provided.

d. All parking provided within or under a mixed-use building must be designed to allow for maneuvering space sufficient to allow each vehicle to individually enter and exit the structure, as well as, all other design requirements of ARTICLE VIII.

e. Surface parking shall not be allowed abutting a public right-of-way, sidewalk, City of Clemson property or property adjacent to shoreline frontages of Lake Hartwell owned by the U.S. Army Corps of Engineers.

f. One eight foot wide entrance doorway providing pedestrian access to the interior of the principal use structure may be permitted per street frontage.

g. Balconies shall comply with the following:

- i. Shall not extend past the property line;
- ii. Shall not overhang any public or private sidewalks; and
- iii. Balconies shall be prohibited for portions of buildings abutting residentially zoned R-20 and R-12 properties.

h. Dwelling units are permitted subject to the following:

- i. Dwelling units are only allowed on floors above the grade level for any portion of a principal use structure(s) that abuts a public right-of-way or sidewalk or any property owned by the City of Clemson or the U.S. Army Corps of Engineers other than for properties fronting Daniel Drive as noted in subparagraph a)i.;
- ii. For portions of a mixed use structure(s) not covered in subparagraph h)i., dwelling units may be located within the principal use structure(s) on any grade/floor provided no access to the dwelling units shall be permitted along

FOR DISCUSSION ONLY

Planning Commission Meeting July 8, 2024 – Agenda Item 6.a

the exterior of the building other than as provided by subparagraph (f). All structures must be mixed-use; and

- iii. Each dwelling unit shall have minimum floor area of 350 square feet.
- i. On-site management shall be required for short-term rentals of any dwelling unit of less than 30 days of occupancy.
- j. **Bond for build out of the commercial portion of the project must be posted at time of CO of residential portion. This bond will be equal to 150% of the build out of the unfinished commercial space. This will be calculate buy average commercial build out cost in the area at that time as determined by the City. The bond will be returned as sections of the commercial receives a business license for a commercial viable business. The amount of the bond returned will be proportionate to the sq/ft of commercial being occupied at that time. The bond can be a cash bond or a surety bond with a 2 year expiration. After 2 years the City can call the bond and the money or portion thereof will be surrendered to the City.**

2. Conditional Use Standards *[CM District Only]*

- a. Principal use structure(s) that:
 - i. Front a public right-of-way shall have service, retail, or office uses along 100 percent of the façade that abuts the street, sidewalk, or grade level with the exception of frontages along Addison Lane, Knox Lane and Hillcrest Drive;
 - ii. Principal use structure(s) that otherwise abut a public sidewalk, City of Clemson property or property owned by the U.S. Army Corps of Engineers shall have service, retail, or office uses along a minimum of 50% of the facade. On-site amenities may utilize the remaining frontage; and
 - iii. On-site leasing and/or on-site management offices shall comprise the lessor of 25% of a building facade abutting a public right-of-way or sidewalk or a maximum of 2,000 square feet; and
 - iv. No on-site amenities shall occupy the ground floor frontage along any public right-of-way or sidewalk.
- b. At least 50% of the required service, retail, or office uses shall occupy a space that has a minimum depth of 50 feet and the remaining portion shall occupy a space that has a minimum depth of 35', unless completely surrounding a public plaza as described in Section [19-404](#) Table 19-404-1 endnote 2.e. No commercial use shall be allowed to have a width of less than 15 feet.
- c. All parking provided within or under a mixed-use building must be designed to allow for maneuvering space sufficient to allow each vehicle to individually enter and exit the structure, as well as, all other design requirements of ARTICLE VIII.
- d. Surface parking shall not be allowed abutting a public right-of-way, sidewalk, City of Clemson property, or shoreline frontages of Lake Hartwell property owned by the U.S. Army Corps of Engineers.
- e. No more than one entrance, not exceeding 25 feet in width per street frontage, may be allowed to provide vehicular access to the interior of the building or site. An additional five feet of width for a pedestrian sidewalk shall be provided.
- f. One eight foot wide entrance doorway providing pedestrian access to the interior of the principal use structure may be permitted per street frontage.
- g. Balconies shall comply with the following:
 - i. Shall not extend past the property line;

FOR DISCUSSION ONLY

Planning Commission Meeting July 8, 2024 – Agenda Item 6.a

- ii. Shall not overhang any public or private sidewalks; and
 - iii. Balconies shall be prohibited for portions of buildings abutting residentially zoned R-20 and R-12 properties.
 - h. Dwelling units are permitted subject to the following:
 - i. Dwelling units are only allowed on floors above the grade level for any portion of a principal use structure(s) that abuts a public right-of-way (except Addison Lane or Knox Lane) or sidewalk or any property owned by the City of Clemson or the U.S. Army Corps of Engineers;
 - ii. For portions of a mixed use structure(s) not covered in subparagraph h)i., dwelling units may be located within the principal use structure(s) on any grade/floor provided no access to the individual dwelling units shall be permitted along the exterior of the building other than as provided by subparagraph f). All structures must be mixed use; and
 - iii. Each dwelling unit shall have minimum floor area of 350 square feet.
 - i. On-site management shall be required for short-term rentals of any dwelling unit of less than 30 days of occupancy.
 - j. Bond for build out of the commercial portion of the project must be posted at time of CO of residential portion. This bond will be equal to 150% of the build out of the unfinished commercial space. This will be calculate buy average commercial build out cost in the area at that time as determined by the City. The bond will be returned as sections of the commercial receives a business license for a commercial viable business. The amount of the bond returned will be proportionate to the sq/ft of commercial being occupied at that time. The bond can be a cash bond or a surety bond with a 2 year expiration. After 2 years the City can call the bond and the money or portion thereof will be surrendered to the City.
3. Conditional Use Standards *[CP-2 & CP-3 Districts Only]*
- a. Dwelling units are permitted subject to the following:
 - i. Dwelling units are only allowed on floors above the grade level for any portion of a principal use structure(s) that abuts a public right-of-way or sidewalk or any property owned by the City of Clemson or the U.S. Army Corps of Engineers;
 - ii. For portions of a mixed use structure(s) not covered in subparagraph a)i., dwelling units may be located within the principal use structures(s) on any grade/floor provided no access to the individual dwelling units shall be permitted along the exterior of the building other than a common entrance serving the interior of the structure(s). All structures must be mixed use; and
 - iii. Each dwelling unit shall have minimum floor area of 350 square feet.
 - b. Frontage occupancy requirements for nonresidential uses in principal mixed-use structures that face Tiger Blvd (Hwy 123), Old Greenville Hwy (Hwy 93), Anderson Hwy (Hwy 76), Keowee Trail, Wall Street, or shoreline frontages of Lake Hartwell owned by the U.S. Army Corps of Engineers shall meet the following requirements:
 - i. Shall have service, retail, or office uses along 100 percent of that facade at street or sidewalk level.
 - ii. At least 50% of the required service, retail, or office uses shall occupy a space that has a minimum depth of 50' and the remaining portion shall occupy a space that has a minimum depth of 35', unless completely surrounding a

FOR DISCUSSION ONLY

Planning Commission Meeting July 8, 2024 – Agenda Item 6.a

public plaza as described in Section [19-404](#) Table 19-404-1 endnote 2.e. No commercial use shall be allowed to have a width of less than 15 feet.

- iii. On-site leasing and/or on-site management offices shall comprise the lessor of 25% of a building facade abutting a public right-of-way or sidewalk or a maximum of 2,000 square feet;
 - iv. No on-site amenities shall occupy the ground floor frontage along any public right-of-way or sidewalk; and
 - v. Site amenity facilities may be located along frontages of property owned by the City of Clemson or shoreline frontages of Lake Hartwell owned by the U.S. Army Corps of Engineers but may not comprise more than 25% of said frontage.
- c. No more than one entrance, not exceeding 25 feet in width per street of frontage, may be allowed to provide vehicular access to the interior of the building or site. An additional five feet of width for a pedestrian sidewalk shall be provided.
 - d. Parking may be provided underneath principal use structures located within the interior of the lot provided the exterior façade is designed to hide the parking from the exterior. The architectural treatment shall be compatible with the facades of the other buildings on the site.
 - e. **Bond for build out of the commercial portion of the project must be posted at time of CO of residential portion. This bond will be equal to 150% of the build out of the unfinished commercial space. This will be calculate buy average commercial build out cost in the area at that time as determined by the City. The bond will be returned as sections of the commercial receives a business license for a commercial viable business. The amount of the bond returned will be proportionate to the sq/ft of commercial being occupied at that time. The bond can be a cash bond or a surety bond with a 2 year expiration. After 2 years the City can call the bond and the money or portion thereof will be surrendered to the City.**

CODE OF ORDINANCES

CHAPTER 19 ZONING (1)

ARTICLE IV. NON-RESIDENTIAL DISTRICTS AND DISTRICT REGULATIONS

Table 19-404-1. Density, Bulk, and Dimensional Requirements for Principal and Accessory Uses and/or Structures in the Non-residential Districts

A. MINIMUM DIMENSIONAL AND/OR BULK STANDARDS FOR ALL NON-RESIDENTIAL DISTRICTS										
Use	C	CM	CP-1	CP-2	CP-3	OP	RIL	OR	M	Reference
1. Front <u>setback</u> , max.	3'/15' ¹	15' ²	15' ¹⁴	35' NA	35'	25'	35'			See Section 19-404-1. Endnotes 1, 2, 14

ARTICLE XI. ARCHITECTURAL REVIEW

Table 19-1110 Architectural District Standards

STANDARD	AR DISTRICT							
	#1	#2	#3	#4	#5	#6	#7	#8
1. Site Standards								
a. Site Relationships								
1. No off-street parking or service areas shall be allowed in front of the front <u>building line</u> with the exception of a porte-cochere or other similar covered areas providing short-term drop-off.	✓	✓	✗	✓	✓	✓	✓	✓

CODE OF ORDINANCES

CHAPTER 19 ZONING (1)

ARTICLE IV. NON-RESIDENTIAL DISTRICTS AND DISTRICT REGULATIONS

Table 19-402. Table of Uses for Non-residential Districts

P = Permitted Use C= Conditional Use SE = Special Exception A = Accessory Dash (-) =Use not Permitted

USE CATEGORY	USE TYPE	NAICS Code	C	CM	CP-1	CP-2	CP-3	OP	RIL	OR	M	C/SE Reference
A. RESIDENTIAL USES												
Residential Developments, Various	Mixed Use Structures	NA	C	C	-	- ⁷	- ⁷	-	-	-	-	See Section 19-402 Endnote 7
B. PUBLIC AND INSTITUTIONAL USES, AND UTILITIES												
Museums, Historical Sites, Other Similar Institutions	Museums, Historical Sites	712110 712120	P	P	P	P	P	P	-	P	-	
	Zoos and Botanical Gardens	712130	-	-	-	-	-	-	-	P	-	
	Nature Parks and Similar Institutions	712190	-	-	-	-	-	-	-	P	-	
Utilities	Electric Power Generation, Transmission and Distribution ¹ (Major)	2211	-	-	-	C	C	-	C	-	C	Section 19-402 Endnote 1
	Water, Sewage, and Other Systems (Major)	2213	-	-	-	-	-	-	P	-	P	
Transportation	Rail Passenger Depot	4821	-	-	-	P ⁸	-	-	-	-	-	Endnote 8
	Scenic and Sightseeing Transportation, Water	4872	-	-	-	P	-	-	-	P	-	
	General Freight Trucking	4841	-	-	-	-	P	-	-	-	-	
	Interurban and Rural Bus Transportation	4852	-	-	-	-	-	-	C	-	-	
	Taxi and Limousine Service	4853	-	-	-	C ⁸	-	-	-	-	-	Endnote 8
	School and Employee Bus Transportation	4854	-	-	-	-	P	-	-	-	-	
	Charter Bus Industry	4855	-	-	-	-	P	-	-	-	-	
	Other Transit and Ground Passenger Transportation	4859	-	-	-	-	P	-	-	-	-	
Delivery Services	Postal Service	491110	P	P	P	P ⁸	P	P	P	-	-	Endnote 8
	Couriers	492110	-	-	-	-	P	-	-	-	-	
	Local Messengers and Local Delivery	492210	P	P	P	P	P	P	P	-	-	

Government Facilities	General Government and Administration	9211 9231- 9281 922130 922190	P	P	P	P	P	P	P	-	-	
	Courts	922110 922150	P	C	-	P	-	-	-	-	-	
	Police Protection (except Fire Protection)	922120	P	-	P	P	P	-	P	-	P	
	Fire Protection	922160	-	-	-	-	P	-	P	-	P	
	Public Works Facilities	NA	-	-	-	-	-	-	C	-	P	
Hospitals	General and Specialty Hospitals	622	-	-	-	P ⁸	P	-	P	-	-	Endnote 8
Nursing and Residential Care	Nursing Care and Other Residential Care Facilities	623	-	-	-	P ⁸	P	-	P	-	-	Endnote 8
Social Assistance	Individual, Family, and Other Services	6241 6242	P	-	-	P	P	-	P	-	-	
	Vocational Rehabilitation Services	6243	P	-	-	P	P	-	P	-	-	
	Child Day Care Services	624410	P	C	P	P	P	C	C	-	A	
	Adult Day Care Services	624120	P	P	P	P	P	P	P	-	-	
Educational Services	Preschools	611110	P	P	-	-	-	-	-	-	-	
	Kindergarten, Elementary and Secondary Schools	6111	-	-	C	-	-	-	-	-	-	
	Colleges, Universities, other Professional, Technical and Trade Schools, and Educational Support Services	6112 to 6117	C	-	-	P ⁸	P	-	P	-	-	Endnote 8
Religious, Civic, and Similar Organizations	Religious Organizations (except student fellowship areas)	8131	P	P	P	P ⁸	P	P	P	-	-	Endnote 8
	Student fellowship areas	813110	P	P	-	-	-	-	-	-	-	
	Student Fellowship Areas (with caretaker apartment)	813110	C	C	-	-	-	-	-	-	-	
	Civic, Business, Professional, Labor, Political, and Similar Organizations	8134 8139	P	P	-	P	-	-	-	-	-	
Public Recreational Facilities	Public Recreational Facilities, Passive	NA	P	P	P	P	P	P	P	P	-	
	Public Recreational Facilities, Active	NA	-	P	P	P	P	-	-	P	-	
C. MANUFACTURING, WHOLESALE TRADE, WAREHOUSING, AND STORAGE												

Manufacturing	Printing and Related Support Activities	323	-	-	-	P	P	-	P	-	P	
	Commercial Screen Printing	323113	C	-	-	-	-	-	P	-	-	
	Computer and Electronic Products	334	-	-	-	-	-	-	P	-	P	
	Electrical Equipment, Appliance, and Components	335	-	-	-	-	-	-	P	-	P	
	Ophthalmic Goods Manufacturing	339115	-	-	-	-	P	-	P	-	P	
	Dental Laboratories	339116	-	-	-	-	P	-	P	-	P	
	Manufacturing, developed as a standalone industrial facility	3112, 3114, 3115, 3118, 3119, 3121, 315, 3162, 3169, 3271, 332, 333314, 3361, 3363, 33661, 337, 339	-	-	-	-	-	-	-	-	SE	
	Manufacturing, developed as part of a multi-tenant industrial and/or research park or campus	3112, 3114, 3115, 3118, 3119, 3121, 315, 3162, 3169, 3271, 332, 333314, 3361, 3363, 33661, 337, 339	-	-	-	-	-	-	-	-	SE	
Wholesalers	Merchant Wholesalers, Misc. Durable Goods	423	-	-	-	-	P	-	-	-	-	
	Merchant Wholesalers, Misc. Nondurable Goods	4241 to 4246, 4248 to 4249	-	-	-	-	P	-	-	-	-	
Warehousing and Storage	General and Refrigerated Warehousing and Storage	493110 to 493120	-	-	-	-	P	-	-	-	-	
D. PROFESSIONAL OFFICES												
Information	Publishing Industries (excluding printing)	511	-	-	-	-	-	-	P	-	P	
	Motion Picture and Sound Recording Industries	512	-	-	-	-	-	-	P	-	P	
	Broadcasting (except internet)	515	-	-	-	-	-	-	P	-	P	
	Telecommunications	517	-	-	-	-	P	-	P	-	-	
	Data Processing, Hosting, and Related Services	518	-	-	-	-	P	-	P	-	-	
	Other Information Services	519	-	-	-	-	P	-	P	-	-	

Finance and Insurance	Finance and Insurance (except Pawnshops - 522298)	521 to 525	P ²	P ²	P ²	P	P	P ²	P	-	-	Section 19-402 Footnote 2
	Pawnshops	522298	-	-	-	P	P	-	-	-	-	
Rental and Leasing Services	Real Estate, Rental and Leasing Services (Excluding Mini-Warehouses)	531	P	P	P	P	P	P	P	-	-	
	Mini-Warehouses	531130	-	-	-	-	-	-	-	-	C	
	Truck, Utility Trailer, and RV Rental and Leasing	532120	-	-	-	-	P	-	-	-	-	
	Consumer Goods Retail	5322	-	-	-	P	P	-	-	-	-	
	Formal Wear and Costume Rental	532220	P	P	P	P	P	-	-	-	-	
	Recreational Goods Rental	532292	-	-	-	P	P	-	-	A ³	-	Section 19-402 Footnote 3
Professional, Scientific, and Technical Services	Legal Services	5411	P	P	P	P	P	P	P	-	-	
	Accounting, Tax Preparation, bookkeeping, and Payroll Services	5412	P	P	P	P	P	P	P	-	-	
	Architectural, Engineering, and Related Services	5413	P	P	P	P	P	P	P	-	-	
	Specialized Design Services (except Computer systems design)	5414	P	P	P	P	P	P	P	-	-	
	Computer Systems Design and Related Services	5415	P	P	P	P	P	P	P	-	-	
	Management, Technical, and Scientific Consulting Services	5416	P	P	P	P	P	P	P	-	-	
	Advising Public Relations, and Related Services	5418	P	P	P	P	P	P	P	-	-	
	Other Professional and Scientific Services, except veterinary	5419	P	P	P	P	P	P	P	-	-	
	Management of Companies and Enterprises	55	P	P	P	P	P	P	P	-	-	
	Office Administrative Services	5611	P	P	P	P	P	P	P	-	-	
	Facilities Support Services	5612	-	-	-	-	P	-	-	-	-	
	Employment Services	5613	P	P	P	P	P	P	P	-	-	
	Business Support Services except Call Centers	5614	P	P	P	P	P	P	P	-	-	
	Call Centers	56142	>-	-	-	-	P	-	-	-	P	
	Grant-making & Giving	8132	P	P	P	P	-	-	-	-	-	
	Social Advocacy Organizations	8133	P	P	P	P	-	-	-	-	-	
	Veterinary Services	541940	-	-	C	P	P	-	P	-	-	
Ambulatory Healthcare	Offices of Health Practitioners	6211 to 6213	P	P	P	P	P	P	P	-	-	
	Outpatient Care Centers	6214	-	-	-	P	P	-	P	-	-	
	Medical and Diagnostic Laboratories, Home Health Care Services, and Other Ambulatory Health Care	6215 to 6216 62199	P	-	-	P	P	-	P	-	P	
E. RESEARCH AND DEVELOPMENT												

Scientific Research and Development Services	Scientific Research and Development Services, Single Facility/Structure	5417	-	-	-	-	-	-	P	-	P	
	Scientific Research and Development Services, Business Park or Campus	5417	-	-	-	-	-	-	C	-	C	
F. SERVICES												
Accommodation and Food Services	Hotels (except Casino Hotels) and Motels not exceeding height limit of district	721110	C ⁴	C	-	P ⁸	P	-	P	A ³	A ⁵	Section 19-402 Endnotes 3,5,8
	Hotels (except Casino Hotels) and Motels between 41' and 65' in height	721110	-	-	-	C ⁸	-	-	-	-	-	Endnote 8
	Full-service Restaurants	722110	P	P	P	P	P	-	P	A ³	A ⁵	Section 19-402 Endnotes 3,5
	Limited-service Restaurants	722211	P ²	P ²	P ²	P	P	P ²	P	A ³	A ⁵	Section 19-402 Endnotes 2,3,5
	Cafeteria, Grill Buffet, and Buffet	722212	P	-	-	P	P	-	-	-	A ⁵	Section 19-402 Endnote 5
	Banquet Facilities	531120	-	C	C	P	P ⁸	-	-	C	-	Endnote 8
	Drinking Places	722410	P	C	C	P	P	-	-	A ³	A ⁵	Section 19-402 Endnotes 3,5
	Snack and Beverage Bars	722213	A	A	A	A	A	A	A	A ³	A ⁵	Section 19-402 Endnotes 3,5
	Caterers	722320	P	P	P	P	P	P	P	-	-	
	Special Food Services (Mobile food trucks)	7223	C	C	C	C	C					
	Mobile Food Services	722330	-	-	-	-	P	-	P	-	-	
Automotive Repair and Maintenance	Automotive Mechanical and Electrical Repair and Maintenance	811111 to 811113 811118	-	-	-	SE	C	-	-	-	-	
Automotive Body, Paint, Interior, and Glass Repair	Automotive Body, Paint, and Interior Repair and Maintenance	811121 811198	-	-	-	-	C	-	-	-	-	
	Automotive Glass Replacement Shops	811122	-	-	-	-	C	-	-	-	-	
	Automotive Oil Change and Lubrication Shops	811191	-	-	-	C	C	-	-	-	-	
	Car Washes	811192	-	-	-	C	C	-	-	-	-	
Electronic and Precision and Commercial and Industrial Machinery and Equipment (except Automotive) Repair and Maintenance	Consumer Electronics, Computer and Office Machine, and Other Electronic and Precision Equipment Repair and Maintenance	81121	P	-	-	P	P	-	-	-	-	

	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	8113	-	-	-	-	P	-	-	-	-	
Personal and Household Goods Repair and Maintenance	Home and Garden Equipment Repair and Maintenance	811411	-	-	-	-	P	-	-	-	-	
	Appliance Repair and Maintenance	811412	-	-	-	P	P	-	-	-	-	
	Reupholstery and Furniture Repair	811420	-	-	-	P	P	-	-	-	-	
	Footwear and Leather Goods Repair	811430	P	P	P	P	P	-	-	-	-	
	Other Personal and Household Goods Repair and Maintenance (except motorcycles and boats)	811490	P	P	P	P	P	-	-	-	-	
	Other Personal and Household Goods Repair and Maintenance (motorcycles, motorboats, canoes, sailboats, and other recreational boats)	811490	-	-	-	-	P	-	-	-	-	
Personal and Laundry Services	Barbershops, Beauty Salons, Nail Salons, and Other Personal Care Services (except tattoo and body art parlors)	812111 to 812113 81219	P	P	P	P	P	P	-	-	-	
	Other Personal Care Services (tattoo and body art parlors)	81219	-	-	-	C	C	-	-	-	-	
Death Care Services	Funeral Homes and Funeral Services (except Crematories)	812210	-	-	-	P ⁸	P	-	-	-	-	Endnote 8
	Cemeteries and Crematories	812220	-	-	-	-	C	-	-	-	-	
Dry cleaning and Laundry Services	Dry cleaning and Laundry Services (except Coin-operated)	812320	C ⁶	C ⁶	C ⁶	P	P	-	-	-	-	Reference Section 19-402 Endnote 6
	Coin-operated Laundromats	812310	P	P	P	P	P	-	-	A ³	-	Reference Section 19-402 Endnote 3
	Linen Supply	812331	-	-	-	P	P	-	-	-	-	
	Industrial Launderers	812332	-	-	-	-	P	-	-	-	-	
Other Personal Services	Pet Care (except Veterinary and Boarding Kennels) Services	812910	-	-	C	C	P	-	-	-	-	
	Boarding Kennels	812910	-	-	SE	SE	SE	-	-	-	-	

	Other Personal Services	812990	P	-	P	P	P	-	-	-	-	
	Parking Lots	812930	C	-	-	-	-	-	-	-	-	
	Freestanding Parking Structures	812930	C	C	-	-	-	-	-	-	-	
G. RETAIL TRADE												
Motor Vehicle and Parts Dealers	New Car	441110	-	-	-	-	C	-	-	-	-	
	Used Car	441120	-	-	-	-	C	-	-	-	-	
	Recreational Vehicle, Motorcycle, ATV, Personal Watercraft, Boat	441210 441221 441222	-	-	-	C ⁸	C	-	-	-	-	Endnote 8
	Other Motor Vehicle Dealers	441229	-	-	-	-	C	-	-	-	-	
Automotive Parts, Accessories, and Tire Stores	Automotive Parts and Accessories Stores (excluding repair or installation services)	441310	-	-	-	P	P	-	-	-	-	
	Tire Dealers	441320	-	-	-	SE	C	-	-	-	-	
Furniture and Home Furnishings Stores	Furniture and Home Furnishings Stores	442	-	-	-	P	P	-	-	-	-	
	All Other Home Furnishings Stores	442299	P	P	P	P	P	P	P	-	-	
Electronics and Appliance Stores	Household Appliance, Radio, Television, Computer and Software, Camera and Photographic, and Other Electronics Stores	443	P	P	P	P	P	-	-	-	-	
Building Material and Garden Equipment and Supplies Dealers	Home Centers	444110	-	-	-	P	P	-	P	-	-	
	Paint and Wallpaper Stores	444120	-	P	P	P	P	-	-	-	-	
	Hardware Stores	444130	-	-	-	P	P	-	-	-	-	
	Other Building Materials	444190	-	-	-	-	P	-	-	-	-	
	Outdoor Power Equipment Stores	444210	-	-	-	-	P	-	-	-	-	
	Nursery, Garden Center, and Farm Supply Stores	444220	-	-	-	P	P	-	-	-	-	
Food and Beverage Stores	Supermarkets and Other Grocery (except Convenience) Stores	445110	-	-	-	P	P	-	-	-	-	
	Convenience Stores	445120	P	P	P	P	P	P	P	A ³	A ⁵	Section 19-402 Endnotes 3,5
	Miscellaneous Specialty Food Stores and Markets	4452	P	P	P	P	P	P	P	A ³	A ⁵	Section 19-402 Endnotes 3,5
	Beer, Wine, and Liquor Stores	445310	P	-	-	P	P	-	-	-	-	
Health and Personal Care Stores	Miscellaneous Health and Personal Care Stores (except Pharmacies and Drug Stores ~446110)	4461	P	P	P	P	P	P	-	-	-	

	Pharmacies and Drug Stores	446110	P	P	P	P	P	P	-	-	-	
Gasoline Stations	Gasoline Stations with Convenience Stores (except Automotive Repair Services)	447110	-	C	C	C	C	-	C ⁵	-	C ⁵	Section 19-402 Endnote 5
	Other Gasoline Stations (retailing automotive fuels only)	447190	-	-	C	C	C	-	C	-	-	
Clothing and Clothing Accessories Stores	Clothing, Shoe, Jewelry, Luggage, and Leather Goods Stores	448	P	P	P	P	P	-	-	-	-	
Sporting Goods, Hobby, Book, and Music Stores	Book, Periodical, Music, Hobby, Toy, and Supplies Stores	45114 4512	P	P	P	P	P	-	-	-	-	
	Sporting Goods Stores	45111	P	-	-	P	P	-	P	-	-	
General Merchandise Stores	Department Stores	452111 to 452112	P	P	-	P	P	-	-	-	-	
	Warehouse Clubs and Supercenters-General Merchandise Store over 6,000 sq/ft	452910	P	P	P	P⁸	P	P	-	-	-	Endnote 8
	All Other General Merchandise Stores under 6,000 sq/ft	452990	P	P	P	P	P	P	-	-	-	
Miscellaneous Store Retailers	Florists	4531	P	P	P	P	P	P	-	-	-	
	Office Supplies and Stationery Stores	4532	P	P	P	P	P	P	-	-	-	
	Gift, Novelty, and Souvenir Stores	453220	P	P	P	P	P	P	-	A³	-	Section 19-402 Endnote 3
	Used Merchandise Stores	453310	P	P	P	P	P	P	-	-	-	
	Pet and Pet Supplies Stores	453910	P	P	P	P	P	-	-	-	-	
	Tobacco Stores	453991	P	P	P	P	-	-	-	-	-	
	All Other Miscellaneous Store Retailers (except Tobacco Stores)	453998	P	-	P	P	P	-	-	-	-	
Non-store Retailers	Electronic Shopping, Electronic Auctions, and Mail-order Houses	4541	-	-	-	-	P	-	-	-	-	
	Vending Machine Operators	454210	-	-	-	-	P	-	-	-	-	
Direct Selling Establishments	Heating Oil Dealers	454311	-	-	-	-	P	-	P	-	-	
	Liquefied Petroleum Gas (Bottled Gas) Dealers	454312	-	-	-	-	P	-	P	-	-	
	Other Fuel Dealers	454319	-	-	-	-	P	-	P	-	-	
	Other Direct Selling Establishments	454390	-	-	-	-	P	-	P	-	-	
H. ARTS, ENTERTAINMENT, AND RECREATION												
Performing Arts, Spectator Sports, and Related Industries	Performing Arts	71111 to 71112 711130	P	-	-	P	P	-	-	-	-	

	Motion Picture Theaters (except Drive-ins)	512131	P	P	-	P	P	-	-	-	-	
Amusement and Recreation	Amusement Arcades	713120	P	P	P	P	-	-	-	A ³	-	Section 19-402 Endnote 3
	Fitness and Recreational Sports Centers	713940	-	P	P	P	P	-	-	A ³	-	Section 19-402 Endnote 3
	Golf Courses and Country Clubs	713910	-	-	-	-	P	-	-	P	-	
	Marinas	713930	-	-	-	-	-	-	-	P	-	
	Riding Stables, and Archery Ranges	713990	-	-	-	-	P	-	-	P	-	
	Mini Golf Course	713990	-	-	SE	SE	SE	-	-	SE	-	
	Bowling Centers	713950	-	-	-	-	P	-	-	-	-	
Recreational Vehicle Parks and Campgrounds	Recreational Vehicle Parks and Campgrounds	72121	-	-	-	-	-	-	-	C	-	
I. OTHER USES												
Convention Centers		531120	-	-	-	P	P	-	-	P	-	
Outdoor Event Facilities, Large			-	-	-	-	-	-	-	SE	-	
Outdoor Event Facilities, Small			-	-	C	C	C	-	-	C	-	
Outdoor Event Facilities, CM			-	C	-	-	-	-	-	-	-	
Sexually Oriented Businesses			-	-	-	C	-	-	-	-	-	
Telecommunication Facilities			SE	SE	SE	SE	SE	SE	SE	SE	SE	
Farmers Market			-	-	-	P	P	-	-	P	-	
Temporary Seasonal Sales of Locally Grown Produce, Stand-alone			-	-	-	C	C	-	-	C	-	
Temporary Seasonal Sales of Christmas Trees, Stand-alone			-	-	-	C	C	-	-	C	-	
¹ Minor utility distribution equipment routinely provided to connect individual structures and/or customers to the utility system are permitted by right in all zoning districts. ² No drive-thru windows permitted in RLC, C, CM, CP-1, or OP district. ³ Use allowed as part of an approved recreational facility, RV park, or campground per Section 19-405H.2. ⁴ Require on-site parking in C district. ⁵ Use permitted as accessory use in a Scientific Research and Development Park or Campus per Section 19-405E.1. and Industrial and/or Research Park or Campus per Section 19-405C.1.b.2). ⁶ No on-site cleaning services allowed. ⁷ Properties with direct vehicular access (ingress/egress) to two separate arterial roads may be permitted as conditional uses subject to the same conditional use standards as those applicable in the CP-2 and CP-3 Districts. ⁸ With the exception of Handicap Parking Spaces all parking and Storage of Vehicles or Equipment will be behind the Building.												

(Ord. No. CC-2014-05, § 1, 8-18-14; Ord. No. CC-2016-04, § II, 1-19-16; Ord. No. CC-2017-04, 3-6-17, Ord. No. CC-2019-06, 5-6-19; Ord. No. CC-2021-32, 12/06/2021; Ord. No. CC-2022-23, 11/21/2022; Ord. No. CC-2022-26, 12/05/2022) **Ord. No XX-XXX, XX/XX/XXXX**

Effective on: 12/5/2022

FOR DISCUSSION ONLY

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Table 19-907. Bufferyard and Screening Requirements

(Between Non-residential and/or mixed –use Structures within commercial districts, buffer requirements shall not apply.)

Use	Existing Use	Buffer Type
Multi-family and Patio/Zero Lot Line developments with shared parking	Single-family/Two Household	15' C
	Multi-family	10' B
	Townhouse	10' B
	Mixed-use	10' B
	Office/Commercial	10' A
	Industrial	25' A
	Institutional	10' A
	Vacant Land	10' A
Townhouses, Multi Family and Mixed Use three stories of less	Single-family/Two Household	15' C
	Multi-family	10' B
	Townhouse	10' B
	Mixed-use	10' B
	Office/Commercial	10' A
	Industrial	25' A
	Institutional	10' A
	Vacant Land	10' A
Townhouses, Multi Family and Mixed-use over three stories	Single-family/Two Household	• 25' C - within R20, R-12, RM-1 & RM2 Districts; • 15' C - within RM3, RM-3.5, & RM-4 Districts; • 5' A - along Vehicle Use Areas within all Non-residential Districts
	Multi-family	10' A
	Townhouse	10' A
	Mixed-use	10' A
	Office/Commercial	5' A
	Industrial	25' B
	Institutional	25' B
	Vacant Land	10' A
Office/Commercial	Single-family/Two Household	• 25' C - within R20, R-12, RM-1 & RM2 Districts; • 15' C - within RM3, RM-3.5, & RM-4 Districts; • 5' A - along Vehicle Use Areas within all Non-residential Districts
	Multi-family	10' A
	Townhouse	10' A
	Mixed-use	10' A
	Office /Commercial	5' A

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	Industrial	25' B
	Institutional	25' B
	Vacant Land	10' A
	Active Railroad Right-of-Way	NA
Industrial, Manufacturing, Wholesale Trade, Warehousing and Storage	Single-Family/Two Household	50' E
	Multi-family	25' C
	Townhouse	25' C
	Mixed-use	25' C
	Office/Commercial	25' B
	Industrial	25' B
	Institutional	25' B
	Vacant Land	10' A
	Active Railroad Right-of-Way	NA
Institutional <u>Public</u> and Institutional Uses and Utilities	Single-family/Two Household	25' C
	Multi-family	25' C
	Townhouse	25' C
	Mixed-use	25' C
	Office/Commercial	25' B
	Industrial	25' B
	Institutional	25' B
	Vacant Land	10' A

(Ord. No. CC-2014-05, § 1, 8-18-14; Ord. No. CC-2015-26, 7-20-15; Ord. No. CC-2016-26, 8-15-16)

Sec. 19-908. Materials required in bufferyards.

The required landscape material to be utilized in bufferyards is provided in Table 19-908:

Table 19-908. – Landscape Materials Required within the Bufferyards		
Buffer Type	Number of Plants	Plants and Structures Required per 100 linear feet
A	3	Upper story (Canopy) trees
	20	Shrubs or; Continuous solid fence or a wall constructed of <u>brick</u> , masonry or <u>stone</u> 36" min. to 48" max. in <u>height</u> or; Continuous earthen <u>berm</u> 36" min. to 48" max. in <u>height</u> with live <u>ground cover</u>
B	4	Upper story (Canopy) Trees

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	30	Shrubs or; Continuous solid fence or a wall constructed of <u>brick</u> , masonry or <u>stone</u> 36" min to 48" max in <u>height</u> or; Continuous earthen berm 36" min to 48" max in <u>height</u> with live ground cover
C	4	Upper story (Canopy) Trees
	3	Understory Trees
	1	Dense Row of shrubs 6 or more feet tall at time of planting or 6 to 8 foot high wall or solid fence within 12 inches of <u>property</u> line; finished side facing adjacent property
D	10	Upper Story (Canopy) Trees
	5	Understory trees
	30	Shrubs or; 6 to 8 foot high wall or solid fence within 12 inches of property line; finished side facing adjacent property
E	10	Upper Story (Canopy) Trees
	5	Understory trees
	30	Shrubs and; 6 to 8 foot high wall or solid fence within 12 inches of property line; finished side facing adjacent property
F	1	Landscape Berm
	12	Upper Story (Canopy) Trees
	4	Understory Trees
¹ Subject to visibility standards in ARTICLE VI Section 19-606 .		

A. The following shall apply for materials and determination of bufferyards:

1. When a lot has a combination of different land uses, the bufferyard is calculated on the use of the highest impact;
2. Where the functional rear and side of any commercially zoned properties as determined by the Zoning and Codes Administrator are across the street from any residentially zoned property, the required buffer shall be a 10 foot type "A" buffer, **unless building is over 3 stories then standards set forth in Table 19-907 will be adhered to ;**
3. Where industrial and institutional uses are across the street from any residentially zoned properties, the property shall be buffered as if the properties were abutting without the fence or wall;
4. Where the adjacent land use is nonconforming, the depth of the buffer and live landscape materials shall be reduced by 60 percent;
5. When two landscape buffers are abutting, the materials for either buffer may be intermingled provided the required amount for each buffer is maintained. A maintenance agreement between the property owners for the landscape areas will be required to be approved by the Zoning and Codes Administrator before the buffer is accepted.
6. When perimeter landscape buffer requirements overlap, the greater requirement shall apply.
7. Within CP-1 and CM districts for buildings built within five feet of the property line the required buffer shall begin at the rear of the building.

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8. If a fence is used instead of a wall the fence design and materials must be approved by the Zoning Administrator and all required fences must be maintained in a proper manner and will be required to be rebuilt if allowed to fall into disrepair.

B. Exceptions to Landscape Materials Requirements:

1. When the site is impacted by one or more of the following the materials within a required landscape buffer may be modified as follows:
 - a. When a natural body of water or stream is within the required landscape buffer the amount of trees and shrubs will be reduced by the linear area affected;
 - b. When the adjacent property is at an elevation greater than six feet above the developed property the requirement for any wall will be removed by the linear feet affected provided the property line is within six feet of the base of the slope;
 - c. When a parcel of land is partially developed then the area that is not developed is not required to be buffered provided:
 1. The undeveloped area is at least 0.50 acres;
 2. The closest improvement, buildings, parking areas, or any other structure is 100 feet from the neighboring property;
 3. There is no grading, clearing or any other disturbance of the area, other than water/sewer installation;
 4. Any development or site disturbance within this area will require installation of the required buffer, if any portion of this property has been graded or clear cut of vegetation within the past three years.
 - d. For "E" type bufferyards, a wall or fence is not required when there are no structure or vehicle use areas within four times the width of the required buffer.

(Ord. No. CC-2014-05, § 1, 8-18-14; Ord. No. CC-2014-16, 12-1-14; Ord. No. CC-2016-26, 8-15-16)