1. Remote Participation And Viewing

   Public Comments can be made in two ways:

   1. In person during the appropriate point(s) of the meeting
   2. VIA THE MYCIVIC APP up to 2pm the day of the meeting.

   Public Meetings are livestreamed and recordings are archived on the CITY OF CLEMSON YOUTUBE PAGE.

2. Notice Of Public Hearing [PDF]

   Documents:

   PUBLIC HEARING NOTICE (2024-R-04 BONDING FOR COMMERCIAL IN MIXED-USE).PDF

3. Meeting Materials

   Documents:

   2024-R-04 PROPOSED TEXT AMENDMENT (BONDING VACANT COMMERCIAL IN MIXED-USE).PDF

Notice of Public Hearing

The City of Clemson City Council will hold a public hearing on the matter listed below. The session will begin at **5:30 p.m. on Monday, May 5, 2025** in the Council Chambers in City Hall, 1250 Tiger Boulevard, Clemson, SC 29631.

Hearing Topic:

2024-R-04 Proposed Text Amendment (Bonding Commercial in Mixed-use)

As drafted the proposal creates a new conditional use standard for mixed-use structures in the C, CM, CP-2 and CP-3 Districts requiring 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 residential portions. The bond, or appropriate proportions of it, may be released as space is completed for viable tenants.

Links to copies of documents will be published on the Calendar of Events on the City website.

Comments on the proposed rezoning may be submitted in person during the hearing, and in writing through the MyCivic app on the City's website prior to the session.

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

One of the primary concerns often noted by members of the public regarding the development of mixed-use projects is the inability of developers to quickly fill the new commercial space they bring. Although the reasons for this delay vary, one common cause is often 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. And, as most of the newer projects in the City have been able to operate profitably on the residential component alone, there is sometimes little incentive to aggressively pursue commercial tenants. Instead, commercial suites are left in an incomplete 'shell' condition for future upfit, the cost of which, at least a significant portion of it, is passed onto the tenant, thereby increasing the cost of move-in beyond what many businesses can afford.

In an effort to both create more move-in ready commercial space, and to incentivize developers of future mixed-use projects in the City to be more pro-active in seeking tenants, this proposed Code amendment would create a new conditional use standard in the C, CM, CP-2, and CP-3 Districts requiring a bond with a 2-year expiration date equal to 150% of the estimated cost of the build-out of all commercial space left unfinished at the time a certificate of occupancy is issued for the residential portion. As space is completed for viable tenants, the bond, or a proportionate amount of it, will be released. In the event there is still unfinished commercial space left after two years, the City may call the bond two weeks prior to its expiration.

Note: As drafted, this proposed amendment adds the same verbiage in three sections.

PROPOSED AMENDMENT

CODE OF ORDINANCES
CHAPTER 19 ZONING
ARTICLE IV. NON-RESIDENTIAL DISTRICTS AND DISTRICT REGULATIONS

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

A. RESIDENTIAL USES

1. Residential Developments, Various

a. Mixed-use Structures

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

j. A bond in an amount equal to 150% of the estimated cost for building out the commercial space (based on the current average cost for commercial construction in the area as determined by the City) shall be posted at the time of the issuance of the first Certificate of Occupancy issued for any portion of the residential component of the mixed-use structure. The bond, which shall have a 2-year expiration date, may be either a cash or surety bond, and shall be released upon completion of the upfit of the commercial space. In the event the commercial space upfit is completed by units or phases, the bond amount may be proportionately reduced based on square footage as the space is occupied by a viable commercial entity possessing a business license issued by the City. The City shall reserve the right to call the bond for any uncompleted commercial space two weeks prior to the expiration of the bond.

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

   j. A bond in an amount equal to 150% of the estimated cost for building out the commercial space (based on the current average cost for commercial construction in the area as determined by the City) shall be posted at the time of the issuance of the first Certificate of Occupancy issued for any portion of the residential component of the mixed-use structure. The bond, which shall have a 2-year expiration date, may be either a cash or surety bond, and shall be released upon completion of the upfit of the commercial space. In the event the commercial space upfit is completed by units or phases, the bond amount may be proportionately reduced based on square footage as the space is occupied by a viable commercial entity possessing a business license issued by the City. The City shall reserve the right to call the bond for any uncompleted commercial space two weeks prior to the expiration of the bond.

2. Conditional Use Standards *[CP-2 & CP-3 Districts Only]*

   e. A bond in an amount equal to 150% of the estimated cost for building out the commercial space (based on the current average cost for commercial construction in the area as determined by the City) shall be posted at the time of the issuance of the first Certificate of Occupancy issued for any portion of the residential component of the mixed-use structure. The bond, which shall have a 2-year expiration date, may be either a cash or surety bond, and shall be released upon completion of the upfit of the commercial space. In the event the commercial space upfit is completed by units or phases, the bond amount may be proportionately reduced based on square footage as the space is occupied by a viable commercial entity possessing a business license issued by the City. The City shall reserve the right to call the bond for any uncompleted commercial space two weeks prior to the expiration of the bond.