

2015-R-11. An Ordinance to Amend Section 19-405, Table 19-405 to Clarify Grade Level Uses along Public Rights-of-Way for Mixed Use Structures

**AN ORDINANCE TO AMEND SECTION 19-405, TABLE 19-405, SUBPARAGRAPH A.1.a.1) and 2) STANDARDS FOR CONDITIONAL USE AND SPECIAL EXCEPTIONS FOR NON-RESIDENTIAL DISTRICTS TO CLARIFY LANGUAGE GOVERNING THE REQUIREMENT FOR GRADE LEVEL USES IN MIXED-USE STRUCTURES.**

**Amend Section 19-405. Standards for Conditional Use and Special Exceptions for Non-residential Districts, Table 19-405. Table of Standards for Conditional Use and Special Exceptions for Non-residential Districts, Subparagraph A.1.a.1), A.1.a.2 and A.1.a.3) to clarify grade floor use requirements for mixed use structures as follows:**

**Table 19-405. Table of Standards for Conditional Uses and Special Exceptions in Non-residential Districts**

<b>A. RESIDENTIAL USES</b>	
<b>1. Residential Developments, Various</b>	
<b>a. Mixed-use Structures</b>	
<b>1) Conditional Use Standards [C District Only]</b>	
<ul style="list-style-type: none"> <li>a) Principal use structure(s) that front <del>College Avenue</del> 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 Addison Lane and Daniel Drive.</li> <li>b) Service, retail, or office uses shall occupy a space along the frontage of the principal use structure that has a minimum depth of 25 feet.</li> <li>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.</li> <li>d) One eight foot wide entrance doorway providing pedestrian access to the interior of the principal use structure may be permitted per street frontage.</li> <li>e) Balconies shall comply with the following:             <ul style="list-style-type: none"> <li>i. Shall not extend past the property line;</li> <li>ii. Shall not overhang any public or private sidewalks; and</li> <li>iii. Balconies shall be prohibited for portions of buildings abutting residentially zoned R-20 and R-12 properties.</li> </ul> </li> <li>f) Dwelling units are permitted subject to the following:</li> </ul>	

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<ul style="list-style-type: none"> <li>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 US Army Corps of Engineers other than for properties fronting Daniel Drive as noted in subparagraph b.;</li> <li>ii. For portions of a mixed use structure(s) not covered in subparagraph (e) (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 the exterior of the building other than as provided by subparagraph (d); and</li> <li>iii. Each dwelling unit shall have minimum floor area of 350 square feet.</li> <li>g) On-site management shall be required for short-term rentals of any dwelling unit of less than 30 days of occupancy.</li> </ul>	
<p><b>2) Conditional Use Standards [CM District Only]</b></p>	
<ul style="list-style-type: none"> <li>a) Service, retail, or office uses shall occupy a space along the frontage <b>along a public right-of-way</b> of the principal use structure that has a minimum depth of 25 feet <b>with the exception of frontages along Addison Lane, Knox Lane and Hillcrest Drive.</b></li> <li>b) 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.</li> <li>c) One eight foot wide entrance doorway providing pedestrian access to the interior of the principal use structure may be permitted per street frontage.</li> <li>d) Balconies shall comply with the following:             <ul style="list-style-type: none"> <li>i. Shall not extend past the property line;</li> <li>ii. Shall not overhang any public or private sidewalks; and</li> <li>iii. Balconies shall be prohibited for portions of buildings abutting residentially zoned R-20 and R-12 properties.</li> </ul> </li> <li>e) Dwelling units shall be above the grade level floor(s) and fully contained within a principal use building.</li> <li>f) Each dwelling unit shall have minimum floor area of 350 square feet.</li> <li>g) On-site management shall be required for short-term rentals of any dwelling unit of less than 30 days of occupancy.</li> </ul>	
<p><b>3) Conditional Use Standards [CP-2 &amp; CP-3 Districts Only]</b></p>	

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<ul style="list-style-type: none"><li>a) Each dwelling unit shall have minimum floor area of 350 square feet.</li><li>b) Dwelling units shall be above the grade floor level(s) and fully contained within a principal use building;</li><li>c) Principal use structures that face Tiger Blvd (Hwy 123), Old Greenville Hwy (Hwy 93), Anderson Hwy (Hwy 76), Keowee Trail, Wall Street, or property owned by the U.S. Army Corps of Engineers shall have service, retail, or office uses along 100 percent of that facade at street or sidewalk level.</li><li>d) When required, service, retail, or office uses shall occupy a space that has a minimum depth of 25 feet.</li><li>e) 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.</li><li>f) 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.</li></ul>	
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