



City of Clemson

Pd #6111 PC

PLANNING & CODES ADMINISTRATION

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

PLANNING COMMISSION ZONING AMENDMENT APPLICATION

Please complete in ink and return to the Planning and Codes Administration with required attachments, information, and filing fee. Zoning Map Amendment (Rezoning) applications require a filed survey of the property, a copy of the deed, and a designation of agent if owner is not the applicant. **Both sides accepted.**

Application fee: \$175.00. Applications are accepted with required attachments, information, and filing fee. Applications are accepted with a filed survey of the property, a copy of the deed, and a designation of agent if owner is not the applicant. **Both sides accepted; 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.

2013-R-04

File no.: R-04 PIN: _____ Date submitted: 9/24/13 Planning Commission meeting date: 10/14/2013

Amendment type: Map amendment (Rezoning) Text amendment

Initiated by: Owner/Agent City Council Planning Commission Board of Zoning Appeals

OWNER(S) INFORMATION

Last name: Dukes First: William Middle: E Interest: Sole owner Co-owner

Mailing address: 319 Woodland way City: Clemson State: SC ZIP Code: 29631

Daytime phone no.: (864) 654-4140 Fax no.: _____ E-mail: _____

APPLICANT INFORMATION

To be completed only if Owner is not Applicant:

Applicant's last name: Winkopp First: Thomas Middle: P.

Mailing address: 391-506 College Ave City: Clemson State: SC ZIP Code: 29631

Daytime phone no.: (864) 654 2200 Fax no.: (864) 654-2263 E-mail: twinkopp@tomwinkopp.com

PROPERTY INFORMATION

THE OWNER/APPLICANT HEREBY REQUESTS that the property described below be rezoned from CP-1 (ARM-) to C

Property address: 392 College Ave Clemson Property dimensions: _____ Property area: _____
386 College Ave Clemson

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.

Owner name: William E. Dukes Owner signature: William E. Dukes Date: 9/21/13

To be completed by Applicant:

I certify that the information in this request is correct.

Applicant name: Thomas P. Winkopp Applicant signature: Thomas P. Winkopp Date: 9/24/13

REQUIRED INFORMATION

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

To have the land consolidated into a single zoning designation.

Use additional sheets if necessary.



City of Clemson

rd #6111 PC

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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 \$175, 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.

2013-R-06

File no.: R -	PIN:	Date submitted: 09 24 2013	Planning Commission meeting date: 10 14 2013
Amendment type: <input checked="" type="checkbox"/> Map amendment (Rezoning) <input type="checkbox"/> Text amendment			
Initiated by: <input checked="" type="checkbox"/> Owner/Agent <input type="checkbox"/> City Council <input type="checkbox"/> Planning Commission <input type="checkbox"/> Board of Zoning Appeals			

OWNER(S) INFORMATION			
Last name: <u>BROWN</u> Zielinski	First: <u>JANE</u> <u>Monica</u>	Middle:	Interest <input checked="" type="checkbox"/> Sole owner <input type="checkbox"/> Co-owner
Mailing address: <u>508 Shorecrest Dr</u>	City: <u>Clemson</u>	State: <u>SC</u>	ZIP Code: <u>29631</u>
Daytime phone no.: ()	Fax no.: ()	E-mail:	

APPLICANT INFORMATION			
<i>To be completed only if Owner is not Applicant:</i>			
Applicant's last name: <u>Winkopp</u>	First: <u>Thomas</u>	Middle: <u>P.</u>	
Mailing address: <u>391-506 College Ave</u>	City: <u>Clemson</u>	State: <u>SC</u>	ZIP Code: <u>29631</u>
Daytime phone no.: <u>(864) 654-2200</u>	Fax no.: <u>(864) 654-2263</u>	E-mail: <u>twinkopp@tomwinkopp.com</u>	

PROPERTY INFORMATION			
THE OWNER/APPLICANT HEREBY REQUESTS that the property described below be rezoned from <u>CP-1</u> to <u>C</u>			
Property address: <u>392 College Ave</u> <u>Clemson</u>	Property dimensions:	Property area:	

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 as my (our) agent to represent me (us) in this request for a zoning map amendment.		
<u>JANE BROWN</u> Owner name	<u>Jane Brown</u> Owner signature	<u>9/24/13</u> Date
<i>To be completed by Applicant:</i>		
I certify that the information in this request is correct.		
<u>Thomas P. Winkopp</u> Applicant name	<u>[Signature]</u> Applicant signature	<u>9/24/13</u> Date

REQUIRED INFORMATION

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

To have the land consolidated into a single zoning designation.

Use additional sheets if necessary.

MAGNETIC NORTH
PLAT BY JRT 7/2012

LINE	BEARING	HORIZ DIST
L1	N61°21'46"W	10.11'
L2	S61°20'08"E	10.50'

THIS PLAT REPRESENTS A SURVEY OF:

**PARCELS ON
COLLEGE AVENUE**

CITY OF CLEMSON
PICKENS COUNTY
SOUTH CAROLINA

TMP# 4044-16-82-1629
REF. D.B. 14-V Pg. 166
REF. P.B. 28 Pg. 758

AREA: PARCEL 1 = 0.569 ACRE
PARCEL 2 = 0.024 ACRE

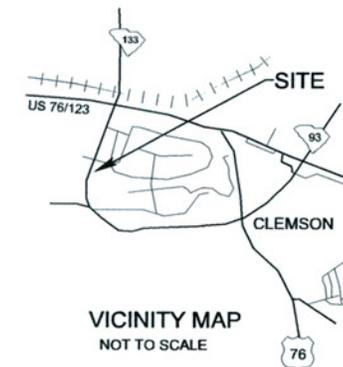
DATE: SEPTEMBER 19, 2013

SCALE: 1" = 30'

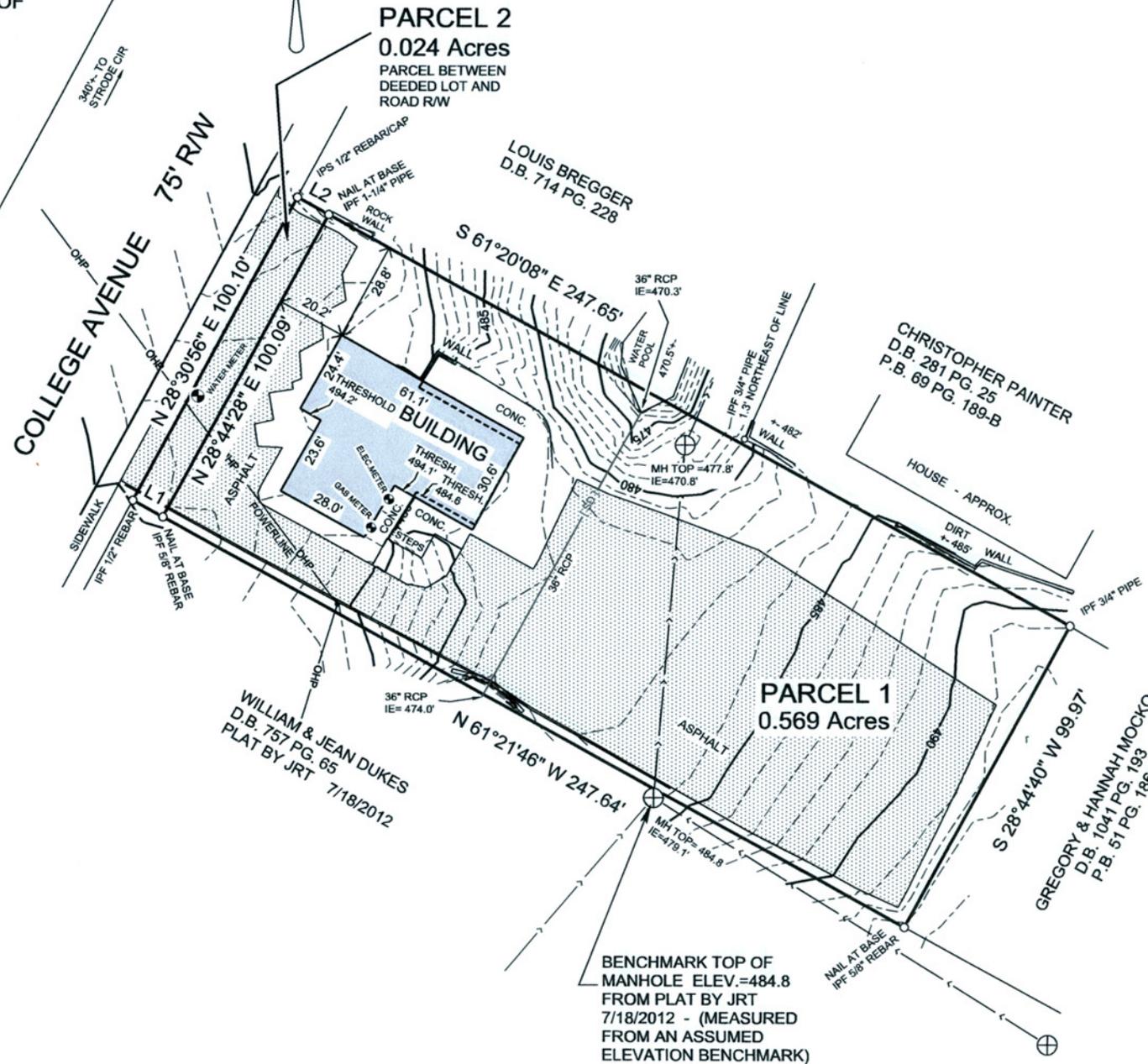


PLAT PREPARED FOR AND SURVEY CERTIFIED ONLY FOR:

THE DUKES CENTER



ROAD R/W IS 37.5' FROM C/L
INFORMATION FROM CITY OF
CLEMSON PERSONEL AND
S.C. D.O.T. PLANS
DOCKET 39.474 SHEET 15



CONTOUR INTERVAL IS 1 FOOT.

NOTE: THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, R/Ws AND/OR
RESTRICTIONS THAT MAY EXIST OF RECORD OR ON THE SITE

ANY WARRANTY FOR THIS
SURVEY IS NON TRANSFERABLE



John Robert Tuten
9/2013

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712 FREEMAN ROAD
LIBERTY, SC 29657
PHONE NO. (864)261-7302
email: tutensurveying@gmail.com
FILE: DUKEWIL JOB# C-931-13 FB14Pg71

MAGNETIC NORTH
JULY 2012



NOTE: THE COLLEGE AVENUE
R/W IS 37.5' FROM C/L. ROAD
R/W INFORMATION FROM CITY
OF CLEMSON PERSONNEL AND
S.C. D.O.T. PLANS -
DOCKET 39.474 SHEET 15

NOTE: AREA NEAR
ENTRANCE MAY HAVE
BEEN REFERRED TO
AS GOODE STREET.
SURVEYOR FOUND
NO DEEDS PERTAINING
TO THE TITLE OF THIS AREA.

LINE	BEARING	HORIZ DIST
L1	S44°29'14"E	49.11'
L2	S35°49'50"W	45.48'
L3	S39°25'42"W	19.99'
L4	N63°06'29"W	48.94'
L5	N62°49'59"W	26.05'
L6	N62°58'19"W	25.94'
L7	N63°00'37"W	25.77'
L8	N63°15'54"W	40.61'
L9	S39°07'38"W	48.18'
L10	S77°18'04"W	45.62'
L11	S61°20'08"E	10.50'
L12	N28°45'28"E	39.35'
L13	N65°33'14"W	0.38'

THIS PLAT REPRESENTS A SURVEY OF:

PARCELS ON COLLEGE AVENUE and FINLEY STREET

CITY OF CLEMSON
PICKENS COUNTY
SOUTH CAROLINA

TMPs# 4044-16-72-9553, 4044-16-82-0623
4044-16-82-1558, -82-0348, -82-2481, -82-1629

REF. DB/Pg : 13-3/417, 688/215, 13-0/96
13-F/741, 14-F/898, 757/65, 14-V/166

REF. PB/Pg : 20/369, 49/117, 28/758

AREA: 4.181 ACRES

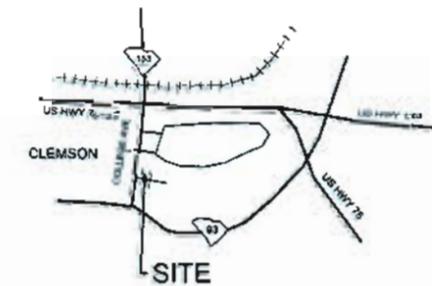
DATE: JULY 18, 2012
REVISED SEPTEMBER 19, 2013 TO ADD
NORTHERN PARCEL AND SHOW ZONING

PLAT PREPARED FOR AND TO BE USED ONLY FOR:

THE DUKES CENTER



SCALE : 1" = 30'



VICINITY MAP
NOT TO SCALE

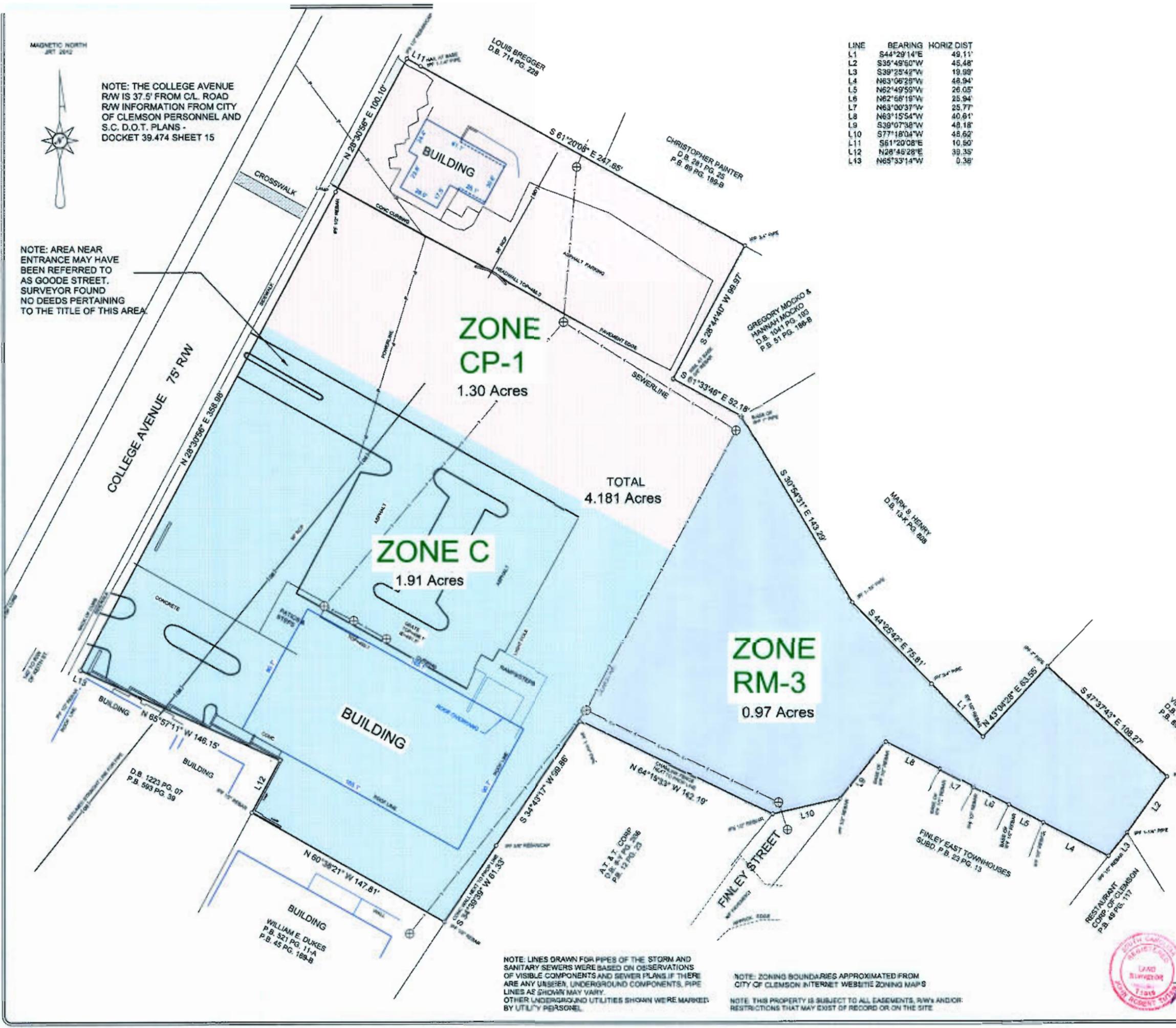
I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL
KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN
HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS
OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN
SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS
FOR A CLASS 'A' SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE
NO ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

ANY WARRANTY FOR THIS
SURVEY IS NON TRANSFERABLE



John Robert Tuten
9/20

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PHONE NO. /864/261-7302
email: tutensurveying@gmail.com
FILE: DUKES PL. 2008 0-001-13 0141402.11



NOTE: LINES DRAWN FOR PIPES OF THE STORM AND
SANITARY SEWERS WERE BASED ON OBSERVATIONS
OF VISIBLE COMPONENTS AND SEWER PLANS IF THERE
ARE ANY UNSEEN, UNDERGROUND COMPONENTS, PIPE
LINES AS SHOWN MAY VARY.
OTHER UNDERGROUND UTILITIES SHOWN WERE MARKED
BY UTILITY PERSONNEL.

NOTE: ZONING BOUNDARIES APPROXIMATED FROM
CITY OF CLEMSON INTERNET WEBSITE ZONING MAPS
NOTE: THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, R/Ws AND/OR
RESTRICTIONS THAT MAY EXIST OF RECORD OR ON THE SITE



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Docket & File #: 2013-R-06

Property Owner: William E. Duke, Monica Zeilinski

Applicant: Thomas Winkopp

Property Location: 392 College Ave, 390 College Ave, 105 Finley St., & NA College Ave.

Property Size: 4.181 Acres

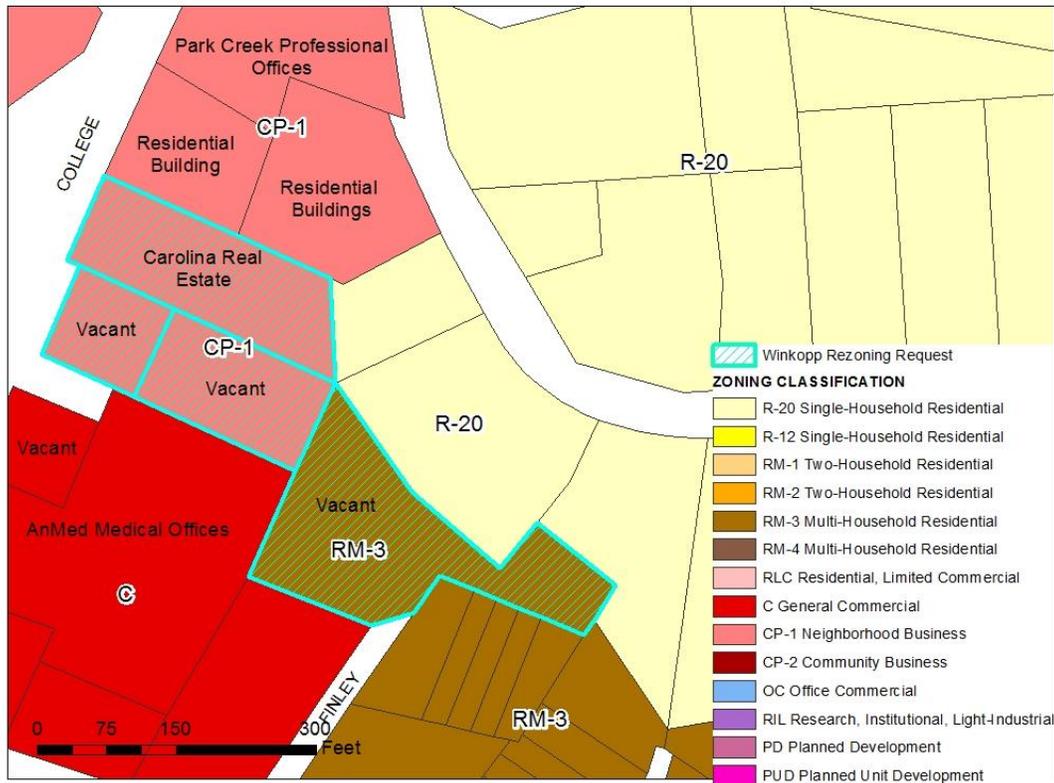
PINs: 4044-16-82-1629, 4044-16-82-0623, 4044-16-82-1558, 4044-20-82-2481

Request: To rezone the four identified parcels from their current zoning to C, General Commercial.

PIN	Address	Current Zone	Requested Zone	Current Land Use
4044-16-82-1629	392 College Ave	CP-1	C	Carolina Real Estate
4044-16-82-0623	390 College Ave	CP-1	C	Parking/Vacant
4044-16-82-1558	College Ave	CP-1	C	Vacant
4044-20-82-2481	105 Finley St	RM-3	C	Vacant

Adjacent Land Uses:

North:	Residential Structure [Zoned CP-1]
South:	AnMed Medical Offices [Zoned C]
East:	Single-family residential [Zoned R-20]
West:	College Avenue



October 8, 2013

TECHNICAL REVIEW OF PROPOSED ZONING MAP AMENDMENT:

A. CONFORMITY OF THE PROPOSED AMENDMENT WITH THE COMPREHENSIVE PLAN AND IMPACT OF THE AMENDMENT ON THE ELEMENTS OF THE COMPREHENSIVE PLAN

Staff has reviewed the proposed zoning map amendment and reports the following based upon Article VIII-Amendment Section of the City of Clemson Zoning Ordinance:

1. What is the relationship of this request to the 2014 Comprehensive Plan?

Per the SC Codes of Laws, Title 6, Chapter 29:

SECTION 6-29-720. Zoning districts; matters regulated; uniformity; zoning techniques.

(A) When the local planning commission has prepared and recommended and the governing body has adopted at least the land use element of the comprehensive plan as set forth in this chapter, the governing body of a

municipality or county may adopt a zoning ordinance to help implement the comprehensive plan. The zoning ordinance shall create zoning districts of such number, shape, and size as the governing authority determines to be best suited to carry out the purposes of this chapter.

Vision: The vision statement of the City reads: “The City of Clemson is a university town that provides a strong sense of community and a high quality of life for its residents. University students add to its diversity and vitality. The City is dedicated to providing a quality living environment for all its residents by ensuring a balanced, compatible, and healthy mix of residential and commercial development, while preserving and improving its natural resources, and promotes its image as a desirable, visually attractive, safe, and economically stable residential community. The City actively seeks cooperation with its neighbors to ensure the fulfillment of its vision.”

2. Does the request support or violate the plan?

Goals and Objectives: The goals and objectives of the 2014 Comprehensive Plan that pertain to the rezoning request are listed below.

Natural Resources

Objective 6.1. Improve city’s air quality by linking land use and transportation planning to reduce vehicular miles traveled and by reducing energy use at homes and in businesses.

Economic Development

Goal 4. Promote a balance between the City’s commercial and residential property tax revenues that will encourage enhanced quality of life for City residents and businesses.

Goal 6. Reinforce existing commercial corridors as the commercial centers for the City.

Objective 6.1. Promote downtown as the cultural, commercial, and entertainment center of the City and encourage activities that attract a diverse and multigenerational population.

Objective 6.2. Encourage infill and/or redevelopment of existing commercial sites along commercial corridors.

Objective 6.3. Promote mixed use development in commercial areas that encourages a vibrant and sustainable commercial environment.

Land Use

Goal 5. Ensure that the City is well served by attractive commercial districts in appropriate locations that meet the day-to-day needs of its residents and visitors.

Objective 5.5. Promote redevelopment and infill of existing underutilized commercial areas.

Goal 6. Maximize the benefits derived from the City's investment in community facilities and infrastructure.

B. Impact on Physical Conditions and/or Natural Resources

According to the April 16, 2008 Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) Number 450238 Panel 387, the site is within an area designated as Zone "X". This designation means the property is in an "area determined to be outside the 0.2% annual chance floodplain.

C. Projected Land Use

The subject property is designated as **commercial** on the Generalized Future Land Use Map in the 2014 Comprehensive Plan. Analysis of related issues are as follow:

1. Are the uses permitted by the proposed change appropriate in this area?

Sec. 19-309. C, General commercial district.

- (a) *Purpose. The purpose of the C district is to provide for the intensive business and commercial development of certain areas of the city. Off-street parking is permitted separately and is not required except for residential use because of small lot sizes and intensity of development. This district is designed to provide comparative shopping opportunities within a concentrated area, and promote a business climate essential to the vitality and economic stability of the community. **Also, this district is intended to accommodate certain residential uses in concert with commercial development, through the conversion of upper floor space in existing commercial buildings for apartments and condominiums, or as part of a multipurpose building.***

2. Comparison of district regulations for the CP-1 & C zoning districts:

Zoning Standard	C District	CP-1 District	RM-3
AR District	#2 (attached)	#2 (attached)	--
Front Setback	0'	8' (per AR#2)	25'
Maximum Front Setback	15'	NA	NA
Side Setback	0'	0'	0' to 15' depending on structure type
Rear Setback	10'	25'	40'
Building Height	65'	40'	35'-40'
Parking	<p>Provision of on-site parking spaces are not required for most uses in the C district with the exception of government offices (1/300 sq ft), contractor's offices (1/300 sq ft), mixed use structures, bed & breakfast inns, and several special exceptions.</p> <p>Mixed Use Structure: 1 per dwelling unit bedroom, provided however, that no more than 30% of the required spaces may be designed for compact vehicles utilizing a minimum parking stall dimension of no less than 16 feet by 8 feet, provided the spaces are permanently designated by sign(s) as being for use by compact cars only. All other required spaces shall comply with the specifications of Section 19-448.</p> <p>Bed & Breakfast Inn: Parking required for the dwelling, plus 1 paved off-street parking space on the property for each guestroom. Applicant shall submit a site plan indicating location of parking and screening, if required.</p>	<p>Per Section 19-441 unless specifically modified by district regulations.</p> <p>Note: for mixed use structures Greater of 2 per unit or 1 per occupant</p>	
Signage	Per Sect. 19-436	Per Sect. 19-436	Per Sect. 19-436
Landscape/Buffer	Per Sect. 19-457 & AR #2	Per Sect. 19-457 & AR #2	Per Sect. 19-457
Standards for Mixed Use Structures	See Below	See Below	NA

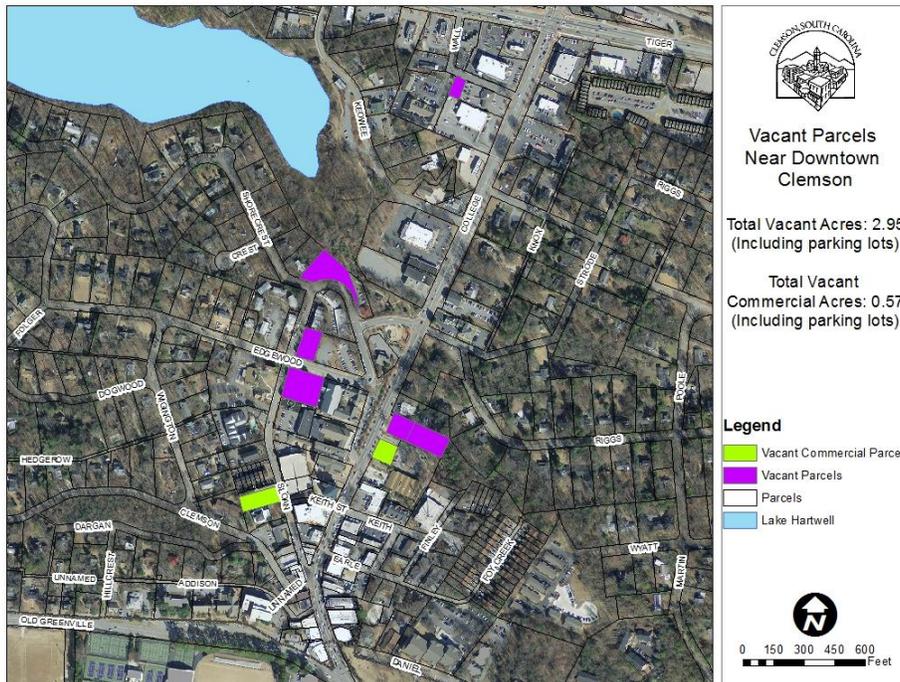
A copy of the district regulations for the C, General Commercial district is included at the end of this report.

3. **Are there adequate roads and other public services, or can they be provided to serve the needs of development likely to take place as a result of this change? Is the development in accord with any existing or proposed plans for providing water and/or sewer to the area?**

The comments from the Police Chief, Fire Chief, Utilities Director, Public Works, and CATS have been requested and will be provided at the Planning Commission meeting for the members' information and consideration.

4. **a. How much vacant land currently exists in this location, as well as citywide, which is zoned C, General Commercial?**

According to the 2014 Comprehensive Plan, 38 acres (3%) of the city's vacant land was zoned commercial. Staff has updated this information, with specific attention to the downtown/College Avenue corridor. There is only 2.95 acres of vacant land in this area in all districts and only 0.57 acres of this is zoned in one of the commercial districts. These numbers are inclusive of parking lots. **The applicant is requesting that two of these vacant lots be rezoned as well as the property currently occupied by the Carolina Real Estate offices and a portion of an undeveloped RM-3 lot.**



- b. **Are there any special circumstances, which may make a substantial part of such vacant land unavailable for development?**

Some of the calculated vacant land is parking for existing uses in this area.

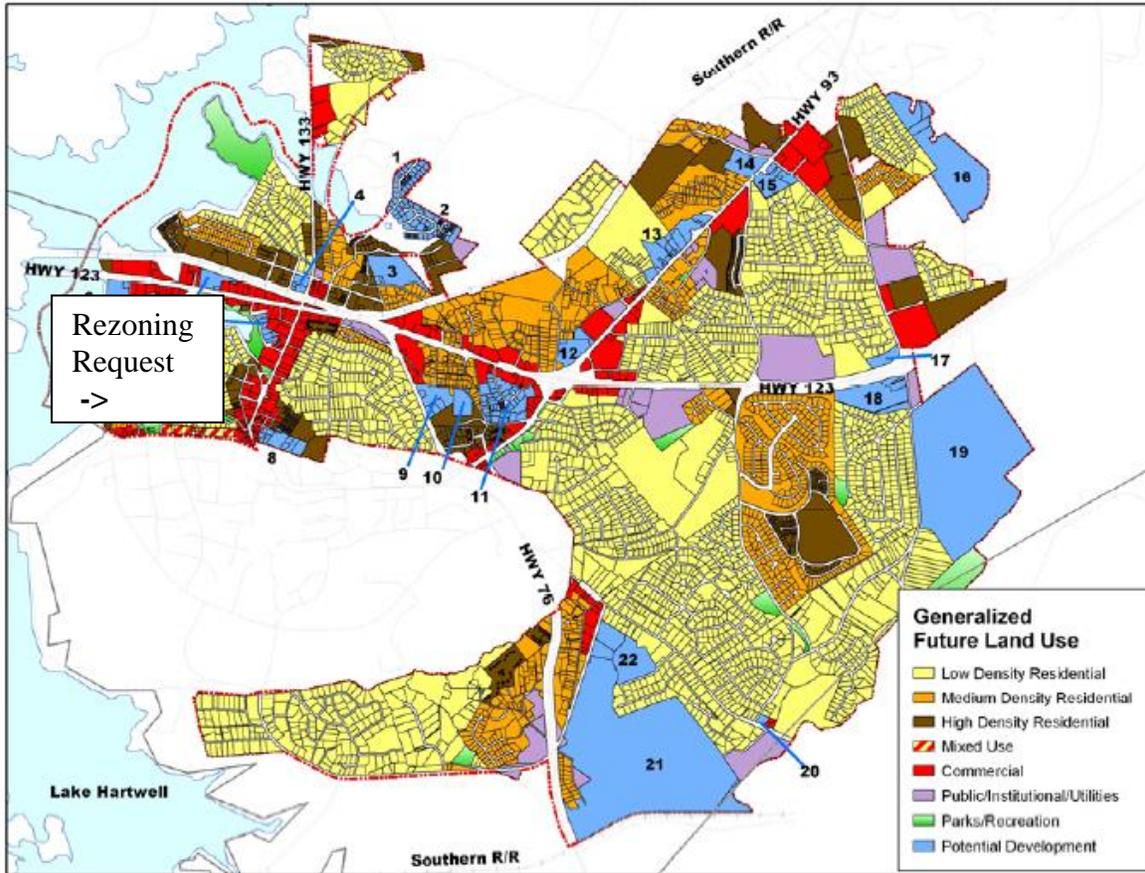
5. What does the Zoning Ordinance say about the basis for approving rezoning requests?

According to Sections 19-803 (4) and (5) of the Zoning Ordinance, the Planning Commission review shall include a determination of whether the proposed amendment is in conformity with the Comprehensive Plan and evaluation of the impact of the amendment on elements of the Comprehensive Plan.

The Planning Commission shall file with City Council its report and recommendation on the proposed amendment within thirty (30) days after review of the proposed amendment. The time for review may be extended by vote of City Council. If the Planning Commission fails to submit a report within the prescribed time, it shall be deemed to have recommended approval of the proposed amendment.

6. How does the 2014 Comprehensive Plan Update address this area?

Map IX-4. Generalized Future Land Use (pg. IX-10) of the 2014 Comprehensive Plan designates this property as commercial.



Source: City of Clemson, Planning and Codes Administration, 2004

7. What is the minimum size required for the establishment of a new zoning district?

According to the Zoning Ordinance, no amendment shall be initiated which would create a new zoning district with an area of less than two (2) acres. The minimum requirement does not apply to extension of an existing district, or addition of RLC, OC or CP-1 districts adjacent to residential districts. (Sec. 19-206. Minimum District Size; Extension of Existing District.)

The proposed rezoning would constitute an extension of an existing C district and is not restricted to the 2 acre requirement.

D. STAFF COMMENTS:

1. Based on the comments provided by the various city departments, current city services and infrastructure should be adequate to handle the higher density/intensity uses allowed in the C district with the proviso that specifics of any future project would require further study. This is

particularly true in the final calculation of water and sewer availability and in the impacts on ridership for CATS. Copies of the individual responses are appended to this report.

2. The request is consistent with the surrounding land use and with the comprehensive plan in as much as the adjacent property is already zoned C.
3. Only a portion of the RM-3 parcel is being included in this request. The applicant plans to leave the portion closest to the adjacent residential area (also buffered by a natural drainage/creek system) residentially zoned as a buffer to that area.

(e) *District regulations.* The following regulations apply to all uses in RLC districts:

1. Minimum lot area:	a. Single-household dwelling: 10,000 square feet. b. Two-household dwelling: 12,000 square feet. c. Other permitted uses: None, unless otherwise specified.
2. Minimum lot width at front building line:	a. Dwelling: 80 feet; b. Other uses: None.
3. Minimum front setbacks:	Front street, side street, and rear street frontages: 35 feet, except on Old Greenville Highway - 30 feet. No accessory building allowed in setback.
4. Minimum side setbacks:	a. Principal structure: 10 feet; 15 feet from adjoining residential lot. b. Accessory structure: 3 feet from interior lot line.
5. Minimum rear setbacks:	a. Principal structure: 25 feet. b. Accessory structure: 8 feet from interior rear lot line.
6. Maximum occupancy:	1 family, plus not more than 2 unrelated persons, or not more than 3 unrelated persons per dwelling unit.
7. Maximum structure height:	25 feet.
8. Access requirements:	a. Access drives shall not exceed 35 feet in width. b. No access to commercial use is permitted from an alley. c. Access drives on side streets are not permitted closer than 35 feet to abutting residential districts.
9. Accessory uses allowed in setbacks: [Covered porch, enclosed or open, is part of main dwelling for setback requirements. For projections allowed in setbacks, see article IV.]	a. Required off-street parking: See article IV. b. Signs: See article IV. c. Satellite dish more than 18 inches in diameter: 1 per lot in rear yard 10 feet from lot line. d. Fence or wall: in side or rear yard, not over 8 feet high, 18 inches from street line, 6 inches from interior lot line.
10. Visibility requirements:	a. Corner lot: no obstruction between heights of 2 and 10 feet above finished street level within 10 feet of intersection of street right-of-way lines. b. Driveway or access drive: no obstruction over height of 2 feet within 10 feet of street.
11. Bufferyard, screening and landscaping requirements:	See article IV, division 5.
12. Signs:	See article IV, division 3.
13. Site plan requirements:	See article IV, division 1.
14. General and supplementary regulations:	See article IV.

(Ord. No. CC-98-10, § 1, 6-1-98; Ord. No. CC-99-008, 2-1-99; Ord. No. CC-2002-11, § 1(19-308), 6-3-2002; Ord. No. CC-2012-14, 7-16-12)

Sec. 19-309. C, General commercial district.

(a) *Purpose.* The purpose of the C district is to provide for the intensive business and commercial development of certain areas of the city. Off-street parking is permitted separately and is not required except for residential use because of small lot sizes and intensity of development. This district is designed to provide comparative shopping opportunities within a concentrated area, and promote a business climate essential to the vitality and economic stability of the community. Also, this district is intended to accommodate certain residential uses in concert with commercial development, through the conversion of upper floor space in existing commercial buildings for apartments and condominiums, or as part of a multipurpose building.

(b) *Permitted uses.* The following uses are permitted in C districts:

<i>C Permitted Uses</i>	<i>SIC Code</i>	<i>SIC Description</i>	<i>Parking Spaces Required</i>
1. Taxicab stand, bus station and related service	41	Local and suburban transit services	None
2. Telephone, telegraph, radio, television services, [except communications towers - see article IV, division 6]	48	Communications	None
3. Public utility, including water tower, substation, under 2,000 square feet	49	Electric, gas, water, sewer	None
4. Retail sales of merchandise on premises: wearing apparel, jewelry, hardware, household items, sporting goods, reading material, stationery, art supplies, food, gifts, sundries, toys, health and beauty aids, music, alcoholic beverages, paint and wallpaper, appliances, flowers, office equipment and supplies, photographic supplies and similar merchandise, not including tombstones, drive-in or drive-through eating places, or fuel dealers; [except SIC 55 - automotive dealers and gasoline service stations - see special exceptions]	523	Paint, glass and wallpaper	None
	525	Hardware	
	53	General merchandise	
	54	Food stores	
	56	Apparel and accessory	
	57	Home furniture, and equipment	
	58	Eating and drinking places [except drive-in or drive-through]	
59	Miscellaneous retail [except 598 - fuel dealers, and 5999 - tombstones]		
5. Banks, finance, insurance, and real estate offices	60	Depository institutions	None
	61	Credit institutions	
	62	Security dealers, etc.	
	63,64	Insurance carriers, agents	
	65	Real estate agents, etc., offices only	
	67	Investment offices	

ZONING

§ 19-309

<i>C Permitted Uses</i>	<i>SIC Code</i>	<i>SIC Description</i>	<i>Parking Spaces Required</i>
6. Services to individuals and businesses: laundries, dry cleaners, barbershops and beauty shops, shoe shops, secretarial service, interior decorator, active and passive recreation, and similar activities [except coin-operated machines licensed pursuant to S.C. Code 1976, § 12-21-2720(A)(3) - (video poker, gambling devices, etc. and tattoo parlors - SIC 7299), unless otherwise permitted]	72	Personal services [except industrial laundry, carpet cleaning plant, funeral home, and tattoo parlors]	None
	733	Copying, art, photography, secretarial services	
	737	Computer-related services	
	751,752	Auto rental and parking	
	763	Watch and jewelry repair	
	7832	Indoor motion pictures	
	784	Videotape rental	
	791—793, 799	Amusement and recreation [except gambling devices, unless otherwise permitted]	
	801—804	Medical and dental offices	
	81	Legal services	
	823	Libraries	
	83	Social services, child care	
	841	Museums and art galleries	
	86	Membership organization	
	87	Engineering, architectural, accounting, consulting, etc. - offices only	
89	Miscellaneous services not classified		
7. Church, synagogue, temple, or other place of worship, including religious education building, parsonage or parish house, off-street parking for members and visitors without pay, and recreation facilities	8661	Religious organizations, churches, etc.	None
8. Government building or facility, including postal facility	43	U.S. Postal Service	1 for each 300 square feet of floor area
	91—96	General government, justice, public order, safety, finance, etc.	
9. Accessory uses on same lot with principal use, customarily incidental to principal use, including: <ul style="list-style-type: none"> a. Off-street parking or storage area for vehicles owned by members, customers or employees of business; b. Completely enclosed building for storage of supplies or merchandise for use in the principal business; c. Solid waste collection containers; d. Coin-operated amusement devices limited to 5 or fewer machines in eating and drinking places or in convenience retail establishments. 			

(c) *Conditional uses.* The following conditional uses are permitted in C districts:

<i>C Permitted Uses</i>	<i>SIC Code</i>	<i>SIC Description</i>	<i>Parking Spaces Required</i>
<p>1. Mixed Use Structure(s), provided all of the following conditions are met:</p> <ul style="list-style-type: none"> a. Principal use structure(s) that front College Avenue, Keith Street, Earle Street, McCullom Street, Finley Street, Sloan Street, N. Clemson Avenue, or property owned by the City of Clemson or the U.S. Army Corps of Engineers shall have: <ul style="list-style-type: none"> i. Service, retail, or office uses along 100% of the façade that abuts the street, sidewalk, or grade level; and ii. Along College Avenue, a minimum of 80% of the building facade of the principal use structure(s) shall be constructed at the minimum front setback line and a minimum of 55% of the building facade of the principal use structure(s) shall be required along all other frontages. b. Principal use structure(s) that abut Daniel Drive shall have service, retail, or office uses along at least 40% of that facade at street or sidewalk level. The remaining frontage may be used for other permitted uses, recreational amenities or residential uses; c. 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; d. 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 5 feet of width for a pedestrian sidewalk shall be provided; e. One 8-foot wide entrance doorway providing pedestrian access to the interior of the principal use structure may be permitted per street frontage; f. Dwelling units are permitted subject to the following: 	<p>N/A</p>	<p>N/A</p>	<p>1 per dwelling unit, provided however, that no more than 30% of the required spaces may be designed for compact vehicles utilizing a minimum parking stall dimension of no less than 16 feet by 8 feet, provided the spaces are permanently designated by sign(s) as being for use by compact cars only. All other required spaces shall comply with the specifications of Section 19-448.</p>

<i>C Permitted Uses</i>	<i>SIC Code</i>	<i>SIC Description</i>	<i>Parking Spaces Required</i>
<ul style="list-style-type: none"> 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.; ii. For portions of a mixed use structure(s) not covered in subparagraph f (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 e. g. Each dwelling unit shall have minimum floor area of 350 square feet; h. On-site management shall be required for short-term rentals of any dwelling unit of less than 30 days of occupancy. 			
<p>2. Temporary Christmas tree sales, including 1 temporary sign not exceeding 20 square feet for a period not to exceed 45 days</p>		N/A	None
<p>3. Contractor's office and equipment shed, provided:</p> <ul style="list-style-type: none"> a. Used in connection with construction on premises; b. Must not cause traffic congestion or nuisance; c. Issued for a term up to 1 year; may be renewed once. 		N/A	1 for each 300 square feet of office area

<i>C Permitted Uses</i>	<i>SIC Code</i>	<i>SIC Description</i>	<i>Parking Spaces Required</i>
<p>4. Bed and breakfast inn, provided:</p> <ul style="list-style-type: none"> a. No more than 9 units will be utilized as guestrooms. b. No cooking facilities shall be allowed in the lodging units. c. Exterior storage of materials or supplies shall be enclosed in accessory buildings in accordance with section 19-407. d. No guest shall occupy the inn for more than 28 consecutive nights. e. The building shall comply with all applicable licensing, revenue collection, zoning, and building requirements for bed and breakfast inns. f. The operator shall keep a current guest register, including names, addresses and dates of occupancy of all guests. 	7011	Bed and breakfast inn	<p>Parking required for the dwelling, plus 1 paved off-street parking space on the property for each guestroom. Applicant shall submit a site plan indicating location of parking and screening, if required.</p>
<p>5. Home occupation, limited sales and services within a dwelling carried on by a member of the household residing on the premises, provided:</p> <ul style="list-style-type: none"> a. Services are limited to accounting, architectural, counseling, engineering, legal, sewing, telephone orders or similar services; b. Direct sales on-site are limited to arts and crafts produced on the premises; c. Activities involving clients are conducted during normal daytime business hours; d. There are no employees or animals used in the business; and e. No activity shall be conducted which involves or creates hazardous materials, noise, dust, odors or fumes, or which adversely affects health or safety. 			

(d) *Special exceptions.* The following special exceptions may be permitted in C districts:

<i>C Special Exceptions [approved by zoning board of appeals after hearing]</i>	<i>SIC Code</i>	<i>SIC Description</i>	<i>Parking Spaces Required</i>
<p>1. Automobile sales, service and repair, and gasoline service station, including limited sale of groceries, provided the board of appeals determines:</p> <ul style="list-style-type: none"> a. The use is compatible with the district; b. Parking and service areas are separated from adjoining residential property by planting screen, fence or wall at least 6 feet high; c. No junked or salvaged vehicles shall be kept on the premises; d. Adequate provisions are made for access, parking and traffic safety, with no access or openings toward residential districts; e. All service and repair shall be conducted outside the public rights-of-way and within 30 feet of the principal building front; f. Gasoline pumps and air outlets shall be set back 20 feet from any property line; and g. Conditions are imposed to protect adjacent property from adverse impact. 	55	Automotive dealers and gasoline service stations	2 spaces for each gasoline pump, service bay and wash rack, plus 1 space for each 350 feet of merchandise sales area
<p>2. Car wash, automatic or self-service, provided the board of appeals determines:</p> <ul style="list-style-type: none"> a. The use is compatible with the district; b. Adequate spaces for vehicles awaiting entry are required; more than minimum may be required; c. The area is required to be adequately screened from adjoining residential property; d. Adequate provisions are made for access and traffic safety; and e. Hours of operation are limited to prevent late night noise. 	7542	Carwashes	Self-service wash: 3. Automatic wash: set by board; minimum 6.
<p>3. Public utility, including water tower, substation, over 2,000 square feet</p>	49	Electric, gas, water, sewer	None

<i>C Special Exceptions [approved by zoning board of appeals after hearing]</i>	<i>SIC Code</i>	<i>SIC Description</i>	<i>Parking Spaces Required</i>
4. Communications tower: See article IV.			

(e) *District regulations.* The following regulations apply to all uses in C districts:

1. Minimum lot area:	None.
2. Minimum lot width at front building line:	None.
3. Front setbacks: a. Minimum front setback b. Maximum front setback	None Unless otherwise noted elsewhere in this section, all structures shall comply with the following: a. The maximum front setback for any principal structure shall be 15 feet; b. Any principal structure with a front setback greater than three feet shall utilize the space between the right-of-way and the building for outdoor dining, courtyards or similar spaces; and c. No off-street parking shall be allowed in front of the front building line.
4. Minimum side setbacks:	None.
5. Minimum rear setbacks:	10 feet.
6. Maximum dwelling occupancy:	1 family, plus not more than 2 unrelated persons, or not more than 4 unrelated persons per dwelling unit.
7. Maximum structure height:	65 feet.
8. Building facade step-back requirements	Where at least 50 percent of the facade of the structure is located within 5 feet of a public or private right-of-way, the building facade shall be stepped back at least 8 feet for structures over 24 feet in height beginning at or below the third-floor level.
9. Expansions/Additions of Existing Buildings:	The expansion or addition of existing buildings over 25 feet in height is exempt from the facade step-back requirement of subparagraph 8., provided the following conditions are met: 1. Building material and color palette used for the expansion or addition will be the same as the original building; and 2. At least 30% of the addition or expansion abutting the public right-of-way shall be set back at least 5 feet.
10. Access requirements:	Access drives shall not exceed 35 feet in width, located at least 50 feet from a street intersection.
11. Accessory uses allowed in setbacks: [Covered porch, enclosed or open, is part of main dwelling for setback requirements. For projections allowed in setbacks, see article IV.]	a. Required off-street parking: See article IV; b. Signs: See article IV; c. Satellite dish more than 18 inches in diameter: 1 per lot in rear yard 10 feet from lot line; and d. Fence or wall: in side or rear yard, not over 8 feet high, 18 inches from street line, 6 inches from interior lot line.
12. Utilities:	a. External electrical and telephone service lines shall be installed underground; and b. Underground requirement may be waived by zoning administrator upon certification of practical difficulty or hardship; provided overhead wiring is placed in rear setback area. c. With the exception of parcels fronting College Ave., utility equipment to support uses within the structure may be located within the area between the right-of-way and building facade or setback, provided it is entirely enclosed by a structure of same or similar material as the building and approved by the board of architectural review.
13. Bufferyard, screening and landscaping requirements:	See article IV, division 5.

14 Signs:	See article IV, division 3.
15. Site plan requirements:	See article IV, division 1.
16. General and supplementary regulations:	See article IV.
17. Off-street loading requirements:	See article IV, division 4.

(Ord. No. CC-98-10, § 1, 6-1-98; Ord. No. CC-99-013, § 1, 7-19-99; Ord. No. CC-2000-01, 1-17-00; Ord. No. CC-2002-11, § 1(19-309), 6-3-02; Ord. No. CC-2003-07, 5-5-03; Ord. No. CC-2005-03, 1-17-05; Ord. No. CC-2005-04, 2-7-05; Ord. No. CC-2005-07, 3-21-05; Ord. No. CC-2012-13, 7-16-12; Ord. No. CC-2012-25, 12-17-12)

Sec. 19-310. CP-1, CP-2, and CP-3 Commercial districts.

(a) *Purpose.* The purpose of each of these districts, CP-1, CP-2, and CP-3 commercial, is described as follows:

- (1) *CP-1, neighborhood business district.* The purpose of this district is to provide for areas within the community where commercial service and convenience uses may be located to serve principally residential subdivisions and to permit small scale professional offices in such areas as compatible supplements.