

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)
)
TOWN OF CLOVER)

ORDINANCE 17-12

**AN ORDINANCE AMENDING THE ZONING AND LAND DEVELOPMENT
ORDINANCE OF THE TOWN OF CLOVER.**

WHEREAS, on September 21, 2017, the Clover Planning Commission reviewed and recommended approval of amendments to the Zoning and Land Development Ordinance to clarify and strengthen the intent of the MU Mixed Use District by establishing additional development requirements; and

WHEREAS, a public hearing, as required by law and after proper public notice, was held on the ____ day of _____, 2017.

WHEREAS, the Town Council finds that it is necessary to amend the following sections of the Zoning and Land Development Ordinance.

NOW, THEREFORE, BE IT ORDAINED in Council duly assembled this ____ day of _____, 2017, that the following sections of the Clover, South Carolina, Code of Ordinances, Zoning and Land Development Ordinance, is amended as follows:

A. Section 2.8, Mixed Use District, is hereby created as follows:

SECTION 2.8 MIXED USE DISTRICT

In the MU Mixed Use District, residential and commercial uses shall be provided together as an integrated mixed use development. Commercial uses and intensities are limited to those that serve local neighborhood needs, and that are compatible with adjacent and surrounding residential development. Development in the MU District must contain both residential and commercial uses. A minimum of 25% of the land area must be developed as commercial uses and a minimum of 25% must be developed as residential uses with neither category exceeding 75% of the total land area.

B. Section 2.4 Table 2: Dimensional Requirements: Schedule of Lot Area, Yard, Setback, Height, Density and Impervious Surface Ratio, By Zone Districts, is amended as follows:

Section 2.4 Table 2: Dimensional Requirements: Schedule of Lot Area, Yard, Setback, Height, Density, and Impervious Surface Ratio, By Zone Districts

Districts	R-20	R-12	R-7	R-5	B-1	B-2	B-4	MU	ID
Minimum Lot Area (per 1,000 Square Feet)									
Residential	20	12	(A)	(B)	N/A	NM	N/A	(B)	N/A
Non-residential	30	20	10	10	NM	NM	NM	NM	NM
Width at Building line (ft.)	100	80	60	50	NM	50	50	50	100
Minimum Yard & Building Setback (measurement in feet from property line)									
<i>Front</i>									
Arterial Street (C)	50	50	50	50	NM	50	50	50	50
Collector Street	35	35	35	35	NM	35	35	35	35
Local Street	25	25	25	25	NM	25	25	25	25
<i>Side</i>									
Residential	10	10	10	7.5	N/A	5	N/A	5	N/A
Non-residential	25	25	10	10	NM	5	5	5	20
<i>Rear</i>									
Residential	20	15	15	15	NM	20	N/A	15	N/A
Non-residential	40	40	20	15	N/A	(D)	(D)	15	40
Rivers, creeks, water bodies	(E)	(E)	(E)	(E)	N/A	(E)	(E)	(E)	(E)
Maximum Height (ft.) (F)	35	35	50	40	None	None	40	40	None
Maximum Impervious Surface Area Ratio	35%	35%	45%	55%	100%	65%	65%	65%	65%
Maximum Density (G)	2	3	5	16	N/A	16	N/A	16	N/A

Notes to Table 2: N/A = Not applicable; NM= No Minimum.

(A) 7,000 square feet for one residential unit; 2,000 additional square feet for each additional unit.

(B) 5,000 square feet for one residential unit; 2,000 additional square feet for each additional unit.

(C) Reference Section 2.7-7 for setbacks on SC Highway 55.

(D) 20 feet; except where the proposed use abuts a residential district or a residential use on a local classified street, then a 40 foot setback, plus 3.5 feet for each additional floor over the first shall be required.

(E) A riparian buffer setback not less than 40' or one-third the depth of a lot or parcel, whichever is less, shall be provided along the banks of all lakes, streams and rivers. The buffer area shall remain undeveloped, except for piers, docks, and pervious access paths to the water's edge. Any disturbance of the buffer area shall adhere to Best Management Practices, (BMP's) For Forestry, in streamside management zones, promulgated by the SC Forestry Commission.

(F) Measurement from the average finished grade at the building line to the highest point of a flat roof or midpoint of a pitched roof.

(G) Measurement in dwelling units per acre

Effective Date. This ordinance is effective immediately upon its adoption.

Severability. If any part of this Ordinance is held to be invalid or unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such invalid or unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

AND IT IS SO ORDAINED.

Mayor

Council:

(Town Seal)

Attest:

Town Clerk

First Reading: _____

Second Reading: _____