

MEMORANDUM TO COUNCIL

AGENDA ITEM

ORDINANCE 22-05: ZLDO AMENDMENTS FOR MULTIFAMILY

JUNE 13, 2022, TOWN COUNCIL MEETING

The attached Ordinance 22-05 amends the Zoning and Land Development Ordinance sections pertaining to multifamily (apartments). Below is a chart listing the changes that were approved by the Planning Commission on March 24, 2022. These are the same changes discussed at the Council workshop on April 20th and approved by Council at first reading on May 9, 2022.

Comparative Chart of proposed Ordinance Revisions to the Multifamily standards.

	Current Conditional Use Multifamily Standards	Proposed Standards
Zoning	Conditional in R-5, R-7, B-1, B-2, PD, MU	Remove from the R-7 Zone
Table 2	Underlying zoning Standards	Create Maximum lot size of 10 Acres Building height 40 feet.
Minimum Lot Size	Table 2 notes (a) and (b)	10 acres maximum lot size.
Building length	400 feet	250 feet
Building Separation.	20 feet	30 feet
Amenities	None required	Based on number of units; Specified indoor and outdoor amenities.
Outdoor storage		Limit outdoor storage

ABH

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

ORDINANCE 22-05

**AN ORDINANCE AMENDING THE ZONING AND LAND DEVELOPMENT
ORDINANCE OF THE TOWN OF CLOVER BY AMENDING SECTIONS
OF THE ORDINANCE PERTAINING TO MULTIFAMILY RESIDENTIAL
DEVELOPMENT**

WHEREAS, the Clover Town Council is aware that over the past several years that growth in residential and multifamily development has seen marked growth in York County, South Carolina, and that there is increasing interest in the expansion of residential development in the Town of Clover as well as in the area around the Town of Clover that may in the future be the subject of annexation into the town limits of the Town of Clover, and

WHEREAS, the Town Council requested Staff and the Planning Commission to examine existing requirements on multifamily (apartment) residential development to determine if the requirements meet the needs of the Town and its citizens, and

WHEREAS, Staff and the Planning Commission reviewed the existing requirements on density, height, permitted district, parcel size, building length, and building separation, and

WHEREAS, Staff and the Planning Commission also considered additional changes including required amenities and outdoor storage that would help ensure new multifamily developments meet the needs of its residents, and

WHEREAS, on March 24, 2022, the Planning Commission recommended approval of several amendments to the requirements for multifamily development' and

WHEREAS, a public hearing, as required by law and after proper public notice, was held on the ____ day of _____, 2022; and

WHEREAS, the Town Council finds that it is necessary to amend sections of the Zoning and Land Development Ordinance that pertain to multifamily development for the health, safety and welfare of the Town and its citizens.

NOW, THEREFORE, BE IT ORDAINED in Council duly assembled this ____ day of _____, 2022, that the Clover, South Carolina, Code of Ordinances, Zoning and Land Development Ordinance, shall be and hereby is amended in part as set forth on the attached Exhibit A.

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: _____

Public Hearing: _____

Second Reading: _____

Ordinance 22-05 Exhibit A

1. Section 2.3 Table 1: Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements, By Zoning, shall be amended as set forth below:

Use	NAICS	R-12 R-20	R-7	R-5	B-1	B-2	B-4	MU	PDD	ID
Multifamily, Apartments (Section 3.5)	NA	N	N	C	C	C	N	C	C	N

All other requirements in Table 1 shall remain in effect and no other changes shall be made to this section.

2. Section 2.4 Table 2: Dimensional Requirements: Schedule of Lot Area, Yard, Setback, Height, Density, and Impervious Surface Ratio, By Zone Districts, shall be amended as set forth below:

Minimum Lot Area	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) (I)	N/A	(I)	N/A	(B)	N/A
Maximum Building Height	35	35	50	40	None	None/(I)	40	40	None

(I) Maximum Lot Size for multifamily apartment uses are 10 acres and maximum building height is 40 feet.

All other listed requirements in Table 2 shall remain in effect.

3. Section 3.5 Multi-Family Housing, Residential Care Facilities and Group Occupied Dwellings, shall be repealed and replaced with the following:

Section 3.5 Multi-Family Housing, Residential Care Facilities and Group Occupied Dwellings

Section 3.5-1 Development Requirements

Apartments conditionally permitted in the B-1 District shall be restricted to the upper floors of buildings; provided, the ground floor is occupied by a commercial use, further provided that off-street parking shall be provided in accord with the requirements of Table 1, except that said parking may be located off-site.

In all other districts, where conditionally permitted, apartments and multi-family housing projects consisting of five or more units or two or more residential care facilities, dormitories, rooming houses or group occupied dwellings designed to accommodate 20 or more individuals shall meet the following design standards:

1. At least one main entrance within each building must face the street, place, or the main access drive within the development. Entrances must include architectural elements that emphasize the entrance, including but are not limited to front porches, transom and sidelight windows, decorative trim and moldings, and arches.
2. Connecting walkways must be provided for internal pedestrian circulation within the site to connect to street or place sidewalks and to connect parking spaces with the main building entrance. Connecting walkways may cross parking aisles or driveways if distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, scored concrete or scored and painted asphalt to enhance pedestrian safety and comfort. Raised walkways may be installed if elevated 6 inches with tapered side slopes and meet ADA standards.
3. Sidewalks must be provided along the street. To the maximum extent feasible, provision must be made in the design of developments for connections with existing or future pedestrian systems on adjoining properties, including but not limited to connections to existing or future sidewalks, bikeways and walkways.
4. The on-site pedestrian circulation system must be illuminated to a level where the system can be used at night by residents and visitors.
5. Buildings shall be set apart not less than 30 feet.
6. Not less than 20 percent of the project site shall be designated, landscaped and permanently reserved as usable common open space, as specified in Section 4.4.
7. Buildings shall not exceed 250 feet from end to end.
8. Multiple buildings shall be oriented toward common open space, away from adjacent single-family residential uses and off-street parking areas.
9. Trash receptacles shall be screened by permanent opaque materials consistent with the colors and architectural theme of the development and oriented away and from adjacent residential uses

Section 3.5-2 Special Development Requirements

1. **Special Parking Needs:** The storage of trailers, boats, recreational vehicles, or other major recreational equipment, as well as box trucks, cabs from tractor trailers, trailer beds from tractor trailers, and other specialized commercial vehicles must either be prohibited through management's rules or must be provided in a parking area separate from regular automotive parking for the residents. These types of vehicles will not be permitted to take up regular automotive parking spaces; the minimum required parking spaces for the development must be used for ordinary passenger vehicles driven on a regular basis. Parking lots will be reviewed for adequate distribution of spaces around each building.
2. **Amenities:** Multi-family uses must provide fully developed, targeted amenities of an appropriate size and scale with the number of units as follows:

SIZE OF COMPLEX	NUMBER OF REQUIRED AMENITIES
Fewer than 74 Units	1
74-149 Units	2
150 or more	3

- a. Allowed amenities include the following. The Zoning Administrator may approve alternative amenities that meet the intent of this section.
 - i. Indoor Amenities
 1. Fitness center with fitness equipment
 2. Recreation or game room including features such as billiards tables, game tables, or movie viewing area
 3. Solarium, sauna, steam room, or other type of relaxation room
 4. Business center with conference rooms and business equipment (computers, printers, copiers, etc.)
 5. Common cooking and/or dining facility, which may include a fully equipped coffee and snack bar
 6. Swimming pool
 - ii. Outdoor Amenities
 1. Fenced dog park with dog wash station
 2. Bike workshop and storage area
 3. Community vegetable and flower garden
 4. Outdoor lounge area such as with a fire pit and grills or outdoor kitchen
 5. Playground with commercial-grade equipment
 6. Basketball court (full or half court); tennis court; volleyball court; or soccer field that is graded properly to an amateur or practice-level facility, is grassed, and has goals

7. Putting green, bocce courts, horseshoe courts, or shuffleboard courts
 8. Swimming pool
 9. Natural or surface or paved Trails that connect to open space
(Not including required sidewalks)
3. Outdoor Storage: The storage of items outside units except for items traditionally stored outside, such as bicycles, grills, and outdoor furniture, is not allowed. Outdoor items that are allowed must be located to the unit's patio or balcony area and not on adjacent grass, sidewalks, or other areas. Developers are encouraged to build storage capacity for items traditionally kept outside (such as, but not limited to, outdoor toys and bicycles) into the design of each unit to ensure that this requirement is met.