

MEMORANDUM TO COUNCIL

AGENDA ITEM

ORDINANCE 22-09: MISCELLANEOUS ZLDO AMENDMENTS

MAY 23, 2022, TOWN COUNCIL MEETING

The attached Ordinance 22-09 proposes several amendments to correct, clarify and change certain sections of the ZLDO. Below are descriptions of the changes:

Table 1 Schedule of Permitted Uses:

5172-4 - Communication Towers – Delete 5172 because that category does not exist under NAICS. Only 5173 and 5174 are categories.

[6114-6115](#) – Business Schools, Computer and Management Training. Change would allow these uses in B-4 zones. Examples of “school” uses are: Computer Repair Training, Cooking, Dental Hygienist and Technician, Massage Therapist and Yoga Instruction Training, etc.

[722310](#) – Food Service Contractors include Concession and school lunch contractors. Change would allow use in Town parks and in schools.

[722320](#) – Caterers. Change would allow in B-2 and B-4 districts.

[722330](#) – Mobile Food Services include ice cream trucks and Food Trucks. Change would allow these to operate in Residential Neighborhoods. The requirements of Section 3.4, Street and Transient Vendors, would also still be required for mobile food trucks.

Section 4.4-4, Where Required (Common Open Space)

Renames the section and increases required open space for Major Subdivisions (residential with more than 8 lots created, from 15% to 25%) and Townhouse Projects (from 15% to 20%).

Section 7.3-8, Lots – Flag Lots

Corrects the graphic to match the text. No change to the text proposed.

Section 10.9, Application Requirements and Fees

Changes language to require Preliminary Plats and Major Land Development projects (commercial and industrial parks, shopping centers, apartment complexes, etc.) be submitted 6 weeks prior to the meeting. Often plans submitted for review must be corrected and the current 25 days has not allowed enough time for staff to review and respond to corrected/revised plans and prepare reports in a timely manner for the Planning Commission.

ABH

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

ORDINANCE 22-09

AN ORDINANCE AMENDING AND SUPPLEMENTING CERTAIN PROVISIONS OF THE ZONING AND LAND DEVELOPMENT ORDINANCE OF THE TOWN OF CLOVER

WHEREAS, on April 21 and May 19, 2022, the Clover Planning Commission reviewed and recommended approval of several proposed amendments to the Zoning and Land Development Ordinance; and

WHEREAS, Section 2.3, Table 1: Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements, by Zoning Districts, is proposed to be amended so as to correct the NAICS code for Communication Towers and Antenna; to permit professional training schools in B-4 Neighborhood Commercial Districts; and to permit special food services such as caterers and food trucks in certain residential and commercial areas ; and

WHEREAS, other amendments include increasing open space requirements for Major Subdivisions and Townhouse projects; correcting the diagram for flag lots, and changing the deadline for submittal of preliminary plats and major land development projects; 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 and in the best interests of the Town and the citizens of the Town to amend the Town of Clover Zoning and Land Development Ordinance to incorporate said amendments and additions.

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 so that after amendment the specific sections of the Zoning and Land Development Ordinance enumerated in the attached Exhibit A shall read as set forth in Exhibit A, provided, however, that only the specific items in Section 2.3 Table 1 are hereby amended and no others.

All other sections and provisions of the Town of Clover Zoning and Land Development Ordinance not specifically amended herein shall remain in full force and effect.

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 22-09 Exhibit A

ARTICLE 2. DISTRICT REGULATIONS

Section 2.3 Table 1: Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements, By Zoning Districts

Zone Districts	NAICS	R-12 R-20	R-7	R-5	B-1	B-2	B-4	MU	PDD (Sec 2.5)	ID	Required Off-street Parking (a)(c)
Communication Towers & Ant. (Sec. 3.2)	517 23 -4	N	N	N	N	C	N	N	N	C	NONE
Business Schools, Computer, & Management Training	6114-5	N	N	N	P	P	NP	P	C	P	8 per classroom, plus 2 per office
Special Food Services Food Service Contractors	722310	N	NP	N	N	P	NP	P	C	N	1 per 150 GFA
Caterer	722320	N	N	N	N	P	NP	P	C	N	1 per 150 GFA
Mobile Food Service (See also Sec. 3.4)	722330	NP	NP	NP	NP	P	NP	P	CP	NP	1 per 150 GFA

ARTICLE 4. APPEARANCE, LIGHTING AND GREENING REGULATIONS

Section 4.4-4 Where Open Space Required

The following uses/developments consisting of eight (8) or more dwelling units, and commercial developments shall provide common open space in the amounts prescribed:

<u>Proposed Uses/Developments</u>	<u>Ratio (% Lot)</u>
Single-family Residential	
Major Subdivision	15 25%
Conservation Subdivision	40%
Townhouse Projects	15 20%
Manufactured Home Parks	20%
Multi-family Projects	20%
Commercial	
Major Land Development	15%

Note: Up to 25% of landscaped buffer areas provided to meet the requirements of Section 4.1 for multi-family residential projects and manufactured home parks may be applied toward meeting the above requirements.

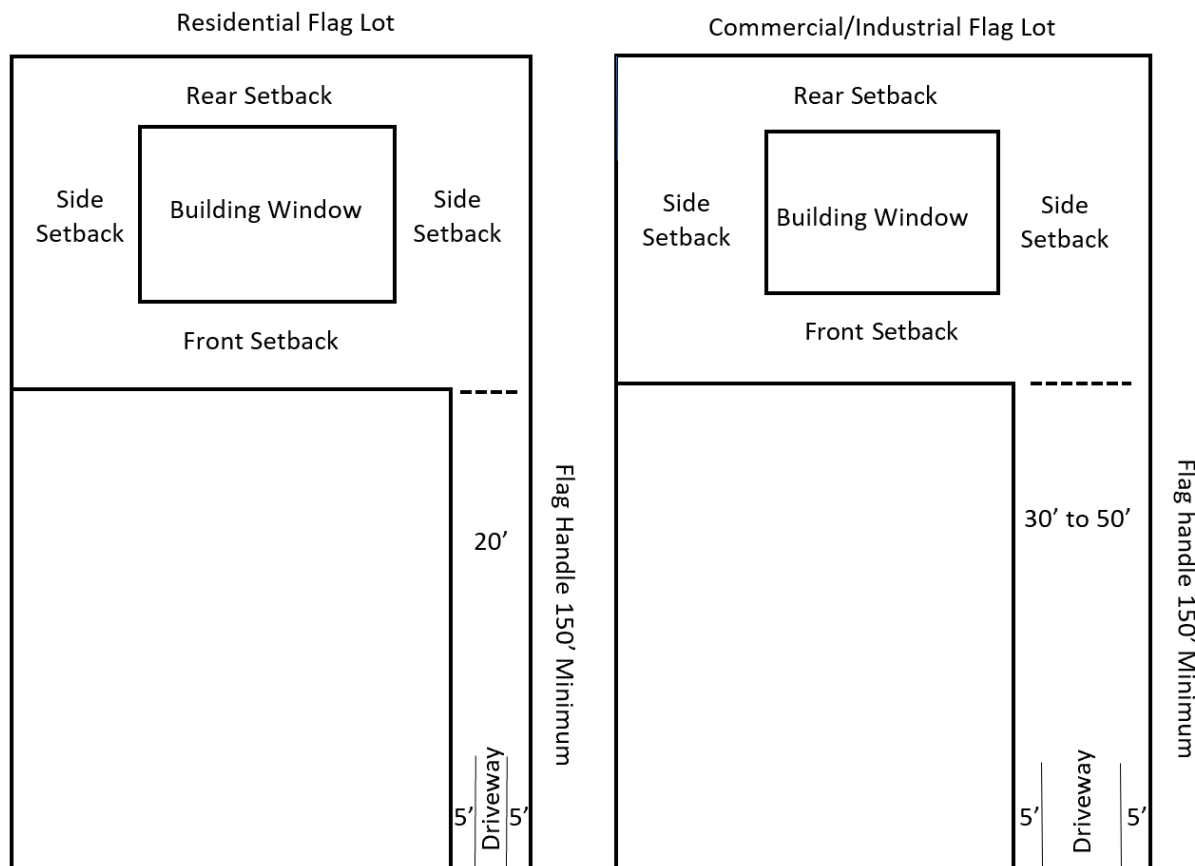
New Sites: No proposed development, building or structure in connection with the above shall hereafter be erected or used unless common open space is provided in accord with the provisions of this section.

Existing Sites: No existing development, building or structure in connection with the above shall be expanded or enlarged unless the minimum common open space required by the provisions of this section are provided to the extent of the alteration or expansion.

ARTICLE 7. LAND DEVELOPMENT REGULATIONS

Section 7.3-8 Lots, #4. Flag Lots

Replace current graphic with the following: *[No change to the current text is proposed.]*



ARTICLE 10. ADMINISTRATION, APPLICATIONS AND REQUIRED PERMITS

Section 10.9 Application Requirements and Fees

All applications shall be filed on forms provided by the Town and contain or be accompanied by the information required by Table 10. Preliminary plats and major land development projects shall be submitted not less than six (6) weeks preceding ~~not less than twenty-five (25) days prior to the~~ regularly scheduled Planning Commission meeting, and shall show the submission date ~~of submittal~~ on the plan.

Fees to help cover the cost of processing land development and subdivision applications shall be as established by Town Council. A schedule of all required fees is available at Town Hall.

The Planning Commission may decide that because of the size and/or complexity of the proposed Subdivision or Land Development additional review is required. The Commission may then require outside review by professionals (engineers, architects, land planners, environmental consultants, scientists, attorneys, etc.). The applicant will be responsible for such costs. An initial deposit fee of \$2,000.00 shall be required. When the outside review costs exceed this initial fee, the applicant shall be so notified and shall be responsible for the additional amount. If the initial deposit fee exceeds the actual outside review costs, the applicant will be reimbursed by the Town. This fee is in addition to any other required fees. The applicant shall be afforded an opportunity to review and comment on the scope of work and the proposed fees.