

**AN ORDINANCE
TO AMEND APPENDIX A, ARTICLE IV, SECTION 509.2 PERMITTED USES
OF CORE COMMERCIAL AND 509.3 CONDITIONAL USES OF CORE
COMMERCIAL
OF
THE OFFICIAL ZONING ORDINANCE
OF THE CITY OF LIBERTY, SOUTH CAROLINA**

Section I: Findings and Enabling Citation

Whereas, the City of Liberty has adopted an Official Zoning Ordinance in accordance with South Carolina State Enabling Legislation, as included in Title VI, Chapter 29 of the South Carolina Code of Laws, for the purpose of promoting the public health, safety, and general welfare of the community, and

Whereas, the City Council and Planning Commission of the City of Liberty do find that it is necessary to amend the Official Zoning Ordinance from time to time in order to most effectively promote the goals of the Ordinance, as established above, and

Now Therefore, the City Council of the City of Liberty, upon review of a recommendation from the Planning Commission of the City of Liberty, does adopt this Ordinance to allow for the follow sections to be amended as printed below:

Section II: Amendment

Amendment to Appendix A, Article V “Requirements By Districts”, Section 509.2 “Permitted Use of Core Commercial” and Section 509.3 ‘Conditional Uses of Core Commercial,” of the Official Zoning Ordinance of the City of Liberty

The language included in Section 509.2 of the Official Zoning Ordinance of the City of Liberty, which addresses permitted uses of Core Commercial and Section 509.3 which addresses conditional uses of Core Commercial, shall be amended and shall read:

509.2 Permitted Uses. The following uses may be permitted in any CC Core Commercial District:

- a) General retail stores if retail is the majority/main purpose of the business.

- b) Restaurants
- c) Retail food stores, including general groceries, produce stands, bakeries, delis, meat markets (without slaughtering on-site), etc.
- d) Facilities of city government.
- e) A maximum of up to 25% of entire downtown core commercial square footage may be used as service-oriented businesses.
- f) All service-based business must be conducted on business property.
- g) All businesses must be open to the public.

509.3 *Conditional Uses.* The following uses maybe permitted on a conditional basis in the CC Zoning District, subject to the conditions set forth in Article VIII, Section 804..:

a) Any business intending to primarily* serve alcohol (i.e. bars, pool halls, nightclubs, ABC stores) or stay open after midnight, must note this on the Condition Use application. There shall be no more than one of any of these types of establishments within 250 feet of another within the core commercial district.

*(percentage of alcohol sales above 50% of total sales)

- b) All services must be rendered on the business location.
- c) Combination of residential structure with any use permitted herein provided that all dwelling units are not on street level and must have direct access to the street.
- d) Current street level residential locations located in the rear of a commercial space are allowable permitting;
 - 1. May not be expanded beyond a current square footage
 - 2. Must meet current exterior code enforcement regulations
 - 3. Must be owner occupied, or occupied by lessee of commercial space

509.3.1 The following will be the procedure for appeals.

- a) Any requests for establishments that are not included in the ordinance may be made to zoning administrator or city administrator.
- b) If proposed use is declined, an appeal may be filed with Board of Zoning Appeals who will have final authoritative decision.

Section III; Repealer Pertaining to Previous Ordinances and Policies

This ordinance does not supersede ordinance 2021-07.

This ordinance repeals all other previously issued ordinances, policies, or regulations pertaining that may conflict with these changes in the Official City of Liberty Code.

Section IV: Enactment

This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Liberty.

ADOPTED this 11 day of November, 2022.

ATTEST:



Erica Woods, Mayor



Michael Calvert, Administrator

Planning Commission	09/15/2022_- Recommended
First Reading	10/10/2022
Second Reading	11/14/2022
Public Hearing	9/15/2022