

Minutes
York County Council Workshop
October 10, 2023
6 South Congress Street, York, SC
Council Chambers
6:00pm

The York County Council met on the above date for a York County Council Workshop at 6:00pm located at 6 South Congress Street, York, South Carolina. The following Council members were present: Council member Tommy Adkins, Vice-Chairwoman Allison Love, Chairwoman Christi Cox, Council member Watts Huckabee, Council member Tom Audette, and Council member Bump Roddey. Also present were County Manager, David Hudspeth, Assistant County Manager, Mike Moore, Assistant County Manager, Kevin Madden, County Attorney, Michael Kendree, and Clerk to Council, Karen Brogdon.

Chairwoman Christi Cox called the meeting to order and explained that the public would not be allowed to comment at this time.

Discussion regarding YC Code 154.200 Protection of Grand Trees.

Jonathan Buono, Planning and Development director provided a history regarding the Grand Tree Ordinance.

- 2002 – adopted as part of Tree Conservation ordinance
- February 2021 – amended as part of Open Space ordinance
 - Grand tree size adjusted from 32” DBH to 24”
 - Scope of grant tree survey reduced from entire site to limits of disturbance
- March 2022 – amended as part of Recode project
 - Diameter by species – pines to 32”, some to 12” or under, most stay 24”, invasive excluded.
 - Scope of survey adjusted to 24’ outside disturbance
 - Added ability to remove grand trees that conflict with “necessary elements” that “unreasonably impede” objectives of the development.
 - PC waiver added
 - Allows for replanting mitigation at 0.75”:1”
- July 2023 – amended as part of “Batch 3 revisions”
 - Added two additional options for mitigation:
 - Extra tree save
 - Fee in lieu contribution to YC Tree Fund

After a general discussion with Council members, staff will review the size of grand trees and species-specific measurements specifically and report to Council with any recommended modifications.

Discussion regarding YC Code 155.198 Use Separation

Jonathan Buono provided an overview of the use separation provisions Lake Wylie Zoning Overlay District. Mr. Buono explained that the changes that were made came from direct feedback from the public, council input, and small area plan language. The Small Area Plan was adopted in 2020 and became a part of the York County Comprehensive Plan that is still in effect today.

Mr. Buono reported that residents in the Lake Wylie area think there are too many storage facilities, car washes, and fast food restaurants.

The resulting policy recommendations are to promote a diversity of land uses to maximize community amenities, study the amount of land existing and planned for commercial, residential, or employment use and determine whether a reallocation of land designated for these uses is necessary to meet identified goals of the small area plan; research the concentration of existing auto-oriented and self-storage land uses within the Lake Wylie Community; and consider requiring special exceptions or supplemental regulations to discourage particular land uses within the Lake Wylie Community based upon market data and public input.

Mr. Buono stated that the intent of the code provisions is to discourage the land uses in the area but not to completely prohibit them or overly restrict them. There is a multi-purpose goal but the primary one is (1) to prevent the concentration of automobile-oriented land uses in the LWO; and (2) promote the development of pedestrian-oriented, mixed-use commercial areas.

Mr. Buono also stated that to prevent the concentration in the area, the County needs to separate the uses.

After a general discussion with Council members, staff will review and report to Council with any recommended modifications.

Discussion regarding YC Code 154.477 Penalties, 154.490 Defined Terms, 155.1137 Initiation, 155.1237 Penalties and 155.1301 Defined Terms.

Jonathan Buono provided an overview of the ordinance.

- Code enforcement activity up, owner compliance down
- Resolving cases remains an ongoing challenge
 - Increase in 23 additional days to close a case (year-over-year)
 - 56% increase in cases going to court (year-over-year)
- Amendment will:
 - Define “Property Violation”
 - Expand the “withhold applications” enforcement tool
 - Tool already exists in code, expand to more type of violations
- Limited applicability:
 - Property owner refuses to address a violation *and* seeks an unrelated approval from the County.

Example: property is under a nuisance violation for letting grass/weeds grow over two feet high. Property owner refuses to cut the grass, but applies for an accessory dwelling permit. County could withhold processing the permit until the nuisance violation is cleared.

Council directed staff to move forward with the Penalties proposed ordinance on the October 16th agenda.

Executive Session: Receipt of Legal Advice/Contractual Matter: Former Franchise Territory

Motion was made by Council member Tom Audette and seconded by Council member Tommy Adkins to go into Executive Session for Receipt of Legal Advice/Contractual Matter: Former Franchise Territory. Motion Carried.

Matters for Consideration Following Executive Session

Motion was made by Council member Tom Audette and seconded by Council member Allison Love to direct staff to draft an ordinance proposing a change to the County Sewer Ordinance addressing maintenance on gravity sewer lines within specific need in former franchise territory as addressed in Executive Session. Motion Carried.

There being no further discussion, a motion to adjourn was made by Council member Watts Huckabee and seconded by Council member Tom Audette. Motion Carried.