



YORK COUNTY
PLANNING COMMISSION
AGENDA • JUNE 10, 2024



Planning Commission

York County Government Center
6 South Congress Street
York, SC 29745

6:00 PM

Call to Order

Approval of the Agenda

Adoption of Minutes

1. Planning Commission - Planning Commission - May 13, 2024 6:00 PM

New Business

1. Subdivision: New road for proposed development "The Point" Applicant: ARIC LAKE WYLIE, LLC Tax Map Numbers: 484-00-00-018, 484-00-00-080, & 484-00-00-039 Extension of Home Grown Way - 1,323 feet Council District #2: Allison Love
2. Subdivision: Newport Acres Applicants: Progress Holdings, LLC Tax Map Number: 498-00-00-060 Total Acreage: 11.01 acres Total Lots: 9 single-family lots Council District #3: Tommy Adkins Zoning District: Rural Development (RUD)
3. Rezoning 24-28 Brian Buchanan (Applicant) Brian and Dorothy Buchanan (Owners); requesting to rezone a 20.14-acre portion of a 221.84-acre parcel from RUD-I to RUD. The subject parcel is located on Ranger Road, Clover. The property is referenced as tax map number 180-00-00-015; Council District 3 - Adkins.

Other Business

1. Rezoning Tracking Sheet

Executive Session:

Matters for Consideration Following Executive Session

Adjournment

“York County is committed to assuring accessibility with reasonable accommodation, of county services, facilities, employment and programs for all individuals, in compliance with federal law. Please contact the County Manager’s Office at 803-684-8511 if you need assistance.”



YORK COUNTY
PLANNING COMMISSION
MINUTES • MAY 13, 2024
DRAFT



Planning Commission

York County Government Center
 6 South Congress Street
 York, SC 29745

6:00 PM

Chairman Matthew Velkovich: Present, District 1 Kate Kraxberger: Present, District 3 Aubrie Parham: Present, District 4 Antonio Mickel: Absent, District 5 Mike Duralia: Present (6:02 PM), District 7 Thomas Bach: Present, District 2 John Segura: Present, Planning Manager Diane Dil: Present, Zoning Principal Planner Rick Abboud: Present, Zoning Planner Marion Ray: Present, Deputy Assistant Attorney Laura Dover: Present (7:04 PM), Secretary Bonnie Marsiglia: Present.

Approval of the Agenda

The meeting was called to order at 6:00 p.m. by Matt Velkovich. The agenda was approved with a correction to the TM# referenced under Public Hearing item number one to read, 644-00-00-001. The motion was by John Segura and second by Tom Bach.

Adoption of Minutes

1. Approval of April 8, 2024 Planning Commission Minutes

ACCEPTED [Unanimous]

MOVANT: Kate Kraxberger

SECOND: John Segura

Public Hearing

1. Chaplin Spencer has filed an Administrative Appeal to Staff's decision to classify the division of tax map number 581-00-00-067 as a major subdivision. The subject property is a 43 acre parcel located in the AGC district. Council District – 1, Audette. Case Number A24-01.

Chaplin Spencer, Attorney at Law, addressed the Planning Commissioners regarding the Appeal of Staff's decision, to not approve the submitted Preliminary Minor Subdivision Plat because it did not provide the required 25' access easement required by code.

Rick Abboud, York County Principal Planner, addressed the Planning Commissioners stating why the determination was made. He also noted the easement document is a third party document. He recommended the waiver process.

A rebuttal was made by Chaplin Spencer. The Commissioners had questions for Mr. Spencer.

The public had an opportunity to speak for or against staff's decision. Troy Ludemann, property owner, spoke briefly regarding the plat and easement.

The Public Hearing was closed with a motion by Tom Bach and a second by Mike Duralia.

York County staff was allowed to speak. Rick Abboud and Diane Dil both made comments.

The Commissioners had a few more questions that Rick Abboud, Chaplin Spencer, and Diane Dil worked to answer. Discussion followed.

Kate Kraxberger motioned to uphold the County decision. Mike Duralia seconded the motion. Kate stated she thought of this as one parcel. Mike Duralia added comments regarding a waiver possibly being the way to go to solve this due to the Appeal process limiting the Commission's choices.

With the arrival of Laura Dover at 7:04 p.m. Matt Velkovich motioned to go into Executive Session for legal council. John Segura seconded the motion that was approved by all.

At 7:22 p.m. the Commissioners returned from Executive Session, with no action taken. Additional comments were made by Commission members. The vote on the motion to uphold the County decision passed unanimously.

APPROVED [Unanimous]

MOVANT: Kate Kraxberger

SECOND: Mike Duralia

AYES: Velkovich, Kraxberger, Parham, Duralia, Bach, Segura

ABSENT: Antonio Mickel

New Business

1. Rezoning 24-21 Jonathan Caldwell (Applicant/Owner); requesting to rezone a 3.0-acre portion of a 8.76-acre parcel from AGC to RUD. The subject parcel is located at on Glenn Road, Clover. The property is referenced as tax map number 376-00-00-060; Council District 2 - Love.

Diane Dil presented the request. At 7:30 p.m. Aubrie Parham motioned to go into Executive Session for legal advice. Kate Kraxberger seconded the motion. At 7:41 p.m. the Commissioners returned from Executive Session with no action taken. Aubrie Parham stated that she was concerned that allowing this to be changed to RUD would allow further RUD in the area; used as spot zoning.

Matt Velkovich motioned to approve the request. Mike Duralia seconded the motion that passed 4/2.

APPROVED [4 to 2]

MOVANT: Matthew Velkovich

SECOND:

AYES: Matthew Velkovich, Kate Kraxberger, Mike Duralia, John Segura

NAYS: Aubrie Parham, Thomas Bach

ABSENT: Antonio Mickel

2. Rezoning 24-22 Roger Metz (Applicant) Christopher Adams (Owner); requesting to rezone a 1.18-acre parcel from UD to GC. The subject parcel is located at 1670 Highway 160, Fort Mill. The property is referenced as tax map number 655-02-01-005; Council District 1 - Audette.

Diane Dil presented the request. This parcel is right next to the town of Fort Mill. This request was approved unanimously with a motion by Tom Bach and a second by Matt Velkovich.

APPROVED [Unanimous]

MOVANT: Thomas Bach

SECOND: Matthew Velkovich

AYES: Velkovich, Kraxberger, Parham, Duralia, Bach, Segura

ABSENT: Antonio Mickel

3. Rezoning 24-23; York County Council has initiated the rezoning of 20 parcels within 16 multifamily communities from GC, OI, or RMX-20 to the newly created RMX-6 zoning district, thus removing their nonconforming status.

Diane Dil presented the request. Tom Bach had questions on re-development and changes that would take place on these sites. Diane noted any changes would have to follow the existing codes. Tom Bach noted that with any re-development in these communities he would like to see the existing character maintained. With a motion by Kate Kraxberger and a second by John Segura, the request was approved.

APPROVED [Unanimous]

MOVANT: Kate Kraxberger
SECOND: John Segura
AYES: Velkovich, Kraxberger, Parham, Duralia, Bach, Segura
ABSENT: Antonio Mickel

4. Rezoning 24-24 Zachary and Tracy Smith (Applicant/Owner); requesting to rezone a 3.77-acre parcel from RSF-40 to RUD. The subject parcel is located at 3310 Lincoln Road, York. The property is referenced as tax map number 386-00-00-005; Council District 2 - Love.

Diane Dil presented the request. With a motion by Kate Kraxberger and a second by Aubrie Parham the motion passed unanimously.

APPROVED [Unanimous]

MOVANT: Kate Kraxberger
SECOND: Aubrie Parham
AYES: Velkovich, Kraxberger, Parham, Duralia, Bach, Segura
ABSENT: Antonio Mickel

5. Rezoning 24-26 Daniel Moses (Applicant) Daniel Moses, Homer Moses, and Joyce Moses (Owners); requesting to rezone six parcels totally 9.25-acres from RSF-30 to RUD. The subject parcels are located on Johnson Road, Clover. The properties are referenced as tax map numbers 363-00-00-050; 363-00-00-053 - 057; Council District 2 - Love.

Diane Dil presented the request. The request involves six parcels all over one acre and part of a previous UD rezoning. It was mentioned that Roadside Markets are not allowed in the current zoning of RSF-30, but could be allowed with approvals temporarily in the requested zoning of RUD. The application received a lot of support through emails and audience participation.

John Segura motioned to approve, noting there is still a lot of existing UD in the area and that this is not in the City of Clover. Matt Velkovich noted this is an existing farm that is a benefit to the community and predates current zoning. Mike Duralia noted he would like to see a zoning code that allows for more than back yard chickens, but less than full general farming.

APPROVED [Unanimous]**MOVANT:** John Segura**SECOND:** Thomas Bach**AYES:** Velkovich, Kraxberger, Parham, Duralia, Bach, Segura**ABSENT:** Antonio Mickel**Other Business**

1. Rezoning Tracking Sheet

Executive Session**Matters for Consideration Following Executive Session****Adjournment**

The meeting was adjourned at 8:19 p.m. with a motion by Mike Duralia and a second by John Segura.

PLANNING COMMISSION

SUBDIVISION: NEW ROAD FOR PROPOSED DEVELOPMENT "THE POINT"
APPLICANT: ARIC LAKE WYLIE, LLC TAX MAP NUMBERS: 484-00-00-018, 484-
00-00-080, & 484-00-00-039 EXTENSION OF HOME GROWN WAY - 1,323 FEET
COUNCIL DISTRICT #2: ALLISON LOVE



**Planning Commission
Staff Report**

Preliminary Plat – Home Grown Way (new road extension)

June 10, 2024



RECOMMENDATION: That the Planning Commission approve the Preliminary Plat based on the Findings listed below.

PROJECT DATA:

Property Owner:	ARIC LAKE WYLIE LLC
Applicant:	ARIC LAKE WYLIE LLC
Application Type:	Preliminary Plat, new road
Tax Map Numbers:	484-00-00-018; 484-00-00-080; 484-00-00-039
Location:	Charlotte Hwy – Hwy 55. Five Points Area
Council District:	District 2, Allison Love
Zoning:	General Commercial (GC); Lake Wylie Overlay (LW-O)
Land Use:	-existing: Mostly vacant with an existing office -proposed: Road for future retail development -in area: Commercial and single-family residential
Land Area:	Total Development: 35 acres. Proposed ROW: 2.05
Planning Staff:	Jeff Kirchner

BACKGROUND AND PROJECT DESCRIPTION

The applicant is requesting approval of a preliminary plat for an extension of a public road, Home Grown Way. The new roadway is proposed to serve an overall commercial development called “Lake Wylie Retail Center”. The proposed project is just north of the “Five Points” area and is bordered by Charlotte Highway (SC-49) to the east and SC Hwy 55 to the south. Home Grown Way will provide a connection to existing residential development and will serve as an access point for future commercial development.

Home Grown Way is proposed to be 1,323 feet in length, with a 60-foot public right-of-way, and a posted speed limit of 25 MPH. It will be constructed to County specifications as it is proposed for acceptance into the York County roadways system.

It should be noted that this preliminary plat proposal is only for the new roadway. Locations for internal access points are not being approved by this action. All future commercial projects will submit separate civil construction plans as each parcel is developed.

FINDINGS FOR PRELIMINARY PLAT REVIEW

Section §154.322

Section 154.322 of the York County Subdivision Code stipulates that the Planning Commission review and approve all applications for preliminary plats. Approval of the preliminary plat shall not constitute approval of the construction plan and final plat. Application for approval of the civil construction plan and final plat shall be considered only after the specifications and requires of the Subdivision Chapter are met and all other specified conditions have been met. Upon approval of the preliminary plat by the Planning Commission, the developer may proceed with the preparation of the civil construction plan.

§154.320 (A) The Planning Commission shall not approve a preliminary plat, unless the following findings are made:

1. **The developer has provided willingness and capability letters from the applicable water and sewer service provider indicating the water and sewer infrastructure is sufficient to provide service to the development:**

Not applicable for the new roadway.

2. **The proposed land use and density complies with the zoning district requirements:**

Not applicable for the new roadway.

3. **Impacts to the transportation network, as identified in the Traffic Impact Analysis, have been adequately mitigated:**

A Tier 2 TIA has been completed and approved.

4. **The development provides adequate street connectivity and pedestrian facilities to address public health and safety:**

Home Grown Way is proposed to be a public roadway that will provide a connection between Charlotte Highway and Paddlers Cove. A five-foot sidewalk is proposed to connect to the existing sidewalk network with an eight-foot-wide planting strip located between the road and sidewalk.

5. **The required open space and buffers have been provided:**

Not applicable for the new roadway.

6. **All other applicable zoning and subdivision code requirements have been satisfied:**

Not applicable for the new roadway.

SUMMARY AND RECOMMENDATION

Staff recommends the Planning Commission accept the findings of fact and approve the preliminary plat.

Submitted by:



Jeff Kirchner
Planner

Approved by:



Rachel Grothe, MCRP
Zoning Administrator

KH PROJECT	018900005	DATE	05/10/2024
SCALE AS SHOWN		DESIGNED BY	ALR
DRAWN BY		ALR	
CHECKED BY		JDR	

1. THE EXISTING DEVELOPMENT IS CURRENTLY WOODED.
2. THE DEVELOPER OR PROPERTY OWNER HAS CONFIRMED THAT THE PROPOSED BUILDING WILL BE CONSTRUCTED THROUGH A TITLE SEARCH AND A REVIEW OF THE HISTORIC SURVEY OF YORK COUNTY MAINTAINED BY THE HISTORIC COMMISSION OF YORK COUNTY. THE PROJECT STAFF THAT NO KNOWN ADJACENT CEMETERIES EXIST ON THE PROPERTY.
3. THE PROPOSED BUILDINGS ARE TO BE USED FOR OUTLOTS 1, 2, AND 3 WILL HAVE FUTURE BUILDINGS THAT ADHERE TO YORK COUNTY'S REQUIREMENTS REGARDING THE RELATIONSHIP OF BUILDINGS TO ADJACENT PROPERTIES.
4. OPEN SPACE FOR EACH PARCEL WILL BE ALLOCATED DURING CIVIL CONSTRUCTION PLAN REVIEW AND PRIOR TO HOME GROWN WAY COMPLETION. AN ACCESS TO THE FUTURE RIGHT-OF-WAY HOVE GROWN WAY PRIOR TO CIVIL CONSTRUCTION DRAWING REVIEWS.

THE FOLLOWING BUILDING & CODE REQUIREMENTS WILL APPLY
FOR CIVIL CONSTRUCTION DOCUMENTS AND CERTIFICATE OF
OCCUPANCY:

Building permits cannot be issued until civil plan stamp has been received from the State of Massachusetts. The building permit can be issued without the Office of the State Architect (OSA) review. The permit will be placed on "hold" status. No construction will be allowed until the OSA review is complete. The final construction will be completed without final plan approval from the SFMA.

CONSTRUCTION OF A SOUTHBOUND RIGHT-TURN LANE ALONG CHARLOTTE HIGHWAY (SC 495/SC 274) WITH 150 FEET OF STORAGE AND PERMITTED OVERLAP PHASING

CONSTRUCTION OF A WESTBOUND OVERLAP LEFT-TURN PHASE WITH A MINIMUM OF 50 FEET OF STORAGE

CONSTRUCTION OF AN EASTBOUND RIGHT-TURN LANE ALONG SC HIGHWAY 55 E WITH 175 FEET OF STORAGE AND PERMITTED OVERLAP PHASING

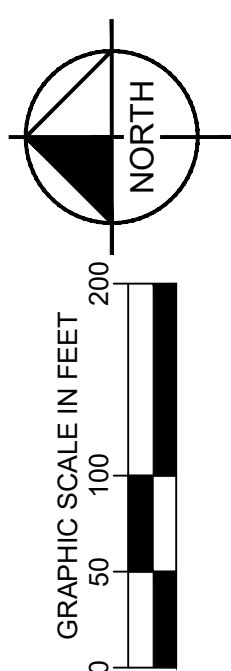
- WIDTH WILL BE REVIEWED BY SCDOT DURING ENVOIACHMENT PHASE.
- CONSTRUCTION OF ACCESS 1 TO CONTAIN TWO INGRESS LANES AND TWO EGRESS LANES WITH A STOP SIGN
- HIGHWAY 55 E AND ACCESS 2
- CONSTRUCTION OF A SOUTHWEST RIGHT-TURN LANE ALONG ACCESS 2 WITH 100' FEET OF STORAGE
- CONSTRUCTION OF AN EASTBOUND LEFT-TURN LANE ALONG SC 56 WITH 150' FEET OF STORAGE
- CONSTRUCTION OF A WESTBOUND RIGHT-TURN LANE ALONG SC 56 WITH 100' FEET OF STORAGE
- CONSTRUCTION OF ACCESS 2 TO CONTAIN A SINGLE INGRESS LANE AND TWO EGRESS LANES

NG STRUCTURES TO BE
ED BEFORE FINAL PLAT.

PROPOSED PARCEL A	
PARCEL NAME	AREA (AC)
PARCEL A TOTAL	17.7122
PRINCIPAL LOT	13.41
OUTLOT 1	1.07
OUTLOT 2	1.17
OUTLOT 3	1.18
OUTLOT 4	0.88
PROPOSED PARCEL B	
AREA (AC)	3.04
PROPOSED PARCEL C	
AREA (AC)	12.16

WATER	YORK COUNTY WATER & SEWER
SEWER	YORK COUNTY WATER & SEWER

DEVELOPMENT DATA		SITE DATA TABLE	
TAX PARCEL ID	4400000011	MIN LOT SIZE (S.F.)	NONE
	4400000013	MAX LOT FRONTAGE (W/ MAX FRONT YARD)	NONE
	4400000019	MIN LOT FRONTAGE (MINOR ROAD)	10'
		MAX HEIGHT	50'
EXISTING AND USE	WOODED	SETBACKS:	
PROPOSED JAIL USE	COMMERCIAL	FRONT (FT. PROPERTY)	10'
EXISTING LAND COVER	WOODED	FRONT (GC PROPERTY)	10'
PROPOSED LAND COVER	WOODED	FRONT (R&G PROPERTY)	10'
TOTAL OPEN SPACE AREA	2.70 ACRES	LEFT SIDE (R&G PROPERTIES)	10'
		REAR (REAR GROWN W/AY)	25'
NUMBER OF PROPOSED LOTS	3	OPEN SPACE	
		FOR OTHER SPACE PLAY AND CALCULATIONS	
ZONING DATA:		LANDSCAPE OVERLAYS:	
FEAR/CLOOD PANEL	4500 LOT/1 RE	FRONT (FEAR)	20' TYPE B
		FRONT (CLOOD PANEL)	NONE
ZONING DISTRICT:	GG (GENERAL COMMERCIAL)	FRONT (GC PROPERTY)	NONE
OVERLAY ZONING DISTRICT		LEFT SIDE (R&G PROPERTIES)	50' TYPE C
		REAR (REAR GROWN W/AY)	NONE
COUNCIL DISTRICT	DISTRICT 2	BUILDING DATA:	
COMPREHENSIVE PLAN ASSIGNED CENTER	BETHEL	TOTAL PROPOSED AREA	62,000 SF*
SCHOOL DISTRICT	24W		*NOTE: ADDITIONAL BUILDINGS MAY BE DEVELOPED
	BLK1		



NOTE: PER USPS "LETTER TO MUNICIPAL PLANNERS," CENTRALIZED AND CLUSTER BOX UNITS (CBU(S)) DELIVERY IS NOW THE DEFAULT MODE OF DELIVERY IN BUSINESS AREAS. CLUSTER BOX UNITS (CBUS) TO BE INSTALLED INTERNALLY TO SITE.

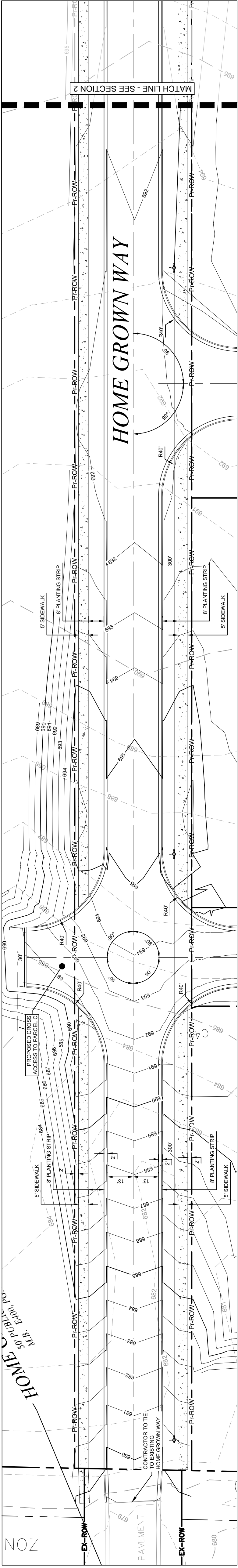
NOTE: THE DEVELOPER HAS RECEIVED, READ, AND UNDERSTANDS THE YORK COUNTY LAND DEVELOPMENT CODE AND THE LAND THE YORK COUNTY LAND DEVELOPMENT FROM LAND DEVELOPMENT MANUAL SHALL HAVE PRIOR WRITTEN APPROVAL FROM YORK COUNTY. FAILURE TO ADHERE TO THE YORK COUNTY LAND DEVELOPMENT CODE AND/OR LAND DEVELOPMENT MANUAL COULD RESULT IN NON-ACCEPTANCE OF ROADWAY INTO THE YORK COUNTY ROAD MAINTENANCE SYSTEM AND DENIAL OF THE SUBDIVISION CONSTRUCTION PLAN AND FINAL PLAT APPROVAL.

ROADWAY GEOMETRIC ELEMENTS

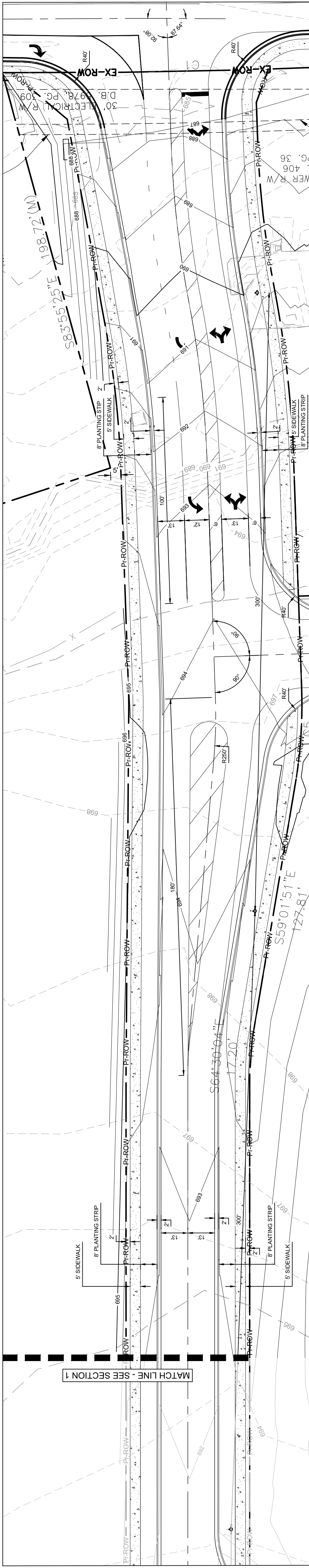
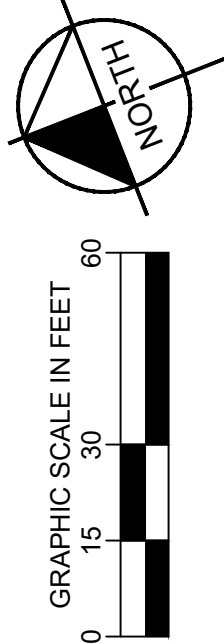
NAME	HOME GROWN WAY
CLASSIFICATION	LOCAL COMMERCIAL EXTENSION
MINIMUM ALLOWABLE LENGTH	125'
PROPOSED LENGTH	±1,323'

YORK COUNTY ROADWAY NOTES

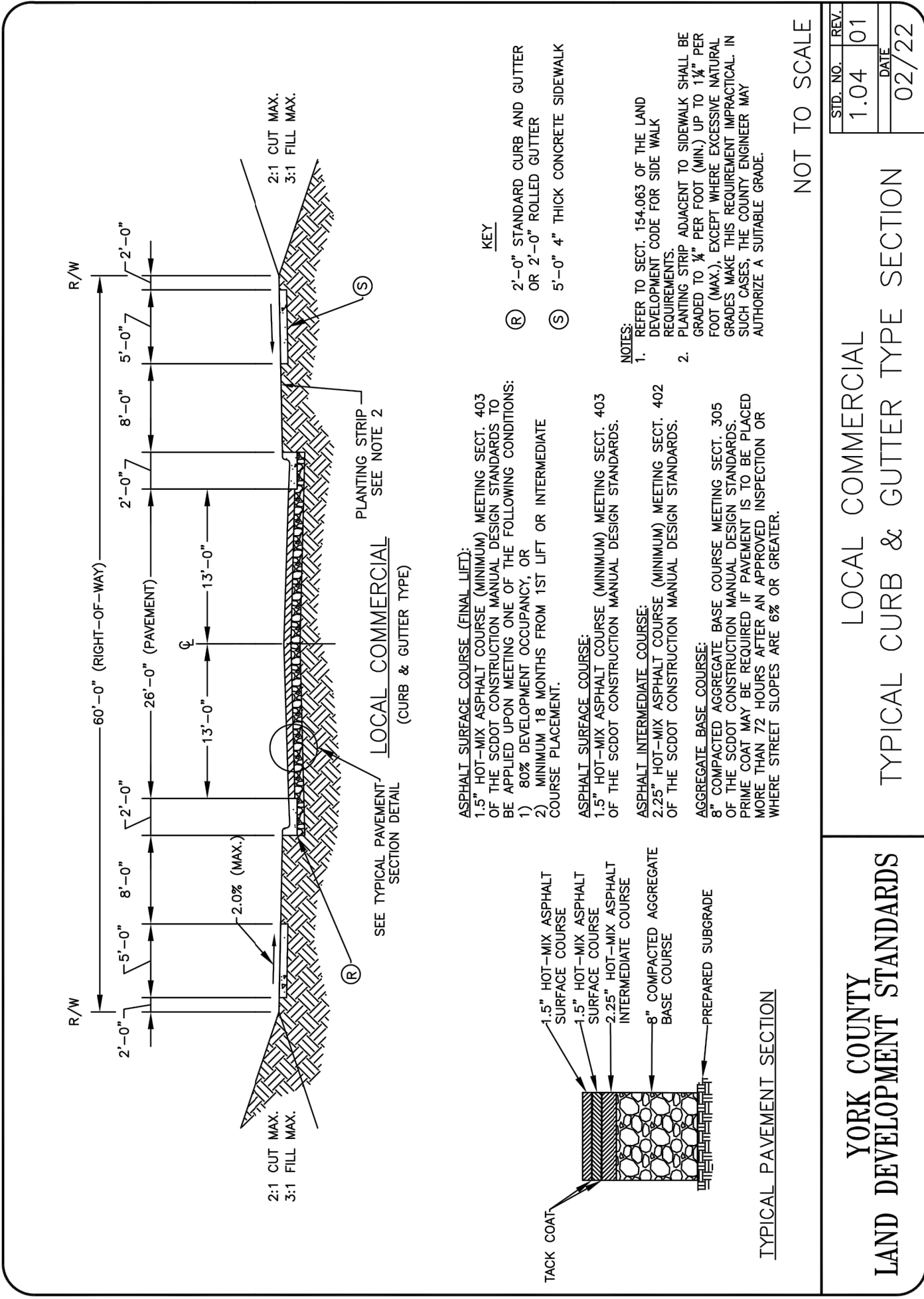
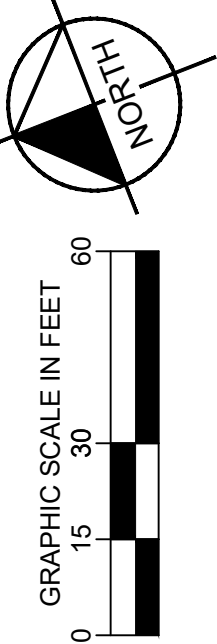
- ROADS ARE TO BE PROPOSED FOR ACCEPTANCE INTO THE YORK COUNTY ROADWAY SYSTEM.
- INDIVIDUAL LOT IRRIGATION SYSTEMS ARE NOT PERMITTED WITHIN THE ROAD RIGHT-OF-WAY.
- THE DEVELOPER, INDIVIDUAL LOT OWNER, OR THEIR REPRESENTATIVES SHALL NOT PIPE OR FILL IN ROADSIDE DITCHES NOR DISCHARGE LOT OR ROOF DRAINAGE SYSTEMS INTO ROADSIDE DITCHES, ENCLOSED ROAD DRAINAGE SYSTEMS, OR ROAD RIGHT-OF-WAY WITHOUT SUBMITTING A ROAD ENCROACHMENT PERMIT TO THE YORK COUNTY PUBLIC WORKS DEPARTMENT FOR APPROVAL.
- THE DEVELOPER OR HIS DESIGNEE IS RESPONSIBLE FOR KEEPING ALL SIGHT DISTANCE EASEMENTS CLEAR OF ALL SIGNS, VEGETATION, AND OTHER OBJECTS THAT MAY BLOCK DRIVERS' LINE OF SIGHT.



SECTION 1



SECTION 2



4.1.a

SHEET NUMBER

C400

LAKE WYLIE

RETAIL CENTER

PREPARED FOR

ARIC LAKE WYLIE, LLC.

PRELIMINARY PLAT

HOME GROWN WAY

EXTENSION PLAN

KH PROJECT

018900005

DATE

05/10/2024

SCALE

AS SHOWN

DESIGNED BY

ALR

DRAWN BY

ALR

CHECKED BY

JDR

SOUTH CAROLINA

REGISTERED

ENGINEER

AND

LANDSCAPE

ARCHITECT

NO. 000166

Kimley-Horn

ASSOCIATES

© 2024 KIMLEY-HORN AND ASSOCIATES, INC.

200 SOUTH TRYON ST., SUITE 200, CHARLOTTE, NC 28202

PHONE: 704-333-5131

WWW.KIMLEY-HORN.COM

SC LICENSE #C-00166

YORK COUNTY

SC

YORK COUNTY

SC



Vicinity Map

Attachment: Home Grown Way - PC Packet (8613 : Home Grown Way - Preliminary Plat)

Applicant: Kimley-Horn & Associates
Tax Map Number: 484-00-00-080
Req

PLANNING COMMISSION

**SUBDIVISION: NEWPORT ACRES APPLICANTS: PROGRESS HOLDINGS, LLC
TAX MAP NUMBER: 498-00-00-060 TOTAL ACREAGE: 11.01 ACRES TOTAL LOTS:
9 SINGLE-FAMILY LOTS COUNCIL DISTRICT #3: TOMMY ADKINS ZONING
DISTRICT: RURAL DEVELOPMENT (RUD)**



**Planning Commission
Staff Report
Preliminary Plat – Newport Acres
June 10, 2024**



RECOMMENDATION: **That the Planning Commission approve the Preliminary Plat based on the Findings listed below.**

PROJECT DATA:

Property Owner/Applicant:	Progress Holdings, LLC
Application Type:	Preliminary Plat, Single-Family Residential Subdivision
Tax Map Numbers:	498-00-00-060
Location:	Adnah Church Road, south of the intersection of Hwy 161/Old York Road
Council District:	District 3, Tommy Adkins
Zoning:	Rural Development (RUD)
Project Consistency:	Consistent with the RUD zoning district
Comprehensive Plan:	Single Family Residential
Project Consistency:	Consistent with the Comprehensive Plan
Land Use:	-existing: Vacant
	-proposed: Single-family residential
	-in area: Single-family residential, commercial, vacant
Land Area:	11.01 acres
Lots Proposed:	Nine
Lot Dimensions:	Regular
Planning Staff:	Marion Ray, MPA

BACKGROUND AND PROJECT DESCRIPTION

The applicant is requesting approval of a preliminary plat for the Newport Acres subdivision. This subdivision includes nine proposed single-family lots, each lot will be at least one-acre in size, and located on a new proposed road – Giant Oak Road. The proposed density is .8 units per acre and the tree save area of the site is 2.2 acres, which represents 20-percent of the existing trees on the parcel.

The site is currently one parcel with an area of 11.01 acres, and is located on the western side of Adnah Church Road, just south of the intersection with Highway 161/Old York Road. The site is bordered to the north and west by undeveloped land which is zoned as the Newport Commons Planned Development. A large single-family lot is directly south of the development. The project site is currently wooded and slopes down from east to west to a small creek.

ANALYSIS

Zoning Ordinance

§155.028

The Rural Development District (RUD) is intended to protect and preserve areas of the County that are presently rural or agricultural in character and use. It serves to discourage rapid growth while allowing growth through orderly use and timely transition of rural areas and is generally appropriate in areas designated as Rural Residential on the Comprehensive Plan Future Land Use Map.

The proposed single-family residential subdivision is consistent with the purpose of the RUD zoning district in that the proposed large lot division will not have an adverse impact on any of the neighboring properties.

Comprehensive Plan

The 2035 Comprehensive Plan, *York Forward* (adopted March 6, 2023), designated the future land use for the proposed project as Single Family Residential – places composed primarily of single-family detached homes on large lots in residential subdivisions that exhibit a rural or suburban character. Small-scale office and civic uses are located at major street intersections or adjacent to similar uses and are designed to blend in with the residential character of the area.

The proposed residential subdivision is consistent with the Comprehensive Plan as the project is comprised of one-acre single family residential lots.

ACCESS AND CIRCULATION

The proposed lots will be accessed from Adnah Church Road by Giant Oak Road, a proposed 734-foot-long public road. All roads are to be built to County specifications and proposed for acceptance in the York County roadway system. Sidewalks are not required due to proposed lot width of 100-feet or more.

FINDINGS FOR PRELIMINARY PLAT REVIEW

Section §154.322

Section 154.322 of the York County Subdivision Code stipulates that the Planning Commission review and approve all applications for major subdivisions (seven or more lots). Approval of the preliminary plat shall not constitute approval of the construction plan and final plat. Application for approval of the subdivision construction plan and final plat shall be considered only after the specifications and requires of the Subdivision Chapter are met and all other specified conditions have been met. Upon approval of the preliminary plat by the Planning Commission, the developer may proceed with the preparation of the subdivision construction plan.

(D) The Planning Commission shall not approve a preliminary plat, unless the following findings are made:

- 1. The developer has provided willingness and capability letters from the applicable water and sewer service provider indicating the water and sewer infrastructure is sufficient to provide service to the development:**

The site will be serviced by private water and septic systems as indicated on the proposed plat.

If the development will be served by individual wells and septic systems, the proposed lots meet minimum square footage requirements per county ordinances:

All proposed lots meet or exceed the one-acre lot size minimum as stipulated by the RUD site standards.

- 2. The proposed land use and density complies with the zoning district requirements:**
Single-family residential is an allowed use. The RUD zoning district has a maximum residential density of one dwelling unit per acre, the development has a density of .8 residential units per acre.
- 3. Impacts to the transportation network, as identified in the Traffic Impact Analysis, have been adequately mitigated:**

A TIA was not required for this project.

4. The development provides adequate street connectivity and pedestrian facilities to address public health and safety:

The development is accessed from Adnah Church Road, maintained by the SCDOT. Adnah Church Road bounds the site to the east and to the south is a large single-family residential lot. The site is bounded to the north and west by a Planned Development known as Newport Commons, therefore a temporary cul-de-sac stubs out to this development for future connectivity.

5. The required open space and buffers have been provided:

The 20-percent open space is not required due the zoning designation of project.

6. All other applicable zoning and subdivision code requirements have been satisfied:

A tree survey or required tree save areas has been completed and accepted by staff.

SUMMARY AND RECOMMENDATION

Staff recommends the Planning Commission accept the findings of fact and approve the preliminary plat.

Submitted by:



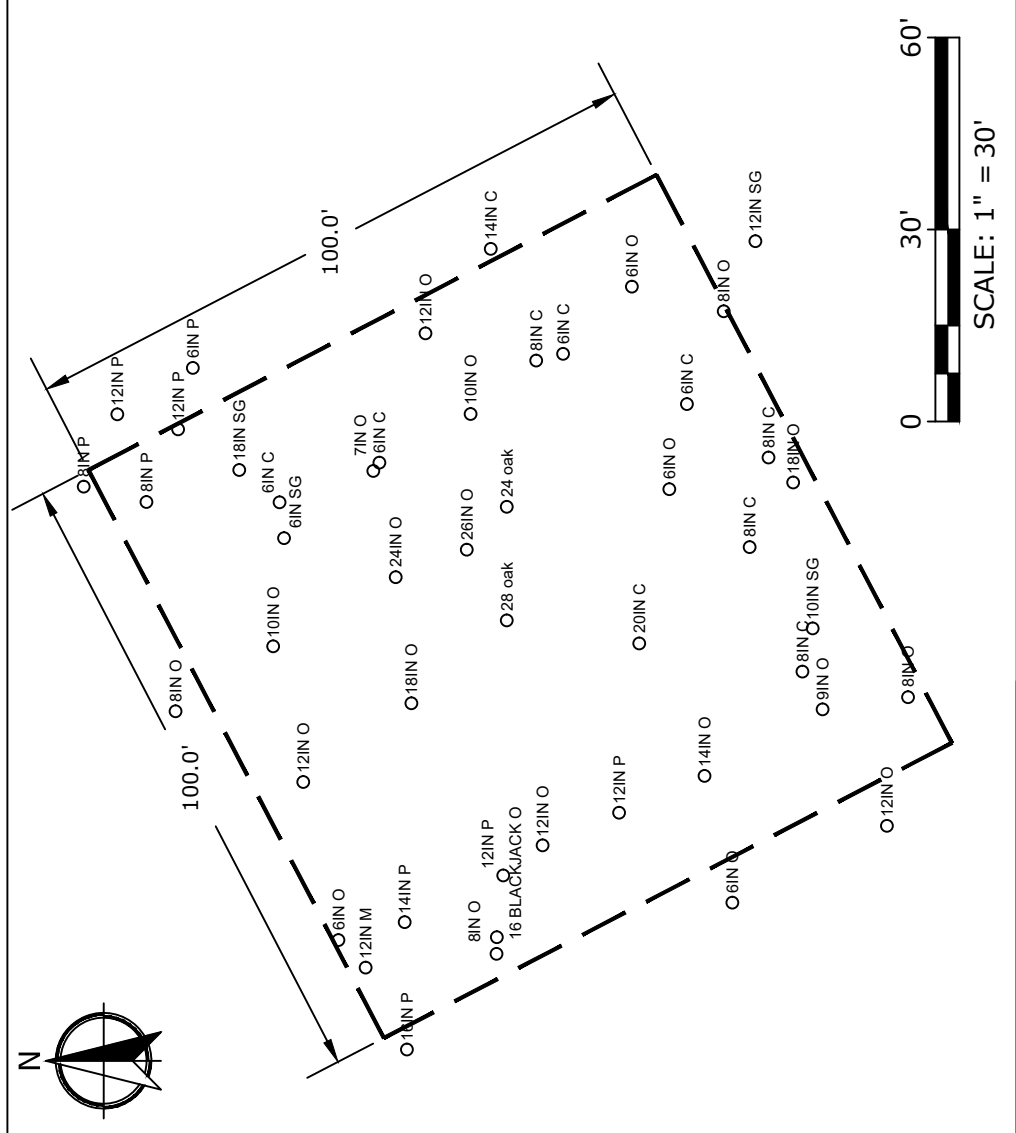
Marion Ray, MPA
Planner

Approved by:

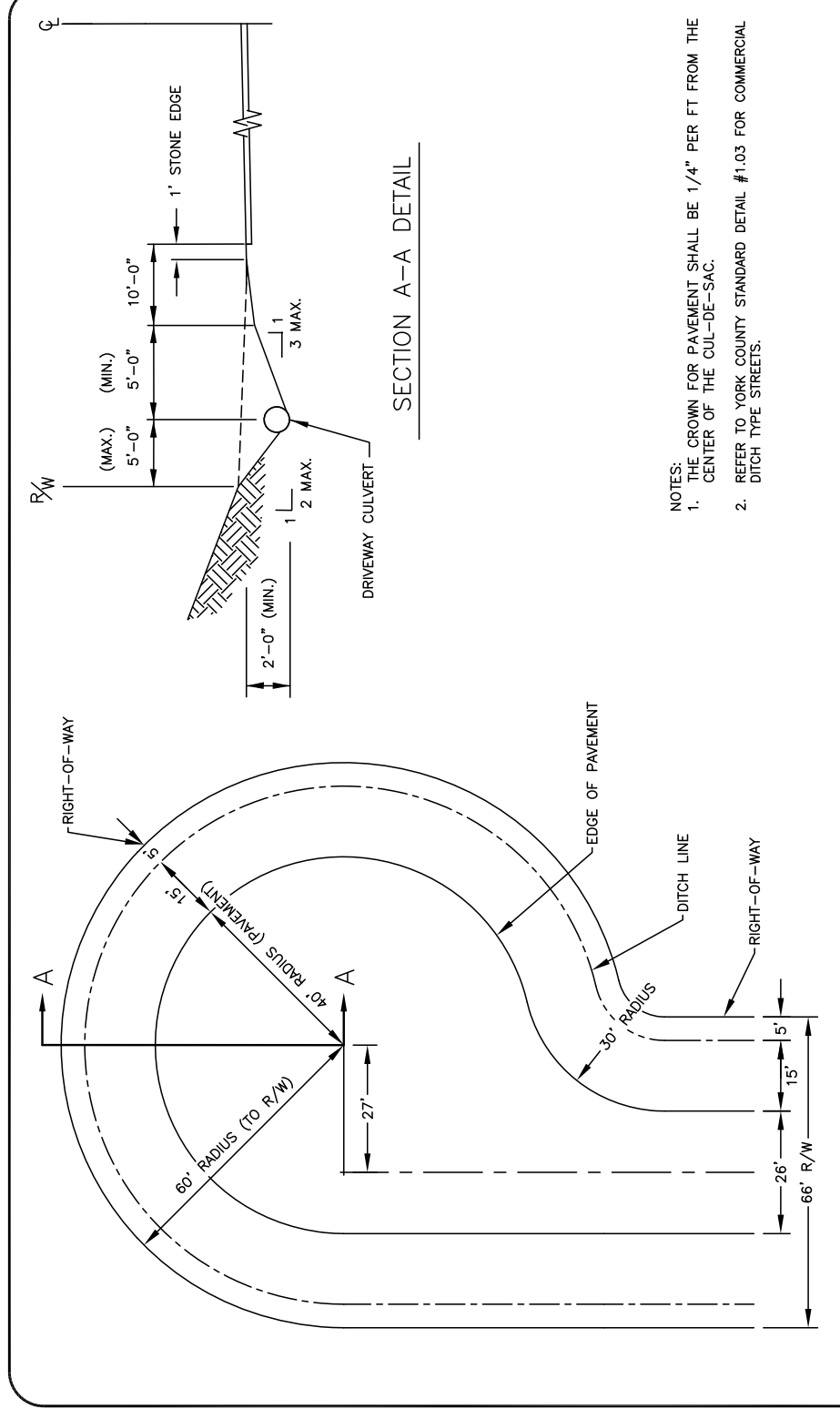


Rachel Grothe, MCRP
Zoning Administrator

Table 154.199-1: Trees Required for Lots in Residential Subdivisions	Lot Size	Required Large	Required Small
		Maturing Trees	Maturing Trees
0-10,000 sf	2	1	
10,001-20,000 sf	3	2	
20,001-30,000 sf	4	2	
30,001-1 acre	5	3	
More than 1 acre	7	3	

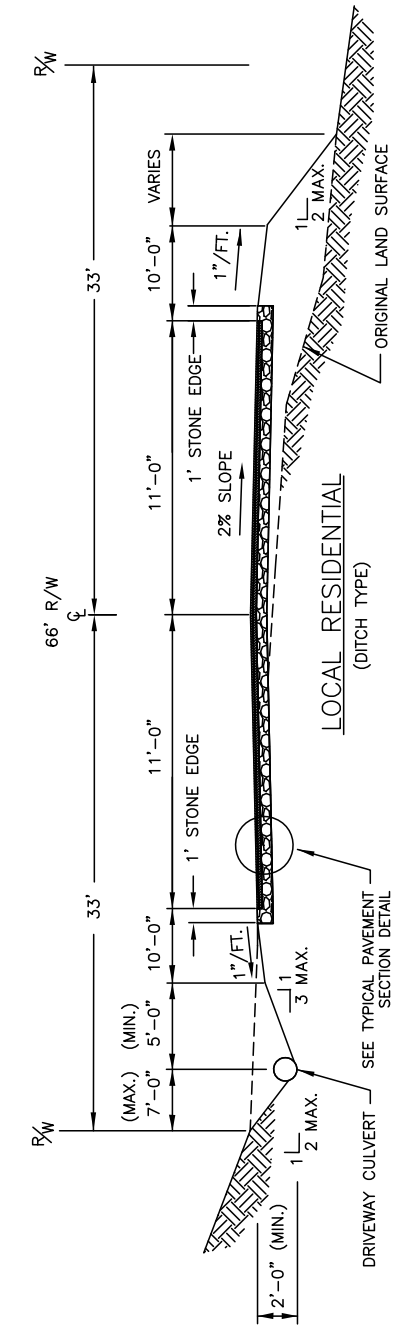


SWEET GUM TREE	○	(SIZE) SG
HICKORY TREE	○	(SIZE) H
PINE TREE	○	(SIZE) P
POPULAR TREE	○	(SIZE) POP
CEDAR TREE	○	(SIZE) C
DOGWOOD TREE	○	(SIZE) DW
OAK TREE	○	(SIZE) O



NOTES:

1. THE CROWN FOR PAVEMENT SHALL BE 1/4" PER FT FROM THE CENTER OF THE CUL-DE-SAC.
2. REFER TO YORK COUNTY STANDARD DETAIL #1.03 FOR COMMERCIAL INTERL. YARD STREETS.

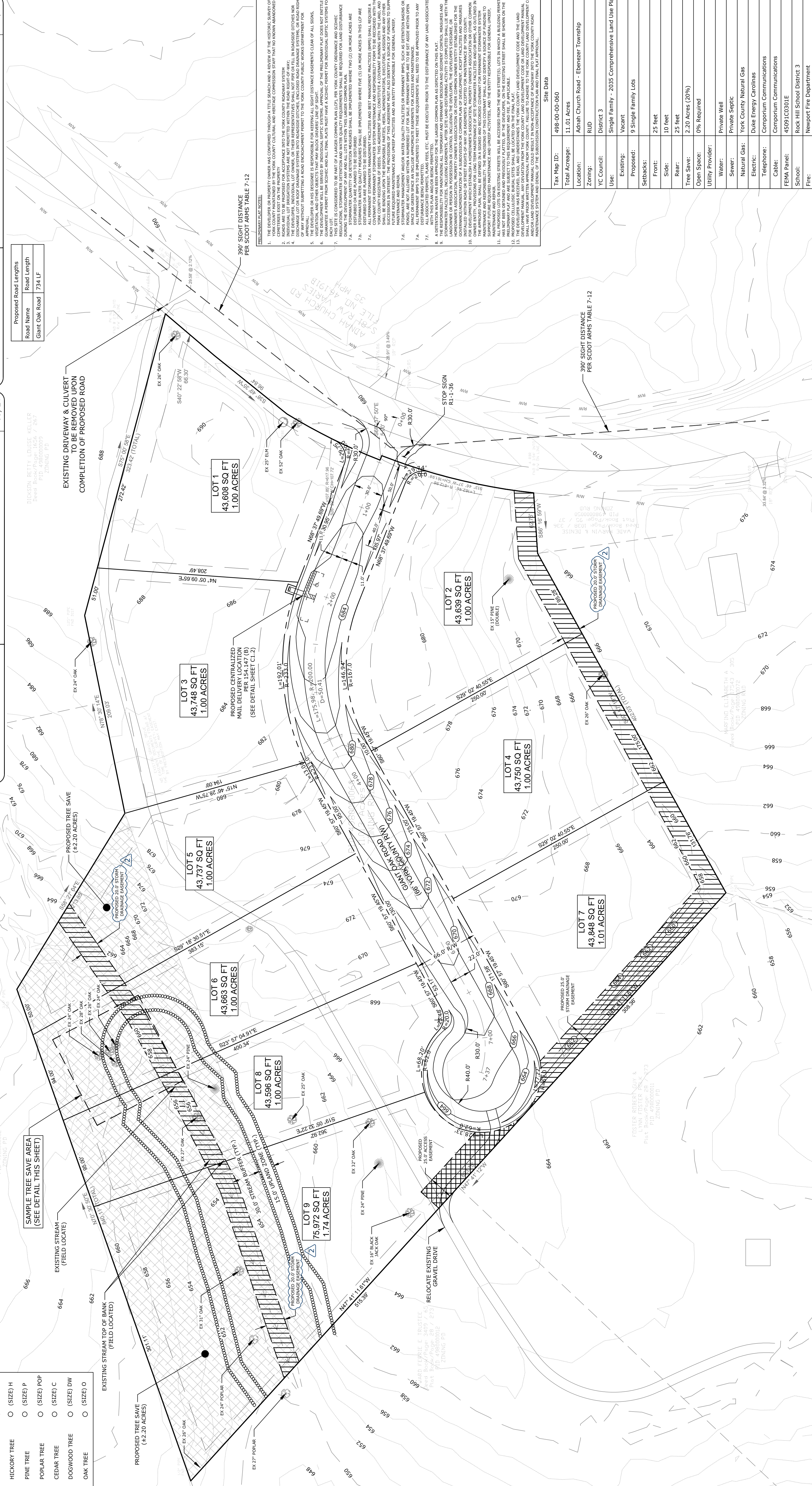


KEY:

- (R) 2" - 6" STANDARD GIRD AND GUTTER OR 2" - 6" ROLLED GUTTER
- (S) 5' - 0" 4" THICK CONCRETE SIDEWALK

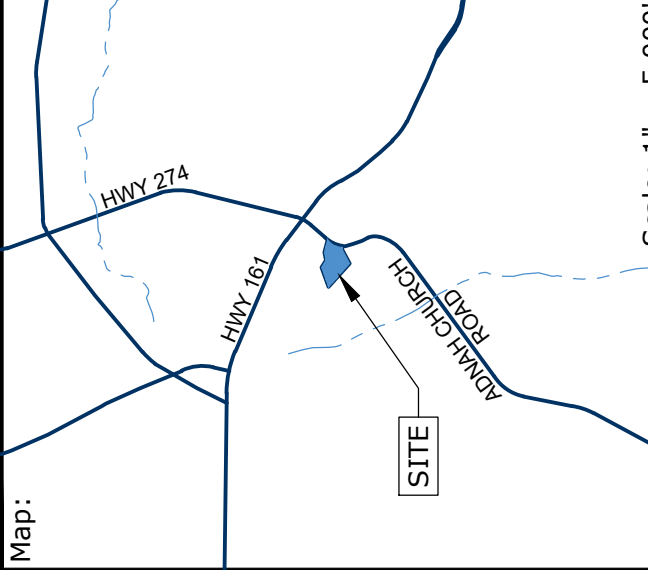
YORK COUNTY LAND DEVELOPMENT STANDARDS	LOCAL RESIDENTIAL TYPICAL DITCH TYPE SECTION	DATE: 02/22 2016, NO. 186 1.01 01
---	---	---

STANDARD CUL-DE-SAC	YORK COUNTY LAND DEVELOPMENT STANDARDS	LOCAL COMMERCIAL	CUL-DE-SAC	1.22	01	NOT TO SCALE
		TYPICAL DITCH	TYPE PLAN	09/21		

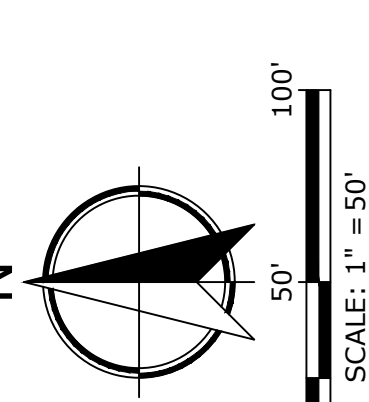


This drawing and the design shown thereon are the property of Murdock Engineering, LLC. The reproduction or unauthorized use without written consent is prohibited. Furthermore, this drawing shall not be used for construction purposes until the engineer of record has delivered signed and sealed copies to the appropriate parties and all required fees have been paid, permits have been acquired, and easements have been obtained to do so.

© Murdock Engineering, LLC 2024



Drawing Orientation & Scale:
Scale: 1" = 5,000'



Date: May 2, 2024

Revised: 04/12/24 Per York County
Comments (04/11/24)

05/02/24 Per York County
Comments (04/30/24)

Preliminary Plat
for
**Newport
Acres**
York County, South Carolina

Prepared For:
Progress Holdings, LLC
 2012 W Hwy 160, Suite 50
 Fort Mill, SC 29708

Project Number: 2320

Sheet Name: Preliminary Plat

11

Sheet Number: DD 1

11



NC CGIA, York County Govt, SC Maxar, Microsoft

4.2.a

Vicinity Map

Attachment: Newport Acres PC Packet (8615 : Preliminary Plat - Newport Acres)

Applicant: Progress Holdings, LLC
Tax Map Number: 498-00-00-060
Req

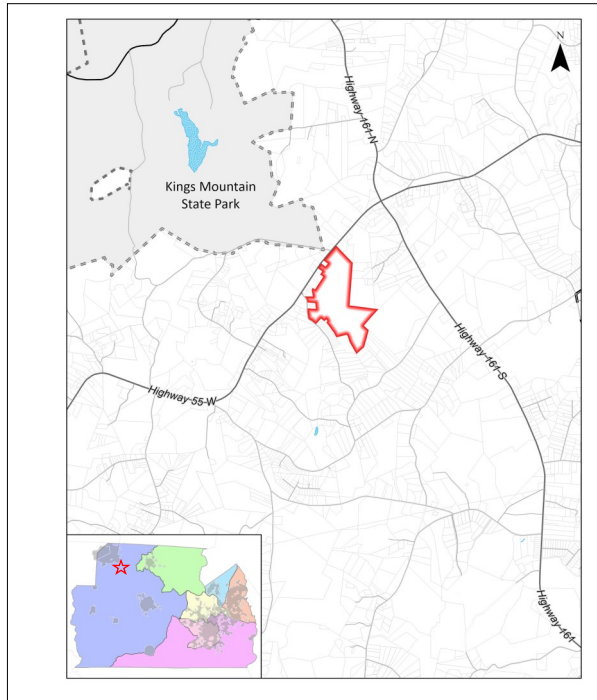
PLANNING COMMISSION

REZONING 24-28 BRIAN BUCHANAN (APPLICANT) BRIAN AND DOROTHY BUCHANAN (OWNERS); REQUESTING TO REZONE A 20.14-ACRE PORTION OF A 221.84-ACRE PARCEL FROM RUD-I TO RUD. THE SUBJECT PARCEL IS LOCATED ON RANGER ROAD, CLOVER. THE PROPERTY IS REFERENCED AS TAX MAP NUMBER 180-00-00-015; COUNCIL DISTRICT 3 - ADKINS.



Planning Commission June 10, 2024

Case: 24-28 Staff Report



REQUEST SUMMARY

Applicant: Brian Buchanan

Property Owner: Brian and Dorothy Buchanan

Tax Map Number: 180-00-00-015

Address: 3126 Ranger Road, Clover

Council District: 3—Adkins

Requested Action: Rezone a +/- 20.14-acre portion of a 221.84 acre parcel from RUD-I to RUD

Staff Planner: Diane Dil, AICP

Staff Recommendation: Approve

PROJECT DESCRIPTION

The applicant is requesting to rezone a 20.14-acre portion of a 221-acre parcel from Rural Development-I (RUD-I) to Rural Development (RUD). The purpose of the rezoning is to remove the parcel's split zoned status to allow the creation of one two-acre parcel.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The subject parcel is designated with the *Rural Residential* future land use in the *York Forward 2035 Comprehensive Plan*. The designation is described as places displaying a rural character of agricultural homesteads and homes with an acre or more of land separated by farmed fields, pastures, or forests. These areas are served by a sparse road network and private well and septic systems. Farmer's markets, cottage industries, and agri-tourism serve the community and support agriculture.

The requested rezoning district aligns with the *Rural Residential* land use designation of the York County 2035 Future Land Use map. This request will also remove the parcel's split zoned status.

Staff Analysis

PROPERTY DESCRIPTION

The 220-acre parcel contains one single family home and various agricultural outbuildings. The property also includes two large ponds and multiple blue line streams. Portions of the parcel have significant tree coverage while others are cleared for pasture land. This area of the county is a combination of rural homesteads on parcels one acre or greater scattered amongst parcels used for agricultural purposes.

Table 1: Property Context

PROXIMITY	CURRENT LAND USE	CURRENT ZONING	2035 LAND USE PLAN RECOMMENDATION
NORTH	Rural Residential	RUD	Rural Residential
SOUTH	Rural Residential/Vacant	RUD/RUD-I	Rural Residential
EAST	Rural Residential/Vacant	AGC/RUD	Rural Residential
WEST	Rural Residential	AGC/RUD	Rural Residential

ZONING AND LAND USE HISTORY

- ◆ July 22 1986: Subject area was originally zoned RUD
- ◆ March 5, 2012: Subject area rezoned from RUD to RUD-I to create lots along Ranger Road (case 12-01)
- ◆ May 29, 2018: Recorded current plat of parcel (PB 158, PG 48)
- ◆ May 29, 2018: Recorded current deed of parcel (RB 16995, PG 209)

REZONING REQUEST

The applicant is requesting to rezone approximately 20 acres from RUD-I to RUD.

- ◆ *Current Zoning District: Rural Development (RUD-I). This district is intended to protect and preserve areas of the County that are presently rural or agricultural in character and use, and serves to discourage rapid growth while allowing growth through orderly use and timely transition of rural areas. Manufactured homes prohibited.*
- ◆ *Proposed Zoning District: Rural Development (RUD). This district is intended to protect and preserve areas of the County that are presently rural or agricultural in character and use, and serves to discourage rapid growth while allowing growth through orderly use and timely transition of rural areas.*

Table 2: Zoning District Comparison

	ZONING DISTRICT: RUD-I	ZONING DISTRICT: RUD
MINIMUM LOT SIZE	1 Acre	1 Acre
PERMITTED LAND USES	Residential; Agricultural Uses; Manufactured Homes Prohibited	Residential; Agriculture Uses; Manufactured Homes Permitted

Exhibit A - Existing Zoning Map

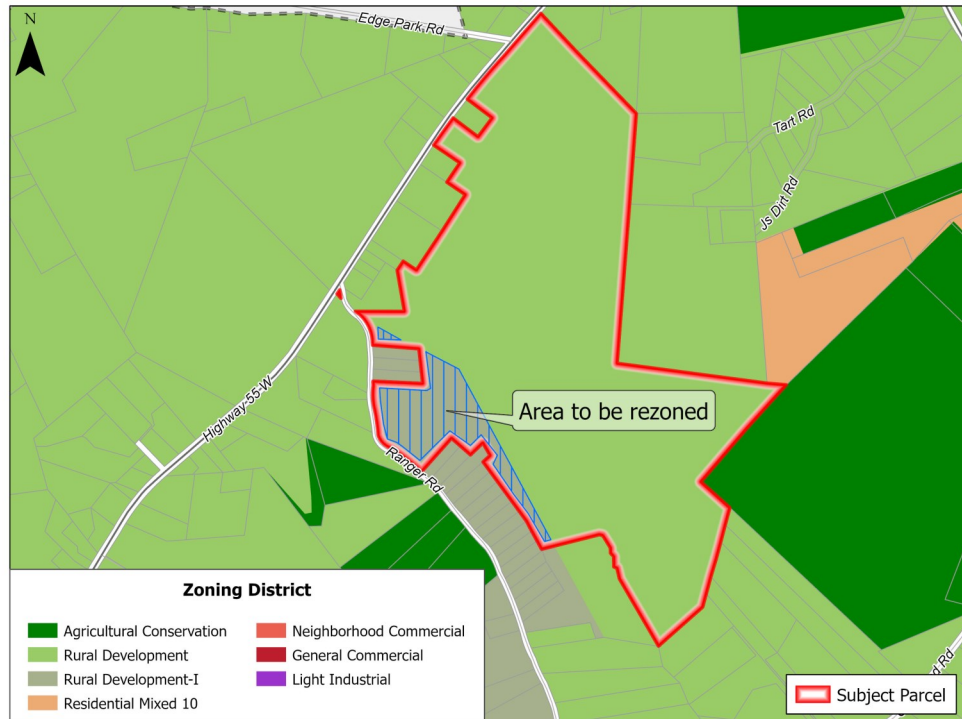
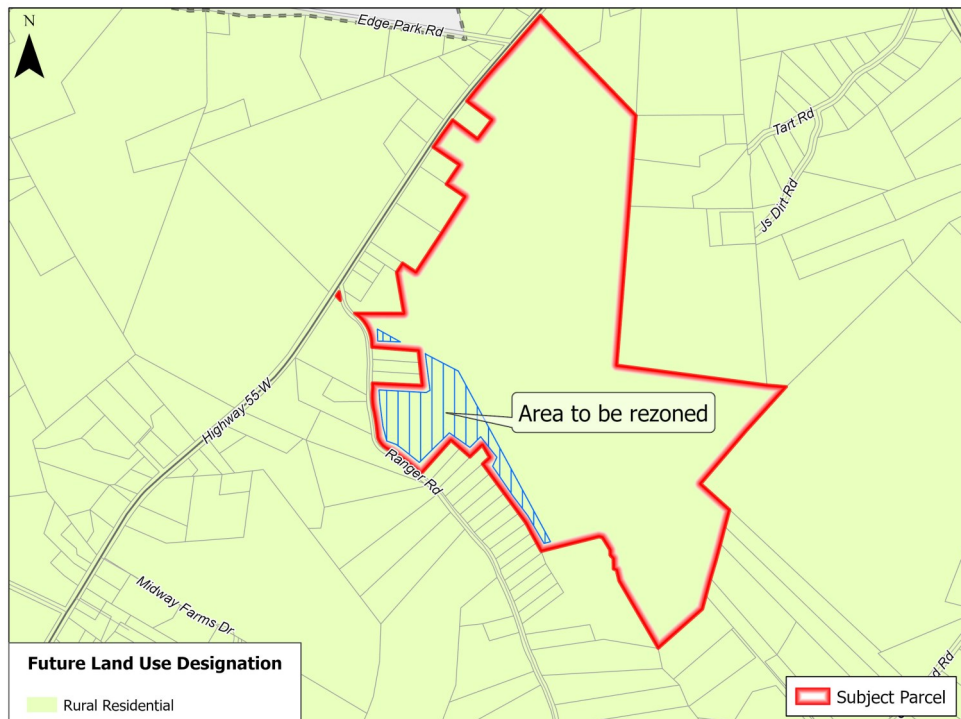


Exhibit B - Future Land Use Map



FINDINGS

Per Section 155.1139 of the York County Code of Ordinances, the Planning Commission must consider the following factors when making a recommendation on any proposed amendment to the zoning map.

A. The relationship between the request and the Comprehensive Plan and Future Land Use Map.

The subject parcel is designated with the *Rural Residential* future land use in the York Forward 2035 Comprehensive Plan. The designation is described as places displaying a rural character of agricultural homesteads and homes with an acre or more of land separated by farmed fields, pastures, or forests. These areas are served by a sparse road network and private well and septic systems. Farmer's markets, cottage industries, and agri-tourism serve the community and support agriculture.

B. Whether the request is consistent with the Comprehensive Plan and Future Land Use Map.

The requested rezoning district aligns with the *Rural Residential* land use designation of the York County 2035 Future Land Use map.

C. Whether the allowed uses in the requested zoning district would be compatible with surrounding land uses.

The allowed land uses are compatible with the surrounding homes and agricultural uses.

D. Whether the scale of the proposed development is compatible with the surrounding land uses or the intended future land uses.

The applicant is purposing to create one new lot and construct one single family dwelling. The scale is compatible with the existing lot sizes and homes along Ranger Road.

E. Whether adequate capacity at public school facilities exists or is planned to serve the needs of the proposed development.

The proposal is to construct one single family home, therefore there will be minimal impact on the public school facilities.

F. Whether the proposed project will request to connect to public water and sewer service and what entity would provide these utilities.

The property is located within the York County service area and intends to use private well and septic.

G. The relationship of the request to the existing road network, current road capacity, and the most recent annual average daily trip counts.

The parcel to be rezoned has frontage Highway 55 and Ranger Road. Highway 55 is maintained by SCDOT as S-836 and is designated as a minor arterial roadway with an average daily volume of 5,100 trips. Highway 55 is currently a paved, two-lane roadway with a posted speed limit of 55 mph. Ranger Road is maintained by York County, is designated as a local roadway, and there is no count data available. It is a narrow, paved, two-lane roadway with no posted speed limit.

The applicant intends to construct one single family dwelling, which will not negatively impact the existing transportation network.

H. Whether the inclusion of certain conditions of approval for the request would better achieve the goals of the Comprehensive Plan.

Staff does not recommend any conditions as part of the approval.

NEXT STEPS

The rezoning request is anticipated to follow the process below:

- | | |
|------------------------------------|-------------------|
| ◆ Public Hearing: | July 15, 2024 |
| ◆ County Council (First Reading): | July 15, 2024 |
| ◆ County Council (Second Reading): | August 19, 2024 |
| ◆ County Council (Third Reading): | September 3, 2024 |

PLANNING AND DEVELOPMENT STAFF CONTACT

Diane Dil, AICP

Planning Manager

(803) 909-7223

diane.dil@yorkcountygov.com

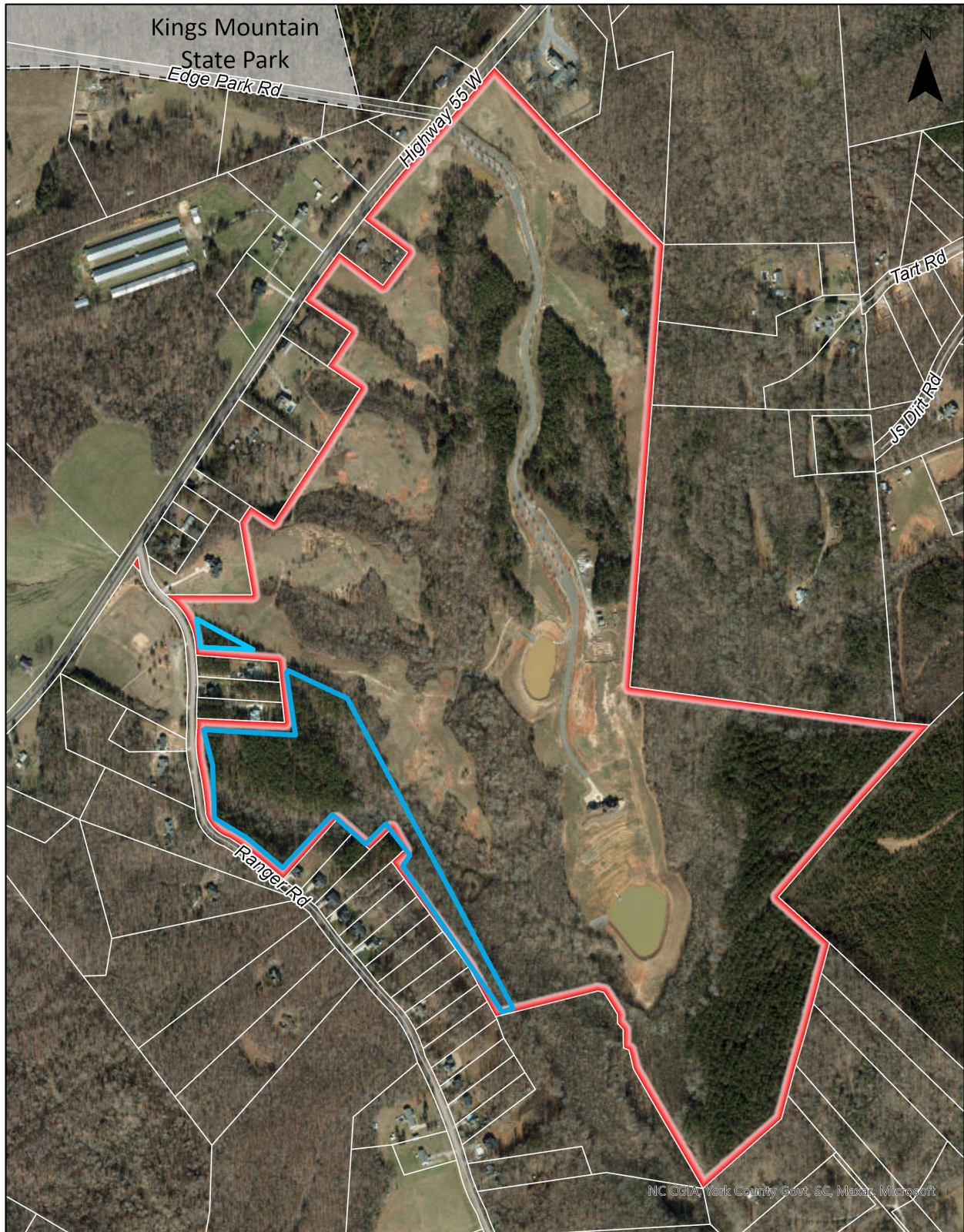
Attachment: 24-28 PC Packet (8610 : 24-28)

Exhibit D - Aerial Map

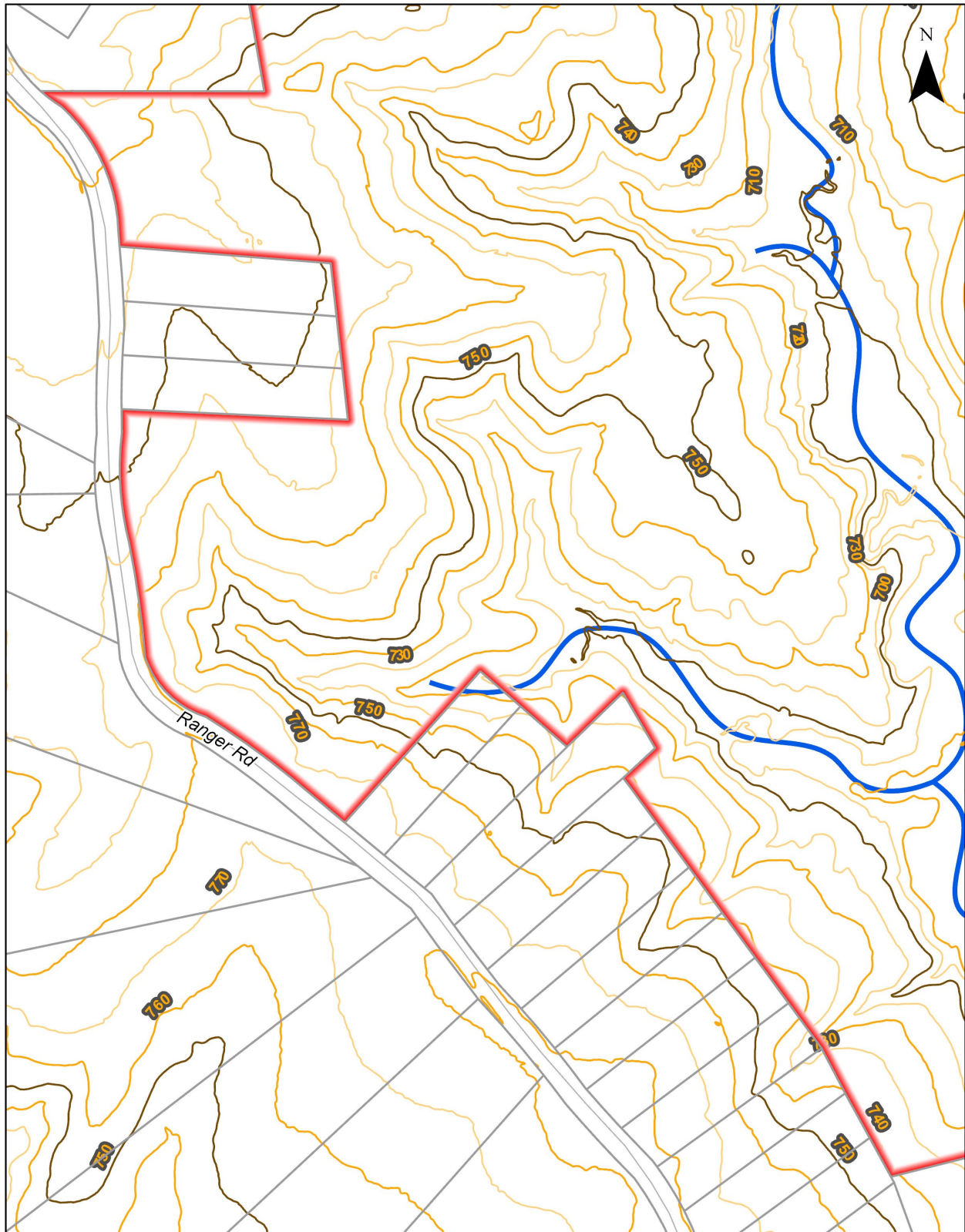


Attachment: 24-28 PC Packet (8610 : 24-28)

Exhibit E - Aerial Map—Parcel

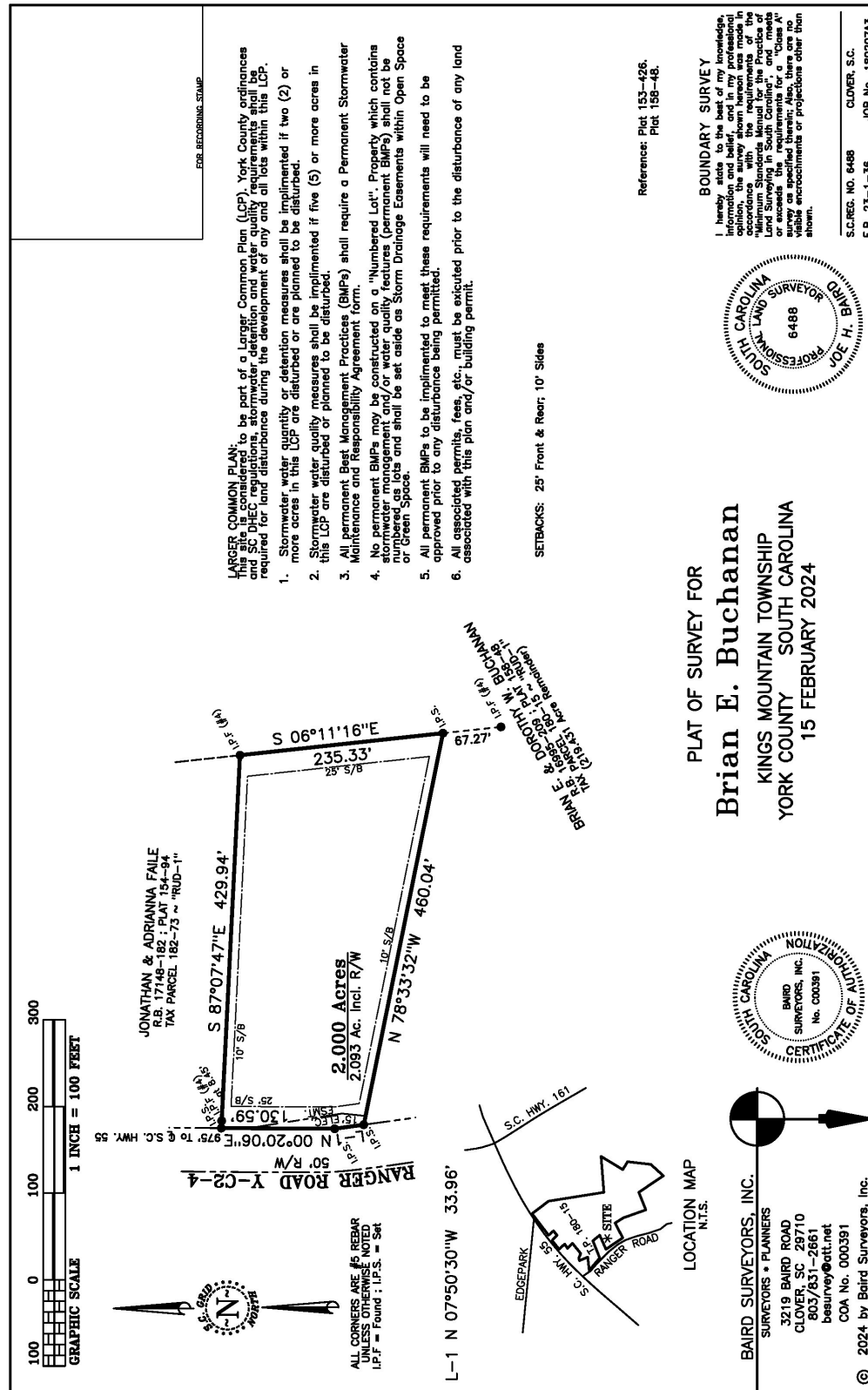


Attachment: 24-28 PC Packet (8610 : 24-28)

Exhibit F - Environmental Map

Attachment: 24-28 PC Packet (8610 : 24-28)

Exhibit H - Proposed Subdivision



SUPPLEMENTAL QUESTIONS

1. Please describe the purpose of the rezoning request and the project that is being proposed.

To remove a dual zoning district and subdivide one lot for daughter.

2. Are there existing structures on the site?

Yes ☒

No ☐

If yes, please describe: Residence and sheds. These are not in the area to be rezoned

If this request is granted, will the existing structure(s) remain?

Yes ☒

No ☐

If this request is granted, will the use of the structure(s) change?

Yes ☐

No

If yes, structure(s) must meet all current building and fire codes.

3. Does this request propose to utilize public water and sewer?

Yes ☐

No 

If yes, municipal utility providers may require signed annexation agreements as a condition of providing services. Please contact your municipal service provider prior to submitting your application.

CERTIFICATION

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, of the subject site(s). I understand that falsifying any information herein may result in rejection or denial of this request.

APPLICANT(S)

APPLICANT(S)

4/30/2024
DATE

DATE _____

I (we) certify that I (we) are the owners of the property involved in this application and further that I (we) designate the person signing as applicant to represent me (us) in this rezoning application.

Dorothy W Buchanan Dr Buchanan
PROPERTY OWNER(S)

PROPERTY OWNER(S)

DATE 4/30/2024

DATE _____

I certify that any relevant restrictive covenants will be adhered to concerning this rezoning request. To assist verification, I have attached the relevant restrictive covenant information.

APPLICANT(S)

APPLICANT(S)

DATE _____

DATE _____

YOU MUST SUBMIT THE ORIGINAL OR DIGITAL SIGNATURES ABOVE. COPIED OR SCANNED IMAGES WILL NOT BE ACCEPTED. ATTACH OWNER'S NOTARIZED WRITTEN AUTHORIZATION IF OWNER'S SIGNATURE CANNOT BE OBTAINED. ALL PROPERTY OWNERS MUST SIGN ABOVE.

REZONING APPLICATION CHECKLIST

The attached application form must be filled out completely and must include the following supporting materials before a request can be accepted and considered complete:

- ☐ Pre-application meeting (optional)
- ☒ Application fee $500 + (21 \times 50) = 1550$
- ☒ Plat or recent survey (if no recorded plat)
- ☒ Deed
- ☐ Preliminary site plan (include the following items as applicable)
 - Proposed and existing structures with square footage
 - Parking areas
 - Open space areas
- ☐ Sketch plan and detailed development plan (Special Districts Only)
- ☐ Restrictive covenants (provide the latest recorded copy, if applicable)

****Staff may request additional information as part of the application****

OFFICE USE ONLY

AMOUNT PAID: _____ CHECK #: _____ CASH AMOUNT: _____

DATE RECEIVED: 5/6/24 RECEIPT #: _____

APPLICATION RECEIVED BY: Diane Dil

APPLICATION REVIEWED BY: Diane Dil

Any information provided on this document may be subject to the SC Freedom of Information Act and may be disclosed to third parties in accordance with applicable law.

**PLANNING COMMISSION
REZONING TRACKING SHEET**

Active Rezoning Cases													
Case	Tax Map ID	Applicant / Owner	Council District	Acres	Street	Current Zoning(s)	Proposed Zoning(s)	Comprehensive Plan Designation	Planning Commission	Public Hearing	County Council 1st Reading	County Council 2nd Reading	County Council 3rd Reading
24-10	2550000083 2550000010	McCormick	3	3.63	Beersheba Road N	RUD	AGC	Agriculture	11-Mar Approve	1-Apr	1-Apr	15-Apr	6-May
24-12	2510000125	Smith	3	5.09	Cedar Grove Road	AGC	RUD	Agriculture	11-Mar Approve	1-Apr	1-Apr	6-May	20-May
24-13	3640000051	Burrell	2	0.295	St Paul Church Road	RMX-20	RSF-30	Single Family Residential	11-Mar Approve	1-Apr	1-Apr	15-Apr	6-May
24-14	6550000037	Caskey	1	1.35	Highway 160	UD	GC	Neighborhood Res/ Town Center	8-Apr Approve	6-May	6-May	20-May	3-Jun
24-15	6550000034	Caskey	1	0.79	Highway 160	UD	GC	Neighborhood Res/ Town Center	8-Apr Approve	6-May	6-May	20-May	3-Jun
24-16	5550000008	Ford/Owens	2	0.89	Hands Mill Hwy	RSF-30	OI	Single Family Residential	8-Apr Deny	6-May	6-May Deny		
24-17	3820000065	Clover School District	2	15.67	Blue Eagle Way	RMX-20	RSF-40	Rural Residential	8-Apr Approve	6-May	6-May	20-May	3-Jun
24-18	6510000012 6510000025	Boshears	1	2.19	Gold Hill Road	NC	GC	Neighborhood Res/ Neighborhood Cntr	8-Apr Approve	6-May	6-May	20-May	3-Jun
24-19	6390000049	Ellis	6	47.30	McClain Drive	RMX-20	RSF-40	Single Family Residential	8-Apr Approve	6-May	6-May	20-May	3-Jun
24-20	1910000005	Houser	3	2.0	Beersheba Road S.	GC	AGC	Agriculture	8-Apr Approve	6-May	6-May	20-May	3-Jun
24-21	3760000006	Caldwell	2	3.00	Glenn Road	AGC	RUD	Rural Residential	13-May Approve	3-Jun	3-Jun	17-Jun	15-Jul
24-22	6550201005	Metz/Adams	1	1.18	Highway 160	UD	GC	I-77 Emp Corridor/ Neighborhood Res	13-May Approve	3-Jun	3-Jun	17-Jun	15-Jul
24-23	Multiple Parcels	York County Council/Various	1, 7		Fort Mill Area	GC, OI, RMX-20	RMX-6	Various	13-May Approve	3-Jun	3-Jun	17-Jun	15-Jul
24-24	3860000005	Smith	2	3.77	Lincoln Road	RSF-40	RUD	Rural Residential	13-May Approve	3-Jun	3-Jun	17-Jun	15-Jul
24-26	3630000050 3630000053 3630000054 3630000055 3630000056 3630000057	Moses	2	9.25	Johnson Street	RSF-30	RUD	Single Family Residential	13-May Approve	3-Jun	3-Jun	17-Jun	15-Jul
24-28	1800000015	Buchanan	3	20	Ranger Road	RUD-I	RUD	Rural Residential	10-Jun	15-Jul	15-Jul	19-Aug	3-Sep

Shaded fields indicate that the action has been completed at time of publication (May 28, 2024). If the County Council vote is to deny the rezoning request, that is the final action.