



YORK COUNTY
PLANNING COMMISSION
AGENDA • JANUARY 13, 2025



Planning Commission

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

6:00 PM

Call to Order

Planning Commission to Elect Officers for 2025

Approval of the Agenda

Adoption of Minutes

1. Planning Commission - Planning Commission - Dec 9, 2024 6:00 PM

Old Business

1. The York County Planning Commission to receive information, and review and provide a recommendation on an Ordinance adopting a Public Education Facilities Impact Fee to be imposed on all new residential development in the Fort Mill School District No. 4 pursuant to York County Ordinance No. 2718: Impact Fee Procedures.
2. Planning Commission to consider adopting a Resolution recommending an Ordinance enabling the Public Education Facilities Impact Fee to be imposed on all new residential development in the Fort Mill No. 4 School District for adoption by the York County Council.

New Business

1. Rezoning 24-63 Thomas McCall (Applicant/Owner); requesting to rezone two parcels that total 6.73 acres from UD and RMX-20 to RUD. The subject parcels are located on Dulin Road in the Clover community. The properties are referenced as tax map numbers 373-00-00-027; -167; Council District 2 - Litten.
2. Rezoning 24-64 Nick and Kathrin Brown (Applicant/Owner); requesting to rezone two parcels totaling 12 acres from RMX-20 to RUD. The subject parcels are located at 4817 Mt. Gallant Road, Rock Hill. The properties are referenced as tax map numbers 546-00-00-027; -209; Council District 6 - Huckabee.

“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.”

3. Rezoning 24-65 Vernie Paulette Melton Hall (Applicant/Owner); requesting to rezone a 1.54-acre parcel from UD to RSF-30. The subject parcel is located at 104 Ervin Street, Clover. The property is referenced as tax map number 363-00-00-114; Council District 2 - Litten.
4. Rezoning 24-66 Ognibene North America, LLC (Applicant) SRE SC-3, LLC (Owner); requesting to rezone a 16.77-acre parcel from LI to ID. The subject parcel is located on Wilson Business Parkway, Fort Mill. The property is referenced as tax map number 716-00-00-066; Council District 1 - Audette.
5. Rezoning 24-67 Georgia Pappas (Applicant) GTA Properties, LLC (Owner); requesting to rezone a 4.86-acre parcel from UD to GC. The subject parcel is located at 3071 Highway 21, Fort Mill. The property is referenced as tax map numbers 721-00-00-015; Council District 7 - Cloninger.
6. Rezoning 24-68 Robert Ward (Applicant) Robert Ward and Logan Ward (Owners); requesting to rezone a 1.26-acre parcel from UD to RMX-20. The subject parcel is located at 3330 Pikeview Road, Fort Mill. The property is referenced as tax map number 726-00-00-041; Council District 7 - Cloninger.
7. Planning Commission to review and provide a recommendation to amend Chapter 155: Zoning Code to increase the maximum size allowed for accessory structures on lots less than one acre.
8. Planning Commission to review and provide a recommendation to amend Chapter 155: Zoning Code to establish a new administrative adjustments procedure, which could be requested by an applicant when a project cannot meet, or exceeds, a quantitative standard of the code.

Other Business

1. Rezoning Tracking Sheet

Executive Session:

Matters for Consideration Following Executive Session

Adjournment

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YORK COUNTY
PLANNING COMMISSION
MINUTES • DECEMBER 9, 2024
DRAFT



Planning Commission

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

6:00 PM

Chairman, District 6 Matthew Velkovich: Present, District 1 Kate Kraxberger: Present, District 3 Aubrie Parham: Present, District 4 Antonio Mickel: Present, District 5 Mike Duralia: Present, District 7 Thomas Bach: Present, Vice Chair, District 2 John Segura: Present, Planning Manager Diane Dil: Present, Planning & Development Director Jonathan Buono: Present, Long Range Planner Thomas Newlin: Present, Deputy Assistant Attorney Laura Dover: Present, Zoning Assistant Marion Ray: Present, Principal Planner Rick Abboud: Present, Secretary Bonnie Marsiglia: Present.

Approval of the Agenda

The meeting was called to order at 6:01 p.m. by Matt Velkovich. The agenda was approved with a motion by John Segura and a second by Tom Bach.

Adoption of Minutes

The minutes from November 12, 2024 were approved with a motion by Kate Kraxberger and a second by Antonio Mickel.

1. Approval of November 12, 2024 Planning Commission Minutes

Public Hearing

1. Rettlynn, LLC (Rett Rutland) has filed for a waiver from the York County Land Development Code to allow for a driveway separation to be less than the required 325 feet. The subject property is a 0.76-acre parcel located in the Neighborhood Commercial (NC) district. Council District – 7, Cloninger. Case Number W24-04.

Rick Abboud presented a summary of the request. Antonio Mickel motioned to open the Public Hearing. Tom Bach seconded the motion. No one spoke for or against the request. Matt Velkovich motioned to close the Public Hearing. Mike Duralia seconded the motion. Tom Bach motioned to approve the waiver. Matt Velkovich seconded the motion. The vote was unanimous.

Minutes Acceptance: Minutes of Dec 9, 2024 6:00 PM (Adoption of Minutes)

APPROVED [Unanimous]**MOVANT:** Thomas Bach**SECOND:** Matthew Velkovich**AYES:** Velkovich, Kraxberger, Parham, Mickel, Duralia, Bach, Segura**Executive Session**

At 6:09 p.m. Matt Velkovich motioned to go into Executive Session to seek legal advice. John Segura seconded the motion. At 6:55 p.m. The Commissioners returned from Executive Session. No action was taken.

Matters for Consideration Following Executive Session**Old Business**

1. Rezoning 24-52 Steven Thomas Britt (Applicant) Steven and Kimberly Britt (Owners); requesting to rezone a 3.02-acre parcel from AGC to RUD. The subject parcel is located at 700 N. Paraham Road, York. The property is referenced as tax map number 464-00-00-019; Council District 2 - Love.

Thomas Newlin presented the request. Kate Kraxberger motioned to approve the request. Tom Bach seconded the motion. Matt Velkovich voiced that he was not for it. The motion passed with a 5/2 vote.

APPROVED [5 to 2]**MOVANT:** Kate Kraxberger**SECOND:** Thomas Bach**AYES:** Kraxberger, Mickel, Duralia, Bach, Segura**NAYS:** Matthew Velkovich, Aubrie Parham**New Business**

1. The York County Planning Commission to receive information, and review and provide a recommendation on an Ordinance adopting a Public Education Facilities Impact Fee to be imposed on all new residential development in the Fort Mill School District No. 4 pursuant to York County Ordinance No. 2718: Impact Fee Procedures.

Ben Griffin with Tischler Bise presented the findings for the Fort Mill School District. He spoke about maintaining the current level of service, looking at the current and the future levels.

Jim Britton, with Leitner Group, spoke to how they came up with the costs of construction historically and currently.

Leanne Lordo, Associate Superintendent Finance & Operations /CFO with Fort Mill School District spoke to the Commissioners thoughts of using mobile units. She also mentioned that the four year old program numbers were not included in the elementary numbers, and that what the district did not make in impact fees would have to be made up in bonded debt.

Kristy Spears, District School Board Chair, spoke to the future development in the area of Fort Mill.

When it came time for a motion, Jonathan Buono asked that the Commissioners to defer the ordinance until their next meeting to allow time for staff and the County attorney office to have time to review the ordinance itself.

Matt Velkovich motioned to defer and John Segura seconded the motion. This motion passed unanimously.

DEFERRED [Unanimous]

MOVANT: Matthew Velkovich

SECOND: John Segura

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

2. Planning Commission to consider adopting a Resolution recommending an Ordinance enabling the Public Education Facilities Impact Fee to be imposed on all new residential development in the Fort Mill No. 4 School District for adoption by the York County Council.

This item was also deferred to January 13, 2025 with a motion by Matt Velkovich and a second by Antonio Mickel.

DEFERRED [Unanimous]

MOVANT: Matthew Velkovich

SECOND: Antonio Mickel

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

3. Subdivision: Riley Cove Applicants: Weeks Development Group, Todd Doupona Tax Map Numbers: 565-00-00-014 Total Acreage: 51.32 acres Total Lots: 27 single-family lots Council District #2: Allison Love Zoning District: Rural Development - I (RUD-I)

Marion Ray presented the Preliminary Plat for Riley Cove. John Segura motioned for approval. Tom Bach seconded the motion that was unanimously approved.

APPROVED [Unanimous]

MOVANT: John Segura
SECOND: Thomas Bach
AYES: Velkovich, Kraxberger, Parham, Mickel, Duralia, Bach, Segura

4. Rezoning 24-56 Vivian Luann Ingram (Applicant/Owner); requesting to rezone a 2.35-acre parcel from UD to RSF-30. The subject parcel is located on Wisteria Lane, Rock Hill. The property is referenced as tax map number 692-00-00-032; Council District 5 - Cox.

Thomas Newlin presented the request. Mike Duralia motioned to approve. Kate Kraxberger seconded the motion that was passed unanimously.

APPROVED [Unanimous]

MOVANT: Mike Duralia
SECOND: Kate Kraxberger
AYES: Velkovich, Kraxberger, Parham, Mickel, Duralia, Bach, Segura

5. Rezoning 24-57 Sandy Brown (Applicant/Owner); requesting to rezone a 7-acre parcel from AGC to RUD. The subject parcel is located on Willis Farm Road, Clover. The property is referenced as tax map number 257-00-00-008; Council District 3 - Adkins.

Thomas Newlin presented the request. Matt Velkovich motioned to deny the request. He stated it is not supported by the Comp Plan or Future Land Use Plan and is not in character of area. Antonio Mickel seconded the motion that was passed unanimously.

DENIED [Unanimous]

MOVANT: Matthew Velkovich
SECOND: Antonio Mickel
AYES: Velkovich, Kraxberger, Parham, Mickel, Duralia, Bach, Segura

6. Rezoning 24-58 Norman Respass (Applicant) Daisy Mobley (Owner); requesting to rezone a 5.2-acre parcel from AGC to RUD. The subject parcel is located at 2861 Ogden Road, Rock Hill. The property is referenced as tax map number 529-00-00-061; Council District 4 - Roddey.

Thomas Newlin presented the request. The Commissioners approved the request unanimously with a motion by Antonio Mickel and a second by Tom Bach.

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

7. Rezoning 24-59 Todd Flowers (Applicant) Scott Ward (Owner); requesting to rezone a 1.47-acre parcel from RMX-20 to ID. The subject parcel is located at 5333 Charlotte Highway, Clover. The property is referenced as tax map number 561-00-00-022; Council District 2 - Love.

Thomas Newlin presented the request. It was noted that the applicant changed the rezoning request from ID to LI. Thomas explained the difference between the ID and LI zoning. Todd Flowers was asked to the podium. He spoke about the equipment, and dredging purpose. He answered questions regarding the dredged material and volume, creek access and the surrounding area.

Matt Velkovich motioned to deny the request. John Segura seconded the motion. The Commissioners had concern regarding what other things could go in LI. The vote was unanimous.

DENIED [Unanimous]**MOVANT:** Matthew Velkovich**SECOND:** John Segura**AYES:** Velkovich, Kraxberger, Parham, Mickel, Duralia, Bach, Segura

8. Rezoning 24-60 Lindsey Egner (Applicant) Wade Holdings, Inc (Owner); requesting to rezone a 1.67-acre parcel from GC to RI. The subject parcel is located on McConnells Highway, Rock Hill. The property is referenced as tax map number 507-00-00-041; Council District 5 - Cox.

Thomas Newlin presented the request. Mr.Egmer came to the podium and spoke to the property's past history as he knew it. Mike Duralia motioned to approve the request. Matt Velkovich seconded the motion. The motion passed unanimously.

APPROVED [Unanimous]

MOVANT: Mike Duralia
SECOND: Matthew Velkovich
AYES: Velkovich, Kraxberger, Parham, Mickel, Duralia, Bach, Segura

9. Rezoning 24-61 Agnes Diblosi (Applicant/Owner); requesting to rezone two parcels that total 0.71 acres from RSF-40 to RMX-10. The subject parcels are located on Ritch Street and Old Nations Road, Fort Mill. The properties are referenced as tax map numbers 713-00-00-143; -216; Council District 7 - Cloninger.

Thomas Newlin presented the request. Kate Kraxberger motioned to deny the request. She has concern that if the original plan doesn't go through, other things not beneficial to the neighborhood could come. Matt Velkovich seconded the motion stating RMX-10 allows too many residential types of plans. Agnes Diblosi came to the podium to explain her request. With the motion coming to a vote, the motion passed unanimously.

DENIED [Unanimous]

MOVANT: Kate Kraxberger
SECOND: Matthew Velkovich
AYES: Velkovich, Kraxberger, Parham, Mickel, Duralia, Bach, Segura

10. Rezoning 24-62; York County Council has initiated the rezoning of 48 parcels along Sandifer Road, between Turkey Creek and Chester Highway, York, in order to remove their non-conforming status; Council District 3 - Adkins

Diane Dil presented the County initiated rezoning for 48 parcels along Sandifer Road. There was some discussion. Tom Bach motioned to approve the request. John Segura seconded the motion that was approved by all.

APPROVED [Unanimous]

MOVANT: Thomas Bach
SECOND: John Segura
AYES: Velkovich, Kraxberger, Parham, Mickel, Duralia, Bach, Segura

11. Planning Commission to review and provide a recommendation to amend Chapter 155: Zoning Code to modify requirements related to the use of tractor trailer trucks on lots for agricultural production.

Rick Abboud presented the ordinance modification related to the use of tractor trailer trucks on lots for agricultural production. There was some discussion. Mike Duralia motioned to approve the amendment. Tom Bach seconded the motion that passed unanimously.

APPROVED [Unanimous]

MOVANT: Mike Duralia

SECOND: Thomas Bach

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

12. Planning Commission to review and provide a recommendation to amend Chapter 154: Land Development Code to modify the required level of service for egress movements within the Traffic Impact Analysis.

Diane Dil presented the amendment to modify the required level of service for egress movements within the Traffic Impact Analysis. With a motion by Matt Velkovich and second by Antonio Mickel, the amendment was approved by all.

APPROVED [Unanimous]

MOVANT: Matthew Velkovich

SECOND: Antonio Mickel

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

13. Adoption of the 2025 Planning Commission Calendar

Diane Dil presented the calendar for Planning Commission meetings in 2025. Tom Bach motioned to approve. Aubrie Parham seconded the motion. The Calendar adoption was approved by all.

APPROVED [Unanimous]

MOVANT: Thomas Bach

SECOND: Aubrie Parham

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

Other Business

1. Rezoning Tracking Sheet

Adjournment

The meeting was adjourned at 9:40 p.m. with a motion by Aubrie Parham and second by Tom Bach.

PLANNING COMMISSION

**THE YORK COUNTY PLANNING COMMISSION TO RECEIVE INFORMATION,
AND REVIEW AND PROVIDE A RECOMMENDATION ON AN ORDINANCE
ADOPTING A PUBLIC EDUCATION FACILITIES IMPACT FEE TO BE IMPOSED
ON ALL NEW RESIDENTIAL DEVELOPMENT IN THE FORT MILL SCHOOL
DISTRICT NO. 4 PURSUANT TO YORK COUNTY ORDINANCE NO. 2718: IMPACT
FEE PROCEDURES.**

YORK COUNTY ORDINANCE_____

AN ORDINANCE ADOPTING A PUBLIC EDUCATION FACILITIES IMPACT FEE ("IMPACT FEE") TO BE IMPOSED ON ALL NEW RESIDENTIAL DEVELOPMENT IN THE FORT MILL SCHOOL DISTRICT NO. 4 PURSUANT TO YORK COUNTY ORDINANCE NO. 2718: IMPACT FEE PROCEDURES, TO ENSURE THAT PUBLIC EDUCATION FACILITIES WILL BE AVAILABLE AND ADEQUATE TO ACCOMMODATE THE NEED FOR PUBLIC EDUCATION FACILITIES EXPECTED TO BE GENERATED FROM THE SCHOOL CHILDREN IN NEW RESIDENTIAL DEVELOPMENTS IN THE SCHOOL DISTRICT, BASED ON THE DISTRICT'S LEVEL OF SERVICE STANDARDS AND CAPITAL IMPROVEMENTS PLAN; TO ASSIGN THE COSTS OF SUCH PUBLIC EDUCATION FACILITIES ON A PROPORTIONATE SHARE BASIS TO NEW RESIDENTIAL DEVELOPMENT WITH AN ESTABLISHED IMPACT FEE FOR A SINGLE FAMILY DETACHED DWELLING UNIT AT \$29,640, AND AN ESTABLISHED IMPACT FEE FOR A MULTI-FAMILY DWELLING UNIT AT \$20,796; TO AUTHORIZE AN INTERGOVERNMENTAL AGREEMENT BETWEEN YORK COUNTY AND THE FORT MILL SCHOOL DISTRICT NO. 4, DEFINING THE RESPECTIVE RIGHTS, RESPONSIBILITIES, AND OBLIGATIONS OF THE PARTIES REGARDING THE IMPACT FEE; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

BE IT ORDAINED AND ENACTED BY THE COUNTY COUNCIL OF YORK COUNTY, SOUTH CAROLINA:

SECTION 1. Legislative findings.

As an incident to the adoption of this ordinance, the York County Council ("Council"), as the governing body of York County, South Carolina (the "County"), has made the following legislative findings:

1.1 Council is empowered to enact ordinances for the implementation and enforcement of powers granted to Council pursuant to S.C. Code Ann. § 4-9-30 (14), and (17) and to specifically exercise such powers as authorized under the South Carolina Development Impact Fee Act, S.C. Code Ann. §§ 6-1-910, *et seq.* (the "Act").

1.2 Council additionally finds that:

- a. The County has experienced rapid population growth and development for the past 50 years, and projections indicate that the growth will continue at a rapid rate into the future; and
- b. The County has recently experienced impacts to public facilities resulting from major, large-scale development proposals; and
- c. The County is served by four (4) school districts as follows: York School District No. 1, Clover School District No. 2, Rock Hill School District No. 3, and Fort Mill School District No. 4; and

- d. The County has endeavored to mitigate the impact of residential growth on public education facilities by adopting previous impact fees assessed on new dwelling units in the Fort Mill No. 4 School District and the Clover School No. 2 District; and
- e. Population and growth projections for the Fort Mill School District No. 4 (“Fort Mill District” or “District”) indicate an increase of 5,221 students (1,789 elementary, 1337 middle, and 2,095 high school students) by year 2035; and
- f. The District has defined level of service standards by school type (elementary, middle, and high school), school site sizes, and minimum square feet of school buildings per student; and
- g. These level of service standards and the projected residential development and student generation rates for the District identify future public education facility needs; and
- h. The cost of public education facilities (including school buildings, equipment, and land) for the District is significant and expensive; and
- i. If bonds, backed only by property taxes are used to finance the new public education facilities (school buildings and land) needed to meet the demand generated by new residential development, they would be largely paid for by existing residents of the District, who have already paid for the public education facilities needed to serve them; and
- j. The County finds that it is fair and equitable for new residential development in the District to fund new public education facilities, in part, through a proportionate share public education impact fee; and
- k. Because all new residential development in the District generates a demand for public education facilities based on the same student generation rates (elementary school— .236 students per single-family detached dwelling unit and .176 students per multifamily dwelling unit; middle school— .136 students per single-family detached dwelling unit and .092 students per multifamily dwelling unit; and high school— .173 students per single-family detached dwelling unit and .116 students per multifamily dwelling unit), the public education facilities impact fee shall be imposed uniformly within the District on all new dwelling units, as established by the student generation rates, regardless of size or density; and
- l. The public education facilities impact fee shall be imposed uniformly, by dwelling type, on all new dwelling units within the District, regardless of the location of the residential development within the District; and
- m. Because non-residential development does not directly generate school children, the public education facilities impact fee shall not be imposed on such development; and
- n. The Council, having given ample consideration to the provision and financing of public education facilities and having consulted with the Fort Mill District School Board, hereby finds and declares that the establishment and adoption of a public education facility impact fee imposed on new residential development based on a proportionate

share of the costs of facilities identified in a capital improvements plan for the District that is based the system improvements needed to provide public education facilities at current levels of service to accommodate new residential development is appropriate; and

o. The County is empowered and authorized to execute an intergovernmental agreement on the subject of public education facilities impact fees with the Fort Mill District regarding the implementation of the requirements of this Ordinance and defining the rights, responsibilities, and obligations of each party regarding, inter alia, the collection of the fees, their administration, distribution and application, and the defense of this Ordinance; and

p. Because the County is authorized to impose and collect public education facilities impact fees within the District, but only the District is authorized to construct public education facilities, the intergovernmental agreement shall provide for the transfer of public education facilities impact fee revenues from the County to the District; and

q. The intergovernmental agreement, this Ordinance, and Ordinance 2718: Impact Fee Procedures, ensure that the public education facilities impact fee monies collected and transferred to the District are spent for public education facilities identified in the District's capital improvement plan that are designed to serve new residential development.

1.3 In consideration of the foregoing, the Council deems it advisable to adopt this public education facilities impact fee pursuant to Ordinance 2718: Impact Fee Procedures and the intergovernmental agreement with the Fort Mill District, as hereinafter set forth.

SECTION 2. Findings Pursuant to the Impact Fee Act.

2.1 In accordance with the Impact Fee Act, the Council makes the following findings of fact to demonstrate compliance with the requirements thereof:

- a. In accordance with Section 6-1-930(A)(1) of the Impact Fee Act, the County Council has adopted its comprehensive plan, *York Forward*, amended March 6, 2023; and
- b. In accordance with Section 6-1-950(A) of the Impact Fee Act, by resolution dated August 20, 2024, the Council directed the York County Planning Commission (the "Planning Commission") to conduct the studies and to recommend an impact fee ordinance; and
- c. In accordance with Section 6-1-950(B) of the Impact Fee Act, the Planning Commission reviewed and approved the School Development Impact Fee Study and Capital Improvement Plan, dated November 27, 2024, prepared for the District (the "Fee Study and CIP"), and, at a meeting held on January 13, 2025, the Planning Commission approved the Fee Study and CIP as its recommendation concerning a capital improvements plan and impact fees by service unit and recommended this Ordinance through a resolution; and

- d. In accordance with Section 6-1-930(A)(2) of the Impact Fee Act, the Fee Study and CIP includes a report which estimates the effect of recovering capital costs through impact fees on the availability of affordable housing within the District; and
- e. In accordance with Section 6-1-960(A) of the Impact Fee Act, on **[**]**, 2025, the Council conducted a public hearing on the approval of the Fee Study and CIP, and the adoption of this Public Education Facilities Impact Fee, published notice of such public hearing at least thirty days before the date thereof in a newspaper of general circulation within the County, and made the Fee Study and CIP available for public inspection during such period; and
- f. In accordance with Section 6-1-960(B) of the Impact Fee Act, the Fee Study and CIP contains the analysis and information required thereby.

SECTION 3. York County Code of Ordinances Amended.

The York County Code of Ordinances, SCHOOL FACILITIES, §§ 153.75 through 153.82 is hereby amended in their entirety, relative solely to the Fort Mill District:

“SECTION I. ADOPTION AND IMPOSITION OF PUBLIC EDUCATION FACILITIES IMPACT FEES APPLICABLE TO FORT MILL SCHOOL DISTRICT NO. 4.

Pursuant to Ordinance No. 2718: Impact Fee Procedures, its terms, procedures, and processes, as set out in §§ 153.55 through 153.62, which are incorporated and adopted herein by reference, *mutatis mutandis*, the intergovernmental agreement between the County and the Fort Mill District, this subchapter, the Act, and other applicable provisions of the County and South Carolina Codes, this public education facilities impact fee shall be adopted and imposed on all new residential development in the County that is located in the Fort Mill District, in accordance with **Attachment A: “Fort Mill School District No. 4 Public Education Facilities Impact Fee Schedule.**

SECTION II. DEFINITIONS.

A. Reference to Impact Fee Procedures. Terms which are defined in § 153.56 *Definitions*, and which are used herein shall have the meanings given in the Impact Fee Procedures, unless another meaning is plainly intended.

B. Reference to York County Code of Ordinances. Terms which are defined in the York County Code of Ordinances and which are used herein shall have the meanings given in the York County Code of Ordinances, unless another meaning is plainly intended, or otherwise governed by the Act.

C. Fort Mill School District No. 4 Impact Fees. For purposes of the Fort Mill School District No. 4 Impact Fee contemplated herein, the following words and terms shall have the meanings set forth herein, unless another meaning is clearly indicated:

- i. **Adopted Level of Service (LOS) Standard:** Means and refers to the amount of public education facilities (buildings, equipment and land) needed to accommodate an elementary, middle, and high school students as established in the *School*

Development Impact Fee Study and Capital Improvement Plan prepared for the Fort Mill District by TischlerBise, dated November 27, 2024, which is incorporated herein by reference (“Fee Study and CIP”).

- ii. **County:** Means and refers to York County, a political subdivision of the State of South Carolina, possessing all powers available generally to counties in South Carolina.
- iii. **County Council:** Means and refers to the elected governing body of York County.
- iv. **Dwelling Unit:** Means and refers to either single-family detached or multi-family units.
- v. **Fort Mill School Board:** Means and refers to the elected governing body of the Fort Mill District.
- vi. **Fort Mill District:** Means the Fort Mill School District No. 4.
- vii. **Individual Assessment of Development Impact:** A study prepared by a fee payor, calculating the cost of capital improvements for public education facilities required to serve the fee payor’s proposed development, that is based on the established level of service standards, the service units and unit construction costs, and methodology with respect to developments within the Fort Mill District, as identified in the Fee Study and CIP, which assessment shall be performed in compliance with any standards for such studies established by this Ordinance.
- viii. **Intergovernmental Agreement:** Means and refers to an agreement executed by the County and the Fort Mill District for the collection of public education facilities impact fees by the County, and the transfer of the fee revenues from the County and to the respective District, and for the expenditure of said revenues by such District for public education facilities, as herein defined, to accommodate new residential development.
- ix. **Multi-Family Unit:** Solely for determining the applicable fee in Attachment A, means and refers to all dwelling units other than single-family detached units, including single-family attached units, apartment units, condominium units, and accessory dwelling units.
- x. **Non-Residential Development:** Means and refers to all development other than a dwelling unit.
- xi. **Public Education Facilities:** Means and refers to the buildings, including the necessary equipment and furnishings therein, and land for elementary, middle, and high schools (including the planning, design, engineering, and construction of the school buildings and associated playgrounds and recreation areas, parking, lighting, landscaping, sidewalks, internal streets, access roads and driveways; the costs associated with the acquisition of land; site preparation costs; and costs associated with the construction of new, or additions to or expansions of elementary, middle, and high school buildings, all of which constitute system improvements for public education facilities).

- xii. **Public Education Facilities Impact Fee:** Means and refers to the fees imposed on new residential development on a proportionate share basis as a condition of development approval, which has been calculated to defray the costs of system improvements for the needed public education facilities identified in a capital improvements plan which is needed to accommodate new residential development, based on the level of service standard for the Fort Mill District.
- xiii. **Residential Development:** Means and refers to the development of one (1) or more dwelling units.
- xiv. **Student Generation Rate (SGR):** Means and refers to the number of elementary, middle and high school students generated by a typical dwelling unit within the Fort Mill District used by the Fort Mill District for planning, capital improvements programming, the development of a capital improvement plan, and the development of proportionate share public education impact fees.

SECTION III. ESTABLISHMENT OF PUBLIC EDUCATION FACILITIES IMPACT FEE SERVICE AREA AND PUBLIC EDUCATION IMPACT FEE DISTRICT.

The Public Education Facilities Impact Fee shall be imposed and calculated within the service area for the Fort Mill District. The service area and Public Education Impact Fee District for the Fort Mill District is coterminous with the Fort Mill District boundaries. Impact fees collected within the Fort Mill District shall be spent within the Fort Mill District.

SECTION IV. IMPOSITION OF PUBLIC EDUCATION FACILITIES IMPACT FEE.

A. The Public Education Facilities Impact Fee shall be imposed on all new residential development in the Fort Mill District, unless the residential development is exempted, or a waiver is granted by the County pursuant to § 153.61 *Exemptions; Waivers*..

B. Residential development in the Fort Mill District shall pay the fees at the time of issuance of a building permit. Residential development in the City of Tega Cay and the Town of Fort Mill shall not pay the fees before a building permit application has been submitted to the respective jurisdiction, and the jurisdiction has reviewed and approved the application. Fees shall be paid to York County, collected by the Permit Center of the Planning & Development Services Department. A building permit for residential development shall not be issued by any jurisdiction without confirmation, in writing, from the Permit Center Administrator that the Fort Mill District Public Education Impact Fees have been paid in accordance with this section.

SECTION V. CALCULATION OF PUBLIC EDUCATION FACILITIES IMPACT FEE.

A. The County shall calculate the applicable Public Education Facilities Impact Fees due from a proposed residential development in accordance with the procedure set forth in § 153.58 *Procedures for Imposition; Calculation and Collection of Impact Fees*, the applicable intergovernmental agreement, this section, and the Fee Study and CIP. The impact fee amount for the School District is established in Attachment A: *Fort Mill District No. 4 Public Education Facilities Impact Fee Schedule*, which is attached hereto and incorporated herein by reference.

B. The following general calculation procedure shall be followed by the County upon receipt of an application for a building permit for new residential development:

1. Identify the number and type of dwelling units in the proposed new residential development; and
2. Multiply the number of dwelling units by the impact fee per the type of dwelling unit; and,

C. In lieu of calculating the amount(s) of impact fees by reference to Attachment A, a fee payor may request that the amount of the required impact fees be determined by reference to an Individual Assessment of Development Impact for the proposed development.

1. If a fee payor requests the use of an Individual Assessment of Development Impact, the fee payor shall be responsible for retaining a qualified professional to prepare the Individual Assessment of Development Impact that complies with the requirements of this section, at the fee payor's expense.

2. Each Individual Assessment of Development Impact shall be based on the same level of service standards and system improvement costs for capital improvements for public education facilities used in the Fee Study and CIP and shall document the relevant methodologies and assumptions used.

3. Each Individual Assessment of Development Impact shall be submitted to the Director or a designee, and may be accepted, rejected, or accepted with modifications by the Director or a designee as the basis for calculating public education facilities impact fees. If an Individual Assessment of Development Impact is accepted or accepted with modifications by the Director or a designee as a more accurate measure of the demand for capital improvements for public education facilities created by the proposed new development than the applicable fees in Attachment A, then the impact fees due under this Ordinance shall be calculated according to such assessment.

4. The decision of the Director regarding the Individual Assessment of Development Impact shall be final. A fee payor may appeal the Director's decision pursuant to the appeal procedures identified in § 153.60 *Appeals*.

SECTION VI. TRUST FUND ESTABLISHED.

The County hereby establishes a separate account within its County financial accounting structure for the Fort Mill District. All public education facilities impact fees collected by the County pursuant to this ordinance shall be placed in the separate account until transferred to the School District for expenditure on public education facilities as herein defined. The impact fees shall be placed in interest-bearing account(s) and all interest earned and accruing to the account(s) shall become funds of the account(s), subject to the same limitations and restrictions on use and expenditure of funds that are applicable to Public Education Facilities Impact Fee funds.

SECTION VII. LIMITATIONS ON USE AND EXPENDITURE OF PUBLIC EDUCATION FACILITIES IMPACT FEE FUNDS.

Public Education Facilities Impact Fee funds (including all accrued interest) shall be transferred by the County to the School District in accordance with the applicable intergovernmental agreement, and then used by the School District solely and exclusively for public education facilities as defined herein.

SECTION VIII. TERMINATION.

The Impact Fee Ordinance specifically adopted for public education-related public facilities in the Fort Mill District shall be terminated upon enactment and operation of an alternative and equivalent revenue source; a County Ordinance terminating the Ordinance; or pursuant to the Act. These sources may include, but not be limited to, a specified sales tax, gas tax, and/or a proportionally equitable mobile home property tax. This Impact Fee Ordinance shall end when sufficient fees have been collected to fund all eligible projects that are identified in the Fort Mill District CIP. Upon termination of this Ordinance, all revenue generated for specified improvements shall be retained by the County for two (2) years or until the respective School District requests a distribution of funds, whichever occurs sooner. The County shall refund any funds remaining in the Trust Fund after two years to any fee payor requesting a refund consistent with the procedures and requirements set forth in the Act.”

SECTION 3. Public Hearing Required.

The York County Council shall conduct a public hearing after publishing a notice of the date, time and place of such hearing at least thirty (30) days in advance of such hearing before final legislative action is taken for the adoption of this ordinance

SECTION 4. Severability.

The provisions of this ordinance are hereby declared to be severable, and if any provision or section of this ordinance is declared to be unconstitutional or unenforceable by the final order of a court of competent jurisdiction, such declaration shall not affect the constitutionality, legality or enforceability of any other section or provision of this ordinance, which shall be deemed severable, valid, enforceable and effective.

SECTION 5. Liberal Construction.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interest of furthering, promoting and protecting the public health, safety, and welfare.

SECTION 6. Repeal of inconsistent sections and ordinances.

All sections of the York County Code of Ordinances and all York County Ordinances in conflict with this Ordinance and its initiation and ultimate adoption are hereby amended and reconciled as to procedure and substance to the extent of any such conflict.

SECTION 7. Effective Date.

7.1 This Ordinance shall become effective immediately upon its adoption on _____.

7.2 Complete applications for new residential building permits in Fort Mill District submitted prior to the Effective Date shall not be subject to the imposition of the Public Education Facilities Impact Fee.

7.3 Adopted this _____ day of _____, 2025.

ATTACHMENT A

FORT MILL SCHOOL DISTRICT NO. 4 PUBLIC EDUCATION IMPACT FEE SCHEDULE:

RESIDENTIAL USE	IMPACT FEE
Single Family	\$29,640
Multi-Family	\$20,796

School Development Impact Fee Study and Capital Improvement Plan

Prepared for:
Fort Mill School District

November 27, 2024



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School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

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School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

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School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

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Attachment: TischlerBise Report Fort Mill School Impact Fees 11.27.24 (8990 : Ordinance - FMSD - Impact Fees Ordinance)

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

EXECUTIVE SUMMARY

Fort Mill School District, through York County, South Carolina, retained TischlerBise to prepare a Capital Improvement Plan and Development Impact Fee Study. Development impact fees are one-time payments used to construct system improvements needed to accommodate new development, and Fort Mill School District may use the development impact fees as cash payments to fund growth related capital improvements. A development impact fee represents new development's proportionate share of capital facility needs. Development impact fees have limitations and should not be regarded as the total solution for infrastructure funding needs. Rather, they are one component of a comprehensive portfolio to ensure provision of adequate public facilities needed to serve new development. In contrast to general taxes, development impact fees may not be used for operations, maintenance, replacement of infrastructure, or correcting existing deficiencies.

FORT MILL SCHOOL DISTRICT SCHOOL DEVELOPMENT IMPACT FEE OVERVIEW

Fort Mill School District has seen significant residential growth within its attendance area in recent years, and with it, increased enrollment. Based on projections provided by Catawba Regional Council of Governments and Fort Mill School District, this analysis includes continued growth during the 10-year study period. Using capital improvement plans for the next ten years, development impact fees in Fort Mill School District include capital components related to school facilities, land, and buses for elementary schools, middle schools, and high schools. The proposed development impact fees use an incremental expansion approach to determine current level-of-service standards for each capital component. This analysis calculates level-of-service standards for school facilities and land using 2024-2025 permanent capacity. The level-of-service standards are expressed as follows:

1. School Facilities: Square feet per student by school level
2. Land: Acres per student by school level

The proposed development impact fees include a credit to account for debt on existing and future school facilities and land. The body of this report includes further detail on levels of service, costs, and credits.

SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT

The State of South Carolina grants the power for cities and counties to collect development impact fees on new development pursuant to the rules and regulations set forth in the South Carolina Development Impact Fee Act (SC Code § 6-1-910 et seq.). The process to create a local development impact fee system begins with a resolution by the County Council directing the Planning Commission to conduct a development impact fee study and recommend a development impact fee ordinance for legislative action.

Generally, a governmental entity must have an adopted comprehensive plan to enact development impact fees; however, certain provisions in State law allow counties, cities, and towns that have not adopted a comprehensive plan to impose development impact fees. Those jurisdictions must prepare a capital improvement plan as well as prepare a development impact fee study that substantially complies with SC Code § 6-1-960(B).

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

All counties, cities, and towns are required to prepare a report that estimates the effect of development impact fees on the availability of affordable housing before imposing development impact fees on residential dwelling units. Based on the findings of the study, certain developments may be exempt from development impact fees when all or part of the project is determined to create affordable housing, and the exempt development's proportionate share of system improvements is funded through a revenue source other than development impact fees. A housing affordability analysis in support of the development impact fee study is published as a separate report.

Eligible costs may include design, acquisition, engineering, and financing attributable to those improvements recommended in the local capital improvements plan that qualify for development impact fee funding. Revenues collected by the district, county, city, or town may not be used for administrative or operating costs associated with imposing the development impact fee. All development impact fee revenues must be maintained in an interest-bearing account prior to expenditure on recommended improvements. Monies must be returned to the property owner of record for which the development impact fee was collected if they are not spent within three years of the date they are scheduled to be encumbered in the local capital improvements plan. All refunds to private land owners must include the pro rata portion of interest earned while on deposit in the development impact fee account.

Fort Mill School District is also responsible for preparing and publishing an annual report describing the amount of development impact fees collected, appropriated, and spent during the preceding year. Subsequent to adoption of a development impact fee ordinance, the York County Planning Commission will again be required to review and update the development impact fee study report, capital improvements plan, housing affordability analysis, and development impact fee ordinance. These updates must occur at least once every five years. Pursuant to State Law, Fort Mill School District will not be empowered to recommend additional projects eligible for development impact fee funding or charge higher maximum allowable development impact fees until the development impact fee study and capital improvement plan have been updated.

CONCEPTUAL DEVELOPMENT IMPACT FEE CALCULATION

In contrast to project-level improvements, development impact fees fund growth-related infrastructure that will benefit multiple development projects, or the entire jurisdiction (referred to as system improvements). The first step in the development impact fee formula is to determine an appropriate demand indicator for the particular type of infrastructure. The demand indicator measures the number of demand units for each unit of development. For example, enrollment growth is an appropriate indicator of the demand for schools, and the enrollment increase can be estimated from the average number of public school students per housing unit. The second step in the development impact fee formula is to determine infrastructure units per demand unit, typically called level-of-service (LOS) standards. In keeping with the school example, a common LOS standard is square feet per student. The third step in the development impact fee formula is to determine the cost of various infrastructure units. To complete the school example, this part of the formula establishes the cost per square foot for school facility construction.

GENERAL METHODOLOGIES

There are three general methods for calculating development impact fees. The choice of a particular method depends primarily on the timing of infrastructure construction (past, concurrent, or future) and service characteristics of the facility type being addressed. Each method has advantages and disadvantages in a particular situation, and can be used simultaneously for different cost components. Reduced to its simplest terms, the process of calculating development impact fees involves two main steps: (1) determining the cost of development-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of development impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities within the designated service area. The following paragraphs discuss three basic methods for calculating development impact fees and how those methods can be applied.

Cost Recovery (past improvements): The rationale for recoupment, often called cost recovery, is that new development is paying for its share of the useful life and remaining capacity of facilities already built, or land already purchased, from which new growth will benefit. This methodology is often used when there is substantial excess student capacity at a particular school level.

Incremental Expansion (concurrent improvements): The incremental expansion method documents current level-of-service (LOS) standards for each type of public facility, using both quantitative and qualitative measures. This approach ensures that there are no existing infrastructure deficiencies or surplus capacity in infrastructure. New development is only paying its proportionate share for growth-related infrastructure. Revenue will be used to expand or provide additional facilities, as needed, to accommodate new development. An incremental expansion cost method is best suited for public facilities that will be expanded in regular increment to keep pace with development, and is the methodology used for this school development impact fee calculation.

Plan-Based (future improvements): The plan-based method allocates costs for a specified set of improvements to a specified amount of development. Improvements are typically identified in a long-range facility plan and development potential is identified by a land use plan. There are two options for determining the cost per demand unit: (1) total cost of a public facility can be divided by total demand units (average cost), or (2) the growth-share of the public facility cost can be divided by the net increase in demand units over the planning timeframe (marginal cost).

CREDITS

Regardless of the methodology, a consideration of credits is integral to the development of a legally defensible development impact fee. There are two types of credits with specific characteristics, both of which should be addressed in development impact fee studies and ordinances. (1) A revenue credit might be necessary if there is a double payment situation where other revenues contribute to the capital costs of infrastructure to be funded by development impact fees. The analysis integrates this type of credit into the development impact fee calculation, thus reducing the development impact fee. (2) A site-specific credit or developer reimbursement might be necessary for dedication of land or construction of system improvements funded by development impact fees. This type of credit is addressed in the administration and implementation of the development impact fee program.

MAXIMUM ALLOWABLE DEVELOPMENT IMPACT FEE SCHEDULE

As documented in this report, Fort Mill School District has complied with the South Carolina Development Impact Fee Act and applicable legal precedents. Development impact fees are proportionate and reasonably related to capital improvement demands of new development. Specific costs have been identified using local data and current dollars. This report documents the formulas and input variables used to calculate the proposed school development impact fees, and the development impact fee methodologies identify the extent to which new development is entitled to various types of credits to avoid potential double payment of growth-related capital costs.

School development impact fees are applied only to residential development and are assessed per housing unit, reflecting the proportionate demand by type of unit. The amounts shown are “maximum allowable” amounts based on the methodologies, levels of service, and costs for the capital improvements identified herein. The fees represent the highest amount feasible for each type of applicable development, which represent new development’s fair share of the school capital costs detailed in this report. Fort Mill School District, through York County, can adopt amounts that are lower than the maximum amounts shown; however, a reduction in fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in the level of service.

Shown below, Figure 1 provides the maximum allowable development impact fees for residential development in the Fort Mill School District. The maximum allowable development impact fee is \$29,640 for a single-family unit and \$20,796 for a multi-family unit.

Figure 1: Maximum Allowable School Development Impact Fees

Development Impact Fees per Housing Unit			
Housing Unit Type	Maximum Fees	Current Fees	Increase / (Decrease)
Single Family	\$29,640	\$18,158	\$11,482
Multi-Family	\$20,796	\$12,020	\$8,776

A note on rounding: Calculations throughout this report are based on an analysis conducted using Excel software. Most results are discussed in the report using one, two, and three decimal places, which represent rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore, the sums and products generated in the analysis may not equal the sums or products if the reader replicates the calculation with the factors shown in the report (due to the rounding of figures shown, not in the analysis).

STUDENT GENERATION RATES AND PROJECTED ENROLLMENT

New residential development will generate demand for additional school capacity. To determine the level of this demand, the analysis uses student generation rates as the service unit for the school development impact fees. The term “student generation rate” refers to the number of non-charter, public school students per housing unit within Fort Mill School District. Public school students are a subset of school-aged children which includes students in private schools and home-schooled children. Student generation rates are important demographic factors that help account for variations in demand for school facilities by housing unit type.

EXISTING ENROLLMENT

TischlerBise calculates student generation rates for Fort Mill School District using 2024-25 enrollment data prepared by Dr. Holden and 2024 housing unit estimates provided by Catawba Regional Council of Governments. Based on these estimates, 2024-25 enrollment includes 7,971 elementary school students, 4,520 middle school students, and 5,741 high school students for a total of 18,232 students. Existing residential development located in the Fort Mill School District includes 35,860 housing units. Shown below in Figure 2, the analysis includes enrollment and housing unit estimates based on housing unit type. Single-family units include single-family detached homes and mobile homes, and multi-family units include townhomes and apartments.

Figure 2: Fort Mill School District Students by Housing Unit Type

Fort Mill School District Students by Housing Unit Type			
School Level	Single Family*	Multi-Family**	Total
Elementary (K-5)	6,507	1,464	7,971
Middle (6-8)	3,758	762	4,520
High (9-12)	4,772	969	5,741
Total	15,037	3,195	18,232

Housing Units by Type			
Description	Single Family*	Multi-Family**	Total
Housing Units	27,541	8,319	35,860

Source: 2024-25 enrollment data prepared by Dr. Holden. 2024 housing unit estimates from Catawba Regional Council of Governments.

*Includes mobile homes

**Includes townhomes

STUDENT GENERATION RATES

Section 6-1-960(B)(4) of the South Carolina Development Impact Fee Act requires:

“a definitive table establishing the specific service unit for each category of system improvements and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, agricultural, and industrial, as appropriate.”

TischlerBise calculates student generation rates using the current enrollment and housing unit estimates shown in Figure 2. To estimate the number of students per housing unit by school level, the analysis divides the number of students by school level in each type of housing unit by the total number of housing units in the Fort Mill School District. As shown in Figure 3, a single-family unit generates 0.236 elementary school students, 0.136 middle school students, and 0.173 high school students for a total of 0.545 public school students per single-family unit. A multi-family unit generates 0.176 elementary school students, 0.092 middle school students, and 0.116 high school students for a total of 0.384 public school students per multi-family unit.

Figure 3: Fort Mill School District Student Generation Rates

Fort Mill School District Students per Housing Unit			
School Level	Single Family*	Multi-Family**	Total
Elementary (K-5)	0.236	0.176	0.222
Middle (6-8)	0.136	0.092	0.126
High (9-12)	0.173	0.116	0.160
Total	0.545	0.384	0.508

Source: TischlerBise calculation

*Includes mobile homes

**Includes townhomes

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

PROJECTED ENROLLMENT

Section 6-1-960(B)(6) of the South Carolina Development Impact Fee Act requires:

“the total number of service units necessitated by and attributable to new development within the service area, based on the land use assumptions and calculated in accordance with generally accepted engineering or planning criteria.”

Fort Mill School District uses enrollment projections provided by Dr. Holden. As shown in Figure 4, enrollment in the 2024-25 school year includes 18,232 students, and Dr. Holden’s projections include 23,453 students in the 2034-35 school year. The analysis requires enrollment projections beyond 10 years to determine debt service credits (discussed later in this report), so TischlerBise uses the 2034-35 growth rate to project enrollment in years 11 through 20. Using this approach, projected enrollment growth includes 5,221 students during the next 10 years and 12,489 students during the next 20 years.

Figure 4: Fort Mill School District Projected Enrollment

Projected Enrollment					
Projection Year	School Year	Elementary (K-5)	Middle (6-8)	High (9-12)	Total Enrollment
Base	2024-25	7,971	4,520	5,741	18,232
1	2025-26	8,170	4,612	5,928	18,710
2	2026-27	8,299	4,716	6,121	19,136
3	2027-28	8,439	4,826	6,324	19,589
4	2028-29	8,583	4,936	6,530	20,049
5	2029-30	8,739	5,058	6,732	20,529
6	2030-31	8,930	5,204	6,929	21,063
7	2031-32	9,131	5,358	7,142	21,631
8	2032-33	9,334	5,525	7,367	22,226
9	2033-34	9,541	5,689	7,600	22,830
10	2034-35	9,760	5,857	7,836	23,453
11	2035-36	9,984	6,030	8,079	24,093
12	2036-37	10,213	6,208	8,330	24,751
13	2037-38	10,447	6,391	8,589	25,427
14	2038-39	10,687	6,580	8,856	26,123
15	2039-40	10,932	6,774	9,131	26,837
16	2040-41	11,183	6,974	9,415	27,572
17	2041-42	11,440	7,180	9,707	28,327
18	2042-43	11,703	7,392	10,008	29,103
19	2043-44	11,972	7,610	10,319	29,901
20	2044-45	12,247	7,835	10,639	30,721
10-Yr Increase*		1,789	1,337	2,095	5,221
20-Yr Increase**		4,276	3,315	4,898	12,489

*Enrollment projections prepared by Dr. Holden

**TischlerBise projections based on Dr. Holden 2034-35 enrollment growth

CAPITAL IMPROVEMENT PLAN

OVERVIEW OF CURRENT SCHOOL FUNDING ARRANGEMENTS

Section 6-1-960(B)(8) of the South Carolina Development Impact Fee Act requires:

“identification of all sources and levels of funding available to the governmental entity for the financing of the system improvements.”

Fort Mill School District is responsible for 100 percent of the funding to construct new school capacity. Historically, the District has funded new school construction through the issuance of bonds, backed by property tax revenue. South Carolina’s state constitution allows government entities to issue bonds to fund capital projects (construction of new schools and improvements to existing schools).

SERVICE AREA

TischlerBise recommends a single development impact fee service area based on the Fort Mill School District attendance zone. As new development generates demand for additional school capacity, Fort Mill School District will review and adjust attendance zones for the entire district. This method of districtwide attendance zone review ensures all students receive a high quality of education at the current level of service standards.

PLANNED CAPACITY PROJECTS

Section 6-1-960(B)(9) of the South Carolina Development Impact Fee Act requires:

“a schedule setting forth estimated dates for commencing and completing construction of all improvements identified in the capital improvements plan.”

Shown below, Figure 5 lists eligible growth-related capacity projects from the 2024 Long-Range Facility Needs Plan. Elementary School #12 is currently under construction and Fort Mill School District used development impact fees to fund 100 percent of construction costs. Middle School #7 is part of the 2024 bond referendum, and construction will begin during the 2025-26 school year. Fort Mill School District will fund construction of the remaining school capacity projects with a mix of development impact fees and future bond funds.

Figure 5: Fort Mill School District Planned Capacity Projects

Description	School Level	Proposed Construction	Proposed Occupancy	Cost	Capacity
Elementary School #12	Elementary	2024-25	2025-26	\$67,165,836	1,200
Elementary School #13	Elementary	2028-29	2029-30	\$83,360,809	1,200
Middle School #7	Middle	2025-26	2026-27	\$86,593,990	1,200
High School Addition	High	2028-29	2029-30	\$21,573,340	400
High School Addition	High	2030-31	2031-32	\$102,363,196	1,200
Total				\$361,057,171	5,200

Source: Fort Mill School District, 2024 Long-Range Facility Needs Plan

LEVEL-OF-SERVICE STANDARDS

Section 6-1-960(B)(1) of the South Carolina Development Impact Fee Act requires:

“a general description of all existing facilities and their existing deficiencies, within the service area or areas of the governmental entity, a reasonable estimate of all costs, and a plan to develop the funding resources, including existing sources of revenues, related to curing existing deficiencies including, but not limited to, the upgrading, updating, improving, expanding, or replacing of these facilities to meet existing needs and usage.”

Section 6-1-960(B)(2) of the South Carolina Development Impact Fee Act requires:

“an analysis of total capacity, the level of current usage, and commitments for usage of capacity of existing public facilities, which must be prepared by a qualified professional using generally accepted principles and professional standards.”

Elementary Schools – Incremental Expansion

Figure 6 includes the current inventory and levels of service for elementary schools. For the 2024-25 school year, Fort Mill School District provides 1,210,666 square feet of elementary school facilities, 300.85 acres of land, and permanent capacity to serve 10,400 elementary school students. The existing level of service is 116.41 square feet of elementary school facilities (1,210,666 square feet / 10,400 student capacity) and 0.0289 acres (300.85 acres / 10,400 student capacity) per permanent student station. Current elementary school capacity utilization is 77 percent (7,971 students / 10,400 capacity), so there are no existing deficiencies. The analysis uses current capacity to calculate level-of-service standards to ensure new development is charged for the same level of service provided to existing development.

Figure 6: Fort Mill School District Elementary Schools

Elementary School	Square Feet	Acres	2024-25 Enrollment	Permanent Capacity	Utilization
Doby's Bridge	120,000	24.80	797	1,000	80%
Fort Mill	92,000	18.36	665	900	74%
Gold Hill	107,336	28.12	817	900	91%
Kings Town	132,165	39.22	809	1,000	81%
Orchard Park	92,000	19.12	553	900	61%
Pleasant Knoll	101,500	21.14	775	900	86%
River Trail	132,165	34.18	707	1,000	71%
Riverview	120,000	36.40	610	1,000	61%
Springfield	92,000	25.80	801	900	89%
Sugar Creek	101,500	27.61	725	900	81%
Tega Cay	120,000	26.10	712	1,000	71%
Total	1,210,666	300.85	7,971	10,400	77%

Level-of-Service (LOS) Standards		
LOS per Student	Square Feet	Acres
Current Enrollment	151.88	0.0377
Current Capacity	116.41	0.0289

Source: Fort Mill School District, October 2024-25 Enrollment

Middle Schools – Incremental Expansion

Shown below, Figure 7 includes the current inventory and levels of service for middle schools. For the 2024-25 school year, Fort Mill School District provides 808,166 square feet of middle school facilities, 229.27 acres of land, and permanent capacity to serve 5,600 middle school students. The existing level of service is 144.32 square feet of middle school facilities (808,166 square feet / 5,600 student capacity) and 0.0409 acres (229.27 acres / 5,600 student capacity) per permanent student station. Current middle school capacity utilization is 81 percent (4,520 students / 5,600 capacity), so there are no existing deficiencies. The analysis uses current capacity to calculate level-of-service standards to ensure new development is charged for the same level of service provided to existing development.

Figure 7: Fort Mill School District Middle Schools

Middle School	Square Feet	Acres	2024-25 Enrollment	Permanent Capacity	Utilization
Banks Trail	125,850	31.60	636	900	71%
Forest Creek	155,316	51.43	758	1,000	76%
Fort Mill	125,000	27.54	620	900	69%
Gold Hill	125,000	42.18	877	900	97%
Pleasant Knoll	155,000	37.82	920	1,000	92%
Springfield	122,000	38.70	709	900	79%
Total	808,166	229.27	4,520	5,600	81%

Level-of-Service (LOS) Standards		
LOS per Student	Square Feet	Acres
Current Enrollment	178.80	0.0507
Current Capacity	144.32	0.0409

Source: Fort Mill School District, October 2024-25 Enrollment

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

High Schools – Incremental Expansion

Figure 8 includes the current inventory and levels of service for high schools. For the 2024-25 school year, Fort Mill School District provides 1,195,770 square feet of high school facilities, 272.40 acres of land, and permanent capacity to serve 7,200 high school students. The existing level of service is 166.08 square feet of high school facilities (1,195,770 square feet / 7,200 student capacity) and 0.0378 acres (272.40 acres / 7,200 student capacity) per permanent student station. Current high school capacity utilization is 80 percent (5,741 students / 7,200 capacity), so there are no existing deficiencies.

Figure 8: Existing Fort Mill School District High Schools

High School	Square Feet	Acres	2024-25 Enrollment	Permanent Capacity	Utilization
Catawba Ridge	412,000	87.00	1,702	2,400	71%
Fort Mill	418,279	109.00	2,117	2,400	88%
Nation Ford	365,491	76.40	1,922	2,400	80%
Total	1,195,770	272.40	5,741	7,200	80%

Level-of-Service (LOS) Standards		
LOS per Student	Square Feet	Acres
Current Enrollment	208.29	0.0474
Current Capacity	166.08	0.0378

Source: Fort Mill School District, October 2024-25 Enrollment

Fort Mill School District plans to construct 215,000 square feet of high school facilities within the next 10 years, and these facilities will include permanent capacity to serve 1,600 students. As shown above, Fort Mill School District currently provides 166.08 square feet of high school facilities and 0.0378 acres per permanent student station. The planned high school facilities will include 134.38 square feet per permanent student station (215,000 square feet / 1,600 student capacity). Since the future level of service is less than the existing level of service, the analysis uses planned capacity to calculate impact fees related to high school facilities. Since Fort Mill School District currently owns land needed for the planned high school facilities, high school impact fees do not include land. The analysis uses planned capacity to calculate level-of-service standards to ensure new development is not charged for a higher level of service than provided to existing development.

Figure 9: Future Fort Mill School District High Schools

Future High School	Square Feet	Acres	2024-25 Enrollment	Permanent Capacity	Utilization
Planned Addition	40,000	N/A	N/A	400	N/A
Planned Addition	175,000	N/A	N/A	1,200	N/A
Total	215,000	N/A	N/A	1,600	N/A

Planned Capacity	134.38	0.0000
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Source: Fort Mill School District, 2024 Long-Range Facility Needs Plan

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

FUTURE CAPACITY PROJECTION

Section 6-1-960(B)(5) of the South Carolina Development Impact Fee Act requires:

“a description of all system improvements and their costs necessitated by and attributable to new development in the service area, based on the approved land use assumptions, to provide a level of service not to exceed the level of service currently existing in the community or service area, unless a different or higher level of service is required by law, court order, or safety consideration.”

Section 6-1-960(B)(7) of the South Carolina Development Impact Fee Act requires:

“the projected demand for system improvements required by new service units projected over a reasonable period of time not to exceed twenty years.”

Fort Mill School District currently provides permanent capacity to serve 23,200 students. By school level, this includes capacity to serve 10,400 elementary school students, 5,600 middle school students, and 7,200 high school students. Based on 2024-2025 enrollment, permanent capacity utilization is 77 percent for elementary schools, 81 percent for middle schools, and 80 percent for high schools.

Elementary School Capacity Utilization

As student enrollment increases, new development will demand additional elementary school capacity. Fort Mill School District plans to construct permanent capacity to serve 2,400 students during the next 10 years (Elementary School #12 is currently under construction and will serve 1,200 students). Based on projected enrollment, 2034-35 elementary school capacity utilization will be approximately 76 percent of permanent capacity. Without additional capacity, 2034-35 elementary school capacity utilization will increase to 94 percent of permanent capacity.

Figure 10: Projected Elementary School Capacity Utilization

Elementary School				
School Year	Enrollment	New Capacity*	Total Capacity*	Utilization
2024-25	7,971	0	10,400	77%
2025-26	8,170	1,200	11,600	70%
2026-27	8,299	0	11,600	72%
2027-28	8,439	0	11,600	73%
2028-29	8,583	0	11,600	74%
2029-30	8,739	1,200	12,800	68%
2030-31	8,930	0	12,800	70%
2031-32	9,131	0	12,800	71%
2032-33	9,334	0	12,800	73%
2033-34	9,541	0	12,800	75%
2034-35	9,760	0	12,800	76%
10-Yr Increase	1,789	2,400	2,400	0%
Utilization Without New Capacity				94%

*Based on construction plans provided by Fort Mill School District

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

Middle School Capacity Utilization

As student enrollment increases, new development will demand additional middle school capacity. Fort Mill School District plans to construct permanent capacity to serve 1,200 students during the next 10 years. Based on projected enrollment, 2034-35 middle school capacity utilization will increase to 86 percent of permanent capacity. Without additional capacity, 2034-35 middle school capacity utilization will increase to 105 percent of permanent capacity.

Figure 11: Projected Middle School Capacity Utilization

Middle School				
School Year	Enrollment	New Capacity*	Total Capacity*	Utilization
2024-25	4,520	0	5,600	81%
2025-26	4,612	0	5,600	82%
2026-27	4,716	1,200	6,800	69%
2027-28	4,826	0	6,800	71%
2028-29	4,936	0	6,800	73%
2029-30	5,058	0	6,800	74%
2030-31	5,204	0	6,800	77%
2031-32	5,358	0	6,800	79%
2032-33	5,525	0	6,800	81%
2033-34	5,689	0	6,800	84%
2034-35	5,857	0	6,800	86%
10-Yr Change	1,337	1,200	1,200	5%
Utilization Without New Capacity				105%

*Based on construction plans provided by Fort Mill School District

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

High School Capacity Utilization

As student enrollment increases, new development will demand additional high school capacity. Fort Mill School District plans to construct permanent capacity to serve 1,600 students during the next 10 years. Based on projected enrollment, 2034-35 high school capacity utilization will increase to 89 percent of permanent capacity. Without additional capacity, 2034-35 high school capacity utilization will increase to 109 percent of permanent capacity.

Figure 12: Projected High School Capacity Utilization

High School				
School Year	Enrollment	New Capacity*	Total Capacity*	Utilization
2024-25	5,741	0	7,200	80%
2025-26	5,928	0	7,200	82%
2026-27	6,121	0	7,200	85%
2027-28	6,324	0	7,200	88%
2028-29	6,530	0	7,200	91%
2029-30	6,732	400	7,600	89%
2030-31	6,929	0	7,600	91%
2031-32	7,142	1,200	8,800	81%
2032-33	7,367	0	8,800	84%
2033-34	7,600	0	8,800	86%
2034-35	7,836	0	8,800	89%
10-Yr Change	2,095	1,600	1,600	9%
Utilization Without New Capacity				109%

*Based on construction plans provided by Fort Mill School District

SCHOOL DEVELOPMENT IMPACT FEE CALCULATION

METHODOLOGY

The development impact fee methodology uses public school student generation rates, level-of-service standards, and local costs. This analysis recommends development impact fees at the elementary school, middle school, and high school levels. The development impact fees use an incremental expansion approach, which documents the current level of service for public facilities using both quantitative and qualitative measures. The intent is to use development impact fee revenue to expand or provide additional facilities, as needed to accommodate new development, based on the current level of service and cost to provide capital improvements. The fees include costs for school facilities and land for all school levels. Finally, the fees include credits for future principal payments on existing and future debt.

SERVICE AREA

TischlerBise recommends a single development impact fee service area based on the Fort Mill School District attendance zone. Although each school has an attendance zone, capacity needs exist throughout the district, and Fort Mill School District can adjust attendance zones to better utilize facility capacity.

SCHOOL FACILITY COST FACTORS

Section 6-1-930(B)(2) of the South Carolina Development Impact Fee Act requires:

“The amount of the development impact fee must be based on actual improvement costs or reasonable estimates of the costs, supported by sound engineering studies.”

Fort Mill School District is responsible for 100 percent of new school construction costs. Shown below, Figure 13 includes eligible growth-related capacity projects from the 2024 Long-Range Facility Needs Plan. Based on these costs, the analysis uses \$521 per square foot for future elementary school construction, \$442 per square foot for future middle school construction, and \$576 per square foot for future high school construction. These construction costs are based on estimated construction costs calculated by the construction management and engineering firm assisting Fort Mill School District with the 2024 Long-Range Facility Needs Plan. The firm employs registered architects, professional engineers, certified professional cost estimators, among other professionals involved in large-scale construction projects.

Figure 13: School Facility Cost Factors

Description	School Level	Proposed Occupancy	Cost	Square Feet	Cost per Square Foot
Elementary School #12	Elementary	2025-26	\$67,165,836	144,500	\$465
Elementary School #13	Elementary	2029-30	\$83,360,809	144,500	\$577
Middle School #7	Middle	2026-27	\$86,593,990	196,000	\$442
High School Addition	High	2029-30	\$21,573,340	40,000	\$539
High School Addition	High	2031-32	\$102,363,196	175,000	\$585
Total			\$361,057,171	700,000	\$516
Elementary School			\$150,526,645	289,000	\$521
Middle School			\$86,593,990	196,000	\$442
High School			\$123,936,536	215,000	\$576

Source: Fort Mill School District, 2024 Long-Range Facility Needs Plan

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

LAND COST FACTORS

Fort Mill School District anticipates the need to purchase land for future school sites to accommodate capital needs from new residential development. District staff provided acreage and sales price data for recent land purchases equal to 85.75 acres at a cost of \$16,020,050. As shown below, the weighted average of these recent sales is \$186,823 per acre, and this is a reasonable proxy for future land costs. The cost per acre assumption is reflective of actual land purchases and may be on the conservative side. If the study identified anticipated land purchases, it would likely reduce the district's negotiating leverage and result in an even greater cost per acre assumption.

Figure 14: Land Cost Factors

Description	Year	Cost	Acres	Cost per Acre
Hipp Property	2022	\$8,006,250	45.75	\$175,000
New Land Purchase	2024	\$8,013,800	40.00	\$200,345
Total		\$16,020,050	85.75	\$186,823

Source: Fort Mill School District

CREDITS/OFFSETS

Section 6-1-990(A) of the South Carolina Development Impact Fee Act requires:

“(A) The impact fee imposed upon a fee payor may not exceed a proportionate share of the costs incurred by the governmental entity in providing system improvements to serve the new development. The proportionate share is the cost attributable to the development after the governmental entity reduces the amount to be imposed by the following factors:

- (1) appropriate credit, offset, or contribution of money, dedication of land, or construction of system improvements; and*
- (2) all other sources of funding the system improvements including funds obtained from economic development incentives or grants secured which are not required to be repaid.”*

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

Existing Debt Principal

Fort Mill School District debt-financed recent school capacity expansions, so the analysis includes a credit for future principal payments on existing debt. A credit is necessary since new residential units will pay the development impact fee and will also contribute to future principal payments on the remaining debt through property taxes. A credit is not necessary for future interest payments because the analysis excludes interest costs from the development impact fee calculation.

As shown in Figure 15, principal payments related to outstanding debt equal \$533,211,500. Since residential development represents 64.5 percent of Fort Mill School District's assessed base, the analysis includes 64.5 percent of future principal payments to calculate eligible principal payments. To calculate the annual principal payment per student, the analysis divides eligible principal payments by projected student enrollment. For example, in the 2024-2025 school year, \$32,252,258 eligible principal payments divided by 18,232 students equals \$1,769 per student. To account for the time value of money, the analysis calculates the net present value of future principal payments per student using a discount rate of 3.65 percent (the weighted average interest rate of outstanding debt). The net present value of eligible principal payments related to existing debt is \$13,117 per student. The analysis deducts this amount from the gross capital cost per student to calculate the net capital cost per student.

Figure 15: Credit for Existing Debt Principal

School Year	Total Principal Payments	Eligible Principal Payments*	Projected Enrollment	Payment per Student
2024-2025	\$50,003,500	\$32,252,258	18,232	\$1,769
2025-2026	\$77,604,000	\$50,054,580	18,710	\$2,675
2026-2027	\$34,829,000	\$22,464,705	19,136	\$1,174
2027-2028	\$32,995,000	\$21,281,775	19,589	\$1,086
2028-2029	\$34,365,000	\$22,165,425	20,049	\$1,106
2029-2030	\$35,720,000	\$23,039,400	20,529	\$1,122
2030-2031	\$36,920,000	\$23,813,400	21,063	\$1,131
2031-2032	\$33,155,000	\$21,384,975	21,631	\$989
2032-2033	\$34,215,000	\$22,068,675	22,226	\$993
2033-2034	\$25,085,000	\$16,179,825	22,830	\$709
2034-2035	\$25,835,000	\$16,663,575	23,453	\$711
2035-2036	\$26,655,000	\$17,192,475	24,093	\$714
2036-2037	\$27,575,000	\$17,785,875	24,751	\$719
2037-2038	\$28,595,000	\$18,443,775	25,427	\$725
2038-2039	\$29,660,000	\$19,130,700	26,123	\$732
Total	\$533,211,500	\$343,921,418		\$16,354
Discount Rate (Weighted Average All Debt)				3.65%
Credit per Student (Net Present Value)				\$13,117

Source: Fort Mill School District

*Represents 64.5% residential share of Fort Mill School District assessed base

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

Future Debt Principal

The analysis includes a credit for future debt principal payments. As shown below in Figure 16, the 2024 Long-Range Facility Needs Plan includes growth-related capital costs for school facilities and land equal to \$396,648,371. After deducting the current impact fee fund balance of \$71,353,862 and the 2024 Bond Referendum funding of \$40,000,000 from the growth-related capital cost, the funding gap related to planned school facilities and land acquisition is \$285,294,509.

Figure 16: Planned School Facility and Land Acquisition Costs

Planned School Facility and Land Acquisition Costs			
Funding Source	School Facility	Land	Total
Impact Fee Fund Balance (11/24)	\$71,353,862	\$0	\$71,353,862
2024 Bond Referendum (Issued)	\$40,000,000	\$0	\$40,000,000
Funding Gap	\$249,703,309	\$35,591,200	\$285,294,509
Total*	\$361,057,171	\$35,591,200	\$396,648,371

*Fort Mill School District, 2024 Long-Range Facility Needs Plan

Fort Mill School District will fund the remaining capital costs of \$285,294,509 with a mix of future development impact fee revenue and future bond funds. TischlerBise projects future development impact fee revenue by multiplying the proposed development impact fees (prior to the future debt credit) by projected housing units during the next 10 years. According to Catawba Regional Council of Governments estimates, proposed residential development during the next 10 years includes an additional 1,947 single-family units and 2,230 multi-family units. This projection does not include age-restricted units.

According to Fort Mill School District staff, recent residential development trends equal 90 percent of Catawba Regional Council of Governments estimates. This analysis uses a conservative approach and projects future development impact fee revenue based on 90 percent of proposed residential development during the next 10 years (1,752 single-family units and 2,007 multi-family units). Based on these assumptions, TischlerBise projects development impact fee revenue (prior to the future debt credit) of \$99,717,518 during the next 10 years; therefore, Fort Mill School District needs to issue future debt equal to \$185,576,991 (\$285,294,509 funding gap - \$99,717,518 development impact fee revenue).

Figure 17: Future Bond Funds

Funding Source	Total
Funding Gap	\$285,294,509
Projected Impact Fee Revenue	\$99,717,518
Future Bond Funds	\$185,576,991

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

A credit is necessary since new residential units will pay the development impact fee and will also contribute to principal payments on future debt through property taxes. A credit is not necessary for future interest payments because the analysis excludes interest costs from the development impact fee calculation. As shown in Figure 18, principal payments related to future debt equal \$185,576,991. Since residential development represents 64.5 percent of Fort Mill School District's assessed base, the analysis includes 64.5 percent of future principal payments to calculate eligible principal payments. To calculate the annual principal payment per student, the analysis divides annual eligible principal payments by projected student enrollment. For example, in the 2025-2026 school year, the \$5,984,858 eligible principal payment divided by 18,710 students equals \$320 per student. To account for the time value of money, the analysis calculates the net present value of future principal payments per student using a discount rate of 4.25 percent (the weighted average interest rate of debt issued in 2024). The net present value of eligible principal payments related to future debt is \$3,500 per student. The analysis deducts this amount from the gross capital cost per student to calculate the net capital cost per student.

Figure 18: Credit for Future Debt Principal

School Year	Total Principal Payment	Eligible Principal Payment*	Projected Enrollment	Payment per Student
2024-2025	\$0	\$0	18,232	\$0
2025-2026	\$9,278,850	\$5,984,858	18,710	\$320
2026-2027	\$9,278,850	\$5,984,858	19,136	\$313
2027-2028	\$9,278,850	\$5,984,858	19,589	\$306
2028-2029	\$9,278,850	\$5,984,858	20,049	\$299
2029-2030	\$9,278,850	\$5,984,858	20,529	\$292
2030-2031	\$9,278,850	\$5,984,858	21,063	\$284
2031-2032	\$9,278,850	\$5,984,858	21,631	\$277
2032-2033	\$9,278,850	\$5,984,858	22,226	\$269
2033-2034	\$9,278,850	\$5,984,858	22,830	\$262
2034-2035	\$9,278,850	\$5,984,858	23,453	\$255
2035-2036	\$9,278,850	\$5,984,858	24,093	\$248
2036-2037	\$9,278,850	\$5,984,858	24,751	\$242
2037-2038	\$9,278,850	\$5,984,858	25,427	\$235
2038-2039	\$9,278,850	\$5,984,858	26,123	\$229
2039-2040	\$9,278,850	\$5,984,858	26,837	\$223
2040-2041	\$9,278,850	\$5,984,858	27,572	\$217
2041-2042	\$9,278,850	\$5,984,858	28,327	\$211
2042-2043	\$9,278,850	\$5,984,858	29,103	\$206
2043-2044	\$9,278,850	\$5,984,858	29,901	\$200
2044-2045	\$9,278,850	\$5,984,858	30,721	\$195
Total	\$185,576,991	\$119,697,159		\$5,082
Discount Rate (Weighted Average 2024 Debt)				4.25%
Credit per Student (Net Present Value)				\$3,500

Source: Fort Mill School District

*Represents 64.5% residential share of Fort Mill School District assessed base

School Development Impact Fee Study and Capital Improvement Plan
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SCHOOL DEVELOPMENT IMPACT FEE INPUT VARIABLES

Figure 19 includes factors used to derive school development impact fees for Fort Mill School District. Development impact fees for schools are based on student generation rates (i.e., public school students per housing unit) and are only assessed on residential development. Level-of-service standards are based on capital costs per student for school facilities and land described in the previous sections.

The gross capital cost per student is the sum of capital costs related to school facilities and land. For example, the elementary school calculation is as follows: \$60,633 (school facilities) + \$5,404 (land) = \$66,037 gross capital cost per elementary school student.

The net capital cost per student is the sum of the gross capital cost per student and the proposed credits per student. Continuing with the elementary school example, the calculation is as follows: \$66,037 (gross capital cost per student) - \$13,117 (existing debt principal) - \$3,500 (future debt principal) = \$49,420 net capital cost per elementary school student. The analysis uses the same approach for middle school and high school students.

Figure 19: School Development Impact Fee Input Variables

Level-of-Service (LOS) Standards			
Fee Component	Elementary	Middle	High
School Facility			
Square Feet per Student	116.41	144.32	134.38
Cost per Square Foot	\$521	\$442	\$576
School Facility Cost per Student	\$60,633	\$63,759	\$77,460
Land			
Acres per Student	0.0289	0.0409	0.0000
Land Cost per Acre	\$186,823	\$186,823	\$186,823
Land Cost per Student	\$5,404	\$7,649	\$0

Capital Cost per Student			
Fee Component	Elementary	Middle	High
School Facility Cost	\$60,633	\$63,759	\$77,460
Land Cost	\$5,404	\$7,649	\$0
Gross Capital Cost per Student	\$66,037	\$71,408	\$77,460
Credit: Existing Debt Principal	(\$13,117)	(\$13,117)	(\$13,117)
Credit: Future Debt Principal	(\$3,500)	(\$3,500)	(\$3,500)
Net Capital Cost per Student	\$49,420	\$54,791	\$60,843

Shown below, Figure 20 includes Fort Mill School District student generation rates by housing unit type.

Figure 20: Fort Mill School District Student Generation Rates

Fort Mill School District Students per Housing Unit				
Housing Unit Type	Elementary	Middle	High	Total
Single Family	0.236	0.136	0.173	0.545
Multi-Family	0.176	0.092	0.116	0.384

MAXIMUM ALLOWABLE SCHOOL DEVELOPMENT IMPACT FEES

Figure 21 shows the schedule of maximum allowable development impact fees for Fort Mill School District. The maximum allowable development impact fees are calculated by multiplying the net capital cost per student shown in Figure 19 by the student generation rates shown in Figure 20.

The maximum allowable development impact fee for a single-family unit is \$29,640. The elementary school portion of \$11,663 is calculated by multiplying the net capital cost of \$49,420 per elementary school student by the student generation rate of 0.236 elementary school students per single-family unit. The middle school portion of \$7,452 is calculated by multiplying the net capital cost of \$54,791 per middle school student by the student generation rate of 0.136 middle school students per single-family unit. Finally, the high school portion of \$10,526 is calculated by multiplying the net capital cost of \$60,843 per high school student by the student generation rate of 0.173 high school students per single-family unit.

The maximum allowable development impact fee for a multi-family unit is \$20,796. The elementary school portion of \$8,698 is calculated by multiplying the net capital cost of \$49,420 per elementary school student by the student generation rate of 0.176 elementary school students per multi-family unit. The middle school portion of \$5,041 is calculated by multiplying the net capital cost of \$54,791 per middle school student by the student generation rate of 0.092 middle school students per multi-family unit. Finally, the high school portion of \$7,058 is calculated by multiplying the net capital cost of \$60,843 per high school student by the student generation rate of 0.116 high school students per multi-family unit.

Figure 21: Maximum Allowable School Development Impact Fees

Development Impact Fees per Housing Unit						
Housing Unit Type	Elementary	Middle	High	Maximum Fees	Current Fees	Increase / (Decrease)
Single Family	\$11,663	\$7,452	\$10,526	\$29,640	\$18,158	\$11,482
Multi-Family	\$8,698	\$5,041	\$7,058	\$20,796	\$12,020	\$8,776

APPENDIX A: HOUSING AFFORDABILITY ANALYSIS

Section 6-1-930(A)(2) of the South Carolina Development Impact Fee Act requires:

“Before imposing a development impact fee on residential units, a governmental entity shall prepare a report which estimates the effect of recovering capital costs through impact fees on the availability of affordable housing within the political jurisdiction of the governmental entity.”

Affordable housing is defined in South Carolina Development Impact Fee Act as housing to families whose incomes do not exceed 80 percent of the median income for the service area or areas within the jurisdiction of the governmental entity. The Act does not mention a preferred methodology to examine the households whose income does not exceed 80 percent of the median income. Therefore, the analysis uses the Department of Housing and Urban Development (HUD) criteria that housing costs should not exceed 30 percent of household income. The cost of housing is “moderately burdensome” if the cost burden exceeds 30 percent and “severely burdensome” if the cost burden exceeds 50 percent.

In accordance with South Carolina Development Impact Fee Act, this chapter estimates the effects of imposing the maximum allowable development impact fees on the affordability of housing in the Fort Mill School District. The analysis examines the cost burden of the maximum allowable development impact fee on a monthly mortgage. It is important to point out the effect of the development impact fee on a monthly mortgage is the same regardless of housing price and/or amount financed. Next, the maximum allowable development impact fee will be included in the cost burden analysis to identify the effect the proposed development impact fees will have on affordable housing within the Fort Mill School District.

Maximum Supportable Development Impact Fees

The development impact fees found in Figure A1 represent the maximum allowable fee for each type of housing unit, and this represents new development’s fair share of capital facility costs. York County may adopt development impact fees at levels less than the maximum allowable amounts. However, a reduction in school development impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service. The housing affordability analysis will assume a conservative condition for assessing the effect of the development impact fee on affordable housing in Fort Mill School District (i.e., the maximum allowable development impact fee). Adoption of the development impact fees at less than the maximum allowable amount will improve the results presented in this chapter.

Figure A1: Maximum Allowable School Development Impact Fees

Development Impact Fees per Housing Unit				
Housing Unit Type	Elementary	Middle	High	Maximum Fees
Single Family	\$11,663	\$7,452	\$10,526	\$29,640
Multi-Family	\$8,698	\$5,041	\$7,058	\$20,796

School Development Impact Fee Study and Capital Improvement Plan
Fort Mill School District

Impact on Monthly Mortgage

The South Carolina Development Impact Fee Act requires preparation of a report that estimates the effect of imposing development impact fees on housing affordability in the jurisdiction. As shown in Figure A2, TischlerBise calculated the effect of the maximum allowable development impact fee on a monthly mortgage at different interest rates. For example, the proposed single-family development impact fee of \$29,640 increases a mortgage with an interest rate of 2.5 percent by \$117.12 per month. For a mortgage with an interest rate of 8.0 percent, the cost is \$217.49 per month.

Figure A2: Impact on Home Ownership

Monthly Payment Calculation							
Single-Family Unit	Scenario 1	Scenario 2	Scenario 3	Scenario 4	Scenario 5	Scenario 6	Scenario 7
Maximum Allowable Fee	\$29,640	\$29,640	\$29,640	\$29,640	\$29,640	\$29,640	\$29,640
Loan Term (Years)	30	30	30	30	30	30	30
Interest Rate (Annual)	2.50%	3.00%	4.00%	5.00%	6.00%	7.00%	8.00%
Monthly Cost	\$117.12	\$124.97	\$141.51	\$159.12	\$177.71	\$197.20	\$217.49

PLANNING COMMISSION

**PLANNING COMMISSION TO CONSIDER ADOPTING A RESOLUTION
RECOMMENDING AN ORDINANCE ENABLING THE PUBLIC EDUCATION
FACILITIES IMPACT FEE TO BE IMPOSED ON ALL NEW RESIDENTIAL
DEVELOPMENT IN THE FORT MILL NO. 4 SCHOOL DISTRICT FOR ADOPTION
BY THE YORK COUNTY COUNCIL.**

STATE OF SOUTH CAROLINA)
)
 COUNTY OF YORK)

A RESOLUTION OF THE YORK COUNTY PLANNING COMMISSION
 RECOMMENDING AN ORDINANCE ENABLING THE PUBLIC EDUCATION
 FACILITIES IMPACT FEE TO BE IMPOSED ON ALL NEW RESIDENTIAL
 DEVELOPMENT IN THE FORT MILL NO. 4 SCHOOL DISTRICT FOR ADOPTION BY
 THE YORK COUNTY COUNCIL

Whereas, the York County Council amended the procedures, calculation, collection, expenditure and administration of "Impact Fees on New Development" in the York County Code by Ordinance (2718) on July 16, 2018; and

Whereas, the York County Council adopted the Public Education Facilities Impact Fee Ordinance (2818) on July 16, 2018, which imposed an impact fee on new residential development within the Fort Mill No. 4 School District pursuant to the processes outlined in Ordinance 2718; and

Whereas, the Fort Mill No. 4 School District ("FMSD") has requested the York County Council adopt an ordinance in order to impose an impact fee on new residential development within the FMSD; and

Whereas, the York County Planning Commission, pursuant to South Carolina state statutes, South Carolina Development Impact Fee Act (S.C. Code Ann. Section 6-1-910, *et seq.*) and the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (S.C. Code Ann. Section 6-29-1, *et. seq.*) has the authority to study and recommend the implementation of development impact fees; and

Whereas, the York County Planning Commission has received the "School Impact Fee Study and Capital Improvement Plan" ("Study") dated November 27, 2024 prepared by TischlerBise, Inc., reviewed the Study's findings and conclusions, and determined the Study meets the requirements of the South Carolina Development Impact Fee Act; and

Whereas, the York County Planning Commission has reviewed the proposed ordinance establishing a Public Education Facilities Impact Fee in the FMSD; and

Whereas, the York County Planning Commission has determined the imposition of an impact fee at per dwelling unit assessments of \$29,640 for a single family detached dwelling unit and \$20,796 per multi-family dwelling unit is supported and justified based on the information provided in the Study, and supporting commentary provided by FMSD and TischlerBise.

Now, therefore be it resolved by the York County Planning Commission that, having met the requirements of Chapter I (General Provisions) and Chapter 9 (South Carolina Local

Government Comprehensive Planning Enabling Act of 1994) of Title 6 (Local Government - Provisions Applicable to Special Purpose Districts and Other Political Subdivisions) of the South Carolina Code of Laws, that the ordinance establishing and imposing the Public Education Facilities Impact Fee on all new residential development in the Fort Mill No. 4 School District and the capital improvements plan incorporated therein, as presented, is hereby recommended to the York County Council for adoption.

This resolution adopted this 13th day of January, 2025.

YORK COUNTY PLANNING COMMISSION

By: _____
Matthew Velkovich, Chairman

Attest: _____
Jonathan Buono, Planning & Development Services Director

Attachment: PC Resolution (8979 : Impact Fee - FMSD - Resolution)

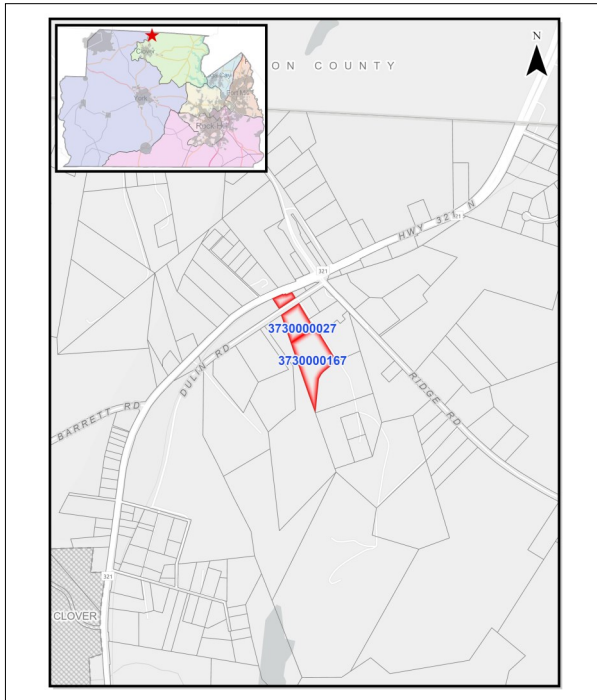
PLANNING COMMISSION

REZONING 24-63 THOMAS MCCALL (APPLICANT/OWNER); REQUESTING TO REZONE TWO PARCELS THAT TOTAL 6.73 ACRES FROM UD AND RMX-20 TO RUD. THE SUBJECT PARCELS ARE LOCATED ON DULIN ROAD IN THE CLOVER COMMUNITY. THE PROPERTIES ARE REFERENCED AS TAX MAP NUMBERS 373-00-00-027; -167; COUNCIL DISTRICT 2 - LITTEN.



Planning Commission January 13, 2025

Case: 24-63
Staff Report



REQUEST SUMMARY

Applicant: Thomas McCall Jr.

Property Owner: Thomas McCall Jr.

Tax Map Number: 373-00-00-027; -167

Address: 1932 Dulin Rd, Clover

Council District: 2—Litten

Requested Action: Rezone 6.73 acres from UD and RMX-20 to RUD

Staff Planner: Thomas Newlin

Staff Recommendation: Approve

PROJECT DESCRIPTION

The applicant is requesting to rezone two parcels with a combined acreage of 6.73 acres to Rural Development (RUD). One parcel (TM# 373-027) is 2.37 acres, and is split zoned between Urban Development (UD) and Residential Mixed 20 (RMX-20). The second parcel (TM# 373-167) is zoned UD. The purpose is to later combine, subdivide, and allow for the construction of another dwelling.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The subject parcels are designated with the *Rural Residential* future land use in the *York Forward 2035 Comprehensive Plan*. This designation is described as places with 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. Limited nonresidential uses such as farmer's markets, cottage industries, and agri-tourism that serve the community and support agriculture, may be appropriate in some areas within this designation.

A portion of the subject parcels also exists within a *Rural Center* node. These nodes are typically places in a form of a cluster of small-scale civic and/or commercial buildings located at the intersection of major or minor roads in the rural areas of York County. Residents from the surrounding rural communities rely on rural centers to provide basic goods and services through convenience stores, gas stations, and the post office.

The rezoning request is consistent with the *York Forward 2035 Comprehensive Plan* and Future Land Use map. This rezoning will remove two instances of the legacy UD district.

Staff Analysis

PROPERTY DESCRIPTION

There are two subject parcels. The first (TM# 373-027) is 2.37 acres and is divided by Dulin Rd. There are three structures on the south portion — one dwelling and two agricultural outbuildings. The northern portion that inhabits the median between Dulin Rd and Highway 321 N is vacant. The second parcel (TM# 373-167) is 4.4 acres in size and acts as a pasture with an associated barn at its southern bound. The area is fenced with a tree line that creates a buffer between the neighboring residential lots.

Table 1: Property Context

PROXIMITY	CURRENT LAND USE	CURRENT ZONING	2035 LAND USE PLAN RECOMMENDATION
NORTH	Commercial, Industrial	UD, RMX-20	Rural Center, Rural Residential
SOUTH	Vacant, Agriculture	UD, AGC	Rural Residential
EAST	Residential, Vacant	UD	Rural Center, Rural Residential
WEST	Vacant, Residential	UD	Rural Center, Rural Residential

ZONING AND LAND USE HISTORY

- ◆ July 22, 1986: Subject parcel was originally zoned UD.
- ◆ April 14, 2019: Rezoned TM # 373-027 from UD to RMX-20 (Case 18-21)
- ◆ December 16, 2019: Recorded current plat of subject parcels (PB 163, PG 112)
- ◆ April 15, 2020: Recorded current deed of parcel TM# 373-027 (DB 18201, PG 45)

REZONING REQUEST

The applicant is requesting to rezone approximately 6.73 acres from UD and RMX-20 to RUD.

- ◆ *Current Zoning District: UD This district was designed to permit maximum use flexibility in response to existing conditions and characteristics at the adoption of zoning. However, over the years, this flexibility has resulted in creating a lack of compatibility of new development with the existing local character. RMX-20 This district is designed to allow a diversity of housing types at variable densities based on residential land use, on lots generally with a minimum area of 20,000 square feet.*
- ◆ *Proposed Zoning District: Rural Residential (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: UD	ZONING DISTRICT: RMX-20	ZONING DISTRICT: RUD
MINIMUM LOT SIZE	None	20,000 SF	1 Acre
PERMITTED LAND USES	Retail, warehouse, distribution, light machinery	Residential	Residential, agriculture

Exhibit A - Existing Zoning Map

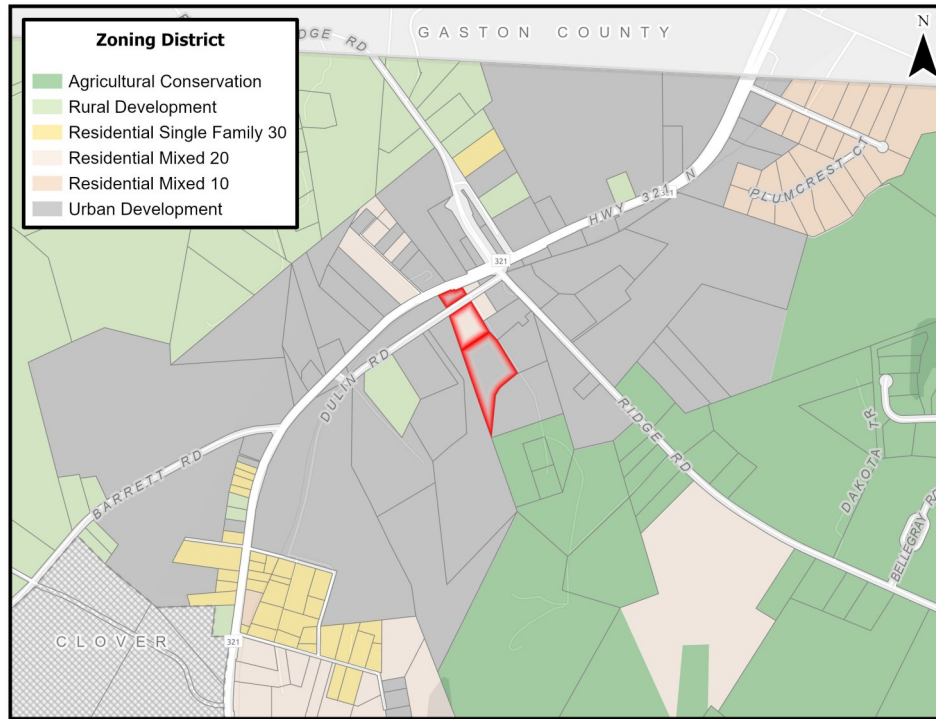
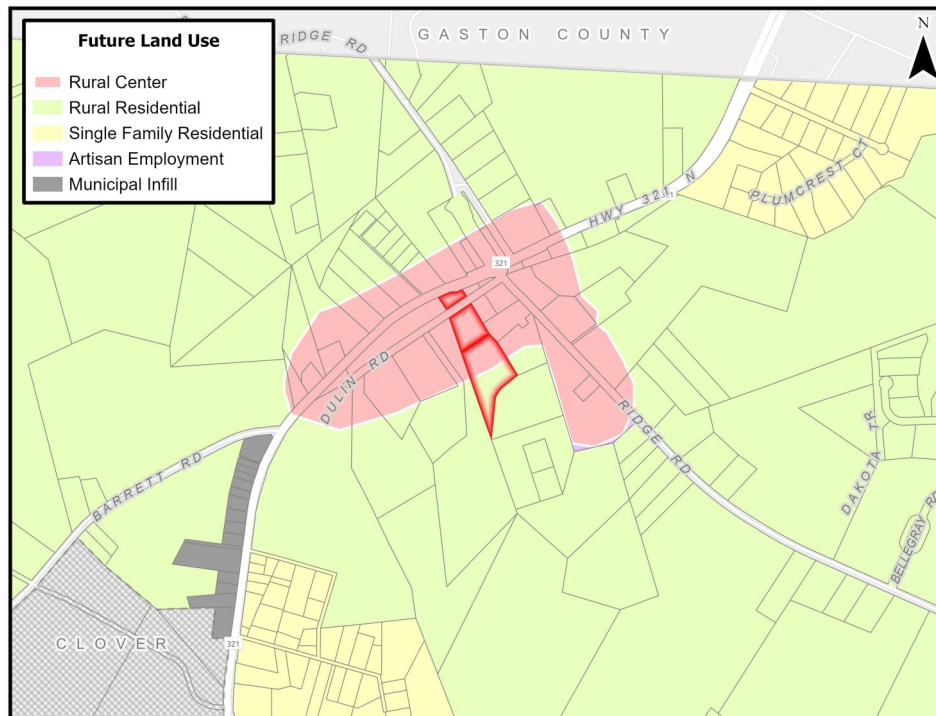


Exhibit B - 2035 Land Use Plan



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 parcels are designated with the *Rural Residential* future land use in the *York Forward 2035 Comprehensive Plan*. This designation is described as places with 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. Limited nonresidential uses such as farmer's markets, cottage industries, and agri-tourism that serve the community and support agriculture, may be appropriate in some areas within this designation.

The subject parcels also exists within a *Rural Center* node. These nodes are typically places in a form of a cluster of small-scale civic and/or commercial buildings located at the intersection of major or minor roads in the rural areas of York County. Residents from the surrounding rural communities rely on rural centers to provide basic goods and services through convenience stores, gas stations, and the post office.

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

The rezoning request is consistent with the *York Forward 2035 Comprehensive Plan* and Future Land Use map. The RUD zone befits both the *Rural Residential* future land use designation as well as the *Rural Center* overlay node. This rezoning request will also remove another legacy UD district.

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

The proposed plan to create one new lot in order to construct a new residential structure is compatible with the surrounding uses.

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

The intention to maintain and build a rural residence aligns with the character and scale of both the current surrounding land use as well as the future land use.

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

The applicant intends to construct one new dwelling, therefore the impact on the public school facilities will be minimal.

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 Town of Clover's utility service area, but utilizes 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 parcels to be rezoned have frontage on Dulin Road, which is maintained by SCDOT as S-646. Dulin Road is designed as a local roadway, and there is currently no count data available. Dulin Road is a narrow, paved roadway, and there is no posted speed limit. Dulin Road intersects with Ridge Road, which is designated as a minor arterial roadway with an average daily volume of 7,400 trips per day. Ridge Road is currently a paved two-lane roadway with a posted speed limit of 35 mph.

The applicant proposes to subdivide the parcel to construct one new single-family dwelling. The proposed development is not expected to generate enough traffic to negatively impact the current 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 this request.

NEXT STEPS

The rezoning request is anticipated to follow the process below:

- ◆ Public Hearing: February 3, 2025
- ◆ County Council (First Reading): February 3, 2025
- ◆ County Council (Second Reading): February 17, 2025
- ◆ County Council (Third Reading): March 3, 2025

PLANNING AND DEVELOPMENT STAFF CONTACT

Thomas Newlin

Long Range Planner

(803) 909-7233

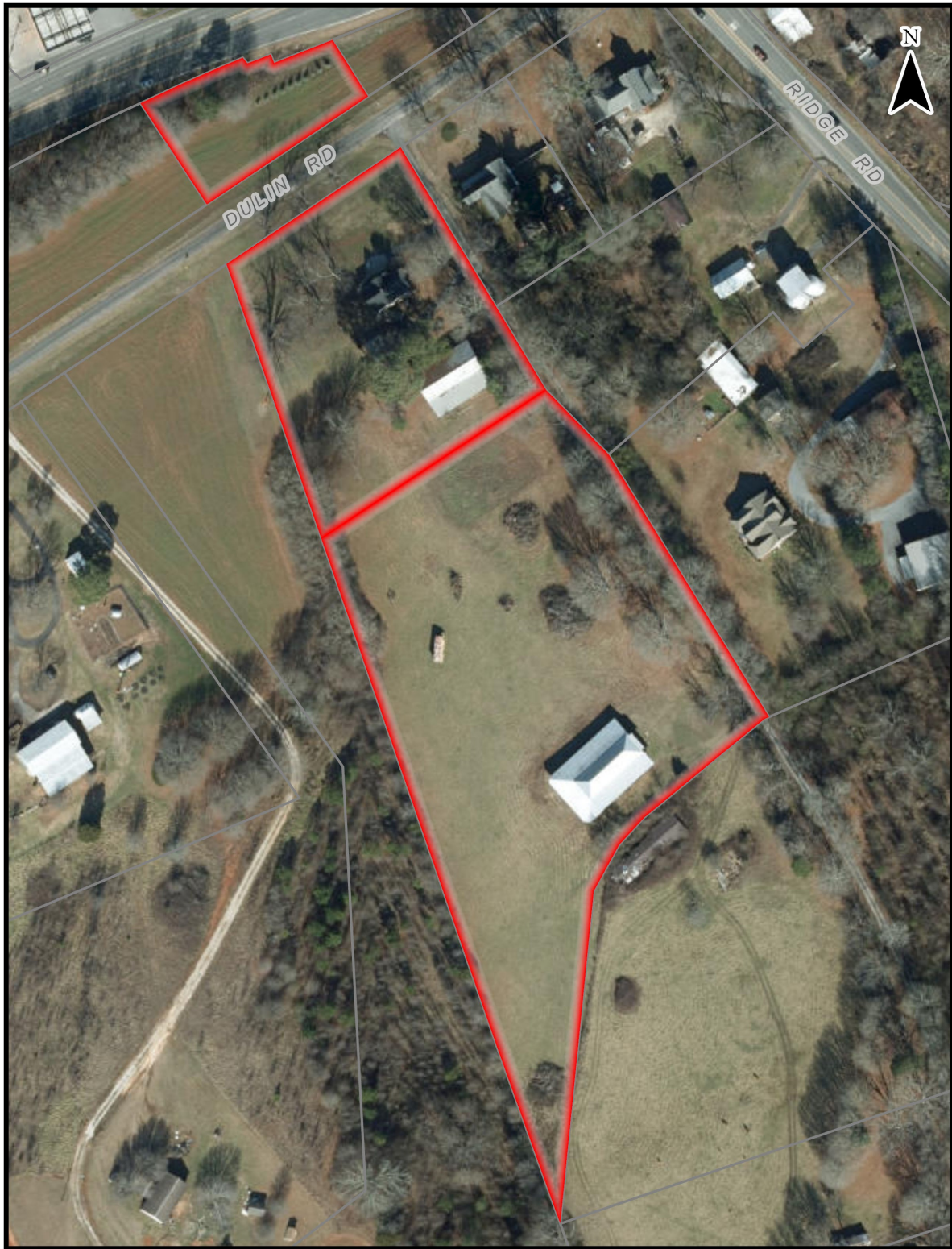
Thomas.Newlin@yorkcountygov.com

Exhibit C - Aerial Map



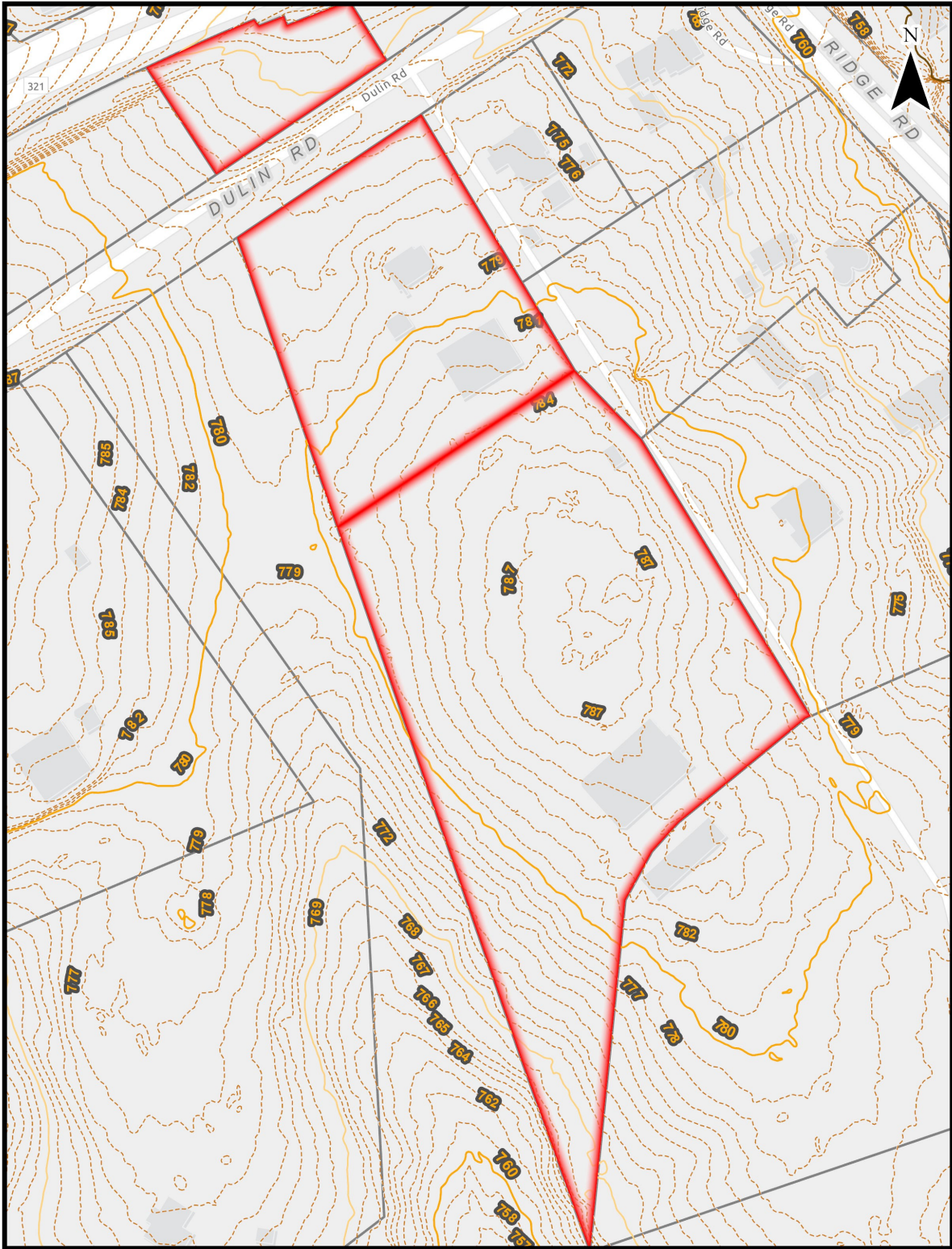
Attachment: 24-63 PC Packet (9039 : 24-63)

Exhibit D - Aerial Map—Parcel



Attachment: 24-63 PC Packet (9039 : 24-63)

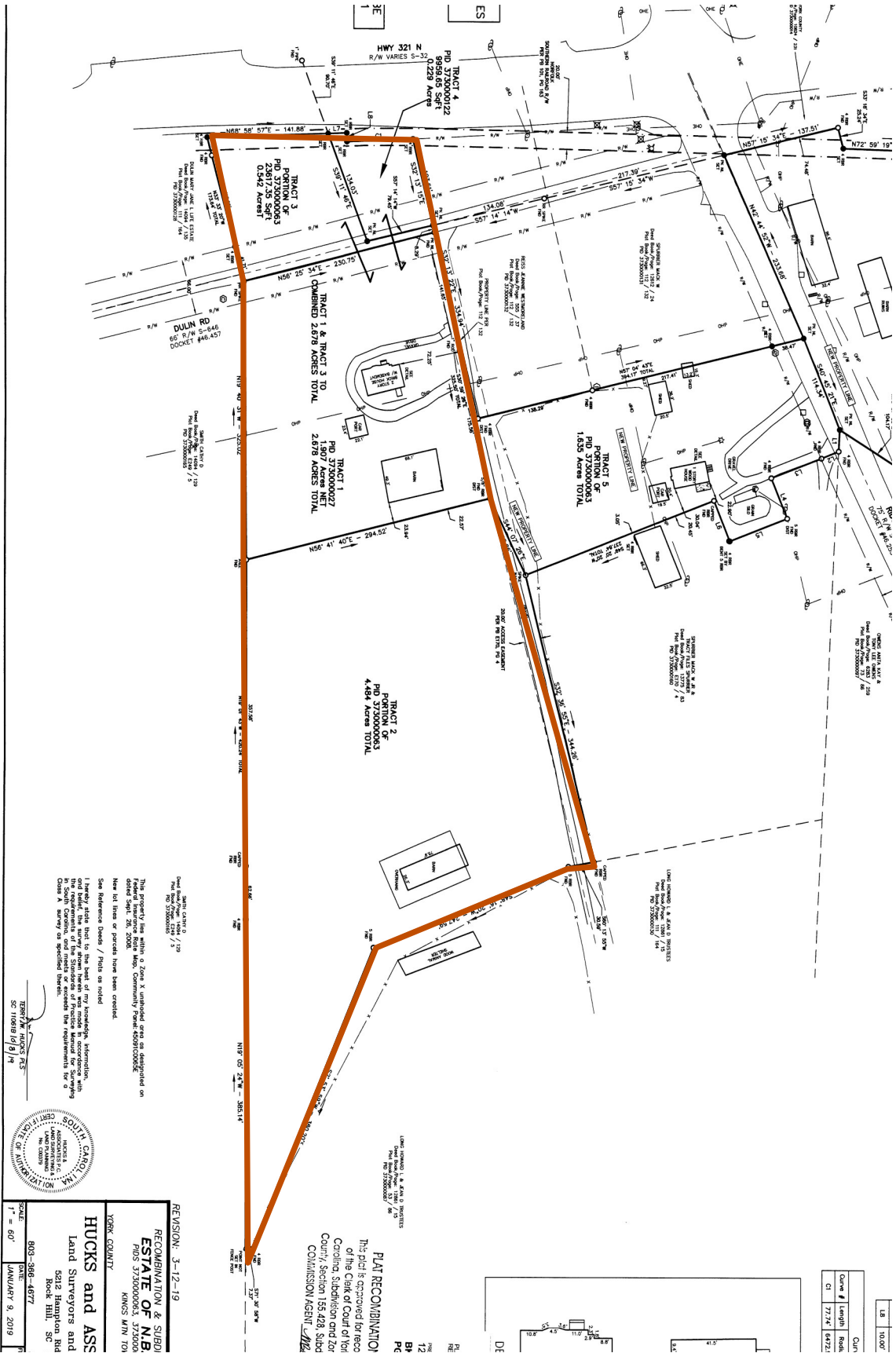
Exhibit E - Environmental Map



Attachment: 24-63 PC Packet (9039 : 24-63)

Exhibit F- Plat

PLAT BK 163 PG 112



Attachment: 24-63 PC Packet (9039 : 24-63)



YORK COUNTY REZONING APPLICATION

APPLICANT AND OWNER INFORMATION

APPLICANT NAME(S): Thomas W McCall Jr
 ADDRESS: 729 Admirals Way Clover SC 29710
 PHONE: 704-548-5441 803-222-1353 803-818-8712
 WORK HOME MOBILE
 EMAIL ADDRESS: tommyccall@yahoo.com

PROPERTY OWNER NAME(S): Thomas W McCall Jr (Trustee)
 ADDRESS: 729 - Admirals Way Clover SC 29710
 PHONE: 704-548-5441 803-222-1353 803-818-8712
 WORK HOME MOBILE
 EMAIL ADDRESS: tommyccall@yahoo.com

PROPERTY INFORMATION

PROPERTY ADDRESS: 1932 Dulin Road
 PROPERTY TAX MAP #(s): 3730000167 and 3730000027
 LAND AREA (ACRES) TOTAL: 4.480 AREA TO BE REZONED: 4.480 ⁶⁻⁷³
 ZONING CURRENT: UD PROPOSED: ~~RMX 20~~ RUD
 2035 LAND USE PLAN DESIGNATION: RRES 101 - Rural Residential
 CURRENT USE OF PROPERTY: Pasture
 PROPOSED USE OF PROPERTY: Pasture + Single family dwelling
 TOTAL AREA OF PROPOSED BUILDINGS (COMMERCIAL): 0
 TOTAL # OF DWELLING UNITS (RESIDENTIAL): _____
 UTILITY PROVIDERS WATER: Well SEWER: Septic
 SCHOOL DISTRICT: York D2 COUNTY COUNCIL DISTRICT: York 2

Attachment: 24-63 PC Packet (9039 : 24-63)

SUPPLEMENTAL QUESTIONS

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

Divide out 1-2 acres for my son to build on

2. Are there existing structures on the site?

Yes ☒

No ☐

If yes, please describe: Barn

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.

7-7 W Maer
APPLICANT(S)

11/20/2024
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.

7-7 W Maer
PROPERTY OWNER(S)

11/20/2024
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.

7-7 W Maer
APPLICANT(S)

11/20/2024
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** *\$600 ; based on 1.79 Rmly-20 area*
- ☐ **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: _____ 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.

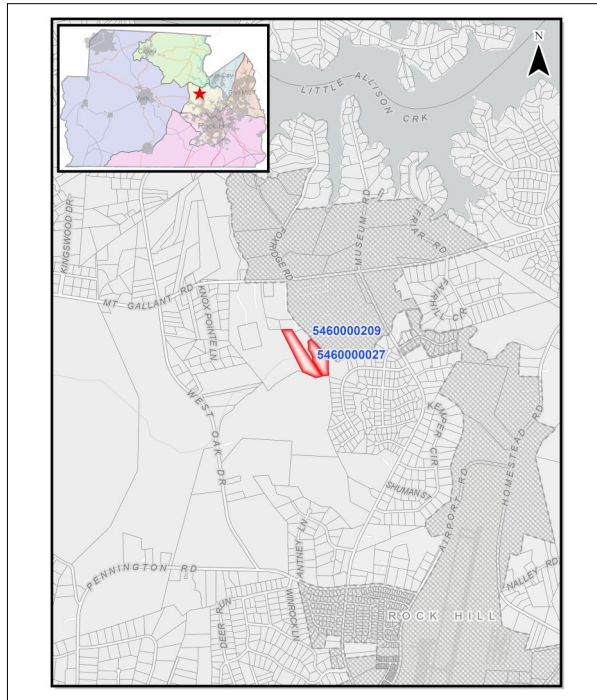
PLANNING COMMISSION

**REZONING 24-64 NICK AND KATHRIN BROWN (APPLICANT/OWNER);
REQUESTING TO REZONE TWO PARCELS TOTALING 12 ACRES FROM RMX-20
TO RUD. THE SUBJECT PARCELS ARE LOCATED AT 4817 MT. GALLANT ROAD,
ROCK HILL. THE PROPERTIES ARE REFERENCED AS TAX MAP NUMBERS 546-
00-00-027; -209; COUNCIL DISTRICT 6 - HUCKABEE.**



Planning Commission January 13, 2025

Case: 24-64
Staff Report



REQUEST SUMMARY

Applicant: Nick Brown, Kathrin Brown

Property Owner: Nick Brown, Kathrin Brown

Tax Map Number: 5460000027, -209

Address: 4817 Mt Gallant Rd, Rock Hill

Council District: 6—Huckabee

Requested Action: Rezone 12 acres from RMX -20 to RUD.

Staff Planner: Thomas Newlin

Staff Recommendation: Approve

PROJECT DESCRIPTION

The applicant is requesting to rezone two parcels totaling 12 acres from Residential Mixed 20 (RMX -20) to Rural Development (RUD). The purpose is to allow for agricultural uses across both properties.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The subject parcel is designated with the *Single Family Residential* future land use in the *York Forward 2035 Comprehensive Plan*. This designation is described as 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 rezoning is not consistent with the *York Forward 2035 Comprehensive Plan*. However, the rezoning request aligns with the current surrounding land uses, which are predominantly large-lot rural residential and agricultural. This less intensive zoning district will maintain the buffer between the more intense RMX-20 district to the east and the *Conservation* future land use designation to the west. The proposed RUD district is also a better fit for the current scale and character of the lot, especially given its limited access onto Mt. Gallant Road.

Staff Analysis

PROPERTY DESCRIPTION

The subject parcels are 6.96 and 4.69 acres. The two parcels border one another, with the larger lot having a single dwelling and the smaller lot remaining vacant. Both parcels are heavily wooded, and the Big Dutchman Creek composes the northern border of the eastern smaller parcel and bisects the larger western one. Only the 6.96-acre western parcel has access to the easement that connects to Mt Gallant Road to the north. The parcels are adjacent to the City of Rock Hill on the immediate east, but are surrounded primarily by other large lot rural residences.

Table 1: Property Context

PROXIMITY	CURRENT LAND USE	CURRENT ZONING	2035 LAND USE PLAN RECOMMENDATION
NORTH	Residential	RUD	Single Family Residential
SOUTH	Vacant	RMX-20	Single Family Residential
EAST	Middle School	OI (RH)	Edge Management (RH)
WEST	Residential/Vacant	RUD	Single Family Residential

ZONING AND LAND USE HISTORY

- ♦ July 22 1986: Subject parcels were originally zoned RMX-20.
- ♦ February 20 2019: Recorded current plat of parcel TM# 546-027 (PB 160, PG 298).
- ♦ July 1 2020: Recorded current deed of parcel TM# 546-027 (DB 18389, PG 111).
- ♦ August 20 2020: Recorded current deed of parcel TM# 546-209 (DB 18515, PG 209).

REZONING REQUEST

The applicant is requesting to rezone approximately 12 acres from RMX-20 to RUD.

- ♦ *Current Zoning District: Residential Mixed 20 (RMX-20). This district is designed to allow a diversity of housing types at variable densities based on residential land use, on lots generally with a minimum area of 20,000 square feet, is applied principally to undeveloped parcels where housing type and density flexibility will complement the character of existing residential neighborhoods, and where public water and sewer is readily available.*
- ♦ *Proposed Zoning District: Rural Residential (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: RMX-20	ZONING DISTRICT: RUD
MINIMUM LOT SIZE	20,000 SF	1 Acre
PERMITTED LAND USES	Residential	Residential; Agriculture uses

Exhibit A - Existing Zoning Map

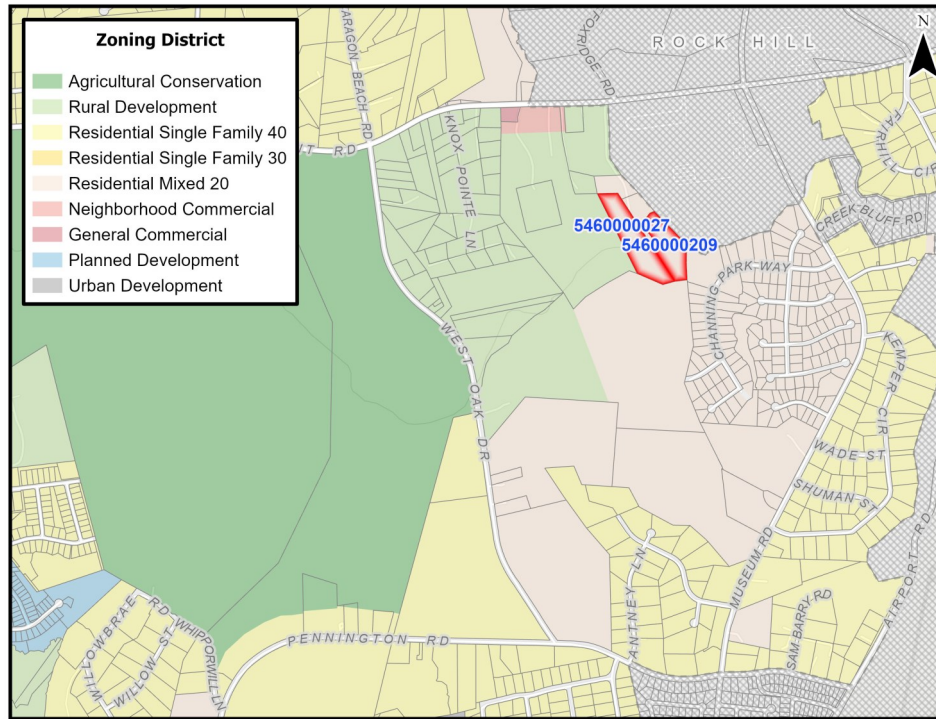


Exhibit B - 2035 Land Use Plan

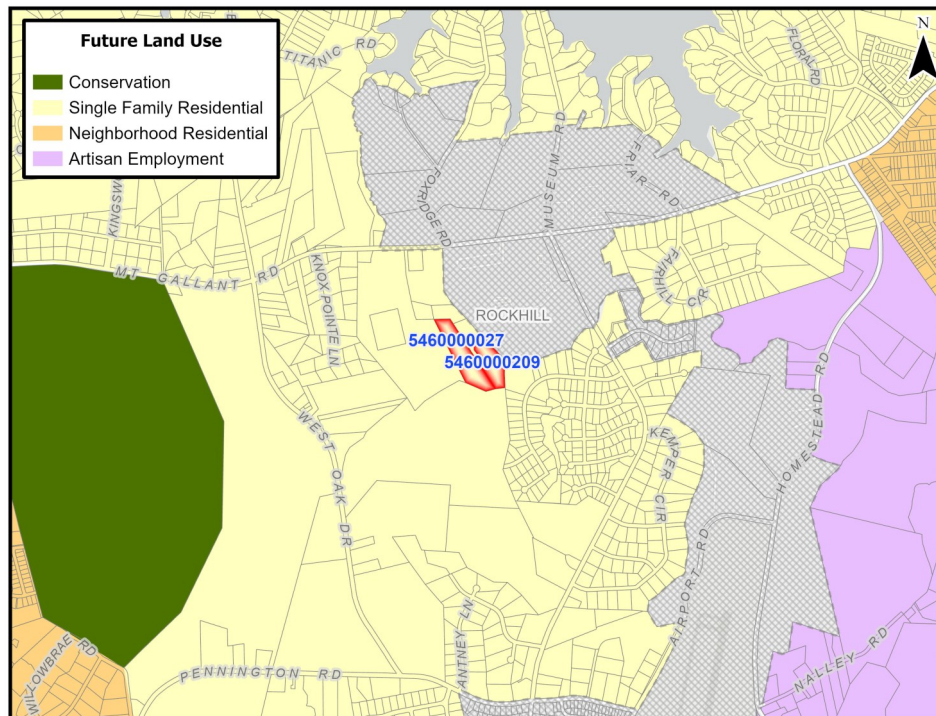


Exhibit C - City of Rock Hill Existing Zoning Map

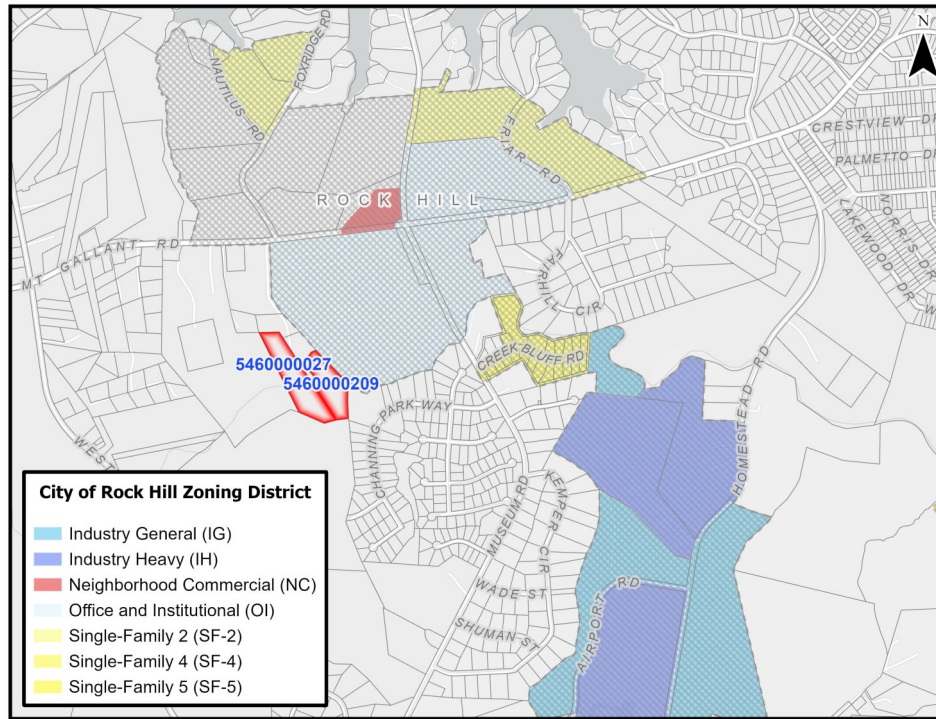
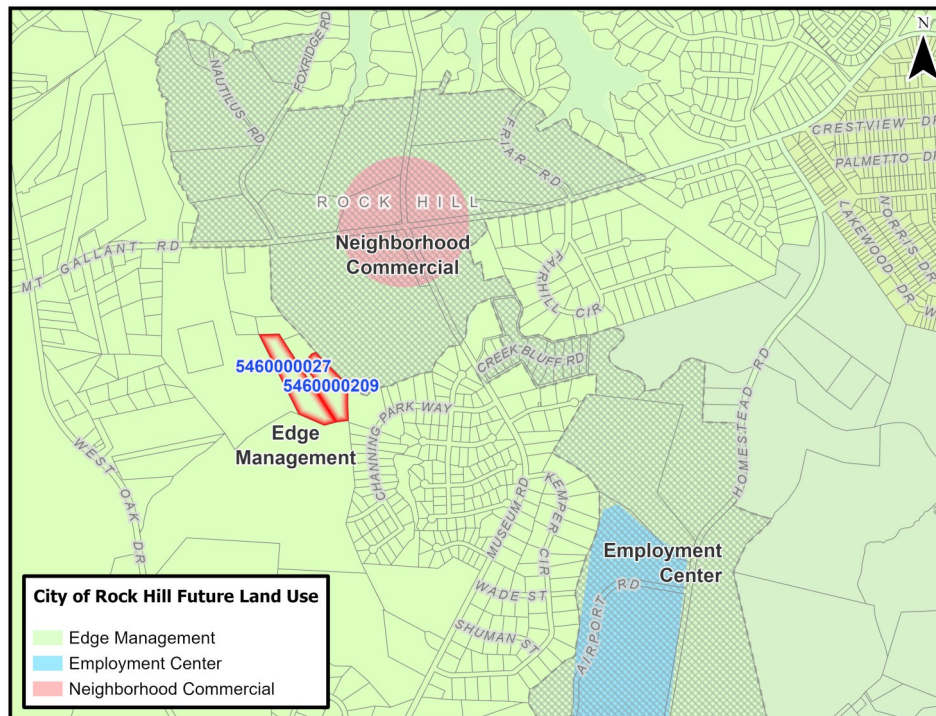


Exhibit D - City of Rock Hill Future Land Use Plan



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 *Single Family Residential* future land use in the *York Forward 2035 Comprehensive Plan*. This designation is described as 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.

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

The proposed rezoning is not consistent with the *York Forward 2035 Comprehensive Plan*. However, the rezoning request aligns with the current surrounding land uses, which are predominantly large-lot rural residential and agricultural. This less intensive zoning district will maintain the buffer between the more intense RMX-20 district to the east and the *Conservation* future land use designation to the west.

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

The allowed uses of the proposed zoning district are compatible with the surrounding area. The surrounding land is primarily used for large-lot rural residences and agriculture, both characteristic of the RUD designation.

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

Currently, there is no plan to change the scale of the existing lot size or add new buildings. Any future recombination would make the property even more consistent with the surrounding lots, which are either large lot detached residences or vacant land.

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

There is no proposed new development at this time, therefore there will be no impact on 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 Rock Hill utility service area, but the applicant uses 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 parcels to be rezoned are accessed via an easement onto Mt. Gallant Road, which is maintained by SCDOT as S-195. Mt. Gallant Road is designated as a minor arterial roadway with an average daily volume of 7,500 trips per day. Mt. Gallant Road is currently a paved, two-lane roadway with a posted speed limit of 35 mph.

The applicant does not propose any change to the number of dwellings on the parcels, so there will be no impact to 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 this request.

NEXT STEPS

The rezoning request is anticipated to follow the process below:

- ◆ Public Hearing: February 3, 2025
- ◆ County Council (First Reading): February 3, 2025
- ◆ County Council (Second Reading): February 17, 2025
- ◆ County Council (Third Reading): March 3, 2025

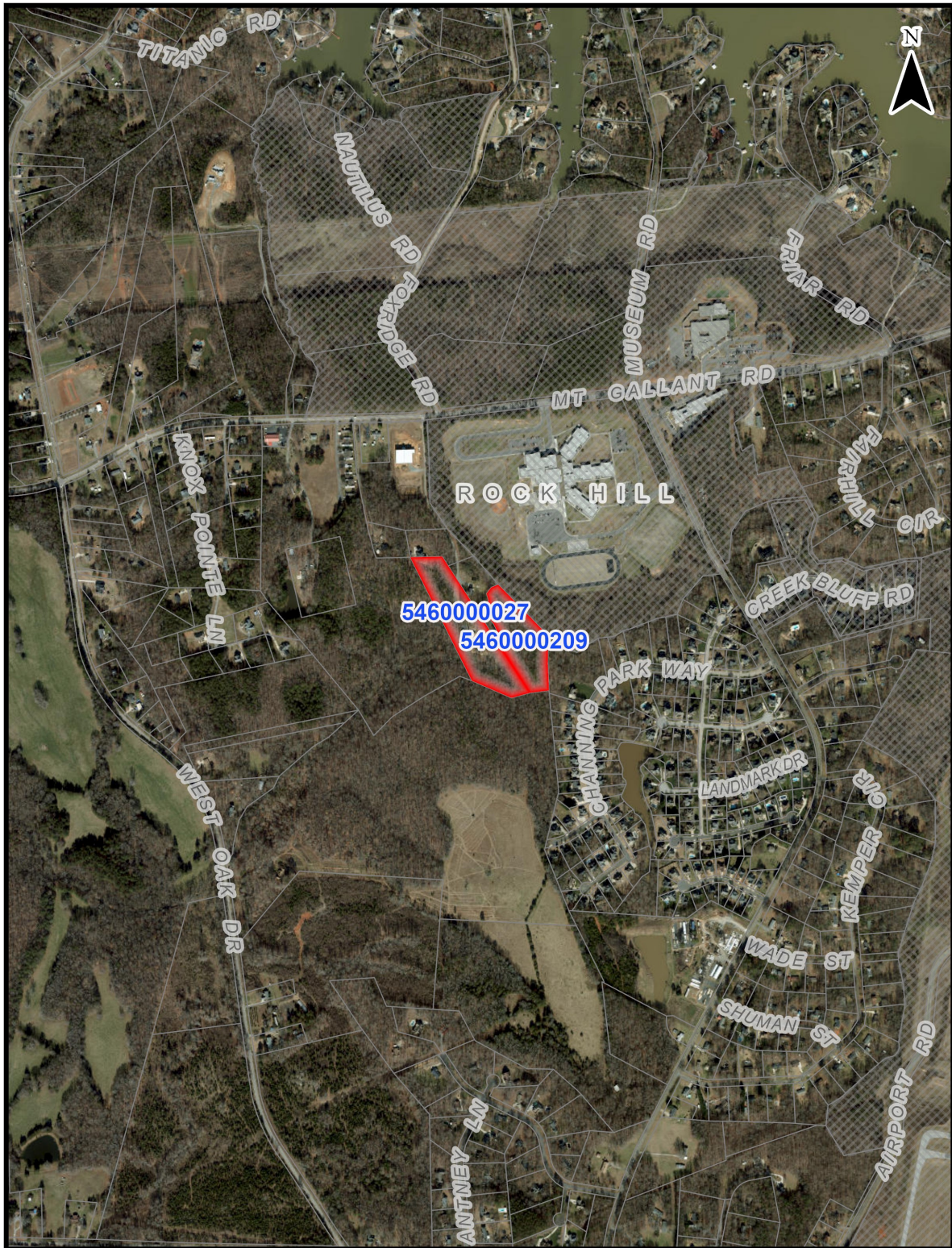
PLANNING AND DEVELOPMENT STAFF CONTACT

Thomas Newlin

Long Range Planner

(803) 909-7233

Thomas.Newlin@yorkcountygov.com

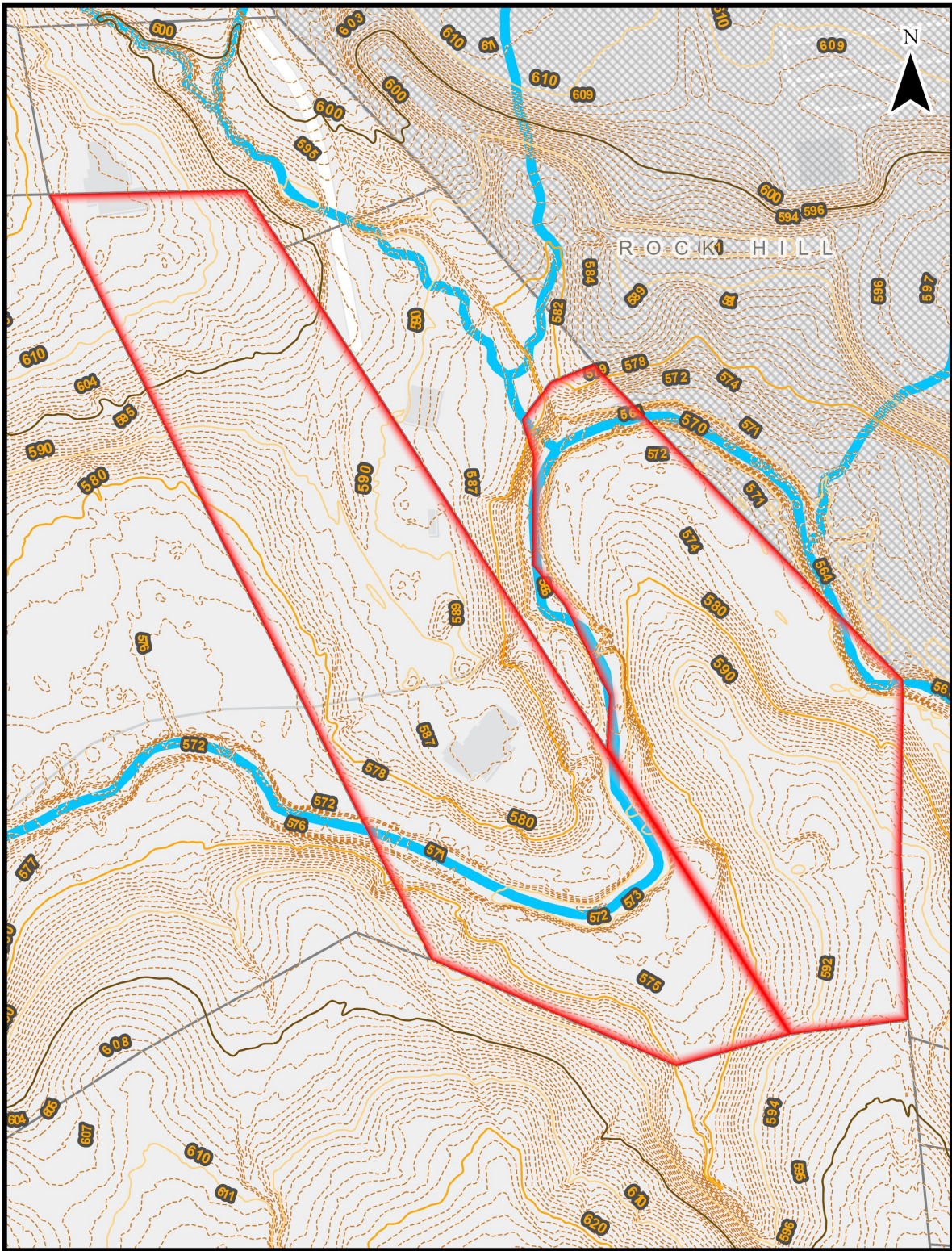
Exhibit E - Aerial Map

Attachment: 24-64 PC Packet (9040 : 24-64)

Exhibit F - Aerial Map—Parcel

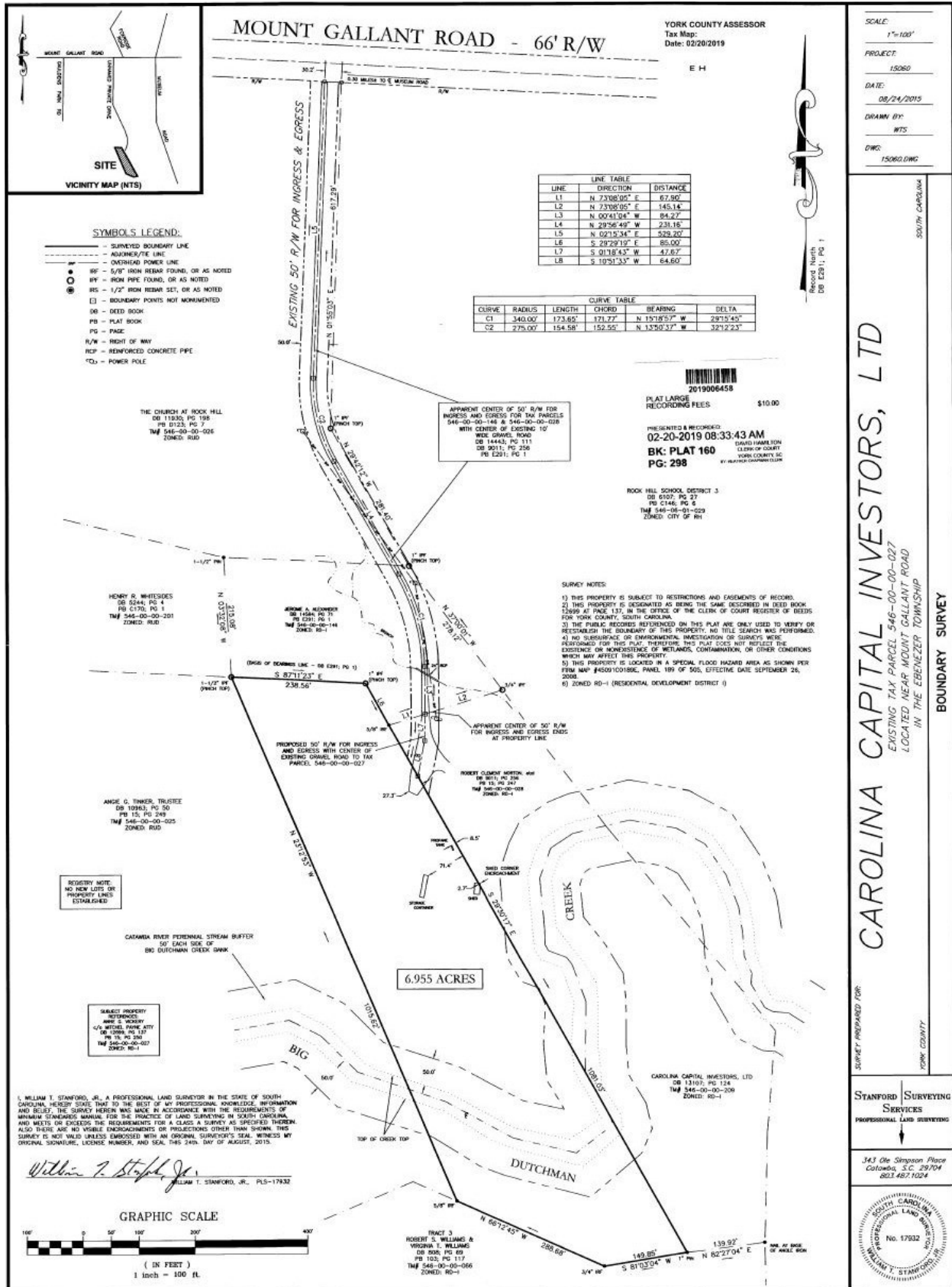
Attachment: 24-64 PC Packet (9040 : 24-64)

Exhibit G - Environmental Map



Attachment: 24-64 PC Packet (9040 : 24-64)

Exhibit H - Plat



Attachment: 24-64 PC Packet (9040 : 24-64)



YORK COUNTY REZONING APPLICATION

APPLICANT AND OWNER INFORMATION

APPLICANT NAME(S): Nick + Kathrin Brown

ADDRESS: 4817 Mt. Gallant Rd. Rock Hill, SC 29732

PHONE: 803-322-1992
 WORK HOME MOBILE

EMAIL ADDRESS: nick.brown2@pacificlifecomm.com

PROPERTY OWNER NAME(S): Nick Brown + Kathrin Brown

ADDRESS: 4817 Mt Gallant Rd. Rock Hill, SC 29732

PHONE: 803-322-1992
 WORK HOME MOBILE

EMAIL ADDRESS: nick.brown2@pacificlifecomm.com

PROPERTY INFORMATION

PROPERTY ADDRESS: 4817 Mt Gallant Rd Rock Hill, SC 29732

PROPERTY TAX MAP #(s): 5460000027 + 5460000209

LAND AREA (ACRES) TOTAL: 6.9612 AREA TO BE REZONED: 6.9612

ZONING CURRENT: RMX-20 PROPOSED: RUD

2035 LAND USE PLAN DESIGNATION: single family residential

CURRENT USE OF PROPERTY: Single Family Residential

PROPOSED USE OF PROPERTY: Single Family Residential w/ agricultural ^{ag} uses

TOTAL AREA OF PROPOSED BUILDINGS (COMMERCIAL): N/A

TOTAL # OF DWELLING UNITS (RESIDENTIAL): 1

UTILITY PROVIDERS WATER: well SEWER: septic

SCHOOL DISTRICT: 23 COUNTY COUNCIL DISTRICT: 6

SUPPLEMENTAL QUESTIONS

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

agricultural purposes

2. Are there existing structures on the site?

Yes ☒

No ☐

If yes, please describe: Residential home

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.

Kathryn [Signature] 11/13/24
 APPLICANT(S) 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.

Kathryn [Signature] 11/13/24
 PROPERTY OWNER(S) 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.

Kathryn [Signature] 11/13/24
 APPLICANT(S) 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 \$1,100
- ☐ 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: _____ RECEIPT #: _____

APPLICATION RECEIVED BY: _____

APPLICATION REVIEWED BY: _____

Attachment: 24-64 PC Packet (9040 : 24-64)

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.

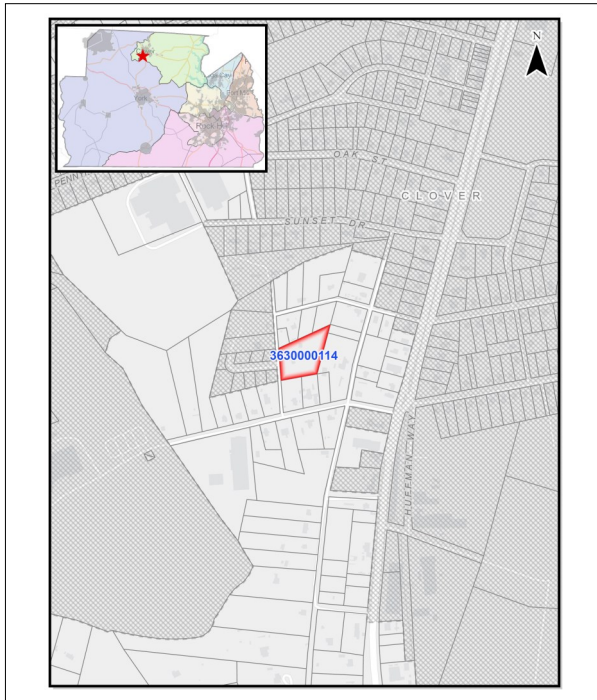
PLANNING COMMISSION

**REZONING 24-65 VERNIE PAULETTE MELTON HALL (APPLICANT/OWNER);
REQUESTING TO REZONE A 1.54-ACRE PARCEL FROM UD TO RSF-30. THE
SUBJECT PARCEL IS LOCATED AT 104 ERVIN STREET, CLOVER. THE
PROPERTY IS REFERENCED AS TAX MAP NUMBER 363-00-00-114; COUNCIL
DISTRICT 2 - LITTEN.**



Planning Commission January 13, 2025

Case: 24-65
Staff Report



REQUEST SUMMARY

Applicant: Vernie Paulette Melton Hall

Property Owner: Vernie Paulette Melton Hall

Tax Map Number: 3630000114

Address: 104 Ervin St, Clover

Council District: 2—Litten

Requested Action: Rezone 1.54 acres from UD to RSF-30.

Staff Planner: Thomas Newlin

Staff Recommendation: Approve

PROJECT DESCRIPTION

The applicant is requesting to rezone a 1.54-acre parcel from UD to RSF-30. The purpose of this rezoning is to subdivide the property and build a second detached dwelling.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The subject parcel is designated with the *Single Family Residential* future land use in the *York Forward 2035 Comprehensive Plan*. This designation is described as 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 rezoning is consistent with the *York Forward 2035 Comprehensive Plan* as the proposed RSF-30 district aligns with the *Single Family Residential* future land use designation. The surrounding land use is overwhelmingly residential homes on lots between 20,000 and 40,000 sf. The intended subdivision of the subject property will bring its scale more closely in line with the neighboring lots, and the construction of another dwelling aligns with these existing surrounding homes. This proposed rezoning will also remove another parcel from the legacy UD district.

While not within the *Municipal Infill* future land use designation, the subject parcel is located adjacent to the Town of Clover, whose future land use map recommends *Traditional Residential* for this area. This designation is described as a mix of low, medium, and high density residential development found in the older, well established areas of town. Any use which, because of its character, would interfere with the residential character of the district is discouraged.

Staff Analysis

PROPERTY DESCRIPTION

The subject parcel is 1.54 acres in size. There are two structures on the lot, a single family dwelling proximal to the western boundary that has access to Ervin Rd, and an auxiliary building behind it. The remainder of the property, which backs up to another residence, is vacant with some tree cover. This lot is twice as large as its neighbors, both those across Ervin Street within the Town of Clover, as well as the adjacent unincorporated lots.

Table 1: Property Context

PROXIMITY	CURRENT LAND USE	CURRENT ZONING	2035 LAND USE PLAN RECOMMENDATION
NORTH	Residential	RSF-30/UD	Single Family Residential
SOUTH	Residential	UD	Single Family Residential
EAST	Residential	UD	Single Family Residential
WEST	Residential	R-5 (Clo)	Traditional Residential—Clover

ZONING AND LAND USE HISTORY

- ♦ May 11, 1940: Current recorded plat of subject parcel (PB 3, PG 32)
- ♦ July 22, 1986: Subject parcel was originally zoned UD
- ♦ April 5, 2017: Current recorded deed of subject parcel (PB 16312, PG 237)

REZONING REQUEST

The applicant is requesting to rezone approximately 1.54 acres from UD to RSF-30

- ♦ *Current Zoning District: Urban Development (UD). This district was designed to permit maximum use flexibility in response to existing conditions and characteristics at the adoption of zoning, with the goal of minimizing land use conflicts. However, over the years, this flexibility has resulted in the opposite, creating a lack of compatibility of new development with the existing local character*
- ♦ *Proposed Zoning District: Residential Single Family 30 (RSF-30). This district accommodates detached single-family residential uses and compatible institutional and non-residential land uses on lots generally with a minimum area of 30,000 square feet, is designed to preserve and protect the character of existing large-lot subdivisions in suburban areas, and is intended to encourage residential development that complements the character of existing large-lot residential subdivisions.*

Table 2: Zoning District Comparison

	ZONING DISTRICT: UD	ZONING DISTRICT: RSF-30
MINIMUM LOT SIZE	None	30,000 ft ²
PERMITTED LAND USES	Retail, warehouse, distribution, light machinery	Residential

Exhibit A - Existing Zoning Map

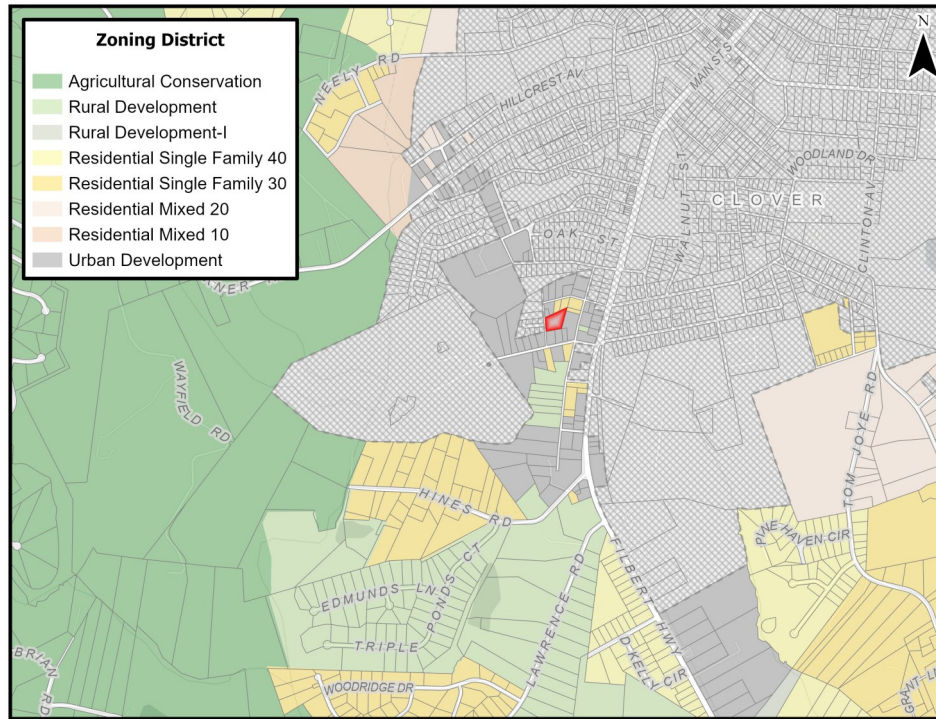
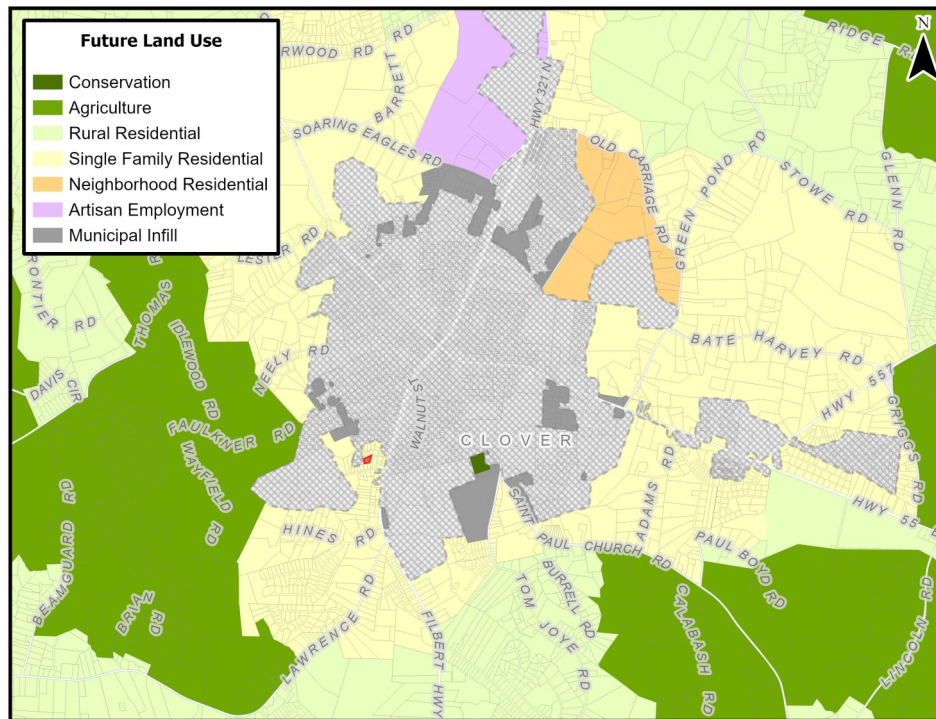


Exhibit B - 2035 Land Use Plan



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 *Single Family Residential* future land use in the York Forward 2035 Comprehensive Plan. This designation is described as 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.

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

The proposed rezoning is consistent with the *York Forward* 2035 Comprehensive Plan. The proposed RSF-30 district aligns with the *Single Family Residential* future land use designation. The surrounding land is overwhelmingly used as detached single family residential homes, on roughly 20,000 sf to 40,000 sf lots. This proposed rezoning will also remove another legacy parcel from the UD district.

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

The allowed uses of the proposed zoning district are compatible with the surrounding area.

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

The intended subdivision of the subject property will bring its scale more closely in line with the neighboring lots, and the intention to build another dwelling also aligns with the existing surrounding land uses.

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

The applicant intends to build one new 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 services area, but utilizes 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 on Ervin Street, which is maintained by York County. Ervin Street is designated as a local roadway, and there is no count data available. Ervin Street is a narrow, paved roadway, and there is no posted speed limit. Ervin Street intersects with Jackson Heights Road, which is maintained by SCDOT, is designated as a local roadway, and no count data is available. Jackson Heights Road is a paved roadway with a posted speed limit of 25 mph.

The applicant proposes to subdivide the parcel and construct an additional single-family dwelling. The proposed development is not expected to generate enough traffic to negatively impact the current 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 this request.

NEXT STEPS

The rezoning request is anticipated to follow the process below:

- ◆ Public Hearing: February 3, 2025
- ◆ County Council (First Reading): February 3, 2025
- ◆ County Council (Second Reading): February 17, 2025
- ◆ County Council (Third Reading): March 3, 2025

PLANNING AND DEVELOPMENT STAFF CONTACT

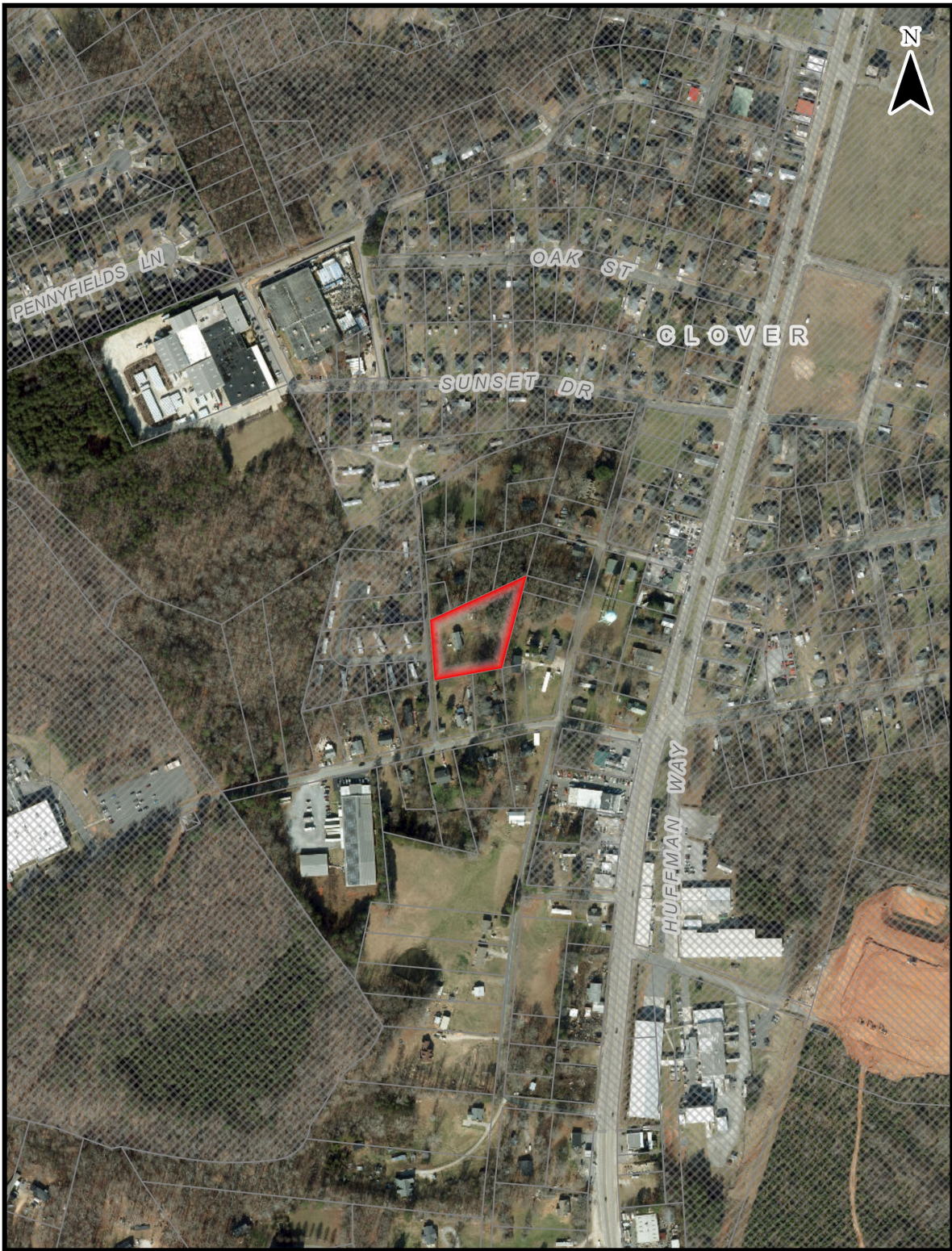
Thomas Newlin

Long Range Planner

(803) 909-7233

Thomas.Newlin@yorkcountygov.com

Exhibit C - Aerial Map

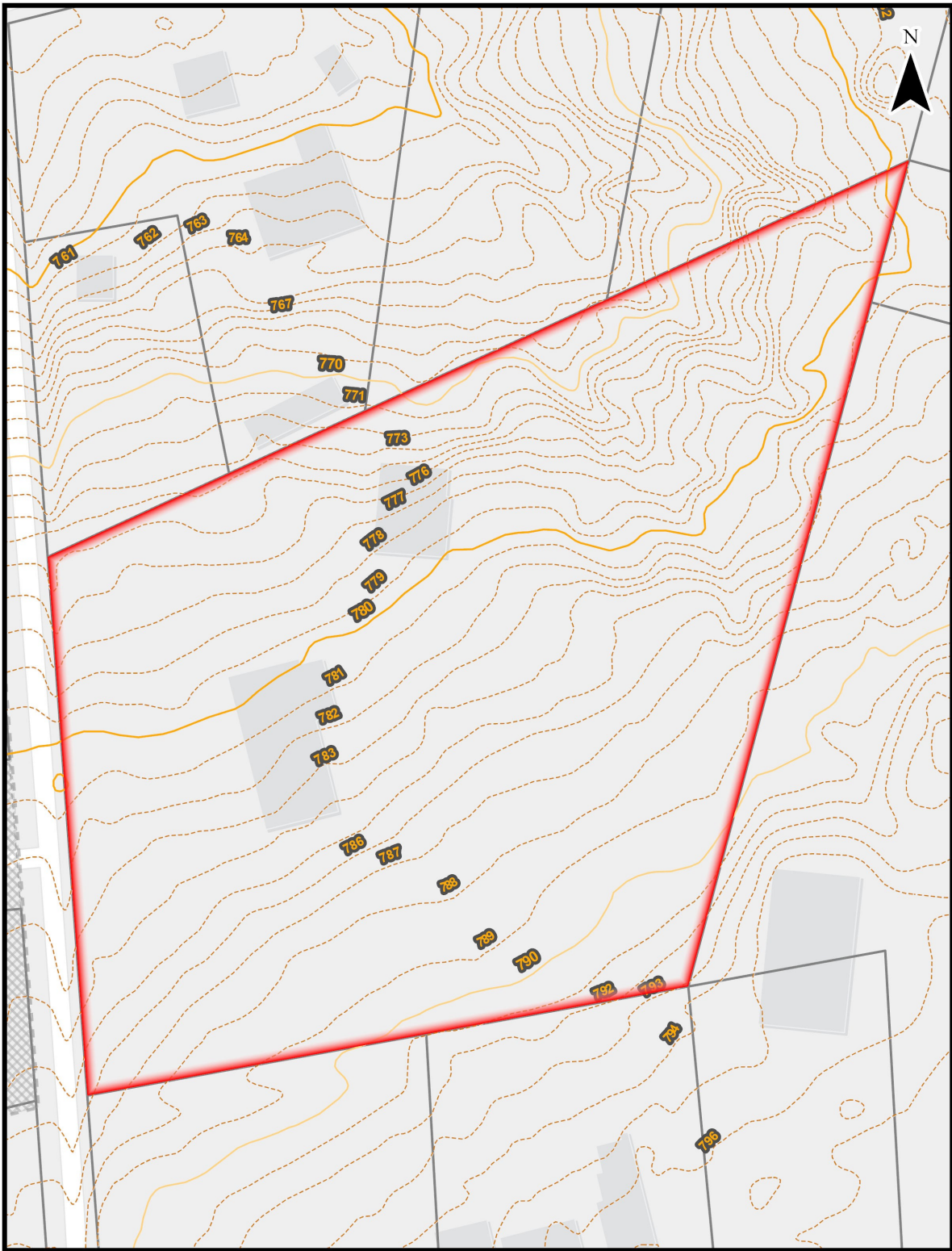


Attachment: 24-65 PC Packet (9041 : 24-65)

Exhibit D - Aerial Map—Parcel



Attachment: 24-65 PC Packet (9041 : 24-65)

Exhibit E - Environmental Map

Attachment: 24-65 PC Packet (9041 : 24-65)



YORK COUNTY REZONING APPLICATION

APPLICANT AND OWNER INFORMATION

APPLICANT NAME(S): VERNIE PAULETTE MERTON HALL
 ADDRESS: 610 East Main St. Cherryville NC 28210.
 PHONE: 704-577-8489
 WORK HOME MOBILE
 EMAIL ADDRESS: vpkoling@gmail.com.
 PROPERTY OWNER NAME(S): VERNIE PAULETTE MERTON HALL
 ADDRESS: (SPORE)
 PHONE: _____
 WORK HOME MOBILE
 EMAIL ADDRESS: _____

PROPERTY INFORMATION

PROPERTY ADDRESS: 104 ERVIN ST
 PROPERTY TAX MAP #(s): 3630000114
 LAND AREA (ACRES) TOTAL: 1.54 AREA TO BE REZONED: _____
 ZONING CURRENT: UD. PROPOSED: Residential Single Fam. 20.
 2035 LAND USE PLAN DESIGNATION: _____
 CURRENT USE OF PROPERTY: Resid.
 PROPOSED USE OF PROPERTY: Resid.
 TOTAL AREA OF PROPOSED BUILDINGS (COMMERCIAL): _____
 TOTAL # OF DWELLING UNITS (RESIDENTIAL): 1
 UTILITY PROVIDERS WATER: private/city SEWER: _____
 SCHOOL DISTRICT: 2 COUNTY COUNCIL DISTRICT: _____

Attachment: 24-65 PC Packet (9041 : 24-65)

SUPPLEMENTAL QUESTIONS

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

Subdivide property and add another dwelling.

2. Are there existing structures on the site?

Yes ☒ No ☐

If yes, please describe: _____

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.

Vernie Paulette Metton Hall

APPLICANT(S)

Nov 25/2024

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.

Vernie Paulette Metton Hall

PROPERTY OWNER(S)

Nov 25/2024

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.

Vernie Paulette Metton Hall

APPLICANT(S)

Nov 25/2024

DATE

YOU MUST SUBMIT THE ORIGINAL 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.

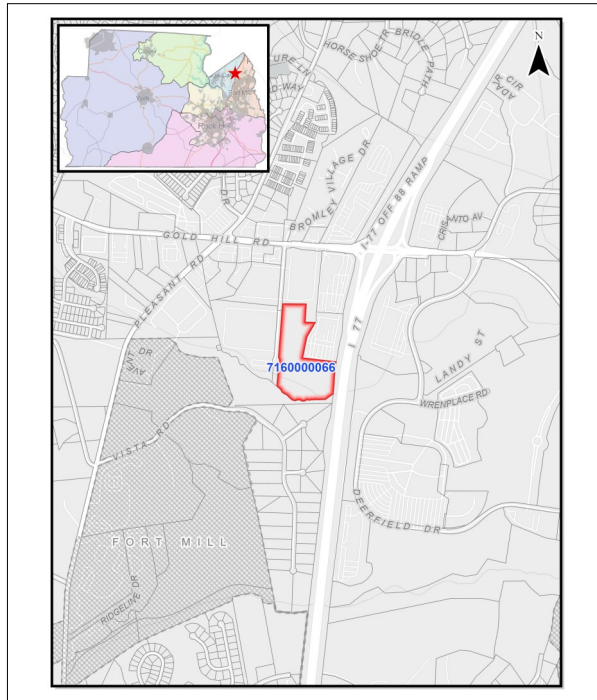
PLANNING COMMISSION

REZONING 24-66 OGNIBENE NORTH AMERICA, LLC (APPLICANT) SRE SC-3, LLC (OWNER); REQUESTING TO REZONE A 16.77-ACRE PARCEL FROM LI TO ID. THE SUBJECT PARCEL IS LOCATED ON WILSON BUSINESS PARKWAY, FORT MILL. THE PROPERTY IS REFERENCED AS TAX MAP NUMBER 716-00-00-066; COUNCIL DISTRICT 1 - AUDETTE.



Planning Commission January 13, 2025

Case: 24-66
Staff Report



REQUEST SUMMARY

Applicant: Ognibene North America, LLC

Property Owner: SRE SC-3, LLC

Tax Map Number: 716-00-00-066

Address: Wilson Business Parkway, Fort Mill

Council District: 1—Audette

Requested Action: Rezone 16.77 acres from LI to ID.

Staff Planner: Thomas Newlin

Staff Recommendation: Approve

PROJECT DESCRIPTION

The applicant is requesting to rezone a 16.77-acre parcel from Light Industrial (LI) to Industrial Development (ID) to allow the expansion of uses to include *Machinery Manufacturing*. As a condition of the rezoning, the applicant has agreed to record a deed restriction that will eliminate uses that may not be appropriate for the vicinity.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The subject parcel is designated with the *I-77 Corridor Employment* future land use in the *York Forward 2035 Comprehensive Plan*. This designation is described as places, often located with easy interstate access, that serve as the economic generators of York County. Employers in targeted business sectors, such as innovative manufacturing, benefit from a campus environment with attractive green space. The most competitive campuses integrate retail, restaurants, services, and/or residences in a mixed-use setting.

The requested rezoning is consistent with the *York Forward 2035 Comprehensive Plan* and Future Land Use map. With easy access to I-77, this corridor is an appropriate location for the intended manufacturing use. The lot is adequately buffered from nearby residential uses by other businesses on the same street, as well as a large heavily wooded parcel with a recorded conservation easement. The proposed manufacturing operation makes effective use of otherwise vacant land that may be limited from other potential uses given its location at the end of an established business park and its large transmission line easement.

Staff Analysis

PROPERTY DESCRIPTION

The 16.77-acre subject parcel is between Interstate 77 and Pleasant Road along other similar scale lots participating in business and industry. The lot is currently vacant despite being at the end of an established business park. The lot is heavily wooded aside from a pond occupying much of the northern section, and a cleared buffer for a powerline easement.

Table 1: Property Context

PROXIMITY	CURRENT LAND USE	CURRENT ZONING	2035 LAND USE PLAN RECOMMENDATION
NORTH	Industrial, Commercial	LI, GC	I-77 Corridor Employment
SOUTH	Residential	RSF-30	Conservation, Residential Single Family
EAST	Institutional, Commercial	UD, PD	I-77 Corridor Employment
WEST	Industrial, Residential	LI; MXU (FM)	I-77 Corridor Employment; Mixed Use (City of Fort Mill)

ZONING AND LAND USE HISTORY

- ◆ July 22, 1986: Subject parcel was originally zoned AGC
- ◆ June 8, 1992: Portion of subject parcel rezoned to LI
- ◆ December 12, 2016: Recorded current deed of subject parcel (DB 16149, PG 190)
- ◆ December 22, 2016: Recorded current plat of subject parcel (PB 153, PG 111)

REZONING REQUEST

The applicant is requesting to rezone approximately 16.77 acres from LI to ID

- ◆ *Current Zoning District: This district is intended to create and protect industrial areas for light manufacturing and distribution, and to accommodate less intensive industrial uses with operations primarily conducted indoors. The district's less intensive uses protect nearby residential areas from the encroachment of heavy industrial uses. Whenever possible, this district should be separate from residential districts by natural or structural boundaries such as drainage channels, sharp breaks in topography, strips of vegetation, traffic arteries, and similar features*
- ◆ *Proposed Zoning District: This district is intended to accommodate the most intensive industrial land uses, which may include mining, waste management, and heavy manufacturing. Uses allowed in this district typically are not compatible with other, non-industrial land uses and therefore are intended to be separated and buffered from adjacent development.*

Table 2: Zoning District Comparison

	ZONING DISTRICT: LI	ZONING DISTRICT: ID
MINIMUM LOT SIZE	None	None
PERMITTED LAND USES	Warehouse, distribution, light machinery, trucking operations	Warehouse, distribution, light machinery

Exhibit A - Existing Zoning Map

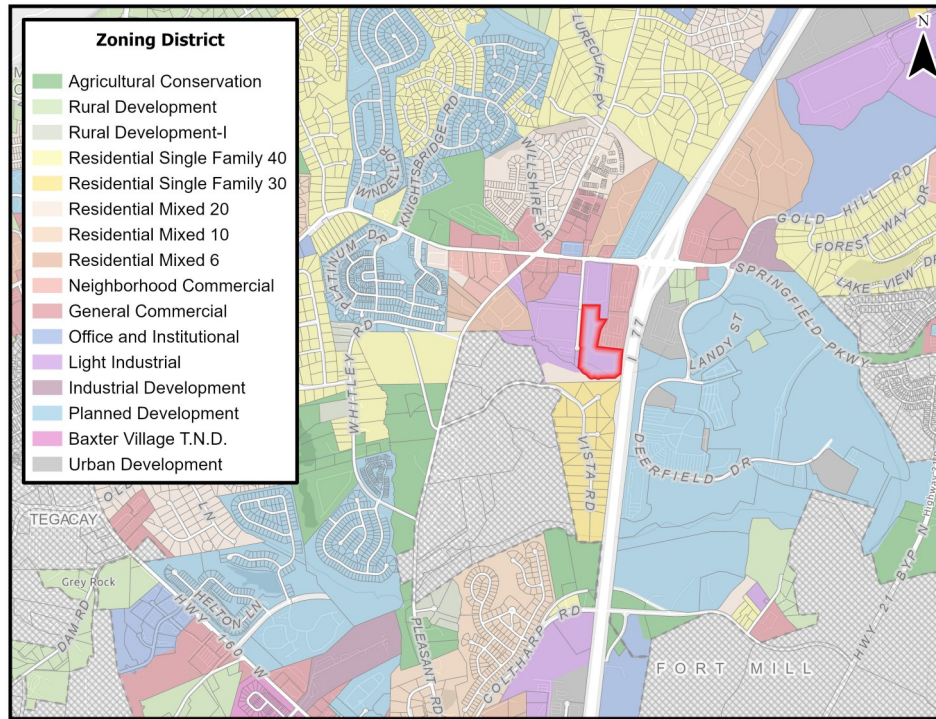
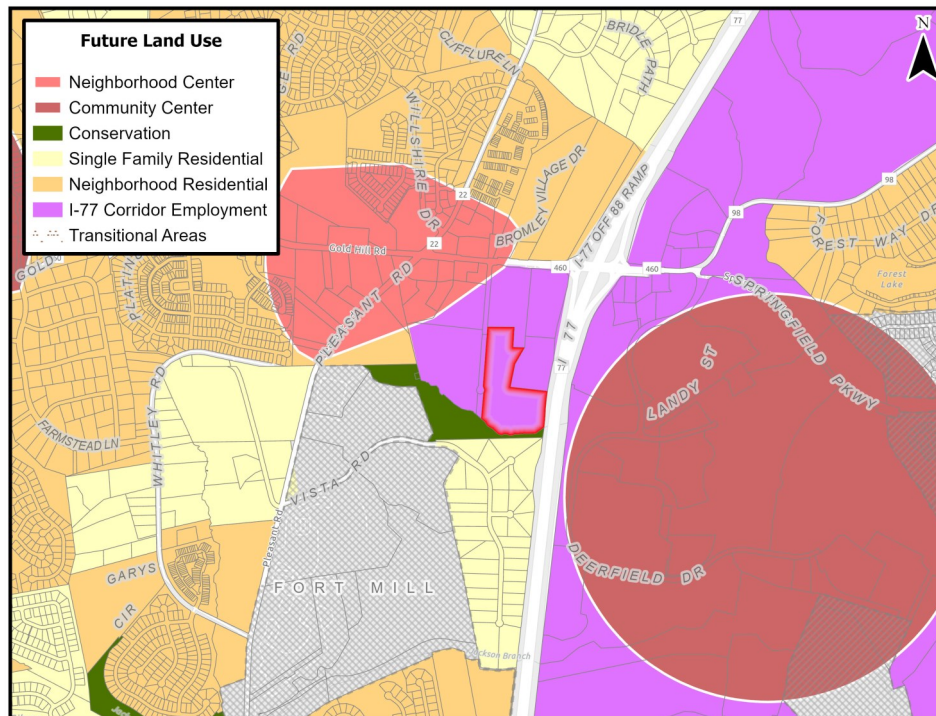


Exhibit B - 2035 Land Use Plan



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 *I-77 Corridor Employment* future land use in the *York Forward 2035 Comprehensive Plan*. This designation is described as places, often located with easy interstate access, that serve as the economic generators of York County. Employers in targeted business sectors, such as innovative manufacturing, benefit from a campus environment with attractive green space. The most competitive campuses integrate retail, restaurants, services, and/or residences in a mixed-use setting.

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

The rezoning request is consistent with the *York Forward 2035 Comprehensive Plan* or Future Land Use map. With easy access to I-77, this corridor is an appropriate location for the intended manufacturing use. The lot is adequately buffered from nearby residential uses by other businesses on the same street, as well as a large heavily wooded parcel with a recorded conservation easement. The proposed manufacturing operation makes effective use of otherwise vacant land that may be limited from other potential uses given its location at the end of an established business park and its large transmission line easement.

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

The allowed uses of the proposed zoning district are compatible with the surrounding area. The neighboring properties are predominantly industrial or commercial in character. A deed restriction will be recorded to eliminate uses that may not be compatible with the vicinity.

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

The applicant intends to develop the parcel with an approximately 144,000 sf building, which will be in a scale that is compatible with the existing industrial and commercial buildings in the area.

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

This request is for a non-residential zoning district, therefore there will not be an 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 utility service area and intends to utilize public water and sewer.

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 on Wilson Business Parkway, which is maintained by York County. Wilson Business Parkway is designated as a local roadway, and there is currently

no count data available. Wilson Business Parkway is a paved two-lane roadway, and there is no posted speed limit. Wilson Business Parkway intersects with Gold Hill Road, which is designated as a minor arterial roadway with an average daily volume of 28,500 trips. Gold Hill Road is a paved, four-lane roadway with a striped median and a posted speed limit of 45 mph.

The applicant is proposing a *Machinery Manufacturing* use for the parcel. During the civil construction review period, a traffic study will be completed to evaluate the impacts this development will have on the transportation network.

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

Staff recommends the following condition as part of this rezoning.

1. The restrictive covenant agreement that prohibits certain industrial uses, which was submitted as a part of the rezoning application, shall be recorded with the York County Register of Deeds within 90 days of the rezoning approval.

NEXT STEPS

The rezoning request is anticipated to follow the process below:

- | | |
|------------------------------------|-------------------|
| ◆ Public Hearing: | February 3, 2025 |
| ◆ County Council (First Reading): | February 3, 2025 |
| ◆ County Council (Second Reading): | February 17, 2025 |
| ◆ County Council (Third Reading): | March 3, 2025 |

PLANNING AND DEVELOPMENT STAFF CONTACT

Thomas Newlin

Long Range Planner

(803) 909-7233

Thomas.Newlin@yorkcountygov.com

Exhibit C - Aerial Map



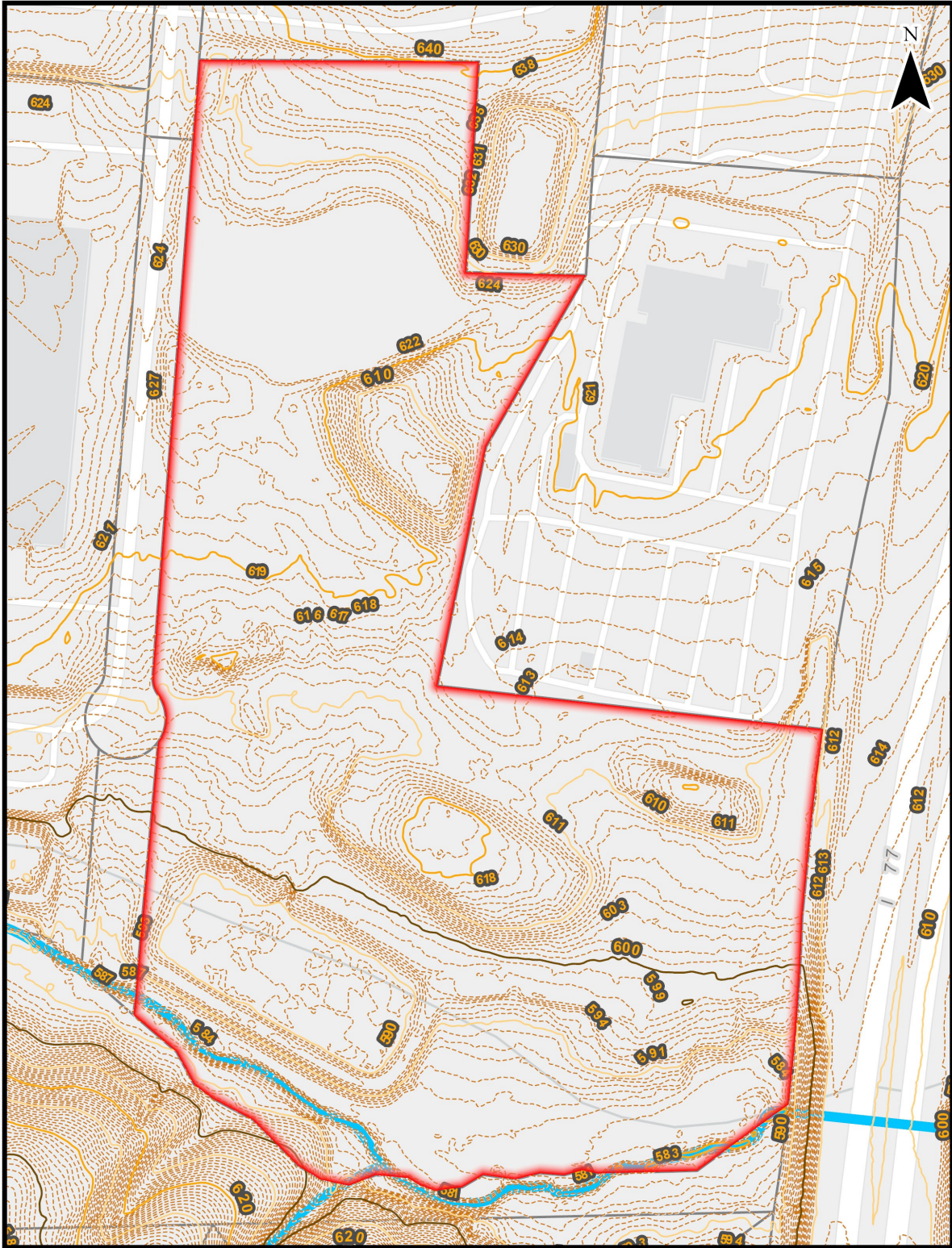
Attachment: 24-66 PC Packet (9045 : 24-66)

Exhibit D - Aerial Map—Parcel



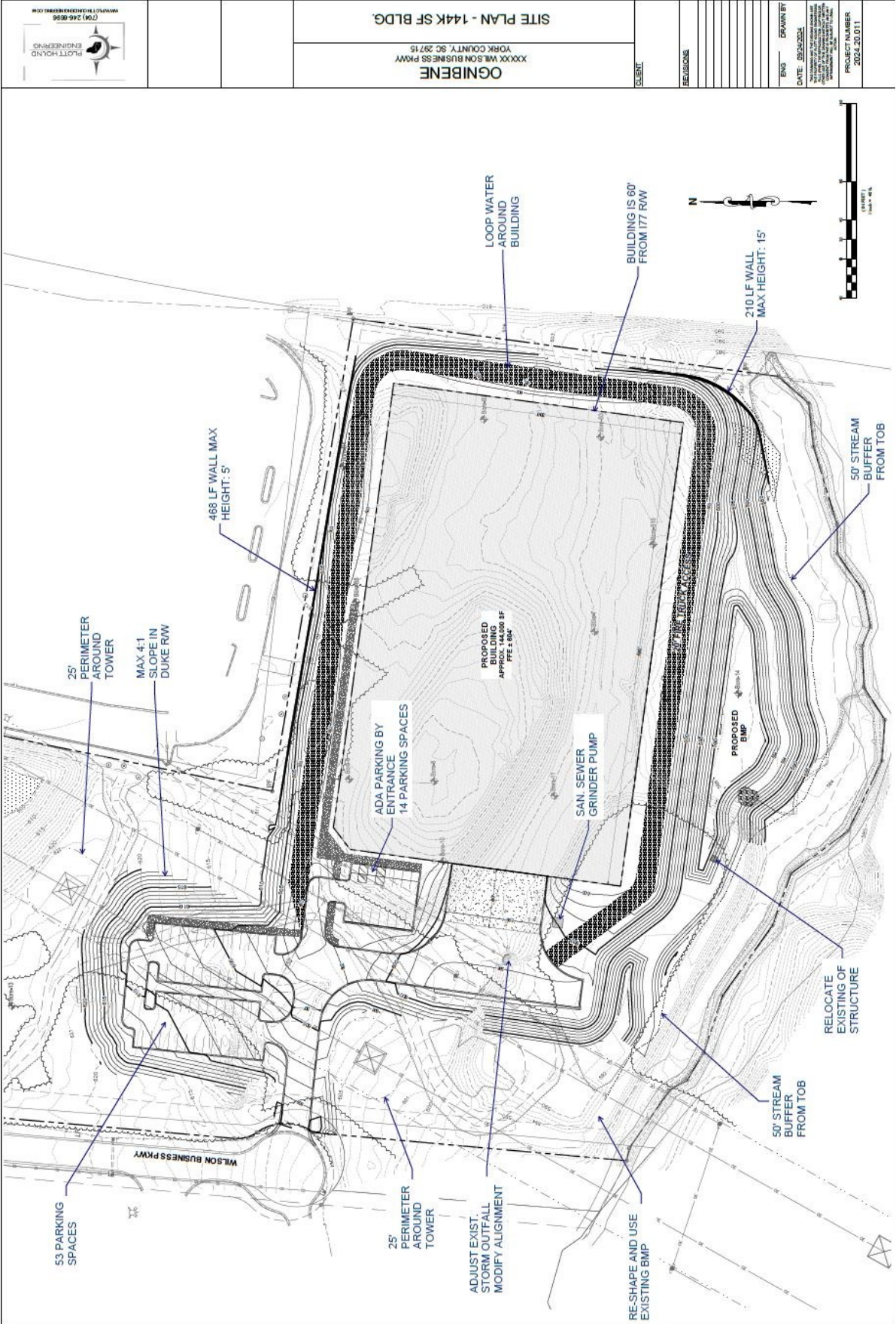
Attachment: 24-66 PC Packet (9045 : 24-66)

Exhibit E - Environmental Map



Attachment: 24-66 PC Packet (9045 : 24-66)

Exhibit F - Site Plan



RESTRICTIVE COVENANT AGREEMENT

THIS **RESTRICTIVE COVENANT AGREEMENT** (this “Agreement”) is made and entered into as of this ____ day of _____, 2025, by and between _____, a South Carolina corporation (“Declarant” or “Owner”), and _____, a South Carolina corporation, for the uses and purposes herein mentioned.

BACKGROUND STATEMENT

- A.** Owner is the owner of the real property described upon Exhibit A, attached hereto and incorporated herein by this reference (the “Property”);
- B.** Owner desires to rezone the Property from Light Industrial (LI) to Industrial Development (ID) in order to construct buildings for flexible industrial use;
- C.** In consideration of the approval by York County Council (“County”), Owner represents to the County that Owner agrees to prohibit certain uses in the ID zoning classification of the York County Zoning Code; and
- D.** Owner, in order to induce County to approve Owner’s rezoning request, intends, declares, and covenants that the Restrictive Covenants set forth herein governing the use and occupancy of the Property shall be covenants appurtenant to and running with the Property, notwithstanding any combination of the parcels set out in Exhibit A, in whole or in part, for the term stated herein in Section 2.0 below and are to be binding upon all subsequent owners of the Property for such term, and are not merely personal covenants of the Owner.

NOW, THEREFORE, for and in consideration of the terms hereof and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Declarant and Owner agree as follows:

- 1.0 The above preamble and Background Statement are incorporated herein by this reference.
- 2.0 The terms and provisions of this Agreement shall pertain to and bind the Property, and each successor in title to Owner therein, during all periods of time within which the Property maintains the ID zoning classification. Such terms and conditions are as follows:
 - i. Uses permitted on the Site are uses allowed in the ID zoning district as permitted uses, uses with conditions, uses with special exceptions and temporary uses; except that the following uses **will not be allowed**:
 - a. Resource Extraction, Major
 - b. Fairgrounds
 - c. Shooting Ranges, Outdoor
 - d. Beverage, Food, and Tobacco Product Manufacturing
 - e. Chemical Manufacturing
 - f. Fiberglass Manufacturing

- g. Furniture Manufacturing
- h. Leather and Allied Products Manufacturing
- i. Nonmetallic Mineral Product Manufacturing
- j. Paper and Wood Product Manufacturing
- k. Petroleum and Coal Products Manufacturing
- l. Plastic and Rubber Products Manufacturing
- m. Primary Metal Manufacturing
- n. Salvage Operations (metal crushing, recycling, scrap yards, and wrecked automobile storage facilities)
- o. Transportation Equipment Manufacturing
- p. Petroleum Bulk Stations and Terminals
- q. Composting Facilities
- r. Hazardous Waste Storage or Treatment Facilities
- s. Incinerators, Commercial
- t. Landfills (Sanitary)
- u. Solid Waste Transfer Stations

3.0 It is acknowledged between the parties that the foregoing limitations shall be expressly incorporated into any rezoning ordinance, as accepted conditions and limitations to which Owner has freely and voluntarily agreed to abide, changing the applicable zoning for the property from LI to ID.

4.0 Owner agrees to include the foregoing limitations as express Deed Restrictions in any future conveyance of the Property or express limitations in any lease of the Property to a Third Party.

5.0 York County, a body politic and political subdivision of the State of South Carolina, shall have standing and authority to enforce the foregoing limitations set out within this Restrictive Covenant Agreement, as a Third-Party Beneficiary hereto, and signs this Restrictive Covenant Agreement in such capacity.

6.0 No improvements or modifications to the Property may be undertaken until such time as a fully executed and recorded copy of this Restrictive Covenant Agreement is presented to the York County Planning and Developments Services Department, with copies to the County Manager and County Attorney.

7.0 Notwithstanding the foregoing, the Owner reserves and will not prohibit other permitted uses allowed under the ID zoning classification in the York County Zoning Code.

8.0 The terms of this provision are intended to touch, concern, and be binding upon the Property in the manner provided herein. References herein to "Owner" shall include each successor-in-title to all or any part of the Property upon which the ID zoning classification is applied. Nothing contained herein shall be deemed as obligating Owner to modify or improve the Property in any respect. This Agreement constitutes the entire agreement of the parties with respect to the subject matter hereof, and all prior agreements and understandings regarding such subject matter are merged herein and superseded hereby. This Agreement may be modified only

by a written instrument executed by Declarant and the then owner in fee of the Property, as may be approved by York County, recorded in the York County, South Carolina real estate records. This Agreement is entered into and shall be enforced under and construed in accordance with the laws of the State of South Carolina.

WHEREFORE, this Agreement is executed as of the date appearing above.

DECLARANT:

.

BY: _____
President

Witness 1

Witness 2

PERSONALLY appeared before me, _____, as President of _____, Inc., who, after being duly sworn, acknowledged that he, in the said capacity, executed the within instrument as the act and deed of the within named Declarant and for the uses and purposes mentioned therein.

This ____ day of _____, 2024

Notary Public for South Carolina

My Commission Expires: _____

[SEAL]

Attachment: 24-66 PC Packet (9045 : 24-66)



SUPPLEMENTAL QUESTIONS

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

LI- to ID to allow for light machinery manufacturing. Deed restrictions to be included to eliminate the following uses. Resource Extraction, Major; Fairgrounds; Shooting Ranges, Outdoor; Beverage, Food, and Tobacco Product Manufacturing; Chemical Manufacturing; Fiberglass Manufacturing; Furniture Manufacturing; Leather and Allied Products Manufacturing; Nonmetallic Mineral Product Manufacturing; Paper and Wood Product Manufacturing; Petroleum and Coal Products Manufacturing; Plastic and Rubber Products Manufacturing; Primary Metal Manufacturing; Salvage Operations (metal crushing, recycling, scrap yards, and wrecked automobile storage facilities); Transportation Equipment Manufacturing; Petroleum Bulk Stations and Terminals; Composting Facilities; Hazardous Waste Storage or Treatment Facilities; Incinerators, Commercial; Landfills (Sanitary); and Solid Waste Transfer Stations

2. Are there existing structures on the site?

Yes ☐

No ☒

If yes, please describe: _____

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.

DocuSigned by:

Ursula Bonfiglioli

11/27/2024

APPLICANT(S)

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.

John E. Russ III

11/27/2024

PROPERTY OWNER(S)

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.

Ursula Bonfiglioli

11/27/2024

APPLICANT(S)

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**
- ☒ **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: _____ RECEIPT #: _____

APPLICATION RECEIVED BY: _____

APPLICATION REVIEWED BY: _____

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 24-67 GEORGIA PAPPAS (APPLICANT) GTA PROPERTIES, LLC (OWNER); REQUESTING TO REZONE A 4.86-ACRE PARCEL FROM UD TO GC. THE SUBJECT PARCEL IS LOCATED AT 3071 HIGHWAY 21, FORT MILL. THE PROPERTY IS REFERENCED AS TAX MAP NUMBERS 721-00-00-015; COUNCIL DISTRICT 7 - CLONINGER.



Planning Commission January 13, 2025

Case: 24-67
Staff Report



REQUEST SUMMARY

Applicant: Georgia Pappas

Property Owner: GTA Properties, LLC

Tax Map Number: 721-00-00-015

Address: 3071 Highway 21, Fort Mill

Council District: 7—Cloninger

Requested Action: Rezone 4.86-acre parcel from UD to GC.

Staff Planner: Thomas Newlin

Staff Recommendation: Approve

PROJECT DESCRIPTION

The applicant is requesting to rezone a 4.86-acre parcel from Urban Development (UD) to General Commercial (GC) to expand the allowed uses of the pre-existing shopping center to include retail and personal services uses.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The subject parcel is designated with the *I-77 Corridor Employment* future land use in the *York Forward 2035 Comprehensive Plan*. This designation is described as places, often located with easy interstate access, that serve as the economic generators of York County. Employers in targeted business sectors, such as innovative manufacturing, benefit from a campus environment with attractive green space. The most competitive campuses integrate retail, restaurants, services, and/or residences in a mixed-use setting.

The requested rezoning does not fully support the York County 2035 Comprehensive Plan and Future Land Use Map, as typically the General Commercial zoning district is not the preferred district for this land use designation. However, the existing land use is better described by the GC designation, and matches the character and scale with the adjacent lots along Highway 21. This request will also remove another parcel from the legacy UD district.

Attachment: 24-67 PC Packet (9046 : 24-67)

Staff Analysis

PROPERTY DESCRIPTION

The subject parcel is a 4.86-acre parcel. The sole structure on the property is a shopping center enveloped by its associated parking lot that takes up most of the available area. The west and north boundaries are formed from a steep edge and tree line respectively, and the lot has access to both Central Carolinas Parkway and Highway 21. Along the same side of Highway 21 are large-scale commercial land use types of the same character.

Table 1: Property Context

PROXIMITY	CURRENT LAND USE	CURRENT ZONING	2035 LAND USE PLAN RECOMMENDATION
NORTH	Commercial	GC	I-77 Corridor Employment
SOUTH	Commercial, Industrial	UD, LI	I-77 Corridor Employment
EAST	Commercial	GC, UD	Neighborhood Residential
WEST	Commercial	UD	I-77 Corridor Employment

ZONING AND LAND USE HISTORY

- ♦ July 22 1986: Subject parcel was originally zoned UD
- ♦ March 1 2002: Recorded current plat of subject parcel TM# 721-015 (PB C36, PG 7)
- ♦ May 10 2005: Recorded current deed of subject parcel TM# 721-015 (DB 7079, PG 52)

REZONING REQUEST

The applicant is requesting to rezone 4.86 acres from UD to GC.

- ♦ *Current Zoning District: Urban Development (UD). This district was designed to permit, in certain areas of the County, maximum use flexibility in response to existing conditions and characteristics at the adoption of zoning, with the goal of minimizing land use conflicts. However, over the years, this flexibility has resulted in the opposite, creating a lack of compatibility of new development with the existing local character. For these reasons, the UD district is classified as a legacy district.*
- ♦ *Proposed Zoning District: General Commercial (GC). This district is intended to provide for areas where large-scale commercial and business development may occur, is designed to support regional shopping centers and business complexes of greater scale and intensity than permitted by the Neighborhood Commercial and Office and Institutional Districts, and accommodates a wide range of business and commercial uses.*

Table 2: Zoning District Comparison

	ZONING DISTRICT: UD	ZONING DISTRICT: GC
MINIMUM LOT SIZE	None	None
PERMITTED LAND USES	Limited retail, warehouse, distribution, light machinery	Regional scale sales and service

Exhibit A - Existing Zoning Map

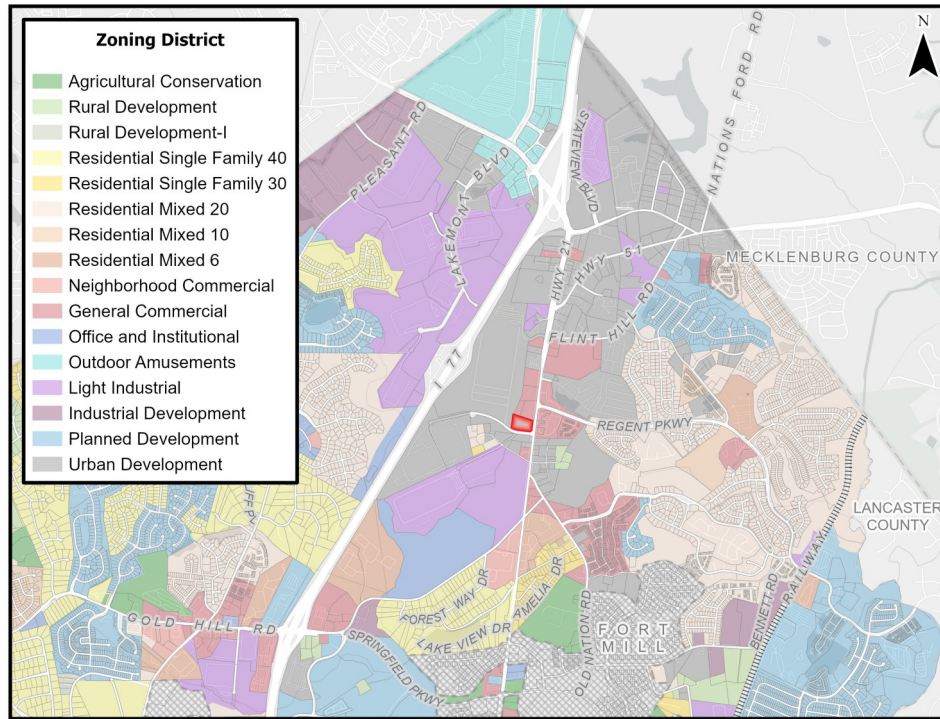
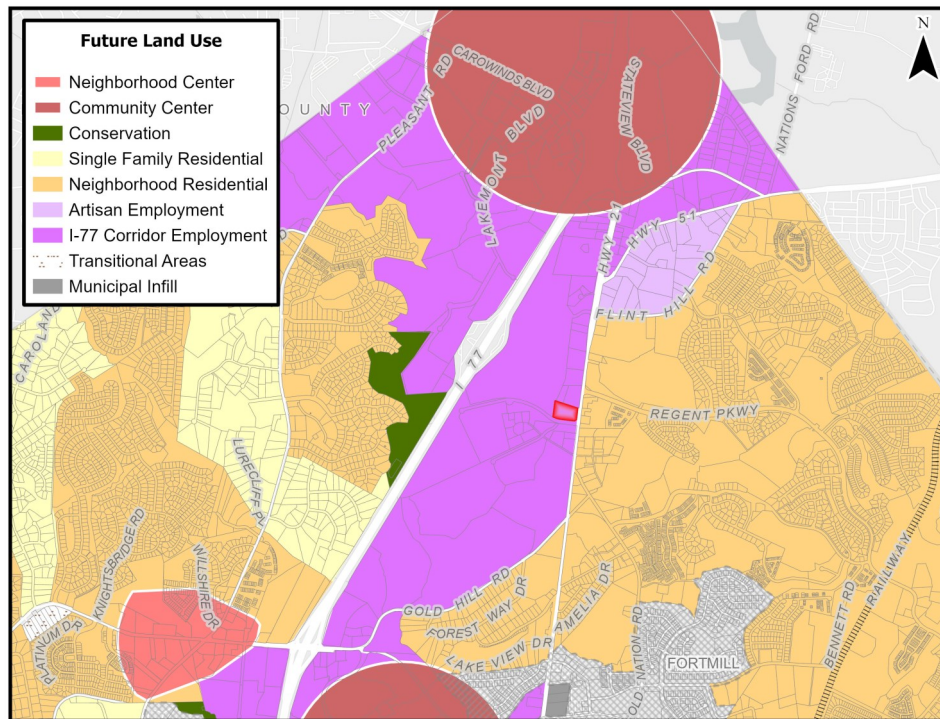


Exhibit B - 2035 Land Use Plan



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 *I-77 Corridor Employment* future land use in the *York Forward 2035 Comprehensive Plan*. This designation is described as places, often located with easy interstate access, that serve as the economic generators of York County. Employers in targeted business sectors, such as innovative manufacturing, benefit from a campus environment with attractive green space. The most competitive campuses integrate retail, restaurants, services, and/or residences in a mixed-use setting.

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

The requested rezoning does not fully support the York County 2035 Comprehensive Plan and Future Land Use Map, as typically the General Commercial zoning district is not the preferred district for this land use designation. However, the existing land use is better described by the GC designation, and matches the character and scale with the adjacent lots along Highway 21. This request will also remove another parcel from the legacy UD district.

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

The allowed uses of the proposed zoning district are compatible with the surrounding area. Existing uses in the area include gasoline sales, retail sales, and restaurants with drive-thru facility.

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

The applicant does not intend any new construction, therefore the scale will not change.

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

The request is to rezone for a commercial use, therefore there will not be an 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 utility service area and utilizes public water and sewer.

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 on Highway 21 and Central Carolina Parkway. Highway 21 is maintained by SCDOT as S-21 and has an average daily volume of 19,300 trips per day. Highway 21 is designated as a principal arterial roadway. The section of Highway 21 in the vicinity of the parcel is a two-lane roadway with a striped median. The current Pennies for Progress plans will widen Highway 21 and add additional capacity along the frontage of this proposed development. Central Carolina Parkway is maintained by York County, and no count

data is available. Central Carolina Parkway is designated a local roadway. Central Carolina Parkway is currently a paved roadway with a posted speed limit of 25 mph.

The applicant is not proposing to construct any additional square footage to the existing building, therefore this request is not anticipated to change 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 this request.

NEXT STEPS

The rezoning request is anticipated to follow the process below:

- ◆ Public Hearing: February 3, 2025
- ◆ County Council (First Reading): February 3, 2025
- ◆ County Council (Second Reading): February 17, 2025
- ◆ County Council (Third Reading): March 3, 2025

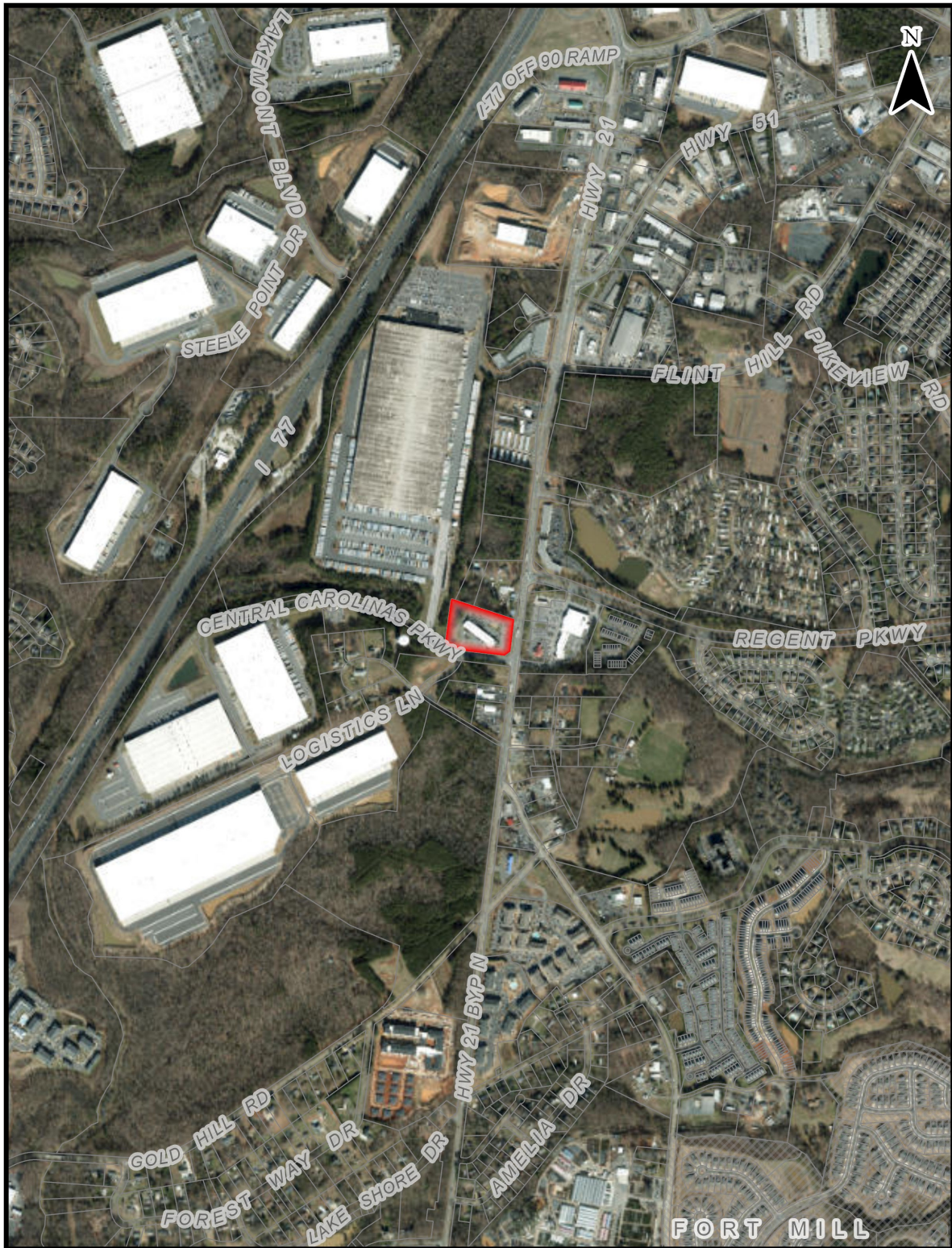
PLANNING AND DEVELOPMENT STAFF CONTACT

Thomas Newlin

Long Range Planner

(803) 909-7233

Thomas.Newlin@yorkcountygov.com

Exhibit C - Aerial Map

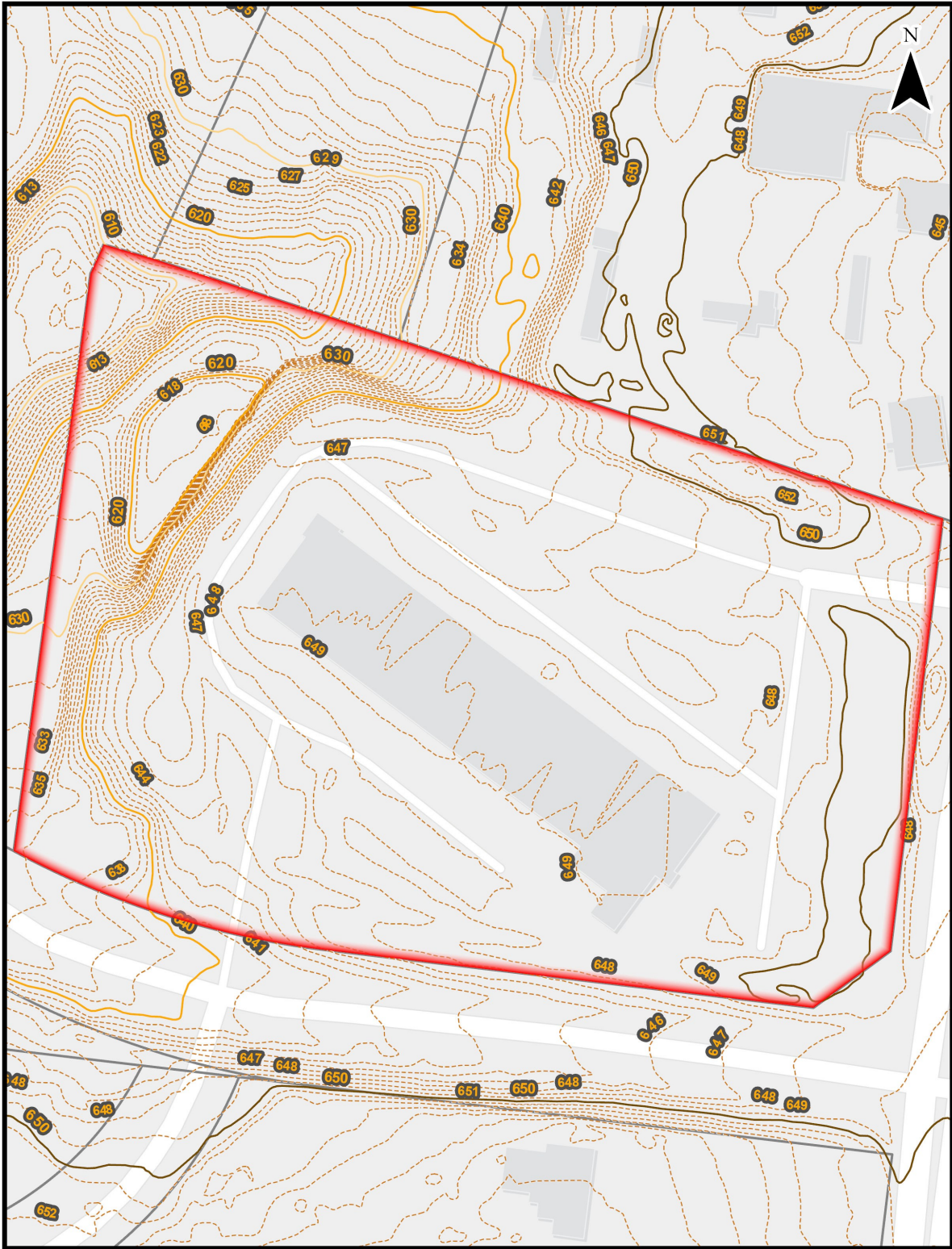
Attachment: 24-67 PC Packet (9046 : 24-67)

Exhibit D - Aerial Map—Parcel



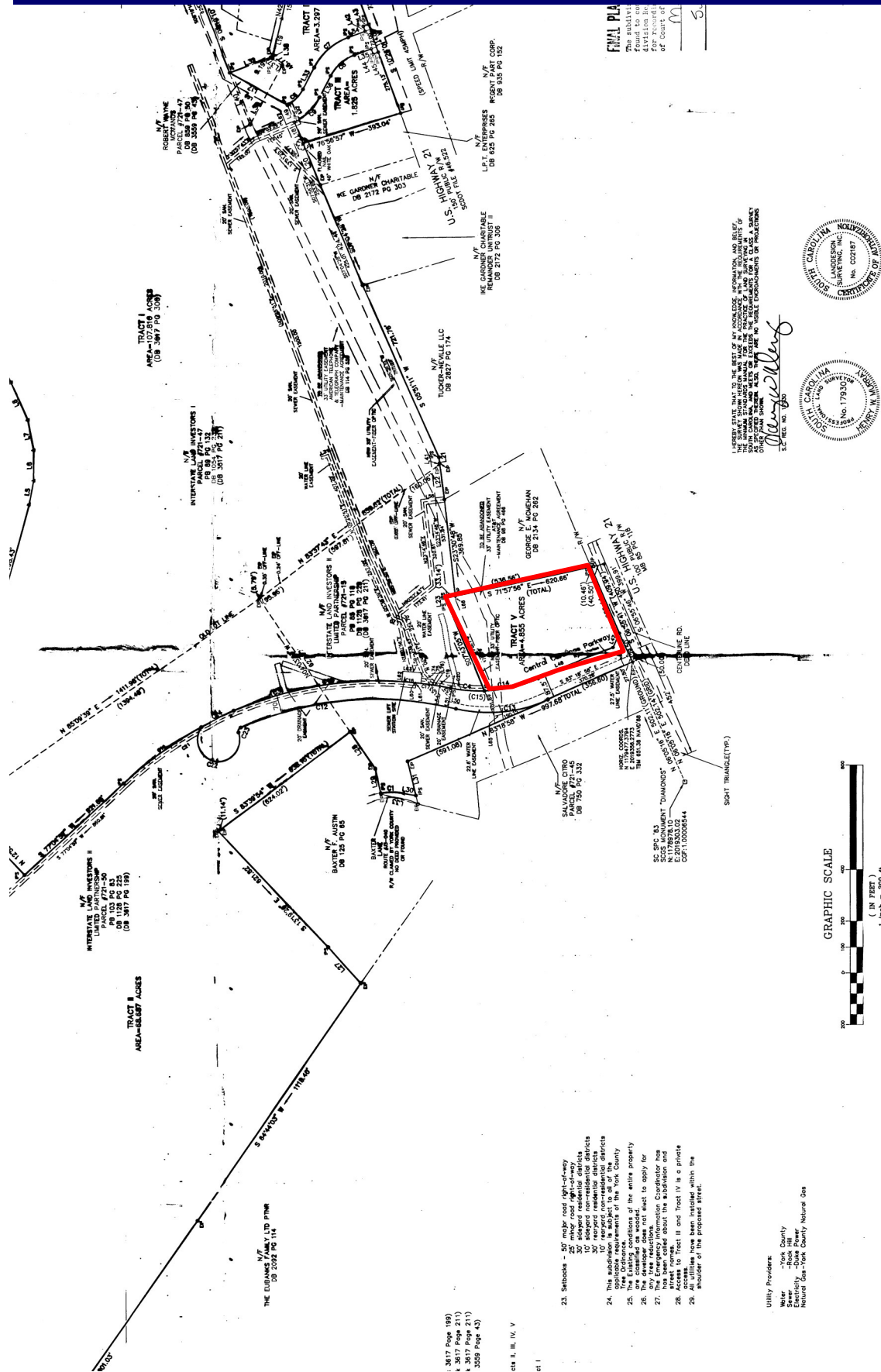
Attachment: 24-67 PC Packet (9046 : 24-67)

Exhibit E - Environmental Map



Attachment: 24-67 PC Packet (9046 : 24-67)

Exhibit F - Plat



Attachment: 24-67 PC Packet (9046 : 24-67)

SUPPLEMENTAL QUESTIONS

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

To allow more retail uses in our shopping center

2. Are there existing structures on the site?

Yes ☒

No ☐

If yes, please describe: Shopping Center

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.

Georgia Pappas
APPLICANT(S)

12-2-2024
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.

Jina Pappas GTA Properties, LLC Member
PROPER OWNER(S) 12-2-2024
DATE

Joseph Pappas GTA Properties, LLC Member
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. 12-2-2024

APPLICANT(S)

DATE

YOU MUST SUBMIT THE ORIGINAL 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**
- ☐ **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: _____ RECEIPT #: _____

APPLICATION RECEIVED BY: _____

APPLICATION REVIEWED BY: _____

Attachment: 24-67 PC Packet (9046 : 24-67)

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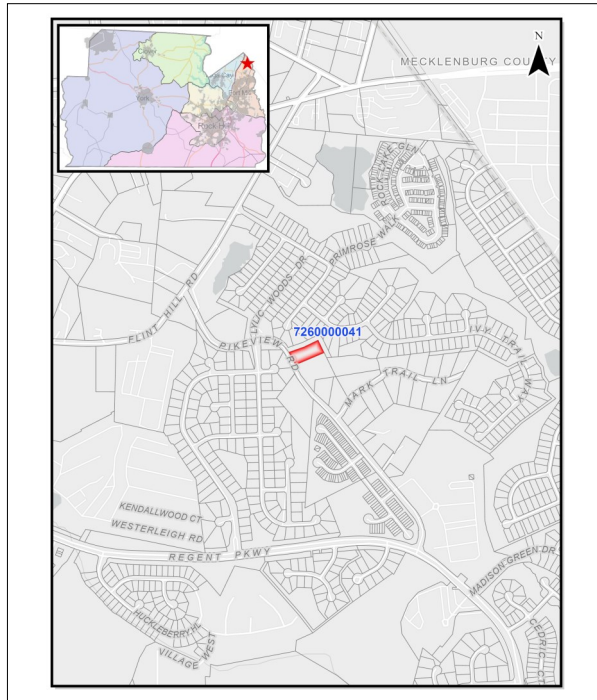
PLANNING COMMISSION

REZONING 24-68 ROBERT WARD (APPLICANT) ROBERT WARD AND LOGAN WARD (OWNERS); REQUESTING TO REZONE A 1.26-ACRE PARCEL FROM UD TO RMX-20. THE SUBJECT PARCEL IS LOCATED AT 3330 PIKEVIEW ROAD, FORT MILL. THE PROPERTY IS REFERENCED AS TAX MAP NUMBER 726-00-00-041; COUNCIL DISTRICT 7 - CLONINGER.



Planning Commission January 13, 2025

Case: 24-68
Staff Report



REQUEST SUMMARY

Applicant: Robert Ward

Property Owner: Robert Ward; Logan Ward

Tax Map Number: 726-00-00-041

Address: 3330 Pikeview Rd, Fort Mill

Council District: 7—Cloninger

Requested Action: Rezone 1.26 acres from UD to RMX-20

Staff Planner: Thomas Newlin

Staff Recommendation: Approve

PROJECT DESCRIPTION

The applicant is requesting to rezone a 1.26-acre parcel from UD to RMX-20 to build a new home on the property.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The subject parcel is designated with the *Neighborhood Residential* future land use in the *York Forward 2035 Comprehensive Plan*. This designation is described as places comprised of a mix of housing types and residential lot sizes located in close proximity to neighborhood-serving uses at intersections on major streets, where appropriate. Neighborhoods are designed with a connected street network, sidewalks, and bike paths to allow residents to access area amenities both on foot or by bicycle.

The rezoning request is consistent with the Future Land Use Map and *York Forward 2035 Comprehensive Plan*. While a parcel consolidation of the UD district at the intersection of Pikeview Road and Mark Trail Lane might afford a development closest in character to the surrounding development, the requested RMX-20 land use does align with the scale and character expected within the *Neighborhood Residential* future land use designation. This parcel is part of a large suburban area, and as such, the proposed rezoning to a residential district will ensure its development is compatible with the scale and character of the present surrounding neighborhoods. This rezoning will also remove another parcel from the legacy UD district.

Attachment: 24-68 PC Packet (9047 : 24-68)

Staff Analysis

PROPERTY DESCRIPTION

The 1.26-acre subject parcel once held a manufactured home and sparse tree cover, but has since been cleared. The adjacent English Trails and Keswick subdivisions take neighborhood access from Pikeview Road. The subject parcel, however, takes direct driveway access from Pikeview Road. Generally, this area of the county is overwhelmingly characterized by detached suburban homes.

Table 1: Property Context

PROXIMITY	CURRENT LAND USE	CURRENT ZONING	2035 LAND USE PLAN RECOMMENDATION
NORTH	Residential	PD	Neighborhood Residential
SOUTH	Residential	UD, RMX-20	Neighborhood Residential
EAST	Residential	PD, RMX-20	Neighborhood Residential
WEST	Residential	RMX-20	Neighborhood Residential

ZONING AND LAND USE HISTORY

- ◆ July 22 1986: Subject parcel was originally zoned UD.
- ◆ February 12, 2024: Recorded current plat of subject parcel TM# 726-041 (PB 172, PG 121).

REZONING REQUEST

The applicant is requesting to rezone approximately 1.24 acres from UD to RMX-20.

- ◆ *Current Zoning District: Urban Development (UD). This district was designed to permit maximum use flexibility in response to existing conditions and characteristics at the adoption of zoning, with the goal of minimizing land use conflicts. However, over the years, this flexibility has resulted in the opposite, creating a lack of compatibility of new development with the existing local character.*
- ◆ *Proposed Zoning District: Residential Mixed 20 (RMX-20). This district is designed to allow a diversity of housing types at variable densities based on residential land use, on lots generally with a minimum area of 20,000 square feet, is applied principally to undeveloped parcels where housing type and density flexibility will complement the character of existing residential neighborhoods, and where public water and sewer is readily available.*

Table 2: Zoning District Comparison

	ZONING DISTRICT: UD	ZONING DISTRICT: RMX-20
MINIMUM LOT SIZE	None	20,000 SF
PERMITTED LAND USES	Retail, warehouse, distribution, light machinery	Single family detached, duplex, triplex, quadplex

Exhibit A - Existing Zoning Map

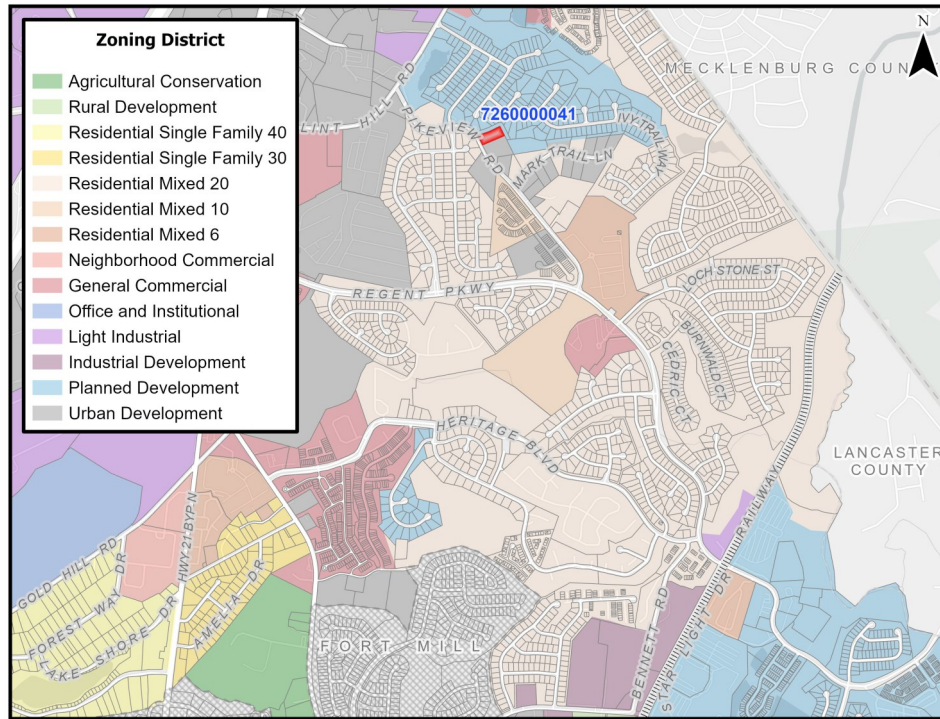
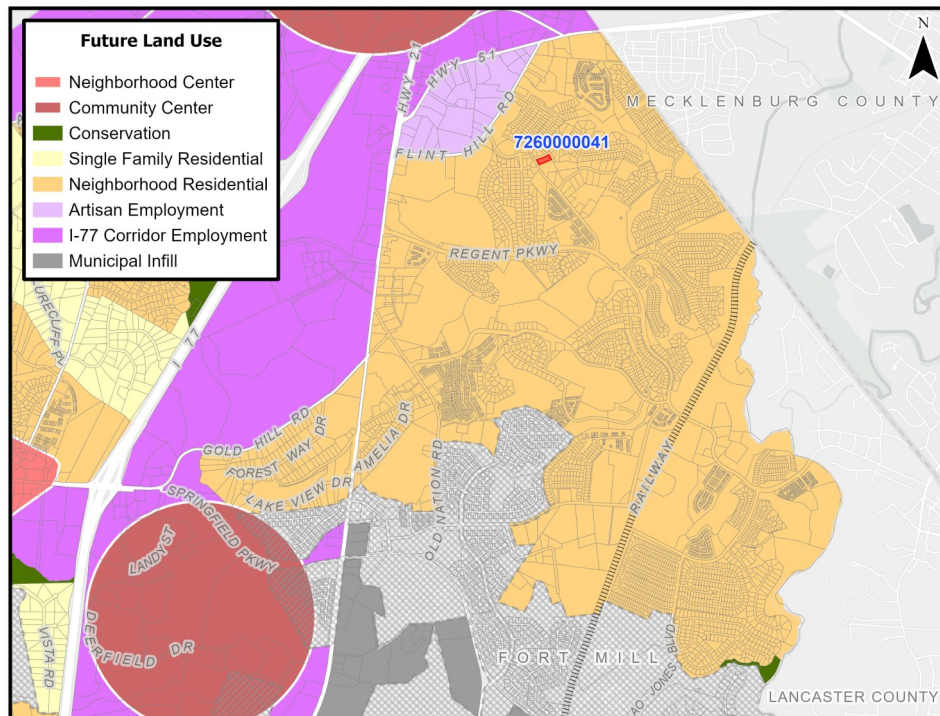


Exhibit B - 2035 Land Use Plan



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 *Neighborhood Residential* future land use in the *York Forward 2035* Comprehensive Plan. This designation is described as places comprised of a mix of housing types and residential lot sizes located in close proximity to neighborhood-serving uses at intersections on major streets, where appropriate. Neighborhoods are designed with a connected street network, sidewalks, and bike paths to allow residents to access area amenities both on foot or by bicycle.

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

The rezoning request is consistent with the Future Land Use Map and York Forward 2035 Comprehensive Plan. While a parcel consolidation of the UD district at the intersection of Pikeview Road and Mark Trail Lane might afford a development closest in character to the surrounding development, the requested RMX-20 land use does align with the scale and character expected within the *Neighborhood Residential* future land use designation. This parcel is part of a large suburban area, and as such, the proposed rezoning will ensure its development is compatible with the scale and character of the present surrounding neighborhoods. This rezoning will also remove another parcel from the legacy UD district.

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

The allowed uses of the proposed zoning district are compatible with the surrounding area. This lot is part of a large RMX-20 suburban district, and as such the proposed rezoning will make it compatible with the scale and character of the present surrounding neighborhoods.

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

The scale of the proposed development is compatible with the surrounding and intended future land uses.

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

The applicant intends to build one new 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 utility service area but intends to utilize 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 on Pikeview Road, which is maintained by SCDOT as S-642. Pikeview Road is designated as a local roadway, and there is currently no count data

available. Pikeview is a paved two-lane roadway with a posted speed limit of 25 mph.

The applicant proposes a construct one single-family dwelling. The proposed development is not expected to generate enough traffic to negatively impact the current 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 this request.

NEXT STEPS

The rezoning request is anticipated to follow the process below:

- ◆ Public Hearing: February 3, 2025
- ◆ County Council (First Reading): February 3, 2025
- ◆ County Council (Second Reading): February 17, 2025
- ◆ County Council (Third Reading): March 3, 2025

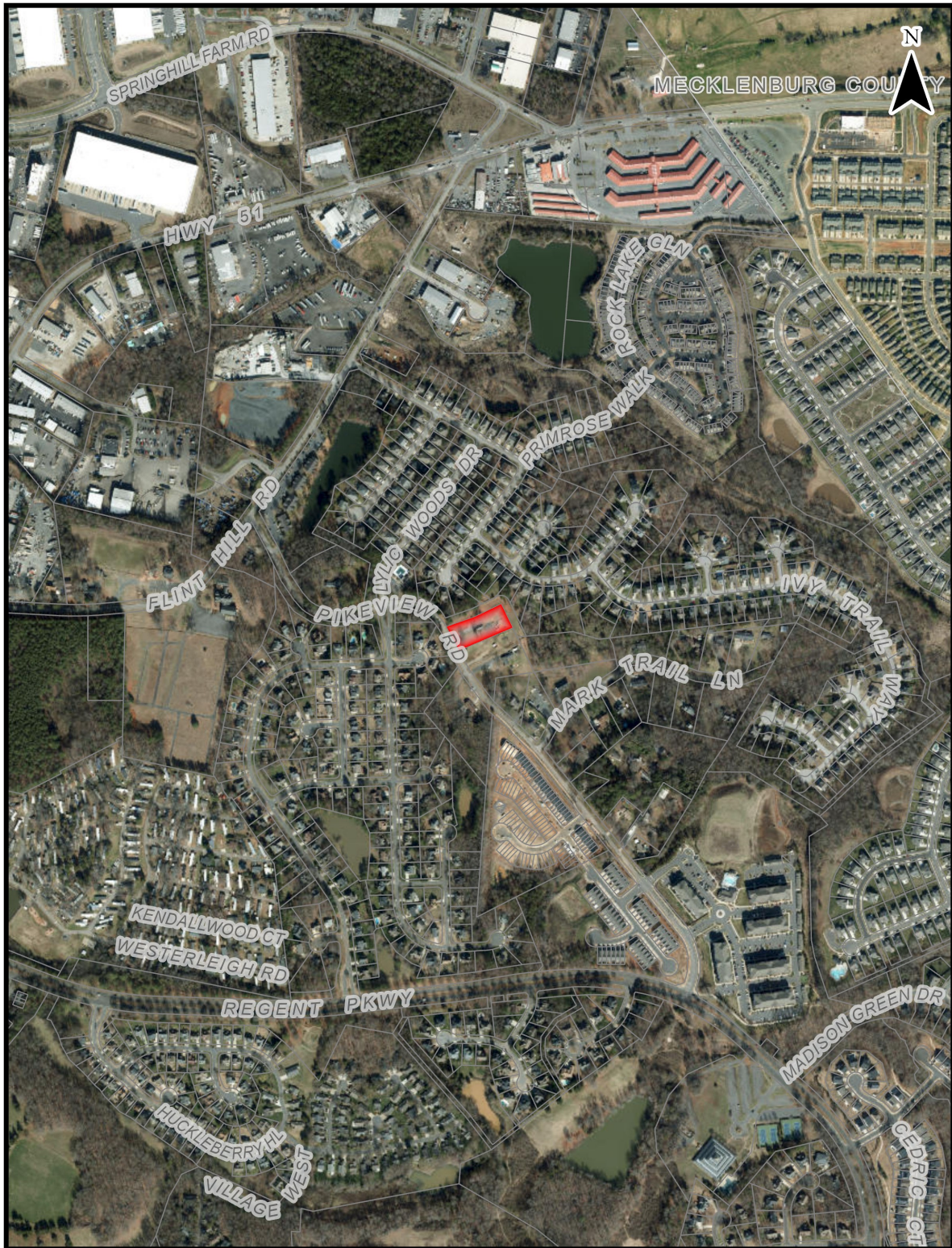
PLANNING AND DEVELOPMENT STAFF CONTACT

Thomas Newlin

Long Range Planner

(803) 909-7233

Thomas.Newlin@yorkcountygov.com

Exhibit C - Aerial Map

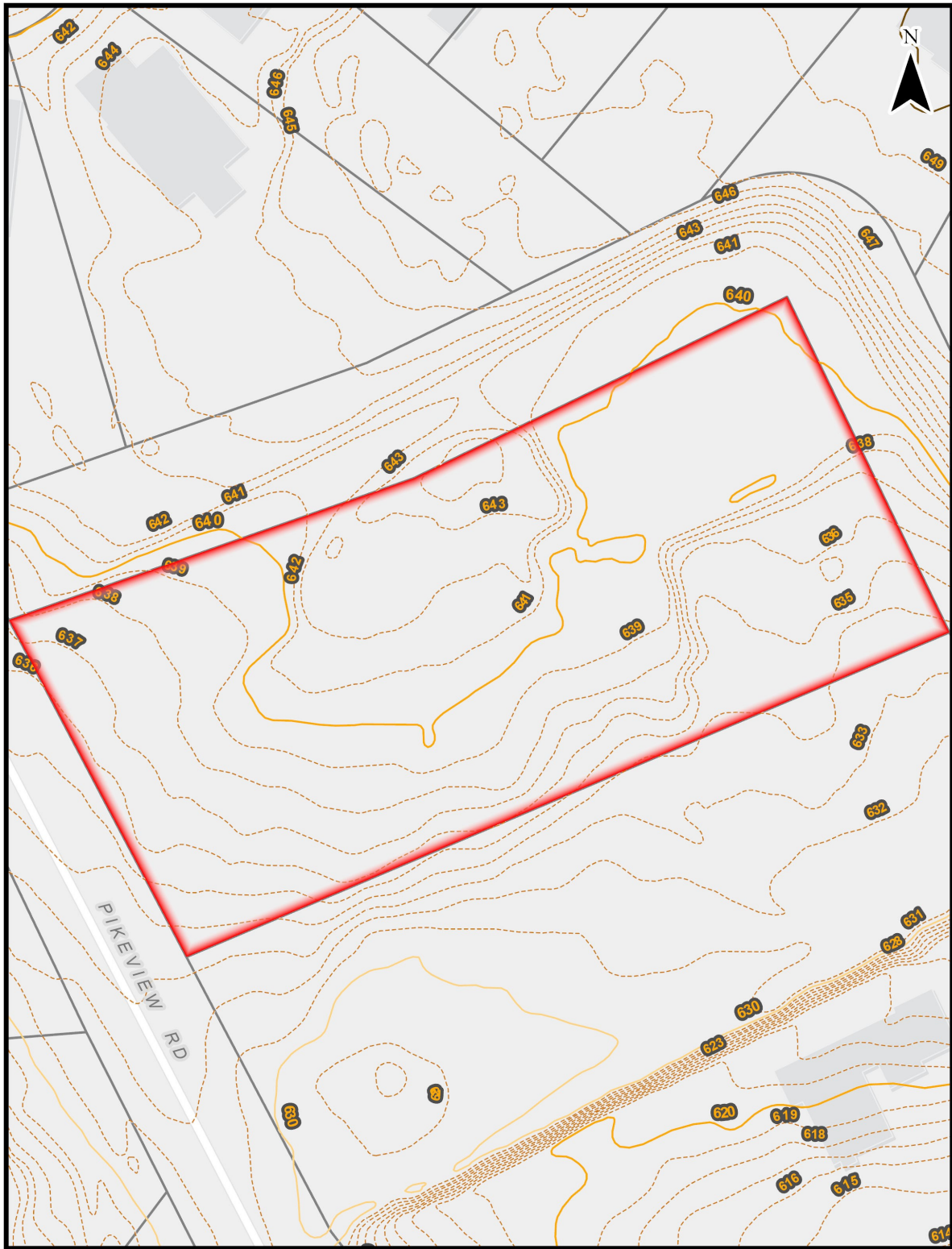
Attachment: 24-68 PC Packet (9047 : 24-68)

Exhibit D - Aerial Map—Parcel



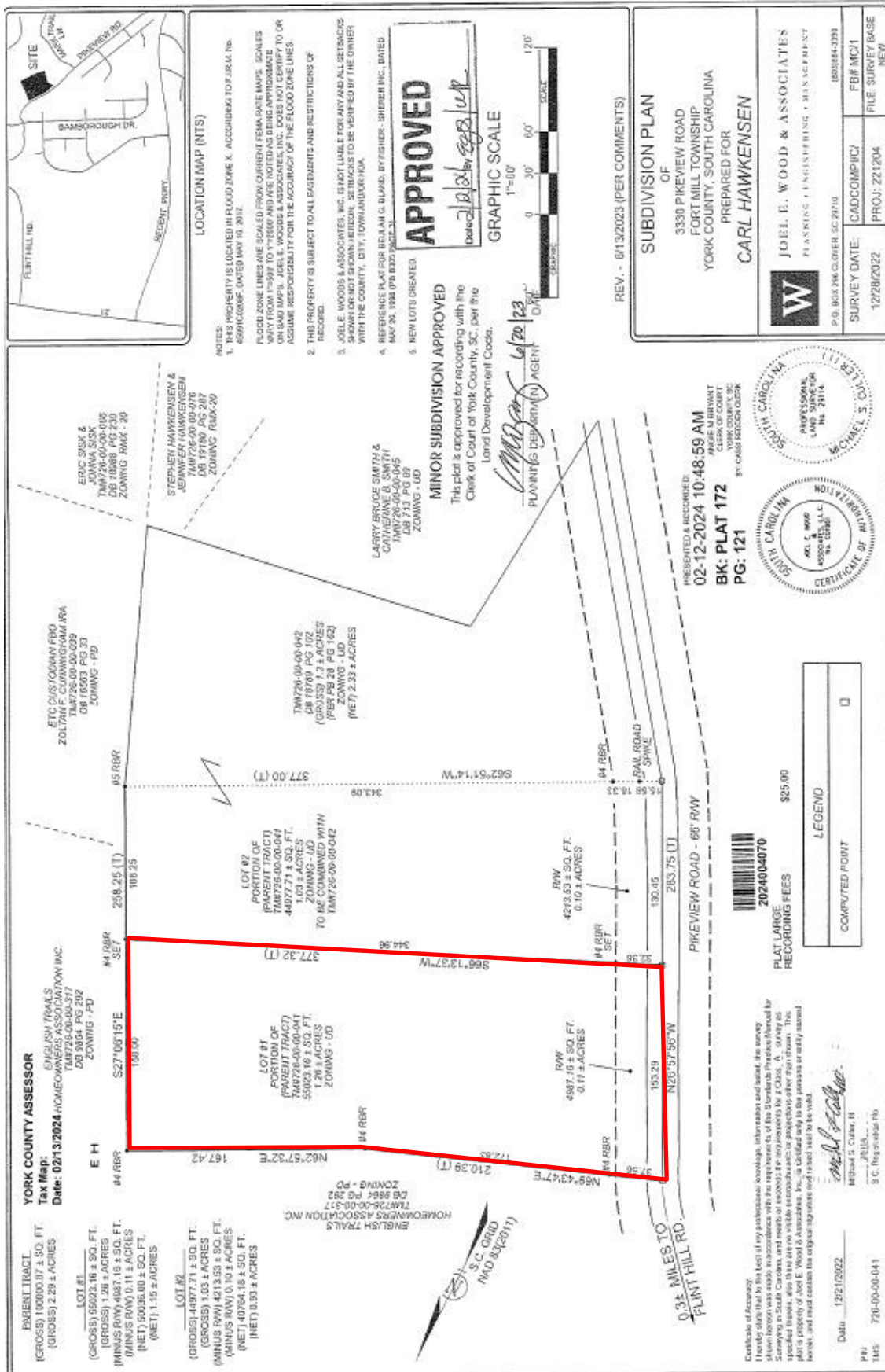
Attachment: 24-68 PC Packet (9047 : 24-68)

Exhibit E - Environmental Map



Attachment: 24-68 PC Packet (9047 : 24-68)

Exhibit F - Plat



SUPPLEMENTAL QUESTIONS

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

Build single family home

2. Are there existing structures on the site?

Yes ☐

No ☒

If yes, please describe: _____

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.

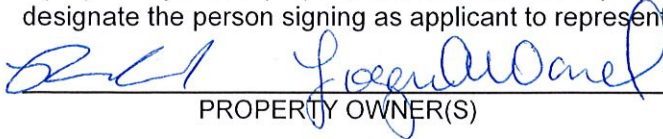


APPLICANT(S)

11-27-24

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.



PROPERTY OWNER(S)

11-27-24

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)

11-27-24

DATE

YOU MUST SUBMIT THE ORIGINAL 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.

PLANNING COMMISSION

**PLANNING COMMISSION TO REVIEW AND PROVIDE A RECOMMENDATION TO
AMEND CHAPTER 155: ZONING CODE TO INCREASE THE MAXIMUM SIZE
ALLOWED FOR ACCESSORY STRUCTURES ON LOTS LESS THAN ONE ACRE.**



ZONING CODE TEXT AMENDMENT

ACCESSORY STRUCTURES

Staff Report



Planning Commission Meeting:

Monday, January 13, 2025

County Council First Reading:

Monday, February 17, 2025

Background

At the August 20, 2024 Planning and Zoning Committee of County Council, staff presented on the subject of accessory structures. This item was referred to the Committee to consider relaxing some of the regulations. Currently, on lots less than one acre, the maximum gross floor area of an accessory structure is limited to 50% of the gross floor area of the principal structure. On lots one acre or larger in size, there is no limit on maximum gross floor area of the accessory structure.

The Committee considered whether or not the 50% maximum should be expanded, and options for how they could be modified. Staff provided information on how other comparable jurisdictions in the area regulate accessory structures to provide a framework for discussion. Ultimately, the Committee moved to increase the allowance from 50% up to 65%.

Currently, accessory structures are regulated by two distinct sections of the code; those located within the Lake Wylie Overlay (LW-O) have additional standards that apply. Regulating accessory structures across two separate sections has been onerous and this text amendment proposes to consolidate the two for clarity, consistency, and ease of use.

The LW-O standards for accessory structures have proven to be overly burdensome to property owners. This is particularly true for location. Currently, accessory structures must be located at or behind the front building line of the principal structure. This location requirement is forcing structures to be located behind the principal structure, many of which are located at or within the required 50-foot riparian buffer on the banks of Lake Wylie. Similarly, the compatibility requirement in the LW-O has caused a disproportionate number of issues for residential properties, where owners confront the challenge of desired accessory structures matching the materials, colors, and styles similar to the principal dwelling.

Current Regulation

§ 155.622 ACCESSORY USES AND STRUCTURES – SETBACKS, HEIGHT, AND SIZE.

(B) Height Limitations for Accessory Structures. Accessory structures are limited to 125% of the height of the principal structure on the lot, but in no case shall the accessory structure exceed the maximum height specified for the zoning district in which the

structure is located (see Subchapter B, Subpart 2.2: Base District Dimensional Standards).

(C) Maximum Size of Accessory Structures.

(1) On lots less than one acre in size, the maximum gross floor area of an accessory structure is 50% of the gross floor area of the principal structure.

(2) On lots one acre or larger in size, there is no limit on maximum gross floor area of the accessory structure.

§ 155.205 ACCESSORY STRUCTURES – SINGLE-FAMILY DETACHED.

(Lake Wylie Overlay)

(A) **Applicability.** The following standards apply only to accessory structures to single-family detached homes on lots less than one acre, or that are adjacent to Lake Wylie, that are zoned RSF-40, RSF-30, RMX-20, RMX-10, RMX-6, or PD (unless otherwise specified).

(B) Size and Proportion.

(1) An accessory structure must be clearly subordinate to the principal structure in all dimensional aspects.

(2) The maximum building coverage of all accessory structures shall not exceed 50% of the building footprint of the principal structure on the lot, or 600 square feet, whichever is greater.

(C) Location.

(1) Accessory structures must be located at or behind the front building line of the principal structure on the lot.

(2) Accessory structures less than 15 feet tall must be set back at least five feet from interior side and rear lot lines. Accessory structures at least 15 feet tall, except alley-loaded detached garages, must be set back at least 10 feet from interior side and rear lot lines.

(3) Alley-loaded detached garages must be set back from the rear property line either three feet or at least 20 feet.

(4) Accessory structures smaller than 600 square feet of floor area must be separated by at least five feet from any other structure on the lot. Accessory structures containing at least 600 square feet of floor area must be separated by at least 10 feet from any other structure on the lot.

(5) Accessory structures must not be located in any platted or recorded easement, right-of-way, or septic drain field, unless otherwise expressly stated.

(D) **Attachment.** The following examples of physical attachment to a principal structure will be considered detached structures that must meet the standards in this Section:

- (1) A structure that is not architecturally integrated into the principal structure.
- (2) A structure that is connected to the principal structure by means of an open breezeway.

(E) **Compatibility.** Accessory structures, both attached and detached, must consist of materials, colors, and styles that are similar to the principal dwelling. Metal or vinyl siding are not considered similar to fiber cement siding.

Proposed Amendment

After comparing York County accessory structure standards to other jurisdictions, staff presented a report to the Planning and Zoning Committee, suggesting the maximum allowance for accessory structures on lots less than one acre could be increased from 50% to 65%. Other potential standards reviewed included removing the maximum allowance entirely, or leaving the code provision as is.

The proposed amendment increases the maximum allowance of accessory structures on lots less than one acre from 50% of the gross floor area of the principal structure up to 65% of the building footprint or 600 square feet, whichever is greater. This change is threefold. First, the change from gross floor area to footprint is a simpler measurement, most accessory structures are a single story, and some may not include enclosed space that would constitute floor area. The increase to 65% is a relaxation of the limitation, but still ensures accessory structures are smaller than the principal structure, and therefore subordinate. Lastly, allowing for at least 600 square feet of accessory structures, regardless of the size of the principal dwelling, ensures properties can feature reasonable structures such as detached garages or sheds.

Regarding the separate standards in the LW-O, the proposed amendment would eliminate the location and compatibility requirements from the consolidated standards. By consolidating, the overlay would not apply an additional layer of standards over the countywide standard.

To provide clarification, this amendment also adjusts the defined term “accessory structure”. The adjustment makes clear that accessory structures “attached” to a principal structure by only a breezeway or other rudimentary methods are still considered accessory.

Jurisdictional Comparison Class

The table below compares how the size of accessory structures are regulated in “like” (large South Carolina counties) and “local” jurisdictions. The majority of the zoning codes looked at did provide some parameters on the size, while a few had no regulations. Staff

Accessory Structures

is anticipating this potential change will have a relatively small, but positive impact on residential property owners.

JURISDICTION		REGULATION NOTES
YORK COUNTY		On lots less than 1 acre, 50% GFA
LIKE	Anderson County	20% of rear yard
	Berkeley County	On lots less than 1 acre, 65% of principal structure; excludes Ag structures
	Charleston County	Max building coverage 30-40% of lot, includes accessory
	Greenville County	On lots less than 1 acre, 20% of rear yard, larger lots can use 20% of front yard.
	Horry County	No maximum, must be in rear yard
	Lexington County	No maximum
	Richland County	Greater of 50% of principal GFA or 1,200 SF; max 30% of rear yard
	Spartanburg County	No maximum
LOCAL	Charlotte/Mecklenburg	Cannot exceed the GFA of the principal first floor; max building area 30-50%
	Clover	Max 2 buildings; total 50% principal GFA
	Fort Mill	No maximum
	Gaston County	4-6% based on acreage; max 3-5 structures; smaller footprint than principal
	Lancaster County	Max 2 buildings, 75% principal GFA; < 0.5 acres: 750 SF each
	Rock Hill	Greater of 30% or 600-800 SF, based on garage; Rural District lot of 5+ acres, no max
	Tega Cay	Max building coverage 40% of lot, includes accessory
	York	No maximum

Staff Recommendation

The expansion of the allowance of accessory structure maximums on lots less than one acre is expected to have a positive impact on property owners around the County. Increasing it from 50% to 65% is a reasonable amount while still ensuring the structures are accessory and subordinate to the principal structure.

Additionally, consolidating the standards for accessory structures into a single section will allow lake properties opportunities to develop reasonable accessory structures that currently require variances.

Staff recommends adoption of the draft text amendment included in this report.

§ 155.1109(A) - Planning Commission Review and Recommendation

- (1) The Planning Commission shall review all proposals to amend this Chapter and prepare a report of recommendations.
- (2) The Planning Commission will have 30 days within which to submit its report. If the Planning Commission fails to submit a report to County Council within the 30-day period, it will be deemed to approve the requested amendment.
- (3) In making its report of recommendations, the Planning Commission will consider the following factors:

- (a) The relationship of the proposed text amendment to the Comprehensive Plan and Future Land Use Map;

Staff comment: The proposed text amendment furthers appropriate growth where adequate infrastructure exists as described in Goal LU-1.1 of the Comprehensive Plan, as any accessory structures will be constructed on lots that already contain a principal structure. Relaxing standards for residential accessory structures may reduce the need for offsite storage options.

- (b) The relationship of the proposed text amendment to other relevant plans adopted by the County;

Staff comment: The proposed text amendment furthers the Strategic Plan *Grow Responsibly* goal, Strategy 1(a), by managing land use codes to adopt to growth and change and Strategy 1(f), by making the County code user-friendly while providing solutions to identified issues.

- (c) Whether the proposed text amendment is consistent with best practices for community planning and design; and

Staff comment: The proposed text amendment is informed by other comparable jurisdictions, falls within the range of best zoning practice, and has been vetted and reviewed by the Planning and Zoning Committee.

- (d) Whether public necessity, safety, or general welfare justifies the text amendment.

Staff comment: While the proposed amendment would allow for additional massing on smaller residential lots, it is a modest increase over the current maximum. The proposed amendment is not contrary to public necessity, safety, or general welfare.

Draft Text Amendment

~~§ 155.205 — ACCESSORY STRUCTURES — SINGLE-FAMILY DETACHED.~~

~~(A) — **Applicability.** The following standards apply only to accessory structures to single-family detached homes on lots less than one acre, or that are adjacent to Lake Wylie, that are zoned RSF-40, RSF-30, RMX-20, RMX-10, RMX-6, or PD (unless otherwise specified).~~

~~(B) — **Size and Proportion.**~~

~~(1) — An accessory structure must be clearly subordinate to the principal structure in all dimensional aspects.~~

~~(2) — The maximum building coverage of all accessory structures shall not exceed 50% of the building footprint of the principal structure on the lot, or 600 square feet, whichever is greater.~~

~~(C) — **Location.**~~

~~(1) — Accessory structures must be located at or behind the front building line of the principal structure on the lot.~~

~~(2) — Accessory structures less than 15 feet tall must be set back at least five feet from interior side and rear lot lines. Accessory structures at least 15 feet tall, except alley-loaded detached garages, must be set back at least 10 feet from interior side and rear lot lines.~~

~~(3) — Alley-loaded detached garages must be set back from the rear property line either three feet or at least 20 feet.~~

~~(4) — Accessory structures smaller than 600 square feet of floor area must be separated by at least five feet from any other structure on the lot. Accessory structures containing at least 600 square feet of floor area must be separated by at least 10 feet from any other structure on the lot.~~

~~(5) — Accessory structures must not be located in any platted or recorded easement, right-of-way, or septic drain field, unless otherwise expressly stated.~~

~~(D) — **Attachment.** The following examples of physical attachment to a principal structure will be considered detached structures that must meet the standards in this Section:~~

~~(1) — A structure that is not architecturally integrated into the principal structure.~~

~~(2) — A structure that is connected to the principal structure by means of an open breezeway.~~

~~(E) — **Compatibility.** Accessory structures, both attached and detached, must consist of materials, colors, and styles that are similar to the principal dwelling. Metal or vinyl siding are not considered similar to fiber cement siding.~~

§ 155.622 SETBACKS, HEIGHT, AND SIZE.

(A) Setbacks for Accessory Uses and Structures.

(1) Table 155.622-1: *Minimum Required Setbacks for Accessory Uses and Structures* specifies the minimum distance an accessory structure or use must be located from the lot line.

(2) For the purposes of this Section, accessory uses and structures are categorized as major or minor depending on their characteristics.

(a) Major Accessory Uses and Structures.

1. Major accessory uses and structures are substantial uses and structures that are generally obvious from outside the parcel and will vary by district.

2. Examples of major agricultural accessory uses and structures include farm labor housing, animal shelters, animal pens, kennels, barns, farm equipment sheds, manure stock piles, feed stations, and troughs.

3. Examples of major residential accessory buildings include dwellings, utility buildings, storage sheds, workshops, stables, private kennels, and detached garages.

4. Examples of major residential accessory uses and structures include tennis courts, swimming pools, stables, satellite dishes, and antennas (ham radio, CB, TV).

5. Examples of major commercial or industrial accessory uses and structures include garbage dumpster surrounds and pads, loading docks, and storage yards.

(b) *Minor Accessory Uses and Structures.* Minor accessory uses and structures include uses and structures that are not unique to a particular land use, including utility poles; mailboxes; flagpoles; fences; landscape features; fruit, vegetable, and ornamental gardens; driveways; parking areas; and retaining walls less than four feet in height.

Accessory Structures

Table 155.622-1: Minimum Required Setbacks for Accessory Uses and Structures

Accessory Use or Structure	Setbacks (min)			
	Front (Major Road)	Front (Minor Road or No Road Frontage)	Side (Internal)	Rear
Major Agricultural, Commercial, or Industrial Accessory Uses and Structures	Same as zoning district (see Subchapter B, Subpart 2.2: <i>Base District Dimensional Standards</i>)			
Major Residential Accessory Buildings, except Alley-Loaded Garages	Same as zoning district (see Subchapter B, Subpart 2.2: <i>Base District Dimensional Standards</i>)		10 ft / 5 ft ¹	5 ft
Major Residential Accessory Buildings, Alley-Loaded Garages Only	n/a	n/a	5 ft	3 ft (build-to) or 20 ft (min)
Major Residential Accessory Uses and Structures, except Swimming Pools	Same as zoning district (see Subchapter B, Subpart 2.2: <i>Base District Dimensional Standards</i>)		10 ft / 5 ft ¹	15 ft
Major Residential Accessory Uses and Structures, Swimming Pools Only	n/a	n/a	10 ft / 5 ft ¹	10 ft
Minor Accessory Uses and Structures	0 ft	0 ft	0 ft	0 ft
Retaining Walls Greater than 4 ft in height	Same as zoning district (see Subchapter B, Subpart 2.2: <i>Base District Dimensional Standards</i>)			

Key: min = minimum required | ft = feet | sf = square feet | n/a = not applicable

¹ The lesser setback applies to lots that are 8,500 sf or less in size or 65 ft or less in width. The greater setback applies to all other lots.

~~(B) — **Height Limitations for Accessory Structures.** Accessory structures are limited to 125% of the height of the principal structure on the lot, but in no case shall the accessory structure exceed the maximum height specified for the zoning district in which the structure is located (see Subchapter B, Subpart 2.2: *Base District Dimensional Standards*).~~

(C)(B) Maximum Size of Accessory Structures.

(1) On lots less than one acre in size, the maximum ~~total gross floor area~~building footprint of ~~an~~ accessory structure ~~s~~ is ~~50~~65% of the ~~gross floor area~~building footprint of the principal structure, or 600 square feet, whichever is greater.

(2) ~~On lots one acre or larger in size, there is no limit on maximum gross floor area of the accessory structure.~~Residential accessory structures shall be clearly subordinate to the principal structure in all dimensional aspects.

(3) Non-residential accessory structures are limited to 125% of the height of the principal structure on the lot or the zoning district maximum, whichever is lower (see Subchapter B, Subpart 2.2: Base District Dimensional Standards).

~~(D)~~(C) Prohibited Locations. Accessory uses and structures shall not be located in any platted or recorded easement, right-of-way, septic drain field, or required buffer unless otherwise expressly stated.

§ 155.1301 DEFINED TERMS

ACCESSORY STRUCTURE. A structure subordinate to and separated from the principal building on a lot, which is used for purposes customarily incidental to those of the main building. Structures attached to a principal structure via a breezeway (open or closed), or not otherwise architecturally integrated into the principal structure, are considered accessory. ~~Structures will be considered accessory only when a principal structure has been constructed or permitted on the parcel where the accessory structure is to be located.~~

Contributing Staff


Rachel Grothe, MCRP
Zoning Administrator

Approved by:



Jonathan Buono, AICP
Planning & Development Services Director

PLANNING COMMISSION

**PLANNING COMMISSION TO REVIEW AND PROVIDE A RECOMMENDATION TO
AMEND CHAPTER 155: ZONING CODE TO ESTABLISH A NEW ADMINISTRATIVE
ADJUSTMENTS PROCEDURE, WHICH COULD BE REQUESTED BY AN
APPLICANT WHEN A PROJECT CANNOT MEET, OR EXCEEDS, A
QUANTITATIVE STANDARD OF THE CODE.**



ZONING CODE TEXT AMENDMENT

Administrative Adjustments



Staff Report

Planning Commission Meeting:	Monday, January 13, 2025
County Council First Reading:	Monday, February 17, 2025

Background

Amongst the topics discussed during the August 20, 2024 Planning & Zoning Committee meeting was the measurement of lot area. During the discussion, staff raised the overall issue of measurements in the Zoning Code often serving as a point of contention for project applicants. In some instances, the quantitative limits in the code can create an unnecessary hardship, particularly so for relatively small projects that exceed what might be allowed, but are “oh so close.” For example, the code limits the maximum building area of accessory buildings on certain lots. If an applicant proposes a building just a few square feet over what is allowed, the building cannot be approved. Many accessory buildings are pre-fabricated and cannot be reduced, leaving applicants to decide between choosing a smaller product, requesting a variance, or abandoning the project altogether.

To alleviate some of this unnecessary hardship, staff suggested adding flexibility to the quantitative requirements in the Zoning Code in the form of an “administrative adjustment.” Adding administrative adjustments to the code was a recommendation of the Zoning & Subdivision Codes Assessment, a diagnostic report analyzing the aging codes, provided to the County in 2020.

At the conclusion of the August 20, 2024 meeting, the Committee requested an ordinance adding an administrative adjustments procedure to the code be brought to County Council for consideration. The matter was brought up again during the November 18, 2024 Council meeting by Planning & Zoning Chair Cloninger, without objection.

Current Regulation

The Zoning Code includes some limited administrative flexibility already, in the form of alternative bufferyard compliance (see Subchapter D, Part 3, Subpart 3.7 *Alternative Compliance*) and alternative parking plans (see Subchapter D, Part 5, Subpart 5.3 *Alternative Parking Plans*). Both of these provisions are administrative tools that provide applicants and staff the flexibility to arrive at compliance that meets the intent of the code, but deviates slightly from base standards. The same principle could be applied to more sections of the code through an administrative adjustments procedure.

Proposed Amendment

The draft text amendment included in this report establishes a new administrative adjustments procedure in Subchapter E of the Zoning Code. Adjustments would be requested by an applicant when a project cannot meet, or exceeds, a quantitative standard in the code. It would be an administrative review, appealable to the Board of Zoning Appeals like any other administrative decision. An administrative denial of an adjustment still leaves open the option of an applicant applying for a variance with the Board. An approved adjustment could save an applicant the time, cost, and uncertainty of pursuing a variance.

The amendment excludes certain standards from receiving an adjustment, to include special district standards, overlay district standards, lot size, density, and use separation. These are the most sensitive standards in the code, and should not be adjusted administratively.

The amendment limits an adjustment to *no more than 10%* of the required standard. In approving an adjustment, staff would need to find that the adjustment would not result in a project inconsistent with the surrounding character of the area, that any adverse impacts are mitigated, and that it would not interfere with adjacent land. Staff could apply conditions of approval to ensure these findings are met.

Jurisdictional Comparison Class

The table below compares how administrative adjustments in zoning codes are regulated in “like” (large South Carolina counties) and “local” jurisdictions. Ten out of the sixteen comparison jurisdictions have at least some administrative flexibility to adjust quantitative standards in their code. Setbacks, parking, and buffers are amongst the most common standards with flexibility, but four of the jurisdictions allow almost any code standard to be adjusted. The amount of adjustments allowed ranges from 5% to 25%.

JURISDICTION		REGULATION NOTES
	YORK COUNTY	parking, buffers
LIKE	Anderson County	none
	Berkeley County	none
	Charleston County	setbacks, parking, buffers
	Greenville County	parking, connectivity, landscaping
	Horry County	parking
	Lexington County	buffer/setback encroachment, greater of 5% or 6"
	Richland County	most standards; 10%
	Spartanburg County	none

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LOCAL	Charlotte/Mecklenburg	all standards except density; 5%
	Clover	site standards (if to protect trees), parking
	Fort Mill	none
	Gaston County	setbacks, parking, height, landscaping, accessory structure size, nonconformity expansion
	Lancaster County	dimensional standards
	Rock Hill	most standards; 10-25%
	Tega Cay	none
	York	none

Staff Recommendation

Introducing an administrative adjustment procedure to the Zoning Code would add needed flexibility, allowing staff to accommodate reasonable deviations from quantitative standards without disrupting neighboring property. An approved administrative adjustment would save applicants the time, cost, and uncertainty of pursuing a variance with the Board of Zoning Appeals, which is currently the only option when a project does not meet a quantitative requirement, no matter how close.

A majority of comparison jurisdictions provide at least some administrative relief. This includes the City of Rock Hill, which allows most standards to be adjusted by as much as 25%.

The draft amendment in this report allows for a reasonable 10% adjustment to most standards, and provides safeguards against adversely affecting neighboring property.

Staff recommends adoption of the draft text amendment included in this report.

§ 155.1109(A) - Planning Commission Review and Recommendation

- (1) The Planning Commission shall review all proposals to amend this Chapter and prepare a report of recommendations.
- (2) The Planning Commission will have 30 days within which to submit its report. If the Planning Commission fails to submit a report to County Council within the 30-day period, it will be deemed to approve the requested amendment.
- (3) In making its report of recommendations, the Planning Commission will consider the following factors:
 - (a) The relationship of the proposed text amendment to the Comprehensive Plan and Future Land Use Map;

Staff comment: The proposed amendment does not impact uses and does not jeopardize any of the goals in the Plan.
 - (b) The relationship of the proposed text amendment to other relevant plans adopted by the County;

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Staff comment: The proposed amendment aligns with the Strategic Plan, Goal 4: Grow Responsibly. Initiative 1.f is to “simplify and make the County code user-friendly in order to approach planning issues with solutions in mind.” The proposed amendment would afford administrative flexibility for property owners seeking modest deviations from quantitative code requirements. The amendment presents a solution to small standards issues that may otherwise present a process or financial burden for affected property owners.

- (c) Whether the proposed text amendment is consistent with best practices for community planning and design; and

Staff comment: As demonstrated in the jurisdictional comparison, the proposed amendment falls within the range of best practice in zoning codes.

- (d) Whether public necessity, safety, or general welfare justifies the text amendment.

Staff comment: Adding minor administrative flexibility to otherwise rigid quantitative standards in the Zoning Code enhances the public welfare, reduces the burden of regulation on property owners, and reduces the number of hearings before the Board of Zoning Appeals over small numerical deviations. Limitations and required findings ensure the welfare of neighboring properties is not lost to the benefit of expediency for an application property.

Draft Text Amendment

Chapter 155: Zoning Code, Subchapter E: *Procedures*, Table 155.957-1: *Summary of Procedures* is hereby amended as follows:

Table ~~Error! Reference source not found.~~ 155.957-1: Summary of Procedures

Procedure	Review, Decision-Making, & Appeal Bodies				Public Hearing Required
	Staff	BZA	PC	CC	
<u>Administrative Adjustments</u>	<u>D</u>	<u>A</u>			<u>No</u>
Appeal of Administrative Decisions		D			Yes
Communications Tower Permit	D/R	A/D			No for Staff decision Yes for BZA decision
Home Occupation Permits	D	A			No

Text Amendment: Administrative Adjustments

Table Error! Reference source not found. 155.957-1: Summary of Procedures

Procedure	Review, Decision-Making, & Appeal Bodies				Public Hearing Required
	Staff	BZA	PC	CC	
Public Project Review	R		R		Yes
Small Wireless Application	D	A			No
Special Districts	R		R	D	Yes
Special Exception Permit	R	D			Yes
Variances	R	D			Yes
Zoning Code Interpretations	D	A			No
Zoning Code Text Amendments	R		R	D	Yes
Zoning Compliance	D	A			No
Zoning Map Amendments (Rezoning)	R		R	D	Yes

Key: Staff = Planning and Development Services Department staff | BZA = Board of Zoning Appeals | PC = Planning Commission | CC = County Council | R = Review Body | D = Decision-Making Body | A = Appeal Body

Chapter 155: Zoning Code, Subchapter E: *Procedures*, is hereby amended to add the following as Part 2: Administrative Adjustments, with successive Parts, Sections, and Tables renumbered appropriately:

ADMINISTRATIVE ADJUSTMENTS

PURPOSE.

This Part establishes the administrative adjustment to avoid unnecessary hardships that could result from a strict application of this Chapter by allowing the Zoning Administrator to approve minor adjustments to quantitative development standards.

APPLICABILITY.

This Part applies to administrative adjustments to quantitative development standards required in this Chapter, such as bufferyard dimensions, building setbacks, building heights, minimum lot widths, and parking requirements.

EXCLUSIONS.

(A) **Adjustments to Thresholds Prohibited.** Only a quantitative development standard may be adjusted. Defined quantitative thresholds or conditions in this Chapter that require additional standards may not be adjusted. For example, certain building design standards are required for buildings containing over 2,500 square feet of gross floor area. The gross floor area threshold cannot be adjusted to otherwise exempt a building from certain design standards.

(B) **Standards Excluded from Adjustment.** The following development standards may not be adjusted pursuant to this Part:

- (1) Any standard established by a special district
- (2) Any standard established by an overlay district
- (3) Minimum lot size
- (4) Residential density
- (5) Use separation distance

INITIATION.

(A) **Applicant Eligibility.** An administrative adjustment application may be initiated by:

- (1) The property owner or tenant of the property; or
- (2) An agent of the property owner or tenant of the property, with a notarized authorization from the property owner or tenant, as applicable.

(B) **Application Requirements.** An administrative adjustment application must be filed with the Planning and Development Services Department on an application provided by the Planning and Development Services Department.

DECISION.

The Zoning Administrator is authorized to grant administrative adjustments to specified development standards when the standards of *Approval Criteria* are met. Nothing in this Part shall be construed as obligating the Zoning Administrator to grant requested adjustments. Applicants of a denied adjustment retain the right to pursue a variance from the Board of Zoning Appeals (see Subchapter E, Part 9: Variances).

APPROVAL CRITERIA.

(A) **Limitation on Administrative Adjustments.** The extent of an administrative adjustment to increase a maximum standard or reduce a minimum standard may not exceed 10%.

(B) **Required Findings.** The Zoning Administrator must find that the applicant has met the following criteria to grant the application:

(1) *In General.* The proposed administrative adjustment would not be inconsistent with the character of the development in the surrounding area;

(2) *Mitigates Adverse Impacts.* Any adverse impacts resulting from the proposed administrative adjustment would be mitigated to the maximum extent practicable;

(3) *Technical Nature.* The proposed administrative adjustment is of a technical nature (i.e., relief from a dimensional or other quantitative standard), and is:

(a) An error in measurement that is identified after the issuance of a zoning permit resulting in a structure that has been placed within a bufferyard or a setback in error and all reasonable remedies (except variance) have been exhausted;

(b) Necessary to compensate for some unusual aspect of the site or the proposed development that is not shared by landowners in general; or

(c) Proposed to save healthy existing trees.

(4) *Will Not Substantially Interfere with Adjacent Land.* The proposed administrative adjustment would not substantially interfere with the convenient and enjoyable use of adjacent lands and will not pose a danger to the public health or safety.

(C) **Conditions on Approvals.** The Zoning Administrator may place reasonable conditions on approvals of administrative adjustment applications.

SUBSEQUENT APPLICATIONS.

If an application is denied, the property owner or the owner's agent may not initiate the same or a similar administrative adjustment application for the parcel for a period of one year. This limitation does not prohibit the property owner or the owner's agent from seeking relief from the same standard through a variance application (see Subchapter E, Part 9: Variances).

SCOPE OF APPROVAL.

An approved administrative adjustment does not authorize construction or development of a building or structure. Any construction or development that occurs after approval of

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an administrative adjustment may require additional approvals, such as zoning compliance and building permits.

RECORDKEEPING.

The Zoning Administrator shall maintain a record of all administrative adjustment applications and related materials.

Contributing Staff

Jonathan Buono, AICP
Planning & Development Services Director

**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
24-37	Multiple Parcels	York County Council	2		Lake Wylie Area	RMX-20 GC, PD	RMX-6	Various	14-Oct Approve	4-Nov	4-Nov	18-Nov	2-Dec
24-48	4890000012	Smith	2	4.448	Paraham Road	AGC	RUD	Regional Emp Ctr	14-Oct Approve	4-Nov	4-Nov	18-Nov	2-Dec
24-49	6660000037	Bernard	5	3.0	Gill Way	ID	LI	Municipal Infill	14-Oct Approve	4-Nov	4-Nov	18-Nov	2-Dec
24-50	1940000056	Smith	3	0.68	Cedar Grove Road	RUD-I	RUD	Agriculture	14-Oct Approve	4-Nov	4-Nov	18-Nov	2-Dec
24-51	6010000029	Ward	5	1.00	Ward Drive	UD	RUD	Municipal Infill	14-Oct Approve	4-Nov	4-Nov	18-Nov	2-Dec
24-52	4640000019	Britt	2	3.02	Paraham Road N	AGC	RUD	Agriculture	9-Dec Approved	6-Jan	6-Jan	21-Jan	3-Feb
24-53	5440000207	PPC Properties	6	0.997	Grayson Road	UD	LI	Single Family Res	12-Nov Approve	2-Dec	2-Dec	16-Dec	6-Jan
24-54	6520000006 6520000012 6520000022	Eakin/Springland Inc and New Horizon Elect	1	2.759	Highway 160 W	RUD	GC	Single Family Res	12-Nov Approve	2-Dec	2-Dec	16-Dec	6-Jan
24-55	6450000219	Cooper	1	15.15	Vineyard Road	RSF-40	RUD	Single Family Res	12-Nov Approve	2-Dec	2-Dec	16-Dec	6-Jan
24-29	See staff report; 48 parcels	Planning Commission	5	292.00	Along York and Chester County border	None	AGC		12-Nov Approve	2-Dec	2-Dec	16-Dec	6-Jan
24-56	6920000032	Ingram	5	2.35	Wisteria Lane	UD	RSF-30	Neighborhood Res	9-Dec Approve	6-Jan	6-Jan	21-Jan	3-Feb
24-57	2570000008	Brown	3	7.00	Willis Farm Road	AGC	RUD	Agriculture	9-Dec Deny	6-Jan	6-Jan	21-Jan	3-Feb
24-58	5290000061	Respass	4	5.20	Odgen Road	AGC	RUD	Rural Residential	9-Dec Approve	6-Jan	6-Jan	21-Jan	3-Feb
24-59	5610000022	Flowers	2	1.47	Charlotte Hwy	RMX-20	ID	Neighborhood Res	9-Dec Deny	6-Jan	6-Jan	21-Jan	3-Feb
24-60	5070000041	Egner	5	1.67	McConnells Hwy	GC	RI	Single Family Res/ Rural Center	9-Dec Approve	6-Jan	6-Jan	21-Jan	3-Feb
24-61	7130000143 7130000216	Diblosi	7	0.71	Ritch/Old Nation	RSF-40	RMX-10	Municipal infill	9-Dec Deny	6-Jan	6-Jan	21-Jan	3-Feb
24-62	See staff report; 48 parcels	York County Council	3		Sandifer Road	AGC/RUD/ RSF-40	AGC-I/ RUD-I	Agriculture	9-Dec Approve	6-Jan	6-Jan	21-Jan	3-Feb
24-63	3730000027 3730000167	McCall	2	6.73	Dulin Road	RMX-20 UD	RUD	Rural Residential	13-Jan	3-Feb	3-Feb	17-Feb	4-Mar
24-64	5460000027 5460000209	Brown	6	12	Mt Gallant Road	RMX-20	RUD	Single Family Residential	13-Jan	3-Feb	3-Feb	17-Feb	4-Mar
24-65	3630000114	Hall	2	1.54	Ervin Street	UD	RSF-30	Single Family Residential	13-Jan	3-Feb	3-Feb	17-Feb	4-Mar
24-66	7160000066	Ognibene	1	16.77	Wilson Business Parkway	LI	ID	I-77 Corridor Employment	13-Jan	3-Feb	3-Feb	17-Feb	4-Mar

Attachment: Active Rezoning 2025 01 (9042 : Rezoning Tracking Sheet)

24-67	7210000015	Pappas/GTA Properties LLC	7	4.86	Highway 21	UD	GC	I-77 Corridor Employment	13-Jan	3-Feb	3-Feb	17-Feb	4-Mar
24-68	7260000041	Ward	7	1.26	Pikeview Road	UD	RMX-20	Neighborhood Residential	13-Jan	3-Feb	3-Feb	17-Feb	4-Mar

Shaded fields indicate that the action has been completed at time of publication (January 2, 2025). If the County Council vote is to deny the rezoning request, that is the final action.