

Minutes

Planning and Zoning Committee Meeting

November 22, 2022

4:30pm

The York County Planning and Zoning Committee met on the above date at 4:30pm., in the large conference Room at the Heckle Complex, 1070 Heckle Boulevard, Rock Hill, SC, with the following members present; Council member Allison Love and Council member William “Bump” Roddey. Also present were, County Manager, David Hudspeth, County Attorney Michael Kendree and Clerk to Council, Karen Brogdon.

Jonathan Buono, Diane Dil, Josh Reinhardt, Jamie Catoe, and Rachel Grothe also attended.

Discussion regarding event venue uses: Jonathan Buono explained that the County has to follow the South Carolina Building Codes, which applies to any structure, including former barns being used as event venue assembly spaces. Multiple changes have been made to the proposed ordinance to accommodate York County event venue businesses and make it easier to get approved (see the attached document).

Chairwoman, Allison Love stated that there is still additional work that needs to be done on the state level to accommodate event venues. Ms. Love stated that the Committee will address these issues with State Representatives and this will be discussed again at a future meeting.

Discussion regarding establishing a York County Tree Fund: Mr. Buono reported that Grand tree mitigation is working, but sites with a lot of grand trees have space constraints when planting mitigation. Introducing a County tree fund could give constrained sites an option to pay a fee-in-lieu for all or a portion of mitigation. Allowing for additional tree save area as mitigation is another alternative, or there could be a combination.

- The York County Tree Fund will be established as a separate, interest-bearing account managed by the County, and will be used solely for the purposes of:
 - Tree purchase and installation of new trees on public property and rights-of-way;
 - Maintenance of existing tree canopy on public property and rights-of-way;
 - Purchase of real property for the purposes of tree plantings or permanently protecting a wooded area with the application of a conservation easement;
 - Purchase conservation credits for public development projects; and
 - Administration of the activities authorized by this section.
- In cases where tree preservation or mitigation is required but planting is impractical or would compromise the health of preserved or planted trees, as determined by the Planning and Development Services Director, the Director may approve a fee-in-lieu of mitigation by payment to the York County Tree Fund. Fees will be calculated based on the requirement for fee-in-lieu payments in the applicable section of this part.

[REDACTED]

Discussion regarding traffic impact analysis requirements: County Attorney, Michael Kendree explained that modification made to the Traffic Impact Analysis would be to allow additional components to the agreements; roadway, intersection, durability, designs, etc. Mr. Kendree also explained that the Planning Commission could make the recommendation to the applicant to require the study, along with staff direction. These amendments would provide a more detailed analysis of what the deficiencies are to the road due to the fact that current TIA's do not address the conditions of the roadways.

Committee members agreed to report back on the discussion to the full Council.

Discussion regarding cluster subdivision design: Mr. Buono explained that prior to Recode, Council increased base minimum lot size conditions, allowing for smaller lots only if a developer designed a cluster subdivision with 50% open space. Staff is proposing to add clarification to the language of what constitutes a cluster and allow flexibility for Planning Commission to reduce the minimum separation distances. (see the attached document)

Discussion regarding new gravel roads: Mr. Buono reported that there is a developer that is interested in creating a large lot subdivision, rural community, minimal noise with gravel roads.

The Committee has concerns and would like additional information from staff and return to committee to discuss further.

There being no further business a motion to adjourn was made by Council member William "Bump" Roddey and seconded by Council member Allison Love. Meeting Adjourned

Proposed Event Venue Changes

York County Code of Ordinances, Zoning Code, Subchapter C, Part 2, Table 155.271-1: Use Table (PR, AGC, AGC-I, RUD, RUD-I, RSF-40, RSF-30, RMX-20, RMX-10, and RMX-6 Districts) is hereby amended to permit Event Venues as a Conditional Use in AGC, AGC-I, RUD, and RUD-I.

York County Code of Ordinances, Zoning Code, Subchapter C, Part 3, Subpart 3.16: EVENT VENUES is hereby amended to read as follows:

§ 155.420 APPLICABILITY.

This Subpart applies to all event venues and large capacity event venues that are specified as conditional or special exception uses in § 155.271: *Use Table*.

§ 155.421 DEVELOPMENT STANDARDS.

(A) Venue Capacity. The maximum number of users an event venue or large capacity event venue may accommodate at one time shall be limited to the maximum capacity of the venue, as determined by applicable building code, fire code, and/or parking requirements.

(B) Minimum Lot Size.

(1) There is no minimum lot size required for event venues located in the GC, OA, and MU Districts.

~~(1)(2)~~ All large-capacity event venues in the AGC, AGC-I, RUD, and RUD-I, and RC Districts must be located on a lot of at least ten five acres in size. Event venues uses, other than large capacity event venues, can be on lots smaller than ten acres with an approved Special Exception.

~~(B)(C)~~ Vehicular Access. Vehicular access to the site shall be adequate in terms of width, vertical clearance, and construction to support emergency vehicles, and shall meet all applicable provisions of the adopted fire code.

(D) Parking.

(1) Surface Materials. ~~For the purpose of site plan review, event venue and large capacity event venues shall be deemed commercial uses.~~ Parking associated with an event venue or large capacity event venue in any zoning district may be paved or constructed of pervious materials.

(2) Rural Surface Materials. In the AGC, AGC-I, RUD, ~~and RUD-I, and RC~~ Districts, parking may be ~~constructed of~~ surfaced with grass or gravel, if properly graded.

(3) In any case, Handicap Parking. Required handicap parking spaces shall be constructed in accordance with the version of the Americans with Disabilities Act Standards for Accessible Design (ADA Standards) in effect at the time of the permit application.

~~(1)(4)~~ On-Street Parking Prohibited. Parking associated with an event venue or large capacity event venue shall not occur in a public or private right-of-way or easement.

(E) **Separation.** Outdoor gathering areas, including parking areas, decks, patios, gazebos, fire pits, and docks, shall be located at least 3200 feet from any dwelling units not located on the same parcel as the event venue, whether or not such dwelling units are located in the incorporated or unincorporated area of York County. For the purposes of this Section, measurements shall be taken in a straight line from the portion of the outdoor gathering area nearest the dwelling unit to the dwelling unit.

~~(G)(F)~~ Building Permits. Building permit applications associated with an event venue or large capacity event venue may be filed concurrently with a zoning compliance application or pursuant to an approved zoning compliance. As required by § 40-3-280 of the South Carolina Code of Laws, all drawings submitted for building permits for buildings of assembly must be sealed by an architect registered in South Carolina.

§ 155.422 OPERATION REGULATIONS.

(A) **On-Site Management.** An on-site manager shall be present and available for the duration of all events occurring at the event venue or large capacity event venue. Up-to-date contact information for the on-site manager shall be included ~~on the venue's website, on marketing materials for the venue, and~~ in the venue's operational plan. Updated contact information shall be provided to the Zoning Administrator ~~anytime~~whenever the on-site manager's contact information changes.

(B) **Hours of Operation for Outdoor Gathering Areas.**

(1) With the exception of parking areas, outdoor gathering areas associated with an event venue or large capacity event venue that are located within 300 feet of a dwelling unit on another lot shall cease operation by 10:00 p.m. This distance shall be measured in a straight line from the edge of the outdoor gathering area nearest the dwelling unit to the dwelling unit.

(2) Amplified music or other sound in any outdoor gathering areas shall cease no later than 11:00 p.m.

~~(C)~~ **Noise Ordinance.** At all times, the facility shall comply with the maximum permitted sound levels identified in Subchapter D, Part 7: *Performance Standards*.

~~(D)(C)~~ Venue Capacity. ~~The maximum number of users an event venue or large capacity event venue may accommodate at one time shall be limited to the maximum capacity of the venue, as determined by applicable building code, fire code, and/or parking requirements.~~

§ 155.423 OPERATIONS PLAN.

(A) An operational plan for all event venues and large capacity event venues shall be submitted with the ~~permit~~ application, describing generally how the facility will operate.

~~(A)(B)~~ Substantive changes to the operational plan or substantive changes in the actual operation of the venue that vary from the approved plan shall require additional approval by the BZA or the Zoning Administrator, as applicable.

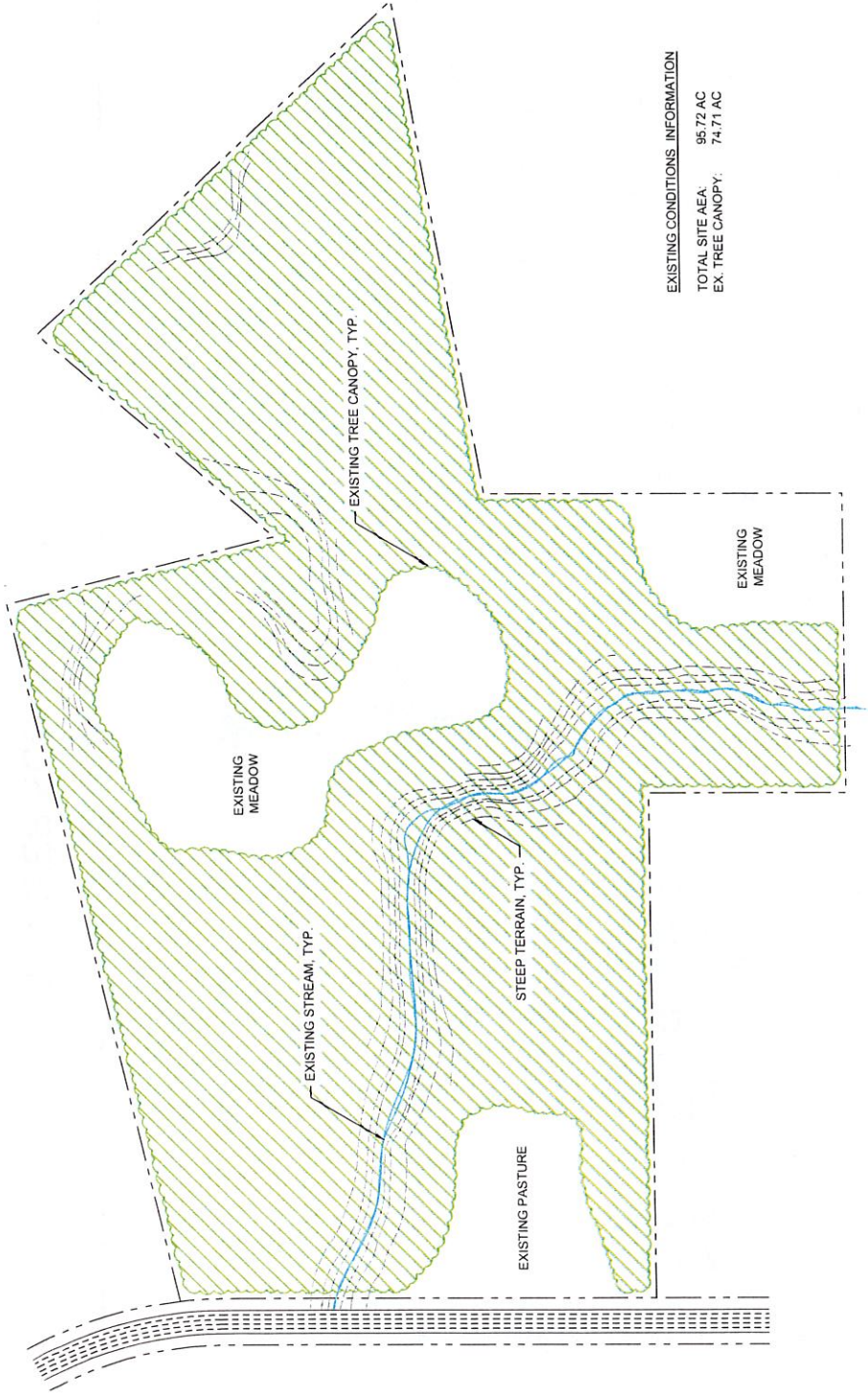
~~(B)~~(C) The operational plan submitted with the permit application shall include, at a minimum, the following items:

- (1) Maximum capacity of the facility, based on building code, fire code, and/or parking requirements;
- (2) Contact information for the on-site facility manager;
- (3) Whether the venue will operate seasonally or year-round;
- (4) Type(s) of events anticipated/marketed;
- (5) Anticipated annual number of events; and
- (6) How solid waste will be disposed of (private vs. public collection).

York County Code of Ordinances, Zoning Code, Subchapter C, Subpart 5.9: RURAL EVENT VENUES is hereby deleted in its entirety.

York County Code of Ordinances, Zoning Code, Subchapter J, Section 155.1301 DEFINED TERMS is hereby amended to revise, delete, or add the following definitions, as follows:

| ***EVENT VENUE, LARGE CAPACITY.*** An event venue with a capacity greater than ~~100~~150 people, as determined by applicable building code, fire code, and/or parking requirements.



EXISTING CONDITIONS INFORMATION
TOTAL SITE AREA: 95.72 AC
EX. TREE CANOPY: 74.71 AC

CLUSTER SUBDIVISION

York County Land Development Ordinance
Existing Conditions Example

DATE: NOVEMBER 2022





DEVELOPMENT INFORMATION

TOTAL SITE AREA:	95.72 AC
LOT YIELD:	89
MIN. LOT SIZE:	20,000 SF (RMX-20)
OPEN SPACE:	19.14 AC (20%) REQUIRED 23.48 AC (25%) PROVIDED
TREE SAVE:	74.71 AC EXISTING 19.14 AC (20%) REQUIRED 25.30 AC (34%) PROVIDED

LEGEND

OPEN SPACE	[White Box]
TREE SAVE	[Green Hatched Box]

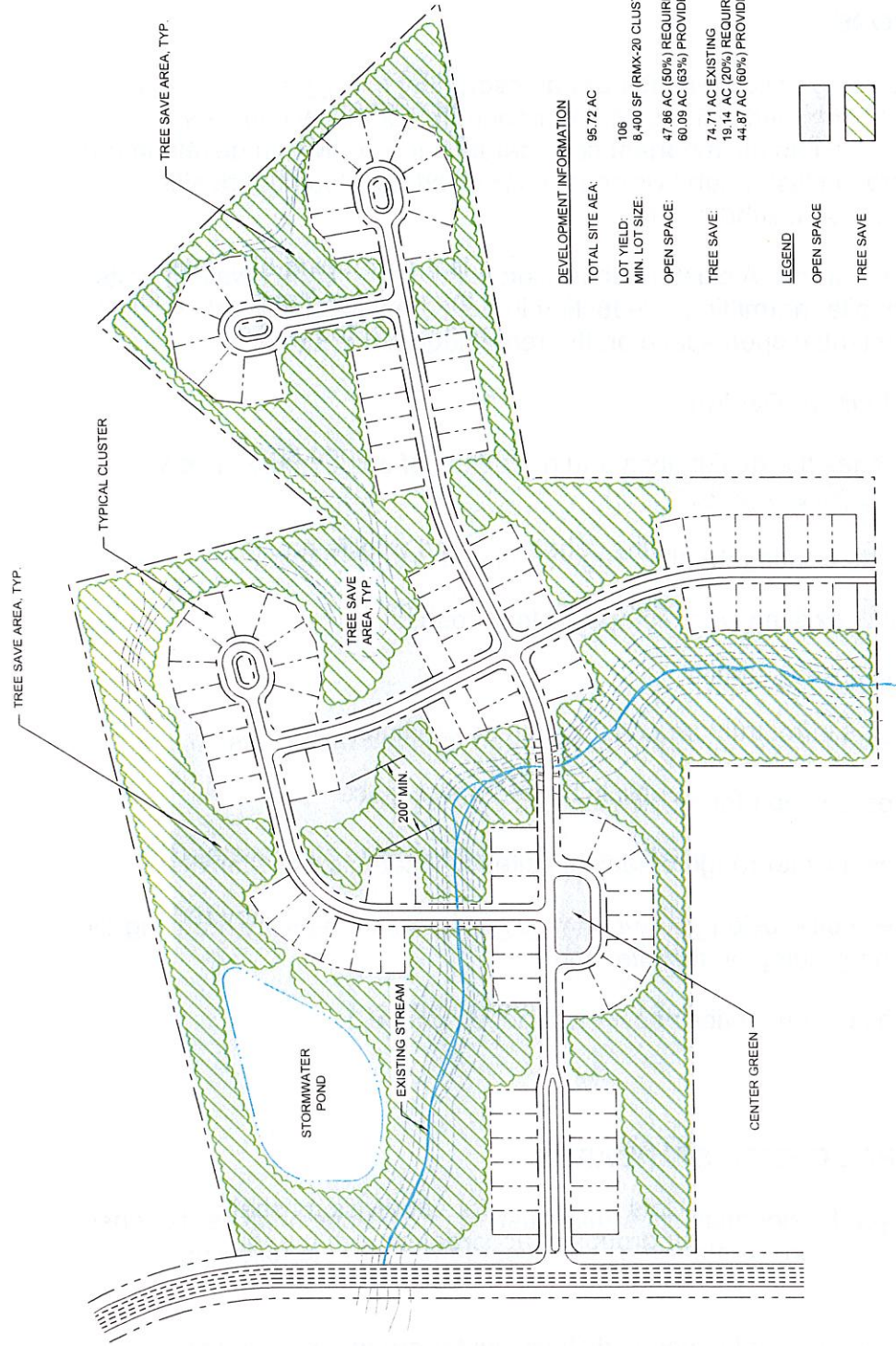
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CLUSTER SUBDIVISION

York County Land Development Ordinance

Conventional Design Example





DEVELOPMENT INFORMATION

TOTAL SITE AREA:	95.72 AC
LOT YIELD:	106
MIN. LOT SIZE:	8,400 SF (RMX-20 CLUSTER)
OPEN SPACE:	47.86 AC (50%) REQUIRED 60.09 AC (63%) PROVIDED
TREE SAVE:	74.71 AC EXISTING 19.14 AC (20%) REQUIRED 44.87 AC (60%) PROVIDED

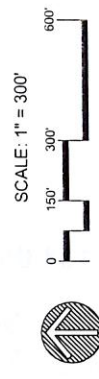
LEGEND

OPEN SPACE	TREE SAVE
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DATE: NOVEMBER 2022

CLUSTER SUBDIVISION

York County Land Development Ordinance
Cluster Design | Example



§ 154.060 PURPOSE.

(A) **General.** The value of conserving natural resources, reducing the application of mass clearing and grading, and increasing the amount of open space in new subdivisions is recognized as an important consideration in subdivision development and design. Therefore, a cluster subdivision is a permitted development design alternative to a conventional subdivision.

(B) **Cluster Subdivisions.** A cluster subdivision is the grouping of dwelling units within a development site, permitting a reduction in the otherwise applicable lot size, while preserving substantial open space on the remainder of the parcel.

(C) **Cluster Subdivision Design:**

- (1) Encourages the designation and protection of open space in new subdivisions;
- (2) Preserves existing, healthy vegetation and wildlife habitat;
- (3) Maintains existing wooded areas along roads;
- (4) Protects water quality;
- (5) Reduces infrastructure construction and maintenance costs;
- (6) Reduces demand for publicly funded open space;
- (7) Provides a wider range of feasible sites to locate stormwater BMPs;
- (8) Reduces soil erosion and forest fragmentation potential by reducing the amount of clearing and grading on the site; and
- (9) Reduces the impervious cover in a development.

§ 154.063 GENERAL DESIGN STANDARDS.

(A) **Cluster Groups.** Residential lots within cluster subdivisions shall be designed within a series of one or more cluster groups in accordance with the following standards:

(1) Dwellings shall be located in distinct cluster groups of 15 or fewer dwellings.

- (a) The Planning Commission may approve up to 20 dwellings to be located within a distinct cluster group if it is found that the increase

further cluster subdivision design principles, as outlined in §154.060(C).

(2) Cluster groups shall be visually defined and separated by open space, utilizing existing vegetation, topography, or other natural features whenever feasible.

(3) A cluster group is defined by the outer perimeter of contiguous lots and abutting streets and open space.

(4) Cluster groups shall be located a minimum of 200 feet from existing public roads and other cluster groups, as measured from the closest lot line in a cluster group.

(a) The Planning Commission may reduce the minimum separation distances for a cluster group if it is found that the decrease(s) further cluster subdivision design principles, as outlined in §154.060(C). In no event shall the minimum separation be lower than 100 feet.

~~(3)~~(5) All lots in a cluster group shall abut open space to the front or rear. This includes open space located directly across a street from a lot.