

MAYOR
Michael D. Fuesser

MAYOR PRO TEM
Edward Brown

CITY MANAGER
Dalton Pierce, MPA



CITY COUNCIL
Matt Hickey
Marion Ramsey
Stephanie Jarrett
Charles Brewer
Kellie Harrold

CITY CLERK
Amy Craig

York City Council
Work Session Agenda
Monday, July 17, 2023
Meeting at 5:00 PM

1. WELCOME AND CALL TO ORDER

MAYOR MIKE FUESSER

2. PRAYER

MAYOR PRO TEM ED BROWN

3. PLEDGE OF ALLEGIANCE

MAYOR MIKE FUESSER

4. PRESENTATIONS

- 4.1. FY23-24 Budget Workshop #3
- 4.2. FY23-24 Proposed Rates & Fees
- 4.3. Hospitality and Accommodations Tax
- 4.4. Organizational Changes/Improvements

D. PIERCE, CITY MANAGER

D. PIERCE, CITY MANAGER

R. MESTAS, COMMUNITY ENGAGEMENT DIRECTOR

S. RAMIREZ, HUMAN RESOURCES DIRECTOR

5. DISCUSSIONS

- 5.1 Ordinance 23-696, Amending Appendix A Zoning & Appendix B Subdivision Ordinances

6. ADJOURN

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Amy Craig

York City Council
Special Called Agenda
Monday, June 19, 2023
Immediately following the 5:00 PM Work Session

1. WELCOME AND CALL TO ORDER

MAYOR MIKE FUESSER

2. ORDINANCE(S):

- First Reading Ordinance 23-696, Amending Appendix A Zoning & Appendix B Subdivision Ordinances

3. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

- Council Meeting July 11, 2023*

4. ADJOURN

** Denotes Vote Required*

City of York

Memo

TO: Mayor & City Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: July 17th, 2023

SUBJECT: City of York FY23-24 Budget Workshop #3



GENERAL INFORMATION

It is my pleasure to respectfully present to you the revised draft budget for the FY23-24 Budget Workshop #2 for the City of York. This preliminary draft state of the budget represents many hours of hard work by the City's Administration, Department Heads, Finance staff, and others. Our goal is to maintain the City's quality and level of service, provide amenities and opportunities for citizens of all ages and preserve our strong financial position while minimizing the increased financial burden on our citizens. The summary provided for FY23-24 Budget Workshop #2 proposes a budget for FY23-24 that supports the Council's strategic goals of investing in initiatives to support employees, resilient infrastructure, economic development, efficient and effective government, dynamic community, and enhance facilities while maintaining an affordable and charming City.

Economic changes due to the pandemic continue to affect our community and organization. Supply chain issues persist across all public services provided by the City, and inflation has led to a constant rise in the cost of goods and services. Like many other cities nationwide, York continues to face a competitive labor market. The recommendations included in Workshop Budget #2 are based on available resources, Council priorities, ongoing capital improvement projects, and internal work completed by staff since the start of the budget season.

The Workshop Budget #2 preliminary proposal is based on available resources (i.e., FY23 Expenditures & Revenues, FY22 Audit Findings, and other data sources), Council priorities, and internal work completed by staff throughout the budget season thus far. The Fiscal Year 2023-24 (FY2024) Proposed Budget for Workshop #2 totals \$44,530,090, which is approximately an 80% increase compared to the FY 2022-2023 Budget of \$23,718,531 and includes:

- No recommended change to the current property tax rate of \$0.1152 cents per \$1,000 of taxable property based on current and past data available. (*Next Reassessment 2025*)
- 4% percent cost of living increase for all city employees.
- Continued funding for community services in a time of rising costs, which includes a 10% rate increase for utilities "per thousand" rate, 8% for all applicable solid waste service fees, and various administrative fee increases.
- Tactical utilization of special revenue sources (i.e., Impact Fees, Capacity Fees, Hospitality Tax) to advance the Council's priorities through the 2021 Strategic Plan and Capital Improvement Plan for Impact Fees
- Increased capital projects and enterprise capital projects largely due to the City receiving \$10M in SCIIP funds for the WWTP Upgrades and Improvements and the Liberty Street Water Line. Also, the \$4.774M appropriations from the State of SC FY23-24 Budget for AMI Water Meter System Upgrade, N. Congress St. Waterline Upgrade/Improvement, York Public Safety Upgrades/Improvements, and S. Congress St. Hotel Project, to name a few.

We look forward to the opportunity to discuss this draft further with the City Council, paired with a PowerPoint Presentation with additional information. An email was sent on June 29th to request feedback and questions, also solicited questions and feedback after two budget workshops, about what the City Council would like to see as a part of the budget, make adjustments and refinements where directed, and continue to serve the people of York as we step forward into the future.

ATTACHMENT(S):

1. FY23-24 Budget Workshop #3 Summary of Funds

REQUESTED ACTION

Summary of Funds

Fund #	Department	Revenue	Expenses
100	General Fund	\$11,450,000	\$11,450,000
200	Enterprise Fund	\$5,720,000	\$5,720,000
225	EF Capital Projects Fund	\$20,420,820	\$20,420,820
250	Capacity Fee	\$899,250	\$899,250
310	Tourism	\$1,272,500	\$1,272,500
430	1% Fire Money	\$30,000	\$30,000
451	Drug Enforcement <\$1000	\$13,000	\$13,000
452	Drug Enforcement >\$1000	\$5,000	\$5,000
500	Capital Project Fund	\$3,928,000	\$3,928,000
700	Impact Fee	\$871,520	\$871,520
Total		\$44,610,090	\$44,610,090

City of York

Memo

TO: Mayor and Council

FROM: City Manager Dalton Pierce, MPA

MEETING DATE: July 17, 2023

SUBJECT: FY23-24 Fee & Rate Schedule



GENERAL INFORMATION

Staff and Administration have been discussing the current fees and rates charged for public services provided by the City of York. Exhibit A for a summary of current fees vs. proposed fees for FY23-24.

ATTACHMENT(S):

- A. Current Fees & Rates vs. Proposed FY23-24 Fees & Rates (*Red = change proposed*)

REQUESTED ACTION

General Information

Exhibit A

Planning & Zoning

1. Building Permit Fee

Current Fee Schedule

Valuation	Fee
Less than \$1,000	Permit is not required unless required by authorized Agency (\$25.00 fee is required in this case)
\$1,000 to \$2,999.99	\$25.00
\$3,000 to \$49,999.99	\$25.00 for the first \$3,000.00, plus \$5.00 for each additional thousand or fraction thereof
\$50,000.00 to \$99,999.99	\$260.00 for the first \$50,000.00, plus \$4.00 for each additional thousand or fraction thereof
\$100,000.00 to \$499,999.99	\$460.00 for the first \$100,000.00, plus \$3.00 for each additional thousand or fraction thereof
\$500,000 and up	\$1,660.00 for the first \$500,000.00, plus \$2.00 for each additional thousand or fraction thereof

FY23-24 Proposed Fee Schedule

Valuation	Fee
Less than \$1,000	Permit is not required unless required by authorized Agency (\$40.00 fee is required in this case)
\$1,000 to \$2,999.99	\$40.00
\$3,000 to \$49,999.99	\$40.00 for the first \$3,000.00, plus \$6.00 for each additional thousand or fraction thereof
\$50,000.00 to \$99,999.99	\$325.00 for the first \$50,000.00, plus \$4.00 for each additional thousand or fraction thereof
\$100,000.00 to \$499,999.99	\$525.00 for the first \$100,000.00, plus \$3.50 for each additional thousand or fraction thereof
\$500,000 and up	\$1,725.00 for the first \$500,000.00, plus \$2.50 for each additional thousand or fraction thereof

2. Building Plan Review

Current Fee Schedule

Description	Fee
Residential Plan Review	Residential Plan Review fee shall equal 1/4 of the building permit fee (minimum \$25.00)
Construction Plan Review	the Construction Plan Review fee shall equal 1/2 of the construction permit fee (minimum of \$25.00)

FY23-24 Proposed Fee Schedule

Valuation	Fee
Residential Plan Review	Residential Plan Review fee shall equal 1/4 of the building permit fee (minimum \$40.00)
Construction Plan Review	the Construction Plan Review fee shall equal 1/2 of the construction permit fee (minimum of \$40.00)

3. Mechanical/Gas/Electrical/ Plumbing Permit Fees

Current Fee Schedule

Valuation	Fee
Up to \$2,999.99	\$25.00
\$3,000 to \$99,999.99	Add \$3.00 for each additional thousand or fraction thereof
\$100,000 and up	Add \$2.00 for each additional thousand or fraction thereof

FY23-24 Proposed Fee Schedule

Valuation	Fee
Up to \$2,999.99	\$40.00
\$3,000 to \$99,999.99	Add \$4.00 for each additional thousand or fraction thereof
\$100,000 and up	Add \$3.00 for each additional thousand or fraction thereof

4. Sign Permit Fees

Current Fee Schedule

Valuation	Fee
Up to \$999.00	\$25.00
\$1,000 and Up	Add \$5.00 for each additional thousand or fraction thereof

FY23-24 Proposed Fee Schedule

Valuation	Fee
Up to \$2,999.99	\$40.00
\$3,000 to \$99,999.99	Add \$5.00 for each additional thousand or fraction thereof

Current Fee Schedule

5. Sign Permit Plan Review Fees: The plan review shall equal 1/2 of the sign permit Fee (\$25.00 Minimum)
6. Mobile Home Permit: \$300.00
7. Demolition Permit \$100.00
8. Moving Permit: \$50.00
9. Set-up Permit: Refer to building permit fee schedule
10. Permit Transfer: \$20.00
11. Permit Refund: \$20.00
12. Derelict Structure Inspection: \$250.00
13. Flood Plain Map: \$10.00
14. Re-inspection Fees: 1st = \$15.00; 2nd = \$30.00; 3rd = \$45.00;
Each Additional Inspection add \$15.00 to the cost of the previous inspection
15. Site Plan Review: \$300.00
16. Site Plan Re-Review: \$25.00
17. Home Occupation: \$50.00
18. Rezoning (per Tax Parcel): \$300 for the first tax parcel, plus \$100.00 for each additional tax parcel
19. Special Exception: \$300.00
20. Variance: \$300.00
21. Administrative Appeal: \$300.00
22. BZA Continuation Request: \$100.00
23. Amendment: \$200.00
24. Residential Zoning Compliance: \$20.00
25. Commerical Zoning Compliance: \$20.00
26. Subdivision Preliminary Review: Minimum of \$200.00 or \$20.00 per lot, whichever is greater
Final Review: Minimum of \$100.00 or \$10.00 per lot, whichever is greater
27. Exception to Subdivision Ordinance: \$50.00
28. Subdivision Variance: \$100.00
29. Business License Review: \$50.00
30. Upon Review Request: \$100.00
31. Communication Towers: \$1,000.00
32. Appeal/Variance Request to CBAA: \$125.00
33. Zoning Map: \$25.00
34. Zoning Ordinance: \$25.00
35. Landscape Ordinance: \$10.00
36. Subdivision Ordinance: \$25.00
37. Overgrown Lot Remediation Administrative Fee: 50 percent of costs to remedy situation (Minimum of \$100.00)
38. Junked Car Remediation Administrative Fee: 50 percent of costs to remedy situation (minimum of \$100.00)
39. Derelict Structure, Nuisance Remediation Administrative Fee: 50 percent of costs to remedy situation minimum of \$200.00)
This fee is in addition to the cost of the Derelict Structure Inspection Fee

FY23-24 Proposed Fee Schedule

5. Sign Permit Plan Review Fees: The plan review shall equal 1/2 of the sign permit Fee (\$25.00 Minimum)
6. Mobile Home Permit: \$300.00
7. Demolition Permit \$100.00
8. Moving Permit: \$50.00
9. Set-up Permit: Refer to building permit fee schedule
10. Permit Transfer: \$20.00
11. Permit Refund: \$20.00
12. Derelict Structure Inspection: \$250.00
13. Flood Plain Map: \$10.00
14. Re-inspection Fees: 1st = \$20.00; 2nd = \$35.00; 3rd = \$50.00;
Each Additional Inspection add \$15.00 to the cost of the previous inspection
15. Site Plan Review: \$350.00
16. Site Plan Re-Review: \$50.00
17. Home Occupation: \$50.00
18. Rezoning (per Tax Parcel): \$300 for the first tax parcel, plus \$100.00 for each additional tax parcel
19. Special Exception: \$300.00
20. Variance: \$300.00
21. Administrative Appeal: \$300.00
22. BZA Continuation Request: \$100.00
23. Amendment: \$200.00
24. Residential Zoning Compliance: \$20.00
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Final Review: Minimum of \$100.00 or \$10.00 per lot, whichever is greater
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28. Subdivision Variance: \$100.00
29. Business License Review: \$50.00
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38. Junked Car Remediation Administrative Fee: 50 percent of costs to remedy situation (minimum of \$100.00)
39. Derelict Structure, Nuisance Remediation Administrative Fee: 50 percent of costs to remedy situation minimum of \$200.00)
This fee is in addition to the cost of the Derelict Structure Inspection Fee
40. Bond Program Fees
- Posting: \$250.00
- Reduction: \$250.00
- Replacement: \$250.00
- Release: \$250.00

Parks & Recreation

Current Fee Schedule

	Early Registration	Regular Registration	Late Registration
Youth Basketball	\$40	\$50	\$60
Spring Sports			
T-ball	\$35	\$45	\$55
Coach Pitch (5-6)	\$35	\$45	\$55
Dyb Coach Pitch(6-8)	\$40	\$50	\$60
DYB Minors(8-10)	\$40	\$50	\$60
DYB Ozone(10-12)	\$40	\$50	\$60
Dixie Boys (12-14)	\$40	\$50	\$60
8U Softball	\$40	\$50	\$60
10U Softball	\$40	\$50	\$60
12U Softball	\$40	\$50	\$60
16U Softball	\$40	\$50	\$60
Adult Softball(per team)		\$250	
Fall Sports			
T-ball	\$35	\$45	\$55
Coach Pitch (5-6)	\$35	\$45	\$55
Dyb Coach Pitch(6-8)	\$40	\$50	\$60
DYB Minors(8-10)	\$40	\$50	\$60
DYB Ozone(10-12)	\$40	\$50	\$60
8U Softball	\$40	\$50	\$60
10U Softball	\$40	\$50	\$60
12U Softball	\$40	\$50	\$60
Flag Football	\$35	\$45	\$55
Small Fry Football(8-10)	\$40	\$50	\$60
Mites Football(11-12)	\$40	\$50	\$60

Proposed Fee Schedule for FY2023-2024

	Early Registration	Regular Registration	Late Registration
Youth Basketball	\$50	\$60	\$70
Spring Sports			
T-ball	\$45	\$55	\$65
Coach Pitch (5-6)	\$45	\$55	\$65
Dyb Coach Pitch(6-8)	\$50	\$60	\$70
DYB Minors(8-10)	\$50	\$60	\$70
DYB Ozone(10-12)	\$50	\$60	\$70
Dixie Boys (12-14)	\$50	\$60	\$70
8U Softball	\$50	\$60	\$70
10U Softball	\$50	\$60	\$70
12U Softball	\$50	\$60	\$70
16U Softball	\$50	\$60	\$70
Adult Softball(per team)		\$300	
Fall Sports			
T-ball	\$45	\$55	\$65
Coach Pitch (5-6)	\$45	\$55	\$65
Dyb Coach Pitch(6-8)	\$50	\$60	\$70
DYB Minors(8-10)	\$50	\$60	\$70
DYB Ozone(10-12)	\$50	\$60	\$70
8U Softball	\$50	\$60	\$70
10U Softball	\$50	\$60	\$70
12U Softball	\$50	\$60	\$70
Flag Football	\$45	\$55	\$65
Small Fry Football(8-10)	\$50	\$60	\$70
Mites Football(11-12)	\$50	\$60	\$70

Public Works

Current Rate Schedule

Residential Inside City Limits		Residential Outside City Limits	
Description	Rate	Description	Rate
Roll-Out Cart	\$10.69 per month	Roll-Out Cart	\$16.69 per month
Landfill Fee	\$8.77 per month	Landfill Fee	\$8.77 per month
Additional Pick-Up	\$19.00 extra per each	Additional Pick-Up	\$19.00 extra per each

Proposed FY23-24 Fee Schedule

Residential Inside City Limits		Residential Outside City Limits	
Description	Rate	Description	Rate
Roll-Out Cart	11.54 per month	Roll-Out Cart	\$18.00 per month
Landfill Fee	\$9.47 per month	Landfill Fee	\$9.47 per month
Additional Pick-Up	\$20.00 extra per each	Additional Pick-Up	\$20.00 extra per each

Police

Current Fee Schedule

Description	Fee
Police Officer Security	\$50 per Hour

FY23-24 Proposed Fee Schedule

Description	Fee
Police Officer Security	Non-profit business \$50 per hour; For Profit Business \$75 per hour
Community Events	\$50 per hour

Water & Sewer

Current Rate Schedule

Inside City Limits			Outside City Limits		
Gallons per Month	Water	Sewer	Gallons per Month	Water	Sewer
0 - 500,000	\$4.99 per Thousand	\$4.99 per Thousand	0 - 500,000	\$9.98 per Thousand	\$9.98 per Thousand
500,001 - 1,000,000	\$4.41 per Thousand	\$4.41 per Thousand	500,001 - 1,000,000	\$6.62 per Thousand	\$6.62 per Thousand
1,000,001 - 2,000,000	\$4.22 per Thousand	\$4.22 per Thousand	1,000,001 - 2,000,000	\$6.33 per Thousand	\$6.33 per Thousand
2,000,001 & Up	\$4.05 per Thousand	\$4.05 per Thousand	2,000,001 & Up	\$6.08 per Thousand	\$6.08 per Thousand

Proposed FY23-24 Rate Schedule

Inside City Limits			Outside City Limits		
Gallons per Month	Water	Sewer	Gallons per Month	Water	Sewer
0 - 500,000	\$5.50 per Thousand	\$5.50 per Thousand	0 - 500,000	\$11.00 per Thousand	\$11.00 per Thousand
500,001 - 1,000,000	\$4.85 per Thousand	\$4.85 per Thousand	500,001 - 1,000,000	\$7.65 per Thousand	\$7.65 per Thousand
1,000,001 - 2,000,000	\$4.64 per Thousand	\$4.64 per Thousand	1,000,001 - 2,000,000	\$7.36 per Thousand	\$7.36 per Thousand
2,000,001 & Up	\$4.45 per Thousand	\$4.45 per Thousand	2,000,001 & Up	\$7.11 per Thousand	\$7.11 per Thousand

Current Fee Schedule

Description	Fee
Touchread Meter (If the yokebox is in place)	\$456.00
Touchread Meter (If the yokebox is NOT in place)	\$596.00
3/4" Water Tap	\$1,406.00
1" Water Tap (minimum)	\$1,893.00
1 1/2" Water Tap (minimum)	\$2,960.00
2" Water Tap (minimum)	\$3,960.00
4" Sewer Tap	\$1,250.00
Labor per hour (8 hour day) Man & Backhoe	\$85 per / hr
Minimum 4 hours labor	
Labor per hour (8 hour day) Two Men & Truck	\$85 per / hr
Minimum 4 hours labor	
OVERTIME RATE - Labor per hour	\$127.50 / hr

Proposed FY23-24 Fee Schedule

Description	Fee
AMI 3/4" Meter with Box	\$660.00
AMI 3/4" Meter without Box	\$800.00
3/4" Water Tap	\$1,500.00
1" Water Tap (minimum)	\$2,000.00
1 1/2" Water Tap (minimum)	\$3,000.00
2" Water Tap (minimum)	\$4,000.00
4" Sewer Tap	\$1,300.00
Labor per hour (8 hour day) Man & Backhoe	\$100 per / hr
Minimum 4 hours labor	
Labor per hour (8 hour day) Two Men & Truck	\$100 per / hr
Minimum 4 hours labor	
OVERTIME RATE - Labor per hour	\$135 per/ hr

City of York

Memo

TO: Mayor & City Council

FROM: Becky Mestas, Community Engagement Director

MEETING DATE: July 17, 2023

SUBJECT: Hospitality and Accommodations Tax



GENERAL INFORMATION

On June 19, 2023, a presentation was provided to Council for the recommended revisions to the current policies and procedures for the Special Permit, Hospitality and Accommodations Tax Grants. An amendment to the current policies and procedures will better define the purpose, streamline the process, and improve communication across applicable departments, as well as explore other avenues to organizations and ensure proper allocation of the funds for the Hospitality and Accommodations Taxes.

STAFF RECOMMENDATIONS

Staff recommends that Council adopt the recommendations made to the Special Event Permit Applications.

ATTACHMENT(S):

- A. City of York Special Event Permit, Hospitality and Accommodations Tax Grant Procedures and Recommendations Presentation

REQUESTED ACTION

Council Approval

City of York Special
Event Permit,
Hospitality and
Accommodation Tax
Grant Procedure
Recommendations



Table of Contents

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SPECIAL EVENT PERMIT APPLICATION RECOMMENDATIONS

- ▶ Add the following statement to the permit application:
 - ▶ A special event is defined as any event held within the city limits of York that is open to the public and could impact a city right-of-way or could affect public safety.
 - ▶ Include examples of what constitutes a special event - festivals, markets, concerts, etc.
 - ▶ Require events being held in the B-1 Central District submit a special event permit application regardless of private or public property
- ▶ Institute a special event permit application fee
- ▶ Reestablish Events Committee to ensure all applicable City Departments are involved in the review and approval process prior to Council Approval
 - ▶ This will allow each department to determine staffing needs, road closure, and cost estimate to be incurred by applicant
- ▶ Be more transparent on the consumption and display of alcohol and the exception when approved in a special event permit.

SPECIAL EVENT PERMIT APPLICATION RECOMMENDATIONS

- ▶ Change submission deadline to 90 days ahead of requested event date to ensure enough time for the events committee to review and for it to be placed on the City Council agenda for approval.
- ▶ Establish checklist system to ensure proper documentation has been received.
- ▶ Create a Food Vendor SOP - the City will provide a list of pre-approved food vendors already licensed with the City of York. Any vendors that are not pre-approved must obtain their City of York Business License and verify South Carolina Retail License
 - ▶ Event organizer will be required to submit vendor list no later than fourteen (14) days prior to event to verify vendors have a city business license and SC retail license.
- ▶ Change COI requirements to require ALL approved events to furnish a COI with the City listed as an additional insured.
- ▶ Under Road Closures section, delete the following statement “Applicant must obtain a signed Special Event Acknowledgement form signed by all businesses impacted by the road closure”. This is an outdated practice.

HOSPITALITY TAX GRANT PROGRAM

PURPOSE

- ▶ The purpose of the City of York Hospitality Tax Events Grants Program is to improve the quality of life and draw more visitors to York through the advertisement, marketing, and promotion of events and other tourism related development. It's also a means to attract tourism leading to dining at restaurants and other eating/drinking establishments in York and supporting and highlighting the City's historic and cultural venues, recreational facilities, and events.
- ▶ Tourism is defined as a person who do not reside in but rather enters temporarily, for reason of recreation or leisure, the jurisdictional boundaries of a municipality for a municipal project or the immediate areas of the project. The purpose of grant awards is to attract tourists to the City of York through various means and activities.

HOSPITALITY TAX GRANT PROGRAM

ELIGIBLE USES

▶ Per S.C. Code 6-1-730, Expenses must be directly in support of one of the six (6) purposes of hospitality tax funding:

- ▶ Tourism-related building, including, but not limited to: civic centers, coliseums, and aquariums
- ▶ Tourism-related cultural, recreational, and historic facilities
- ▶ Beach access and re-nourishment
- ▶ Highways, roads, streets, and bridges providing access to tourist destinations
- ▶ Advertising and promotions related to the development of tourism
- ▶ Water and sewer infrastructure to serve tourism-related development

- ▶ Require applicants to make a presentation to Council and/or Application Review Committee
- ▶ Prioritize funding considerations to applicants that promote tourism, i.e. dining at local restaurants, shopping at retail establishments, and visiting historical and cultural venues
- ▶ Establish a rule of percentage of attendance that must be outside of the immediate York area (determined through historical data or a plan that outlines how they will attract visitors)
- ▶ Require a percentage of advertising, marketing, and promotion efforts funded by the Hospitality Tax Grant Program to be targeted to areas outside of York to attract tourism (to be presented at review committee meeting)
- ▶ Require applicants to accept responsibility for any additional costs for in-kind municipal services
 - ▶ For example, if the grant funds \$2,000 for police, but the actual cost is \$3,000, the applicant/organization is responsible for paying the remainder

HOSPITALITY TAX GRANT PROGRAM RECOMMENDATIONS

- ▶ Require a percentage of funding to be allocated to non-profit projects (501-C-3 eligible organizations)
- ▶ Establish an application evaluation point system to determine the likelihood an event will promote tourism and attract visitors (point system developed by committee/Council)
- ▶ Offer the Hospitality Tax Grant Program twice a year to spread funds (organizations can only apply once per year for a funding)
- ▶ Require a percentage match in funds (Accommodation Tax Grant Program requires a 20% match)
- ▶ Allocate funds towards façade improvement grants, particularly in the B-1 Central District
- ▶ In lieu of hospitality tax grant funding for local businesses, offer sponsorship funds, like what the city provided the Mid-Carolina Tennis Association

HOSPITALITY TAX GRANT PROGRAM CONSIDERATIONS

ACCOMMODATIONS TAX GRANT PROGRAM

PURPOSE

► The City of York Accommodations Tax Grant Program are awarded to eligible projects through revenue received by the City of York for its share of the 2% lodging tax levied by the State of South Carolina. These monies may only be used for activities related to tourism in specific categories

- Advertising and promotion of tourism so as to develop and increase tourist attendance through the generation of publicity.
- Promotion of the arts and cultural events.
- Construction, maintenance and operation of facilities for civic and cultural activities including construction and maintenance of access and the nearby roads and utilities for the facilities.
- The criminal justice system, law enforcement, fire protection, solid waste collection and health facilities when required to serve tourists and tourist facilities. This is based on the estimated percentage of cost directly attributed to tourism.
- Public facilities such as restrooms, dressing rooms, parks, and parking lots.
- Tourist shuttle transportation.
- Control and repair of waterfront erosion, including beach re-nourishment.
- The operating of visitor information centers.

ACCOMMODATIONS TAX GRANT PROGRAM RECOMMENDATIONS

- ▶ Require applicants present their proposed event/project and how it correlates with the approved categories to the Advisory Committee
- ▶ Establish a disbursement cap depending on the project category - the city of Seneca provides a maximum disbursement amount for audited and unaudited organizations



THANK YOU!
QUESTIONS,
COMMENTS
OR
CONCERNS?

City of York

Memo

TO: Mayor & Council

FROM: Sarah Ramirez

MEETING DATE: July 17, 2023

SUBJECT: Recommendations for Organizational Changes



GENERAL INFORMATION

On April 17, 2023, and June 19, 2023, presentations were provided to Council that administered insight to the current state of City of York technology, equipment, and employee benefits. The recommended revisions would benefit the overall support of staff and the organization as a whole.

STAFF RECOMMENDATIONS

Staff recommends that Council adopt the recommendations made for the proposed organizational changes.

ATTACHMENT(S):

A. Executive Summary and PowerPoint Presentation.

REQUESTED ACTION

Council Approval



Executive Summary of Proposed Changes

Sarah Ramirez
Human Resource Manager

Topics of Consideration

- Additional Holidays
- Increased and Tiered Accrual Rates
- Proposed changes to the Employee Handbook



Additional Holidays

The City of York has a below average number of recognized holidays.

I am proposing the addition of 3-4 more, in order to match holidays offered by local municipalities and businesses.

Holidays to consider adding: Veteran's Day, Juneteenth, President's Day, Floating Holidays



Increased and Tiered Accrual Rates

Our current accrual rate has not increased in over 30 years.

Additionally, it is designed primarily for the 8 hour employee.

For example, with our current accrual rate, firefighters have to work 3.5 months to accrue enough time for 1 shift.

SHOULD WE HAVE
MORE VACATION
TIME FOR
EMPLOYEES?



Proposed Changes to the Employee Handbook

Proposed changes to the employee handbook would:

Ensure compliance

Eliminate confusion

Improve readability

Improve relevance



Questions?



Current Policy

Accrual

Vacation/Sick:

Continuous Service (Yrs)	Days per Year	Hrs. Accrued per Pay Period
1 – 5	20	3.08
6 – 15	30	4.62
16 +	40	6.16

Translation for Public Service Employees:

Years 1-5 (68 employees):

20 Days/Year for 8 hour Employees

13 Days/Year for 12 hour Employees

6.63 Days/Year for 24 hour Employee

Years 6-15 (16 employees):

30 Days/Year for 8 hour Employee

20 Days/Year for 12 hour Employee

10 Days/Year for 24 hour Employee

Years 16+ (19 employees):

40 Days/Year for 8 hour Employee

26.66 Days/year for 12 hour Employee

13.33 Days/Year for 24 hour Employee

Continuous Service 1-5 Years

22 Days/Year

Department	Pay Period Hours Worked (Average)	Sick Hours Accrued Per Pay Period	Sick Hours Annually	Vacation Hours Accrued Per Pay Period	Vacation Hours Annually
Admin/Rec/PW/Utilities/80 hour employees	80	3.385	88 11 days	3.385	88 11 Days
Police	86	5.07	132 11 days	5.07	132 11 Days
Fire	116 (3034 / 26)	10.16	264 11 days	10.16	264 11 Days

24 Days/Year

Department	Pay Period Hours Worked (Average)	Sick Hours Accrued Per Pay Period	Sick Hours Annually	Vacation Hours Accrued Per Pay Period	Vacation Hours Annually
Admin/Rec/PW/Utilities/80 hour employees	80	3.69	96 12 days	3.69	96 12 Days
Police	86	5.54	144 12 days	5.54	144 12 Days
Fire	116 (3034 / 26)	11.08	288 12 days	11.08	288 12 Days

Continuous Service 6-15 Years
32 Days/Year

Department	Pay Period Hours Worked (Average)	Sick Hours Accrued Per Pay Period	Sick Hours Annually	Vacation Hours Accrued Per Pay Period	Vacation Hours Annually
Admin/Rec/PW/Utilities/80 hour employees	80	4.92	128 16 days	4.92	128 16 Days
Police	86	7.38	192 16 days	7.38	192 16 Days
Fire	116 (3034 / 26)	14.77	384 16 days	14.77	384 16 Days

34 Days/Year

Department	Pay Period Hours Worked (Average)	Sick Hours Accrued Per Pay Period	Sick Hours Annually	Vacation Hours Accrued Per Pay Period	Vacation Hours Annually
Admin/Rec/PW/Utilities/80 hour employees	80	5.23	136 17 days	5.23	136 17 Days
Police	86	7.85	204 17 days	7.85	204 17 Days
Fire	116 (3034 / 26)	15.69	408 17 days	15.69	408 17 Days

**Continuous Service 16+ Years
42 Days/Year**

Department	Pay Period Hours Worked (Average)	Sick Hours Accrued Per Pay Period	Sick Hours Annually	Vacation Hours Accrued Per Pay Period	Vacation Hours Annually
Admin/Rec/PW/Utilities/80 hour employees	80	6.46	168 21 days	6.46	168 21 Days
Police	86	9.69	252 21 days	9.69	252 21 Days
Fire	116 (3034 / 26)	19.38	504 21 days	19.38	504 21 Days

44 Days/Year

Department	Pay Period Hours Worked (Average)	Sick Hours Accrued Per Pay Period	Sick Hours Annually	Vacation Hours Accrued Per Pay Period	Vacation Hours Annually
Admin/Rec/PW/Utilities/80 hour employees	80	6.77	176 22 days	6.77	176 22 Days
Police	86	10.15	264 22 days	10.15	264 22 Days
Fire	116 (3034 / 26)	20.31	528 22 days	20.31	528 22 Days

Summary for proposed changes to the Employee Handbook

1. I move we eliminate "to both males and females" on **page 2** to allow for more inclusive language. See below, with the highlighted section the proposed addition.

For ease of readability, these policies follow the traditional English practice of referring to unidentified individuals by the use of masculine pronouns. Wherever such a pronoun is used, it is intended to apply (ambiguously.) to both males and females.

2. I propose we rearrange the table of contents in order to make the handbook easier to navigate and organized in a chronological way. See exhibit A, the proposed way, and exhibit B the current way.
3. I move we add the below section to our handbook under Equal Employment Opportunity (**page 9**) per the U.S. Equal Employment Opportunity Commission (EEOC).

2.12 AMERICANS WITH DISABILITY ACT (ADA), AMERICANS WITH DISABILITIES AMENDMENTS ACT (ADAAA) AND REASONABLE ACCOMODATION.

To ensure equal employment opportunities to qualified individuals with a disability, the City of York will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the business would result. Employees who may require a reasonable accommodation should contact Human Resources.

4. I move we add a section on anti-bullying, after our Anti-Harassment Policy as it is standard in most organizations. (**Page 9**)
5. I move we remove, "You may be asked to submit to a polygraph (lie detector) examination." From the section on complaint procedure and investigation, as that is, in my opinion unnecessary and not our current procedure. (**Page 9**)
6. I move we add the below to our section on drug and alcohol, under Substance Abuse and Testing Policy, subsection: General Rule (**Page 10**).
 - A. On occasion, there may be City-sponsored events that are off-duty and/or after hours, both on and off City premises. During these times, employees are reminded that they are responsible for their own conduct at all times and inappropriate behaviors may subject them to disciplinary action, up to and including termination.

7. I propose that we specify who our "City's medical review officer" is, as is referenced under Testing Procedure (**Page 13**) I believe it to be the HR Manager as that is who handles the random drug and alcohol screening.

8. I move we eliminate "yellow pages" from the following sentence on **page 16**: For information on where to obtain treatment or assistance for drug or alcohol problems, one of the best places to look is in your phone book's Yellow Pages under "Drug Abuse & Addiction Information & Treatment Centers" or "Alcoholism Information & Treatment Centers." Under these headings, there is often a listing for a local "Council on Alcohol and Drug Abuse." We can modify the sentence to include our EAP which is outlined in our benefit package.

9. I move we add the below section under "Dealing with the Public" (**page 19**) as our language in this section does not imply negative consequences for failure to correspond with the public in an appropriate manner.

A. Rude or otherwise unfriendly and unprofessional correspondence with the public will not be tolerated and will result in coaching and progressive disciplinary action at the City's sole discretion.

10. I move we add the below section under "Conflict of Interest" on **page 20**.

A determination as to whether this policy has been violated is at the City's sole discretion.

11. I move the below section is added to "Employee Appearance" (**page 22**).

A. Every employee is a public representative of the City. Each of us must report to work properly groomed and wearing appropriate clothing according to their position/department. The City of York observes a business casual dress code in the absence of position/department requirements. Business casual clothing that is less formal than traditional business wear but is still intended to give a professional and businesslike impression.

B. Consult your supervisor if you have questions concerning this policy. Any employee who does not meet the standards of this policy will be subject to corrective action, which may include leaving the premises. Employees will not be compensated for any work time missed because of failure to comply with this policy. Violations of this policy may result in disciplinary action, up to and including termination of employment.

12. I move we add the below under the section "Attendance and Punctuality" (**page 22**).

A. If unable to arrive at work on time, or if an employee will be absent for an entire day, the employee must contact the supervisor as soon as possible. Voice mail, text messages and e-mail messages are not acceptable unless

specifically approved by the supervisor and except in certain emergency circumstances. Excessive absenteeism or tardiness will result in discipline up to and including termination. Failure to show up or call in for a scheduled shift without prior approval may result in termination. If an employee fails to report to work or call in to inform the supervisor of the absence for 3 consecutive days or more, the employee will be considered to have voluntarily resigned employment.

- B. Department heads must notify the Human Resource Manager or City Manager of their absence whether scheduled or unscheduled prior to the start of their workday.

13. I propose we remove the below statement found on page 22, as it is no longer applicable.

"Employees are required to pay for any long distance calls made on City telephones."

14. I move we add the below section on workplace safety under Code of Conduct (page 23) as it is currently not addressed.

5.17 Workplace Safety

Weapons: Subject to applicable law, the City prohibits employees from possessing or carrying weapons of any kind on City property. In the event that an employee has a permit that enables them to carry weapons, they are still not authorized to have the weapon on City property.

This includes:

- Any form of weapon or explosive.
- All firearms; and
- All illegal knives or knives with blades that are more than six (6) inches in length or that are not intended for legitimate work-related purposes.

If an employee is unsure whether an item is covered under this policy, they should contact their Supervisor or Human Resources. Employees are responsible for making sure that any item they possess is not prohibited by this policy. If an employee becomes aware of anyone violating this policy, they should notify their Supervisor or Human Resources immediately. Failure to comply with this policy may subject an employee to disciplinary action, up to and including immediate termination.

Visitors: To provide for the safety and security of Employees and the facilities at the City, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures the security of Employees, protects confidential information, and avoids potential distractions and disturbances. All visitors should enter City facilities at the main entrance. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed in City

facilities, Employees should direct the individual to the receptionist and immediately notify their Supervisor.

In the event of an emergency, notify the appropriate emergency personnel by dialing 911 to activate the medical emergency services.

15. I move we add the following under "Access to Personnel Files" (page 25) as it is a policy of the police department to inform a supervisor when access to a personnel file is requested.

- When required, employees must inform their supervisor of this action in writing.

16. I move we add the below sections under "Compensation/Wages" (page 27).

8.4 Employment Classifications

In order to determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, the City of York classifies its employees as shown below. The City of York may review or change employee classifications at any time.

Exempt. Exempt employees are paid on a salaried basis and are not eligible to receive overtime pay.

Nonexempt. Nonexempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.

Regular, Full-Time. Employees who are not in a temporary status and work a minimum of 30 hours weekly and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits package and are subject to the terms, conditions, and limitations of each benefits program.

Regular, Part-Time. Employees who are not in a temporary status and who are regularly scheduled to work fewer than 30 hours weekly, but at least 20 hours weekly, and who maintain continuous employment status. Part-time employees are eligible for some of the benefits offered by the City and are subject to the terms, conditions, and limitations of each benefits program.

Temporary or Seasonal, Part-Time. Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work fewer than 30 hours weekly for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Additional classifications may be authorized at the discretion of the City.

8.5 Introductory Period

Introductory Period - New Employees: All new employees are considered to working an introductory period for the first 6 [six] months. This period is a continuation of the selection process and is a time in which the new employee should demonstrate that he is suited for his job. This period is not a guarantee of employment. If the Department Head concludes at any time that the employee is not suited for his position, the employee may be terminated, or the City may extend the introductory period if approved by the City Manager.

The introductory period ends successfully when the Department Head, not sooner than 6 months after the employee was hired, evaluates the new employee in writing and authorizes his classification as a "regular" employee.

Introductory Period - Promoted or Reclassified Employees: All newly promoted employees or reclassified employees are considered to be serving a training period in their new jobs for 6 [six] months. This period is a continuation of the selection process and is a time in which the newly promoted employee should demonstrate that he is well suited for the promotion. It is not a guarantee of employment.

If the Department Head concludes at any time during the promotion training period that the newly promoted employee is not suited for his new position, the employee may be removed from that position. If there is a vacancy in his former position that is to be filled, he may be returned to it. If there is no such vacancy, he may be considered for the filling of other vacancies for which he is qualified. If no other position is found for him, the employee may be placed on personal leave of absence/terminated. This action does not prohibit an employee from applying for future vacancies with the City.

17. The below found on **page 28**, is not a policy we enforce. This would essentially mean that any employee hired after May would not receive a COLA, I would argue that this would be a beneficial policy to enforce for retention and investment purposes.

"For a new hire, any COLA is applied upon successful completion of the six (6) month introductory period."

18. I move that we adopt and then add a section of newly devised summer hours under "Work Conditions and Hours" (**page 28**).

The proposed summer schedule would vary dependent on department and the respective departmental needs. More information on this can be found within the executive summary of proposed changes.

19. I propose we remove the sections on merit increases (**page 28**) and add the following:

9.5 Performance Evaluations

The City may periodically conduct oral or written evaluations of employees' performance. Employees must sign written evaluations. The employee's signature does not necessarily indicate agreement with the contents of the evaluation, only that he has been made aware of it. Employees will have the opportunity to conduct a self-evaluation in addition. While

favorable performance evaluations may be a factor in determining wage increases, no employee is entitled to a wage increase because he receives a favorable evaluation.

20. I move that we add the below under "Work Schedules/Hours of Work" (page 29) as a way to regulate break time usage.

1. Meals and break times, if provided, will be scheduled by the department head or supervisor, but must be more than 3 hours after arrival and 2 hours prior to departure, unless otherwise noted.

21. I move that we specify "police department personnel" under overtime/compensatory time (page 30).

Police department personnel would not include dispatchers. Dispatchers would be entitled to overtime after 40 hours per the FLSA guidelines.

Whereas other "police personnel" do not receive overtime until 86 hours in one pay period has been met, dispatchers, as they are not classified as "police personnel" receive overtime in excess of 40 hours in 1 week. This is according to 29CFR-553.211g Law Enforcement Activities in the Code of Federal Regulations.

22. I move that the following is added under "Overtime" (page 30).

1. Overtime requests must be submitted to a supervisor/department head and granted approval.
2. In keeping with the Fair Labor Standards Act (FLSA), sick time and vacation time used to not count towards "hours worked" and therefore do not count towards overtime.

23. I move that the following is added under "Overtime" (page 30).

Employees who are exempt from overtime receive a salary that compensates them for all hours worked in the work week. Such employees do not receive overtime pay. However, the City Manager may grant additional time off to exempt employees who have worked (approved) and unusual amounts of time in excess of the normal work schedule, but no exempt employee has a right to such additional paid time off. There is not payment for such additional time upon termination or resignation.

- a. This time is to be used within the pay period in which the time was earned, unless otherwise specified.
- b. The usage of this time must be submitted to the Human Resource Manager, and then approved by the City Manager at their sole discretion.

- c. The City will allow employees to use accrued paid time off provided that the use of compensatory time does not unduly disrupt the operations of the City.

24. I move we modify the Holiday schedule (**page 31**) to the below. Supporting materials can be found in the executive summary of proposed changes. I move that we also consider providing permanent part-time employees with paid holidays.

10.2 Holidays

- A. From date of hire, all regular full-time employees are eligible for holiday leave for the following holidays, in addition to any other day so designated by the City Council:

1. New Year's Day (January 1)
2. Martin Luther King, Jr.'s Birthday (third Monday in January)
3. **President's Day (third Monday in February)**
4. Easter Monday
5. Memorial Day (Last Monday in May)
6. Independence Day (July 4)
7. Labor Day (first Monday in September)
8. **Veteran's Day (November 11)**
9. Thanksgiving Day (Fourth Thursday in November)
10. Day After Thanksgiving (Fourth Friday in November)
11. Christmas Eve (December 24)
12. Christmas Day (December 25)
13. **Day after Christmas (December 26)**
14. **Floating Holiday to celebrate cultural traditions/birthdays.**

- A. **In keeping with the Fair Labor Standards Act (FLSA), holiday time will not be counted as hours worked for overtime purposes for all regular non-exempt employees.**

25. I move we clarify the following under annual leave and sick leave (**page 32 and 33**):

1. Annual leave may not be "sold" for a lump sum at any point during employment.
1. Sick leave may not be "sold" for a lump sum at any point during employment.

26. I move we eliminate "unemployment insurance coverage" from Section 12 Employee Benefit Program, 12.2 Fringe Benefits (page 43), as this is not a coverage that the City provides.

27. I move we add the below section under "Separation of Employment" (page 48)

12.11 Exit Interview

Employees taking retirement or voluntary severance will be asked to participate in an exit interview once a departure date has been received. Information discussed will remain confidential unless otherwise noted.

28. I move we remove sick leave payout for employees hired after the inaction of the amended handbook (page 50).

29. I propose we remove "pager, Blackberry" from the section on computer/internet use as these devices are no longer applicable (page 53).

30. I move we amend the below found on page 56 to instead reflect "results will be reviewed by the Human Resource Manager, and any findings will be communicated to the City Manager":

- A. CDL and non-CDL employees. The City of York will audit all City employees' motor vehicle records (MVRs) annually. The results will be reviewed by the city manager and, if necessary, provided to Department Heads for appropriate action as defined herein. These minimum standards will apply in the hiring process of all potential employees whose job descriptions will require them to drive for City business.

31. I move we add the below under Vehicle use Policy: Disciplinary Action subsection B (page 58). The number of accidents can be amended.

- B. Employees that possess a CDL and who are involved in more than 2 accidents in one year, may be placed on a suspension until additional CDL training is completed.

32. I move that we add "required" instead of encouraged and to the below statement found on page 58.

- A. Employees with more than two *ordinary* violations, two *chargeable* accidents, or a combination of these in the preceding three-year period will be considered medium risk factors. They will be verbally warned, *required* to review the City's Employee Policy, and required *encouraged* (and given the opportunity to attend a driver improvement program.)

33. I move we further define "safety coordinator" in the below statement found on **page 58**. My proposal would be "and Human Resource Manager or designee."

1. Convictions in excess of the City minimums for *ordinary* violations and *chargeable* accidents will result in revocation of the employee's privilege to drive upon consultation of the employee's Department Head, City Manager, and **Safety Coordinator**. Driving privileges may be reinstated when all of the following occur:

34. I move we add "designated" before "York County Fueling Stations" found on **page 61** and add an additional sentence following business trips outside the City of York indicating "unless a City of York vehicle is used for travel."

A. Fueling. All fueling should be done at the York County Fueling Stations. The stations are located in Rock Hill at the County Complex on Heckle Boulevard and in York across from the Equipment Maintenance Shop. Receipts should be presented for reimbursement for all fueling done on business trips outside the City of York.

35. I move we define or create an Accident Review Subcommittee found on **page 62**. When I spoke with Gary Messer he said the below was not something York PD has.

- A. The York Police Department has established an Accident Review Subcommittee. This committee reviews all accidents and losses involving City of York vehicles, employees, on-the-job injuries and property damage and presents its findings to the full Safety Committee for review.

36. I move we change "Municipal clerk" to "Human Resource Manager" where appropriate (references to personnel files, employee financial records, information on COBRA insurance and workers comp) (**page 24, 45, 46, etc**).

Summary for proposed changes to the Employee Handbook

37. I move that we add a contingency under section 11.3 Annual Leave, which states that an employee must have worked the full introductory period (6 months) in order to be eligible for an annual leave payout upon separation.

- An additional contingency would be added for police officers that they must have successfully graduated the police academy in order to be eligible for this benefit.

- There is no legal requirement for organizations to provide a sick or annual leave payout to employees, as is indicated by the below statement:

“The Fair Labor Standards Act (FLSA) does not require payment for time not worked, such as vacations, sick leave or federal or other holidays. These benefits are matters of agreement between an employer and an employee (or the employee's representative).”



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City of York

Memo

TO: Mayor & City Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: July 17, 2023

SUBJECT: Ordinance 23-696, Amending Appendix A and Appendix B Subdivision Ordinances



GENERAL INFORMATION

Council was provided the final report for the Moratorium on May 30, 2023, to review prior to the Council Work Session on June 19, 2023. At the Planning Commission's request, Planning Director David Breakfield provided a summary of the report with the revisions. On July 11, 2023, a Discussion took place to solicit feedback, questions, or concerns that Council may have.

STAFF RECOMMENDATIONS

Planning Commission recommends that Council adopt the First Reading Ordinance 23-696, Amending Appendix A Zoning and Appendix B Subdivision Ordinances, for a Second Reading on or before August 1, 2023.

ATTACHMENT(S):

A. Ordinance 23-696, Amending Appendix A Zoning and Appendix B Subdivision

REQUESTED ACTION

Council Approval

ORDINANCE 23-696

Amending Appendix A, Zoning Ordinance and Appendix B, Subdivision Ordinance by revising and updating residential zoning requirements and standards to better facilitate current and upcoming growth

- WHEREAS, York City Council and Planning Commission find that the City's existing ordinances should be reviewed and updated periodically,
- WHEREAS, York City Council and Planning Commission find that is necessary to implement needed changes to the zoning and subdivision ordinances to facilitate desired growth moving forward; and
- WHEREAS, York City Council and Planning Commission find that such revised ordinances/ standards would ultimately streamline and make the overall application process more understandable for all involved; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of York, South Carolina, assembled on dates hereafter set forth, that Appendix A, Zoning Ordinance and Appendix B, Subdivision Ordinance be amended as follows:

Revisions to Appendix A- Zoning Ordinance

Section V. - Intent of Districts, C. Annexation of territory:

1. Where property has not been specifically included within a district, or where territory has become a part of the city by annexation, such areas shall automatically be classed as being in the ~~R-15 residential district~~ TU- Transitional Use zoning district, except that at the time the application for annexation is filed, the applicant(s) may request an alternative zoning classification. Such a request must be submitted to the Planning Commission for study and recommendation to City Council in accordance with the procedural requirements for amendments generally. City Council shall then specify an interim zoning district classification

or classifications in the annexation ordinance with such classification or classifications to become effective upon the effective date of annexation.

Section VI. - Establishment of Districts:

For the purpose of this ordinance, the areas under the jurisdiction of the York Planning Commission and the City Council are hereby divided into the following zoning districts ~~11 districts designated as follows~~ (**revisions in bold**):

R-15 restricted residential district
R-12 residential district
R-11 residential district
R-10 residential district
R-9 residential district
R-8 residential district
R-7 residential district
R-7MH residential district, mobile homes
R-5 multifamily residential district
MH mobile home parks district
MU mixed use
TU transitional use district
IU institutional use district
PUD planned unit development district
B-1 central business district
HC highway commercial district
GI general industrial district

Section VIII. - Zoning Districts

Add the following:

R8- Single-Family Detached Residential Zoning District

Purpose:

The purpose of this district is to encourage the creation of single-family detached residential subdivisions that provide diversity of price point, housing density, architecture, site layout, amenities, etc. This designation is principally applied to undeveloped areas where design flexibility will not adversely affect existing residential subdivisions. The City's Comprehensive Plan describes areas best suited for this zoning designation.

The following uses are allowed by special exception:

- Public or private school
- Church

The following uses are conditionally allowed subject to requirements specified for this district:

- Detached single-family residential units on individual lots
- Home occupation and accessory uses allowed for detached single-family residential units as prescribed by the Zoning Ordinance

In addition to all standard pertinent requirements of the City of York Zoning and Subdivision Ordinances (Appendices A & B of the York City Code), the following requirements shall be met for all proposed residential subdivisions:

Density:

- The maximum housing density shall be 2.5 units per gross acre.

Lot specifications and dimensional requirements:

- a. The minimum setbacks shall be as follows (from the street right-of-way or property line):
 - i. 20 feet on front
 - ii. 8 feet on sides (10 feet where adjacent to a street)
 - iii. 20 feet on rear
- b. The minimum lot width at the setback line shall be 40 feet. A maximum of 20% of the total number of lots may have this minimum lot width. At least 50% of the “40”-ft lots must be dispersed throughout the overall project (no more than 2 contiguous “40”-ft lots).
- c. At least 30%, 60% and 80% of the overall number of lots shall have a minimum lot width at the setback line of 60 feet, 55 feet and 50 feet, respectively.
- d. At least 10% of the overall number of lots in the project shall have a minimum lot width of 75 feet (at least 50% of such lots shall not be of the corner variety and must be clustered together).
- e. The minimum lot size shall be 4,500 sq. ft. At least 30% and 60% of the lots shall have a minimum lot area of 8,000 square feet and 6,000 square feet, respectively
- f. At least 10% of the overall number of lots in the project shall have a minimum lot area of 10,000 sq. ft. At least 50% of such lots shall not be of the corner variety and must be clustered together.

- g. A maximum of 25% of the overall number of lots may be of the back-to-back variety.

Phasing:

- a. The phasing of the project shall be shown on the proposed conceptual site plan, and once approved by the City, carried unchanged through the preliminary and final plat submittals.

Architectural:

Facade design

- Exterior building materials may include glass, cementitious siding, brick or brick veneer, stone or stone veneer, stucco, wood or a combination thereof. A minimum of 40% of the exterior front façade shall be covered with either brick or stone. Vinyl shall be only be used for windows, doors and trim.
- No same two models of home shall be located directly adjacent to each other or located directly across the street from each other.
- A variety of color patterns shall be provided such that no two homes directly adjacent to each other are of the same color.
- The minimum roof pitch for the primary roof sections shall be 6/12 and porch, dormer and accessory shed roofs shall have a minimum roof pitch of 4/12.
- Where the side of a residence will be visible due to facing a road (as with a corner lot), common space, a neighborhood amenity area, or another reason, the side façade must include at least two windows of standard egress size (e.g., 48 inches by 20 inches) with trim that is at least 3.5 inches, and one of the following: 1. Wrap-around porch or side porch that is at least 48 square feet on the side façade; and/or 2. Substantial façade line changes, such as varying number of stories, dormers, architectural additions, bay windows, roof styles and chimneys.
- The maximum building height shall be 35 feet.
- At least 10% of the total number of lots must have single story houses.
- At least 10% of the multi-story houses shall have bedroom(s) on the first floor.

Heated area:

- The minimum heated square footage for each home shall be no less than 1600 sq. ft. for 1-story homes and no less than 2000 sq. ft. for 2-story homes.

Design flexibility:

- A minimum of 5% of the total number of lots (up to a maximum of 20 lots) shall be provided that meet the following specifications:
 - Minimum heated square footage of 1000 sq.ft for 1-story homes and no less than 1200 sq. ft for 2-story homes.

- Exterior building materials may include glass, cementitious siding, brick or brick veneer, stone or stone veneer, stucco, wood or a combination thereof. A minimum of 20% of the exterior front façade shall be covered with either brick or stone. Vinyl shall be only be used for windows, doors and trim.

Front porches:

- At least 50% of the dwellings must include a front porch with a minimum depth of six feet and a minimum width of eight feet. The conceptual, preliminary and final plat submittals shall include designations for each lot with such front porches.

Garages:

- Front-facing garage doors shall be provided with windows, carriage style hardware or separated into 1-bay garage doors (not a single 2-car garage door).
- At least 30% of the houses in a development phase must have garages that are located at least 18 feet behind the front façade, or side-loaded or rear-loaded garages. The conceptual, preliminary and final plat submittals shall include designations for each lot with such architectural requirements.
- Attached side-facing garages must have architectural details and/or windows that mimic the features of the living portion of the dwelling on the side of the garage facing the street.
- At least 10% of the overall number of lots in the project shall be identified as lots for side-loaded garages (and labeled as such on the conceptual, preliminary and final submittals).
- At least 10% of the overall number of lots in the project shall be identified as lots for rear-loaded garages (and labeled as such on the conceptual, preliminary and final submittals).

Parking:

- Off-street parking shall be designed per standard City of York requirements.

Community Mailboxes:

- Community mailboxes shall be installed per USPS requirements. For each USPS-required community mailbox location, at least four (4) off-street parking spaces shall be provided as well as landscaping, lighting and buffering (type B buffer between the mailboxes, parking, etc. and adjacent houses). Community mailboxes should be installed in or near central amenity areas that have available parking but are appropriately separated from active pedestrian/playground areas.

Open space/tree preservation and protection:

- At least 35% of the overall project gross area shall be maintained as open space.

- At least one continuous open space area (centrally located as much as possible) shall be provided that has an area totaling at least 20% of the overall project gross area. Such open space area shall have a minimum width of 100 feet. At least 50% of the total number of housing units shall share a property line with or be directly across the street from said open space area.
- In the designated open space areas, at least 35% of the existing tree canopy shall be retained and properly protected during development of the project. To ensure maintenance of tree canopy on the property interior, at least 50% of the trees effected by the noted existing tree canopy maintenance requirement shall be located at least 200 feet from the exterior property lines of the project.

Amenities:

- a. Amenities shall meet the façade design requirements specified above.
- b. For the first 50 lots and for each subsequent additional 50 lots (or fraction thereof), a subdivision shall be provided with at least two of the following amenities (seating areas can be counted only twice in the required amenity count):

For the first 50 residential units:

- Playground with a minimum area of 2500 sq. ft. or gazebo or other covered shelter (minimum 1,000 sq. ft.) and picnic area with a minimum size of 2500 ft.² per area that includes at least two picnic tables and at least one barbecue grill or pit. A fence shall be installed around the perimeter of tot lots. The fence shall be black vinyl coated chain-link or decorative black aluminum. The playground surface shall be durable, light-colored and rubberized or equivalent quality; plus
- One of the options listed below

For the next 50 residential units (or fraction thereof):

- Playground with a minimum area of 2500 sq. ft. or gazebo or other covered shelter (minimum 1,000 sq. ft.) and picnic area with a minimum size of 2500 ft.² per area that includes at least two picnic tables and at least one barbecue grill or pit. A fence shall be installed around the perimeter of tot lots. The fence shall be black vinyl coated chain-link or decorative black aluminum. The playground surface shall be durable, light-colored and rubberized or equivalent quality; plus
- One of the options listed below

For the next 50 residential units (or fraction thereof):

- Playground with a minimum area of 2500 sq. ft. or gazebo or other covered shelter (minimum 1,000 sq. ft.) and picnic area with a minimum size of 2500 ft.² per area that includes at least two picnic tables and at least one barbecue grill or pit. A fence

shall be installed around the perimeter of tot lots. The fence shall be black vinyl coated chain-link or decorative black aluminum. The playground surface shall be durable, light-colored and rubberized or equivalent quality;

or

- Swimming pool and cabana sized to comply with NRPA standards (shall be provided for a project with at least 150 residential units) or clubhouse, plus
- One of the options listed below

For each additional 50 residential units (or fraction thereof), 2 of the options listed below shall be implemented:

Options:

- Seating area (at least 3 benches with pergola)
- Community garden (minimum 5,000 sq. ft.)
- Fenced dog park with a minimum area of 5,000 sq. ft.
- Public or private golf course
- Canoe and kayak launch, or boat ramp
- Resident clubhouse
- Paved recreational area (minimum 2500 sq. ft.)
- Playground with a minimum area of 2500 sq. ft.
- Gazebo or other covered shelter (minimum 1,000 sq. ft.) or picnic area with a minimum size of 2500 ft.² per area that includes at least two picnic tables and at least one barbecue grill or pit.
- Swimming pool and cabana sized to comply with NRPA standards (shall be provided for a project with at least 150 residential units) or clubhouse.

c. Improved amenity areas shall be specified on the conceptual, preliminary and final submittals and then installed or approved surety provided prior to final plat approval.

d. All amenities must be:

- Constructed prior to approval/recording of phase 1 or the amenities must be bonded at 150% of the estimated construction value (as provided by SC-licensed professional engineer), and
- Built prior to approval/recording of phase 2.

e. Identification signage shall be provided at trail entrances, open space access points, etc. and be installed prior to final plat approval. Location and depictions of the signage shall be shown on the conceptual, preliminary and final submittals.

- f. Provide minimum 5-ft wide paved (asphalt) trails and/or natural surface trails to interconnect amenities and open space areas. For each lot in the project, a minimum 10 linear feet of trails shall be provided in the open space areas.
- g. The amenities, open space buffer, stormwater controls, etc. will be maintained by the conditions, covenants, and restrictions (CCRs) established by the developer and assumed by the homeowners association (HOA).
- h. The HOA shall ensure that no more than 10% of the total units are rental at any given time.
- i. At the final plat stage, the method(s) must be identified for ensuring that all required improvements are installed and maintained. Deed restrictions, etc. must be submitted for City review at the final plat stage (and ultimately recorded).

Streetscape:

- a. The streetscaping of interior streets and exterior streets along the property frontage shall be per standard City of York requirements and the following:
 - Street trees (use Gateway Corridor standards as template for tree species for exterior streets)
 - Street lighting (use Gateway Corridor standards as template for exterior streets)
 - Sidewalk on each side of each new street and along the street frontage of exterior streets

Landscape/ Buffer/ Signage:

- a. A type B bufferyard shall be provided where residential lots are located back-to-back, back directly adjacent to another lot or are directly adjacent to overflow parking lot, stormwater pond, lift station, amenity area, community mailbox center, subdivision signage, trail, etc. Trees shall be planted along the shared property lines or in the common space area, if applicable.
- b. A type B bufferyard shall be provided along perimeter property lines and along adjacent streets, highways, etc. where an existing equivalent buffer does not exist.
- c. A minimum 50 feet wide undisturbed area shall be provided along perimeter property lines and along adjacent streets, highways, etc.
- d. Stormwater retention/detention areas and lift stations shall be located a minimum of 50 feet from the property line of a lot for an individual residential unit.

e. A minimum 30-foot buffer setback is required for any proposed lots adjacent to bodies of water. All bodies of water shall be protected. A double row of silt fence shall be required when disturbance is proposed within 50 feet of water bodies.

f. Any proposed subdivision signage, fencing, home occupation or accessory structure shall be in accordance with standard City of York requirements.

g. Subdivision-identification signage easement(s) must be noted on the conceptual site plan as well as preliminary and final plat submittals.

h. A freestanding subdivision identification sign shall be installed at each subdivision entrance subject to the following conditions:

1. The sign structure height shall not exceed 8 feet.
2. The sign area shall not exceed 35 square feet.
3. The sign structure shall be constructed of brick, natural stone or stucco. Aluminum is only allowed for the placard for the subdivision name.
4. The sign structure shall contain a minimum of two different approved building materials from the following list: brick, natural stone or stucco.
5. Internal illumination is prohibited but the sign shall be spot lit from the ground.
6. The minimum setback shall be 20 feet from any street right away or property line and shall meet standard line-of-sight requirements.
7. Landscaping that complies with City standards shall be installed around the sign.
8. If located in the Local Historic District, the sign must be reviewed for approval by the Board of Architectural Review.
9. If located in the Gateway Corridor Overlay District, City staff may approve the sign design per the above-referenced requirements.

i. Subdivision entrances must be provided with landscaping that complies with Type B buffer requirements (not the general Type B buffer requirements from the zoning ordinance) as prescribed by the Gateway Corridor Overlay District standards.

j. If deemed appropriate by the City, a dedicated easement for potential City of York welcome signage shall be provided. The City will be responsible for the actual design and build of the welcome signage.

k. If applicable, provide complete engineered design for any proposed retaining walls (including guardrails/fencing that meets the building code requirements, trees/landscaping, structural details, drainage, etc.). The design must include a minimum 42-inch tall black vinyl coated chain-link fence (decorative black aluminum fence is acceptable) and decorative trees along the top edge of the wall. Retaining wall designs to be provided as part of preliminary plat.

Fire, Utility and Public Works Department requirements:

- a. The applicant shall verify with the Utilities Department that the project can be served by the City utilities system.
- b. The proposed public water and sanitary sewer systems shall be sized according to City requirements and the design drawings shall be submitted with the construction drawings/preliminary plat/final submittals.
- c. The proposed water system shall connect to any existing nearby portion of the public water system per City requirements.
- d. All requirements of the City of York Fire, Utility and Public Works Departments shall be met at the preliminary and final plat stages.
- e. Design and construction of the proposed stormwater system shall be in accordance with City of York/SCDHEC standards and specifications including fencing, landscaping, maintenance, etc. A minimum 42" tall black aluminum fence or black-vinyl-coated chain link fencing shall be provided around all stormwater retention/detention facilities. The SCDHEC stormwater permit shall be submitted with the construction drawings/ preliminary plat submittal.

Public transportation infrastructure requirements

- a. Street improvements shall be designed per SCDOT, City of York and pertinent traffic study standards and specifications including street, sidewalk, crosswalk, signage, speed-limiting devices, etc.
- b. The minimum number of street entrances to the subdivision shall be based on requirements specified in the zoning ordinance as well as Fire Department requirements.
- c. All streets shall be publicly dedicated for maintenance and acceptance by the City of York, subject to the City's warranty and acceptance policies.
- d. At the final plat stage, the method(s) must be identified for ensuring that all required public infrastructure improvements are installed, maintained and properly warrantied.
- e. As deemed necessary by the City, dedicated street, utility, and other rights-of-way for stub streets and utility lines shall be provided to adjacent property lines.
- f. Dead-end streets shall not exceed more than 150 feet (nearest road intersection to end of pavement) without an approved temporary

turnaround unless otherwise approved by the City of York and such streets shall be designed per standard City of York requirements.

g. A 26-ft paved street width with 2-ft valley curb shall be provided for dead-end streets (cul-de-sacs or stub streets) exceeding 500-ft in length. The dead-end street shall be measured from the intersection of nearest street to the center of the cul-de-sac or end of paved stub street. Street stubs must provide emergency vehicle turnaround (if no cul-de-sac is proposed).

h. If buildings exceed 30 feet in height, streets shall be increased to 26 feet clear width (excluding curbing) per international fire code requirements.

i. The proposed subdivision name and street names must be approved by the York County Emergency Preparedness 911 at the preliminary plat stage.

The applicant will provide written verification of York County approval with the preliminary plat submittal.

Vested rights:

a. Vested rights to the project shall expire if any of the following occurs:

- If a preliminary plat is not approved within 2 years of special exception approval, or
- If the time period between preliminary and final plat approvals exceed 2 years, or
- If any portion of the approved conceptual site plan is not given final plat approval within 5 years of special exception approval.

R9- Single-Family Attached Residential Zoning District

Purpose

The purpose of this district is to encourage the creation of single-family attached residential subdivisions that provide diversity of price point, housing density, architecture, site layout, amenities, etc. This designation is principally applied to undeveloped areas where design flexibility will not adversely affect existing residential subdivisions. The City's Comprehensive Plan describes areas best suited for this zoning designation.

The following uses are allowed by special exception:

- Public or private school
- Church

The following uses are conditionally allowed subject to requirements specified for this district:

- Attached single-family residential units on individual lots
- Home occupations allowed by the Zoning Ordinance

In addition to all standard pertinent requirements of the City of York Zoning and Subdivision Ordinances (Appendices A & B of the York City Code), the following requirements shall be met for all proposed residential subdivisions:

Density:

- The maximum housing density shall be 6 units per gross acre.

Lot specifications and dimensional requirements:

a. The minimum setbacks shall be as follows (from the street right-of-way or property line):

- I. 20 feet on front
- II. 8 feet on sides (12 feet where adjacent to a street)
- III. 18 feet on rear

b. The minimum lot width at the setback line shall be 20 ft.

c. The minimum lot size shall be 1,800 sq. ft.

d. A maximum of 25% of the overall number of lots may be of the back-to-back variety.

Phasing:

The phasing of the project shall be shown on the proposed conceptual site plan, and once approved by the City, carried unchanged through the preliminary and final plat submittals.

Architectural:

Facade design:

- Exterior building materials may include glass, cementitious siding, brick or brick veneer, stone or stone veneer, stucco, wood or a combination thereof. A minimum of 40% of the exterior front façade shall be covered with either brick or stone. Vinyl shall be only be used for windows, doors, and trim.
- At least 15% of the residential units shall have a minimum of 80% of the exterior front façade covered with either brick or stone and at least one unit per building shall meet this requirement.

- No same two models of home shall be located directly adjacent to each other or located directly across the street from each other.
- A variety of color patterns shall be provided such that no two homes directly adjacent to each other are of the same color.
- The minimum roof pitch for the primary roof sections shall be 6/12 and porch, dormer and accessory shed roofs shall have a minimum roof pitch of 4/12.
- Where the side of a residence will be visible due to facing a road (as with a corner lot), common space, a neighborhood amenity area, or another reason, the side façade must include at least two windows of standard egress size (e.g., 48 inches by 20 inches) with trim that is at least 3.5 inches, and one of the following: 1. Wrap-around porch or side porch that is at least 48 square feet on the side façade; and/or 2. Substantial façade line changes, such as varying number of stories, dormers, architectural additions, bay windows, roof styles and chimneys.
- The maximum building height shall be 35 feet.

Heated area:

- The minimum heated square footage for each home shall be no less than 1,200 sq. Ft.

Design flexibility:

- A minimum of 5% of the total number of lots (up to a maximum of 20 lots) shall be provided that meet the following specifications:
 - Minimum heated square footage of 1,000 sq.ft.
 - Exterior building materials may include glass, cementitious siding, brick or brick veneer, stone or stone veneer, stucco, wood or a combination thereof. A minimum of 20% of the exterior front façade shall be covered with either brick or stone. Vinyl shall be only be used for windows, doors and trim.

Front porches:

- At least 50% of the dwellings must include a front porch with a minimum depth of six feet and a minimum width of eight feet. The conceptual, preliminary and final plat submittals shall include designations for each lot with such front porches.

Garages:

- Front-facing garage doors shall be provided with windows, carriage style hardware or separated into 1-bay garage doors (not a single 2-car garage door).
- At least 25 % of the overall number of lots in the project shall be identified as lots for rear-loaded garages (and labeled as such on the conceptual, preliminary and final submittals).

Parking:

- Off-street parking shall be designed per standard City of York requirements.

Community mailboxes

- Community mailboxes shall be installed per USPS requirements. For each USPS-required community mailbox location, at least four (4) off-street parking spaces shall be provided as well as landscaping, lighting and buffering (type B buffer between the mailboxes, parking, etc. and adjacent houses). Community mailboxes should be installed in or near central amenity areas that have available parking but are appropriately separated from active pedestrian/playground areas.

Open space/tree preservation and protection:

- At least 35% of the overall project gross area shall be maintained as open space.
- At least one continuous open space area (centrally located as much as possible) shall be provided that has an area totaling at least 20% of the overall project gross area. Such open space area shall have a minimum width of 100 feet. At least 50% of the total number of housing units shall share a property line with or be directly across the street from said open space area.
- In the designated open space areas, at least 35% of the existing tree canopy shall be retained and properly protected during development of the project. To ensure maintenance of tree canopy on the property interior, at least 50% of the trees effected by the noted existing tree canopy maintenance requirement shall be located at least 200 feet from the exterior property lines of the project.

Amenities:

- a. Amenities shall meet the façade design requirements specified above.

b. For the first 50 lots and for each subsequent additional 50 lots (or fraction thereof), a subdivision shall be provided with at least two of the following amenities (seating areas can be counted only twice in the required amenity count):

For the first 50 residential units:

- Playground with a minimum area of 2500 sq. ft. or gazebo or other covered shelter (minimum 1,000 sq. ft.) and picnic area with a minimum size of 2500 ft.² per area that includes at least two picnic tables and at least one barbecue grill or pit. A fence shall be installed around the perimeter of tot lots. The fence shall be black vinyl coated chain-link or decorative black aluminum. The playground surface shall be durable, light-colored and rubberized or equivalent quality; plus
- One of the options listed below

For the next 50 residential units (or fraction thereof):

- Playground with a minimum area of 2500 sq. ft. or gazebo or other covered shelter (minimum 1,000 sq. ft.) or picnic area with a minimum size of 2500 ft.² per area that includes at least two picnic tables and at least one barbecue grill or pit. A fence shall be installed around the perimeter of tot lots. The fence shall be black vinyl coated chain-link or decorative black aluminum. The playground surface shall be durable, light-colored and rubberized or equivalent quality; plus
- One of the options listed below

For the next 50 residential units (or fraction thereof):

- Playground with a minimum area of 2500 sq. ft. or gazebo or other covered shelter (minimum 1,000 sq. ft.) or picnic area with a minimum size of 2500 ft.² per area that includes at least two picnic tables and at least one barbecue grill or pit. A fence shall be installed around the perimeter of tot lots. The fence shall be black vinyl coated chain-link or decorative black aluminum. The playground surface shall be durable, light-colored and rubberized or equivalent quality.

Or

- Swimming pool and cabana sized to comply with NRPA standards (shall be provided for a project with at least 150 residential units) or clubhouse, plus
- One of the options listed below

For each additional 50 residential units (or fraction thereof), 2 of the options listed below shall be implemented:

Options:

- Seating area (at least 3 benches with pergola)
- Community garden (minimum 5,000 sq. ft.)
- Fenced dog park with a minimum area of 5,000 sq. ft.
- Public or private golf course
- Canoe and kayak launch, or boat ramp
- Resident clubhouse
- Paved recreational area (minimum 2500 sq. ft.)
- Playground with a minimum area of 2500 sq. ft.
- Gazebo or other covered shelter (minimum 1,000 sq. ft.) or picnic area with a minimum size of 2500 ft.² per area that includes at least two picnic tables and at least one barbecue grill or pit.
- Swimming pool and cabana sized to comply with NRPA standards (shall be provided for a project with at least 150 residential units) or clubhouse.

j. Improved amenity areas shall be specified on the conceptual, preliminary and final submittals and then installed or approved surety provided prior to final plat approval.

k. All amenities must be:

- Constructed prior to approval/recordation of phase 1 or the amenities must be bonded at 150% of the estimated construction value (as provided by SC-licensed professional engineer), and
- Built prior to approval/recordation of phase 2.

l. Identification signage shall be provided at trail entrances, open space access points, etc. and be installed prior to final plat approval. Location and depictions of the signage shall be shown on the conceptual, preliminary and final submittals.

m. Provide minimum 5-ft wide paved (asphalt) trails and/or natural surface trails to interconnect amenities and open space areas. For each unit in the project, a minimum 3 linear feet of trails shall be provided in the open space areas.

n. The amenities, open space buffer, stormwater controls, etc. will be maintained by the conditions, covenants, and restrictions (CCRs) established by the developer and assumed by the homeowners association (HOA).

o. At the final plat stage, the method(s) must be identified for ensuring that all required improvements are installed and maintained. Deed restrictions, etc. must be submitted for City review at the final plat stage (and ultimately recorded).

Streetscape:

- The streetscaping of interior streets and exterior streets along the property frontage shall be per standard City of York requirements and the following:
 - Street trees (use Gateway Corridor standards as template for tree species for exterior streets)
 - Street lighting (use Gateway Corridor standards as template for exterior streets)
 - Sidewalk on each side of each new street

Landscape/ Buffer/ Signage:

- a. A type B bufferyard shall be provided where residential lots are located back-to-back, back directly adjacent to another lot or are directly adjacent to overflow parking lot, stormwater pond, lift station, amenity area, community mailbox center, subdivision signage, trail, etc. Trees shall be planted along the shared property lines or in the common space area, if applicable.
- b. A type B bufferyard shall be provided along perimeter property lines and along adjacent streets, highways, etc. where an existing equivalent buffer does not exist.
- c. A minimum 50 feet wide undisturbed area shall be provided along perimeter property lines and along adjacent streets, highways, etc.
- d. Stormwater retention/detention areas and lift stations shall be located a minimum of 50 feet from the property line of a lot for an individual residential unit.
- e. A minimum 30-foot buffer setback is required for any proposed lots adjacent to bodies of water. All bodies of water shall be protected. A double row of silt fence shall be required when disturbance is proposed within 50 feet of water bodies.
- f. Any proposed subdivision signage, fencing, home occupation or accessory structure shall be in accordance with standard City of York requirements.
- g. Subdivision-identification signage easement(s) must be noted on the conceptual site plan as well as preliminary and final plat submittals.
- h. A freestanding subdivision identification sign may be installed at each subdivision entrance subject to the following conditions:
 - The sign structure height shall not exceed 8 feet.
 - The sign area shall not exceed 35 square feet.
 - The sign structure shall be constructed of brick, natural stone or stucco. Aluminum is only allowed for the placard for the subdivision name.
 - The sign structure shall contain a minimum of two different approved building materials from the following list: brick, natural stone or stucco.

- Internal illumination is prohibited but the sign may be spot lit from the ground.
 - The minimum setback shall be 20 feet from any street right away or property line and shall meet standard line-of-sight requirements.
 - Landscaping that complies with City standards shall be installed around the sign.
 - If located in the Local Historic District, the sign must be reviewed for approval by the Board of Architectural Review.
 - If located in the Gateway Corridor Overlay District, City staff may approve the sign design per the above-referenced requirements.
- i. Subdivision entrances must be provided with landscaping that complies with Type B buffer requirements (not the general Type B buffer requirements from the zoning ordinance) as prescribed by the Gateway Corridor Overlay District standards.
- j. Subdivision-identification signage shall be provided with decorative landscaping/spot lighting around the signage and a type B buffer between the signage and adjacent houses.
- k. Subdivision entrances must be provided with landscaping, etc. features that comply with standard landscaping requirements.
- l. If deemed appropriate by the City, a dedicated easement for potential City of York welcome signage shall be provided. The City will be responsible for the actual design and build of the welcome signage.
- m. If applicable, provide complete engineered design for any proposed retaining walls (including guardrails/fencing that meets the building code requirements, trees/landscaping, structural details, drainage, etc.). The design must include a minimum 42-inch tall black vinyl coated chain-link fence (decorative black aluminum fence is acceptable) and decorative trees along the top edge of the wall. Retaining wall designs to be provided as part of preliminary plat.

Fire, Utility, and Public Works Department requirements:

- a. The applicant shall verify with the Utilities Department that the project can be served by the City utilities system.
- b. The proposed public water and sanitary sewer systems shall be sized according to City requirements and the design drawings shall be submitted with the construction drawings/preliminary plat/final submittals.
- c. The proposed water system shall connect to any existing nearby portion of the public water system per City requirements.
- d. All requirements of the City of York Fire, Utility and Public Works Departments shall be met at the preliminary and final plat stages.
- e. Design and construction of the proposed stormwater system shall be in accordance with City of York/SCDHEC standards and specifications including fencing, landscaping, maintenance, etc. A minimum 42" tall black aluminum fence or black-vinyl-coated chain link fencing shall be provided around all stormwater

retention/detention facilities. The SCDHEC stormwater permit shall be submitted with the construction drawings/ preliminary plat submittal.

Public transportation infrastructure requirements:

- a. j. Street improvements shall be designed per SCDOT, City of York and pertinent traffic study standards and specifications including street, sidewalk, crosswalk, signage, speed-limiting devices, etc.
- b. k. The minimum number of street entrances to the subdivision shall be based on requirements specified in the zoning ordinance as well as Fire Department requirements.
- c. l. All streets shall be publicly dedicated for maintenance and acceptance by the City of York, subject to the City's warranty and acceptance policies.
- d. m. At the final plat stage, the method(s) must be identified for ensuring that all required public infrastructure improvements are installed, maintained and properly warrantied.
- e. n. As deemed necessary by the City, dedicated street, utility, and other rights-of-way for stub streets and utility lines shall be provided to adjacent property lines.
- f. o. Dead-end streets shall not exceed more than 150 feet (nearest road intersection to end of pavement) without an approved temporary turnaround unless otherwise approved by the City of York and such streets shall be designed per standard City of York requirements.
- g. p. A 26-ft paved street width with 2-ft valley curb shall be provided for dead-end streets (cul-de-sacs or stub streets) exceeding 500-ft in length. The dead-end street shall be measured from the intersection of nearest street to the center of the cul-de-sac or end of paved stub street. Street stubs must provide emergency vehicle turnaround (if no cul-de-sac is proposed).
- h. q. If buildings exceed 30 feet in height, streets shall be increased to 26 feet clear width (excluding curbing) per international fire code requirements.
- i. r. The proposed subdivision name and street names must be approved by the York County Emergency Preparedness 911 at the preliminary plat stage. The applicant will provide written verification of York County approval with the preliminary plat submittal.

Vested rights:

Vested rights to the project shall expire if any of the following occurs:

- If a preliminary plat is not approved within 2 years of special exception approval, or

- If the time period between preliminary and final plat approvals exceed 2 years, or
- If any portion of the approved conceptual site plan is not given final plat approval within 5 years of special exception approval.

R10- Multi-family Residential Zoning District

Purpose:

- The purpose of this district is to encourage the creation of multi-family residential projects that provide diversity of price point, housing density, architecture, site layout, amenities, etc. This designation is principally applied to undeveloped areas where design flexibility will not adversely affect existing residential subdivisions. The City's Comprehensive Plan describes areas best suited for this zoning designation.

The following uses are allowed by special exception:

- Public or private school
- Church
- Multifamily residential projects- defined as a building on one property having more than one dwelling unit, designed for residential occupancy. Multifamily residential includes apartments, condominiums and duplexes.

The BZA with recommendation from the PC shall determine the following while reviewing the special exception application and conceptual site plan for the project:

- Housing density
- Lot specifications and dimensional requirements including setbacks, etc.
- The proposed phasing of the project (shown on the proposed conceptual site plan and carried unchanged through the final submittals).
- Each apartment building façade shall be designed to eliminate a monotonous appearance. Each façade shall provide a variety of architectural detail and color. If the proposed project is located in the Gateway Corridor Overlay District, the applicant must apply for certificate of appropriateness approval regarding the exterior building and property design from the Board of Architectural Review.
- The maximum building height.

- Enclosed storage areas for each unit.
- Laundry facilities shall be provided in each unit.
- At least 10% of the residential units shall be designated as affordable housing units. Affordable housing shall be defined per State law requirements
- Appropriate amenities shall be provided. The provided amenities shall be a combination of the following or other types allowed by the BZA:
 - Seating area (at least 3 benches with pergola)
 - Community garden (minimum 5,000 sq. ft.)
 - Fenced dog park with a minimum area of 5,000 sq. ft.
 - Public or private golf course
 - Canoe and kayak launch, or boat ramp
 - Resident clubhouse
 - Paved recreational area (minimum 2500 sq. ft.)
 - Playground with a minimum area of 2500 sq. ft. A fence shall be installed around the perimeter of tot lots. The fence shall be black vinyl coated chain-link or decorative black aluminum. The playground surface shall be durable, light-colored and rubberized or equivalent quality.
 - Gazebo or other covered shelter (minimum 1,000 sq. ft.) or picnic area with a minimum size of 2500 ft.² per area that includes at least two picnic tables and at least one barbecue grill or pit.
 - Swimming pool and cabana sized to comply with NRPA standards (shall be provided for a project with at least 150 residential units) or clubhouse.

If the BZA approves the above-referenced factors for a project, City staff shall be responsible for verifying that the following issues are addressed in the conceptual site plan:

- a. All standard pertinent requirements of the City of York Zoning and Subdivision Ordinances (Appendices A & B of the York City Code).
- b. Off-street parking shall be designed per standard City of York requirements.
- c. The minimum roof pitch for the primary roof sections shall be 6/12 and porch, dormer and accessory shed roofs shall have a minimum roof pitch of 4/12.
- d. Exterior building materials should include glass, cementitious siding, brick or brick veneer, stone or stone veneer, stucco, wood or a combination thereof. A minimum of 40% of the exterior front façade shall be covered with either brick or stone. Vinyl shall be only be used for windows, doors and trim.

- e. Community mailboxes shall be installed per USPS requirements. For each USPS-required community mailbox location, at least four (4) off-street parking spaces shall be provided as well as landscaping, lighting and buffering (type B buffer between the mailboxes, parking, etc. and adjacent residential uses). Community mailboxes should be installed in or near central amenity areas that have available parking but are appropriately separated from active pedestrian/playground areas.
- f. Mechanical, garbage/recycling, etc. areas shall be screened using materials that match exterior materials required above.
- g. Open space/tree preservation and protection including:
- At least 35% of the overall project gross area shall be maintained as open space.
 - At least one continuous open space area (centrally located as much as possible) shall be provided that has an area totaling at least 20% of the overall project gross area. Such open space area shall have a minimum width of 100 feet.
 - In the designated open space areas, at least 35% of the existing tree canopy shall be retained and properly protected during development of the project. To ensure maintenance of tree canopy on the property interior, at least 50% of the trees effected by the noted existing tree canopy maintenance requirement shall be located at least 200 feet from the exterior property lines of the project.
- h. All required improvements, amenity areas, etc. shall be specified on the conceptual and final submittals and then installed/constructed prior to certificates of occupancy being issued for the project.
- i. Identification signage shall be provided at trail entrances, open space access points, etc. and be installed prior to final plat approval. Location and depictions of the signage shall be shown on the conceptual and final submittals.
- j. Provide minimum 5-ft wide paved (asphalt) trails and/or natural surface trails to interconnect amenities and open space areas. For each lot in the project, a minimum 2 linear feet of trails shall be provided in the open space areas.
- k. The amenities, open space buffer, stormwater controls, etc. will be maintained by the conditions, covenants, and restrictions (CCRs) established by the developer and assumed by the property owner.
- l. The streetscaping of exterior streets along the property frontage shall be per standard City of York requirements and the following:
- Street trees (use Gateway Corridor standards as template for tree species)
 - Street lighting (use Gateway Corridor standards as template)
 - Sidewalk on along the entire frontage of each existing street
- m. Landscape/ Buffer/ Signage per the following:

- A type B bufferyard shall be provided where residential units are located back-to-back, directly adjacent to overflow parking lot, stormwater pond, lift station, amenity area, community mailbox center, subdivision signage, trail, etc.
- A type B bufferyard shall be provided along perimeter property lines and along adjacent streets, highways, etc. where an existing equivalent buffer does not exist.
- A minimum 50 feet wide undisturbed area shall be provided along perimeter property lines and along adjacent streets, highways, etc.
- Stormwater retention/detention areas and lift stations shall be located a minimum of 50 feet from the property line of a lot for an individual residential unit.
- A minimum 30-foot buffer setback is required for any proposed lots adjacent to bodies of water. All bodies of water shall be protected. A double row of silt fence shall be required when disturbance is proposed within 50 feet of water bodies.
- Any proposed project signage, fencing, home occupation or accessory structure shall be in accordance with standard City of York requirements.
- Subdivision-identification signage easement(s) must be noted on the conceptual site plan as well as final submittals.

- n. A freestanding subdivision identification sign shall be installed at each subdivision entrance subject to the following conditions:
- The sign structure height shall not exceed 8 feet.
 - The sign area shall not exceed 35 square feet.
 - The sign structure shall be constructed of brick, natural stone or stucco. Aluminum is only allowed for the placard for the subdivision name.
 - The sign structure shall contain a minimum of two different approved building materials from the following list: brick, natural stone or stucco.
 - Internal illumination is prohibited but the sign shall be spot lit from the ground.
 - The minimum setback shall be 20 feet from any street right away or property line and shall meet standard line-of-sight requirements.
 - Landscaping that complies with City standards shall be installed around the sign.
 - If located in the Local Historic District, the sign must be reviewed for approval by the Board of Architectural Review.
 - If located in the Gateway Corridor Overlay District, City staff may approve the sign design per the above-referenced requirements.
- o. Project-identification signage easement(s) must be noted on the conceptual site plan as well as final submittals.

- p. Project-identification signage shall be provided with decorative landscaping/spot lighting around the signage and a type B buffer between the signage and adjacent housing units.
- q. Project entrances must be provided with landscaping, etc. features that comply with standard landscaping requirements.
- r. If deemed appropriate by the City, a dedicated easement for potential City of York welcome signage shall be provided. The City will be responsible for the actual design and build of the welcome signage.
- s. If applicable, provide complete engineered design for any proposed retaining walls (including guardrails/fencing that meets the building code requirements, trees/landscaping, structural details, drainage, etc.). the design must include a minimum 42-inch tall black vinyl coated chain-link fence (decorative black aluminum fence is acceptable) and decorative trees along the top edge of the wall. retaining wall designs to be provided as part of preliminary plat.
- t. Fire, Utility and Public Works department requirements per the following:
- The applicant shall verify with the Utilities Department that the project can be served by the City utilities system.
 - The proposed public water and sanitary sewer systems shall be sized according to City requirements and the design drawings shall be submitted with the construction drawings/final submittals.
 - The proposed water system shall connect to any existing nearby portion of the public water system per City requirements.
 - All requirements of the City of York Fire, Utility and Public Works Departments shall be met at the conceptual and final submittal stages.
 - Design and construction of the proposed stormwater system shall be in accordance with City of York/SCDHEC standards and specifications including fencing, landscaping, maintenance, etc. A minimum 42" tall black aluminum fence or black-vinyl-coated chain link fencing shall be provided around all stormwater detention facilities. The SCDHEC stormwater permit shall be submitted with the construction drawings/ preliminary plat submittal.
- u. Public transportation infrastructure requirements per the following:
- Street improvements shall be designed per SCDOT, City of York and pertinent traffic study standards and specifications including street, sidewalk, crosswalk, signage, etc.
 - At the final plat stage, the method(s) must be identified for ensuring that all required public infrastructure improvements are installed, maintained and properly warrantied.
 - As deemed necessary by the City, dedicated street, utility, and other rights-of-way for stub streets and utility lines shall be provided to adjacent property lines.

- The proposed project name must be approved by the York County Emergency Preparedness 911 at the preliminary plat stage. The applicant will provide written verification of York County approval with the preliminary plat submittal.
- v. Vested rights shall be per standard City requirements.

R11- Mixed Residential Zoning District

Purpose:

- The purpose of this district is to encourage the creation of residential projects that provide diversity of housing types, price point, housing density, architecture, site layout, amenities, etc. This designation is principally applied to undeveloped areas where design flexibility will not adversely affect existing residential subdivisions. The City's Comprehensive Plan describes areas best suited for this zoning designation.

The following uses are allowed by special exception:

- Public or private school
- Church

The following uses are allowed subject to requirements specified for the R8, R9, R10 and R11 zoning districts:

- Single-family detached residential
- Single-family attached residential
- Multi-family residential projects
- Home occupation and accessory uses allowed by the Zoning Ordinance

R5- Residential Zoning District (remove existing R5 district requirements and replace with the following:

Purpose

The purpose of this district is to permit a variety of residential and related uses and variable densities in certain areas of the city deemed suited to and with market potential for such uses. This designation is applied principally to undeveloped areas where unit and density flexibility will not adversely affect existing residential subdivisions and where the housing market can be sufficiently broad and flexible to meet the various demands for housing.

Design/usage requirements

- The R5 zoning designation shall not be used in future rezoning applications.
- Projects in a R5 zoning district that were previously approved and have active vested rights shall be governed by the previously-approved project design and specifications.

Uses allowed by special exception

Vacant property with a R5 zoning designation shall be developed in accordance with special exception requirements. The applicant shall choose R8, R9, R10 or R11 zoning district requirements to design the conceptual site plan for the special exception application.

Application review

The Planning Commission shall review and make a recommendation to the Board of Zoning Appeals regarding each such special exception application. In making a recommendation and decision on each such application, the Planning Commission and Board of Zoning Appeals shall consider residential requirements listed above and special exception requirements as well as any other material deemed pertinent by the City.

PUD- Planned Unit Development District (remove existing PUD district requirements and replace with the following:

A. Purpose:

The purpose of the PUD district is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the provision of streets and utilities; and to preserve the natural and scenic features of open areas.

B. District requirements:

In order to qualify as a PUD district, a project must meet the following minimum requirements:

1. The conceptual site plan for the project shall provide significant commercial and residential components.
2. The commercial component shall not be designed as a standalone commercial area and shall be integrally designed to mesh with the residential areas.
3. The residential section of the project shall be designed per one of the following zoning district requirements: R8, R9, R10 or R11.
4. The land-use map in the City's Comprehensive Plan specifies where PUD districts would be best located along with the most appropriate associated residential zoning requirements.
5. The site must contain not less than five acres and must adjoin or have direct access to at least one major street.
6. The site shall be in single ownership, or if in joint ownership, the application for amendment to the zoning ordinance shall be filed jointly by all of the owners.
7. A conceptual site plan shall be submitted with the request for change and shall contain the following information:
 - a. The proposed title of the project and the name of the engineer, architect or designer as well as the project applicant.
 - b. The north point, an appropriate scale and date.
 - c. Existing zoning and zoning district boundaries and proposed changes in zoning, if any.
 - d. The boundaries of the property involved, the general location of all existing easements, property lines, existing streets, buildings, sidewalk and other existing physical features on or adjoining the project
 - e. The applicant shall verify availability/adequateness of City utilities/ fire protection, etc. at the site.
 - f. The general locations and construction dimensions of proposed streets, alleys, driveways, curb cuts, entrances and exits, parking and loading areas (including numbers of parking spaces).
 - g. The general location of proposed lots, setback lines, easements, and a generalized land use plan.
 - h. The location of all proposed main and accessory buildings and dimensions of structures drawn to scale.
 - i. General information regarding all fences, walls, screens, buffers, plantings and landscaping.
 - j. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures,

street patterns and use relationships. Variety in building types, heights, façades, setbacks, and size of open spaces shall be encouraged.

- k. General location, character, size, height, and orientation of proposed freestanding signs.
- l. A location map showing the position of the proposed development in the city.
- m. A tabulation of total number of acres in the project to be devoted to streets and other public and/or private reservations.
- n. Reference to the creation of:
 - Proposed standards for the development of the project, including restrictions on the use of property, open space, yard requirements and restrictive covenants, if any.
 - A statement defining the manner in which the city is to be assured that all improvements and protective devices, such as screens and buffers are to be installed and maintained.
- o. The Planning Commission may establish additional requirements for site plan approval and, in special cases, may waive a particular requirement if, in its opinion, the inclusion of that requirement is not essential to a proper assessment of the project.

C. *Permitted uses:*

Any use proposed by the developer and considered by the Planning Commission as being compatible to other nearby uses within and beyond the district may be permitted in such district, upon approval by the Planning Commission and York City Council. A listing of permitted uses within a particular PUD district shall be adopted as part of the regulations applying to that district. After approval by the commission and council, the list or portion thereof shall be adopted as part of the regulations applying to that particular PUD district. Thereafter, the uses permitted in the district shall be restricted to those listed, approved, and adopted.

D. *Administrative procedures:*

In accordance with the adopted Planning Commission meeting and application deadline schedule, the applicant or owner shall submit to the Planning and Development Department a completed rezoning application and application fee, conceptual site plan, annexation petition, if applicable, and all required supporting information. The Planning and Development Department and other agencies, as appropriate, shall review the proposal for compliance with the comprehensive land use plan and the regulations herein, the objectives of the district, and the suitability of the site for the proposed project.

Following such study, the applicant shall be notified of any issues that need to be addressed. At the conclusion of the review, the Planning and Development Department shall provide a report of findings to the Planning Commission regarding the project.

Actions by the Planning Commission and Council shall be as provided for amendments generally. Council may grant the application, may include specific modifications of the proposal or other applicable regulations or may deny the application.

If the application is approved, the development shall be required to be in accord with the approved PUD, meeting the requirements of these and other regulations, as supplemented or modified by Council in the particular case as part of the amendment action and shall conform to any time or priority limitations established by Council on beginning and completion of the development as a whole or in specified stages.

In taking action to amend the zoning map to establish an approved PUD, Council shall pass upon the adequacy of the application, in form and substance relative to any agreements, contracts, deed restrictions, sureties, or other instruments involved; and before development may proceed, such instruments shall be approved by appropriate officers and agencies.

Once a PUD district is established on the official zoning map, no building permit shall be issued therein unless the Planning and Development Department has approved plans and reports for the development as a whole or stages or portions thereof deemed satisfactory in relation to the total development. The form and content of such plans and reports shall be as prescribed in zoning, subdivision regulations, or other regulations involved generally, and in rules of other affected agencies.

Upon approval, building permits shall be issued in the same manner as for building permits generally, provided that any requirements concerning the order and location in which building permits are to be issued in the particular PUD district shall be observed. Except as provided below, all plans and reports approved shall be binding on the applicants and any successors in title so long as the PUD zoning is applicable and vested rights are maintained.

Minor changes in approved final plans and reports may be approved by the Planning and Development Department only upon findings identical to those required for original approval. Major changes shall be approved subject to further amendatory action only.

Section XI. - Schedule of Dimensional Requirements

Add the following to the Table: For R5, R8, R9, R10, R11 and PUD districts, reference the specific district requirements for relevant standards. Remove conflicting requirements from Table.

SECTION XX. - AMENDMENTS

A.

Authority. This ordinance, including the official zoning map of the City of York, may be amended from time to time by the York City Council as herein specified, but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the Planning Commission for review and recommendation. The Planning Commission *shall have its initial regular meeting and up to 2 more consecutive regular meetings to finalize a recommendation* and submit its report to the City Council. If the Planning Commission does not submit its report within the prescribed time, City Council may proceed to act on the application without awaiting the recommendations of the Planning Commission.

Requirement for change. Whenever the public necessity, convenience, general welfare or good zoning practice justifies such action, and after the required review and report by the Planning Commission, the City Council may undertake the necessary steps to amend this ordinance.

C.

Procedure for amendments. Requests to amend this ordinance shall be processed in accordance with the following requirements:

1.

Initiation of amendments. A proposed amendment to this ordinance may be initiated by the Planning Commission or by application filed with the *Planning and Development Department* ~~secretary of the planning commission~~, by the owner or owners of the property proposed to be changed; provided that action shall not be initiated for a zoning amendment affecting the same parcel or parcels of property, or any part thereof, by a property owner or owners more than once every 12 months. *The 12-month period shall commence on the date when City Council takes final action on an application.*

2.

Application forms; fees. Application forms for amendment requests shall be obtained from the *Planning and Development Department*. Completed forms together with *a legal plat of the property(s) and application fees*

~~required to cover administrative costs,~~ plus any additional information the applicant feels to be pertinent, shall be filed with the *Planning and Development Department* ~~secretary of the planning commission.~~ The *Planning and Development Department* ~~building official~~ shall issue a receipt. Such fees are intended to offset the costs of advertising and administrative expenses. Any communication purporting to be an application for an amendment shall be regarded as mere notice to seek relief until it is made in the form required.

Applications for amendments shall be submitted in proper form *in accordance with the approved Planning Commission application/ deadline calendar* ~~at least two weeks prior to a planning commission meeting in order to be heard at that meeting.~~ Applications shall be accompanied by ~~a fee of \$50.00.~~

3.

Action by Planning Commission. All papers and other data submitted by the applicant on behalf of the amend request shall be transmitted to the Planning Commission. The Planning Commission, at regular meeting, shall review and prepare a report, including its recommendation, for transmittal to the City Council. All meetings of the Planning Commission shall be open to the public. At a meeting, any party may appear in person, or be represented by an agent or by attorney. No member of the Planning Commission shall participate in a matter in which he has any pecuniary or special interest. Following action by the Planning Commission, the *recommendation and* all papers and data pertinent to the application shall be transmitted to the City Council for final action.

~~The Planning Commission shall render a recommendation regarding a rezoning application or a zoning amendment application within 75 calendar days of the initial public meeting regarding the particular application.~~

~~If action is not taken by the Planning Commission within the prescribed time period, the application shall be forwarded to City Council for action.~~

Annexation requests for residential projects shall be accepted only twice a year at designated time periods (application deadlines of February 1st and August 1st). Annexation applications that include a residential component shall only be allowed in accordance with the R8, R9, R10, R11 or PUD zoning districts. Such annexation requests must include a completed rezoning application and annexation petition, detailed legal boundary description of the property(s), a basic description of the proposed project for the site and required application fees. The submittal

should be reviewed in accordance with specific criteria including compliance with the Comprehensive Plan and the Land Use Map, residential mixture ratios, maximum number of allowed residential units per year, type of zoning district requested and compliance with requirements of the district as well as other factors deemed appropriate by the Planning Commission and City Council.

4.

Public hearing. Before enacting or amending this [zoning] ordinance, City Council ~~or the planning commission, if authorized by the city council,~~ shall hold a public hearing thereon, at which parties in interest and citizens shall have an opportunity to be heard. Two notices of such hearing shall be published in a newspaper of general circulation in the City of York. One notice shall be published at least 30 days prior to the hearing, and the second notice at least 15 days prior thereto.

When a proposed amendment affects the district classification of property, notice of such amendment shall be conspicuously posted on or adjacent to property affected, with at least one such notice being visible from each public thoroughfare that abuts the property. Such signs shall be posted at least 15 days prior to the hearing and shall indicate the nature of the change proposed, identification of the property affected, and the time, date and place of the hearing.

5.

Changes in zoning map. Following final action by the City Council, any necessary changes shall be made in the official zoning map by the city clerk. A written record of the type and date of such change shall be maintained by the city clerk. Until such change is made, no action by the City Council on amendments to this ordinance shall be considered official.

City Council Meeting July 11, 2023

DATE AND TIME: Tuesday, July 11, 2023, 6:00 PM

Members Present:

Mayor Mike Fuesser
Mayor Pro Tem Ed Brown
Councilmember Matthew Hickey
Councilmember Marion Ramsey

Councilmember Stephanie Jarrett
Councilmember Charles Brewer
Councilmember Kellie Harrold

Staff Present:

City Manager Dalton Pierce
Municipal Clerk Amy Craig
Finance Director Jeff Wilkins
Police Chief Brian Trail
Planning Director David Breakfield

Utilities Director Ben Wright
Human Resources Director Sarah Ramirez
Community Events Director Becky Mestas
Utilities Crew Seth Cagle
Community Events Coordinator Chloe Jones

Participants:

Grazier Rhea

Others Present:

(See Sign-in Sheet)

1. WELCOME AND CALL TO ORDER

Mayor Mike Fuesser

- Mayor called the meeting to order at 6:00 pm

2. PRAYER

Mayor Pro Tem Ed Brown

3. PLEDGE OF ALLEGIANCE

Mayor Mike Fuesser

4. PRESENTATIONS

4.1. New Employee

Utilities Director Ben Wright introduced Seth Cagle as City of York's new employee for the Utilities Maintenance Crew.

4.2. New Employee

Community Engagement Director Becky Mestas introduced Chloe Jones as City of York's Community Events Coordinator.

4.3. New Employees

Chief Brian Trail introduced Officers Zackery Hudson and Johnny Arcila as York Police Department's newest officers.

5. PUBLIC HEARINGS

5.1 Needs Assessment – CDBG

Grazier Rhea from the Catawba Regional County of Governments summarized the various Needs Assessments that Council has discussed previously. She provided the details for the application process for the CDBG requirements, in addition to the uses and regulations for the grant.

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Jim Bradford stated that since Pennies For Progress is not wanting to pave the smaller streets, he would like Council to consider adding smaller, connector streets to the Needs Assessment list, so Pennies For Progress would see that these items are pending and a priority for the City of York. The needs that Mr. Bradford requested consideration for are California Street, Pinckney Street, and Galilean Street. They all connect to busier streets and have surface runoff, need additional sidewalks, and/or potentially have infrastructure issues.

Vera Bay stated that she is mainly concerned about social activities for the underprivileged children and would like them to be considered in the Needs Assessment. She grew up in the Pinckney Street area, so it is an area that she would like to see the funding go towards. One item that has been discussed throughout the community is a swimming pool for the financially compromised citizens in the Pinckney Street area. Ms. Bay inquired about the amount of signatures necessary to petition Council to consider these activities for the children in the Pinckney Street area to be able to enjoy the same activities that other children do. She stated that children are no longer seen playing in the community as in years' past and wishes these children could have the same opportunities that other children do, which will help them stay out of trouble and jail, which incurs fines that their parents cannot afford to pay.

6. COMMENTS FROM THE PUBLIC ON AGENDA ITEMS

Jan Ramsey spoke on behalf of the York Historical Society. She stated that on November 4, 2023, 1:00pm-4:00pm, the York Historical Society will host a special event at the Rose Hill Cemetery. Extensive research is done so scripts can be written on selected people each year that have been interred at the cemetery. Costumes are worn by and the stories are told of the people that used to live in York many years ago, that helped build the City. This year, the script will relate to the circus that was in York during the 1930s and 1940s. This is an educational event, and the cost is \$5.00 per person. Accommodations will be made for the disabled, so everyone can enjoy the program.

Tony Smith spoke about the Second Reading Ordinance 23-697, Rezoning Railroad Avenue. He stated the Railroad Avenue property that is zoned for GI has been on the market a long time. He believes the best use of the property is for him to build two residential homes since it will be difficult to build anything industrial on the property there. He would like the property to go from GI to R7 for that purpose.

7. CITY MANAGER'S REPORT

7.1. City Park Phase II Update

City Manager Dalton Pierce stated that he has been in communication with the COG, Keck & Wood, and staff members about the best approach to the City Park Phase II based on the one bid received last month. Keck & Wood's architect will perform value engineering for the stage without sacrificing aesthetics, in addition to decreasing costs for the restrooms. The City will incur costs of approximately \$15,000-\$16,000 to get the project out to bid. The LWCF will match dollar for dollar, so the City is looking at that for a possibility again.

7.2. FY23-24 State Budget Appropriation Requests

City Manager Dalton Pierce stated that projects have been submitted and the City has been awarded \$4.77million, while total project estimates are at \$5.2million.

7.3. Railroad Avenue Sidewalk Alignment Alternatives

City Manager Dalton Pierce stated that Campco is the engineer of record for the Railroad Avenue Sidewalk Alignment Alternatives project. They provided two alternatives, with a difference of approximately \$109,000 between them. City Manager Pierce requested feedback from Council regarding the two alternatives. The project is budgeted for \$502,000, and after deducting the

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contract of \$75,000 for engineering, the amount remaining is approximately \$425,000 to complete the project.

Councilmember Brewer made a Motion to approve Alternative 2 for construction, which was Seconded by Councilmember Hickey.

In Discussion, locations were verified where the sidewalk would be for each Alternative. A connector of some type, such as a traffic circle or traffic device was discussed for the 4-way stop intersection at Jefferson and Railroad. Council's main concern was safety due to Alternative 1 placing the sidewalk across the street, in which a crosswalk would have to be installed for pedestrians to cross the street. The concern was children crossing the street to get to the sidewalk. Council raised a question in reference to Pennies For Progress installing a connector for the 4-way stop sign, and having enough leeway between them so the new sidewalk would not have to be touched. City Manager Dalton Pierce stated that if Pennies For Progress tears up the sidewalk to make the connection, then he is glad to have spent \$50,000 to keep people from being killed, which is ultimate goal. Although it may not be seen as a great fiscal steward of funds, he does not want anyone else getting killed. Realignment and right-of-way acquisition will have a minimal impact with a roundabout, which is what City Manager Pierce stated would be best. Council stated that Alternative 2 would be best for the overall safety of the residents, although it would cost more. Council verified that this is a starting phase for the construction of the sidewalk. With no other Discussion, the Motion was passed unanimously.

8. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

8.1. Work Session, June 19, 2023

8.2 Special Called June 19, 2023

Councilmember Ramsey made a Motion to place both sets of Minutes into Record, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Minutes were approved unanimously.

9. MONTHLY FINANCIAL REPORT

Finance Director Jeff Wilkins summarized the finances for Quarter 3. He stated the vast majority of revenues are well above or on target. Captain Gary Messer has collected approximately \$400,000 in grant money for the School Resource Officers. Incurring growth has caused everything else to exceed, such as water receipts and base charge growth. Tourism will exceed its 100% mark after this month. Expenditures are on target within each department.

10. OLD BUSINESS

10.1. ORDINANCES:

Second Reading Ordinance 23-694, Amending Minor Subdivisions

Councilmember Hickey made a Motion to approve Second Reading Ordinance 23-694, Amending Minor Subdivisions, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Motion was adopted 6-1, with Councilmember Brewer voting in opposition.

Second Reading Ordinance 23-695, Rezoning Oklahoma Street

Councilmember Ramsey made a Motion to pass Second Reading 23-695, Rezoning Oklahoma Street, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Motion was adopted unanimously.

10.2 Webpage Host

City Manager Dalton Pierce summarized the benefits of having CivicPlus as the City's new webpage host.

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Councilmember Hickey made a Motion to approve CivicPlus as the City's new webpage host, which was Seconded by Councilmember Ramsey. With no Discussion, the Motion was adopted unanimously.

11. NEW BUSINESS

11.1 ORDINANCES:

- **First Reading Ordinance 23-697, Rezoning Railroad Avenue**
City Manager Dalton Pierce stated that the property currently zoned as GI, General Industrial, will be rezoned as R7 for residential homes. For the property to be used, it is recommended that the property be rezoned.
Councilmember Brewer made a Motion to approve on First Reading Ordinance 23-697, Rezoning Railroad Avenue, which was Seconded by Councilmember Ramsey. With no Discussion, the Motion was approved unanimously.
- **First Reading Ordinance 23-698, Amending Appendix a RV Storage**
City Manager Dalton Pierce stated that amending Appendix A will allow for boat and RV storage by special exception in the highway commercial zoning district.
Councilmember Jarrett made a Motion to approve First Reading Ordinance 23-698, Amending Appendix A RV Storage, which was Seconded by Councilmember Harrold. In Discussion, Council questioned the motivation behind the amendment to the ordinance. Planning Director David Breakfield explained that someone presented an application for rezoned property to allow this type of use. Planning Commission stated that the property was not appropriate, so it was recommended to have it amended as special exception. With no other Discussion, the Motion was adopted unanimously.

11.2 SPECIAL EVENT APPLICATIONS:

- **Summer Concert Series**
Community Engagement Director Becky Mestas stated that the last concert on June 22nd had to be postponed due to the weather and she wishes to have the concerts extended to September 28th.
- **Christmas in July Bar Crawl**
Community Engagement Director Becky Mestas stated that Towne Tavern is hosting an event to encourage citizens to dress up in Christmas outfits and have a drink at Towne Tavern, then walk to SoCo Grill, Wing King, Rosita's, and walk back to Towne Tavern to have a Christmas in July party. Everyone understands that no one cannot take drinks from place to place, and staff will manage that. The event will take place July 29th, 2-7pm.
- **Stories of the Stones**
Community Engagement Director Becky Mestas stated that the York Historical Society will hold an educational event, Stories of the Stones, on November 4th 1-4pm. People will walk through the cemetery and learn about the history of the circus in our area. The only road closure will be Cemetery Street.
Councilmember Jarrett made a Motion to approve the three special events as presented, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Motion was adopted unanimously.

11.3 DISCUSSION(S):

- **Moratorium Update**

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City Manager Dalton Pierce stated that the Moratorium was presented to the Planning Commission May 30th and revisions were made. At the June 6th Work Session, Planning Director David Breakfield provided highlights of the changes made. With the August 1st deadline coming up, a First Reading will be proposed on July 17th during a Special Called Meeting. July 24th is the latest date that it could be done due to the amount of time in between First and Second Readings. Council wanted to verify if the Moratorium could be a Discussion item at the Work Session during the Special Called meeting. City Manager Pierce confirmed that it could. Also, Council pointed out several items in the Moratorium Ordinance that could be revised.

- **FY23-24 Budget Work Session #2**

City Manager Dalton Pierce presented an overview of the FY23-24 budget, in which he stated final budget discussions with department heads will take place next week. The budget accomplishes a great deal for the public and The Strategic Plan.

12. MAYOR'S REPORT

Mayor Fuesser stated he would like to commend all the staff for having a successful Fourth of July event at York Middle School. Also, Forest Hills subdivision had their quarterly pick up on Railroad Avenue and Johnson Road and collected many bags of trash. On October 14, 2023, a citywide litter pickup will be held beginning at 7:30am-8:00am. He encouraged every Councilmember to pick somewhere in their district and gather volunteers to participate. The cleanup will be held in the morning and will take about 2 hours.

13. EXECUTIVE SESSION

13.1 Discussion of Proposed Sale or Purchase of Property

13.2 Discussion of Receipt of Legal Advice Related to Pending, Threatened, or Potential Claim

13.3 Discussion of Matters Related to Municipal Judges

13.4 Discussion of Appointments to Boards & Commissions

Councilmember Hickey made a Motion to go into Executive Session, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Motion was adopted unanimously.

Councilmember Hickey made a Motion to exit Executive Session, which was Seconded by Mayor Pro Tem Brown. The Motion was adopted unanimously.

14. UPON RETURNING TO OPEN SESSION, COUNCIL MAY TAKE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

Councilmember Matt Hickey made a Motion to appoint Jordan Dorsey to the Planning Commission to fill the slot for the term that expired December 31, 2022, which was Seconded by Councilmember Brewer. With no Discussion, the Motion was adopted unanimously.

Councilmember Hickey made a Motion to reappoint Laura Korn to fill the term that expired December 31, 2022, that was extended to this month, which was Seconded by Councilmember Brewer. With no Discussion, the Motion was adopted unanimously.

Councilmember Jarrett made a Motion to appoint Jessica Koon to fill the unexpired vacancy that expires December 31, 2023, which was Seconded by Councilmember Hickey. With no Discussion, the Motion was adopted unanimously.

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Mayor Pro Tem Brown made a Motion to appoint Antoinette Barnett to the Planning Commission for the term that expired December 31, 2022, which was Seconded by Councilmember Hickey. With no Discussion, the Motion was adopted unanimously.

Councilmember Hickey made a Motion to appoint Neil McWhorter to the Board of Zoning Appeals to fill the vacancy, which was Seconded by Councilmember Brewer. With no Discussion, the Motion was adopted unanimously.

15. ADJOURN

Mayor Pro Tem Brown made a Motion to Adjourn, which was Seconded by Councilmember Hickey. The Motion was adopted unanimously. The meeting Adjourned at 8:37pm.

Respectfully Submitted,

Amy A. Craig

Amy Craig
Municipal Clerk