

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
Special Called Agenda
Monday, July 24, 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. ORDINANCE(S):

- First Reading Ordinance 23-696, Amending Appendix A Zoning and Appendix B Subdivision*
- First Reading Ordinance 23-699, Amending Comprehensive Plan*

5. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

- Council Meeting July 11, 2023*
- Council Work Session July 17, 2023*

6. ADJOURN

** Denotes Vote Required*

City of York

Memo

TO: Mayor & City Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: July 24, 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 and Commentary. On July 11 & 17, 2023, a Discussion took place to solicit feedback, questions, or concerns that Council may have.

STAFF RECOMMENDATIONS

The 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. Summary of Commentary & Revisions
- B. Ordinance 23-696, Amending Appendix A Zoning and Appendix B Subdivision

REQUESTED ACTION

Council Approval of 1st Reading

Attachment A

R-8 Single-Family Detached Residential Zoning District

1. Special Exception “Family Day Care Home”
2. Phasing: Section B “Proposed phasing changes shall be handled through the standard amendment process.”
3. Design Flexibility: “Each house shall have 3 bedrooms and 1.5 bathrooms.”
4. Garages:
 - a. Commentary: The requirement is necessary to ensure diversity of housing product.
 - b. Commentary: Both 10% requirements are necessary to ensure diversity of housing product. The PC felt strongly that we need at least at 10% of each product. Realistically speaking, if you allow 20% of either product, you will probably never get rear-loaded housing.
5. Community Mailboxes: “Based upon approval by USPS”
6. Open Space/Tree Preservation & Protection:
 - a. Commentary: The PC felt that direct connection to open space areas was a vital component of providing high-quality neighborhoods. If the developer has a unique situation, a variance can be applied for.
 - b. “A landscape architect is required to provide a written analysis verifying the integrity and long-term vitality of tree-save areas.”
7. For the Next 50 Residential Units (Or fraction thereof)
 - a. Commentary: A question has been raised regarding fencing requirements for the community (CCR’s) vs City minimum requirements. Should the City allow any community the opportunity to adopt requirements that may be less desirable than what the City wants overall? Hence, the proposed requirement for black-vinyl-coated chain-link or decorative black aluminum (these options allow for low maintenance and will look good for the long term). This comment is applicable for several sections of the draft standards.
8. Streetscape: “Street trees must be planted at least 10 feet from private/public utility lines. Root barrier protection must be installed to prevent root intrusion.”
9. Landscape/Buffer/Signage
 - a. Section D Commentary: This requirement is necessary because the lot sizes are typically very small and, therefore, the need to prevent intrusion of such areas into a side or back yard.

R-9 Single-Family Detached Residential Zoning District

1. Special Exception “Family Day Care Home”
2. Density:
 - a. Commentary: A question was raised regarding what constitutes the separation between back-to-back lots. The lots can be literally back-to-back or have an open space separation.
 - b. The standards currently specify: A type B buffer yard shall be provided where residential lots are located back-to-back, back directly adjacent to another lot or are directly adjacent to the

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.

3. Phasing: Section B "Proposed phasing changes shall be handled through the standard amendment process."
4. Design Flexibility: "Each house shall have 3 bedrooms and 1.5 bathrooms."
5. Community Mailboxes: "Based upon approval by USPS"

R-10 Single-Family Detached Residential Zoning District

1. Special Exception "Family Day Care Home"
2. Community Mailboxes: "Based upon approval by USPS"

R-11 Single-Family Detached Residential Zoning District

1. Special Exception "Family Day Care Home"

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:

- Family day care home
- 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. **Proposed phasing changes shall be handled through the standard amendment process.**

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.

- Each house shall have 3 bedrooms and 1.5 bathrooms.

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 and carriage style hardware and 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. **Commentary: The requirement is necessary to ensure diversity of housing product.**
- 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).
Commentary: Both 10% requirements are necessary to ensure diversity of housing product. The PC felt strongly that we need at least at 10% of each product. Realistically speaking, if you allow 20% of either product, you will probably never get rear-loaded housing.

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). **Based upon approval by USPS, the City desires** that community mailboxes 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. **Commentary: The PC felt that direct connection to open space areas was a vital component of providing high quality neighborhoods. If the developer has a unique situation, a variance can be applied for.**
- 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. **A landscape architect is required to provide a written analysis verifying the integrity and long-term vitality of tree-save areas.**

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;

Commentary: A question has been raised regarding fencing requirements for the community (CCR's) vs City minimum requirements. Should the City allow any community the opportunity to adopt requirements that may be less desirable than what the City wants overall? Hence, the proposed requirement for black-vinyl-coated chain-link or decorative black aluminum (these options allow for low maintenance and will look good for the long term). This comment is applicable for several sections of the draft standards.

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 trees must be planted at least 10 feet from private/public utility lines. Root barrier protection must be installed to prevent root intrusion.**
 - 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. **Commentary: This requirement is necessary because the lot sizes are typically very small and therefore the need to prevent intrusion of such areas into a side or back yard.**

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:

- Family day care home
- 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. **Commentary: A question was raised regarding what constitutes the separation between back-to-back lots. The lots can be literally back-to-back or have an open space separation.**

The standards currently specify: 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.

Phasing:

- b. 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. **Proposed phasing changes shall be handled through the standard amendment process.**

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.
 - **Each unit shall have 3 bedrooms and 1.5 bathrooms.**

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 **and** carriage style hardware **and** 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). **Based upon approval by USPS, the City desires that** community mailboxes 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/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.

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:

- **Family day care home**
- 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). **Based upon approval by USPS, the City desires that** community mailboxes 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:

- Family day care home
- 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

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.

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

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.*

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.~~

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.

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.

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 of York

Memo

TO: Mayor & City Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: July 24, 2023

SUBJECT: Ordinance 23-699, Amending the 2019 City of York Comprehensive Plan



GENERAL INFORMATION

Council was provided the final report for the Moratorium on May 30, 2023, to review before 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 and Commentary. On July 11 & 17, 2023, a Discussion took place to solicit feedback, questions, or concerns that Council may have.

STAFF RECOMMENDATIONS

The Planning Commission recommends that the Council adopt the First Reading Ordinance 23-699, Amending the 2019 City of York Comprehensive Plan, for a Second Reading on or before August 1, 2023.

ATTACHMENT(S):

- A. Ordinance 23-699, Amending the 2019 City of York Comprehensive Plan

REQUESTED ACTION

Council Approval of 1st Reading

ORDINANCE 23-699

Amending the 2019 City of York Comprehensive Plan by revising and updating information to better reflect changing conditions and to better coordinate long-term goals, objectives and priorities

Whereas, the York City Council adopted the 2019 York Comprehensive Plan in November 5, 2019;

Whereas, the City of York Planning Commission finds it necessary and appropriate to update the 2019-2029 York Comprehensive Plan to meet changing conditions from time to time; and

Whereas, the York City Council will consider the adoption of the amendments to the 2019-2029 York Comprehensive Plan, hereinafter referred to as “the Comprehensive Plan” to provide a coordinated and comprehensive plan of the long-term goals, objectives, and priorities of the City of York;

Whereas, the proposed Comprehensive Plan amendments include all of the following planning elements as required by Chapter 29 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, and its amendments, as follows;

1. A population element which considers historic trends and projections, household numbers and sizes, educational levels and income characteristics;
2. A housing element which considers location, types, age and condition of housing, owner and renter occupancy; affordability of housing; analysis to ascertain nonessential housing regulatory requirements that add to the cost of developing affordable housing but are not necessary to protect the public health, safety or welfare; and the analysis of market-based incentives that may be made available to encourage development of affordable housing, which incentives may include density bonuses, design flexibility and streamlined permitting processes; and
3. A land use element which considers existing and future land use by categories, including residential, commercial, industrial, agricultural, forestry, mining, public and quasi public, recreation, parks, open space and vacant or undeveloped.

Whereas, the efforts of the citizens and the staff of the Planning Department will result in an innovative and achievable Comprehensive Plan to guide future growth;

Whereas, the minimum public hearing requirements will be satisfied; and

Whereas, the Planning Commission finds that City of York Comprehensive Plan 2019-2029 is critical, necessary and desirable to guide the development and redevelopment of its area of jurisdiction.

NOW, THEREFORE, BE IT ORDAINED by the City Council of York, South Carolina, assembled on dates hereafter set forth, that the 2019 City of York Comprehensive Plan be revised and updated per the attached information.

MICHAEL D. FUESSER, MAYOR

ATTEST:

Municipal Clerk

First Reading:

Public Hearing:

Second Reading:

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.

City Council Meeting July 11, 2023

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

City Council Meeting July 11, 2023

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.

City Council Meeting July 11, 2023

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**

City Council Meeting July 11, 2023

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

Council Work Session July 17, 2023

DATE AND TIME: Monday, July 17, 2023, 05:00 PM

Members Present:

Mayor Mike Fuesser
Mayor Pro Tem Ed Brown
Councilmember Marion Ramsey
Councilmember Stephanie Jarrett

Councilmember Charles Brewer
Councilmember Kellie Harrold
Councilmember Matt Hickey

Staff Present:

City Manager Dalton Pierce
Municipal Clerk Amy Craig
Finance Director Jeff Wilkins
Utilities Director Ben Wright

Human Resources Director Sarah Ramirez
Community Engagement Director Becky Mestas
Planning Director David Breakfield

Participants:

Others Present:

(See Sign-in Sheet)

1. WELCOME AND CALL TO ORDER

Mayor Mike Fuesser

- Mayor Fuesser called the meeting to order at 5:00 pm

2. PRAYER

Mayor Pro Tem Ed Brown

3. PLEDGE OF ALLEGIANCE

Mayor Mike Fuesser

4. PRESENTATIONS

4.1. FY23-24 Budget Workshop #3

City Manager Dalton Pierce provided an overview of budget revisions for the upcoming fiscal year. City Manager Pierce is gathering feedback from Council from now until August 1, in order to produce formal recommendations in a timely manner for the final product. It was stated that the City has approximately 8-10 capital projects that will more than likely reach into FY2025. Also, questions were raised about the size of the gateway signs, in which Council stated they chose the medium sized signs due to costs. Council inquired about the current status of Lake Caldwell, in which Utilities Director Ben Wright stated that a redrawing process on the emergency spillway to eliminate concrete is taking place.

4.2 FY23-24 Proposed Rates & Fees

City Manager Dalton Pierce discussed fee increases within each department due to additional employees and necessary software in order to break even.

4.3 Hospitality and Accommodations Tax

Community Engagement Director Becky Mestas summarized her recommendations and suggestions for the Special Event Permit Process and Hospitality and Accommodations Tax Grant procedures. Council discussed business insurance and what that entails for local businesses.

4.4 Organizational Changes/Improvements

Human Resources Director Sarah Ramirez gave a recap of the changes that she proposed in April to Council. She would like to have approval in August, for the changes to take effect on October 1, 2023. Those changes include extra holidays, increase tiered accrual rates, and handbook revisions.

Council Work Session July 17, 2023

Two additional holidays being considered are Veteran's Day and Juneteenth, in addition to a floating holiday.

5. DISCUSSION

- 5.1. Ordinance 23-696, Amending Appendix A Zoning & Appendix B Subdivision Ordinances
Council provided feedback of desired revisions from the meeting on July 11, 2023, which mainly consists of square footage, rental caps, fencing, facades, and root barriers. Due to the agenda date being incorrect for the First Reading 23-696, Amending Appendix A Zoning and Appendix B Subdivision Ordinances, it will be considered at a Special Called meeting on July 24, 2023.

6. ADJOURN

Councilmember Jarrett made a Motion to Adjourn, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Motion was passed unanimously. The meeting Adjourned at 7:00pm.

Respectfully Submitted,

Amy W. Craig

Amy Craig
Municipal Clerk