



YORK COUNTY
COUNTY COUNCIL
ACTIONS • APRIL 18, 2016



County Council Meeting

Agricultural Building
Council Chambers
6 S. Congress Street, York, SC 29745

6:00 PM

Call to Order

J. Britt Blackwell, Chairman

Invocation and Pledge of Allegiance

Council member Michael Johnson, District 1

Oath of Office for newly appointed Board and Commission Members

David Beaty, York County Economic Development Board (Manufacturing-5)
Barbara Omer, Keep York County Beautiful (At Large-2)

Appearances

Council recognized Broadus Strain and Neal Kiser on their service and retirement with York County.

Gary Buchanan addressed Council regarding his opposition to the proposed rezoning in the Newport Community.

Eva Jenkins addressed Council regarding her support for the proposed rezoning in the Newport Community.

John Rhyne addressed Council regarding his support for the proposed rezoning in the Newport Community.

Public Forum Session (limited to thirty (30) minutes, two (2) minutes per person)

CJ Ramsey, 349 Hidden Lakes, York, SC addressed Council regarding water contamination of a home he owns in Travis Acres Neighborhood. Mr. Ramsey is concerned that his family was not contacted previously regarding the contamination. Mr. Ramsey has requested that the County purchase the home since he is unable to sell it at this time due to the water contamination.

Jennifer Ramsey, Travis Acres Neighborhood addressed Council regarding water contamination of her home.

Tammy Norris, Lincoln Drive, York, SC addressed Council regarding water contamination of the home she previously owned. Ms. Norris stated that she is concerned that her health and her family's health could be in danger due to water contamination.

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Nancy Hayes, 296 Glenn Brandon Road, Lake Wylie, SC addressed Council regarding the proposed overlay in Lake Wylie.

Will Jordan, appeared on behalf of Founders Federal Credit Union addressed Council regarding his support for the proposed rezoning on Pleasant Road in the Fort Mill Community.

Mary Williams, 313 Squirrel Lane, Lake Wylie, SC addressed Council regarding her support for the proposed overlay in Lake Wylie.

Wayne Herndon, 2792 McConnells Highway, Rock Hill, SC addressed Council regarding his opposition to the proposed rezoning on Hwy 322 and Herndon Farm Road.

Public Hearing(s)

1. Gave Second Reading and held a Public Hearing

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|---------------------------------|--|
| Case # | 15-37 |
| Tax Map # | 6530000013 |
| Zoning Request: | To rezone from BD-II to BD-III |
| Acres: | 1.74 Acres +/- |
| Council District: | One (1) Michael Johnson |
| Applicant: | Carolinas Land Company, LLC |
| Owner: | 160 River Stop LLC |
| Location: | 1940 Hwy 160 in the Fort Mill community |
| Planning and Development Staff: | APPROVAL |
| Planning Commission: | APPROVAL (7-0) on 3/14/16 (Heinsohn Recusal) |

Staff Recommendation: Approval based on the information prepared by staff outlined in this Planning Commission Report and the findings below:

1. The proposed rezoning is consistent with the character of the surrounding area.
2. The proposed rezoning is not completely consistent with the Comprehensive Land Use Plan for the area, but it is consistent with the area's development pattern.

2. Gave Second Reading and held a Public Hearing

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|---------------------------------|--|
| Case # | 16-04 |
| Tax Map # | 6510000052 & 6510000053 |
| Zoning Request: | To rezone from RD-I to BD-I |
| Acres: | 4.4 Acres +/- |
| Council District: | One (1) Michael Johnson |
| Applicant: | Will Jordan |
| Owner: | Founders Federal Credit Union |
| Location: | 2683 & 2719 Pleasant Road in the Fort Mill community |
| Planning and Development Staff: | APPROVAL |
| Planning Commission: | APPROVAL (8-0) on 3/14/16 |

Staff Recommendation: Approval based on the information prepared by staff outlined in this

Planning Commission Report and the findings below:

1. The proposed rezoning is consistent with the character of the surrounding area.
2. The proposed rezoning is not consistent with the Comprehensive Land Use Plan for the area, but it is consistent with the area's development pattern.

Old Business

1. Rezoning Action: Gave Third Reading:

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|---------------------------------|--|
| Case # | 16-01 |
| Tax Map # | 5430000032 & 5430000236 |
| Zoning Request: | To rezone approximately 24.67 acres from UD to RD-II with conditions |
| Acres: | 24.67 +/- |
| Council District: | Six (6) Britt Blackwell |
| Applicant: | Dream Builders |
| Owner: | John H. & Janice B. Rhyne Martin L. & Eva R. Jenkins |
| Location: | 320 Glyndora Drive & Hampton Ridge Road in the Rock Hill community |
| Planning and Development Staff: | APPROVAL |
| Planning Commission: | APPROVAL (8-0) with Condition on 2/8/16 (Hargrove (6) Recusal) |

Staff Recommendation: Approval based on the information prepared by staff outlined in this Planning Commission Report and the findings below:

1. The proposed rezoning is mostly consistent with the Comprehensive Land Use Plan for the area. The plan recommends commercial for the area closest to Hampton Ridge Road and low density residential for the remaining area.
2. The proposed rezoning is consistent with the character of the surrounding area.
3. This rezoning would remove two parcels from the UD zoning district.

Applicants proposed condition:

1. Limit the use to single family residential.

Additional Proposed Conditions by Council

1. A minimum home size of 2,000 square feet
2. All homes to be single family detached
3. All homes to be stick built
4. A Traffic Impact Analysis (TIA) must be reviewed and approved prior to the approval of a preliminary plat. All applicable recommended improvements will be implemented by the developer.

2. Rezoning Action: Gave Third Reading:

Case # 16-02
Tax Map # 5080000018
Zoning Request: To rezone from AGC to RUD-I
Acres: 38 +/-
Council District: Four (4) William “Bump” Roddey
Applicant: Tim Helline
Owner: Rock Hill School District #3
Location: Hwy 322 & Herndon Farm Road in the Rock Hill community
Planning and Development Staff: APPROVAL
Planning Commission: APPROVAL (8-0) with Conditions on 2/8/16 (Hargrove (6) Recusal)

Staff Recommendation: Approval based on the information prepared by staff outlined in this Planning Commission Report and the findings below:

1. The proposed rezoning is mostly consistent with the Comprehensive Land Use Plan for the area. The plan recommends rural agriculture for the parcel; however, it recommends rural residential for the adjacent parcel.
2. The proposed rezoning is consistent with the character of the surrounding area.
3. This parcel does have access onto Herndon Farm Rd which would allow for an internal road system.

Planning Commissions in their recommendations made the following conditions:

1. Minimum 2000 square foot heated area – stick built
2. Side load garage unless soils and location of septic tank prohibits
3. Max three lots fronting on Highway 322

Council has proposed the following conditions at their March 21, 2016 Public Hearing.

1. The residential structures shall be stick built.
2. The minimum square footage for one story residential structures shall be 2,000 square feet.
3. The minimum square footage for two story residential structures shall be 2,200 square feet.
4. A minimum of 50 percent of the front of each residential structure shall be hard surface, such as brick, stone, or hardiplank.
5. The garages shall be side loaded unless soils and location of septic tanks prohibit such access.
6. A maximum of three lots shall front Highway 322.

Please Note: Since the March 21st Council meeting, the applicant, Councilman Roddey, and the Homeowners of the adjacent Herndon Heritage Subdivision met and have agreed to the following Conditions:

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1. **The front of the houses shall be comprised of 80 percent hard surface (hardiplank, brick, stone or stucco).**
 2. **The minimum front yard setback shall be 75 feet unless the location of the septic tank requires a smaller setback.**
 3. **Houses shall not be permitted on a slab foundation.**
 4. **The minimum square footage for a single story or ranch house with a bonus room is 2,000 square feet.**
 5. **The minimum square footage for a one and a half story house is 2,200 square feet.**
 6. **The minimum square footage for two story house is 2,300 square feet.**
 7. **All garages shall be side loaded unless the location of the septic tank requires a front loaded garage.**
 8. **Chain link fences are prohibited.**
 9. **Fences shall not extend beyond the back corner of the residence.**
 10. **Out buildings (sheds) are permitted.**
 11. **Recreational vehicles, boats, and trailers may only be parked or stored behind the residence.**
 12. **Swimming pools shall be in ground. Above ground pools are not permitted.**
 13. **An easement for the landscaping and monument sign located at the entrance to the Herndon Heritage subdivision shall be shown on any preliminary plat, final plat or survey submitted to the County for review and approval to subdivide the subject property.**
 14. **The maximum number of lots permitted to access from Highway 322 is three. Only one residence is permitted per lot. These three lots are exempt from the above stated conditions.**
3. Gave Third Reading AN ORDINANCE TO AMEND CHAPTER 33 OF THE YORK COUNTY CODE OF ORDINANCES, SECTION 33.018, PAY POLICY, TO ADD NEW SUBSECTION 33.018(D) TO PROVIDE FOR AN ELECTED OFFICIAL DISCRETIONARY PAY POLICY, TO ADD NEW SUBSECTION 33.018(E) TO PROVIDE FOR A POLICY FOR PAY FOR HARD TO RECRUIT AND UNIQUE POSITIONS; AND, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

4. Gave 2nd reading of an ordinance entitled "TO AMEND AN ORDINANCE ENTITLED "TO ESTABLISH OPERATING AND CAPITAL BUDGETS FOR THE OPERATION OF THE COUNTY GOVERNMENT OF YORK COUNTY FOR THE FISCAL YEAR COMMENCING JULY 1, 2015 ETC,"; TO REDUCE TAX REVENUES LEVIED FOR THE GENERAL FUND DUE TO UPDATED VALUE OF A MILL AND TO INCLUDE OFFSETTING REDUCTIONS IN FUEL AND WORKER'S COMPENSATION EXPENDITURES; TO PROVIDE FOR AN APPROPRIATION OF UNASSIGNED GENERAL FUND BALANCE, WATER AND SEWER FUND BALANCE AND SOLID WASTE COLLECTION FUND BALANCE FOR TRANSFER TO THE OTHER POST EMPLOYMENT BENEFITS TRUST ESTABLISHED BY THE SOUTH CAROLINA ASSOCIATION OF COUNTIES IN ORDER TO FUND THE UNFUNDED LIABILITY AS REPORTED IN THE AUDIT FOR YEAR ENDING JUNE 30, 2015; TO PROVIDE ADDITIONAL GRANT REVENUES FROM THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES FOR PURPOSES OF CONSTRUCTING A BOAT RAMP ON THE BROAD RIVER, TO APPROPRIATE REMAINING SANTEE COOPER LOAN PROCEEDS FOR PURPOSES OF REPAYMENT OF SANTEE COOPER LOAN; TO ESTABLISH NEW FUND FOR CAPITAL PROJECTS FUNDED BY 2016 BOND PROCEEDS AND GENERAL FUND TRANSFER; AND TO PROVIDE FOR OTHER FISCAL MATTERS RELATING TO COUNTY GOVERNMENT."

New Business

1. County Manager, Bill Shanahan provided the Pennies for Progress Audit results.
2. County Manager, Bill Shanahan provided an update on the SIB Application.
3. Gave approval of nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on April 4, 2016, along with nominations from the floor: Vance Stine, Economic Development Board (Banking-2), Doug Meyer-Cuno, Economic Development Board (Manufacturing-2), Jim Bradford, Economic Development Board (Western York County Economic Development Alliance-3), March Howie, Economic Development Board (York County Growth Partners), Odell Bailey, York County Forever (District 4), Janet Steele, York County Forever (Ex Officio), and Steve Fields, York County Forever (Ex Officio).
4. Council discussed and provided direction to staff regarding preparing and presenting ordinance revisions to create a Lake Wylie Overlay defined as: the area east of Riddle Mill Rd/ South of 557/ East of Kingsbury Rd/ South-Southeast of Hwy 49/ North-Northeast of South Parham Rd/ North and South of Campbell Rd within the remaining District 2 boundary to Lake Wylie. Such ordinances revisions would include reducing the maximum density permitted in the RC-I, RC-II, RD-I, and RD-II zoning districts and/or limiting the amount of development in these zoning districts to 25 percent of the area or construction of 35 homes annually; and provide for conditional zoning regarding multi-level, multi-family structures and hotels to at least one mile from any portion of the Lake Wylie shore or to the west side of Hwy 274, whichever is further and west of Hwy 557 and north of New Hope Road.

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5. Gave First Reading of An Ordinance TO SUSPEND THE ACCEPTANCE OF REZONING APPLICATIONS FOR RC-I, RC-II, RD-I, RD-II, PD, AND BD-III DISTRICTS WITHIN THE UNINCORPORATED AREA OF THE FORT MILL TOWNSHIP WHERE THE PROPOSED REZONING INCLUDES RESIDENTIAL USES (SINGLE FAMILY AND MULTI-FAMILY); TO SUSPEND THE ACCEPTANCE OF SITE PLANS AND PRELIMINARY PLATS FOR RESIDENTIAL PROJECTS (SINGLE FAMILY AND MULTI-FAMILY) LOCATED WITHIN THE UNINCORPORATED AREA OF THE FORT MILL TOWNSHIP; TO END THE SUSPENSION ON DECEMBER 31, 2016; TO PROVIDE FOR A PUBLIC HEARING; AND, TO PROVIDE FOR OTHER MATTERS RELATING THERETO.
6. Authorized a Request from Sheriff for Reorganization of Detention Center Command Staff.
7. Authorized a resolution to designate Sturgis Road as a “No Thru Truck Route” from the intersection of Springdale Road to the intersection of Waterford Road to prevent heavy truck traffic on a residential street.
8. Approved and authorized the County Manager and Chairman to sign Amendment No. 2 for Armstrong Glen, PC's, Gravel Road Contract For Pennies 3 Program to design Frontier Road in the amount of \$55,350.00.
9. Approved allocating additional funding in the amount of \$71,212.70 from the Water and Sewer enterprise fund for the completion of the waterline stabilization project at the intersection of SC Highway 160 and Gold Hill Road.
10. Approved Campco Engineering’s design contract Amendment No. 1 in a not-to-exceed amount of \$177,515 for right of way procurement on Project 11149-001: SC 160(Gold Hill Road to State Line).
11. Approved Campco Engineering, Inc. Agreement in a not-to-exceed amount of \$154,577.51 for designing Pennies-3 Project 11149-8(k): University Drive(Eden Terrace to Bird Street).
12. Approved the Amendment of the Fee in Lieu of Ad Valorem Taxes Agreement between York County and Coroplast.
13. ADOPTED A RESOLUTION IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF SOUTH CAROLINA CODE ANNOTATED SECTION 12-44-40, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY A COMPANY KNOWN TO THE COUNTY AS PROJECT SUNNYSIDE (INCLUDING ITS AFFILIATED AND RELATED ENTITIES) TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH YORK COUNTY, SOUTH CAROLINA; AND TO COMMIT TO ENTER INTO NECESSARY AGREEMENTS WITH THE COMPANY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND OTHER RELATED MATTERS.

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14. GAVE FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND INCENTIVE AGREEMENT TO PROVIDE FOR A FEE IN LIEU OF AD VALOREM TAXES INCENTIVE AND INFRASTRUCTURE CREDITS TO A COMPANY KNOWN TO THE COUNTY AS PROJECT SUNNYSIDE; THE INCLUSION OF CERTAIN PROPERTY IN YORK COUNTY, SOUTH CAROLINA IN A MULTI-COUNTY INDUSTRIAL PARK; AND OTHER MATTERS RELATED THERETO.
15. Adopted a Resolution identifying a project to satisfy the requirements of title 12, chapter 44 of the South Carolina code, so as to allow investment expenditures incurred by a company known to the county as project glass, its affiliates and related entities, to qualify as expenditures eligible for a fee-in-lieu of taxes arrangement with York County, South Carolina; providing for other economic development incentives in connection with the company's project, including special source revenue credits; providing for any other necessary agreements with the company to effect the intent of this resolution; and other matters related thereto.

Consent Agenda

Approved the Consent Agenda and approved the minutes from the April 4, 2016 Finance and Operations Committee meeting and the minutes from the April 4, 2016 County Council meeting.

Committee and Other Reports

Pennies for Progress Committee Meeting, 4:00pm, April 18, 2016, Chairwoman, Christi Cox

Finance & Operations Committee Meeting, 5:00pm, April 18, 2016, Chairman, Michael Johnson

Council Member New/Non-agenda Comments

Council member Michael Johnson addressed Council and staff regarding a house on Gold Hill Road that has been burned and abandoned for 910 days.

Executive Session:

Personnel Matter - DNA Analyst, DNA Technical Leader, Former Department Heads (Assessor, Economic Development Director, Emergency Management Director, Engineering Director, Finance Director/Treasurer, Planning Director, Public Safety Communications Director and Purchasing Director)

Prospective Contractual Matter - Franchise Agreement

Receipt of Legal Advice

Economic Development Update

Matters for consideration following Executive Session

Authorized the Sheriff's request to change the payroll for the DNA Analyst and the DNA Technical Leader.

Adjourn

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