



ROCK HILL PLANNING COMMISSION MEETING

Date: November 1, 2022
Time: 6:00 P.M.
Location: Rock Hill City Hall, City Council Chambers
155 Johnston Street
Rock Hill, SC 29730

A G E N D A

Pledge of Allegiance

1. Approval of minutes of October 4, 2022 meeting.

PUBLIC HEARING ITEMS*

2. Hold public hearing and consider a recommendation to City Council on petition M-2022-26 by York County Adult Day Care Services Inc. to rezone approximately 0.82 acres at 359 Park Avenue and adjacent right-of-way from Multi-Family 15 (MF-15) to Neighborhood Office (NO). Tax parcel 629-05-01-007.
3. Hold a public hearing and consider a recommendation to City Council on petition M-2022-27 by Strategic Capital Partners to rezone approximately 0.6 acres at 221 and 239 Cel-River Road and adjacent right-of-way from Residential Single Family-40 (RSF40) in York County to Industry General (IG) and Design Overlay District (DOD). The subject properties are proposed to be annexed into the City of Rock Hill. Tax parcels 665-00-00-011 and 665-00-00-010.
4. Hold public hearing and consider a recommendation to City Council on petition M-2022-28 by INTEC Group (Erik Winer) to rezone approximately 1.38 acres at 1904 & 1920 Dutchman Drive and 2259 Rosewood Drive and adjacent right-of-way from Single-Family 3 (SF-3) and Single-Family 5 (SF-5) to Neighborhood Commercial (NC). Tax Parcels 634-11-04-009 to -011.
5. Hold a public hearing and consider a request to rename an existing public street from One Carolina Drive to Palmetto Parkway in the City of Rock Hill. **
6. Hold public hearing and consider a recommendation to City Council on petition T-2022-04 by Rock Hill City Council to amend the Zoning Ordinance affecting Chapter 4: Land Use: Primary Uses and Chapter 5: Land Use: Accessory and Temporary Uses, and Municipal Code Chapter 11, Article XI: Short- Term Rentals, in relation to regulations for short-term rental uses.

PLANNING & DEVELOPMENT

155 JOHNSTON STREET, ROCK HILL, SC 29730 (803) 329-7080

The City of Rock Hill is committed to assuring accessibility, with reasonable accommodations, of city services, facilities, employment and programs for all individuals, in compliance with Federal law.* Please contact Ann Morgan, ADA Coordinator at 803-329-7025 if you need assistance.

NEW BUSINESS ITEMS**

7. Other Business.
 - a. Consider approval of 2023 Meeting Calendar
8. Adjourn.

* The public hearing portion of the meeting can be viewed online at <http://www.cityofrockhill.com/livestream>. The Planning Commission makes a recommendation to City Council on these items. Recommendations made at this meeting are tentatively scheduled for consideration by City Council on November 28, 2022. City Council agendas are posted online at www.cityofrockhill.com/councilagendas on the Friday prior to each meeting.

** The Planning Commission makes the final decision on these items.

Please contact Dennis Fields at 803-329-5687 or Dennis.Fields@cityofrockhill.com with any questions related to items on the agenda.

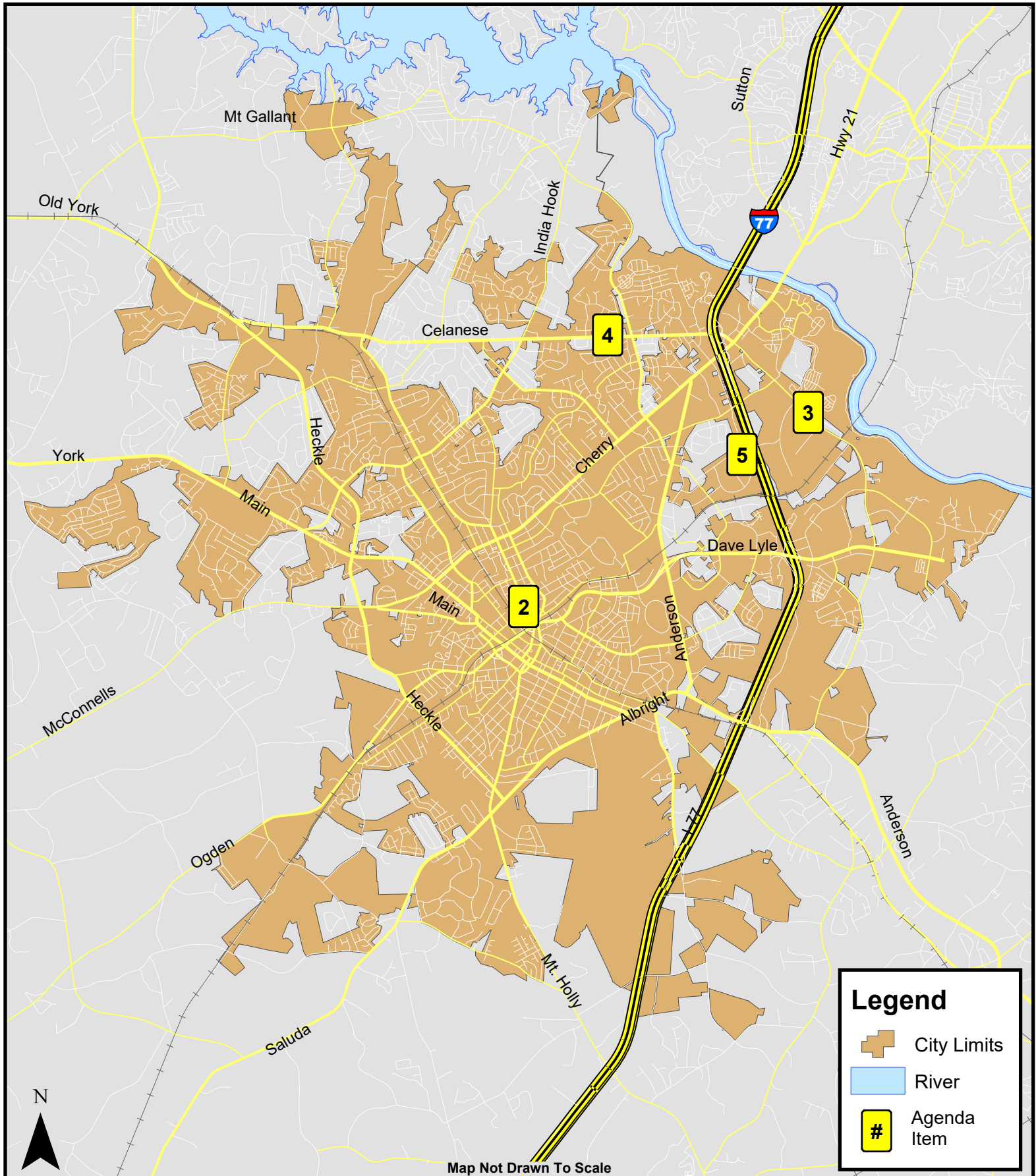
PLANNING & DEVELOPMENT

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Planning Commission Agenda Items

City of Rock Hill, SC
November 1, 2022
Planning Commission



Map Not Drawn To Scale

A public hearing of the Planning Commission was held on Tuesday, October 4, 2022, at 6 p.m. in City Council Chambers, 155 Johnston Street, Rock Hill SC.

MEMBERS PRESENT Randy Graham, Duane Christopher, Carl Dicks, Shelley Goodner, Jonathan Nazeer, Justin Smith, Darrell Watts

MEMBERS ABSENT None

STAFF PRESENT Eric Hawkins, Shana Marshburn, Donna Welch, Leah Youngblood

1. Approval of minutes of the September 6, 2022, meeting.

Mr. Duane Christopher made a motion to approve the minutes from the September 6, 2022, meeting. Mr. Jonathan Nazeer seconded, and the motion passed unanimously by a vote of 7-0

PUBLIC HEARING ITEMS

2. Hold public hearing and consider a recommendation to City Council on petition M-2022-21 by Southern Street Builders LLC to rezone approximately 9.4 acres at 167, 170, 174, 178 Lee Street, 852, 854, 856, 858, 862 Constitution Boulevard, 143 Hardin Street, and adjacent right-of-way from Single-Family 5 (SF-5) & Industry Business (IB) to Master Planned Residential (MP-R). Tax Parcels 598-10-01-010 (portion), 598-10-01-011 (portion), 598-10-01-012 to -017, 598-10-02-024 & -025.

Mr. Justin Smith recused, citing a conflict of interest as part of the development team.

Mr. Eric Hawkins, Planning & Zoning Manager, presented the staff report.

Chair Randy Graham reiterated that the Planning Commission was only making a recommendation on zoning; review of the site plan would be presented at another time.

Mr. Darrell Watts asked about the electrical substation shown on the plan. Mr. Hawkins stated that there is an existing City substation just south of the property.

Chair Graham opened the floor to the applicant.

Mr. Rich Lane, 1421 Ridgewood Drive, Rock Hill, with Southern Street Development stated that they have been working on this project for approximately three years, starting with an RFP process. Mr. Lane thanked the Planning staff and appreciated the input provided. Mr. Lane also thanked Ms. Jennifer McAdams, Economic Development Director.

Chair Graham opened floor to public comment and there was none.

Mr. Duane Christopher stated that the use is right on point and a good use for the location.

Mr. Duane Christopher made a motion to recommend approval of the rezoning application. Mr. Carl Dicks seconded, and the motion passed unanimously by a vote of 6-0 (Smith recused).

3. Hold public hearing and consider a recommendation to City Council on petition M-2022-25 by Oakland Avenue Presbyterian Church to rezone approximately 5.1 acres at 415, 417, 419, 421 Oakland Avenue; 411, 412, 420, 421, 427, 430, 450, 496,

502 Park Avenue and adjoining right-of-way from Multi-Family-15 (MF-15) and Neighborhood Office (NO) to Office and Institutional (OI). Tax Parcels 629-04-01-003 to -008, 629-04-01-012 to -015, and 629-04-02-002 to-004.

Mr. Darrell Watts recused, citing DWW Architects is the architect for the proposed project.

Ms. Shana Marshburn, Planner II, presented the staff report.

Mr. Justin Smith asked about the lot on Park Avenue that appeared to be an empty lot in the slide show presentation and if it were a part of the development. Ms. Shana Marshburn stated that the empty lot is included in the rezoning request. Mr. Smith asked if there are plans for that lot to be developed as parking. Ms. Marshburn stated that it could potentially be developed for parking in the future if more parking is required. Ms. Marshburn confirmed that staff will analyze parking and determine if more is needed during site plan review.

Chair Randy Graham asked if the Oakland Avenue Presbyterian Church still owned the former cinema building across Oakland Avenue. A representative of the church stated that they do not.

Chair Graham opened the floor to the applicant.

Mr. John Gast, 1181 Orchard Drive, Fort Mill, SC (applicant's representative), stated that this is a straight-forward proposal. He noted that the area Mr. Justin Smith asked about has a grass-pave system and is currently used for parking. Mr. Gast also stated that the church does not own the former cinema building.

Mr. Carl Dicks asked about the usage of the new building. Mr. John Gast stated that there is no change in use per se; a dated classroom building would be removed, and a multi-purpose facility would be built on that footprint.

Mr. Justin Smith asked about parking. Mr. John Gast stated that they will work with staff regarding parking and that the improvements are not increasing the current capacity.

Chair Graham opened the floor to public comment and there was none.

Mr. Jonathan Nazeer made a motion to recommend approval of the rezoning application. Ms. Shelley Goodner seconded.

Mr. Justin Smith stated concerns that parking is going to be an issue but knows they will work through it.

Chair Randy Graham asked if when the permit to operate is given, wouldn't parking be based on City requirements? Ms. Shana Marshburn stated that parking is based on fixed or non-fixed seats. The floor plans of the sanctuary and the new building will be reviewed to determine the parking count. If there is shortage, additional parking would need to be developed and if there is still a deficit, it may need to go to the Zoning Board of Appeals for a variance.

Chair Randy Graham stated that Mr. Justin Smith has a valid concern regarding parking. Mr. Eric Hawkins stated that parking determination will depend on how they use the building and staff will work through that with the applicant as it goes through plan review.

Mr. Graham called for the vote and the motion passed unanimously by a vote of 6-0 (Watts recused).

NEW BUSINESS

4. Consideration of a request by Jeff Carroll for Major Site Plan approval for Johnston Farms Apartments. (Plan #20201118).

Mr. Eric Hawkins, Planning & Zoning Manager, presented the staff report.

Mr. Justin Smith asked if they control the corner parcel. Mr. Eric Hawkins stated it was part of the Master Plan and believes it is under contract.

Mr. Carl Dicks asked if the only access to the site is from Anderson Road. Mr. Eric Hawkins stated that there is access from Princeton Road as well.

Mr. Justin Smith asked if neighbors were notified when the Major Site Plan was presented to the Planning Commission. Mr. Eric Hawkins stated no but as part of the Master Plan process the developer has included some improvements to the drainage of Princeton Road.

Chair Randy Graham asked about the flood protection improvement. Mr. Eric Hawkins deferred to applicant.

Chair Graham opened the floor to the applicant.

Mr. Jeff Carroll 4301 Horseshoe Bend, Matthews, NC stated that the two-acre parcel on the corner was part of the original zoning but he does not control it. Mr. Carroll also stated that they have kept neighbors abreast of what is happening regarding the existing flooding conditions. The fix that Mr. Carroll is proposing will not fix the flooding problem but will alleviate it. Mr. Carroll also stated that job placement services will be available to residents along with incentives to obtain a degree while living on the property. The goal is to not only provide shelter or residents but to help residents climb the economic ladder and Mr. Carroll is very excited about this concept.

Mr. Carl Dicks stated that he appreciated the background update asked about the elevation of the creek in relation to the road. Mr. Jeff Carroll stated the stream is 4 feet below Princeton Road.

Mr. Carl Dicks asked if the project is meant to be just apartments. Mr. Jeff Carroll stated yes, these will be rental units.

Mr. Duane Christopher asked if the drainage pipe underneath Princeton Road is being upgraded. Mr. Jeff Carroll stated that the pipe will be upgraded at a point in the future but not in conjunction with this development. The developer's improvements will be to put catch basins to direct the water from the south side of Princeton Road directly to the north side of Princeton Road, so it doesn't go through the existing culvert. The stormwater detention on the site will also be oversized to hold the water longer. This will help alleviate the problem and provide as much capacity as possible.

Mr. Justin Smith made a motion to approve the Major Site plan subject to resolution of staff comments. Mr. Duane Christopher seconded, and the motion passed unanimously by a vote of 7-0.

5. Consideration of a request by Development & Construction Insight, LLC (Jackson Hendricks) for Major Site Plan approval for an industrial building at Rock Hill Commerce Center, Phase 3 (Plan # 20221702).

Shana Marshburn, Planner II, presented the staff report.

Mr. Duane Christopher asked about the larger buildings. Ms. Shana Marshburn stated that the larger buildings already exist.

Mr. Justin Smith stated that he was trying to understand road connection. Ms. Shana Marshburn stated that David Hutchison Road will connect to Paragon Way.

Mr. Darrell Watts asked about the potential assembly occupancy use. Mr. Eric Hawkins stated that this will be manufacturing and assembly of goods, not an assembly of people.

Chair Randy Graham opened the floor to the applicant for questions and there were none.

Mr. Duane Christopher made a motion to approve the Major Site plan subject to resolution of staff comments. Mr. Jonathan Nazeer seconded, and the motion passed unanimously by a vote of 7-0.

6. Other Business

Mr. Eric Hawkins reminded the Planning Commissioners that the Boards & Commission dinner will be held on October 11th at the Manchester Pavilion.

Ms. Leah Youngblood informed the Planning Commissioners that Short-Term Rentals will be coming back for public hearing in November. Ms. Youngblood stated that a new plan will be presented. Chair Randy Graham asked that concise changes be presented if possible.

Mr. Eric Hawkins informed the Planning Commission that the 2023 Planning Commission calendar will be reviewed at the November meeting.

Chair Randy Graham asked if a Christmas dinner will be scheduled. Mr. Eric Hawkins stated that staff will work to get this scheduled.

7. Adjourn.

There being no further business, the meeting adjourned without objection at 7:02 p.m.



Staff Report to Planning Commission M-2022-26



Meeting Date: November 1, 2022

Petition by York County Adult Day Care Services Inc. to rezone approximately 0.82 acres at 359 Park Avenue and adjacent right-of-way from Multi-Family 15 (MF-15) to Neighborhood Office (NO).



Reason for Request: Rezone the property to allow a new adult daycare building to be constructed on the property.

Staff Recommendation: Staff recommends approval of the rezoning request.

SEE ATTACHED REPORT FOR MORE INFORMATION



Location:	359 Park Avenue and adjoining right-of-way.
Tax Parcels:	629-05-01-007
Site Area:	Approximately 0.82 acres (includes right-of-way)
City Council Ward:	Ward 3 (Kevin Sutton)
Request:	Rezone property from Multi Family-15 (MF-15) to Neighborhood Office (NO).
Proposed Development:	Demolish the existing building and rebuild a new facility
Applicant/Owner:	York County Adult Daycare Center Services, Inc. 359 Park Avenue Rock Hill, SC 29730

Site Description

The subject property is located at the corner of Union Avenue and Park Avenue. It is developed with a building that is approximately 9,000 square feet in size and is used as an adult daycare center. The primary façade faces Park Avenue, with parking for the use situated in between the building and Park Avenue. York County Adult Daycare Services Inc. purchased the property in 1995. Records indicate that building was originally built as a supermarket, but previous uses include a retail lighting store, a fitness center, and an employment office.

The existing building does not meet required side yard setbacks and land use buffers, therefore it considered a non-conforming structure. In addition, since an adult daycare is no longer an allowed use in the Multi Family-15 (MF-15) zoning district, it is considered a nonconforming use.

The site is generally located in the middle of the City, just south of Winthrop University, east of the University Center mixed use development, and north of the Downtown. The site is also within the city's Old Town area and is adjacent to both single-family and multi-family residential uses.

Development Proposal

The existing building needs extensive repair and the owner plans to demolish it and rebuild. Since the building is nonconforming in regard to setbacks and buffers, it cannot be rebuilt if it is destroyed beyond 75% of its value. The applicant is proposing to rezone the property so the use will be conforming and a new building can be built in compliance with the standards of the zoning ordinance.

The proposed building would be placed closer to the intersection of Union and Park Avenues in order to meet the required building setbacks and landscape buffers. The new building will also be required to meet all site and building design standards. A sketch plan of the new site layout is attached.

Existing Zoning District Summary

Multi Family-15 (MF-15): Although originally established to allow a wide range of medium to high-density housing types, it is the intent of this ordinance that the MF-15 district be phased out over time by not allowing new rezonings to the MF-15 district after October 12, 2015. In order to avoid creating nonconforming uses, and to allow properties that have this zoning district to develop with specific uses, the district continues to allow single-family detached, single-family attached, multi-family, and a few other specified uses.

Proposed Zoning District Summary

Neighborhood Office (NO): The NO district is established to provide for a mix of small-scale professional office uses together with limited service uses and single-family detached dwellings in close proximity to one another, subject to design and compatibility standards. Non-residential uses must be located in buildings that are consistent with surrounding residential uses in physical design, scale, and character, and they must not exceed 10,000 square feet in area. All non-residential development in the NO district must limit its public operating hours to between 6 a.m. and 10 p.m.

Previous Rezoning Cases in the Area

M-2022-25: 421 Oakland Avenue. Rezoned the Oakland Presbyterian Church campus from Multi-Family 15 (MF-15) and Neighborhood Office (NO) to Office Institutional (OI).

INFRASTRUCTURE CONSIDERATIONS

Transportation

The site is currently bound and accessed by two streets, Union Avenue and Park Avenue, which are both City-maintained roads.

Sidewalk already exists along both streets. The proposed development would only include an internal pedestrian pathway that would connect to the street sidewalk network.

The proposed new daycare building would not require a Traffic Impact Analysis (TIA), since it is located in Old Town; and does not generate 100 new peak hour trips.

The property is located along the Downtown/Knowledge Park Loop My Ride transit route, with stops located along the perimeter of the Winthrop campus and University Center.

Historic traffic volumes in the area are shown below:

Street	Vehicles Per Day			
	2021	2019	2017	2015
Oakland Avenue	7,900	10,300	9,900	9,800
Union Avenue	425	450	475	475

Public Utilities

All necessary utilities are available to the site.

RELATIONSHIP TO PUBLIC PLANS

Comprehensive Plan Update – Rock Hill 2030

This parcel is in the Old Town character area of the Future Land Use Map of the Comprehensive Plan Update – Rock Hill 2030, which represents the most compact, concentrated character area – with the highest developed densities and smallest parcel sizes. The Comprehensive Plan states that this character area should:

- Focus on mixed-use infill (re)development at an urban scale, size, and style that is compatible with existing buildings;
- Increase occupancy in vacant commercial spaces; and
- Preserve historic buildings, attracting knowledge based groups, and providing and maintain civic spaces and parks.

The Neighborhood Office (NO) zoning district is consistent with surrounding, existing land uses and is consistent with the Comprehensive Plan's Core Values, 'Grow Inside First' and 'Reinforce Strong Neighborhoods', as follows:

- Consistency of land uses: rezoning the property would allow for the redevelopment of the adult daycare, maintaining the consistency of the land use.
- Consistency with 'Grow Inside First': this Core Value emphasizes the need to prioritize infill and to maximize use of existing infrastructure and investment. Redevelopment of the adult day care site would mean a higher utilization of the land and existing infrastructure.
- Consistency with 'Reinforce Strong Neighborhoods': this Core Value emphasizes the social networks that a neighborhood of lasting value needs to thrive as well as the need to strengthen neighborhoods by encouraging investment and upkeep so as to increase property values. Redeveloping the adult daycare would further its 25+ year history of serving as a resource for adult daycare services within the community.

The proposed rezoning is consistent with the Comprehensive Plan because it would allow for potential redevelopment that would be compatible with the existing and planned uses within the Old Town character area as well as support the plan's Core Values.

PUBLIC INVOLVEMENT

Staff hereby certifies that the required public notification actions have been completed as follows:

- October 14: Rezoning notification signs posted on subject property.
- October 13: Rezoning notification postcards sent to 110 property owners and residents within 300 feet of the subject property.
- October 14: Planning Commission public hearing advertisement published in *The Herald*.

Public Feedback

Staff has not received any feedback to date.

RECOMMENDATIONS

Staff Assessment

The proposed rezoning would allow the existing adult daycare center to redevelop its site. York County Adult Daycare owns the parcel and has existed in the community for close to three decades. The proposed redevelopment is in the vicinity of residential uses of varying densities, as well as commercial and institutional uses. Having the adult daycare in close proximity to those uses provides a convenient adult daycare option to the immediate community, as well as the City as a whole.

Staff Recommendation

Staff recommends approval of the proposed Neighborhood Office (NO) zoning.

Attachments

- Rezoning Map
- Conceptual Site Plan

To see the applications submitted for this case, go to: www.cityofrockhill.com/PlanInfo.

Staff Contact: Shana Marshburn, Planner II
shana.marshburn@cityofrockhill.com
803-326-2456



M-2022-26

Legend

- Subject Property
- Multi-Family 15 (MF-15)
- Neighborhood Office (NO)
- Office and Institutional (OI)
- Master Planned Commercial (MP-C)
- Master Planned College/University (MP-CU)
- Single-Family 5 (SF-5)

Zoning Data

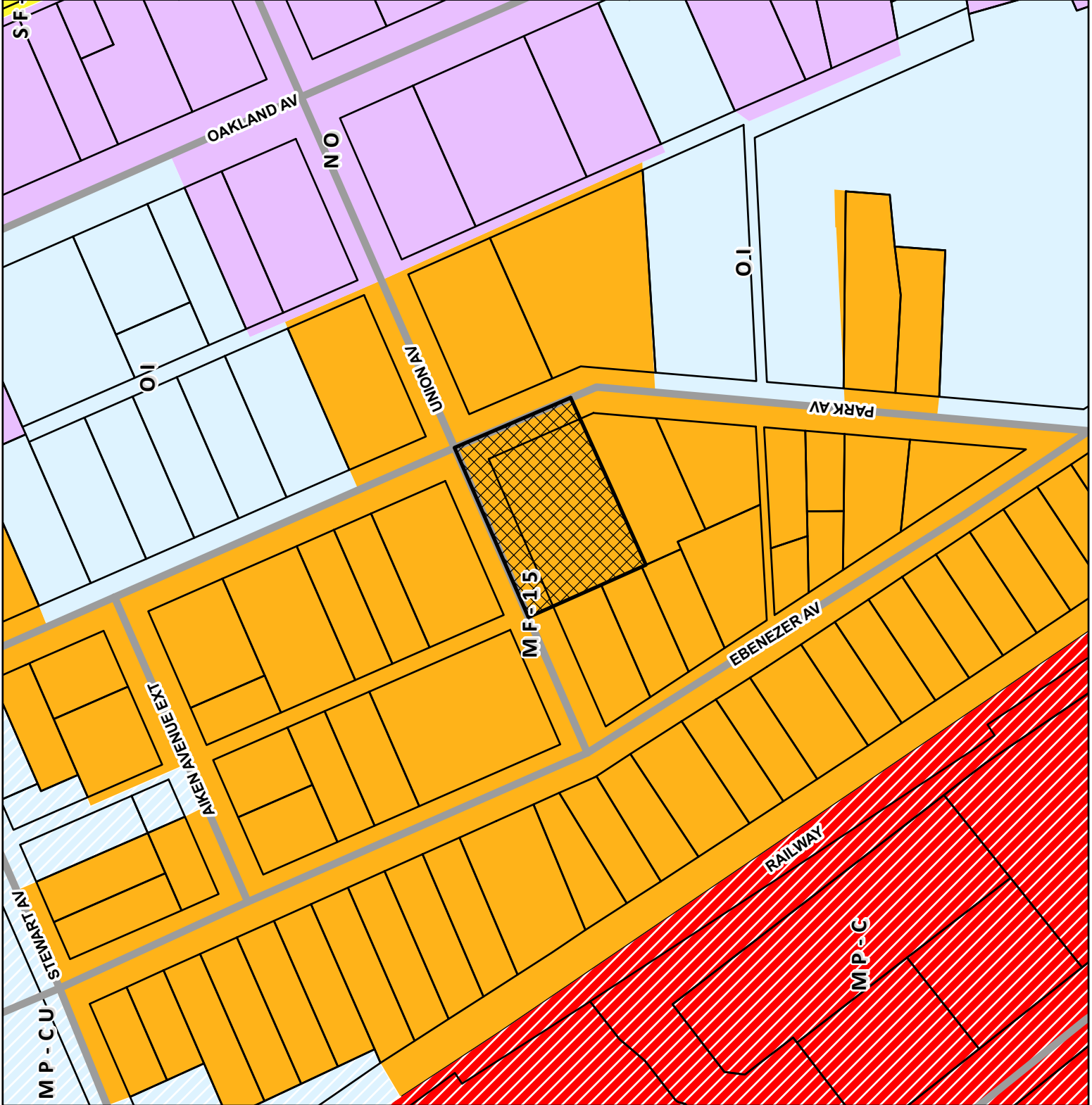
Current: MF-15

Proposed: NO



Planning & Development
Department
City of Rock Hill

11-01-2022

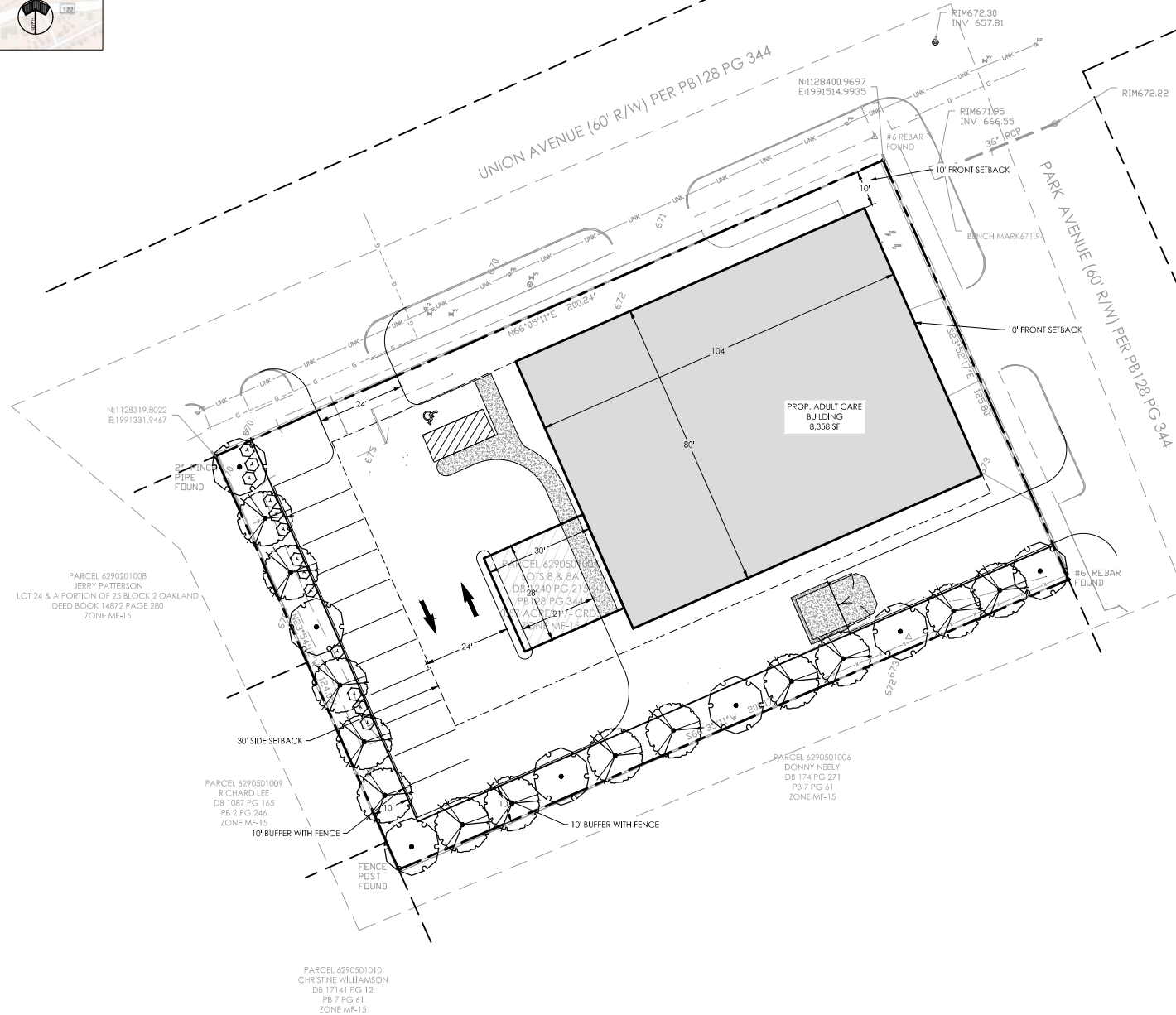




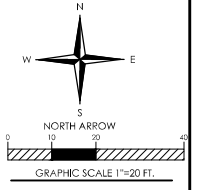
VICINITY MAP
SCALE: N.T.S.

SITE DATA TABLE	
PARCEL ID	6290501007
LOCATION	359 PARK AV, ROCK HILL, SC, 29730
JURISDICTION	ROCK HILL
OWNER	YORK COUNTY ADULT DAY CARE SERVICES INC
	359 PARK AV ROCK HILL
	SC, 29730
EXIST. ZONING	MF-15
PROP. ZONING	NO
TOTAL PARCEL AREA	0.57 AC.
MIN. FRONT / STREET SETBACK	10'
MIN. SIDE SETBACK	10'(30")
MIN. REAR SETBACK	20 OR (30")
PARKING SPACES	
FEMA MAP NUMBER	45091C0317F
FEMA MAP DATE	05/16/2017
SOIL TYPES	UcC2
ALL ARCHITECTURAL DESIGN STANDARDS SHALL APPLY	

BUFFER TABLE:		
20' BUFFER REDUCED WITH FENCE TO 10'.		
CANOPY TREES PER 100 LF = 2		
UNDERSTORY TREES PER 100 LF = 4		
SHRUBS PER 100 LF = 20		
BUFFER 324 LF	REQUIRED	PROVIDED
CANOPY TREES	7	7
UNDERSTORY TREES	13	13
SHRUBS	65	65



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 121 Gilead, Huntersville, NC 28078
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 NC LANDSCAPE ARCHITECTURE BOARD LICENSE # 0099



YORK COUNTY ADULT DAYCARE
 PARCEL ID 6290501007
 359 PARK AV, ROCK HILL, SC, 29730
SITE PLAN-REZONING

REVISIONS:

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.



C03 - SITE PLAN-TM-3.DWG

PROJECT NUMBER:	222066
DATE: 09/07/2022	DRAWN BY: MG
SHEET	1 OF 1



Staff Report to Planning Commission M-2022-27



Meeting Date: November 1, 2022

Petition by Strategic Capital Partners to rezone approximately 0.6 acres at 221 and 239 Cel-River Road and adjacent right-of-way from Residential Single Family-40 (RSF40) in York County to Industry General (IG) and Design Overlay District (DOD).



Reason for Request: Rezone the property to combine with the larger Rock Hill Commerce Center Industrial Park property.

Staff Recommendation: Staff recommends approval of the rezoning request.

SEE ATTACHED REPORT FOR MORE INFORMATION



Case No. M-2022-27

Rezoning Report to Planning Commission

Meeting Date: November 1, 2022

Location:	221 and 239 Cel-River Road
Tax Parcel(s):	665-00-00-010 and -011
Site Area:	0.6 Acres (includes right-of-way)
City Council Ward:	Ward 6 (Jim Reno)
Request:	Annex property into the City and rezone from Residential Single Family-40 (RSF-40) in York County to Industry General (IG) and Design Overlay District (DOD).
Proposed Development:	Combine subject parcels with the Rock Hill Commerce Center property.
Applicant/Owner:	Randolph Yarns Park LLC (665-00-00-010) C/O Strategic Capital Partners LLC 8900 Keystone Crossing, Ste 100 Indianapolis, IN 46240
Owner:	Juan Luis Rangel & Liliana Arteaga (665-00-00-011) 2474 Oakwood Circle Rock Hill, SC 29732

Site Description

The subject property consists of two single-family lots along the east side of Cel-River Road, south of David Hutchison Road. 239 Cel-River Road is undeveloped and there is a single-family home on 221 Cel-River.

The property is surrounded by industrial uses to the south and west, a church to the north, and single-family homes to the east across Cel-River Road.

There is a funded Pennies For Progress road project which will widen Cel-River Road in this area. The project requires additional right-of-way, which would have removed the existing home and left smaller, undevelopable parcels.

Development Proposal

The applicant is requesting the annexation and rezoning in order to combine the property with other parcels that are part of the Rock Hill Commerce Center industrial park. A Major Site plan has been approved for the industrial park. The approved plan includes an alternate plan that incorporates the subject property and was approved subject to acquisition and annexation of these parcels. The approved Major Site Plan, showing options with and without the subject properties, is attached.

Existing Zoning District Summary

Residential Single-Family 40 (RSF-40): Accommodates detached single-family residential uses and compatible institutional and non-residential land uses on lots generally with a minimum area of 40,000 square feet, is designed to preserve and protect

the character of existing large-lot residential subdivisions in areas transitioning from rural to suburban development patterns, and is intended to encourage residential development that complements the character of large-lot residential subdivisions.

Proposed Zoning District Summary

Industry General (IG): The IG District is established and intended to provide lands for light and general industrial uses that can be operated in a relatively clean and quiet manner and that will not be obnoxious to adjacent residential or business districts. Some commercial uses are allowed, but are considered incidental to the predominantly light industrial nature of the district. Areas of Industry General zoning should contain at least 10 acres, although individual parcels within the area must only meet the minimum lot size as shown in *Chapter 6: Community Design Standards*.

Design Overlay District (DOD)- The purpose of the Design Overlay District is to promote the economic and general welfare of the public by providing enhanced architectural and site design standards for specified key redevelopment areas of the City. More specifically, the purpose of the district is to:

- A. Conserve and improve the value of the land designated under the district;
- B. Protect and enhance the attractiveness of the City to residents, businesses, tourists, visitors and shoppers;
- C. Protect and enhance the quality of life for local residents; and
- D. Encourage economic development by providing a more visually inviting atmosphere to attract commerce for existing and potential businesses.

Zoning History of the Property and Previous Rezoning Cases in the Area

M-2019-18: Annexation and rezoning to IG for Randolph Yarns, which is now called the Rock Hill Commerce Center.

M-2018-22: Several properties along Commerce Drive were annexed and rezoned to IG.

INFRASTRUCTURE CONSIDERATIONS

Transportation

The property has frontage on Cel-River Road, a state-maintained major collector. The site will be accessed from the newly constructed David Hutchison Road.

Historic traffic volumes in the area are shown below:

Street	Vehicles Per Day			
	2021	2019	2017	2015
Cel-River Road	12,300	11,900	11,300	10,400

Public Utilities

All necessary utilities are available to the site.

RELATIONSHIP TO PUBLIC PLANS

Comprehensive Plan Update – Rock Hill 2030

These parcels are in the Employment Center character area of the Future Land Use Map of the Comprehensive Plan Update – Rock Hill 2030. The plan states that the Employment Center character area should include:

- A blend of medium and small employment uses located in business parks and special employment centers like Piedmont Medical Center, the Airport, and York Tech.
- Provides recreational opportunities, shopping and dining for employments, and supports the transit system.

Annexing and rezoning the unincorporated parcels is consistent with the Comprehensive Plan and Future Land Use Map because the proposed development is compatible with the surrounding industrial parks properties. Additionally, annexing the County parcels would help to close a “donut hole” in the City limits and supports the Comprehensive Plan Core Value Grow Inside First.

PUBLIC INVOLVEMENT

Staff hereby certifies that the required public notification actions have been completed as follows:

- October 13: Rezoning notification signs posted on subject property.
- October 14: Rezoning notification postcards sent to 40 property owners and tenants within 300 feet of the subject property.
- October 14: Planning Commission public hearing advertisement published in *The Herald*.

Public Feedback

Staff has not received any feedback to date.

RECOMMENDATIONS

Staff Assessment

It has been anticipated for a while that these two lots would ultimately be removed as part of the Cel-River Road widening project. Adding these lots to the Rock Hill Commerce Center property makes the most sense, as the remaining property would be undevelopable and leave a small “donut hole” of property in the county.

Although the applicant is not planning to develop buildings directly on the properties, acquiring the properties eliminates the need for larger buffers from the single-family lots.

Staff Recommendation

Staff recommends approval of the rezoning to IG and DOD.

Attachments

- Major Site Plan – Rock Hill Commerce Center
- Annexation Map
- Rezoning Map

To see the applications submitted for this case, go to: www.cityofrockhill.com/PlanInfo.

Staff Contact: Dennis Fields, Planner III
Dennis.Fields@cityofrockhill.com
803-329-5687

PROJECT DATA TABLE:

PROPOSED SITE AREA:	±16.53 ACRES (719,841 SQUARE FEET)
TAX PARCEL #:	665000094
CURRENT ZONING:	IG (INDUSTRY GENERAL)
PROPOSED USE:	SPECULATIVE INDUSTRIAL (1 LOT)
ALLOWABLE BUILDING HEIGHT:	60 FEET
PROPOSED BUILDING HEIGHT:	≤90 FEET (1 STORY)
REQUIRED SETBACKS	
FRONT:	25 FEET
SIDE:	10 FEET
REAR:	10 FEET
SINGLE FAMILY PROPERTY:	40 FEET WITH 6 FOOT TALL FENCE
WATERSHED:	BURGESS CREEK - CATAWBA RIVER
EXISTING IMPERVIOUS:	0.76 ACRES
PROPOSED IMPERVIOUS:	9.27 ACRES
MAX LOT COVERAGE:	85%
PROPOSED LOT COVERAGE:	50%
REQUIRED TREE RETENTION:	7% (1.16 ACRES)
PROPOSED TREE RETENTION:	7%
REQUIRED OPEN SPACE:	15% (2.48 ACRES)
PROPOSED OPEN SPACE:	15%
SEWER BASIN:	MANCHESTER CREEK WASTE WATER

THE OWNER/DEVELOPER IS:
 DEVELOPMENT & CONSTRUCTION INSIGHT, LLC
 ADDRESS: 2054 KILDAIRE FARM ROAD, #167, CARY, NC 27518
 CONTACT: JACKSON HENDRICKS
 EMAIL: JACKSONH@DCINSIGHTLLC.COM
 PHONE NUMBER: (704) 773-8684

THE DESIGNER IS:
 SEAMON, WHITESIDE & ASSOCIATES, INC.
 ADDRESS: 1111 METROPOLITAN AVENUE, SUITE 1050
 CHARLOTTE, NC 28204
 CONTACT: TREY LITTLE, P.E.
 EMAIL: TLITTLE@SEAMONWHITESIDE.COM
 PHONE NUMBER: (980) 312-5450

FLOOD ZONE:
 THIS PROPERTY IS LOCATED OUTSIDE OF ANY REGULATED FLOOD ZONES, ZONE X(OTHER AREAS), NAVD88, SCALED FROM THE FEMA FLOOD MAP PANEL NO. 45091C0329F DATED MARCH 16, 2017.

REQUIRED PARKING:

USE	RATIO	BUILDING 1 (15% OFFICE)
OFFICE	1/250 SF	115 (28,625 / 250)
WAREHOUSE	1/5000 SF	33 (162,206 / 5000)
REQUIRED:		148
PROVIDED:		188
MAXIMUM:		185 (125% OF REQUIRED)
ADA SPACES REQ'D/PROVIDED:		6/6 (1/2 VAN)
BIKE SPACES REQ'D/PROVIDED:		6/6
*ONE INVERTED 'U' OR WAVE BICYCLE RACK SHALL BE INSTALLED WITHIN 100' OF EACH TENANT ENTRANCE PER RHZO 8.8.12.		
FINAL LOCATIONS TO BE DETERMINED.		

COMPENSATORY GRADING AREA ENCROACHMENT & MITIGATION:

ENCROACHED VOLUME:	
#1	217 CU.YD.
#2	1,331 CU.YD.
#3	1,250 CU.YD.
PROVIDED VOLUME:	
#1	1,107 CU.YD.
#2	14 CU. YD.
#3	1,677 CU. YD.
TOTAL VOLUME ENCROACHED:	2,798 CU.YD.
TOTAL VOLUME PROVIDED:	2,798 CU.YD.
NET VOLUME:	0 CU.YD.

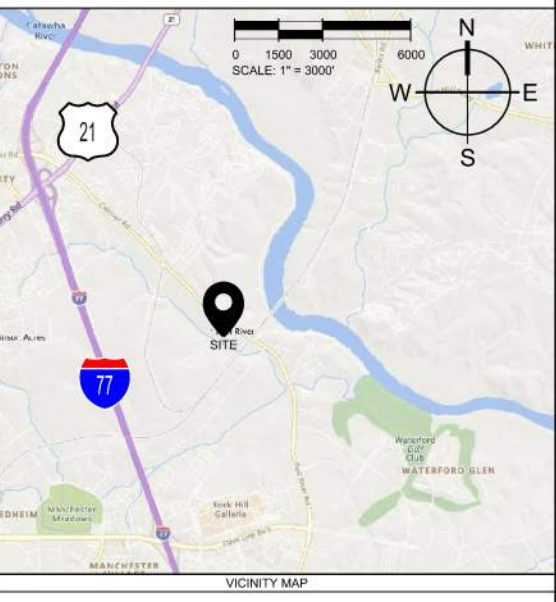
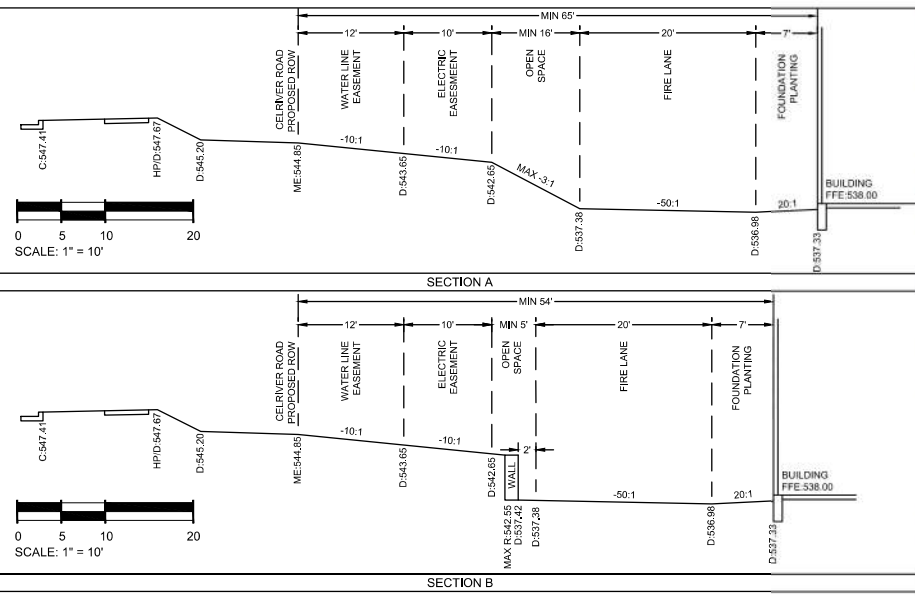
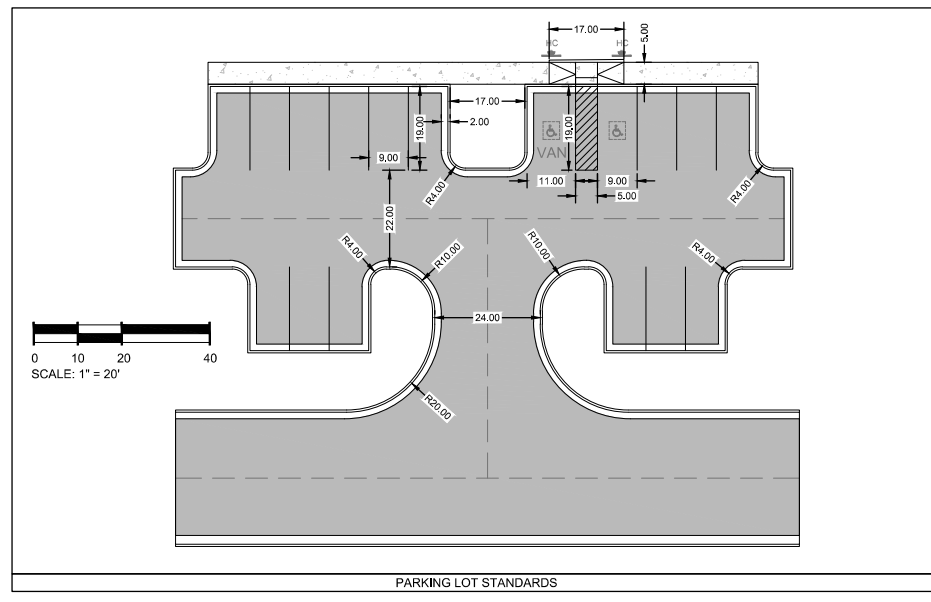
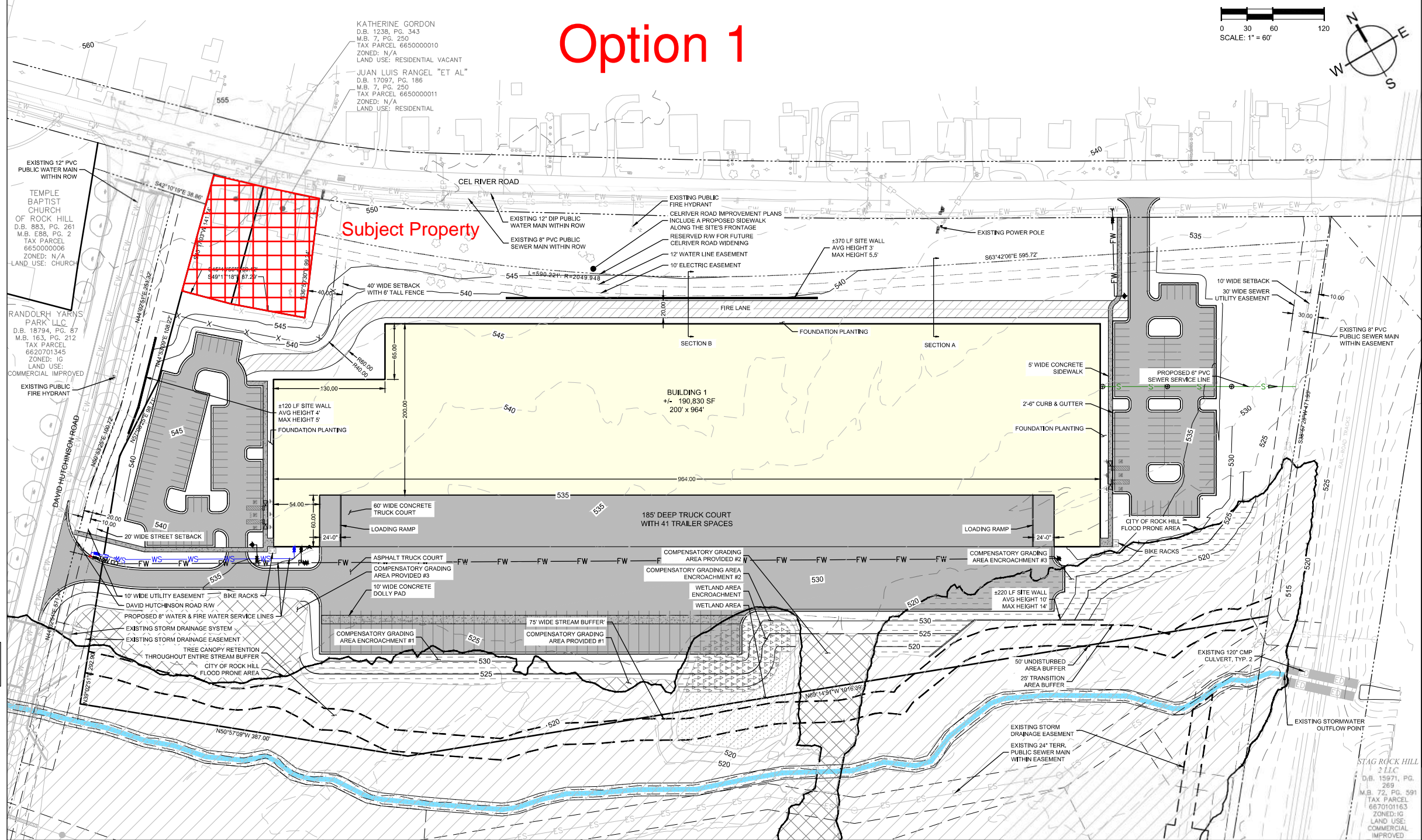
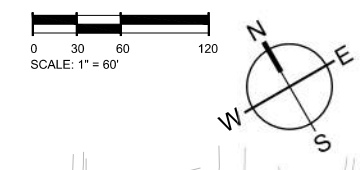
NOTE:

STORMWATER MITIGATION MEASURES SHALL BE IMPLEMENTED IN ACCORDANCE WITH CITY OF ROCK HILL INFRASTRUCTURE REQUIREMENTS, FOR WATER QUALITY AND QUANTITY INCLUDING TEMPORARY CONTROLS FOR THE LAND DISTURBANCE PHASE AND PERMANENT MEASURES FOR POST-CONSTRUCTION.

PAVEMENT LEGEND

CONCRETE	[Pattern]
ASPHALT PAVEMENT	[Pattern]
COMPENSATORY GRADING AREA	[Pattern]
COMPENSATORY GRADING AREA ENCROACHMENT	[Pattern]
COMPENSATORY GRADING AREA PROVIDED	[Pattern]
WETLAND AREA	[Pattern]
WETLAND AREA ENCROACHMENT	[Pattern]

Option 1



SEAMON WHITESIDE & ASSOCIATES, INC.
 MOUNT PLEASANT, SC 29464
 GREENVILLE, SC 29601
 SUMMERVILLE, SC 29586
 SPARTANBURG, SC 29576
 CHARLOTTE, NC 28204
 WWW.SEAMONWHITESIDE.COM

RHCC INDUSTRIAL PARK
 DEVELOPMENT & CONSTRUCTION INSIGHT, LLC
 ROCK HILL, SOUTH CAROLINA

SW/ PROJECT: CL1275
 DATE: 06/21/2022
 DRAWN BY: CAB
 CHECKED BY: TTL

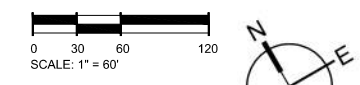
REVISION HISTORY

NO.	DESCRIPTION

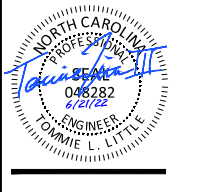
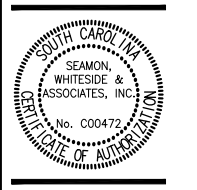
MASTER SITE PLAN - NOTCH
 C1.0

COPYRIGHT © SEAMON, WHITESIDE & ASSOCIATES, INC. 501 WANDO PARK BOULEVARD, SUITE 200 | MOUNT PLEASANT, SC 29464 | 508 RHETT STREET, SUITE 101 | GREENVILLE, SC 29601 THIS DRAWING SHALL NOT BE REPRODUCED IN ANY MANNER OR USED FOR ANY PURPOSE WITHOUT WRITTEN PERMISSION.

Option 2



MOUNT PLEASANT, SC 29526
 GREENVILLE, SC 29615
 SUMMERVILLE, SC 29586
 SPARTANBURG, SC 29176
 CHARLOTTE, NC 28204
 WWW.SEAMONWHITESIDE.COM



RHCC INDUSTRIAL PARK
 DEVELOPMENT & CONSTRUCTION INSIGHT, LLC
 ROCK HILL, SOUTH CAROLINA

SW+ PROJECT: CL1275
 DATE: 06/21/2022
 DRAWN BY: CAB
 CHECKED BY: TLL

REVISION HISTORY

MASTER SITE PLAN - FINAL

C1.1

PROJECT DATA TABLE:

PROPOSED SITE AREA:	±16.97 ACRES (739,003 SQUARE FEET)
TAX PARCEL #:	665000094
CURRENT ZONING:	IG (INDUSTRY GENERAL)
PROPOSED USE:	SPECULATIVE INDUSTRIAL (1 LOT)
ALLOWABLE BUILDING HEIGHT:	60 FEET
PROPOSED BUILDING HEIGHT:	≤60 FEET (1 STORY)
REQUIRED SETBACKS:	
FRONT:	25 FEET
SIDE:	10 FEET
REAR:	10 FEET
WATERSHED:	BURGESS CREEK - CATAWBA RIVER
EXISTING IMPERVIOUS:	0.76 ACRES
PROPOSED IMPERVIOUS:	9.64 ACRES
MAX LOT COVERAGE:	85%
PROPOSED LOT COVERAGE:	57%
REQUIRED TREE RETENTION:	7%
PROPOSED TREE RETENTION:	7%
REQUIRED OPEN SPACE:	15%
SEWER BASIN:	MANCHESTER CREEK WASTE WATER

THE OWNER/DEVELOPER IS:
 DEVELOPMENT & CONSTRUCTION INSIGHT, LLC
 ADDRESS: 2054 KILDARE FARM ROAD, #167, CARY, NC 27518
 CHARLOTTE, NC 28204
 CONTACT: JACKSON HENDRICKS
 EMAIL: JACKSONH@DCINSIGHTLLC.COM
 PHONE NUMBER: (704) 773-8684

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REQUIRED PARKING:

USE	RATIO	BUILDING 1 (15% OFFICE)
OFFICE	1/250 SF	122 (30,300 / 250)
WAREHOUSE	1/5000 SF	35 (171,700 / 5000)
REQUIRED:		157
PROVIDED:		181
MAXIMUM:		196 (125% OF REQUIRED)
ADA SPACES REQ'D/PROVIDED:		6/6 (1/2 VAN)
BIKE SPACES REQ'D/PROVIDED:		6/6

*ONE INVERTED 'U' OR WAVE BICYCLE RACK SHALL BE INSTALLED WITHIN 100' OF EACH TENANT ENTRANCE PER RH20 8.8.12.
 FINAL LOCATIONS TO BE DETERMINED.

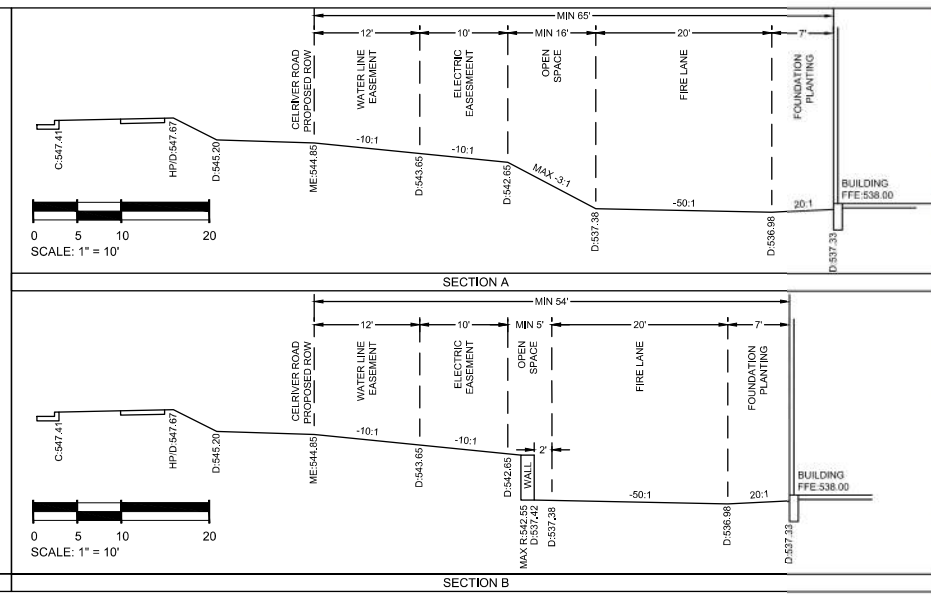
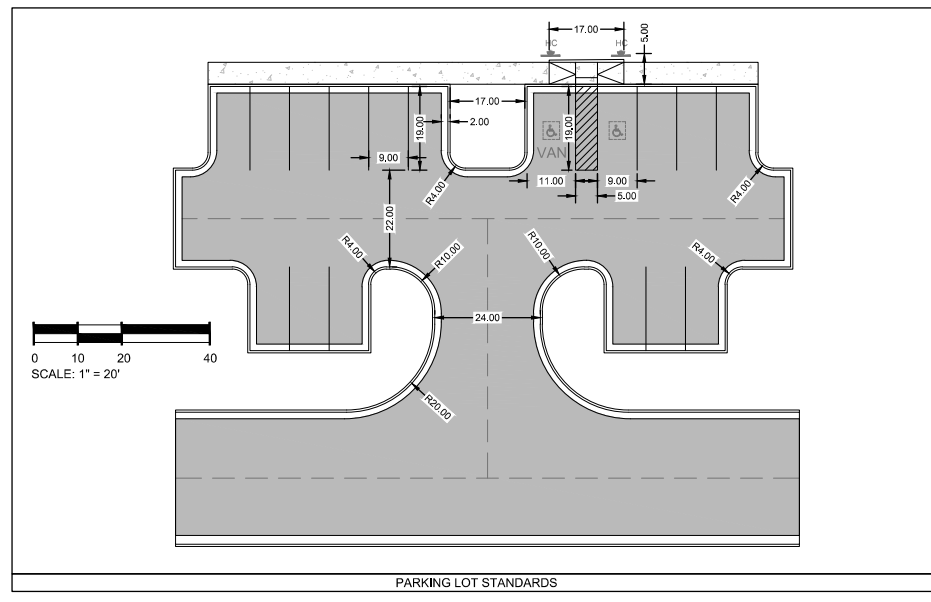
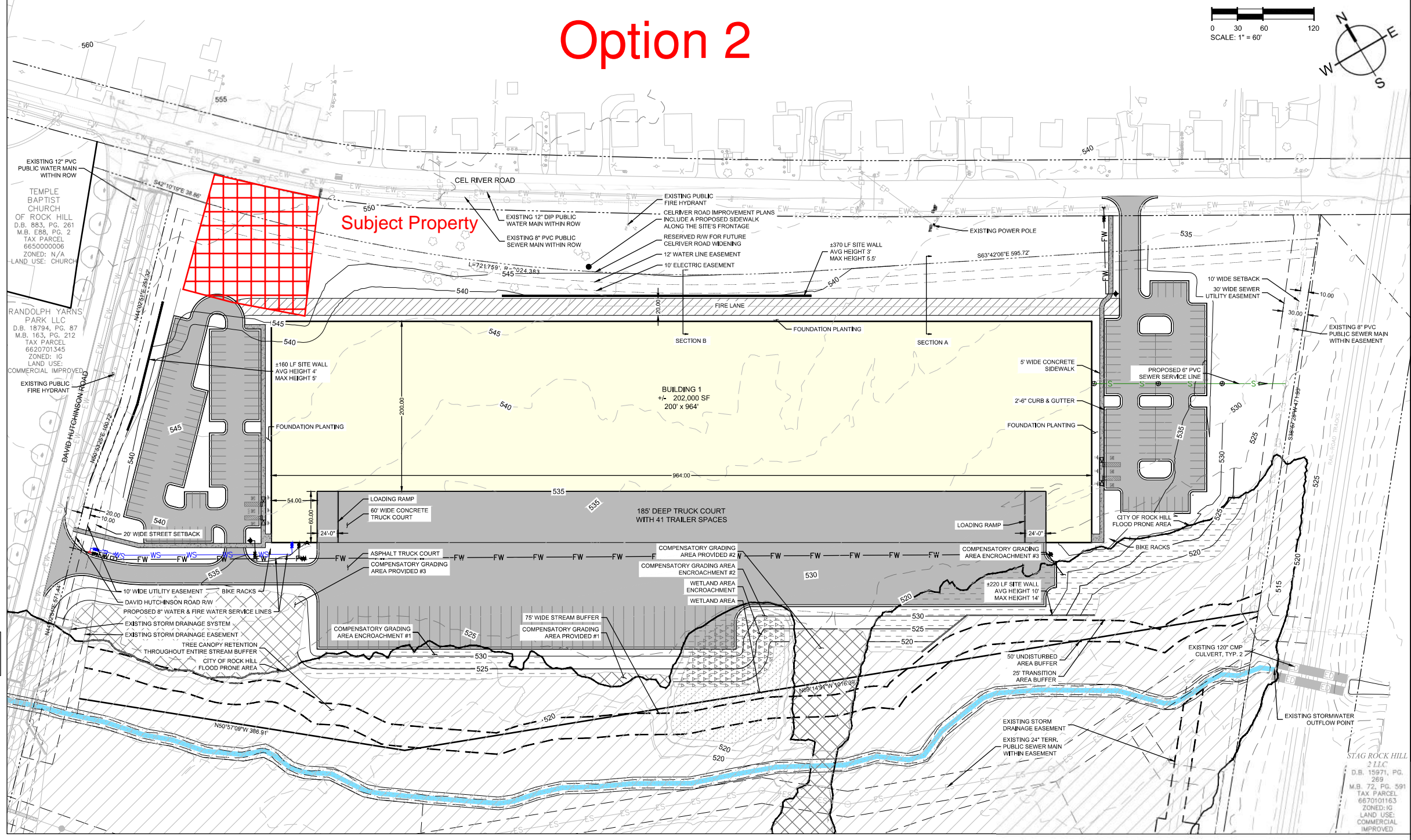
COMPENSATORY GRADING AREA ENCROACHMENT & MITIGATION:

ENCROACHED VOLUME:	PROVIDED VOLUME:
#1 217 CU.YD.	#1 1,107 CU.YD.
#2 1,331 CU.YD.	#2 14 CU.YD.
#3 1,250 CU.YD.	#3 1,677 CU.YD.
TOTAL VOLUME ENCROACHED:	TOTAL VOLUME PROVIDED:
2,798 CU.YD.	2,798 CU.YD.
NET VOLUME:	0 CU.YD.

NOTE:
 STORMWATER MITIGATION MEASURES SHALL BE IMPLEMENTED IN ACCORDANCE WITH CITY OF ROCK HILL INFRASTRUCTURE REQUIREMENTS, FOR WATER QUALITY AND QUANTITY, INCLUDING TEMPORARY CONTROLS FOR THE LAND DISTURBANCE PHASE AND PERMANENT MEASURES FOR POST-CONSTRUCTION.

PAVEMENT LEGEND

CONCRETE	
ASPHALT PAVEMENT	
COMPENSATORY GRADING AREA	
COMPENSATORY GRADING AREA ENCROACHMENT	
COMPENSATORY GRADING AREA PROVIDED	
WETLAND AREA	
WETLAND AREA ENCROACHMENT	



01/10/2022 10:22 AM PL BY: 029 bawala © (12/17/20) Final (01) MASTER SITE PLAN.dwg

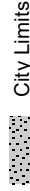


ANNEXATION MAP
Cel-River Road Area V

**ANNEXATION TO THE
 CITY OF ROCK HILL**



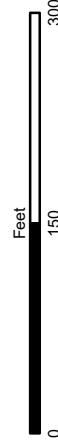
PROPOSED ZONING: IG & DOD
 WARD: 6
 ACREAGE: 0.6



City Limits



Subject Properties & ROW



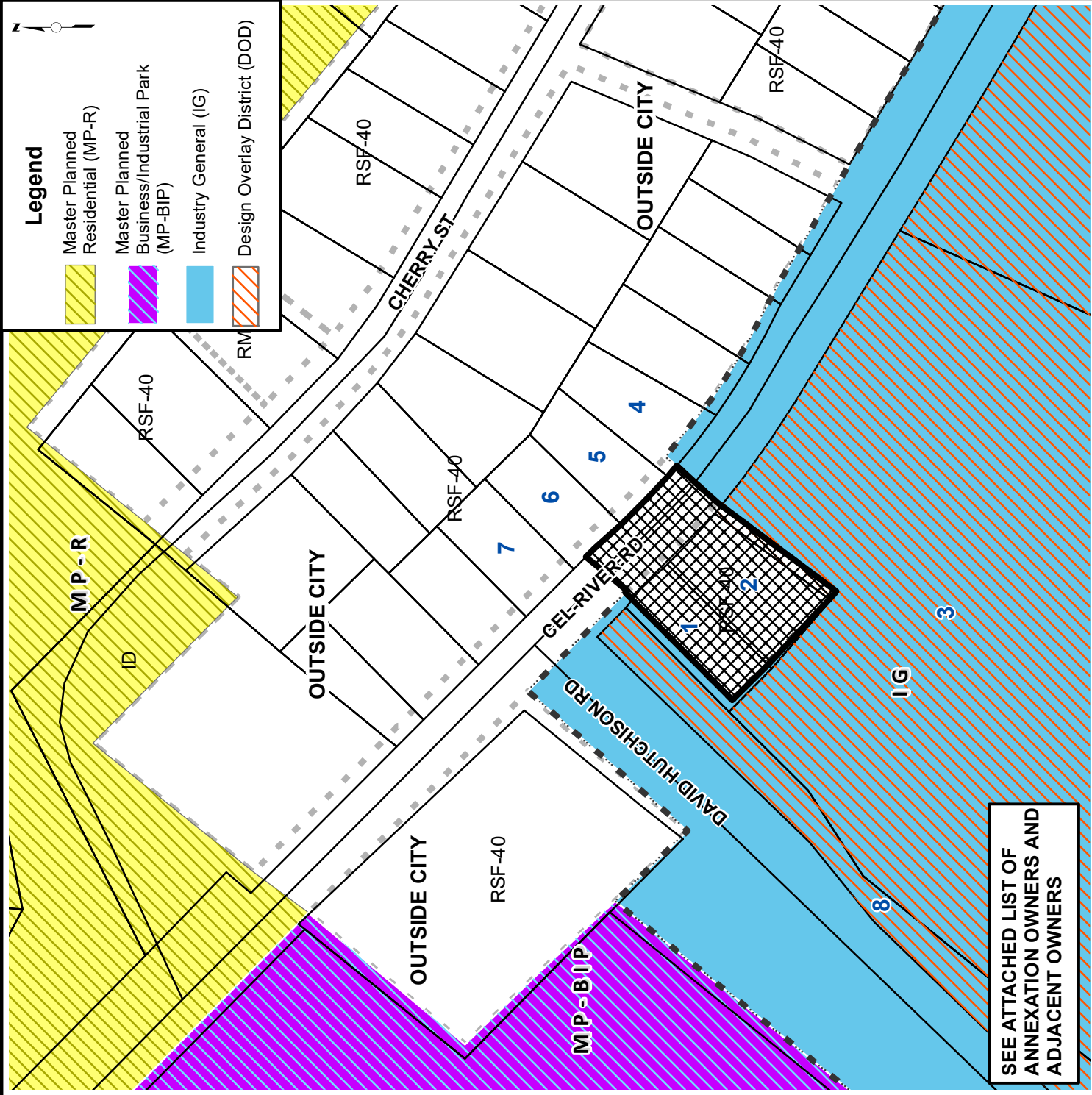
THIS MAP WAS COMPILED FROM PLATS AND
 OTHER AVAILABLE INFORMATION.
 NO ACTUAL FIELD SURVEY WAS PERFORMED.

GIS ADMINISTRATOR _____

DATE _____

Legend

- Master Planned Residential (MP-R)
- Master Planned Business/Industrial Park (MP-BIP)
- Industry General (IG)
- Design Overlay District (DOD)



**SEE ATTACHED LIST OF
 ANNEXATION OWNERS AND
 ADJACENT OWNERS**

ANNEXATION PROPERTY OWNERS

Map #	Tax Parcel	Owner Name
1	6650000010	RANDOLPH YARNS PARK LLC C/O STRATEGIC CAPTIAL PARTNERS LLC
2	6650000011	RANGEL JUAN LUIS & LILIANA ARTEAGA




ADJACENT PROPERTY OWNERS

Map #	Tax Parcel	Owner Name
3	6620701346	RANDOLPH YARNS INC PMB 206
4	6650000029	ROGELIO-CHAVEZ ANDRES
5	6650000028	ALLEN JIMMY D & JAMES C
6	6650000027	TEMPLE BAPTIST CHURCH OF ROCK HILL
7	6650000026	TEMPLE BAPTIST CHURCH
8	6620701345	RANDOLPH YARNS PARK LLC C/O STRATEGIC CAPITAL PARTNERS LLC



M-2022-27

Legend

-  Subject Property
-  Design Overlay District (DOD)
-  Industry General (IG)
-  Master Planned Business/Industrial Park (MP-BIP)
-  Master Planned Residential (MP-R)

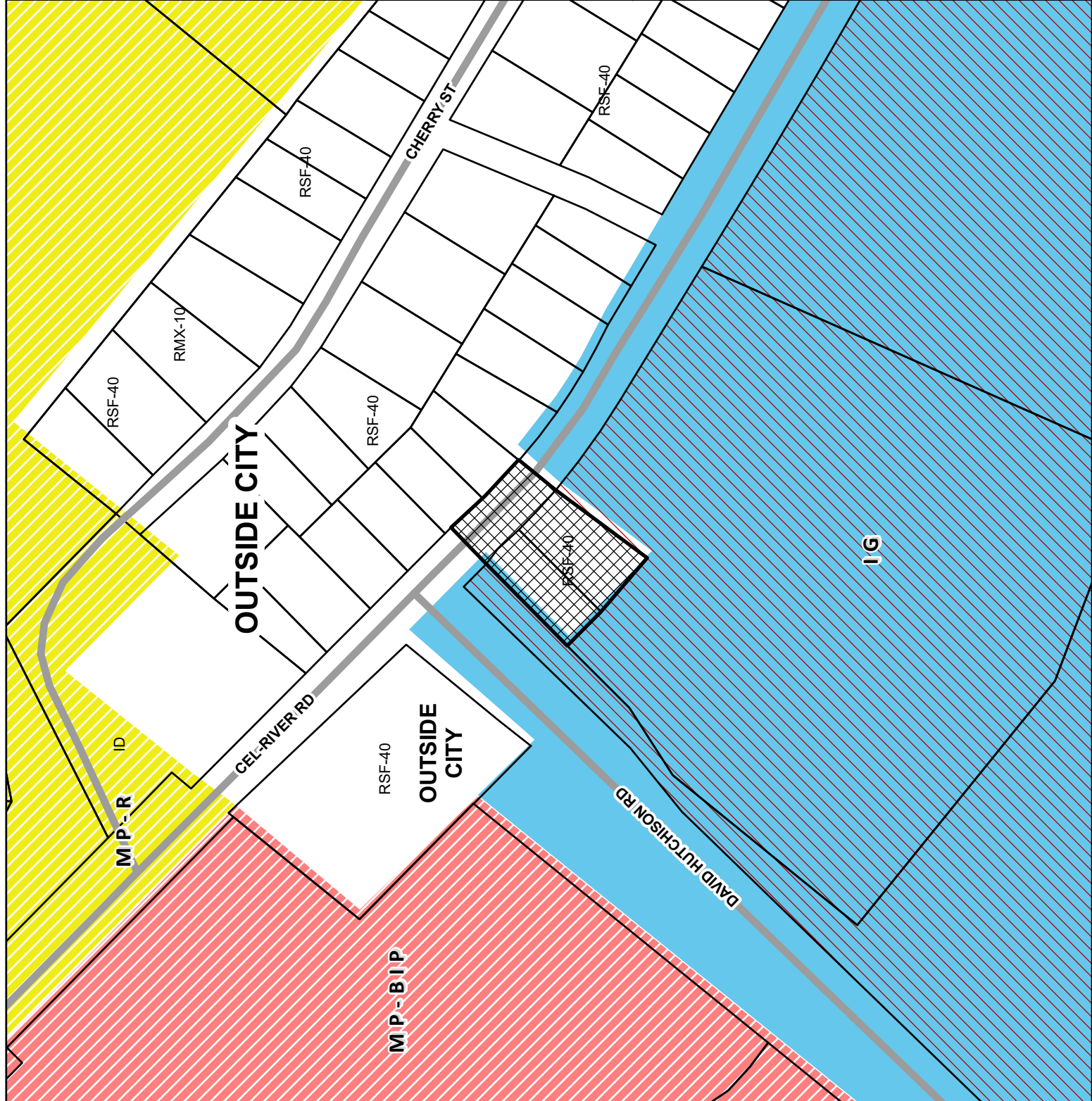
Zoning Data

Current: RSF-40
(York County)

Proposed: IG & DOD



Planning & Development
Department
City of Rock Hill
11-01-2022





Staff Report to Planning Commission M-2022-28



Meeting Date: November 1, 2022

Petition by INTEC Group (Erik Winer) to rezone approximately 1.38 acres at 1904 & 1920 Dutchman Drive and adjacent right-of-way from Single-Family 3 (SF-3) and Single-Family 5 (SF-5) to Neighborhood Commercial (NC).



Reason for Request: Rezone the property to combine with two other parcels already zoned NC and develop for retail/service uses.

Staff Recommendation: Staff recommends approval of the rezoning request.

SEE ATTACHED REPORT FOR MORE INFORMATION



Case No. M-2022-28

Rezoning Report to Planning Commission

Meeting Date: November 1, 2022

Location:	1904 & 1920 Dutchman Drive and 2259 Rosewood Drive
Tax Parcel(s):	634-11-04-009 to -011.
Site Area:	1.38 Acres (includes right-of-way)
City Council Ward:	Ward 2 (Kathy Pender)
Request:	Rezone property from Single-Family 3 (SF-3) and Single-Family 5 (SF-5) to Neighborhood Commercial (NC).
Proposed Development:	Combine the properties with two additional parcels already zoned NC along Celanese and develop the property with commercial/retail buildings that would serve the neighborhood.
Applicant:	INTEC Group (Erik Winer) 2459 Wilkinson Blvd, suite 120C Charlotte, NC 28208
Owner:	CELANDDUTCH LLC 3001 Colton Ridge Rd Indian Trail, NC 28079

Site Description

The subject property includes three undeveloped and wooded lots, located between Celanese Road and Rosewood Drive, east of Dutchman Drive. The subject properties are proposed to be combined with two additional properties that are already zoned Neighborhood Commercial (NC) to the south. The overall site would have frontage on Celanese Road (principal arterial), Dutchman Drive, and Rosewood Drive (local streets).

The subject property previously had deed restrictions, which only allowed single-family uses on the lots. The developer worked with the neighborhood, using the attached site plan and renderings, to obtain enough signatures to remove the deed restrictions from the lots.

Surrounding uses include commercial/office uses to the south along both sides of Celanese Road, single-family residential to the west and east along Rosewood Drive, with multi-family apartments and Westminster Catawba Christian School to the north across Rosewood Drive. The surrounding uses are also in a mix of single-family, multi-family and commercial zoning districts.

Development Proposal

The applicant is requesting the rezoning in order to combine the subject properties with two additional parcels along Celanese Road and develop commercial and personal service uses, such as retail shopping, restaurants, coffee shops, yoga studios, and spas that would serve the surrounding neighborhood.

The development is surrounded by three roadways and only shares one property line with a single-family dwelling. The developer's sketch plan shows the required 50-foot-wide landscape buffer provided adjacent to the house. The proposed buildings are pulled up close to the roadways, with parking to the rear. Two of the three buildings are located along Celanese Road, distancing themselves from the closest single-family lot.

The proposed uses are conditional uses in the NC zoning district and would also have hours of operation limitations from 6 a.m. to 10 p.m. The proposed buildings would be one story and located along the street frontages with parking to the rear.

Existing Zoning District Summary

Single-Family Residential 3 (SF-3): This residential district is established to primarily provide for single-family detached residential development. A few complementary uses customarily found in residential zoning districts, such as religious institutions, may also be allowed. The minimum lot size for single-family residential development is 14,000 square feet.

Proposed Zoning District Summary

Neighborhood Commercial (NC): The NC district is established and intended to provide for small-scale retail, service, and professional offices that provide goods and services to serve the residents of the surrounding neighborhood. The district should not include establishments that attract traffic from areas of the City outside the neighborhood that is being served by the use. Non-residential uses in the NC district are limited to 10,000 square feet in area per use in an individual building. The district should typically be located at the intersection of two collector (residential or commercial) streets or a collector street and arterial/major collector street in close proximity to the residential neighborhood which these serve. The district is subject to development standards to ensure development is consistent with the neighborhood scale and form of the district, and compatible with surrounding uses through setbacks, height limitations, bulk, and other dimensional standards, connectivity requirements, controls on lighting, and site design. In addition, all non-residential development in the NC district must limit its public operating hours to between 6 a.m. and 10 p.m.

Zoning History of the Property and Previous Rezoning Cases in the Area

In 2021, 24 parcels on the north side of Celanese Road were annexed along Dutchman Drive, Rosewood Drive, Hilltop Road, and Celanese Road, as part of a 75% annexation area. Properties were zoned SF-3 and NC.

The property on the south side of the Celanese Road/Hilltop Road intersection was annexed in September of 2019, and the property at the northeast corner of the Celanese Road/Hilltop Road intersection was annexed in August of 2020. Both of these areas were zoned NC upon annexation.

INFRASTRUCTURE CONSIDERATIONS

Transportation

The property has frontage Celanese Road (principal arterial), Dutchman Drive, and Rosewood Drive (local streets). The site could be accessed from all three streets, however SCDOT will have control over access locations, as all three streets are State

maintained roadways. There are existing sidewalks along Celanese Road, however frontage sidewalks will be required along Dutchman and Rosewood Drives when the site is developed.

It has not yet been determined if a Traffic Impact Analysis (TIA) will be required. If the project meets the threshold for a TIA, then one will be required and reviewed during the site plan stage.

Historic traffic volumes in the area are shown below:

Street	Vehicles Per Day			
	2021	2019	2017	2015
Celanese Road	39,700	44,600	40,900	40,200

Public Utilities

All necessary utilities are available to the site.

RELATIONSHIP TO PUBLIC PLANS

Comprehensive Plan Update – Rock Hill 2030

These parcels are in the Neighborhood Commercial character area of the Future Land Use Map of the Comprehensive Plan Update – Rock Hill 2030. The plan states that the Neighborhood Commercial character area should include:

- Small, low-traffic commercial uses that provide goods and services to surrounding neighborhoods.
- They should provide a well-connected bike/pedestrian environment to neighborhoods and nearby commercial areas

Rezoning the parcels to NC would allow for a development that is compatible with the surrounding uses along Celanese Road. The rezoning supports the Comprehensive Plan Core Value as follows -

- Grow Inside First: this infill development supports the City's focus to grow inside first and would contribute to maximizing the use of existing infrastructure and investment.
-

PUBLIC INVOLVEMENT

Staff hereby certifies that the required public notification actions have been completed as follows:

- October 13: Rezoning notification signs posted on subject property.
- October 14: Rezoning notification postcards sent to 127 property owners and tenants within 300 feet of the subject property.
- October 14: Planning Commission public hearing advertisement published in *The Herald*.

Public Feedback

Staff received a phone call from the adjacent property owner at 2253 Rosewood Drive. They wanted to ensure that the required buffers would be maintained and did not share any opposition to the rezoning request.

RECOMMENDATIONS

Staff Assessment

The subject property is surrounded by a mix of commercial along Celanese, the Westminster Catawba Christian School, apartments, and single-family homes along Rosewood Drive. Many of the former single-family lots in the area have been converted to commercial uses along Celanese Road, however given the smaller lot sizes, it is difficult to develop a meaningful project without combining multiple properties. The developer's sketch plan shows that the site will be designed to minimize impact on the adjoining residential lot.

Staff has also discussed the project with the most impacted property owner at 2253 Rosewood Drive, who did not oppose the project, so long as an adequate buffer is maintained.

Staff believes the developer has had good outreach with the neighborhood in advance of the rezoning request and the proposed development is in a mixed-use area, which limits impacts to existing single-family homes. The retail and personal service uses proposed should benefit and serve the adjacent neighborhoods.

Staff Recommendation

Staff recommends approval of the proposed NC zoning.

Attachments

- Concept Site Plan
- Concept Renderings
- Rezoning Map
- Existing Conditions Map

To see the applications submitted for this case, go to: www.cityofrockhill.com/PlanInfo.

Staff Contact: Dennis Fields, Planner III
Dennis.Fields@cityofrockhill.com
803-329-5687



ROSEWOOD DRIVE

DUTCHMAN DRIVE

CELANESE ROAD

BUILDING 3

BUILDING 2

BUILDING 1

INTEC

INTEC Group, Inc.
2459 WILKINSON BLVD
SUITE 120C
CHARLOTTE, NC 28208
P: 704.372.7910
www.intecgroup.net

REZONING SKETCH
CELANESE ROAD AND DUTCHMAN DRIVE
10/3/22



'A' WHITE BRICK



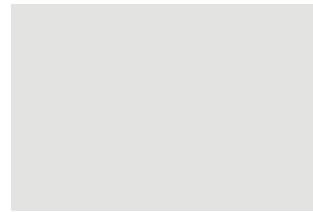
'B' WOOD 1
WOOD LIGHT OAK



'C' NATURAL METAL



'D' PAINTED METAL 1
SW - PEPPERCORN
OR CITYSCAPE?
NEED STUDY/ OPINION



'E' PAINTED METAL 2
OPTION
SW -ICE CUBE



STOREFRONT
KAWNEER CHARCOAL



VINES/ PLANTINGS



INTEC Group, Inc.
214 W. TREMONT AVE.
SUITE 301
CHARLOTTE, NC 23803
P: 704.372.9710
www.intecgroup.net

CELANESE RETAIL ROCK HILL



'A' WHITE BRICK



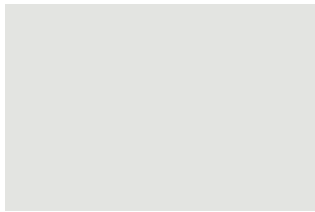
'B' WOOD 1
WOOD LIGHT OAK



'C' NATURAL METAL



'D' PAINTED METAL 1
SW - PEPPERCORN
OR CITYSCAPE?
NEED STUDY/ OPINION



'E' PAINTED METAL 2
OPTION
SW -ICE CUBE



STOREFRONT
KAWNEER CHARCOAL



VINES/ PLANTINGS



INTEC Group, Inc.
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SUITE 301
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P: 704.372.9710
www.intecgroup.net



BUILDING 1 - SOUTH ELEVATION / CELANESE



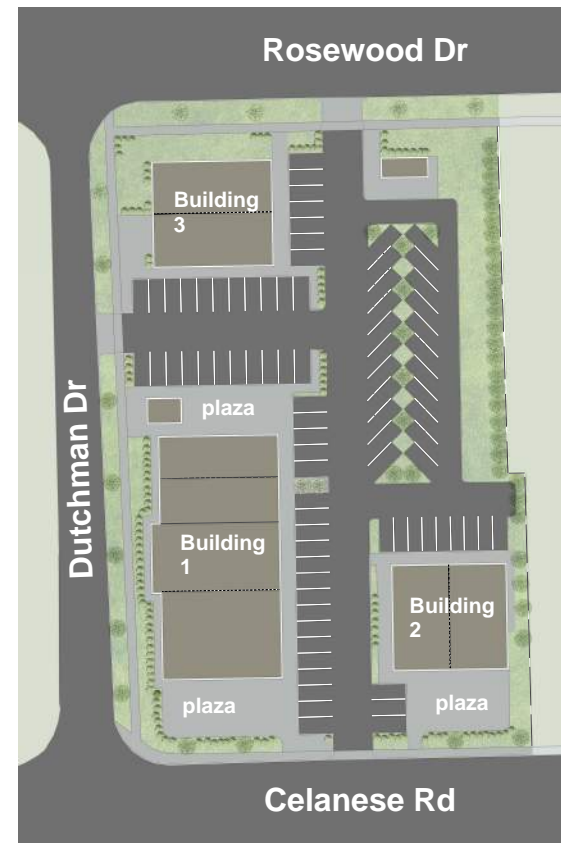
BUILDING 2 - SOUTH ELEVATION



BUILDING 1 - EAST ELEVATION



BUILDING 1 - WEST ELEVATION / DUTCHMAN





M-2022-28

Legend



Multi-Family 15 (MF-15)

Neighborhood Commercial (NC)

Single-Family 3 (SF-3)

Single-Family 5 (SF-5)

Zoning Data

Current: SF-3 & SF-5

Proposed: NC



Planning & Development
Department
City of Rock Hill

11-01-2022

SF-5

MF-15

SF-3

RSF-40

OUTSIDE CITY

NC

NC

RSF-40

OUTSIDE CITY

RSF-40

ROSEWOOD DR

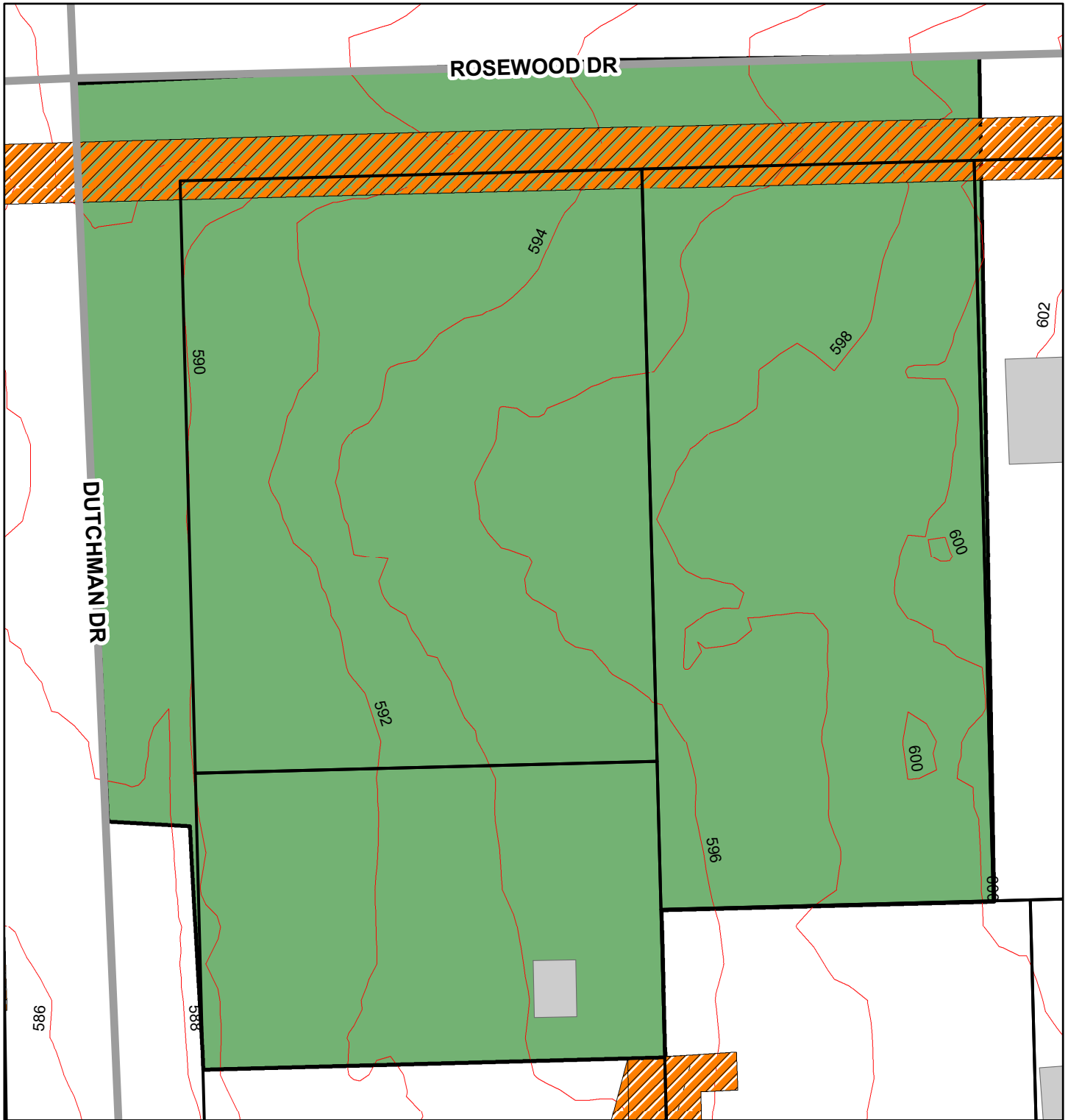
DUTCHMAN DR

CELANESE RD







WOODCREST CIR

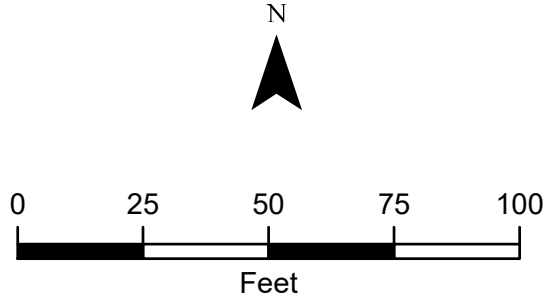
WOODCREST CIR

Existing Conditions Case #M-2022-28



Legend

 Building Footprints (2019)	 Contours
 Parcels	 Subject Property
 Street	
 Utility Easement	



- Request:** Rename One Carolina Drive to Palmetto Parkway
- Plan Type:** Road Name Change
- Location:** Located between Mt. Gallant Road and Paragon Way (currently under construction – See map below).
- Background:** The Planning Commission is charged under South Carolina state law to approve road names. New road names are typically approved as part of the preliminary plat approval process. To change existing road names, state law requires the Planning Commission hold a public hearing, after publishing legal notice in the newspaper. The Planning Commission has final decision-making authority on this item.
- The existing street name, One Carolina Drive, was approved by the Planning Commission at their August 4, 2020 meeting. Given that the new I-77 interchange is nearly complete and the intended use of the adjacent site is undetermined, Staff believes the name Palmetto Parkway is more appropriate. Changing the name now allows new interstate signage to be installed prior to the new interchange being operational.
- Recommendation:** Staff recommends approval of the road name change to Palmetto Parkway.
- Staff Contact:** Dennis Fields, Planner III
803-329-5687
Dennis.Fields@CityofRockHill.com





Proposed Amendments to Zoning Ordinance and City Code of Ordinances

Report to Planning Commission

Meeting Date: November 1, 2022

Topic:	Short-term rentals
Applicable Content:	Zoning Ordinance Chapter 4: <i>Land Use: Primary Uses</i> Zoning Ordinance Chapter 5: <i>Land Use: Accessory and Temporary Uses</i> Municipal Code: Chapter 11, Article X1: <i>Short-Term Rentals</i>
Application Date:	February 14, 2022
Sponsor:	City Council

Background

City Council requested that staff review and propose changes to the City’s short-term rental regulations when it enacted a moratorium on that use earlier this year. The attached redlines show the proposed amendments to both the Zoning Ordinance and the Municipal Code regarding short-term rentals.

These have been modified since the first public hearing by the Planning Commission on the same topic. Key proposed changes since the first public hearing include:

1. Creating a Short-Term Rental Overlay District. The district would be the only area of the City where short-term rentals are allowed. Within the overlay district, short-term rentals would be reviewed through two processes:
 - (a) If the property has an underlying commercial or mixed-use zoning district, staff would review the use.
 - (b) If the property has an underlying residential zoning district, the Zoning Board of Appeals would decide whether to allow the use after a public hearing on the request.
2. Requiring a 300-foot separation between short-term rental uses, which can be reduced through a Zoning Board of Appeals process, instead of a 1,500-foot separation.
3. Requiring hosts to obtain the support of contiguous property owners prior to applying for the use instead of being required to obtain the support of all property owners within a 500-foot radius.
4. Requiring hosts to certify that there are no restrictive covenants or deed restrictions that prohibit the use as part of the application process instead of requiring hosts to have an attorney complete a title search from the beginning of time that shows no restrictive covenants or deed restrictions prohibit the use.

5. Requiring hosts to provide one parking space if the property is used exclusively as a short-term rental and three parking spaces if the property is used as both a residence and a short-term rental instead of basing the required number of parking spaces on the number of bedrooms.
6. Grandfathering existing short-term rental uses without requiring them to complete a title search.

RECOMMENDATION

Staff recommends approval because the overlay district would narrow the locations where short-term rentals are allowed to commercial or mixed-use corridors or areas instead of allowing the use within single-family neighborhoods that do not have a mix of uses already. It follows that within the overlay district area, the application requirements should be less burdensome for hosts.

Attachments

- Proposed amendments to City Code of Ordinances and Zoning Ordinance
 - Proposed overlay district map
 - Summary of proposed regulations
-

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Summary of proposed short-term rental regulations
October 2022

1. **Grandfather** existing short-term rentals
2. For new units, **create a zoning overlay district** where short-term rentals are allowed.
Within the district:
 - A. If the property is zoned commercial or mixed-use, staff would review
 - B. If the property is zoned residential, the Zoning Board of Appeals would hold a public hearing and decide whether the use is allowed
3. **Overall maximums:**
 - A. Maximum number: 150
 - B. 300-foot separation between the units (can be reduced by Zoning Board of Appeals)
4. **Before application accepted:**
 - A. If host not property owner, host must obtain written permission of property owner
 - B. If property in neighborhood with HOA, HOA must state that use is allowed or is not regulated
 - C. If property zoned residentially, host must obtain the support of all contiguous property owners
5. **As part of application process:**
 - A. Hosts must certify that no restrictive covenants or deed restrictions prohibit the use
 - B. One parking space must be shown if property used exclusively as short-term rental and three parking spaces if used as residence and short-term rental
 - C. City will inspect units and grounds for compliance with property maintenance code
 - D. If property not owner-occupied, either owner or representative must live within 15-mile radius of City and be willing to accept calls from City about any issues 24-7
6. **If property is transferred** outside of family or between affiliated corporations, new application process required
7. If property with a short-term rental is **annexed**, City's application process required to determine whether use is allowed to continue after annexation
8. **Violations and penalties** section is proposed to remain same as in existing regulations—permit may be revoked under “three-strikes rule” or if one widespread incident with negative impacts to community occurs

ARTICLE XI. SHORT-TERM RENTALS

Red = version for September 2022 Planning Commission public hearing

Blue = proposed changes after that time

Sec. 11-362. Purpose.

City council finds that there is a growing national interest for short-term accommodations in traditional neighborhood settings. City council finds that the provision of such accommodations can be beneficial to the public if potential negative impacts are managed.

When properly regulated, short-term rentals provide a means of assisting property owners with keeping properties in good order and repair, which in turn, assists in stabilizing home ownership, and maintaining property values in neighborhoods. Short-term rentals also serve to bolster the city's sports tourism industry by providing alternatives to traditional hotels and motels for the traveling public.

City council is mindful of the importance of maintaining the residential character of city neighborhoods. Absent appropriate controls on the manner of short-term rentals, neighborhoods stand to be harmed by undue commercialization and disruption to the primary and overarching purpose of a neighborhood being first and foremost a residential community, where people actually live, not a place of transient occupancy.

Sec. 11-363. Definitions.

The following definitions are hereby added to apply specifically to this article. Words not defined in this article shall have the meaning set forth in this chapter, in the zoning ordinance, or their ordinary accepted meaning such as the context implies.

Article means this Article 11 ordinance.

City means the City of Rock Hill, South Carolina.

Planning and development director means the director of the city's planning and development department.

Host means the person offering a residential living unit, or portion thereof, for short-term rental.

Short-term rental means the rental of a ~~residentially used~~ property with five or fewer bedrooms in whole or in part for an overnight stay of less than 30 days at a time to one or more guest parties; ~~breakfast or other meals may be served as with a traditional "bed and breakfast" model of this activity, but meals are not required to be served.~~

Short-term rental permit means a document issued by the planning and development department to the host upon meeting the conditions set forth in sections 11-364 ~~or 11-365~~ through 11-373 herein. Such permit is required for lawful short-term rental of a residential living unit or portion thereof. This permit does not warrant the proper habitability, safety or condition of the residential living unit or portion thereof in any way.

Sec. 11-364. Permit maximums and separations.

- (a) The total number of short-term rental permits in the City shall not exceed 150 at any time. If an application is submitted when 150 permits are active, staff will put the application on a waiting list to be considered when a permit becomes available. When a permit becomes available, applications on the waiting list shall be considered in the order in which they were placed on the waiting list.

~~(b) Each host is limited to 15 short term rental permits at a time.~~

-
- (c) Short-term rental uses are required to be located at least ~~1,500~~ 300 feet away from each other. This required separation distance may be reduced by any amount (i.e., between 299 and 0 feet) by the Zoning Board of Appeals through the separation reduction process set forth in Zoning Ordinance section 2.12.5.

Sec. 11-365. ~~Allowed zoning districts.~~ Short-term rental overlay district

Short-term rentals are allowed only in the areas shown on the Short-Term Rental Overlay District map.

Using the definitions and processes set forth for “conditional uses” (C) and “special exception uses” (S) in Chapters 2 and 4 of the City of Rock Hill Zoning Ordinance, and the zoning districts as set forth in Chapter 3 of the City of Rock Hill Zoning Ordinance, short-term rentals are allowed within this Short-Term Rental Overlay District according to the following:

- (a) As a conditional use in the Mixed Use (MX), Neighborhood Office (NO), Neighborhood Commercial (NC), Office and Institutional (OI), Limited Commercial (LC), General Commercial (GC), Community Commercial (CC), Downtown (DTWN), and Mixed Use Corridor (MUC) zoning districts., and portions of any Planned Unit Development, Planned Development or Master Plan that allow commercial uses.

- (b) As a special exception use in the Rural (RU), Single-Family 2 (SF-2), Single-Family 3 (SF-3), Single-Family 4 (SF-4), Single-Family 5 (SF-5), Single-Family 8 (SF-8), Single-Family Attached (SF-A), Multi-Family Residential (MFR), and Multi-Family 15 (MF-15) zoning districts, and portions of any Planned Unit Development, Planned Development or Master Plan that allow only residential uses.

Sec. 11-366. Conditions precedent to application.

Before applying for a short-term rental permit in any allowed zoning district, the prospective host must:

- ~~(a) Have an attorney licensed to practice law in South Carolina certify to the City on a form provided by and returned directly to the City by the attorney that a title search has been conducted from the beginning of time for recorded deed restrictions or restrictive covenants that apply to the subject property, and that if any exist, they allow a short term rental use with 100% certainty; and~~

- ~~(b) Show evidence of all the following that are relevant to the situation:~~

- ~~i. (a) If the host is not the owner of the property, the property owner must provide a letter directly to the City stating that it has authorized the short-term rental use. This is required regardless of the primary land use—whether single-family detached, attached, or multi-family.~~
- ~~ii. (b) If the residence is located in a neighborhood that has a homeowners or property owners association formed under S.C. Code of Laws Section 27-30-110 et seq., the association president or other representative legally authorized to act on behalf of the association must provide a letter directly to the City stating that either the association has approved the use or does not regulate it.~~
- ~~iii. (c) If the short-term rental use is a special exception use in the subject zoning district, all property owners of contiguous property that is zoned residentially within a 500-foot radius of the subject property must indicate in writing on a form provided by the City that they are not opposed to the use. For the purposes of this provision, “contiguous” includes all property with any portion of a shared property line with the subject property as well as all property that would have any portion of a shared property line with the subject property but for an intervening road if the road is three or fewer lanes.~~

Sec. 11-3647. ~~Short term rental permit for applications made on or before December 31, 2020.~~ Short-term rental permit application.

~~The host of a short term rental must apply for a short term rental permit with the planning and development director prior to offering a unit or portion thereof for rent for 30 days or less at a time. The following processes and standards apply if the host applies for a short term rental permit on or before December 31, 2020.~~

For each property being offered for short-term rent, the host must complete a short-term rental application certifying that the following operational requirements are met and pay a \$200.00 application fee:

After the City receives and reviews the documents required by Sec. 11-366, the prospective host may apply for a short-term rental permit. The application must include the following information along with a \$300.00 non-refundable application fee.

- ~~(a) There are no recorded deed restrictions or restrictive covenants that apply to the property that would prohibit, conflict with, or be contrary to the activity.~~
- ~~(b) If the host is not the owner of the property, that the property owner has authorized the short-term rental use.~~
- ~~(c) If the residence is located in a neighborhood that has a home owners association, either the association has approved the use or does not regulate it.~~
- ~~(d)~~ (a) The application must demonstrate that parking spaces have been provided for the short-term rental according to the following:
 - i. If the property is located within the downtown parking management area, ~~that~~ the host ~~has~~ ~~must have~~ arranged with the city to pay into that system for one parking space.
 - ~~(e)~~ ii. If the property is located in any area of the city outside the downtown parking management area, ~~that~~ the host ~~has~~ ~~must have~~ provided one parking space if the property is used exclusively as a short-term rental and three parking spaces if the property is used as both a residence and a short-term rental ~~the following number of parking spaces for the use of short-term rental guests at least one additional on-site parking space beyond what the zoning ordinance requires for a residential use.:~~

Number of bedrooms	Number of parking spaces required	
	If property used exclusively as short-term rental	If property used as both a residence and a short-term rental
1	1	3
2	1	3
3	2	4
4	2	4
5	3	5

~~This parking space must meet the vehicular use area standards of chapter 8.8 and 6.3 of the zoning ordinance for residential uses.~~

1. The ~~host~~ application must demonstrate ~~show through photographic evidence~~ that the spaces meet the following standards:
 - a. They must be paved.
 - b. Each space must have dimensions of at least 9 feet by 19 feet.
 - c. They must be contained completely on the property (not overhanging road or alley surfaces or sidewalks).
2. Alternatively, the host may provide the required number of parking spaces through either of the following, or a combination of the above and either of the following:
 - a. If the property has immediately adjacent on-street parking that has been formalized through striping, those spaces will count towards the required number.
 - b. If another property owner within 500 feet ~~with excess parking spaces for the land use of that property~~ has given the host written permission for guests to

use parking spaces at all hours, and that written permission has been provided to the City, those spaces will count towards the required number. Staff will determine whether excess parking spaces exist for the land use using the Zoning Ordinance's parking calculations.

~~Exceptions exist for:~~

- ~~i. Properties that have immediately adjacent on-street parking that has been formalized through striping; and~~
- ~~ii. Hosts who can demonstrate a viable alternative method of meeting this requirement. Examples may include situations where:~~
 - ~~• The property is exclusively used as a short-term rental;~~
 - ~~• A nearby business has given the host written permission for guests to use parking spaces at all hours;~~
 - ~~• The host is the single occupant of a residence with two off-street parking spaces, and uses only one parking space him/herself.~~

~~(f)~~ (b) The host must certify the following:

i. There are no recorded deed restrictions or restrictive covenants that apply to the property that would prohibit, conflict with, or be contrary to the activity.

ii. That the unit will not be marketed nor used as an event location or a party house. This includes the marketing or use of the unit for "open invite" parties (which are open to anyone and are frequently advertised on social media), as well as for private parties including but not limited to weddings, bachelor/bachelorette parties, birthday parties, holiday parties, and parties for other special events.

~~(g)~~ iii. That rooms will not be rented to different guest groups at same time unless the host is present on the property during the rental, and the guests are made aware of the situation prior to booking.

~~(h)~~ iv. That if the property is not owner-occupied, either:

- ~~i.~~ 1. The property owner lives within a 15-mile radius of the city limits and is willing to take phone calls at all times if needed to address issues with the short-term rental use; or
- ~~ii.~~ 2. The host provides the name, mailing address, and telephone number of a designated responsible agent who lives within a 15-mile radius of the city limits, who is willing to take phone calls at all times if needed to address issues with the short-term rental use, and who is authorized to accept service of process on behalf of the owner of said unit.

~~(j)~~ v. That the number of guests will be limited to two per bedroom, plus two.

~~(j)~~ vi. That the residence and yard will be maintained to property maintenance code standards.

~~(k)~~ vii. That the property will not contain any sign advertising the short-term rental use.

~~(j)~~ viii. That the host will keep a current guest register including names, addresses, telephone numbers, and dates of occupancy of all guests.

~~(m)~~ ix. That the host will provide a rental packet containing applicable City rules and restrictions specified in the short-term rental permit application, as well as pertinent safety information and contact information to guests when they book the short-term rental, and shall prominently display the short-term rental permit, rules, safety and contact information within the short-term rental unit.

-
- ~~(h)~~ x. That the host shall list the short-term rental permit number on all advertisements, listings with booking services, and marketing materials, including without limitation, AirBNB, VRBO/Homeaway, Flipkey, and any other online websites and listing or booking platforms or services.
 - ~~(e)~~ xi. That the host shall comply with all business license and revenue collection laws of the City of Rock Hill, York County, and the State of South Carolina.

~~Upon receiving this complete application, the planning and development director shall verify the following certified statements: (b) (in writing), (c) (in writing), (d), (e), (h), (j), and (k). With respect to (c), if staff does not hear back from the home owners association representative of record within ten business days of attempting to contact them for written verification, the lack of response will not hold up the approval of an application that staff otherwise determines meets all of the standards.~~

~~Upon the host certifying the above statements in the short term rental application and the planning and development director verifying the numbers listed above, the planning and development director will issue a short term rental permit that will remain valid for one year unless revoked. An annual renewal process is established in section 11-366.~~

Sec. 11-368. Review of short-term rental permit applications.

(a) Preliminary review:

- i.* Upon receiving a complete application, staff will determine whether any remaining permits exist for the requested area according to section 11-364. As long as a permit remains available, staff will evaluate the application to determine whether it meets the standards specified in the section above.
- ii.* If staff determines that the application meets the standards specified in the section above, staff will move the application to the next step of the review process, which will vary depending on whether the use is a conditional use or a special exception use.
- iii.* If staff determines that the application does not meet the standards specified in the section above, the host will have 30 calendar days to correct all deficiencies in the application.
 - 1. If the deficiencies are corrected within that timeframe, staff will move the application to the next step of the process, which will vary depending on whether the use is a conditional use or a special exception use.
 - 2. If the deficiencies are not able to be corrected at all or are not corrected within that timeframe, staff will deny the application. The applicant will be allowed to reapply in accordance with all sections of this Article, including being subject to a waiting list if one is in place.

(b) Next steps for conditional uses:

- i.* Staff will inspect the proposed short-term rental unit and property grounds to ensure that they meet property maintenance code standards.
- ii.* If staff determines that the proposed short-term rental unit and property grounds meet property maintenance code standards, staff will issue a short-term rental permit, which will remain valid for one year after issuance unless revoked.
- iv.* If staff determines that the proposed short-term rental unit and property grounds do not meet property maintenance code standards, the host will have 30 calendar days to correct all deficiencies.
 - 1. If the deficiencies are corrected within that timeframe, staff will issue a short-term rental permit, which will remain valid for one year after issuance unless revoked.
 - 2. If the deficiencies are not able to be corrected at all or are not corrected within that timeframe, staff will deny the application. The applicant will be allowed to reapply in

accordance with all sections of this Article, including being subject to the waiting list if one is in place.

(c) *Next steps for special exception uses:*

- i. Staff will submit the application to the Zoning Board of Appeals for consideration according to the processes set forth in Chapter 2 of the Rock Hill Zoning Ordinance for special exception uses.
 1. If the Zoning Board of Appeals approves the special exception, staff will then inspect the proposed short-term rental unit and property grounds to ensure that they meet property maintenance code standards.
 - a. If staff determines that the proposed short-term rental unit and property grounds do not meet property maintenance code standards, the host will have 30 calendar days to correct all deficiencies.
 - b. If the deficiencies are corrected within that timeframe, staff will issue a short-term rental permit, which will remain valid for one year after issuance unless revoked.
 - c. If the deficiencies are not able to be corrected at all or are not corrected within that timeframe, staff will deny the application. The applicant will be allowed to reapply in accordance with all sections of this Article, including being subject to a waiting list if one is in place.
 2. If the Zoning Board of Appeals denies the special exception request, reapplication will be subject to the waiting period that is set forth in Chapter 2, Section 2.5.5, of the Rock Hill Zoning Ordinance.

~~Sec. 11-365. Short term rental permit for applications made after December 31, 2020.~~

~~The host of a short term rental must apply for a short term rental permit with the planning and development director prior to offering a unit or portion thereof for rent for 30 days or less at a time. This section sets forth a different application process than in section 11-364 if the host applies for a short term rental permit after December 31, 2020. All of the standards listed in section 11-364 apply unless explicitly listed otherwise below.~~

~~Upon the host certifying the statements listed in section 11-364 in the short term rental application and the planning and development director verifying the numbers listed in section 11-364 following the process set forth in the preceding section, the application will go before the zoning board of appeals for consideration as a special exception for the use according to the processes set forth in Chapter 2 of the Rock Hill Zoning Ordinance. The application fee will be \$300.00. The zoning board of appeals will consider whether the application meets the standards in chapter 2, section 2.12.2, of the zoning ordinance for the granting of a special exception for the use.~~

~~If the special exception is approved, the permit shall be valid for one year from the date of issuance unless revoked. It shall be renewable annually according to the procedures for renewal that are set forth in section 11-366.~~

~~If the board of appeals denies the special exception request, the host is subject to the waiting period that is set forth in Chapter 2, Section 2.5.5, of the Rock Hill Zoning Ordinance, before the host may reapply for a short-term rental permit for the same property.~~

~~(Ord. No. 2020-68, § 4(Exh. B), 10-12-2020)~~

Sec. 11-369. Renewals.

- (a) Once a short-term rental permit has been issued, it shall remain valid for one year from the date of issuance unless revoked.

-
- (b) ~~Within~~ At least 30 days prior to the end of this annual period and all subsequent annual periods, the host must ~~reapply~~ apply to renew the ~~for a~~ short-term rental permit if the host wishes to continue the short-term rental use after the end of the current permit period.
- (c) The host must ~~re-certify all of the statements listed in section 11-364 in a renewal application each year~~ complete a renewal application, and must pay a \$200.00 renewal application fee. The renewal application shall be an abbreviated version of the original application. However,
- i. ~~Every~~ renewal period, the host will be required to show new written support of subsections 11-366 (a), (b), and (c) from the relevant parties and to update any other information on the original application as may be necessary due to changed circumstances. No new title certification by the host shall be required; however, if staff becomes aware that any applicable restrictive covenants or deed restrictions have changed such that they no longer allow short-term rental uses, the use shall not be allowed to continue.
 - ii. ~~Additionally, hosts with valid short term rentals with permits on _____, 2022, must also complete a title search as part of their first renewal application after that date according to the process and standards set forth in subsection 11-366(a) and section 11-367.~~
- (d) Inspections will not be performed as a matter of course for renewal applications, but the City reserves the right to inspect the short-term rental unit and property grounds at any time for compliance with property maintenance code standards.
- The planning and development director shall approve the renewal application, provided that:
- (a) ~~The permit remains in force at the time of renewal.~~
 - (b) ~~If the property is located within a neighborhood that has an organized and active home/property owners association, that association has re-verified in writing that its board has approved the activity or does not regulate it.~~
 - (c) ~~The following certified statements are verified by the planning and development director: (b) (in writing), (c) (in writing), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o). With respect to (c), if staff does not hear back from the home owners association representative of record within ten business days of attempting to contact them for written verification, the lack of response will not hold up the approval of an application that staff otherwise determines meets all of the standards.~~

Sec. 11-3670. Violations and penalties.

1. *Violations.* It shall be a violation of this article for a host or his agent to:
 - (a) Advertise or operate a short-term rental unit without a short-term rental permit; or
 - (b) Violate any of the certified statements in the short-term rental application.
2. *Penalties.*
 - (a) *Revocation.* When the planning and development director determines:
 - i. The short-term rental permit has been mistakenly or improperly issued, or issued contrary to law; or
 - ii. A host has obtained the license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application; or
 - iii. The host has breached any condition upon which the license was issued, has violated any of the certified statements on the short-term rental permit application, or has failed to comply with the provisions of this article; or
 - iv. The host has been convicted of an offense under a law or ordinance regulating business or a crime involving violence or moral turpitude; or

-
- v. The host has engaged in an unlawful activity or nuisance related to the short-term rental, as evidenced by three valid neighbor complaints or police calls per rolling 12 months at the property in question, or one incident at the property in question with widespread community impacts or substantial public safety concerns;

The planning and development director shall give written notice to the host or designated responsible agent by personal service, certified mail, or the posting of the property that the short-term rental permit is revoked. The notice shall contain a brief statement of the reasons for the revocation.

The host or designated responsible agent will have ten days from the date of the written notice to appeal the decision to the city manager, who will render a final decision within 30 days.

If the city manager upholds the revocation, or if the host does not appeal the decision to the city manager, the host is subject to the waiting period that is set forth in Chapter 2, Section 2.5.5, of the Rock Hill Zoning Ordinance before the host may reapply for a short-term rental permit on the same property. The starting date for this period is the date of the final decision by the city.

If the planning and development director has reason to believe that the issue that led to the revocation of a short-term rental permit has been resolved, the director may reinstate the short-term rental permit.

All applications for short-term rentals after revocation will go through the special exception process before the zoning board of appeals as set forth ~~in section 11-365 above in the~~ **Rock Hill Zoning Ordinance** regardless of the original method of approval of the use.

If the permit is revoked, the planning and development director may also undertake the process to revoke the associated business license such that the host may not operate short-term rentals on other properties either. The business license revocation would follow the processes set forth in in section 11-46.

(b) *Refusal to issue permits.*

- i. The planning and development director may refuse to issue a short-term rental permit to any host who has had a short-term rental permit revoked, even if for a different property than the one for which the short-term rental permit is being requested.
- ii. The planning and development director may refuse to issue a short-term rental permit to any host who has any outstanding violations related to a short-term rental use until those violations have been remedied.

Appeals related to the refusal of a short-term permit under this section follow the process set forth in the Zoning Ordinance, Chapter 2, Section 2.12.6.

- (c) *Criminal penalties.* Whoever violates any provision of this article shall, upon a first offense, be subject to a fine of \$500.00, or imprisoned not more than 30 days, or both. If, after any conviction for noncompliance with this article or any lawful order issued pursuant thereto, such person continues the noncompliance, then such person shall be liable for further prosecution, conviction, and punishment without any necessity of the code official to issue a new notice of violation or order, and until such noncompliance has been corrected.

3. *Civil remedies.* In addition to the remedies set out in section 11-3670(2), the city manager or any duly authorized agent of city may take such civil or equitable remedies in any court having jurisdiction, against any person or property, to effect the provisions of this Code.

Sec. 11-371. Continuance of short-term rentals with permits issued prior to _____, 2022

- (a) Short-term rentals with permits in good standing on _____, 2022, will be allowed to continue in operation ~~without meeting the standards of sections 11-364(c) or 11-367(a)~~ subject to sections 11-369, 11-370, and 11-372.

~~(b) However, as part of their first renewal application after that date and within the deadline prescribed for that in section 11-369(b), hosts must have an attorney licensed to practice law in South Carolina certify to the City on a form provided by and returned directly to the City by the attorney that a title search has been conducted from the beginning of time for recorded deed restrictions or restrictive covenants that apply to the subject property, and that if any exist, they allow a short-term rental use with 100% certainty.~~

~~i. If an attorney is not able to certify this, the use shall not be allowed to continue. The host must immediately cease operating the short-term rental.~~

~~ii. If an attorney is able to certify this, but the host does not submit the certification to the City prior to the expiration of the short-term rental permit, the permit will be considered null and void. The host must immediately cease operating the short-term rental. The host will be allowed to apply anew in accordance with all sections of this Article, including being subject to a waiting list if one is in place.~~

Sec. 11-372. Property ownership transfers.

(a) Short-term rental permits do not run with the land. Prospective or subsequent property owners are required to apply for a new short-term permit according to the processes and standards in place at the time of application. If a waiting list is in place at the time, the application will go at the end of the list.

b) This section does not apply to property ownership transfers between family members related by blood, marriage, or adoption, nor to transfers between affiliated corporations.

Sec. 11-373. Annexation.

Short-term rentals that have a valid permit to operate from York County and are later being considered for annexation into the City must go through the City's review processes and meet the City's standards as set forth in this article prior to annexation. If the short-term rental use is approved by the City, it will be contingent upon annexation.

This section intentionally supersedes Zoning Ordinance section 2.12.2 (C)—*Effect of Rezoning on Special Exception Use* with respect to short-term rentals.

Zoning Ordinance

Chapter 4: Land Use: Primary Uses

4.3 TABLE OF PRIMARY USES

4.3.2 TABLE OF PRIMARY USES

TABLE OF PRIMARY USES																										
P = Permitted Use C = Conditional Use S = Special Exception Blank Cell = Prohibited																										
USE CATEGORY	USE TYPE	RESIDENTIAL										BUSINESS				USE-SPECIFIC STANDARDS										
		RU	SF-2	SF-3	SF-4	SF-5	SF-8	SR	SF-A	MFR	MF-15	MX	NO	NC	OI		LC	GC	CC	CI	DTWN	MUC	IB	IG	IH	
Public and commercial																										
Visitor accommodation	Bed and breakfast	S		S	S	S	S						C	C	C	C	C	C		C	S					4.3.3.3.19(A)
	See Rock Hill Code of Ordinances Article 11, Short Term Rentals																									
	Campground	S		S												S	C	C								4.3.3.3.19(B)(A)
	Hotel or motel												C	S	S	C	C	C	C	C	S	S				4.3.3.3.19(C)(B)
	Short-term rentals <u>as a primary use</u>	C if apply for a permit on or before December 31, 2020; S otherwise See Rock Hill Code of Ordinances Article 11, Short Term Rentals															4.3.3.3.19(D)									

4.3.3 USE-SPECIFIC STANDARDS

4.3.3.3.19 Visitor Accommodations

~~A. Bed and Breakfast~~

- ~~1. **Owner-Occupied:** Bed and breakfast uses must be owner-occupied with the owner-operator residing on the premises.~~
- ~~2. **Alterations:** Bed and breakfast uses must limit exterior alterations to those necessary to ensure the safety of the structure or to enhance the compatibility of the bed and breakfast with the surrounding neighborhood.~~
- ~~3. **Signage:** Bed and breakfast uses must limit signage to one on-site sign that is a maximum of nine square feet in area.~~

~~B. A. Campground~~

~~C. B. Hotel or Motel~~

~~D. Short term rental~~

- ~~1. Short term rentals as a primary use must follow the processes and meet the standards set forth in the City Code of Ordinances for the use.~~

APPENDIX 4-A DESCRIPTIONS OF PRIMARY USES

PUBLIC/COMMERCIAL USES

Visitor Accommodations
Characteristics
Uses that involve the short-term rental of overnight accommodations.
Use types: examples and definitions
<p><i>Bed and breakfast:</i> A private residence, generally a single family residence, engaged in the regular business of renting one or more dwelling rooms on a daily basis to tourists, vacationers, and business people. Individual rooms may be rented to different parties. This is a permanent, primary use that is advertised and acknowledged as a tourist destination.</p> <p><i>Hotel or motel:</i> A hotel or motel means a commercial building or a group of buildings with more than five bedrooms in which guests rent a bedroom or a bedroom suite for temporary occupancy on an overnight basis. Hotels and motels are not intended to serve as a permanent residence.</p> <p><i>Short-term rental as a primary use:</i> When a non-owner occupied, residentially-used property is rented in whole or in part for an overnight stay of less than 30 days at a time to one guest party. Exceptions: When an owner-occupied residentially-used property is rented in whole or in part for an overnight stay of less than 30 days at a time to one guest party, that is considered an accessory use; see Chapter 5: Land Use: Accessory and Temporary Uses.</p>

Chapter 5: Land Use: Accessory and Temporary Uses

5.3 ACCESSORY USES AND STRUCTURES

5.3.4 TABLE OF ACCESSORY USES AND STRUCTURES

TABLE OF ACCESSORY USES AND STRUCTURES			
ACCESSORY USE OR STRUCTURE	REQUIRED PRIMARY USE	HOW USE IS ALLOWED	USE-SPECIFIC STANDARDS
RESIDENTIAL			
Short-term rental as an accessory use	• Any household living area	C if apply for permit on or before December 31, 2020; S otherwise	5.3.5.2(E)

5.3.5.2 USE-SPECIFIC STANDARDS FOR RESIDENTIAL ACCESSORY USES

A. Accessory Dwelling Unit

7. **Rental:** Accessory dwelling units must not be leased or rented for tenancies of less than 30 days, nor leased to more than 11 different individuals in any calendar year.

An exception exists if the property is approved as a short-term rental ~~as an accessory use~~ under Rock Hill Code of Ordinances *Article 11, Short Term Rentals*.

~~E.—Short-term Rental as an Accessory Use~~

- ~~1.— Short-term rentals as an accessory use must follow the processes and meet the standards set forth in the City Code of Ordinances for the use.~~

APPENDIX 5-A DESCRIPTIONS OF ACCESSORY USES AND STRUCTURES

Short-term rental as an accessory use
When an owner-occupied, residentially-used property is rented in whole or in part for an overnight stay of less than 30 days at a time to one or more guest parties.

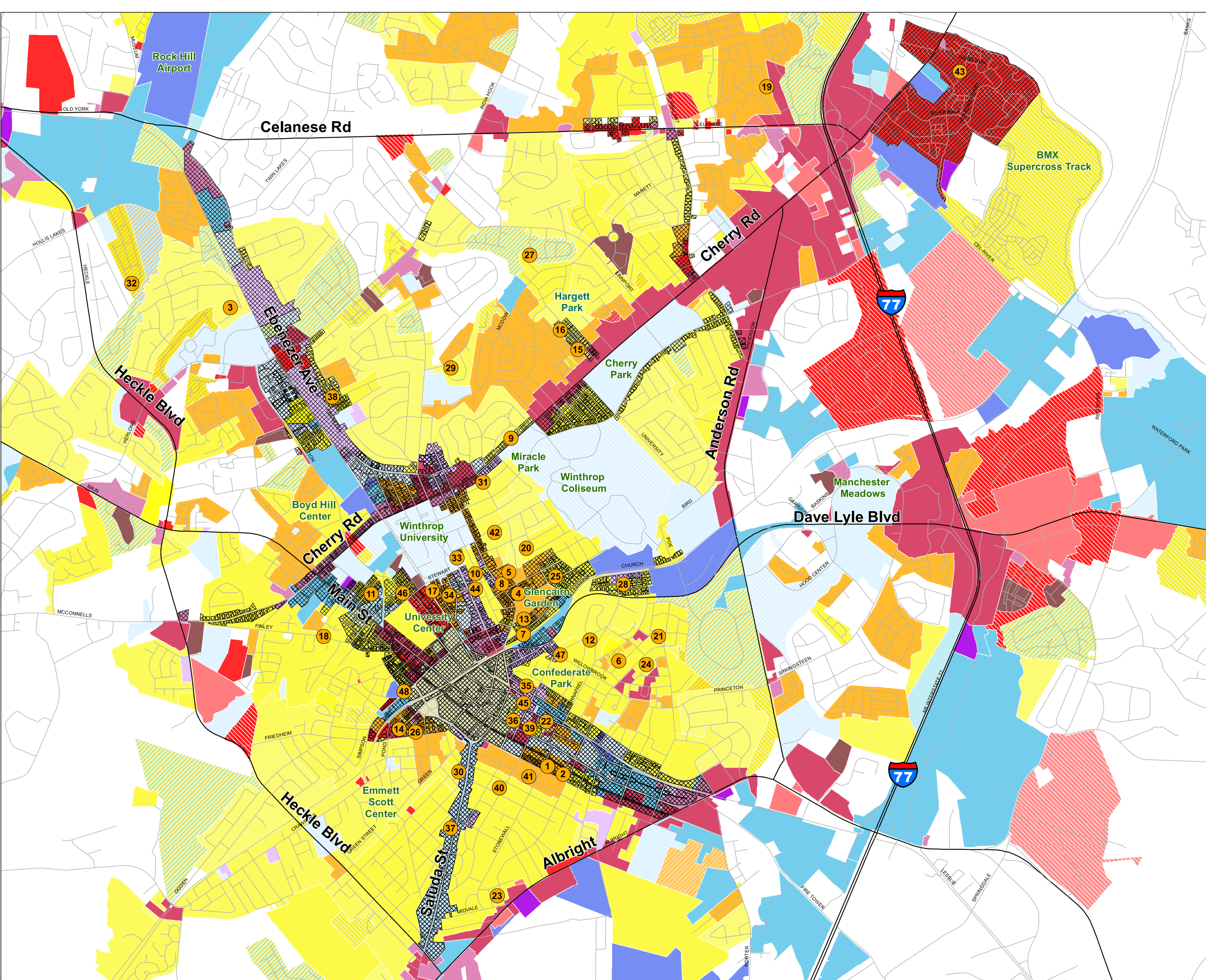
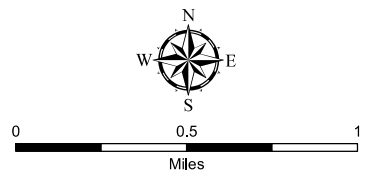
**Short Term Rental Locations
Approved as of 7/1/2022**

- | | |
|--------------------------------------|--|
| 1. 626 BLACK ST E | 24. 739 LEVEL ST |
| 2. 654 BLACK ST E | 25. 125, 303, 311, 326, 343, & 352 LONG ST |
| 3. 144 BROOKWOOD LN | 26. 418 HAMPTON ST |
| 4. 315 CATAWBA ST | 27. 1493 HOLLYTHORN DR |
| 5. 357 CATAWBA ST | 28. 5 HOWARD ST |
| 6. 637 and 637 1/2 CAUTHEN ST | 29. 710 KNOLLWOOD CT |
| 7. 714 CEDAR ST | 30. 350 MARION ST |
| 8. 356 CHARLOTTE AV, A & B | 31. 801 MILTON AV |
| 9. 957 CHERRY RD | 32. 2341 NUTHATCH DR |
| 10. 411 COLLEGE AV | 33. 626 & 630 1/2 OAKLAND AV |
| 11. 220, 222, & 235 COLUMBIA AV | 34. 403 PARK AV, A, B, C & D |
| 12. 742 CONFEDERATE AV N | 35. 357 PENDLETON ST, A & B |
| 13. 738 CREST ST | 36. 116 REID ST |
| 14. 453 DAVE LYLE BLVD S | 37. 816 SALUDA ST |
| 15. 1063 DEAS ST | 38. 133 & 133 1/2 SHURLEY ST |
| 16. 1145 DEAS ST | 39. 119 & 121 SPRUCE ST N |
| 17. 431, 508, 510, & 514 EBENEZER AV | 40. 514 SPRUCE ST S |
| 326 STEWART AV, A & B | 41. 320 S. STONEWALL ST |
| 330 STEWART AV, A, B, & C | 42. 764 SUMTER AV |
| 18. 724 FINLEY RD | 43. 749 TERRACE PK |
| 19. 1438 FLINTWOOD DR | 44. 520 UNION AV |
| 20. 517 FOREST LN | 45. 343 1/2 WHITE ST E |
| 21. 6 FRANCES ST | 46. 620 WHITE ST W |
| 22. 508 GLADSTONE | 47. 405 WILLOWBROOK |
| 23. 1038 S. JONES AVE. EXT. | 48. 362 WILSON ST S |

Proposed Short Term Rental Overlay District

Zoning Districts

- | | |
|-------|--------|
| CI | MP-BIP |
| SF-A | MP-CU |
| MF-R | MP-R |
| CC | PUD |
| DTWN | PUD-C |
| GC | PUD-GC |
| IB | PUD-I |
| IG | PUD-MH |
| IH | PUD-O |
| LC | PUD-R |
| MF-15 | SF-2 |
| MUC | SF-3 |
| NC | SF-4 |
| NO | SF-5 |
| OI | SF-8 |
| MP-C | |





MEMORANDUM

TO: Planning Commission
FROM: Dennis Fields, Planner III
Planning Commission Staff
RE: Regular Meetings for 2023
DATE: November 1, 2022

Please see below schedule of proposed meeting dates for 2023, with potential conflicts noted. Alternative meeting dates are shown in parentheses and will be advertised in case a meeting has to be moved due to unforeseen circumstances. Meetings will begin at 6:00 PM and will be held in City Hall Council Chambers unless otherwise noted on the agenda. We will be asking you to adopt the calendar at your November meeting.

<u>Regular Meeting Date</u>	<u>(Alternative Date)</u>	
January 3	(January 10)	
February 7	(February 14)	
March 7	(March 14)	
April 4	(April 11)	RHSD3 Spring Break April 3-7
May 2	(May 9)	Election of Officers
June 6	(June 13)	
July 11	(July 13)	
August 1	(August 8)	
September 5	(September 12)	Week of Labor Day
October 3	(October 10)	
November 7	(November 14)	
December 5	(December 12)	ChristmasVille 11/30

Thank you!

PLANNING & DEVELOPMENT

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