

Strategy Statement

Purpose

This paper presents the JJG team’s recommended statement of the goals and strategies that will guide the process of preparing the York County Unified Development Ordinance (UDO). The Strategy Statement includes goals identified by York County in the RFP for the UDO and strategies developed by the consultant based on the principal issues that have been raised during the fact finding phase of the project. The purpose of this working paper is to clarify issues and key decisions that will set the direction to be taken in reorganizing various county development regulations, and drafting new text for the UDO. The draft Strategy Statement is intended to be revised with comments from various leadership groups guiding the UDO process: the Project Management Team comprised of key York County staff, the York County Planning Commission and Zoning Board of Appeals, and the County Council. Once the statement is revised and meets the approval of the leadership groups, the consultants will be able to begin the production of the ordinance following the directions given in this Strategy Statement.

York County UDO Goals

The County identified the following guiding goals for development of the UDO:

- A. Consolidate and streamline land use, development, and subdivision regulations. 1
- B. Address current unmet needs and changing circumstances. 4
- C. Reflect the vision of the county as expressed in the adopted Comprehensive Plan. 8
- D. Make sure that the ordinance is logically organized, legally sound, and practical to enforce. 12
- E. Promote a high quality of customer service through the ordinance by making sure that it is structured for readability. 14
- F. Easy access to information, both in hard copy and in online versions. 15

A. Consolidate and streamline land use, development, and subdivision regulations.

Issue 1: Standards for uses are found in various locations throughout the ordinances that will make up the UDO.

Strategy 1a: Create a new section for Supplemental Use Standards to consolidate and address the various conditions put on specific uses [conditions specific to various zoning districts will remain in the appropriate zoning district sections].

Strategy 1b: Create a new section for Accessory Use Standards to consolidate and address the various regulations put on accessory uses [conditions specific to various zoning districts will remain in the appropriate zoning district sections].

Subdivision Standards and Process

Issue 2: The subdivision review process could be made more efficient.

Strategy 2a: Move the subdivision review process to the same section as other development review processes.

Strategy 2b: Require large tract developers to participate in the sketch phase of the development process.

Strategy 2c: Develop a two-tier review process for small scale and large scale subdivisions.

Strategy 2d: Consolidate and re-organize supporting data requirements for plat approval.

Strategy 2e: Develop a summary table and checklist of plat approval process requirements.

Issue 3: Commercial subdivision standards, especially for outparcels, are unclear.

Strategy 3a: Insert a new section in the subdivision regulations that addresses any unique elements of commercial subdivisions.

Strategy 3b: Define outparcel with specifics regarding how it relates to the tract from which it is being subdivided.

Zoning Process

Issue 4: The rezoning process needs improvement.

Strategy 4a: Amend re-zoning requirements to allow for conditional zoning.

Strategy 4b: Include language for conditional zoning that clarifies the type of conditions that the county can impose and under what circumstances, including community priorities such as open space preservation.

Issue 5: Submittal requirements for rezonings and the Zoning Board of Appeals are deficient.

Strategy 5a: Identify additional review needs for the rezoning process and include in submittal requirements.

Strategy 5b: Remove standards language from Zoning Compliance section to appropriate sections of the UDO (e.g. building height, parking standards, etc.)

Issue 6: Zoning Compliance requirements and processes need greater clarity.

Strategy 6a: Relocate Zoning Compliance discussion to portion of the UDO addressing permitting.

Strategy 6a: Remove standards language from Zoning Compliance section to appropriate sections of the UDO (e.g. building height, parking standards, etc.)

Landscaping, Bufferyards, and Tree Conservation

Issue 7: Landscaping requirements are not clearly connected with bufferyard requirements and the tree conservation regulations.

Strategy 7a: Provide text within the UDO to better link landscaping and tree preservation requirements with buffer requirements.

Strategy 7b: Incorporate a natural resources survey requirement for development sites over a certain size or within targeted areas of the community as identified in the adopted York County Open Space Plan.

Issue 8: Landscaping requirements are inflexible and sometimes inadequate.

Strategy 8a: Review, coordinate and clarify and improve definitions related to landscaping.

Strategy 8b: Review, coordinate and update landscaping requirements, including bufferyard plantings and parking lot landscaping to meet open space, buffering and connectivity goals of the county.

Issue 9: Bufferyard requirements are inflexible and sometimes inadequate.

Strategy 9a: Review and modify bufferyard requirements as necessary.

Strategy 9b: Amend bufferyard requirements to ensure that adequate pedestrian access is permitted from buildings to adjacent uses.

Strategy 9c: Add incentives to encourage vegetative bufferyards over the use of walls and fences.

B. Address current unmet needs and changing circumstances.

Transitions between Development Contexts

Issue 1: Better transitions need to occur between the county's diverse urban, suburban, and rural character areas.

Strategy 1a: Develop overlay district standards for transition areas of the county.

Strategy 1b: Create a review mechanism to inform affected municipalities of new development proposals and provides an opportunity for comment.

Strategy 1c: Allow for more dense development in transition areas abutting municipalities.

Strategy 1d: Develop urban, suburban, and rural arterial/corridor standards.

Issue 2: Lot width requirements do not allow for sufficient flexibility to meet the needs of various environments.

Strategy 2a: Revise lot width requirements to reflect the development scale of the adjacent area and/or the street type rather than the use of the land.

Issue 3: Agricultural zoning is not sufficiently addressed in the zoning code.

Strategy 3a: Create conditions under which agricultural zoning would be eligible for a zoning change when areas are in transition. **(See Open Space Plan, Goal OS-1.4.)**

Strategy 3b: Develop multiple agricultural zones to allow for diverse degrees of agricultural uses.

Strategy 3c: Review and adjust use requirements to ensure that community gardens and farmers markets are allowed and sufficiently regulated.

Parking Requirements

Issue 4: Parking requirements are outdated and need to reflect changes in community needs and industry standards.

Strategy 4a: Review and consider incorporating industry standards parking.

Strategy 4b: Incorporate both maximum and minimum parking standards.

Strategy 4c: Review appropriateness of shared parking allowances.

Issue 5: Parking requirements are not flexible enough to meet county needs.

Strategy 5a: Rewrite parking regulations to improve clarity of requirements and unique needs, such as loading area requirements.

Strategy 5b: Review and clarify shared parking regulations.

Strategy 5c: Encourage on-street parking in appropriate locations by allowing a portion on on-street spaces to be credited against minimum parking requirements.

Permitted Uses

Issue 6: Permitted uses within zoning districts needs to be updated.

Strategy 6a: Develop a Table of Uses employing the North American Industrial Classification System (NAICS) method for classifying land uses and identifying whether they are permitted or allowed by Special Exception in each zoning district.

Issue 7: Mobile vending is not addressed.

Strategy 7a: Review zoning districts that currently allow mobile vending and remove from districts where inappropriate.

Strategy 7bX: Create performance standards that allow for the temporary use of mobile vending and other permitted temporary uses.

Strategy 7c: Create a broader content of temporary uses and temporary use permits for things such as mobile vending, temporary fireworks sales, haunted hayrides, seasonal produce markets, Christmas tree sales, etc.

Issue 8: No allowances exist for light commercial uses in rural zoning districts.

Strategy 8a: Determine what uses/level of intensity of use would be appropriate in rural districts and allow as permitted uses or Special Exceptions as appropriate.

Strategy 8b: Develop a Rural Commercial zoning district. **(See also Section C, Issue 5)**

Issue 9: The UDO needs to ensure that ecotourism uses are possible within appropriate areas.

Strategy 9a: Add a definition for ecotourism to the UDO.

Strategy 9b: Incorporate ecotourism related uses as a permitted use within appropriate zoning districts.

Public Improvement Standards

Issue 10: Public improvement standards do not address all areas sufficiently.

Strategy 10a: Develop design standards for roadways that ensure compatibility with connecting corridors.

Issue 11: Walkability and pedestrian connectivity goals of the county are not being adequately achieved due to conflicting development requirements.

Strategy 11a: Identify and rectify code requirements that conflict with walkability goals.

Strategy 11b: Add pedestrian connectivity requirements between adjacent developments.

Strategy 11c: Require sidewalks in more urban areas of the county, e.g. transition areas adjacent to municipalities.

Strategy 11d: Add provisions that require the connection of internal site pedestrian walkways to public greenways/trails. **(See also Section C, Issue 7)**

Issue 12: Access management requirements could be strengthened to improve traffic flow.

Strategy 12a: Consolidate the various driveway spacing and curb-cut standards found throughout the Zoning and Subdivision Regulations into a specific section on Access Management. Consider including reference to the SCDOT A.R.M.S. manual to ensure consistency with state regulations.

Strategy 12b: Provide incentives for driveway consolidation and removal of curb-cuts on targeted county roadways.

Strategy 12c: Create Overlay Districts to apply more intensive Access Management standards to targeted county roadways.

Issue 13: Traffic patterns are inefficient, largely as a result of limited connectivity between developments.

Strategy 13a: Develop street connectivity requirements for adjacent developments.

Strategy 13b: Strengthen access requirements for subdivisions to provide an adequate number of entrances/exits for the number of lots.

Strategy 13c: Create incentives for block style development.

Strategy 13d: Consider limiting situations where cul-de-sacs may be used.

Issue 14: Performance and maintenance bonding requirements are inadequate.

Strategy 14a: Review bonding policies throughout ordinances.

Strategy 14b: Identify and rectify inconsistencies and inadequacies for performance and maintenance bonding.

Consistency with Neighboring Communities

Issue 15: Greater consistency is needed between York County's regulations and those of surrounding communities.

Strategy 15a: Review and incorporate best practices from targeted code sections of benchmark communities.

Strategy 15b: Develop design guidelines for transition which could be adopted by both the county and applicable municipality.

Issue 16: Neighboring communities are allowing for low impact design (LID).

Strategy 16a: Clarify the LID and other related definitions.

Strategy 16b: Provide a clear-cut process of incorporating bio-swales, rain gardens, and other low-impact design elements into developments.

Strategy 16c: Provide incentives for the use of LID techniques.

Sign Ordinance

Issue 17: The sign ordinance is confusing and could be improved to better meet community goals.

Strategy 17a: Identify the basic sign standards that should exist throughout the county to create that connectivity between signs for different land uses. These basic standards can then be augmented as necessary to address specific uses and/or geographic areas. **(See Strategy 17d below)**

Strategy 17b: Review municipal sign ordinances to identify common requirements that can be incorporated into the County's UDO. **(See also Section B, Issue 15)**

Strategy 17c: Develop design guidelines to illustrate and clarify sign standards.

Strategy 17d: Develop signage overlay districts for targeted areas of the county with unique character.

Environmental Regulations

Issue 18: Code requirements are not always supportive of the preservation of sensitive environmental areas of the community.

Strategy 18a: Ensure that sensitive water areas are being adequately protected in codes.

Strategy 18b: Review and improve maintenance standards for hydrologically sensitive areas of development sites, using best practices from neighboring communities as a template.

Strategy 18c: Review and update requirements related to permitted uses within hydrologically sensitive lands. Ensure requirements meet or exceed state requirements.

Strategy 18d: Review green development standards of benchmark communities and incorporate as appropriate.

Issue19: Stormwater management and erosion control mechanisms are outdated.

Strategy 19a: Incorporate recent updates to the stormwater management and sediment control ordinance in the UDO.

Strategy 19b: Develop alternative low impact design mechanisms to meet stormwater management needs. **(See also Section B, Issue 16)**

Issue20: Stream buffer regulations could be expanded.

Strategy 20a: Include regulations for streams outside of the Lake Wylie and Catawba River areas.

C. Reflect the vision of the County as expressed in the adopted Comprehensive Plan.

Targeted Development

Issue 1: The County's Code needs to be brought into consistency with the Comprehensive Plan.

Strategy 1a: Evaluate the effectiveness of regulatory changes made as part of the IDO process and updated/revise as appropriate.

Strategy 1b: Identify any policies or goals of the Comprehensive Plan that have not been adequately addressed and include new regulations as necessary in the UDO.

Issue 2: More incentives are desired to encourage sought-after development patterns for targeted areas of the county.

Strategy 2a: Review current density bonus provisions and revise as necessary.

Strategy 2b: Create processes for expedited review when development occurs in targeted areas, such as within the Urban Service Boundary (USB).

Strategy 2c: Review development incentives of local municipalities and incorporate in the UDO as necessary to ensure the county is not at a disadvantage for attracting desirable development.

Strategy 2d: Offer an expedited review process or other incentives for infill development and redevelopment.

Issue 3: Redevelopment regulations lack flexibility and clarity.

Strategy 3a: Add redevelopment goals to regulatory language.

Strategy 3b: Clarify review process for redevelopment projects.

Strategy 3c: Clarify when redevelopment/renovations trigger the need to bring a property/use up to the current code requirements. **(See also Section D, Issue 2)**

Issue 4: No current ordinance language specifically targets infill development sites.

Strategy 4a: Define infill development.

Strategy 4b: As appropriate, add a designated zoning district, overlay district or supplemental development standards addressing infill development goals and related policies.

Strategy 4c: Consider incorporating incentives to facilitate infill development.

Issue 5: Mass-grading detracts from York County's sense of place and natural environment.

Strategy 5a: Add criteria for determining when mass grading would be permissible.

Strategy 5b: Allow flexibility of design when native and historic vegetation is preserved on a site.

Strategy 5c: Add additional language to the Sediment and Erosion Control regulations to clearly discourage mass grading of sites, focusing on the negative effects of such activity.

Issue 6: There is a need to ensure quality development while not deterring or making desirable development cost prohibitive.

Strategy 6a: Develop design guidelines for targeted development areas within the county.

Strategy 6b: Provide flexible options for meeting architectural guidelines.

Strategy 6c: Allow for alternative material use if other community goals are met.

Open Space Preservation

Issue 7: Open space preservation standards could be modified to improve protection of natural resources, recreational areas, and scenic vistas.

Strategy 7a: Provide incentives to increase open space provision along Carolina Thread trail.

Strategy 7b: Incorporate recommendations of York County's Open Space Plan into the Unified Development Ordinance.

Strategy 7c: Develop provisions for off-site mitigation of open space requirements.

Strategy 7d: Provide standards for connectivity between differing open spaces, particularly within mixed-use developments and subdivisions and in between adjacent developments.

Strategy 7e: Identify specific natural resources and areas that should not be affected by traditional subdivision design.

Issue 8: There are limited options for provision of open space.

Strategy 8a: Add more rigorous language and requirements to the fee in lieu of open space option for developers tying fees to the county's open space goals.

Strategy 8b: Develop off-site mitigation opportunities with clear standards for when this can be employed.

Strategy 8c: Create a density bonus program for provision of public trails on development sites. **(See also Section B, Issue 11)**

Issue 9: Cluster [conservation] subdivision regulations have limited flexibility.

Strategy 9a: Review and update buffer requirements to allow for appropriate separations between adjacent uses.

Strategy 9b: Require pedestrian connectivity to adjacent uses.

Strategy 9c: Create a performance-based system for acquiring density increases.

Strategy 9d: Coordinate open space requirements for cluster subdivisions with the County's Open Space Plan.

Mixed-Use Development

Issue 10: Standards and regulations for the Planned Development (PD) zoning district are contradictory and lack clarity in some cases.

Strategy 10a: Remove inconsistencies.

Strategy 10b: Coordinate parking and siting standards for commercial and residential PD.

Strategy 10c: Provide a sliding scale for use requirements of developments, depending on the size of the development.

Issue 11: Acreage required for Planned Development (PD) and Traditional Neighborhood Development (TND) is excessive and not scalable.

Strategy 11a: Develop regulations for rural, suburban, and urban scale mixed-use development.

See Also Strategy 10c above.

Issue 12: Development regulations do not fully accommodate the mixed-use needs and desires of the community.

Strategy 12a: Consider developing a new zoning district to provide for neighborhood scale mixed use for use in the county's urban enclaves.

Strategy 12b: Identify area of county where mixed-use would be appropriate and develop overlay standards.

Strategy 12c: Adjust neighborhood commercial allowable uses to permit those uses that have gained acceptance by community members.

Architectural/Building Design Standards

Issue 13: Architectural standards are sometimes conflicting in high profile areas of the county.

Strategy 13a: Identify corridor areas that require greater architectural compatibility either due to their high probability for development, redevelopment potential, or important role in the larger community.

Strategy 13b: Review and strengthen design standards for development and redevelopment along corridors.

Strategy 13c: Develop architectural compatibility requirements for developments that are integrally related, as a result of sharing the same block, parking, or being legally connected by other means.

Tree Ordinance

Issue 14: The tree ordinance is too general and does not account the range of values that different species and tree age add to the community.

Strategy 14a: Revise tree ordinance language to better define goals and objectives of the ordinance.

Strategy 14b: Improve tree ordinance to encourage greater preservation of grand trees throughout the county.

Strategy 14c: Better define a grand tree and measuring techniques for a multi-stem tree.

Strategy 14d: Develop quotas that provide for the provision of a balanced mix of native trees on large development and redevelopment sites.

Issue 15: Tree maintenance requirements are not sufficient to ensure continued tree health after development is completed.

Strategy 15a: Extend maintenance requirements for trees based on proven tree maintenance standards.

Strategy 15b: Add tree maintenance requirements to development standards for outparcel sites.

D. Make sure that the ordinance is logically organized, legally sound, and practical to enforce.

Definitions

Issue 1: Definitions are outdated and in some cases not clearly defined.

Strategy 1a: Consolidate all definitions from various ordinances in one section at the beginning of the UDO.

Strategy 1b: Revise or eliminate redundant and conflicting definitions, and update definitions to be consistent with state requirements, where appropriate.

Strategy 1c: Use standard professional references for updating definitions.

Urban Service Boundary

Issue 2: The Comprehensive Plan proscribes an Urban Service Boundary, but its location and influence are not clear.

Strategy 2a: If appropriate, include a definition of the Urban Service Boundary, where utilities will not be extended.

Strategy 2b: Define the intent and legal impact of the Urban Service Boundary on development potential of lands both within and outside the boundary.

Strategy 2c: Develop performance standards for unincorporated areas that abut municipalities, allowing for a smooth character transition.

Non-Conforming Uses

Issue 2: Non-conforming uses are increasingly appearing in the development review process.

Strategy 2a: Develop process for extending/allowing continuation of non-conforming uses.

Strategy 2b: Include explicit standards for what triggers the need for conformity.

Issue 3: The development review process for non-conforming uses is inefficient.

Strategy 3a: Clarify language for non-conforming uses.

Strategy 3b: Add new language to clarify non-conforming sites.

Issue 4: Parking and buffer requirements need increased flexibility for non-conforming lots/building.

Strategy 4a: Provide for variances to these requirements when certain criteria are met for non-conforming uses.

Development Review Processes

Issue 6: Small developments are required to follow the same review process as large developments. This is an issue as it places an undue burden on small projects, which usually have minor impact on the community, particularly in terms of environmental impacts, travel demand, and need for other public services.

Strategy 6a: Allow for more than one track in the development review process, depending on the size of the development.

Issue 7: Large track developments are the most difficult proposals to put through the development review process due the amount of requirements.

Strategy 7a: Require a pre-application process meeting with the zoning administrator.

Issue 8: The zoning variance procedure is not clearly understood by the community.

Strategy 8a: Put Supplemental Regulations related to variance procedures under new heading.

Strategy 8b: Move variance procedure to a prominent and logical location in the UDO.

Strategy 8c: Improve variance procedure text to improve readability and highlight key steps.

Strategy 8d: Revise hardship qualifications to make them more easily understandable.

Issue 9: Re-use standards of existing commercial and industrial spaces are unclear and require greater flexibility.

Strategy 9a: Clarify re-use standards and incorporate greater flexibility allowing for alternate means of meeting standards when criteria are met or negative impacts minimal or sufficiently mitigated.

Issue 10: Failure to meet accessory use requirements often requires an additional review process.

Strategy 10a: Improve code language regarding accessory uses.

Issue 11: The development review process for townhomes needs to be improved.

Strategy 11a: Review and update process as necessary.

Strategy 11b: Include Supplemental Regulations for town house development in a new Supplemental Use Regulations section.

Issue 12: Incompatible design issues have led to undue development regulations.

Strategy 12a: Develop and/or refine existing overlay districts to ensure continuation of desired character within targeted areas.

Strategy 12b: Incorporate simple, form-based design elements that can apply to all uses within the county's tiered development areas (e.g. rural, suburban, urban areas).

Strategy 12c: Develop a Design Review Committee for development proposals within specified community zones (e.g. overlay districts, transitions areas).

E. Promote a high quality of customer service through the ordinance by making sure that it is structured for readability.

Timely Administrative Policies

Issue 1: Certain administrative policies inhibit the timely and effective enforcement of codes.

Strategy 1a: Streamline the process for addressing violations of residential housing code.

Strategy 1b: Clarify the timing and penalties associated with meeting residential administrative requirements.

Strategy 1c: Provide development review checklists for applicants.

Issue 2: The amount of time required for permitting inhibits the construction process.

Strategy 2a: Provide an expedited review option for permits when additional fee are paid.

Strategy 2b: Incorporate the multi-department review meetings currently required for applicants into the development processes outlined in the UDO

F. Easy access to information, both in hard copy and in online versions.

Administrative Review

Issue 1: Administrative review of development proposals is being slowed down due to incomplete or hard to read development submittals.

Strategy 1a: Provide checklists for development proposal submittals that are easily accessible to the community via county offices, on-line, etc.

Strategy 1b: Add CAD standards as a requirement to the submittal process.

Strategy 1c: Clarify the “plan check” process and add it to the submittal process for development review.

Issue 2: Information regarding new development in areas bordering municipalities is not always passed along in a timely manner.

Strategy 2a: Develop a process by which affected municipalities have an opportunity to comment on upcoming development proposals.

Issue 3: County is moving to a dual electronic/hard copy submittal development proposal submittal process.

Strategy 3a: Add incentives for providing electronic copies of development proposals.