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REVIEWED BY  
PREPARED BY  
CITY ATTORNEYS OFFICE

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AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF  
ROCK HILL CODE, ARTICLE 6: DEVELOPMENT AND DESIGN STANDARDS  
CONCERNING INFILL DESIGN AND DEVELOPMENT STANDARDS  
FOR OLD TOWN AREA

BE IT ORDAINED by the Governing Body of the City of Rock Hill

in Council assembled:

SECTION 1. That this ordinance is being adopted in order to effect proper compliance with the provisions of the Home Rule Act of 1975, now South Carolina Code of Laws for 1976, Section 5-7-30, Section 5-7-260 and Sections 6-29-710, et seq. and Section 2-48 and Section 2-96 of the Code of the City of Rock Hill.

SECTION 2. That the Proposed Amendments to the Zoning Ordinance concerning infill design and development standards for Old Town area and things affected by this Ordinance are being acted upon following Planning Commission consideration thereof, after due notice and public hearing held on November 1, 2011.

SECTION 3. That the Zoning Ordinance of the City of Rock Hill, **Article 6: DEVELOPMENT AND DESIGN STANDARDS, Section 6-100: Off Street Parking and Loading, Subsections (C) (3) Surfacing, (J) (2) Shared Parking and (J) (8) Alternative Materials and Section 6-800: Design Standards, Subsection (F) (4) (h) Location and Visibility of Parking Areas,** be and the same are hereby amended by deleting

certain sections of the existing text and inserting in lieu thereof the following:

SEE EXHIBIT "A" ATTACHED HERETO.

SECTION 4. That all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. That this Ordinance shall be and become finally binding immediately after receiving first and second readings given in the manner required by law.

DONE AND RATIFIED in Council assembled on this the \_\_\_\_\_  
day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
A. Douglas Echols, Jr., Mayor

\_\_\_\_\_  
John A. Black, III, Mayor Pro Tempore

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Susie B. Hinton, Councilmember

\_\_\_\_\_  
Kathy S. Pender, Councilmember

\_\_\_\_\_  
James C. Reno, Jr., Councilmember

\_\_\_\_\_  
Osbey Roddey, Councilmember

\_\_\_\_\_  
Kevin H. Sutton, Councilmember

ATTEST:

\_\_\_\_\_  
Anne P. Harty  
Municipal Clerk

## Exhibit A

### 6-100 (C) (3) Surfacing

#### (a) General

All off-street parking and loading areas shall be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent material, except as provided for in Section 6-100(J)(8), Alternative Materials. These materials shall be maintained in a smooth, well-graded condition. Except for single-family residential development, including but not limited to residential rental properties in Old Town on adjacent parcels under common ownership through an Alternative Parking Plan ((Section 6-100(J)(8)), gravel shall not be used to satisfy the minimum number of required off-street parking spaces.

### Section 6-100 (J) (2) Shared Parking

Requests for shared parking shall comply with all of the following standards:

#### (a) Same or More Intensive Use

A shared parking area shall be located on a site with the same or more intensive zone district classification than required for the primary uses served.

1. Those wishing to use shared parking as a means of satisfying the off-street parking standards must submit a shared parking request that justifies the feasibility of shared parking. Justification shall include information on the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.
  - a. The maximum reduction in the number of parking spaces required for all uses sharing the parking area shall be fifty percent (50%).
  - b. Directional signage which complies with the standards of this Ordinance shall be added to direct the public to the shared parking spaces. It is preferable for the employees of an establishment to utilize these spaces.
2. A shared parking plan shall be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be recorded. Recordation of the agreement shall take place prior to issuance of a Zoning Permit (see Section 2-300(O)) for any use to be served by the shared parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with the requirements of Table 6-100(D)(1), *Minimum Off-Street Parking Standards*.

However, for residential rental properties in Old Town on adjacent parcels under common ownership a shared parking plan shall be enforced through the approved Site Plan for the project. As part of this approval, the owner of the properties may eliminate one or more driveways that previously served the single-family residences. However, the associated curb cuts onto the adjacent street must remain so that if the parcels are ever sold independently from one another in the future, the new owners may re-establish the driveways.

### 6-100 (J) (8) Alternative Materials

The use of pervious or semi-pervious parking area surfacing materials, including but not limited to grass, mulch, "grass-crete", or recycled materials such as glass, rubber, used asphalt, brick, block and concrete may be approved for up to twenty-five percent (25%) of the required vehicular surface area on a site provided that such areas are properly maintained. Where possible, such

materials should be used in areas proximate to and in combination with on-site stormwater control devices.

The use of alternative materials as listed in the paragraph above, or, in the rear of the structure, the use of gravel, may be approved for up to 100% of the required vehicular surface area for residential rental properties in Old Town on adjacent parcels under common ownership, provided that such areas are properly maintained. However, the Planning and Development Director may require the paving of the parking areas and associated driveways in part or in whole to facilitate access to dumpsters, to protect highly-traveled areas such as entrances and exits from disrepair, and/or when parking areas exhibit frequent signs of disrepair.

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**6-800 (F) (4) (h) Location and Visibility of Parking Areas and Access Drives**

When parking areas for residential rental properties in Old Town on adjacent parcels under common ownership are located to the rear of the structures the visibility of these parking areas from public viewing areas, such as adjacent streets, and from neighboring properties must be minimized through screening. This screening may take the form of a vegetative or solid material fence (such as but not limited to wood or masonry) that is at least 6 feet tall and at least ninety percent (90%) opaque.

The access drives that serve these parking areas must be internal to the properties served.

PLEASE NOTE: In the below, the black text marks the current regulations, the red marks the originally proposed regulations, and the blue marks proposed changes since this came before you last fall.

**PROPOSED AMENDMENTS TO SECTION 6-100, SUBSECTIONS (C)(3) AND (J)(2)**

**6-100 (C) (3) Surfacing**

**(a) General**

All off-street parking and loading areas shall be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent material, except as provided for in Section 6-100(J)(8), Alternative Materials. These materials shall be maintained in a smooth, well-graded condition. Except for single-family residential development, including but not limited to residential rental properties in Old Town on adjacent parcels under common ownership through ~~as allowed as~~ an Alternative Parking Plan ((Section 6-100(J)(8)), gravel shall not be used to satisfy the minimum number of required off-street parking spaces.

**Section 6-100 (J) (2) Shared Parking**

Requests for shared parking shall comply with all of the following standards:

**(a) Same or More Intensive Use**

A shared parking area shall be located on a site with the same or more intensive zone district classification than required for the primary uses served.

1. Those wishing to use shared parking as a means of satisfying the off-street parking standards must submit a shared parking request that justifies the feasibility of shared parking. Justification shall include information on the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.
  - a. The maximum reduction in the number of parking spaces required for all uses sharing the parking area shall be fifty percent (50%).
  - b. Directional signage which complies with the standards of this Ordinance shall be added to direct the public to the shared parking spaces. It is preferable for the employees of an establishment to utilize these spaces.
2. A shared parking plan shall be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be recorded. Recordation of the agreement shall take place prior to issuance of a Zoning Permit (see Section 2-300(O)) for any use to be served by the shared parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with the requirements of Table 6-100(D)(1), *Minimum Off-Street Parking Standards*.

However, for ~~residences under common ownership~~ residential rental properties in Old Town on adjacent parcels under common ownership in Old Town, ~~that have an outward appearance of a single-family home but that have a multi-family use,~~ a shared parking plan shall be enforced through the approved Site Plan for the project. As part of this approval, the owner of the properties may eliminate one or more driveways that previously served the single-family residences. However, the associated curb cuts onto the adjacent street must remain so that if the parcels are ever sold independently from one another in the future, the new owners may re-establish the driveways.

**6-100 (J) (8) Alternative Materials**

The use of pervious or semi-pervious parking area surfacing materials, including but not limited to grass, mulch, "grass-crete", or recycled materials such as glass, rubber, used asphalt, brick, block and concrete may be approved for up to twentyfive percent (25%) of the required vehicular surface area on a site provided that such areas are properly maintained. Where possible, such materials should be used in areas proximate to and in combination with on-site stormwater control devices.

The use of alternative materials as listed in the paragraph above, or, in the rear of the structure, the use of gravel, may be approved for up to 100% of the required vehicular surface area for residential rental

properties in Old Town on adjacent parcels under common ownership, residences in Old Town that have an outward appearance of a single family home but that are have a multi-family use, provided that such areas are properly maintained. However, the Planning and Development Director may require the paving of the parking areas and associated driveways in part or in whole to facilitate access to dumpsters, to protect highly-traveled areas such as entrances and exits from disrepair, and/or when parking areas exhibit frequent signs of disrepair.

***PROPOSED NEW SUBSECTION AT 6-800 (F) (4)***

**6-800 (F) (4) (h) Location and Visibility of Parking Areas and Access Drives**

~~When p~~Parking areas for structures in Old Town that have an outward appearance of a single family home but that have a multi-family use residential rental properties in Old Town on adjacent parcels under common ownership are required to be located to the rear of the structures. ~~In a few limited situations, such as but not limited to topography, the location of an existing structure too close to the rear property line to accommodate parking there, the presence of a single family use adjacent to the proposed rear parking area, or to protect a heritage tree(s), the Planning and Development Director may allow parking on another portion of the property besides to the rear of the structure.~~

~~The~~ visibility of these parking areas from public viewing areas, such as adjacent streets, and from neighboring properties should must be minimized through screening landscaping materials, fencing, or other means. This screening may take the form of a vegetative or solid material fence (such as but not limited to wood or masonry) that is at least 6 feet tall and at least ninety percent (90%) opaque.

The access drives that serve these parking areas must be internal to the properties served.