



**TOWN OF FORT MILL  
PLANNING COMMISSION MEETING  
January 21, 2020  
112 Confederate Street  
6:30 PM  
AGENDA**

**CALL TO ORDER**

**ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON**

**APPROVAL OF MINUTES**

1. Regular Meeting: December 17, 2019 *[Pages 2-5]*

**NEW BUSINESS ITEMS**

1. **Text Amendment: HC Highway Commercial District** *[Pages 6-13]*  
An ordinance amending the Zoning Ordinance for the Town of Fort Mill; Article II, Requirements by District; Section 9, HC Highway Commercial District; so as to add Religious Institutions as an allowed use in the Highway Commercial District.
2. **Text Amendment: INS Institutional District** *[Pages 14-18]*  
An ordinance amending the Zoning Ordinance for the Town of Fort Mill; Article II, Requirements by District; Section 29, INST Institutional District; to establish requirements for Religious Institutions; to provide for a Public Hearing; and, to provide other matters relating thereto

**INFORMATION/DISCUSSION**

1. **Preliminary Commercial Appearance Review: Fort Mill Hospital**

**ADJOURN**

*The following press was notified of the meeting by email or fax in accordance of the Freedom of Information Act: The Herald; CN2; WRHI; Fort Mill Times and WBTV. The agenda was also posted at the entrance to Town Hall the required length of time and on the Town website.*

*The Town of Fort Mill is committed to assuring accessibility with reasonable accommodation, of Town services and facilities for all individuals, in compliance with federal law. Please contact the Town Manager's Office at 803-547 2116 if you need assistance.*

**MINUTES  
TOWN OF FORT MILL  
PLANNING COMMISSION MEETING  
December 17, 2019  
112 Confederate Street  
6:30 PM**

Present: James Traynor, Tom Petty, Hynek Lettang, Matthew Lucarelli, Chris Wolfe, Ben Hudgins, Planning Director Penelope Karagounis, Planner II Nick Cauthen

Absent: Andy Agrawal

Guests: B. Bayles Mack, Wendy Chrisley, Toby Chrisley, and Rachel Pierce

Chairman Traynor called the meeting to order at 6:30 pm.

Mr. Wolfe made a motion to approve the minutes from the November 19, 2019 Planning Commission meeting. Mr. Hudgins seconded the motion. The minutes were approved by a vote of 6-0.

**NEW BUSINESS ITEMS**

- 1. Rezoning Request: B. Bayles Mack:** Ms. Karagounis provided an overview for the request from B. Bayles Mack, to rezone two properties, containing approximately 3.267 +/- acres from GI, General Industrial to HC, Highway Commercial. The applicant's rezoning request is based on the desire to down zone for commercial use rather than industrial. The town's Comprehensive Plan recommends "employment" as the preferred land use in this location allowing for uses that can be more feasibly situated as the parcels are bordered by U.S. Foods and Banks Trail Middle School.

Mr. Wolfe asked a question of where is the pseudo line for commercial districts near Bradley Park which will be for commercial on the Long-Range Plan? Based on the Future Land Use Map, this area is considered as Employment.

There was also discussion about access to the Fort Mill Parkway. The applicant confirmed that the potential access would be from Banks Road and Wolfpack Trail. It would not be viable to have access to the Fort Mill Parkway due to the close proximity to the bridge. Planning Director Karagounis stated that access management would be also reviewed by the SCDOT, the County, and the Town of Fort Mill for the site.

After no further questions or comments Chairman Traynor asked for a motion. Mr. Wolfe made the motion to recommend in favor of approval of the rezoning request. Mr. Lettang seconded the motion. The motion was approved by a vote of 6-0.

- 2. Commercial Appearance Review: Rev. Jacob Collins (Eternal Church)**

Mr. Cauthen provided a brief overview of the request, the purpose of which was to review and consider granting commercial appearance review approval for a proposed church located at the end of O'Henry Road. Mr. Cauthen provided a site plan and elevations to the Commissioners as part of the staff report. The proposal included a 25,000 sq. ft. building along with 226 parking spaces. The Planning Department recommended approval of the request with the condition for staff to be able to approve minor adjustments.

Mr. Hudgins asked if there were any material samples available to view? The applicant said no.

Mr. Lettang said as a general rule the Planning Commission does not approve metal sided buildings. Mr. Wolfe agreed and said a metal roof is fine but the concern with metal siding is upkeep.

Mr. Traynor noted that metal siding had unfortunately come up with a couple of other churches and the Commission has been consistent in their requirements. He is aware there may be at least one other church in Town that does have metal siding, but it was built years ago. Chairman Traynor asked the applicant if they were aware of any alternative options pertaining to siding material.

The applicant stated they were open to other materials, but cost was the biggest factor.

Mr. Petty asked about the framing material of the building. The applicant stated it was a pre-engineered metal building.

Mr. Wolfe said he was an advocate of new churches, but the metal is a big concern. The location and layout seem good.

Mr. Traynor noted it would be very helpful to have material samples in the future of the roofing and walls.

Mr. Wolfe asked if staff found anything else of note that may need to be changed prior to another submittal. Staff said no.

Mr. Traynor asked about the dumpster location. Mr. Wolfe said there was a note saying they would have roll-out trash. He followed by saying the Commission always tries to be sensitive to the appearance of new projects from nearby properties.

Mr. Hudgins noted a concern about the potential traffic resulting from the church. Staff said Central Ave will be paved and the roads leading to the church will be striped and resurfaced if needed after construction.

Mr. Wolfe told the applicant that staff could give recommendations regarding materials that would be acceptable to the Commission going forward. The applicant asked if the

sanctuary (back half of the building) could be metal. Mr. Traynor said that metal portions had come up in the past and the Commission has consistently said no. Mr. Wolfe followed by saying the intent is to work with you as much as possible but churches and schools cannot be treated any differently appearance wise than other uses.

The applicant asked if a metal roof would work and Chairman Traynor said the Commission has no issues with a metal roof considering they actually have a longer lifespan than asphalt shingles.

After no further questions or comments Chairman Traynor asked for a motion. Mr. Hudgins made a motion to defer commercial appearance review approval until an alternative siding material could be presented. Mr. Lettang seconded the motion. The motion was approved by a vote of 6-0.

**3. Commercial Appearance Review: Robert Johnson Architects**

Mr. Cauthen provided a brief overview of the request, the purpose of which was to review and consider granting commercial appearance review approval for phase 2 of a commercial shell building located at 1500 Fort Mill Parkway. The initial phase was approved back in January of 2019. Mr. Cauthen provided the previously approved site plan and elevations to the Commissioners as part of the staff report. The proposal included a 8,666 sq. ft. addition to the existing 9,913 sq. ft. building. The Planning Department recommended approval of the request with the condition for staff to be able to approve minor adjustments. Staff did note the previously approved plan included enough parking to account for the additional square footage.

Mr. Wolfe asked for an overall site plan for the entire development. Staff stated they did not have one readily available, but this was simply an addition to an existing building that was accounted for on the original site plan. Mr. Wolfe stated he just wanted to make sure this would not negatively affect what was previously discussed regarding the master layout.

Mr. Lucarelli questioned why the previously approved awnings in the P.C. packet for phase 1 were fabric instead of metal. Staff noted that the renderings in the packet were from the January P.C. meeting, the approved set of construction drawings featured metal awnings as required by P.C. Mr. Lucarelli followed by saying he just wants to make sure everything matches between the 2 phases.

The Planning Commissioners discussed the look of the building and felt that it looked very nice as long as the materials matched the existing structure.

Staff stated the storage building project would be adjacent to the east side of the subject property and the proposed 7-Eleven would be adjacent to the west side of the subject property. This is scheduled to be the only multi-tenant commercial building on the site.

After no further questions or comments Chairman Traynor asked for a motion. Mr. Lucarelli made a motion to grant commercial appearance review approval with the condition giving

staff the ability to approve minor modifications to the site plan and elevations if needed and to ensure the appearance of this phase matches all conditions of prior phases of the master plan project. Mr. Wolfe seconded the motion. The motion was approved by a vote of 6-0.

**4. Text Amendment: Parking**

Planning Director Karagounis provided a brief overview of the staff report and draft ordinance, which would amend Article I, Section 7, Subsection I (1) (A) of the Zoning Ordinance for the Town of Fort Mill; so as to add specific parking requirements for hospitals and in-patient medical facilities; to amend the parking requirements for religious centers.

We currently do not have Hospital/In-Patient Facility listed as a use in the off-street parking and off-street loading requirements. After researching other nearby jurisdictions for their parking requirements, we are proposing the parking regulation for Hospital/In-Patient Facility to be 2 per patient bed + 1 per every 300 square feet of administrative area.

Staff has also proposed to combine the parking requirement for the Public Assembly and Religious Centers together and to have .25 per persons of maximum fire rated capacity for the off-street parking and off-street loading requirements for both uses. This will provide consistency with the parking requirement since religious centers can also be classified as public assembly. There was discussion about how our current regulation for parking requirements for our religious centers were double the requirement, which the City of Rock Hill has and almost triple the requirement, which York County has.

Planning Director Karagounis did note an error on the table in the ordinance for the proposed requirement of Hospital/In-Patient Facility the number "300" square feet of Administrative Area needed to be added and she would edit the table to include the numerical value.

After no further questions or comments Chairman Traynor asked for a motion. Mr. Hudgins made a motion to recommend approval of the text amendment. Mr. Petty seconded the motion. Mr. Lucarelli stated that we should make a friendly amendment to the motion to state that the numerical value of 300 square feet of Administrative Area would be added to the table. Mr. Hudgins made a motion of the friendly amendment to approve the text amendment. Mr. Wolfe seconded the motion. The motion was approved by a vote of 6-0.

There being no further business, the meeting was adjourned at 7:22 PM.

Respectfully submitted,  
Penelope G. Karagounis, MA  
Planning Director  
December 27, 2019



Meeting Information	
Meeting Type	Planning Commission
Meeting Date	January 21 <sup>st</sup> , 2020

Request Summary						
Request Type		Action (Old Bus.)	X	Action (New Bus.)		Info/Discussion
		Public Hearing		Executive Session		Other

Case Summary						
Case Type		Annexation		Rezoning	X	Text Amendment
		Subdivision Plat		Appearance Review		Other

**Title**

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR THE TOWN OF FORT MILL; ARTICLE II, REQUIREMENTS BY DISTRICT; SECTION 9, HC HIGHWAY COMMERCIAL DISTRICT; SO AS TO ADD RELIGIOUS INSTITUTIONS AS AN ALLOWED USE IN THE HIGHWAY COMMERCIAL DISTRICT

**Background Information**

**Discussion**

With recent development, staff recognized Religious Institutions, permitted in most zoning districts, is not currently a permitted use in the Highway Commercial (HC) zoning district.

The text amendment would amend the Zoning Ordinance to allow Religious Institutions as an allowed use within the Highway Commercial (HC) districts. Staff recommends that an ordinance be considered that would permit such facilities in the Highway Commercial (HC) district.

A draft ordinance is attached for consideration.

Alternatives	
1.	Recommend approval of the ordinance
2.	Recommend approval of the ordinance with modifications
3.	Recommend denial of the ordinance

Staff Recommendation	
Recommendation	Staff recommends in favor of APPROVAL of the ordinance
Name & Title	Penelope Karagounis, Planning Director
Department	Planning Department

Date of Request	January 21, 2020
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Legislative History	
Planning Commission	1/21/2020
First Reading	TBD
Public Hearing	TBD
Second Reading	TBD
Effective Date	Upon adoption

**Attachments**

- Draft Text Amendment Ordinance

STATE OF SOUTH CAROLINA  
TOWN COUNCIL FOR THE TOWN OF FORT MILL  
ORDINANCE NO. 2020-\_\_\_

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR THE TOWN OF FORT MILL; ARTICLE II, REQUIREMENTS BY DISTRICT; SECTION 9, HC HIGHWAY COMMERCIAL DISTRICT; SO AS TO ADD RELIGIOUS INSTITUTIONS AS AN ALLOWED USE IN THE HIGHWAY COMMERCIAL DISTRICT

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, **BE IT ENACTED BY THE TOWN COUNCIL FOR THE TOWN OF FORT MILL:**

**SECTION I. Amending the Highway Commercial District.** The Zoning Map of the Town of Fort Mill; Article II, Requirements by District; Section 9; HC Highway Commercial District; is hereby amended to read as follows:

Sec. 9. HC Highway Commercial district

1. *Purpose of district:* It is the intent of this section that the HC zoning district be developed and reserved primarily as a retail service and commercial area, serving surrounding neighborhoods and larger community or citywide clientele with a wide range of commercial services, including retail, offices and business support services located in areas which are well served by collector and arterial street facilities as well as pedestrian access facilities where appropriate. The regulations which apply within this district are designed to:

- A) Encourage the formation and continuance of a compatible environment for highway-oriented uses;
- B) Ensure adequate and properly designed means of ingress and egress;
- C) Encourage pedestrian access where appropriate; and
- D) Discourage any encroachment by industrial or other uses capable of adversely affecting the specialized commercial character of the district.

2. *Permitted uses:* The following uses shall be permitted in any HC zoning district:

- Administrative offices.
- Research, development and testing laboratories.
- United States Postal Service.
- Hardware stores.
- Horticultural nursery.
- Antique stores.
- Food stores.
- Convenience stores.
- Apparel and accessory stores.
- Home furniture, furnishing and equipment stores.
- Restaurants.
- Taverns.
- Drug stores.
- General merchandise stores such as bicycle and sporting goods, books, stationery, jewelry, toy, photography, gift, luggage, sewing, catalog, consignment shops (but not flea markets) etc.
- Personal service stores such as florists, optical goods, art supplies, telephone stores, pet stores, travel agents, etc.

Pet shops.  
 Animal hospital specifically excluding boarding facilities.  
 Banking, lending institutions, security and broker services, insurance companies specifically excluding check cashing establishments, title loan lenders, deferred presentment lenders, pawnshops, title loan brokers, and small loan companies.  
 Real estate agencies.  
 Dry cleaners and laundry services.  
 Photographic studios, beauty shops, barber shops, shoe repair.  
 Funeral service and crematories.  
 General retail trade such as department stores, food stores, etc.  
 Gas stations.  
 Car washes.  
 Repair garage.  
 Warehouse (excluding mini-warehouses or personal storage units).  
 Hospitals.  
 Offices for health care services, such as doctors, dentists, and nursing, and personal care facilities.  
 Legal services offices.  
 Professional offices and workshops for engineering, accounting, research, artists, etc.  
 Daycare centers.  
 Recreational activity centers such as bowling alleys, skating rinks, miniature golf courses, playhouses, and arcades.  
 Schools.  
 Hotels.  
 Theaters.  
Religious Institutions.  
 Seasonal or temporary uses, consistent with the character of the district and in conformance with all pertinent requirements of the municipal code.  
 Accessory uses in compliance with the provisions of article I, section 7, subsection G.

3. Conditional uses: The following uses shall be permitted in any HC zoning district on a conditional basis in accordance with the provisions of article X of this ordinance:

- A) Dealerships, new and used automobiles, recreation vehicles, boats, boat trailers, and utility trailers; provided, that:
  - 1) Stock shall be parked no less than five feet from adjoining property lines and 15 feet from edge of streets,
  - 2) There shall be no storage of wrecked or dilapidated automobiles or scrapped or salvaged auto parts on the premises.
- B) Automotive wrecker service; provided, that:
  - 1) No wrecked automobile shall be stored on the premises outside a fenced area.
  - 2) The fenced area shall be screened from public view. A six-foot-high fence or wall shall enclose the area, and the area shall be paved or graveled with no grass allowed to grow in the storage area.
  - 3) Maximum time limit of storage shall be ten days. The date the wrecked vehicle is received shall be marked on each unit with at least four-inch-high numbers.
  - 4) No other parts or items may be stored in the area.

- C) Mini-warehouses or personal storage units; provided, that:
- 1) Any outdoor storage shall be conducted entirely within storage yards separate from buildings. Such storage yards shall be screened from public view. A six-foot high fence or wall shall enclose the area, and the area shall be paved or graveled with no grass allowed to grow in the storage area.
  - 2) Storage of any items, including vehicles, in interior traffic aisles, off-street parking areas, loading areas or driveway areas is prohibited.
  - 3) Lighting used to illuminate any interior traffic aisle, off-street parking area, loading or unloading area, or storage area, shall be shielded or so arranged as to reflect light away from adjoining premises.
  - 4) Mini-warehouses shall be designed, landscaped, screened, or otherwise treated in a manner that will be aesthetically pleasing and compatible with surrounding uses.
  - 5) Traffic aisles shall be of sufficient width so as to allow for loading and unloading, maneuvering and circulation of vehicles, and shall in no case be less than 20 feet in width.
  - 6) Use of mini-warehouse compartments or yards for any purpose other than the storage of goods is prohibited.
- D) Uses permitted as conditional use: The zoning administrator shall allow the following uses, subject to compliance with conditions set forth for the use in this section:
- 1) Check cashing establishments, deferred presentment lenders, and title loan companies when:
    - a. The use is (i) located no closer than 3,000 feet, measured lot line to lot line from the nearest check cashing establishment, deferred presentment lender, or title loan company, and (ii) located within a group nonresidential development or like commercial shopping center with all structures contained in it having a total floor space of 30,000 square feet or more; or
    - b. The use is wholly contained within the confines of a grocery store or general merchandise retail establishment having 30,000 square feet or more of floor space, and the use has no separate access for public use to its share of the premises, and (ii) is located no closer than 3,000 feet, measured lot line to lot line from the nearest check cashing establishment, deferred presentment lender, or title loan company.
  - 2) Tattoo facilities, provided that:
    - a. The facility shall be properly licensed by the South Carolina Department of Health and Environmental control pursuant to Sec. 44-34-10 et seq. of the 1976 Code of Laws of South Carolina, as amended;

- b. The facility may only provide tattooing services and may not engage in any other retail or service operations, including, but not limited to, the sale of goods or the performing of body piercing or any other form of body modification other than tattooing;
  - c. Such facilities shall not be permitted within one thousand feet of a church, school, or playground. This distance shall be computed by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of the grounds in use as part of the church, school, or playground.
  - d. Any new tattoo facility shall be located a minimum of 3,000 feet, measured lot line to lot line, from the nearest tattoo facility.
- 3) Tool and Equipment Rental facilities, provided that:
- a. The minimum lot size shall be three (3) acres.
  - b. The entire lot or parcel occupied by the use shall be located within 500 feet of the I-77 right-of-way.
  - c. No building or structure shall be located within 75 feet of a residential or mixed use district.
  - d. Outdoor storage areas for rental equipment or vehicles shall be at least 50 feet from any residential or mixed use district.
  - e. Outdoor storage or display of equipment shall not be permitted within any front yard.
  - f. Architectural requirements:
    - 1. Front façade and other elevations facing a street, parking lot or adjacent residential zoning district: A minimum of 75% of the building elevation shall contain brick, face brick, architectural pre-cast brick, or natural stone. Up to 25% may be split face block, scored block, EIFS, wood or fiber cement siding, stucco, or other similar quality building material approved by the Planning Commission as part of the Commercial Appearance Review Process. No metal siding or plain concrete block shall be permitted.
    - 2. Side and rear facades that do not face a street, parking lot or adjacent residential zoning district: Any masonry material or other similar quality material approved by the Planning Commission as part of the Commercial Appearance Review Process.
  - g. Any outdoor storage area visible from a public right-of-way, adjoining property or parking area shall be screened by a buffer at least 20 feet in width, which buffer shall include a minimum of 2 canopy trees, 2 ornamental trees, 2 evergreen trees, and 4 shrubs per 100 linear feet of buffer zone, as measured parallel to the property line. The

Planning Commission may allow a reduction in the buffer requirement in instances where a wall, berm or opaque fence is provided, provided the purpose of the buffer will still be achieved.

4. *Other requirements:* Unless otherwise specified elsewhere in this ordinance, uses permitted in HC zoning districts shall be required to conform to the following standards:
- A) Minimum lot area: 10,000 square feet.
  - B) Minimum lot width measured at the building line: 75 feet.
  - C) Minimum front yard depth measured from the nearest street right-of-way line: 35 feet.
    - 1) For exceptions to this requirement, see article I, section 7, subsection E.
  - D) Minimum side yard:
    - 1) Principal structures: Ten feet
    - 2) Accessory uses: Five feet
    - 3) For side yard requirements pertaining to corner lots, see article I, section 7, subsection C.
  - E) Minimum rear yard:
    - 1) Principal structures: 35 feet
    - 2) Accessory uses: Five feet
    - 3) For rear yard requirements pertaining to double frontage lots, see article I, section 7, subsection D.
  - F) Maximum building height:
    - 1) For lots located 1,000 linear feet or less from Interstate 77: 60 feet
    - 2) For all other lots: 35 feet
    - 3) For exceptions to height regulations, see article I, section 7, subsection L.
  - G) Off-street parking: Uses permitted in HC zoning districts shall meet all standards set forth in article I, section 7, subsection I., pertaining to off-street parking, loading, and other requirements.
  - H) Signs: Signs permitted in HC zoning districts, including the conditions under which they may be located, are set forth in article III.
  - I) Buffers: Where proposed commercial development abuts one or more lots zoned for residential use, a suitable buffer screen, wall or fence, six feet in height, shall be provided along each shared property line to restrict visibility of the commercial use from adjacent residential uses.

**SECTION II. Invocation of Pending Ordinance Doctrine.** If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

**SECTION III. Severability.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION IV. Effective Date.** This ordinance shall be effective from and after the date of adoption.

**SIGNED AND SEALED** this \_\_\_\_ day of \_\_\_\_\_, 2020, having been duly adopted by the Town Council for the Town of Fort Mill on the \_\_\_\_ day of \_\_\_\_\_, 2020.

First Reading:  
Public Hearing:  
Second Reading:

TOWN OF FORT MILL

\_\_\_\_\_  
Gynn H. Savage, Mayor

LEGAL REVIEW

ATTEST

\_\_\_\_\_  
Barron B. Mack, Jr, Town Attorney

\_\_\_\_\_  
Virginia Burgess, Town



Meeting Information	
Meeting Type	Planning Commission
Meeting Date	January 21 <sup>st</sup> , 2020

Request Summary						
Request Type		Action (Old Bus.)	X	Action (New Bus.)		Info/Discussion
		Public Hearing		Executive Session		Other

Case Summary						
Case Type		Annexation		Rezoning	X	Text Amendment
		Subdivision Plat		Appearance Review		Other

**Title**

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR THE TOWN OF FORT MILL; ARTICLE II, REQUIREMENTS BY DISTRICT; SECTION 29, INST INSTITUTIONAL DISTRICT; TO ESTABLISH REQUIREMENTS FOR RELIGIOUS INSTITUTIONS; TO PROVIDE FOR A PUBLIC HEARING; AND, TO PROVIDE OTHER MATTERS RELATING THERETO

**Background Information**

**Discussion**

Staff previously drafted the Institution (INST) District in July 2019 that initially encompassed school sites. The Institutional District was written with the intent of expanding other uses other than schools. Those uses were to include other public or semi-public facilities such as government uses, utilities, arts/cultures/civic uses, hospital, daycares, and places of worship.

The text amendment would amend the Zoning Ordinance to allow Religious Institutions as an allowed use within the Institutional (INST) District, with requirements intended to minimize the impacts to neighboring properties.

A draft ordinance is attached for consideration.

Alternatives	
1.	Recommend approval of the ordinance
2.	Recommend approval of the ordinance with modifications
3.	Recommend denial of the ordinance

**Staff Recommendation**

Recommendation	Staff recommends in favor of APPROVAL of the ordinance
Name & Title	Penelope Karagounis, Planning Director
Department	Planning Department
Date of Request	January 21, 2020

Legislative History	
Planning Commission	1/21/2020
First Reading	TBD
Public Hearing	TBD
Second Reading	TBD
Effective Date	Upon adoption

**Attachments**

- Draft Text Amendment Ordinance

STATE OF SOUTH CAROLINA  
TOWN COUNCIL FOR THE TOWN OF FORT MILL  
ORDINANCE NO. 2020-\_\_\_

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR THE TOWN OF FORT MILL; ARTICLE II, REQUIREMENTS BY DISTRICT; SECTION 29, INST INSTITUTIONAL DISTRICT; TO ESTABLISH REQUIREMENTS FOR RELIGIOUS INSTITUTIONS; TO PROVIDE FOR A PUBLIC HEARING; AND, TO PROVIDE OTHER MATTERS RELATING THERETO

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, **BE IT ENACTED BY THE TOWN COUNCIL FOR THE TOWN OF FORT MILL:**

**SECTION I. Amending the Institutional District.** The Zoning Ordinance for the Town of Fort Mill; Article II, Requirements by District; Section 29, Inst Institutional District; is hereby amended to read as follows:

Sec. 29. — Institutional District

1. Purpose and Intent:

- a. The Institutional district is intended to provide specifically defined areas for the development of cultural, educational, medical, governmental, religious, and other institutional facilities or campuses. The purpose is to promote the many varied uses associated with such institutions while providing specific use requirements designed to integrate the uses into the surrounding neighborhoods and community.

2. Permitted Uses: The following uses shall be permitted in any Institutional zoning district, provided that specific use requirements are met:

1. Schools (K-12):

- 1. Minimum lot area shall be two (2) acres.
- 2. Minimum lot width shall be 200 feet.
- 3. Maximum building height may be up to 55 feet.
- 4. At least one (1) property line, meeting the minimum width requirement, shall abut and have direct access to an arterial or collector street
- 5. All buildings, parking areas and outdoor activity areas (ball fields, tennis courts, playgrounds, bleachers, etc.) shall have a minimum 35-foot front yard setback and shall be setback 50 feet from any side or rear property line. Expansions or modifications to facilities constructed prior to the establishment of this district shall not be subject to the preceding setback

requirements, provided that the expansion or modification is constructed so that it is no closer to any property line than the existing facility.

6. Lighting shall be subject to the requirements of Article 4, Section 6 of the Town's Zoning Ordinance, except that any lighting for athletic fields shall be exempt from the maximum height requirements.
7. A 35-foot buffer shall be required along the perimeter of the property line. At a minimum, the typical IOC-foot section of this buffer, as measured along the property line, shall contain 2 canopy trees, 2 ornamental trees, 2 evergreen trees, and 4 evergreen shrubs. Existing vegetation may be used to meet these planting requirements, but only upon submission of a tree survey by the applicant showing that the existing vegetation meets or exceeds the intent of the buffer.
8. Sidewalks: In conjunction with new development or redevelopment, sidewalks shall be constructed across the width of the subject property. The sidewalk shall be located within the right-of-way or within the required setback area of all public and private streets to ensure current and future pedestrian connectivity. Where sidewalks are not located within the right-of-way, a public access easement shall be provided. Sidewalks shall be constructed in accordance with town specifications and standards.

2. Religious Institutions:

1. Minimum lot area shall be two (2) acres.
2. Minimum lot width shall be 200 feet.
3. At least one property line, meeting the minimum width requirement, shall abut and have direct access to an arterial or collector street
4. To the extent practical, shared parking arrangements should be employed with other uses in the vicinity, in accordance with the provisions of Article 1, In General; Section 7, General Provisions, Subsection I.

3. Conditional Uses: RESERVED

4. Other requirements: RESERVED

**SECTION II. Invocation of Pending Ordinance Doctrine.** If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

**SECTION III. Severability.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION IV. Effective Date.** This ordinance shall be effective from and after the date of adoption.

**SIGNED AND SEALED** this \_\_\_\_ day of \_\_\_\_\_, 2020, having been duly adopted by the Town Council for the Town of Fort Mill on the \_\_\_\_ day of \_\_\_\_\_, 2020.

First Reading:  
Public Hearing:  
Second Reading:

TOWN OF FORT MILL

\_\_\_\_\_  
Gynn H. Savage, Mayor

LEGAL REVIEW

ATTEST

\_\_\_\_\_  
Barron B. Mack, Jr, Town Attorney

\_\_\_\_\_  
Virginia Burgess, Town