



IMPLEMENTATION ELEMENT

OVERVIEW

While the York County Comprehensive Plan is fundamentally a "policy document", the policies and strategies identified herein will only be turned into reality by concerted, consistent attention to implementation. This requires that the County administration, departments and present and future County Councils actively and continuously use the Comprehensive Plan as a key reference for all decisions and actions, consistent with the strategic initiatives and policies contained herein. The County's present zoning ordinance and other land development regulations evolved over time without the benefit of a community consensus or a defined set of long-term goals and policies for the County's growth and development. Likewise, the County's Capital Improvement Program (CIP) is not structured to reflect Comprehensive Plan goals, strategies, and priorities for major public investments. If the County is to exert the necessary leadership in addressing problems and seizing opportunities, it must create the internal organization, secure the necessary resources, and commit to 'staying the course' in making the adjustments called for in this document.

The individual elements of the Comprehensive Plan call for specific strategies and actions to bring about the positive change reflected in the Comprehensive Plan Vision Statement. These strategies and actions range from revised development standards and regulations to better manage growth pressures, to bold initiatives in open space and resource protection. While the Plan calls upon the County to pursue revenue enhancement and increased attention to the fiscal implications of development decisions, it is only prudent to establish a highly focused and realistic staged implementation program. This program sets priorities regarding the sequence in which the strategies and actions contained in the Plan are to be carried out. It also incorporates a process and protocol for ensuring the compliance of County actions and policies to the Comprehensive Plan, as well as for monitoring implementation progress and incorporating plan revisions and updates.

This chapter describes an implementation program for the Comprehensive Plan, comprised of the following elements:

- A protocol for the application of, ***and compliance with the Comprehensive Plan in zoning, development review and approvals***, particularly regarding re-zonings;
- A protocol for ***adopting, monitoring, amending and updating*** the plan, indicating how it is to be used, tracked, updated and revised; and
- An ***action plan*** that identifies short-term (1- year), mid-term (2-3 years), as well as longer-term and on-going activities necessary to implement the plan.

PRINCIPLES FOR COMPREHENSIVE PLAN IMPLEMENTATION

In the State of South Carolina comprehensive planning, as well as procedures for zoning and development regulation is guided and structured by the Local Government Comprehensive Planning Enabling Act of 1994, (the 1994 Act). This act provides guidance as to minimum plan contents, specifying at minimum seven plan elements. The act also provides guidance regarding steps in the planning process, including (1) *inventory of existing conditions*; (2) *a statement of needs and goals* and (3) *implementation strategies with time frames*. The act does not specifically identify the contents of these implementation strategies, other than to identify the need for zoning and development approvals to be consistent with the comprehensive plan, as indicated by these excerpts.



6-29-540 Review of proposals following adoption of plan; projects in conflict with plan; exemption for utilities

When the local planning commission has recommended and local governing authority or authorities have adopted the related comprehensive plan element set forth in this chapter, no new street, structure, utility, square, park, or other public way, grounds, or open space or public buildings for any use, whether publicly or privately owned, may be constructed or authorized in the political jurisdiction or the governing authority or authorities establishing the planning commission until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan of the community.

Further, Article 5, in establishing the basis and authority for local government zoning, clearly suggests that zoning actions should be consistent with, and serve to further the purposes set out in, the comprehensive plan, as indicated by the following excerpts.

When the local planning commission has prepared and recommended and the governing body has adopted at least the land use element of the comprehensive plan as set forth in this chapter, the governing body of a municipality or county may adopt a zoning ordinance to help implement the comprehensive plan

6-29-720 (A)

The (zoning) regulations must be made in accordance with the comprehensive plan for the jurisdiction...

6-29-720 (B)

York County has been engaged in a number of activities to deal with growth over the past decade. York County currently has in place many of the tools necessary to carry out plans and policies; including zoning, subdivision and other development ordinances and standards, a limited capital improvement program, as well as focused planning for specific issues such as transportation, infrastructure and open space. What the County has lacked has been a consolidated plan document which articulates a vision for the County’s future, along with integrated policies and strategies to achieve the vision. Upon adoption, the York County Comprehensive Plan will become the County’s key policy document, separate and distinct from zoning, but to which future zoning and development regulations must be made consistent, as per state law. The following are more specific principles to be followed in ensuring compliance, as well as in amending, monitoring and updating the Comprehensive Plan.

REGULATORY COMPLIANCE

Principle: Zoning and Related Development Standards and Ordinances Shall Be Revised to Maintain Consistency with the Comprehensive Plan.

The various comprehensive plan elements identify both specific revisions to standards and ordinances (such as for the sliding scale of density in AGC), as well as broader provisions to raise standards of quality and increase flexibility to adjust land use mixes and intensities.

This principle DOES NOT suggest that, upon plan adoption, the zoning map, ordinance and it’s various zoning districts must undergo a wholesale revision. The Future Land Use Map is not intended to become or replace present zoning district designations on the zoning map. Rather, the Future Land Use Map conceptually depicts relatively broad categories of land use, and will serve as a guide for considering future rezonings. Because the Future Land Use Map depicts development patterns twenty



years in the future in some areas of the County, land use designations are considerably greater in intensity than existing zoning and current land use. Except where necessary to reserve certain parcels for future employment use, and to "correct" clearly inappropriate prior zoning designations. York County will not initiate changes in present zoning designations.

Principle: Requested Rezoning Shall Be Reviewed for Consistency with the Comprehensive Plan and Shall Not Be Approved if Found Contrary to the Comprehensive Plan and Shall Not Be Approved if Found Contrary to the Comprehensive Plan.

Because the Future Land Use Map and its policies are considerably broader than present zoning and development regulations, many development applications that are consistent with present zoning will also be consistent with the comprehensive plan. In fact, in many cases, particularly those involving re-zoning; the comprehensive plan review process will add considerable **additional flexibility** in the development review process. This will be true particularly in areas designated for mixed use, where underlying zoning is more rigid or limited than that provided for in the comprehensive plan. However, in cases where a proposed development, larger than a specified magnitude, is in clear conflict with the comprehensive plan, such approvals may not be granted until and unless the comprehensive plan is amended. Such amendments shall be made upon findings of fact by the County Council based on designated criteria.

Specific Provisions

The following is a recommended checklist for the development of a more specific protocol for comprehensive plan compliance, to be established within three months of Comprehensive Plan adoption.

1. Identify specific task schedules, resources and responsibilities to enact revisions to the zoning ordinance, subdivision regulations, and associated development standards to be in conformance with the Comprehensive Plan, consistent with the priorities and timeframes in the Action Plan.
2. Establish provisions for the review of all development applications, re-zonings and plats to be consistent with the Comprehensive Plan.
3. Establish provisions to expand and modify the Capital Improvement Program to reflect policies, strategies, and priorities established in the Comprehensive Plan.

PLAN ADOPTION, AMENDMENTS, MONITORING AND REVISION

Plan Adoption Procedure

Under South Carolina law (S.C. Code Chapter 6-29-530) a comprehensive plan must be adopted in accordance with the following five steps.

- **Resolution:** By majority vote the planning commission must adopt a resolution recommending the plan, or plan element, to the governing body (County Council) for adoption, with specific reference to any maps and other descriptive material intended as a part of the plan.
- **Minutes:** The resolution must be recorded in the minutes of the planning commission.
- **Transmittal:** A copy of the recommended comprehensive plan must be transmitted to the County Council and to all other legislative and administrative bodies affected by the plan. In York County these will include, at minimum, local municipalities, school districts and utility service providers.



- **Public Hearing:** Before adopting the comprehensive plan County Council must hold a public hearing, advertised at least 30 days in advance.
- **Ordinance:** County Council must adopt the comprehensive plan by ordinance.

Plan Amendments

While the comprehensive plan provides for considerable flexibility in interpretation, to have relevance over time, it should not be permitted to be ignored, nor subject to continuous or arbitrary revisions, as may be necessary to accommodate development applications which are contrary to the comprehensive plan. Therefore, comprehensive plan amendments shall not be made more than twice per calendar year. Plan amendments shall be recommended by the Planning Commission and adopted by County Council in the same manner as per plan adoption. However, the following shall NOT be considered to require plan amendments:

- Emergency situations requiring immediate actions or development approvals necessary to protect public health, safety or welfare, or to respond to an over-riding public purpose;
- Small scale developments, involving minor deviations, interpretations or adjustments to the Future Land Use Map; generally less than 10 acres;
- Hardships pertaining to unique circumstances of property configurations through which regulatory relief is necessary in order to provide for reasonable use of property.
- Corrections of errors, clarifications of intent and updating of data which do not substantially alter plan policies or actions.

County Council is responsible for determinations regarding deviations which may be approved based on the above criteria.

Specific Provisions

The following is a recommended checklist for the development of a more specific protocol for comprehensive plan amendments, to be established within three months of Comprehensive Plan adoption.

1. Package proposed plan amendments semi-annually for review and recommendation by the Planning Commission, and forward their recommendations to County Council for their consideration following a public hearing.
2. Plan amendments may include modifications to goals, strategies and actions; or modifications to the Land Use Map to accommodate re-zonings which are contrary to the adopted Comprehensive Plan.
3. Amendments should not be made without an analysis of immediate needs and consideration of the long-terms effects. In considering amendments to the Comprehensive Plan, the County should be guided by the following:
 - the need for the proposed change;
 - the effect of the proposed change on the need for County services and facilities; and
 - the implications, if any, that the amendment may have for other parts of the plan.

Plan Monitoring and Updating

If a Comprehensive Plan is to have value and usefulness over time, it is important to develop ways of monitoring progress on the many initiatives it calls for, as well evaluating its effectiveness and keeping



it current as new information becomes available and as circumstances change. For this reason comprehensive planning should be thought of an on-going process and not as a one-time event. A Comprehensive Plan is not an end in itself, but rather the foundation which will guide on-going more detailed planning. Without the evaluation and feedback loop, a Plan can soon become irrelevant: It must be structured to respond to changing needs and conditions.

South Carolina law (S.C. Code Chapter 6-29-510E) recognizes this need to keep the comprehensive plan current and relevant and it mandates generally that the comprehensive plan be reviewed as necessary to ensure it's on-going relevance. Specifically, state law requires that the planning commission **re-evaluate** the comprehensive plan at least **every five years**; and that the comprehensive plan be **up-dated** and adopted as a new comprehensive plan, at least **every ten years**.

Due the complexity of the many initiatives called for in the York County Comprehensive Plan; as well as the accelerating rate of growth and change, provisions for plan monitoring and updating should exceed these minimum state requirements, as follows:

- York County will **monitor and report upon plan implementation progress annually**.
- York County will **update the comprehensive plan every five (5) years**.

Specific Provisions

The following is a checklist for the development of a more specific protocol for comprehensive plan monitoring and updating, to be established within three months of Comprehensive Plan adoption.

Annual Monitoring

1. At the anniversary of plan adoption, the Planning and Development Department shall submit to the Planning Commission and County Council, an annual report indicating actions taken, and progress made toward plan implementation, along with recommendations for plan amendments due to altered circumstances or in response to citizen requests, proposed re-zonings, or plats.
2. Develop benchmarks as part of an overall Plan monitoring program, to evaluate the effectiveness of implementation efforts and adherence to the Plan.
3. Include policies to provide a process for monitoring implementation progress and adopting plan amendments, including consideration of an on-going role for a Comprehensive Plan Steering Committee.
4. Maintain dialogue with local citizens, municipalities, school districts, development interests, and other stakeholders and affected parties on a periodic, on-going basis to monitor the effectiveness of the Plan.
5. Before amendments are considered for adoption, citizens should be provided with effective ways for participating in the decision-making process, in addition to the required public hearing.

Updating

No less than every five (5) years York County shall initiate a process to revise and adopt an updated comprehensive plan. The revision process will include the following:

- Creation of a Comprehensive Plan Steering Committee;



- Updating of the Comprehensive Plan Data Book documenting growth trends and other factors experienced since the adoption of the current plan;
- Preparation of an Evaluation and Appraisal Report, documenting Comprehensive Plan effectiveness and implementation efforts, identifying constraints upon implementation, and summarizing trends and challenges which have emerged or changed in the period since plan adoption; and
- Revision of goals, strategies and actions to reflect changing circumstances, emerging needs and opportunities, and expressed citizen priorities.

ACTION PLAN

Table 10.1 presents an *Action Plan* for implementing new Comprehensive Plan initiatives according to time frame and relative priority. Three types of actions are included, defined as follows:

- **Program:** entails detailed, issue-focused planning or additional studies necessary to implement concepts and strategies contained in the Comprehensive Plan. Examples include the studies necessary to establish an Adequate Public Facilities Ordinance, as well as further planning to achieve County - municipal concurrence on an urban services boundary and land use policies within this boundary.
- **Regulations and Standards:** involves revising development standards, zoning regulations and protocols for development review, approvals and appeals. Numerous individual recommendations for ordinance changes are presented in the various plan elements.
- **Capital Investments:** require significant financial commitment to a capital project or projects.

All actions assigned to one or more of three timeframes, as follows:

Short Range / Immediate Actions - within 2 years from plan adoption

Actions designated to occur within one year from plan adoption are generally those which are high priorities for the County, as well as those for which minimal additional study or preparation is needed, and which can be accomplished with existing staff and financial resources.

Mid-Range - within 2-3 years from plan adoption

Actions designated to be carried out in Years 2-3 generally fall into two categories. The first category includes high priority items, which will require significant additional study or more detailed planning, or those for which sufficient resources may not be immediately available. The second category comprises items that require coordination or action by other entities.

On-going

These are actions which will require at least three (3) years to precisely define needs and opportunities, create programs and partnerships and establish funding resources, or which will be carried out in increments over a longer or indeterminate timeframe. For this reason, many of these actions are described as “carrying out” programs and strategies defined in the mid-range. On-going activities may



also include less urgent actions, actions that require sizable long-range investment commitments (such as initiatives for mass transit), and those that may be pursued as opportunities or resources arise.

The Action Plan is not intended to be a definitive prescription or a rigid formula, nor does it preclude certain actions from being implemented earlier or later than indicated, subject to the availability of resources. Rather, it is suggested as a framework to guide decision-making and allocation of resources – a “to-do list” to ensure steady progress in carrying out the strategies and actions of the Comprehensive Plan. While the Comprehensive Plan incorporates reasonable flexibility, the degree of success in implementing the Plan will be a reflection of the County’s ability to consistently act in accordance with the Action Plan.