

AN ORDINANCE

TO AMEND THE YORK COUNTY CODE OF ORDINANCES, CHAPTER 155, ZONING CODE, SO AS TO PROVIDE FOR AN AMENDMENT TO SECTIONS 155.022 AGRICULTURAL CONSERVATION DISTRICT (AGC); SECTION 155.037 AGRICULTURAL CONSERVATION DISTRICT ONE (AGC-I); SECTION 155.047 RURAL DEVELOPMENT DISTRICT (RUD); SECTION 155.062 RURAL DEVELOPMENT DISTRICT ONE (RUD-I); TO PROVIDE FOR AN AMENDMENT TO "EVENT VENUE" AND "LARGE CAPACITY EVENT VENUE," TO ESTABLISH SPECIFIC HOURS THAT AMPLIFIED MUSIC AND OTHER SOUND MAY BE PERMITTED AS SPECIAL EXCEPTIONS IN AGC, AGC-I, RUD, AND RUD-I DISTRICTS; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

BE IT ORDAINED AND ENACTED BY THE COUNTY COUNCIL OF YORK COUNTY, SOUTH CAROLINA:

SECTION 1. Legislative findings.

As an incident to the adoption of this ordinance, the York County Council, as the governing body of York County, South Carolina, has made the following legislative findings:

1.1 The Code of Ordinances of York County, South Carolina, should be amended by amending through amendments to Chapter 155, Zoning Code, in order to clarify the ordinance governing uses which are not set out sufficiently in the Code or which are developing to such a degree or with such impact that additional regulation is needed to safeguard our citizenry and promote orderly prospective treatment of the uses in order to guide development with regard to existing and future zoning needs and promote the public health, safety, convenience, order, appearance, prosperity and general welfare of York County and its citizens.

1.2 Council is empowered to enact ordinances for the implementation and enforcement of powers granted to Council pursuant to Sections 4-9-30 (9), (14), and (17), S.C. Code Ann., as amended, and to exercise such other powers as may be authorized for counties under S.C. Code Ann. Section 6-29-710, as amended.

1.3 Council finds that the amendment and clarification will, inter alia, guide development and provide for the orderly and subsequent growth in the County; facilitate the creation of a convenient, attractive, and harmonious community; regulate the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, public activities, and other purposes; and further the public welfare.

1.4 Specifically, Council finds that clarification of the hours of use at event venues-large capacity will adequately address applicant and County concerns while safeguarding the interests of the York County citizens and the integrity of the County.

SECTION 2. Code of York County Amended.

Chapter 155, ZONING CODE, is hereby amended in the particulars established in Exhibit A, attached and incorporated herewith by reference.

SECTION 3. Public Hearing Required.

The York County Council shall conduct a public hearing after publishing a notice of the date, time and place of such hearing at least fifteen (15) days in advance of such hearing before final legislative action is taken for the adoption of this ordinance.

SECTION 4. Severability.

The provisions of this ordinance are hereby declared to be severable, and if any provision or section of this ordinance is declared to be unconstitutional or unenforceable by the final order of a court of competent jurisdiction, such declaration shall not affect the constitutionality, legality or enforceability of any other section or provision of this ordinance, which shall be deemed severable, valid, enforceable and effective.

SECTION 5. Repeal of inconsistent sections and ordinances.

All sections of the York County Code of Ordinances and all York County ordinances in conflict with this ordinance are hereby amended to the extent of such conflict.

SECTION 6. Effective date.

This ordinance shall take effect immediately upon adoption.

Adopted this 1 day of October, 2018.

YORK COUNTY COUNCIL

By: 

J. Britt Blackwell, O.D., Chairman
York County Council

Attest: 

William P. Shanahan, Jr.
County Manager

First Reading: September 4, 2018
Second Reading: September 17, 2018
Public Hearing: October 1, 2018
Third Reading: October 1, 2018

EXHIBIT A

The York County Code of Ordinances, Section 155.022, AGRICULTURAL CONSERVATION DISTRICT (AGC) SPECIAL EXCEPTIONS is hereby amended by adding new paragraph (B)(9)(h), as follows:

“(B) (9) Event Venues and Large Capacity Event Venues, provided:

(h) Amplified music or other sound is permitted in all outdoor areas, provided it ends no ~~more than 30 minutes past sunset~~ later than 11:00 p.m.

The York County Code of Ordinances, Section 155.037, AGRICULTURAL CONSERVATION I DISTRICT (AGC-I) SPECIAL EXCEPTIONS is hereby amended by adding new paragraph (B)(4)(h), as follows:

“(B) (4) Event Venues and Large Capacity Event Venues, provided:

(h) Amplified music or other sound is permitted in all outdoor areas, provided it ends no ~~more than 30 minutes past sunset~~ later than 11:00 p.m.

The York County Code of Ordinances, Section 155.047, RURAL DEVELOPMENT DISTRICT (RUD) SPECIAL EXCEPTIONS is hereby amended by adding new paragraph (B)(7)(h), as follows:

“(B) (7) Event Venues and Large Capacity Event Venues, provided:

(h) Amplified music or other sound is permitted in all outdoor areas, provided it ends no ~~more than 30 minutes past sunset~~ later than 11:00 p.m.

The York County Code of Ordinances, Section 155.062, RURAL DEVELOPMENT I DISTRICT (RUD-I) SPECIAL EXCEPTIONS is hereby amended by adding new paragraph (B)(4)(h), as follows:

“(B) (4) Event Venues and Large Capacity Event Venues, provided:

(h) Amplified music or other sound is permitted in all outdoor areas, provided it ends no ~~more than 30 minutes past sunset~~ later than 11:00 p.m.