

**AN ORDINANCE**

**TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 155, SECTIONS 155.009 and 155.428(C), IN ORDER TO AMEND THE LIST OF MAJOR ROADS; TO INCREASE THE MINIMUM LOT WIDTH STANDARDS FOR NEW RESIDENTIAL DEVELOPMENT ON MAJOR COLLECTORS FROM 100 FEET TO 150 FEET; TO INVOKE THE PENDING ORDINANCE DOCTRINE; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING 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 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.
- 1.2 Council finds that this ordinance will:
  - (A) Increase the minimum lot width requirements from 100 feet to 150 for all new residential lots fronting on a Major Collector;
  - (B) Provide clarification of the determination of a Major Road to include Major Collectors; and
  - (C) Promote the public health, safety, order, and general welfare.

**SECTION 2. Code of York County Amended.**

**Chapter 155 – Zoning Code**

**Chapter 155, Section 155.009 the definition of Roads or Streets is hereby amended as follows.**

**Section 155.009 DEFINITIONS**

**ROADS OR STREETS.**

**(1) MAJOR.**

- (a) A major road or street is one designed principally to move traffic within the county, not to access property. Roads so classified in York County are defined as:

**1. PRINCIPAL ARTERIAL** - A roadway designed to serve statewide and interstate travel and connects urbanized areas, cities and towns. It is designed to accommodate moderate to high volumes of traffic at moderate to high speeds.

**2. MINOR ARTERIAL** - Links cities and towns and form an integrated network providing interstate, intrastate and intracounty service. Minor arterials are spaced at proper intervals so that all developed areas are within a reasonable distance of an arterial highway. It is designed to accommodate moderate volumes of traffic at moderate to high speeds.

**3. MAJOR COLLECTOR** - Serves urban areas and other traffic generators of intracounty importance that are not served by higher systems, and links these places with nearby towns and cities or with routes of higher classification. It is designed to carry moderate volumes of traffic at moderate speeds.

(b) A complete list of Major Roads can be found in Chapter 154 Subdivision Code Appendix 29.

**(2) MINOR.** A road or street is one designed principally to provide property access, and includes all county and state maintained roads in York County not specifically designated as major.

**Chapter 155, Section 155.428(C) is hereby has the following amendments.**

**§ 155.428 LOT DEVELOPMENT REQUIREMENTS.**

(C) Minimum lot widths (road frontage).

(1) The minimum lot width is 100 continuous feet measured at the road right-of-way (if in curve, measure by arc length) on state or county existing maintained Minor Roads, as defined in this chapter (see below notes). When property fronts on a Principal or Minor Arterial Road, the minimum lot width measured at the road right-of-way must be a minimum of 350 continuous feet. When property fronts on a Major Collector, the minimum lot width measured at the road right-of-way must be a minimum of 150 continuous feet. (See Chapter 154 Subdivision Code, Appendix 29 for a complete list of major roads)

(3) The minimum lot width may be reduced where specified within this chapter or for the following cases: (NOTE: Lots located along street curves shall have their frontage measured along the radius of the right-of-way.)

(a) Sixty-five continuous feet for lots off of internally accessed minor streets created in new subdivisions approved by the Planning Commission that front on a road that is curb and gutter design;

(b) Forty continuous feet for lots off of internally accessed minor streets created in new subdivisions approved by the Planning Commission that front on a road that is curb and gutter design with connection to public water and sewer;

(c) Sixty continuous feet for lots off of internally accessed minor streets created in new subdivisions approved by the Planning Commission in which a right-of-way is indicated for future phases (50 continuous feet where road is to be curb and gutter design). The plat must indicate "Right-of-Way only. No construction proposed." NOTE: The right-of-way and remaining parcel must stay in the developer's/property owner's name indicated at time of submittal, until the proposed road is built, inspected, and receives final plat approval. A certificate of occupancy cannot be issued for any structures proposed on the land indicated as future development until the road has been constructed and receives final plat approval (see Appendix C - Exhibit 5);

**Chapter 154, Appendix 29 is hereby completely replaced as follows:**

**Principal Arterials**

I-77  
US 21  
US 21 Business  
US 321  
SC 5  
SC 49  
SC 51  
SC 121  
SC 160  
SC 161 (US 21 to Alexander Love Hwy.)  
SC 274  
SC 901 (SC 161 to SC 72)  
Alexander Love Hwy.  
Carowinds Blvd.  
Cherry Road (Catawba River to SC 5)

**Minor Arterials**

SC 55  
SC 72  
SC 97  
SC 161 (Alexander Love Hwy. to State Line)  
SC 211  
SC 322  
SC 324  
SC 557  
SC 901 (SC 121 to I-77)  
Dave Lyle Blvd.  
Doby's Bridge Road  
Fort Mill Parkway  
Gold Hill Road  
Herlong Road  
India Hook Road  
Lesslie Hwy (SC 5 to Stonepost Road)

Mt Gallant Road  
Ogden Road (To Redwood Road)  
Old Nation Road / US 21  
Pleasant Road  
Pole Branch Road  
Porter Road (SC 5 to I-77)  
Ridge Road  
Spratt St. / US 21  
Springfield Parkway  
Springhill Farm Road  
Sutton Road

### **Major Collectors**

SC 274 (SC 49 to State Line)  
SC 901 (I-77 to County Line)  
Adnah Church Road  
Banks Road  
Billy Wilson Road  
Brattonsville Road  
Campbell Road  
Cel-River Road  
Church Road  
Cureton-Ferry Road  
Dam Road  
Daves Road  
Dunlap Roddey Road  
Eastview Road  
Eden Terrace  
Fair Hope Road  
Fairway Drive  
Falls Road  
Ferguson Ridge Road  
Fire Tower Road  
Flint Hill Road  
George Dunn Road  
Gordon Road  
Green Pond Road  
Hall Spencer Road  
Harmony Road  
Harris Road  
Hensley Road  
Holbrook Road  
Holland Road  
Hollis Lakes Road  
Homestead Road  
Hopewell Road  
Jim McCarter Road (South)

Kendrick Road  
Kimbrell Road  
Kingsbury Road  
Lawrence Road  
Legion Road (Cheyenne Rd to SC 97)  
Lesslie Hwy (Stonepost Rd to US 21)  
Lincoln Road  
Market Street  
Marshall Street  
Mobley Store Road  
Munn Road  
Museum Road  
Neely Road  
Neely Store Road  
Neelys Creek Road  
New Gray Rock Road  
Ogden Road (SC 324 to Redwood Ln.)  
Old Friendship Road  
Old Limestone Road  
Paraham Road  
Park Place Road  
Percival Road  
Porter Road (I-77 to Neelys Creek Rd)  
Rambo Road  
Rawlesville Road  
Rawlinson Road  
Red River Road  
Regent Parkway  
Reservation Road  
Rhyne Road  
Robertson Road  
Schoolside Dr.  
Shiloh Road  
Smith Ford/River Road  
Springdale Road  
Springsteen Road  
St. Paul Church Road  
Strait Road  
Sutton Spring Road  
Tom Joye Road (Jim McCarter Road to Memorial Dr.)  
Turkey Farm Road  
Twin Lakes Road  
West Mt. Gallant Road  
Williams Road  
Williamson Road (SC 322 to Percival Road)  
Wood Road  
Zoar Road

**SECTION 3. Public Hearing Required and Pending Ordinance Doctrine Invoked.**

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. Additionally, the York County Council hereby invokes the application of the Pending Ordinance Doctrine to 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 6 day of May, 2019.

**YORK COUNTY COUNCIL**

BY:  \_\_\_\_\_

R. Michael Johnson, Jr., Chairman  
York County Council

ATTEST:  \_\_\_\_\_

William P. Shanahan, JR., County Manager

First Reading: October 1, 2018  
Second Reading: October 15, 2018  
Public Hearing: October 15, 2018 &  
April 15, 2019  
Third Reading: May 6, 2019