



Joel T. Duke, AICP
Chief Development Officer

**SUMMARY OF AIKEN COUNTY PLANNING COMMISSION FINDINGS AND
RECOMENDATIONS
CONCERNING A PROPOSED MAP OR TEXT AMENDMENT**

Date: June 9, 2020

Proposed Amendment: To Approve an Amendment to the Aiken County Official Zoning and Development District Atlas to Rezone Tax Parcel #020-00-08-005 (approximately 20.16 acres) located at 912 Rainbow Falls Road (S-779), Graniteville, SC 29829 in Council District 5 from RD, Residential Multifamily Development District to RUD, Rural District.

Planning Commission Findings: The Parcel #020-00-08-005 (912 Rainbow Falls Road) currently contains one residential structure and its accessory buildings. The applicant's stated desire is to redevelop the property for an RV park for adult use only. The existing RD zoning classification limits the permitted and conditional uses to lower and medium density residential uses and institutional uses such as churches, schools, and public buildings. A rezoning to UD, RUC, or RUD is required to permit the requested RV park. The petitioner's statements regarding the proposed uses are provided in the attached application.

Planning Commission Recommendation and Vote: The Aiken County Planning Commission, at its meeting on May 21, 2020, reviewed said application and unanimously approved a motion to recommend disapproval of the rezoning application based on its inconsistency and incompatibility with the surrounding zoning and uses. The Commission also suggested that the proposed rezoning may be considered spot zoning as defined by the South Carolina courts.

Additional comments: Additional information regarding the proposed development, including application, maps, and staff recommendations, is included in the Planning and Development Staff report dated May 15, 2020.

Attachments: Planning and Development Staff Report

Report submitted by:

A handwritten signature in blue ink, appearing to read "Joel T. Duke".

Joel T. Duke, AICP
Chief Development Officer/Planning Commission Secretary

\$ 485.00



www.aikencountysc.gov

Aiken County
Planning and Development Department
1930 University Parkway, Suite 2800
Aiken, SC 29801
(803) 642-1520

**APPLICATION TO AMEND THE TEXT OR MAP OF THE
AIKEN COUNTY LAND MANAGEMENT REGULATIONS ORDINANCE**

1. This application is to request an amendment to the: (check one)

- Ordinance Map (fill in all items except #8)
- Ordinance Text (fill in items #8 and #9 only)

2. Address of property involving a map zoning classification change:

912 Rainbow Falls Rd Graniteville S.C.

Tax Parcel Number: 020-00-08-005

3. Current zoning classification of property: RD District

4. Current use of property: Residence

5. Proposed zoning classification change: RUD District

6. Proposed use of property: RV Park (Adult)

7. Does the applicant own the property proposed for this change? Yes No

If no, give name and address of property owner, and attach written authorization to file this application:

8. If this involves a change in the Ordinance text, what section or sections will be affected? Section 24- _____

9. Describe the proposed change and the reasons for the change:

Development for a RV Park for Adult use only.

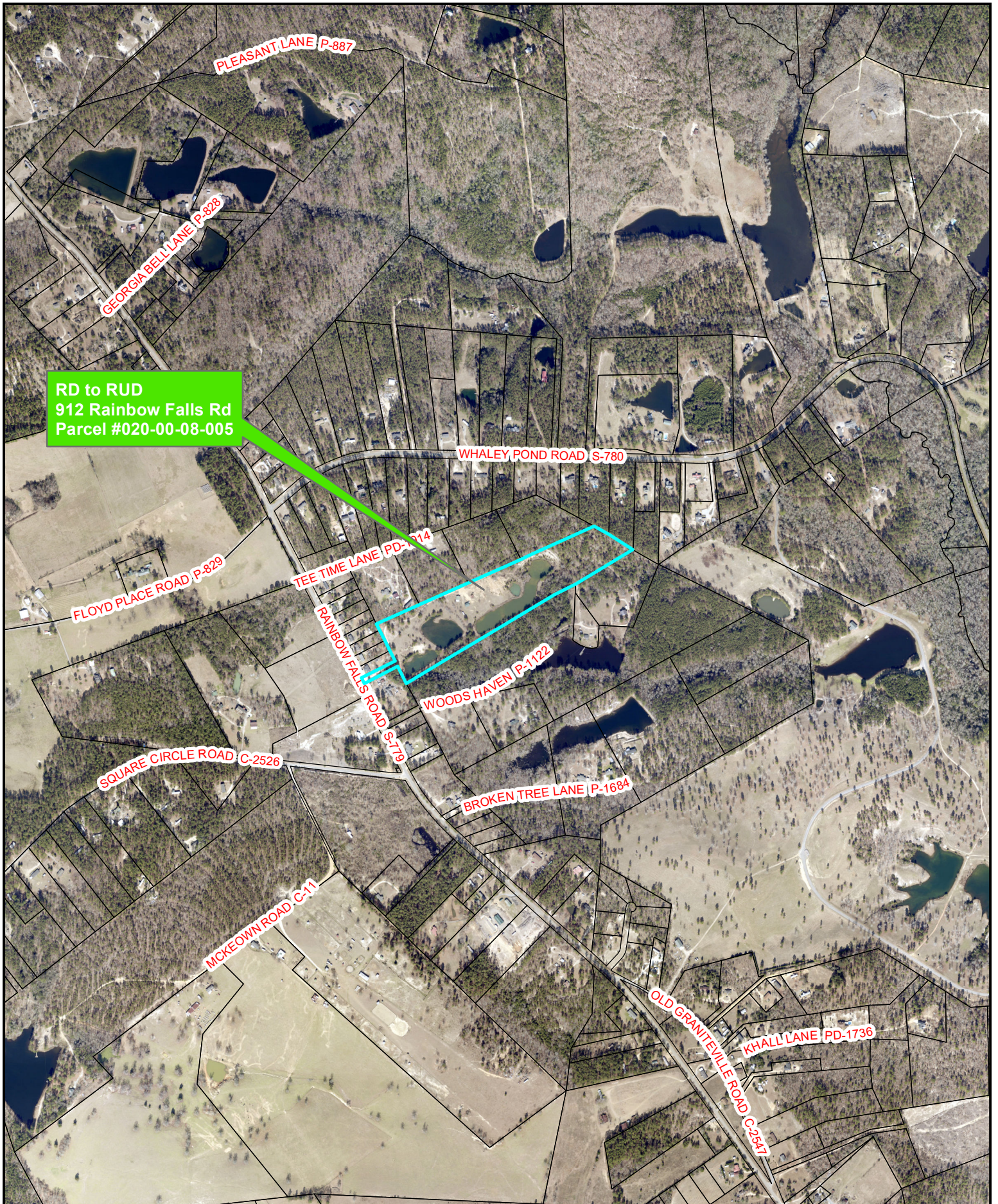
Applicant's Name (Print): Jamie Mayson Phone: 803-439-6359

Address: 912 Rainbow Falls Rd Graniteville S.C. 29829

Signature: [Signature] Date: 4-7-20

Official Use Only Do Not Write In This Space

Application No: _____ Date Received: _____ Fee Paid: _____

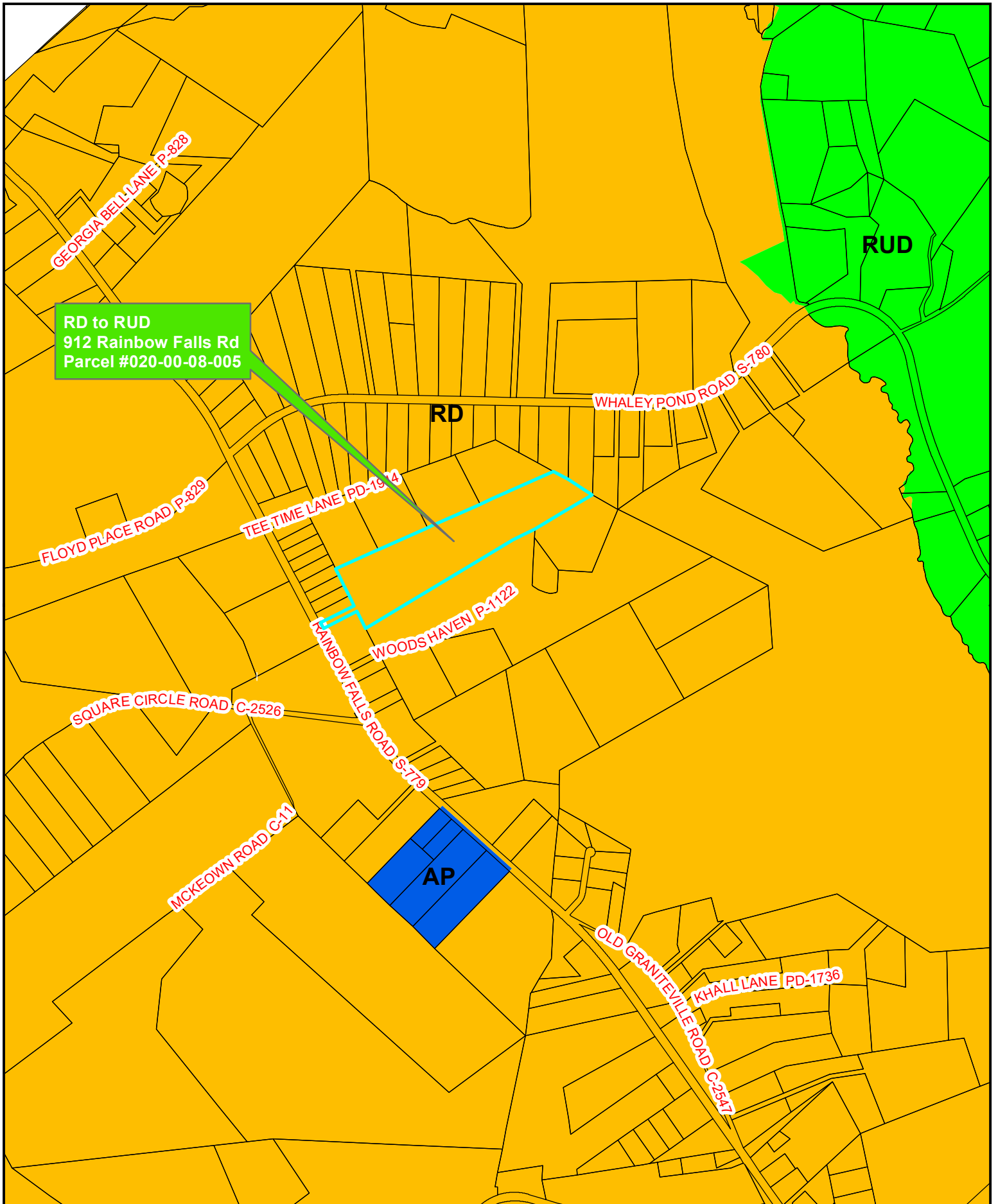


RD to RUD
912 Rainbow Falls Rd
Parcel #020-00-08-005



Proposed Rezoning from RD to RUD - 912 Rainbow Falls Rd Parcel #020-00-08-005





RD to RUD
912 Rainbow Falls Rd
Parcel #020-00-08-005

Proposed Rezoning from RD to RUD - 912 Rainbow Falls Rd Parcel #020-00-08-005

Aiken County
 Planning & Development
 Department
 5/15/2020

1" = 1,000'



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Aiken County

Planning Commission

Planning and Development Department Staff Report



REZONING APPLICATION

Rezoning – RD Residential Multifamily Development District to RDR Rural District

DATE

March

PROPOSED DEVELOPMENT

Petitioner:

Camie Mason

Property Owner:

Camie Mason

Agent:

NA

Location:

Aiken County Parcel Number 0000-00-00-000

000 Rainbow Falls Road

East side of Rainbow Falls Road (S-000) 0.000 miles south

of Hale Pond Road (S-000) – see Attachment 1

Development Status and History

Submission Status:

No previous rezoning applications on file

Previous Approvals:

NA

Conditions of Previous Approvals:

NA

Property Configuration

Acreage:

0.000 acres

Proposed Number of Lots and Configuration:

Single lot

Current Use:

Single-family Residential

Proposed Uses:

Development for RV Park for Adult Use Only (as stated on application)

Consistency with Adopted Future Land Use Plan

The Aiken County Comprehensive Plan (date) – adopted by Council Ordinance - and effective on June addresses the future land use needs and objectives for the county. Section Land Use of the Plan outlines goals for achieving the stated vision. Related to the requested rezoning and the subject neighborhood, the vision calls for “Safe neighborhoods and environs” and “Healthy Communities.” In support of the vision the Plan lists the following goals:

• Enhance the outcome of development and promote land use compatibility

• Create and sustain a healthy, livable land use pattern

A healthy, livable land use pattern is characterized by:

- Stable, attractive, and diverse neighborhoods...
- An arrangement of land uses which optimizes investments in existing infrastructure and minimizes investments in new and existing infrastructure

Current Zoning:

RD Residential Multifamily Development District - This district is intended to promote and accommodate housing development that meets the diverse economic and social needs of a diverse population. To this end, this district is designed and intended to allow for the development of a variety of housing styles, types and densities on small lots or in project settings including single-family duplexes, triplexes, four-unit condominiums, rental apartments, patio homes, townhouses, residentially designed manufactured homes, etc. and to do so in a protected, compatible residential environment. This district is intended for application in areas accessible by major streets and in proximity to commercial uses, employment opportunities and community facilities.

Proposed Zoning: R-D Rural District The R-D District conforms with the area and development regulations of the Rural District designation contained in the County's Development Standards Ordinance. It also embraces the same development objectives of its predecessor. To facilitate (for the area) the adequate provision of transportation, water, sewer, gas, disposal and other public improvements and services.

Surrounding Developments and Uses: North, south, east and west of subject site – single-family residential development – zoned RD Residential Multi-family Development. The nearest R-D zone is located approximately 0.5 miles to the east. Five parcels located approximately 1000 feet south of the subject property and covering 1.5 acres are zoned A.

Street Extensions or New Streets: None requested in conjunction with the proposed rezoning or use.

Water and Sewer: Site is served by the Bree Hill Water and Sewer Company. Potable water service is available to the site. Sanitary sewer is not available.

PLANNING STAFF EVALUATION

Reviewed by: Joel T. Duce, AIC and Planning and Development Director

Site Visits Conducted: Joel T. Duce, February 14, 2018; March 1, 2018

Recommendation: Maintain current RD designation. The R-D requested by the applicant is inconsistent with the Comprehensive Plan and the surrounding land uses and zoning districts.

Staff Comments:

Comprehensive Plan

Section 4 of the county comprehensive plan presents a vision of safe neighborhoods and health communities. The plan emphasizes on the vision by articulating the goals of compatible

land use patterns and sustainable neighborhoods. One of the tools available for implementation of the land use goals is the zoning scheme adopted by the County Council. The requested change to the zoning classification for 000 Rainbow Falls Road must be evaluated on whether it promotes or works against the stated goals. The evaluation must look at the uses permitted by right and conditionally in the requested district rather than the single proposed use presented by the applicant.

Compatible Land Use. The predominant land use in the neighborhood containing and surrounding the subject property is single-family residential. As shown in Attachments 1 and 2, the land use pattern surrounding the subject property is single-family residential. The existing RD zoning classification limits the permitted and conditional uses to lower and medium density residential uses and institutional uses such as churches, schools, and public buildings. The proposed R-D classification is described in Section 12-100 of the County Land Management Regulations as facilitating “the adequate provision of transportation, water, sewerage disposal, and other public improvements and services.” An inspection of the use tables in Section 12-100 shows a wide range of residential, commercial and industrial uses that are permitted as long as adequate access, water and sewer are provided. The proposed re-zoning introduces the option for land uses on the subject property which may be incompatible with the neighborhood.

Spot Zoning

In order to convert the existing single-family residential property to a recreational vehicle park, the applicant is requesting a zoning amendment to change the designation of the subject 0.0000 acre property from RD to R-D. As shown in Attachment 3, the subject property is located in the middle of an area of RD zoning. The classification permits various residential uses by right and institutional uses conditionally. In contrast, the proposed R-D classification permits a wide range of uses as long as the lot is suitably configured and adequate utilities and access are provided. Given the small area covered by the request and the increase in the uses permitted if the re-zoning is approved, the proposed request may be considered spot zoning. In the 1988 case *Bob Jones University v City of Greenville*, the South Carolina Supreme Court defined “spot zoning” as “a process of singling out a small parcel of land for use classification totally different from the surrounding area for the benefit of the owners of such property and to the detriment of other owners.”

ATTACHMENTS - (Remove and submitted separately for County Council)

- 1. Application
- 2. Location Map
- 3. Zoning Map



Joel T. Duke, AICP
Chief Development Officer

**SUMMARY OF AIKEN COUNTY PLANNING COMMISSION FINDINGS AND
RECOMENDATIONS
CONCERNING A PROPOSED MAP OR TEXT AMENDMENT**

Date: June 9, 2020

Proposed Amendment: To Approve an Amendment to the Aiken County Official Zoning and Development District Atlas to Rezone Tax Parcel #127-05-01-002 (approximately 13.8 acres) located at 33 Aspen Court (C-2798), Aiken, SC 29803 in Council District 2 from RC, Residential Single-Family Conservation District; RD, Residential Multifamily Development District; and UD, Urban Development District to UD, Urban Development District.

Planning Commission Findings: Parcel #127-05-01-002 (33 Aspen Court) contains one manufactured home and its accessory buildings. The applicant states his desire to rezone the property to only UD in order to facilitate development of a small (four space) RV park. Zoning of the parcel is split by RC, RD, and UD zones. Of the three classifications, UD is the only district that allows an RV park. The petitioner's statements regarding the proposed uses are presented in the application.

Planning Commission Recommendation and Vote: The Aiken County Planning Commission, at its meeting on May 21, 2020, reviewed said application and unanimously approved a motion to recommend approval of the rezoning application based on its consistency and compatibility with the surrounding zoning and uses..

Additional comments: Additional information regarding the proposed development, including application, maps, and staff recommendations, is included in the Planning and Development Staff report dated May 15, 2020.

Attachments: Planning and Development Staff Report

Report submitted by:

A handwritten signature in blue ink that reads "Joel T. Duke".

Joel T. Duke, AICP
Chief Development Officer/Planning Commission Secretary



Aiken County
Planning and Development Department
1930 University Parkway, Suite 2800
Aiken, SC 29801
(803) 642-1520

**APPLICATION TO AMEND THE TEXT OR MAP OF THE
AIKEN COUNTY LAND MANAGEMENT REGULATIONS ORDINANCE**

1. This application is to request an amendment to the: (check one)

- Ordinance Map (fill in all items except #8)
- Ordinance Text (fill in items #8 and #9 only)

13.18 acres

1-acre 200⁰⁰
+ 15 ea. acre = 182.70
+ 200.00
382.70

2. Address of property involving a map zoning classification change

33 Aspen Ct. Aiken SC 29803
Tax Parcel No: 127-05-01-002

3. Current zoning classification of property: RD, RC and UD District

4. Current use of property: Residential

5. Proposed zoning classification change: UD District

6. Proposed use of property: Residential with long term RV spots

7. Does the applicant own the property proposed for this change? Yes No

If no, give name and address of property owner, and attach written authorization to file this application:

8. If this involves a change in the Ordinance text, what section or sections will be affected? Section 24- _____

9. Describe the proposed change and the reasons for the change:

A portion of the property is already zoned UD, the proposed change is to place the entire parcel in this zone to facilitate development of a small RV (4 spot) park.

Applicant's Name (Print): Richard Dale Lynn Phone: 803 645 0425

Address: 33 Aspen Ct. Aiken, SC 29803

Signature: [Signature] Date: 4/21/20

Official Use Only Do Not Write In This Space

Application No: _____

Date Received: _____

Fee Paid: _____

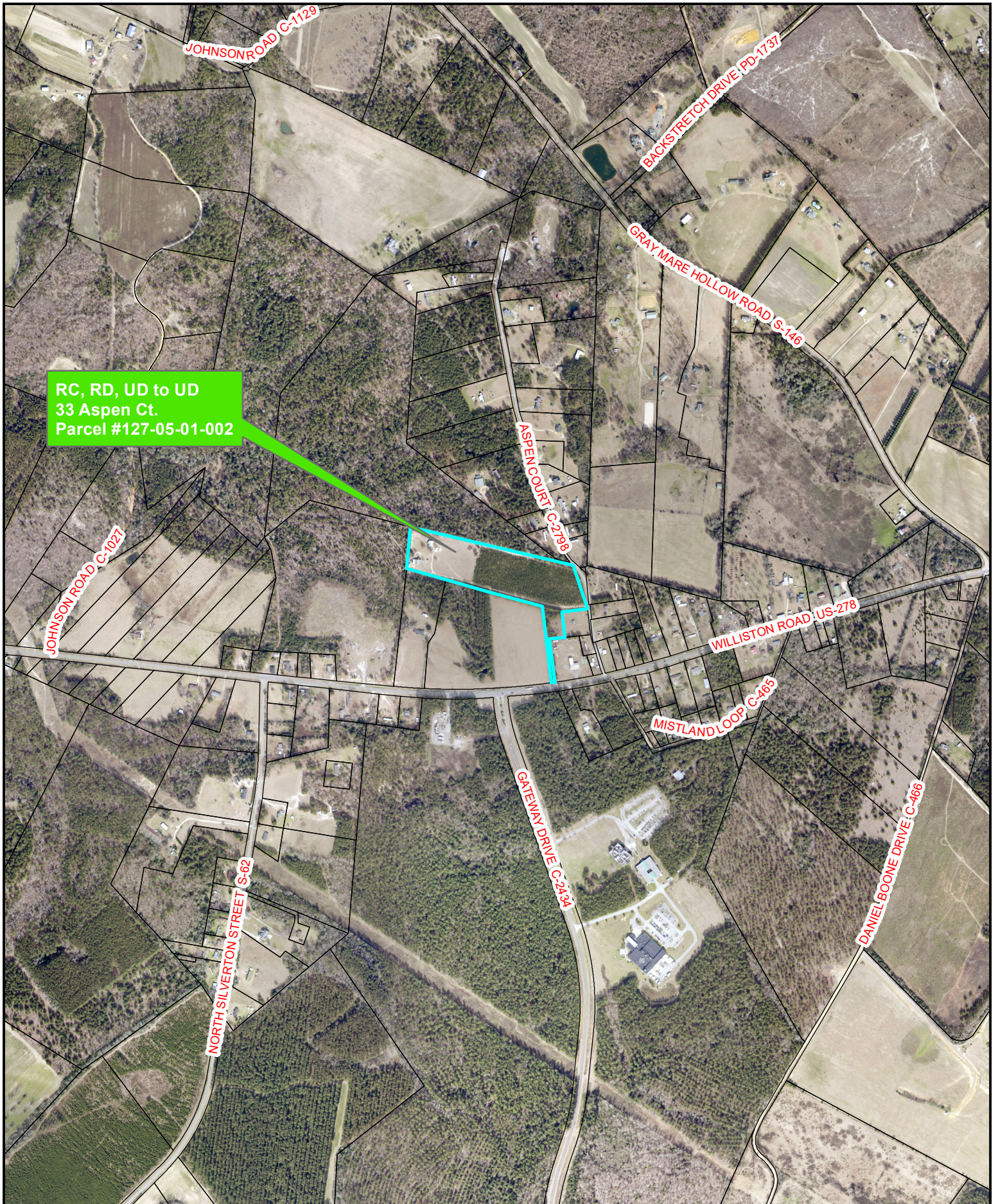
Dear Members of the Board,

I am requesting to have 33 aspen Court, a parcel of 13.08 acres which is currently zoned RD,RC and UD from north to south with the largest portion being zoned RD; to have the zoning altered to "" . The reason for this change is to open a small Recreational Vehicle park on the property. The park will consist of 4 camper spots on the southern portion of the property laid out in line with county regulations. The goal is to cater to out of town construction workers and professionals working on long term projects at Savannah River Site, Plant Vogel and other surrounding work sites. Many workers feel that this is a more frugal option when traveling than staying in hotels or renting an apartment. Our property is conveniently located to many worksites in the area and can serve as a long-term RV rental site for these workers. The property is lined with mature planted pines and some oaks that will provide privacy and act as a screening buffer. There will be a private driveway entering from HWY 278 to the RV spots which will be located approximately 200 yards north of 278. Administration for the business will be handled by a father and son team that have lived on the property since 1988.

In conclusion I ask that you consider this rezoning request in order to provide a new business opportunity and allow an affordable, safe and convenient housing option for out of town business professionals and workers.

Respectfully,

Richard Lynn



RC, RD, UD to UD
 33 Aspen Ct.
 Parcel #127-05-01-002

Aiken County
 Planning & Development
 Department
 5/15/2020

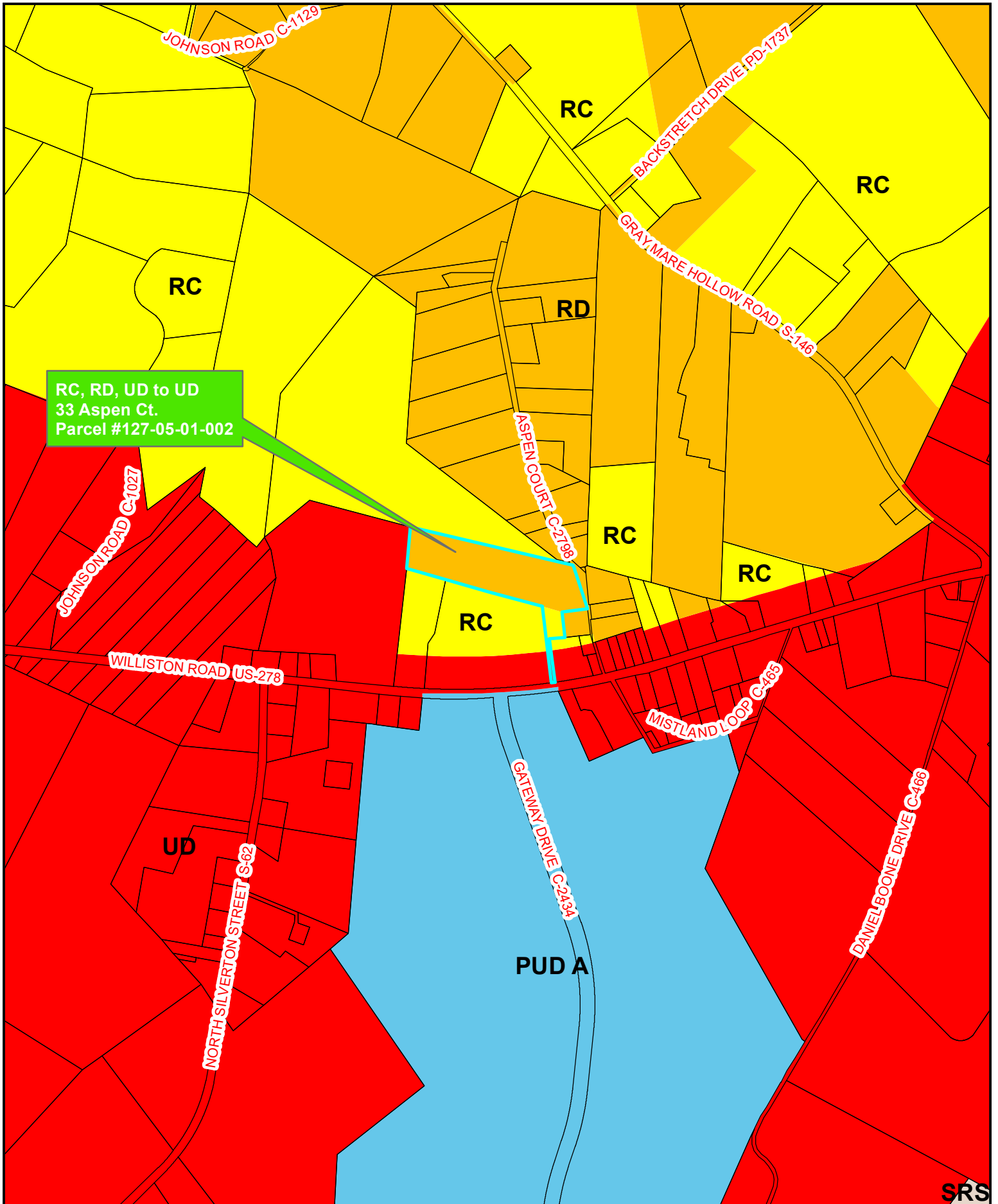
1" = 1,000'



**Proposed Rezoning from RC,
 RD, UD to UD - 33 Aspen Ct.
 Parcel #127-05-01-002**



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RC, RD, UD to UD
 33 Aspen Ct.
 Parcel #127-05-01-002

**Proposed Rezoning from RC,
 RD, UD to UD - 33 Aspen Ct.
 Parcel #127-05-01-002**

Aiken County
 Planning & Development
 Department
 5/15/2020

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SRS

Aiken County

Planning Commission

Planning and Development Department Staff Report



REZONING APPLICATION

Rezonin – RC Residential Single-Family Conservation
RD Residential Multifamily Development
UD Urban Development to UD Urban Development

DATE

March

PROPOSED DEVELOPMENT

Petitioner: Richard D. Lynn

Property Owner: Richard D. Lynn

Agent: [A]

Location: Aiken County Parcel Number []-[]-[]-[]-[]
Access drive eas off Aiken Court (C-[]) and Milliston Road (S-[])
[] Aiken Court – West side of Aiken Court approximately [] feet north of Milliston Road – see Attachment []

Development Status and History

Submission Status: [] previous rezoning applications on file

Previous Approvals: [A]

Conditions of Previous Approvals: [A]

Property Configuration

Acreage: [] acres

Number of Lots and Configuration: Single parcel with direct access to Aiken Court and Milliston Road

Current Use: Single manufactured home and an accessory equipment shed

Proposed Uses: The rezoning application states "A portion of the property is already zoned RD. The proposed change is to place the entire parcel in this zone to facilitate development of a small RV (motor) camp"

Consistency with Adopted Future Land Use Plan The Aiken County Comprehensive Plan Update – adopted by Council Ordinance 2015-03-01 and effective on June 1, 2015 addresses the future land use needs and objectives for the county. Section 2.2 Land Use of the Plan outlines goals for achieving the stated vision.

Related to the requested rezoning and the subject neighborhood, the vision calls for "Healthy Communities and "Optimal use" In support of the vision the Plan lists the following goals:

• Enhance the outcome of development and promote land use compatibility-

• Create and sustain a healthy, livable land use pattern

A healthy, livable land use pattern is characterized by:

- An arrangement of land uses which optimizes investments in existing infrastructure and minimizes investments in new and existing infrastructure

The proposed zoning classification is compatible and consistent with the existing zoning pattern on this section of the Milliston Road corridor. However, it should be noted that while the Milliston Road corridor has been zoned to accommodate urbanized development for several decades, the dominant land use remains single-family residential and rural. The proposed zoning will add to the supply of urban development land while there is

no indication that additional land is needed at this time to facilitate anticipated growth.

Current Zoning:

The subject property is currently covered by three zoning districts: RC, RD, and D. The D zoning covers the width of the property at a depth of approximately 100 feet from the Milliston Road frontage. The remainder of the property is zoned RC.

D Urban Development district (see Proposed Zoning)

RC Residential Single-Family Conservation district

- Permitted Land Uses: This district is intended to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses, and to reserve sufficient undeveloped land to meet future single-family housing demands.
- Minimum Lot Size: Calculated based on 100% of the area of the surrounding properties.
- Minimum Lot Width at Building Line: 100 feet
- Structures per Lot: One primary residential unit
- Maximum Impervious Surface: 100%
- Residential Setbacks: 100 feet depending on the street classification. Side 10 feet, Rear 10 feet.

RD Residential Multifamily Development district

- Permitted Land Uses: This district is intended to promote and accommodate housing development that meets the diverse economic and social needs of a diverse population. To this end, this district is designed and intended to allow for the development of a variety of housing styles, types, and densities on small lots or in project settings, including single-family duplexes, triplexes, pair-space condominiums, rental apartments, patio homes, townhouses, residentially designed manufactured homes, etc., and to do so in a protected, compatible residential

environment. This district is intended for a location in areas accessible by major streets and in proximity to commercial uses, employment opportunities and community facilities.

- Minimum Lot Size Residential use – 10,000 square feet for each residential unit plus 2,000 square feet for each additional unit Non-residential use - 10,000 square feet
- Minimum Lot Width at Building Line 30 feet
- Structures per Lot Two primary single-family residential units Allows multi-family developments
- Maximum Impervious Surface 50%
- Residential Setbacks 10 feet depending on the street classification Side 10 feet Rear 10 feet Additional setbacks for multi-family and non-residential uses

Proposed Zoning:

D Urban Development district

- Permitted Land Uses This district is intended to accommodate much of the projected growth in the unincorporated area of Alameda County during the time span of the county's comprehensive plan. This district is characterized by mixed-use development providing for a full range of residential uses as well as commercial, institutional and industrial uses.
- Minimum Lot Size Residential – 10,000 square feet for first residential unit 2,000 square feet for each additional unit Non-residential – 10,000 square feet
- Minimum Lot Width at Building Line 30 feet
- Structures per Lot Multiple units
- Maximum Impervious Surface 50%
- Residential Setbacks Front – 10 feet depending on the street classification Side 10 feet Rear 10 feet for residential and 10 feet for non-residential

The intended use listed by the applicant is permitted under the PD zoning contingent on performance measures contained in County Code Section 11-1111

Surrounding Developments and Uses:

North and east of subject site – low density (average size two to three acres) single-family residential development or vacant lots – zoned RC or RD

North and east of subject site - Milliston Road frontage to a depth of approximately 100 feet -- portions of low density single-family residential development or vacant lots – zoned PD

Immediately west of the site - at a depth of approximately 1000 to 1500 feet - vacant lots – recently rezoned to PD

South of the site - low density (average one-half to three acres) single-family residential development or vacant lots – zoned PD and 100-acre Garner Savannah River Research Campus and the Millenton Convenience Center – zoned PD

Street Extensions or New Streets:

None requested in conjunction with the proposed rezoning or use

Water and Sewer:

Subject lot is located in the Talatha water district – unclear whether lot is currently connected but potable water service is available on this section of Aspen Court. A willingness to serve review has not been requested by the applicant or Aiken County

The lot is not served by public sewer

PLANNING STAFF EVALUATION

Reviewed by: Joel T. Duce, AIC
Chief Development Officer

Site Visits Conducted: Joel T. Duce, Ma [redacted]

Recommendation: Approval with the following notes

- Proposed rezoning is compatible with the Comprehensive Plan
- The proposed zoning is consistent with the existing zoning pattern along Milliston Road
- The proposed rezoning will add to the inventory of available urban development projects in an area that has not seen an appreciable increase in conversions from large lot single-family residential and agricultural uses
- Existing rural and undeveloped uses border the subject project to the north. Commercial uses permitted in RD districts are required to maintain or create buffers where the border low intensity uses

Staff Comments:

Compatibility with and Impact on Comprehensive Plan

Section 4 of the County Comprehensive Plan presents a vision of safe neighborhoods and health communities. The Plan expands on the vision by articulating the goals of compatible land use patterns and sustainable rural and urban development. One of the tools available for implementation of the land use goals is the zoning scheme adopted by the County Council. The requested change to the zoning classification for subject project must be evaluated on whether it promotes or works against the stated goals. The evaluation must examine the uses permitted by right and conditionally in the requested district classification rather than a single specific use proposed by the applicant.

As shown in Attachment 1, the predominant land use in the area of the subject project is low density residential. The large exception in the area is Aiken County's 422 acre Savannah River Research Campus located approximately 1,000 feet to the south. The county has anticipated and planned for an urban development pattern along Milliston Road from Chime Bell Church Road to South Main Street. The RD zoning along the road's frontage reflects the Plan. The depth of the RD zoning varies in the area. The depth of the zoning on the subject project is less than 100 feet and is much less than the 1,000 feet to 1,500 feet

found on properties to the west. The approximate 100-foot deep RD zoning continues along the Milliston Road frontage from the subject property east to Mare Hollo Road. The northern portions of the subject property and other parcels to the east are zoned at a much more restrictive RC or RD zoning. The proposed rezoning will allow all of the subject property to be developed for more intense land uses, but is generally consistent with the large area along Milliston Road set aside for urban scale development. The proposed rezoning serves the Council's adopted goals of enhancing the outcome of development and creating certain and consistent in the overall land use pattern.

Compatibility with Surrounding Zoning and Uses

As discussed under the Comprehensive Plan analysis, the proposed rezoning follows the existing zoning pattern along Milliston Road. The proposed change shifts the interface between the less intense RC and RM classifications and the more intense commercial and service uses allowed by RD, but maintains the established pattern. The intended use of the subject property will be a departure from existing residential/agricultural land uses that dominate the area with the exception of the nearby Savannah River Research Center. The anticipated re-development of the area to commercial uses has been very slow. The pace of redevelopment suggests that sufficient land may already be zoned to meet the demand for commercial expansion. Beyond consideration of this request, the Commission should examine the zoning in the Lee Ellenton Milliston Road corridor. Clustering RD zoning near major uses, such as the Research Center or major intersections rather than along the entire corridor may be a more appropriate application of the RD designation. A change in approach may allow the County to meet current and future land use goals while also protecting the area's less intense residential and agricultural uses.

ATTACHMENTS - (Attachment Removed for Council Submission)

- Application
- Location Map
- Zoning Map