

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE, CHAPTER 5: LAND USE: ACCESSORY AND TEMPORARY USES, CONCERNING MOBILE FOOD VENDORS AND SPECIAL EVENT PERMITS

BE IT ORDAINED by the Governing Body of the City of Rock Hill in Council assembled:

SECTION 1. That this ordinance is being adopted in order to effect proper compliance with the provisions of the Home Rule Act of 1975, now South Carolina Code of Laws for 1976, Section 5-7-30, Section 5-7-260 and Sections 6-29-710, *et seq.* and Section 2-48 and Section 2-96 of the Code of the City of Rock Hill.

SECTION 2. That the Proposed Amendment concerning mobile food vendors and special event permits, and things affected by this Ordinance are being acted upon following Planning Commission consideration thereof, after due notice and public hearing held on January 6, 2026.

SECTION 3. That the Zoning Ordinance of the City of Rock Hill, CHAPTER 5: Land Use: Accessory and Temporary Uses, Section 5.3 Accessory Uses and Structures, and Section 5.4 Temporary Uses and Structures, be and the same are hereby amended by deleting the current language and inserting in lieu thereof the following:

See Exhibit "A" attached hereto.

SECTION 4. That all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. That this Ordinance shall be and become finally binding immediately after receiving first and second readings given in the manner required by law.

DONE AND RATIFIED in Council assembled on this the 9TH day of MARCH, 2026.



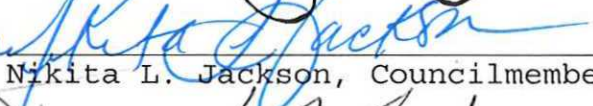
John Pressly Gettys, Jr., Mayor



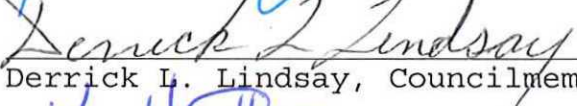
John A. Black, III, Mayor Pro Tempore



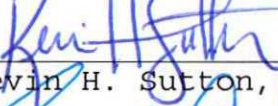
C. Brent Faulkenberry, Councilmember



Nikita L. Jackson, Councilmember




Derrick L. Lindsay, Councilmember



Kevin H. Sutton, Councilmember



Sarah Emerson Vining, Councilmember

ATTEST:


Maddison P. Wilkerson
Municipal Clerk

Proposed amendments regarding Mobile Food Vendors and Special Events

5.3 ACCESSORY USES AND STRUCTURES

5.3.2 TABLE OF ACCESSORY USES AND STRUCTURES

COMMERCIAL			
Mobile food vendors	<ul style="list-style-type: none"> • Agritourism • Craft breweries • Retailers Nonresidential uses with buildings of more greater than 100,000 square feet 	C	The conditions listed in the temporary use section for mobile food vendors apply. See section 5.4.5(E).

5.4 TEMPORARY USES AND STRUCTURES

5.4.3 TABLE OF TEMPORARY USES AND STRUCTURES

TABLE OF TEMPORARY USES AND STRUCTURES																							
P = Permitted Use C = Conditional Use S = Special Exception Use Blank Cell = Prohibited																							
TEMPORARY USE OR STRUCTURE	GENERAL DESCRIPTION/ EXAMPLES	RESIDENTIAL										BUSINESS		PERMIT REQUIRED?	USE-SPECIFIC STANDARDS								
		RU	SF-2	SF-3	SF-4	SF-5	SF-8	SR	SE-A	MF-15 AND MFR	MX	NO	NC			OI	LC	GC	CC	CI	DTWN	MUC	IB
Temporary uses																							
Mobile food vendors	Food trucks, trailers, carts, and trucks; prepared food products such as boiled peanuts.	P-if move through multiple sites in a meal period (such as but not limited to visiting active construction sites, or industrial developments, or ice cream trucks), or for special events; otherwise, C if set up in one place for one meal period										Yes, if conditional use		5.4.5(E)									
		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

5.4.2 USE-SPECIFIC STANDARDS—TEMPORARY USES

E. **Mobile Food Vendors:** Mobile food vendors ~~who do not actively move to multiple sites during one meal time~~ are subject to the following requirements:

1. **Location:** Mobile food vendors are permitted at the following locations:

- a. Space(s) approved by the Planning Commission. ~~The Planning Commission will consider the following items when evaluating the a request:~~
 - ~~Located in a pedestrian oriented area (whether on public or private property) such as in downtown, an urban scale mixed- use area, major park, athletic venue or similar destination facility, or a multi-building college or employment campus~~
 - ~~Request meet the the other use-specific standards below (5.4.2.E, 2-10).~~
 - ~~Support of a local business, business association, or similar group on or near the requested location.~~
 - ~~Impact on traffic/parking for the requested location~~
 - ~~Impact on surrounding businesses or restaurant uses in the area.~~
- b. As part of ~~an approved~~ special event as defined and allowed under this ordinance, ~~Section 5.4.5.G Special Events, or the special events policy in the City's municipal code, Section 26-13 - Special events policy; or~~

- c. As a conditional accessory use to a primary business, during their normal business hours, that justifies the provision of food service for its customers or employees (see accessory uses above). These include:
 - Agritourism
 - Craft Breweries
 - Nonresidential uses with buildings larger than 100,000 square feet
- d. Actively moving to multiple sites during one meal period, such as but not limited to, visiting multiple construction sites over a lunch period or ice cream trucks driving through neighborhoods. This does not mean being parked in one location over a meal period;
- e. On common areas of single-family or multi-family residential developments with the written permission of the home owners association, neighborhood association, or property management company;
- f. As part of a grand opening event for a business, limited to a maximum of seven consecutive days. All seven days must be within the first 90 days that the new business is open.

1. Location on site: In all cases mobile food vendors shall be located to serve major pedestrian flows, event attendees and on-site customers. Vendors shall not be oriented to attract business from nearby roads or other off-site areas. This does not mean they cannot actively move along a street, such as an ice cream truck.

- 2. **Permission of property owner:** The mobile food vendor must obtain the written permission of the property owner. If the mobile food vendor is proposing to locate within the right-of-way, it must have the written permission of the City. This does not apply to actively moving mobile food vendors as described above.
- 3. **Safety:** The unit must be parked in a location that does not create traffic or safety problems, and does not impede the activities of other uses at the location.
- 4. **Garbage:** The vendor is responsible for removing all garbage from the site, and keeping the surroundings free from litter at all times.
- 5. **Attendance:** The vendor must be present at the unit at all times.
- 6. **No overnight stays Hours:** Hours of operation are limited between 6 a.m. to 9 p.m. The unit cannot be left on site overnight.

Exceptions:

- a. Conditional accessory uses to Craft Brewery uses may operate the same hours as the tastingroom/brewpubs;
 - b. Locations approved by the Planning Commission, if specific hours of operation were listed as part of the approval process for the location;
 - c. As part of an approved special event, as defined and allowed under this ordinance.
- 7. **Restroom facilities:** The vendor is responsible for securing access to proximately located restrooms for employees.
 - 8. **State and local approvals:** Documentation of a city business license and approval by a state licensing agency from any state is required to be kept on site and made available upon request.
 - 9. **Alcohol Sales:** Serving or sales of alcohol is prohibited (including wine, beer, or spirits), unless otherwise approved as part of an approved special event permit, as defined and allowed under this ordinance.
 - 10. **THC (Tetrahydrocannabinol) Products:** Serving or sales of any THC products is prohibited, including those derived from hemp.

G. Special Events: The City regulates special events held on public property through the City Code of Ordinances and not the Zoning Ordinance. The following are the standards for special events held on private property.

1. Applicability: The procedures and standards of this subsection apply to all special events held outdoors (including but not limited to cultural events, musical events, celebrations, festivals, fairs, carnivals, circuses, **and grand openings, and communal camping**) on private property within the City, except for those that are:

- Held on the grounds of a private residence, or on the common areas of a single-family attached or multi-family residential development for a resident, **with the written permission of the home owners association, neighborhood association, or property management company; Mobile Food Vendors at a private residence must only be serving guests at the event, such as a birthday party, wedding, etc.**
- Sponsored in whole or in part by the City **of Rock Hill** or **Sstate of South Carolina**.
- Held at sites or facilities where the primary use has an inherent special event component. Examples include but are not limited to sporting events such as golf, soccer, softball, and baseball tournaments conducted on courses or fields intended and used for such activities; wedding services conducted at event venues; funeral services conducted at funeral homes or cemeteries; community events held in the buildings of religious institutions; and agritourism events held on property approved for that land use.

2. Relationship to other standards: Special event permits are not intended to allow uses in locations that would otherwise be prohibited by this ordinance, or to circumvent any required use-specific standards for a use. *Example: A Mobile Food Vendor parked at a convenience store, which is not part of a grand opening or other cultural event, musical event, fair, carnival, etc.*

3. Prohibited activities:

- **Tattoo/, body piercing, and the sales/serving of THC (Tetrahydrocannabinol) products are prohibited at all special events.**
- **The use of recreational vehicles, trailers, tents, or outdoor camping is not allowed except at the City's BMX facility or for emergency evacuation purposes, if allowed by the City Manager.**

4. Conditions: The Planning & Development Director will issue a special event permit after a finding that all of the following conditions are met:

- **No unreasonable risk:** The special event will not likely create an unreasonable risk of significant damage to public or private property, beyond normal wear and tear; injury to persons; public or private disturbances or nuisances; unsafe impediments or distractions to, or congestion of, vehicular or pedestrian travel; additional and impracticable or unduly burdensome police, fire, trash removal, maintenance, or other public services demands; nor other adverse effects upon the public health, safety, or welfare.
- **Control of Nuisance Factors:** The special event has a plan to control nuisance factors such as but not limited to the prevention of noise and traffic congestion. **On any property zoned residentially, or within 300 feet of any residentially occupied structure in any zoning district, the noise resulting from any activity, must not exceed 60 decibels, when measured at any point on or beyond the lot line.**
- **Location:** The special event is located such that its size can be reasonably accommodated on the proposed site.
- **Date & Time:** The special event takes place **on a date and** at a time that has not already been permitted or reserved for other activities at the proposed location or nearby.

- **Hours of Operation:** Outdoor special events are limited to hours between 7:00 a.m. to 11:00 p.m. This includes testing and setup of amplified music/speakers.
- **Parking:** The special event will provide adequate parking facilities, including vehicular access and egress.
- **Temporary buildings and tents:** The special event will meet all ordinance and other standards for tents and for temporary buildings, structures, and facilities, including placement, height, and size; location of equipment and open spaces, including buffer areas and other yards.
- **Sanitary and medical facilities:** The special event will provide sanitary and medical facilities in proportion to its expected size.
- **Solid waste collection and disposal:** The special event demonstrates a plan for solid waste collection and disposal.
- **Security and safety measures:** The special event will take security and safety measures appropriate to its expected size and the nature of the event. Events may need to provide off-duty police officers. If it is determined that officers are needed, the number of officers will be at the discretion of the City Manager or Chief of Police.

After evaluating these standards, the Planning & Development Director may place any or all of the following conditions on the special event:

- A condition to hold the event at an alternative location or date.
 - A condition that modifies or eliminates certain proposed activities;
 - A condition that limits the duration of the special event to a shorter time period than that requested or specified in this subsection;
 - A condition that a performance guarantee be provided to the City to ensure that any temporary facilities or structures used for such proposed special event will be removed from the site within a reasonable time following the event and that the property will be restored to its former condition.
5. **Duration of Permit:** A special event is limited to two events per site per calendar year. Each event is limited to no more than 14 days.