

Council Members

District 1: Stuart Graham
District 2: Charlene McGriff
District 3: Billy Mosteller, Vice Chair
District 4: Jose Luis
District 5: Steve Harper
District 6: Bryant Neal, Secretary
District 7: Brian Carnes, Chair

**County Administrator**

Dennis E. Marstall

County Attorney

Ginny L. Merck-Dupont

Clerk to Council

Sherrie Simpson

June 11, 2025

4:00 PM

LANCASTER COUNTY COUNCIL**COMMITTEE OF THE WHOLE**

COUNTY COUNCIL CHAMBERS, COUNTY ADMINISTRATION
BUILDING, 101 NORTH MAIN STREET, LANCASTER, SC 29720

MINUTES

Council Members Present: Steve Harper, Bryant Neal, Brian Carnes, Billy Mosteller, Jose Luis, Stuart Graham.

Council Members Absent: Charlene McGriff.

Staff Members/Others Present: Dennis Marstall, County Administrator; Ginny Merck-Dupont, County Attorney; Sherrie Simpson, Clerk to Council; Stephany Snowden, Deputy County Administrator; Sabrena Harris, Chief Financial Officer; Jamie Privuznak, Budget Director; Allison Hardin, Development Services Director; Scott Lackey, Project Manager; the press; various elected officials; various Department Heads; various employees; and citizens.

A quorum of Lancaster County Council was present for the meeting. The following press were notified of the meeting by e-mail in accordance with the Freedom of Information Act: *The Lancaster News*, *Kershaw News Era*, *The Rock Hill Herald*, Cable News 2, Channel 9 and the local government channel. The agenda was posted in the lobby of the County Administration Building and also on the County website the required length of time. The PowerPoint presentation utilized during the meeting is attached to the written minutes in the Clerk to Council's office.

Call to Order Committee of the Whole Meeting - Chairman Brian Carnes

Chairman Brian Carnes called the Committee of the Whole meeting to order at approximately 4:00 p.m.

Welcome and Recognition - Chairman Brian Carnes

Chairman Brian Carnes welcomed everyone to the meeting.

Pledge of Allegiance and Invocation - Council Member Charlene McGriff

Since Charlene McGriff was absent from the meeting, Billy Mosteller led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Jose Luis moved to approve the agenda. Seconded by Steve Harper. The motion Passed by a

vote of 6-0; Absent: McGriff.

Citizens Comments

The following citizens signed up for and spoke during Citizen Comments: None.

The following citizens submitted electronic, written comments for Citizen Comments: None.

Discussion and Action Items

**a. Update on the Coroner's Office Project - Presented by Coroner Karla Knight Deese /
Stephany Snowden**

Karla Deese provided an update on the Coroner's Office via the County's PowerPoint presentation. Maria Hedgepath and Caroline Faulkenberry, with the Fern Creek Group, reviewed the project's plans and timeline via the County's PowerPoint presentation. Stephany Snowden reviewed the project's budget and noted that staff would be going back to Council for approval of a \$1.3 million fund balance appropriation. Council and staff discussed septic tanks and sewer infrastructure.

**b. Review of UDO Module 2 - Presented by White and Smith Consultants' Tyson Smith,
Kelly Cousino, and Sean Scoopmire**

Allison Hardin explained what handouts Council had received at their seat. A copy of the handout package is attached as Schedule A to the minutes.

**c. Preview of UDO Module 4 - Presented by White and Smith Consultants' Tyson
Smith, Kelly Cousino, and Sean Scoopmire**

Sean Scoopmire reviewed Module 4 of the Unified Development Ordinance (UDO) via PowerPoint. A copy of the PowerPoint is attached as Schedule B to the minutes. Mr. Scoopmire noted that Council would receive one chapter of the UDO per week. Allison Hardin reviewed a timeline of when staff needed Council's comments on different chapters of the UDO, and Steve Harper stated that he wanted to review the UDO in its entirety, rather than breaking the reviews down by chapters. Council and staff discussed what would be reviewed during the July 2025 Committee of the Whole meeting scheduled for July 23, 2025.

Adjournment

Jose Luis moved to adjourn the Committee of the Whole meeting. The meeting adjourned at approximately 5:01 p.m.

Respectfully Submitted:

Lauren Hill

Lauren Hill
Deputy Clerk to Council

Approved by Council on July 21, 2025

Bryant Neal

Bryant Neal, Secretary

Schedule A

Lancaster County

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South Carolina

UNIFIED DEVELOPMENT ORDINANCE (UDO) UPDATE PROJECT

GENERAL COMMENTS (MULTIPLE CHAPTERS)

1. Aesthetics: Improve use of colors, font styles (bold, etc.) table presentations, and overall visual representation of UDO to make it easier on the eyes and to review. We recognize this is not a UDO re-write, so just asking for improvements that can be implemented without major investment of time.
2. Text to Tables: Need to comprehensive review the document in order to create more opportunities to convert paragraphs and text and convert information into tables where possible to be more user. Too much reliance on numbered Current Sub-Sections, etc. for detailed standards.
3. Conciseness: Need to comprehensively review the entire text and make text more concise by removing Current Sections that are duplicated elsewhere or use multiple Current Section to create standards for one topic area, and other considerations.
4. Conflicting or Non-Existent Cross References: Need to check existing cross references and confirm they exist and/or are attributed to correct ordinance Current Section. In many cases these references are non-existent. Please also provide cross references where it would be helpful to connect related code Current Sections.
5. Consistency: Need to confirm consistency throughout the document in regards to process standards and actual development standards. Many inconsistencies exist.
6. Best Management Practices/Standards: Need to comprehensively review the document to identify process and standards improvements to ensure Lancaster County is using contemporary standards for a fast growing community.
7. Rural-Urban Divide: Need to identify recommendations/standards that should be scaled back in the more rural areas. Only the Panhandle area (general north of City of Lancaster) is urban. What standards could be scaled back in the rural areas to be more appropriate (use of paving, etc.)? Chapter 6 infrastructure standards seem to touch on this (see table) where it applies different standards based on zoning district (for subdivisions).
8. No revision dates are indicated in the UDO, no indication of what the revisions were or dates revisions made. Therefore, the rules of engagement may have changed but there is no way to know, there are no footnotes, dates or any indication of the changes. If developments are responsible for compliance with the UDO when the project is submitted, how can that be verified if an element was in compliance but the UDO changed concerning it later. There have been many text revisions since adoption date of 11/28/2016. The reader does not know what version they are referencing.
9. Administrative Discretion: There are too many opportunities for exceptions embedded throughout the document. There are phrases such as these throughout: "when the administrator deems," "unless the administrator determines," "where deemed essential by administrator," "the suggestions made as to how to address," "the applicant can make any other proposals which they believe," etc. It is not a good practice to portray to the developer that special cases are regularly granted. Need to identify areas where we do not need this type of language and remove. In areas that remain, need to create approval criteria in which to evaluate individual cases.
10. Council has asked for ways that the UDO can be updated to address junk in the community, particularly in the rural areas. One thought from staff was to create an amortization clause eliminating grandfathered, non-conforming junk yards.

11. Gender Neutral Titles: Several Current Sections contain terms like “chairman”, etc. and need to be updated to reflect gender-neutral titles.
12. Stormwater Ordinance: The County Engineer has been re-writing the stormwater ordinance (Ch-8) and will likely have a new/replacement chapter to insert. Alternatively, it could simply be a standalone ordinance.
13. High Growth Community: Lancaster County is the 2nd fastest growing county in the state and the fastest growing community in the Charlotte region. The organization and content of our development standards and approval process are not sophisticated enough or suitably organized to manage this. Many of our projects are very large with multi-year (decade sometimes) vested approvals, substantial bonding, and incorporate the creation of public and private infrastructure. We need a Major Site Plan and Civil Construction Plan process that can suitably address and keep pace with our growth and complexity of projects.
14. The UDO needs to have improved standards for townhomes and larger quadraplex developments, which are returning.
15. The UDO needs to have improved standards for live-work development.
16. Comprehensively amend the UDO to prohibit connex containers outside of the AR, LI and HI Districts, and with the exception of seasonal sales storage for retail business in the GB and RB Districts, but only when not visible from a right-of-way.
17. Look into the creation of tiny home parks (similar to a mobile home park).
18. Approval/Findings criteria for Special Exceptions and Variances need to be deleted and replaced with those found in the State statutes.
19. In 2016, PDDs were replaced with the various MX Districts, which have not been received well by all internal and external parties. The County would like to develop a conditional zoning tool similar to North Carolina. Examples in South Carolina include Rock Hill’s master plan district and Charleston County’s conditional zoning district. This is must have item. [2025 UPDATE: PDD zoning will be re-established in the UDO draft.]

2024-2025 COMMENTS

20. Graphical information: the UDO needs more graphics to explain difficult topics.
21. Before going to public review, cross-checking/review of UDO drafts to ensure that the goals were expressly addressed and pointed to pages 1-10/1-11 of the current draft where the Comprehensive Plan relationship to the UDO is discussed.
22. Provide a regulation in the UDO for developers to disclose if a subdivision is proposed to be age-restricted prior to review/approval.
23. Residents needed to be allowed to expand their homes for accessory units for in-home care of aging parents. Possibly use the phrase “essential services” to indicate the difference between an accessory dwelling unit and a primary dwelling unit.
24. Look into whether codes see a difference between outdoor sales and outdoor rentals.

25. Should we allow required parking to be met via on-street, parallel parking in front of the property?
26. Should we require additional parking in the driveway/on private property?
27. Should we increase the number of parking spaces required per residence?
28. How do we ensure that the on-premise parking doesn't interfere with the sidewalk?
29. Where do we pull the parking space measurement from – for example the property line, the back of sidewalk? – so that parking doesn't interfere with traffic, either vehicular or pedestrian?
30. When discussing the separations between residential and commercial developments, the committee was in favor of leaning toward protecting the homeowners rather than business owners. Commissioners also advocated for better protection for residences.
31. The Committee has an interest in the UDO requiring neighborhood meetings before Planning Commission review of residential development, as a minimum requirement.
32. Every reference to SC DHEC should be amended to reflect the new department name, the SC Department of Environmental Services.

OVERLAY DISTRICTS

1. Current Section 4.2.1: Update the McWhirter Field Aviation Overlay (MFAO) District to:
 - a) Replace “Commission” with “Committee” and modify any decision-making processes resulting since Committee by design is advisory only (get County Attorney feedback);
 - b) Need to correct the process for Zone 5 project reviews. Currently any development activity in Zone 5 requires a Commission approval, which is punitive given its broad geography;
 - c) Need to address solar farms in Use Table and update MFAO to require a conflict analysis for proposed solar facilities (per airport manager); and,
 - d) Landfills are the only prohibited use in all zones. This needs to be more identifiable/explicit.
2. Current Section 4.2.1: Need to clarify if the density restrictions were intended to also apply to non- residential uses such as a factory, etc.
3. Current Section 4.2.1: Commercial Industrial, Manufacturing and Warehousing density and use requirements for the various zones (Current Section E, Pages 4-5 to 4-6) may be more restrictive than what is needed. As the county seeks to develop a 478 acre industrial park around the airport we need to make sure we are complying with state and federal requirements but are not being more restrictive. Also, the language regarding permitted uses is contradictory and needs to be corrected. For example the first category list Manufacturing Facilities, Industrial Plants and Warehousing as not allowed in Zones A and Zones B1 & C2; however, in the same table it lists Warehousing and Light Industrial/Manufacturing as conditional uses. Current Section G (Pages 4- 7 to 4-8) of the airport overlay district has a permit process for existing and future uses that seems to create a number of extra steps and it is unclear who is issuing the permit. Table 2 (pages 4-9 to 4-11) has information for compatible and incompatible may be more restrictive than what is allowed by state and federal requirements. Review the density and use requirements for the various airport zones and make adjustments that allow for maximum use of industrial property within the zones while meeting state and federal requirements. Also, review Table 2 that lists compatible and non-compatible uses to make sure these are maximizing what is allowed and still meets state and federal requirements. *(NOTE: this may be beyond the scope of this update without specific guidance from the County)*
4. Current Sections 4.2.2.B.2.f and g: Clarify that the role of the Planning Commission was in establishing the Carolina Heelsplitter Overlay (CHO) District credit criteria and continuous review of individual projects is not needed. Point of uncertainty in current administration of CHO.
5. Current Section 4.3.1: Update the Carolina Thread Trail Overlay (CTTO) District to:
 - a) Consolidate all of the design standards and various other thread trail elements in UDO into this Current Section;
 - b) Create a Fee-In-Lieu Section; and,
 - c) Create a County Engineer process to evaluate final CTT location, design, and materials. Staff has a draft ordinance we can share that achieves this that consultant can modify, as needed.

6. Current Section 4.3.2: Need some more specific guidance on gradual improvements to existing non-conforming properties in the Highway Corridor Overlay (HCO) District in order to achieve ultimate compliance and to be reasonable to non-conforming properties with significant useful life remaining.
7. Current Section 4.3.2: The UDO in various Current Sections places requirements on retail center design that does not allow for projects like The Promenade in which the shops are visible from the road with parking in the front. This does not lend itself to developments that appear welcoming and full of activity, which in turn limits their ability to be successful. Additionally, the UDO requires commercial buildings to be constructed close to the road which creates a safety and the ability to widen roads in the future as the structures are too close to the roadway. The older UDOs did not have such restrictions. Economic Development recommends eliminating design requirements that hide the front of the stores from the road and requires buildings to be constructed close to the road.
8. Current Section 4.3.2: Need to incorporate HCO layout and other standards for non-traditional buildings like apartments, churches, etc. as much of the ordinance targets commercial development. Consider exempting institutional buildings like churches, govt. facilities, etc.
9. Current Section 4.3.2: Increase building setback in Highway Corridor Overlay to better accommodate future US 521 road widening. Consider establishing a supplementary street yard requirements to provide an additional buffer area or lower cost future ROW cost.
10. Current Section 4.3.2: Help make overlay more concise by deleting text that simply refers back to conventional ordinance such as “design review”, “building height” “permitted uses”, etc.
11. Current Section 4.3.2.F.1: Define “front onto” and “parallel to ROW” or be more explicit. Graphic may help. Delete 1.b regarding front and rear access. Delete 1.C as it’s a policy statement.
12. Current Section 4.3.2.F.4: Replace “concrete” siding with “cementitious” Modify applicability statement to require on all four sides of a building with exception of a fully screened service area. Remove TRC approval of fence color and simply permit earth-tone colors or similar general standard. Delete last sentence about aesthetics and building codes.
13. Current Section 4.3.2.F.5.b: Clarify this is cumulative sq. (40k). Remove “retail.” Require minimum number of open space areas and clarify 500-sq. ft. is for a single area Replace tree height to 8- ft to match caliper size.
14. Current Section 4.3.2.G: Consider allowing some limited parking between the road and building for larger centers. Replace “fronting on the corridor” with fronting on US 521 and SC 160. Where should vehicle park for sites fronting secondary roads within the overlay? In Current Sub-Section 2, delete reference to on-street parking prohibited on corridor or other street. Delete redundant Current Sub-Section 3 related to quantity. Delete 5C as there are no such standards in this Current Section related to spacing or correct citation. Create criteria for conflicting uses in Current Sub-Section 5e.
15. Current Section 4.3.2.G: Revisit parking location standard.
16. Current Section 4.3.2.G.5.b: Private and public roads are not defined in either Chapter 6 or Chapter 10.

17. Current Section 4.3.2.G.5.c: Indicates that the minimum spacing between driveway accesses shall comply with the provisions of Current Section 4.3.2.G; however this is in 4.3.2.G ...and there are no provisions.
- a) Current Section 4.3.2.H: Need to reformulate this Current Section more comprehensively address the following performance items (possibly into a table). All parcels get a free standing sign in addition to any shopping ctr shared signs;
 - b) All corner parcels can have a secondary frontage sign (single use or shared);
 - c) Greater height allowances for freestanding signs (10-ft single use, 25-ft shared sign);
 - d) For shopping center signs, allow one at a min. for each road frontage and signalized entryway. For measurement of height, there is generally a significant grade difference between the corridor pavement and development parcels. Point of measurement should be modified to address this; and
 - e) Allowance for directional signage and tenant mapping signs with size thresholds.
18. Current Section 4.3.2.H.1:
- a) Retitle this to General standards or similar;
 - b) Clarify if ground mounted signs are required to be of a monument design. If yes, for shared signs, need to enable use of a pylon sign with a solid base up to X% of its height; and
 - c) Create ability for use of signs in roadway center landscape islands located within private ROW.
19. Current Section 4.3.2.H.4 and 5: Remove prohibition on banners. Need to comprehensively improve temporary sign regulations. In HCO and in Chapter 7 to better utilize current marketing tools and better balance advertising needs with aesthetic goals. Can provide some separate language from neighboring community staff worked on recently that may help, if desired.
20. Current Section 4.3.2.H.4: Relocate most of these to Chapter 7 sign ordinance. These would apply anywhere. A few may be unique to the corridor.
21. Current Section 4.3.2.I:
- a) Clarify if the light levels are based on “initial” or “maintained” light levels. Make consistent with Ch-7 standard if there is one;
 - b) Delete Signalized InterCurrent Section Current Section;
 - c) Eliminate any redundant standards with Chapter 7; and
 - d) Develop Current Section/Current Sub-Section titles for better organization.
22. Current Section 4.3.2.J.1:
- a) Review Current Sub-Section 1 General against Ch-7 standards and remove redundant text; and
 - b) Relocate native species and drought tolerance language to Ch-7. Create a minimum percentage of material standard featuring these characteristics.

23. Current Section 4.3.2.J.2:
 - a) Increase the corridor buffer width to 40-ft along US 521 to account for widening; and
 - b) Reformulate planting rate to require canopy and understory trees and shrubs.
24. Current Section 4.3.2.J.3: Consolidate some of the utility screening areas, Seems redundant. In Current Sub-Section g, there are no fence or wall standards in Ch-7.
25. Current Section 4.3.2.J.3.f: Reference provide in provision is incorrect. Change to Current Section 4.3.2.J.6.a.ii.
26. Current Section 4.3.2.J.4: Need to flag as a policy question whether we want to have SCDOT medians planted. Has not been consistently administered in plan review as well leading to some disjointedness.
27. Current Section 4.3.2.J.6:
 1. Revise tree height to 8-ft; and
 2. Create landscape divider island standards for larger shopping centers.
28. Current Section 4.3.2.J.6: Remove list. Develop new tree list to be applied countywide.
29. Current Section 4.3.2.K: Consider deletion - redundant.
30. Current Section 4.3.2.K: The amount of on-site impervious surface areas shall be limited to the prescribed ratios set forth in Chapters 2, 3, and 8 of the UDO. There are no ratios in Chapter 3 and it is unclear if ratios exist in Chapter 8.
31. Current Section 4.3.2.L: Delete tree preservation Current Section. Highway corridors not best place to implement. Please create new countywide tree preservation ordinance (will require some feedback from Planning Commission and/or County Council).
32. Current Section 4.3.2.M: Delete 25-ft setback Current Section for industrial buildings.
33. Current Section 4.4.1: Need consultant guidance regarding the quality of this ordinance and any necessary improvements. For background, a developer paid to have this ordinance written.
34. Current Section 4.4.1: Have staff approval on all Current Sections versus Planning Commission (referenced in multiple locations).
35. Current Section 4.4.1.A-C, E and G: Convert text to a table.
36. Current Section 4.4.1.B: Increase to 6,500 SF.
37. Current Section 4.4.1.D.2: Clean up last sentence to indicate modified lots will count in the category of the predominate lot type on the block (or similar).
38. Current Section 4.4.1.E: Revise front setback to 25 feet.
39. Current Section 4.4.1.F: Consider increasing the open space percentage (by not including floodplain, wetlands, etc. in min. acreage) and creating design and amenity requirements, require tree retention, and other enhancements to this district. Add Floodplain and stream buffers to list of Primary Conservations areas if this system continues. Tree protection should be required in a cluster subdivision overlay, not suggested. If we create a general tree protection ordinance, perhaps the cluster ordinance has a higher standard.
40. Current Section 4.4.1.G: The density example is incorrect. Should be 2.5 du/acre in MDR.

41. Current Section 4.4.1.H: Delete this Current Sub-Section.
42. Current Section 4.4.1.I: Speak with County Engineer regarding increasing pavement width to 24-ft due to on-street parking and commensurate increase in ROW width.
43. Current Section 4.4.1.I.6: Need to clarify sidewalk required around cul-de-sac bulb here and in Ch-6. In areas with single sided sidewalk, increase to 6-ft in width for CSO and in Ch-6 general sidewalk requirements.
44. Current Section 4.4.2: Consultant should provide any general recommendations for improvements as staff has little experience with these project types.
45. Current Section 4.4.2: Create a minimum grazing space to compliment the min. lot size for horses. This is more typical with equine standards.
46. Current Section 4.4.2.B: Line 2 should be changed to "...20 feet from any side interior property line..."
47. Current Section 4.4.2.B: Line 3 should be changed to "...any ~~corner yard~~ side street property line..."
48. Current Section 4.4.2.B: Line 3, strike "in the front yard it shall."

SUBDIVISION AND INFRASTRUCTURE STANDARDS

1. General Comment: Need to have a clean break between what is required for subdivisions and what is required for non-residential civil construction plans. While there is a general reference in applicability Current Section, it's not distinguished anywhere else.
2. General Comment: Need to evaluate some of the subdivision standards such as block lengths, connectivity index, external connections, etc. regarding whether or not these make sense to apply in our rural areas of the County. Perhaps this is addressed by expanding the improvement table to include standards as well.
3. General: Need to create Subdivision Variance process approved by staff or PC or create distinction with existing deviation language regarding who approves this when plat goes to PC.
4. General Comment: Need to create a general road design Current Section with language to help prevent long straightaway streets and incorporate natural traffic calming.
5. General Comment: The UDO is silent in several critical areas; one obvious example is concerning earthwork/grading requirements. Many large fill areas are failing and sink holes, embankment failures and foundation problems are becoming more and more frequent complaints. These types of failures will only increase as construction without inspection increases. Traffic control when working in Right-of-Way. Either stand-alone ordinances or strengthening of UDO Chapter 6, Infrastructure Standards need to occur. We have to implement minimal earthwork standards and enforce them. The project drawing notes have minimal compaction notes, but the contractor can move a lot more dirt faster without compaction. Need some recommendations from consultant regarding how to address.
6. Current Section 6.2.1: Rephrase: Applicable to all land in unincorporated county or those municipalities that have adopted this UDO.
7. Current Section 6.2.2.B: These exemptions are based on North Carolina statutes (largely). Our attorney has confirmed we may apply a higher std. than SC Code, however, we likely need to revisit this as it generates significant conflict. The State exemption is 5-acre lot. Need help and/or advice on this. Perhaps we adopt the State Exemption (5-acre lots exempt, like most of SC Counties) and loosen the familial exemption Current Section (2nd half).
8. Current Sections 6.2.2.C and D: Provide statement indicated to effect "and all other items that may be required on application checklists."
9. Current Section 6.2.2.F: This should be Building Official, not inspector.
10. Current Section 6.2.4: Pull this out and adopt separately to make future updates easier. This Current Section can remain with modified verbiage to reflect new location.
11. Current Section 6.2.5: This seems to be a given and ripe for removal.
12. Current Section 6.3:
 - a) Street lights, curb/gutter, and underground drainage need to be required in the MDR District.
 - b) Delete underground wiring since it's not required in any district.
 - c) Sidewalks should be addressed here.

- d) Should require interior and perimeter road frontage sidewalks in the Panhandle area for residential and commercial development.
 - e) The final line within the table references Current Section 6.7.1; however this should reference Current Section 6.6.1.
 - f) The footnote uses “wave” instead of “waive.”
 - g) The footnote references LID standards – this should direct users to Current Section 7.1.4.F – may need to be restated as bioretention areas / rain gardens.
13. Current Section 6.4.1.B: Delete this standard.
 14. Current Section 6.4.1.C: Delete “...in excess of 800 feet ~~where deemed essential by the Administrator~~ to provide...”
 15. Current Section 6.4.1.D: Chapter 6 references 800-ft and 1000-ft in different Current Sections. Need to use one std. that reflects best practices.
 16. Current Section 6.4.1.D.1: Should be “~~and~~ or no more than 20 lots.”
 17. Current Section 6.4.2: When stubs are created, require installation of sign indicating: “Future Street Extension” or similar.
 18. Current Section 6.4.3: A CI of 1.3 seems low for a conventional subdivision.
 19. Current Section 6.4.4: Delete this Current Section.
 20. Current Section 6.4.6: Need to evaluate this more as it appears to read that developer will bring existing perimeter streets up to current standard, which may not be appropriate in many cases (sidewalk, C/G, etc).
 21. Current Section 6.5.1: The content of this Current Section does not match the title. This should be x-number of ADT shall require Y-street type, etc. and any other necessary details. This would be the Current Section we would use to require a collector road, etc.
 22. Current Section 6.6.1.A.2: Need criteria. Perhaps combine with Current Sub-Sections C and D that follow, or consider deleting.
 23. Current Section 6.6.1.B.4: Delete/add “...other materials (~~such as pavers~~) and built in accordance with current Americans with Disabilities Act, ADA guidelines and Appendix C...”
 24. Current Section 6.6.2: Not sure where these are required. Regardless, 6-ft is not wide enough for shared use. If there is no existing UDO regulation connection, perhaps this is rebranded into a multiuse path standard (9-ft min. width) that may be used in-lieu of sidewalks on both sides for collector roads, etc. Remove crushed stone option.
 25. Current Section 6.6.2.C: Add “...concrete, and crushed stone. All surfaces shall be built in accordance with current Americans with Disabilities Act, ADA guidelines.”
 26. Current Section 6.6.2: Add “D. Foundation: Shall be Mirifi 500X geogrid, four-inch compacted ABC stone, or native material at 95% standard proctor compaction, and built in accordance with current Americans with Disabilities Act (ADA) guidelines and Carolina Thread Trail design standards, as applicable.”

27. Current Section 6.6.3: Relocate to CTTO District (Chapter 4) and create fee in-lieu option (can share text). Repurpose this by creating a subdivision trail standard (5-ft wide comprised of asphalt, concrete, or compacted gravel).
28. Current Section 6.6.3.D: Add: “...other material ~~approved by the administrator~~, and built in accordance with current Americans with Disabilities Act (ADA) guidelines and Carolina Thread Trail design standards, as applicable.”
29. Current Section 6.6.4.B: Delete/ add: “~~When required such~~ Such crosswalks shall...”
30. Current Section 6.7: Combine with CTTO District (Chapter 4). Not sure of any other adopted plan requiring this.
31. Current Section 6.8: Requires a TIA for a text amendments, land use plan amendments, zoning map amendments, and rezonings (unsure how we will know nature of use in rezoning) which meet the 50 peak hour trips/day threshold – requires a lot of details for items that don’t otherwise require it. Need to reduce the applicability Current Section and increase the peak hour trip to 100. Need to also update or eliminate the use square footages.
32. Current Section 6.8.1.A: Remove the 2nd part of TIA requirement to identify additional improvements needed to raise the standards to adopted LOS std. It suggests this is an improvement expectation by developer.
33. Current Section 6.8.1.C: Delete/ add “... average daily trips ~~by~~ or more than 25%.”
34. Current Section 6.8.1.E: Delete/add “... deceleration ~~of site traffic~~ lanes in accordance with SCDOT design guidelines.”
35. Current Section 6.8.2: Add preliminary sight distance evaluation for all proposed streets and drives.
36. Current Section 6.8.3: The first 3-paragraphs do not reflect our process which is:
 - a) TIA is submitted;
 - b) Staff and/or County Traffic Consultant reviews with SCDOT;
 - c) TIA is approved (typically); and
 - d) Developer constructs improvements.Not sure if all of the detail in A thru M is needed. Is this typical in UDO’s?
37. Current Section 6.8.4: Need to distinguish driveway spacing for full access versus restricted access. Current Sub-Section 3 regarding 5-acre parcels seems trivial. Existing median crossovers north of Highway 5 should be encouraged for removal. Need to distinguish what is applicable in the HCO and all other areas. In Current Sub-Section B, need to indicate shared access drives are required within the same development.
38. Current Section 6.8.4.A.5: Eliminate Access Management provision limiting closure of median cross overs. Create interCurrent Section/driveway separation standard for R-I/R-O similar to SCDOT. Current std. makes no distinction between full and limited access.
39. Current Section 6.9: Need to clearly indicate these provisions apply to public and private roads platted with ROW.
40. Current Section 6.9.1.C.1: The estimate should be provided by a PE for infrastructure improvements and a landscape professional (arborist / landscape architect) for landscaping

improvements.

41. Current Section 6.9.2.A.2, tries to provide a fax number, but only includes a string of x's as, conceivably, the writer of the 2017 amendment did not know the correct fax number and could not be bothered to determine the correct number and nobody actually reviewed the ordinance or questions the string of x's.
42. Current Section 6.9.3: Need to specify the warranty surety formula. For streets, could use 50% of final lift of asphalt.
43. Current Section 6.10.1: Easement width shall be determined based on need of improvement (not admin.). Require a 5-ft general utility easement along the front of all residential lots in a major subdivision. Easements shall also identify who the holder of the easements is and specific terms associated.
44. Current Section 6.11.3.G and H: The naming of roads can be restricted by duplications or similar names in surrounding counties. This requirement can be excessive at times as was the case with the renaming of HSBC Court to Sharonview Way. Sharonview owns the only building on the court and was told they could not have their requested name due to a Sharonview Street in incorporated Fort Mill approximately 8 miles from the Indian Land location. Also, Sharon Road in Charlotte which was 14 miles away was cited. Greater flexibility is needed in the naming of roads when similar names may exist in neighboring counties. Perhaps a distance should be agreed upon. For example: Similar names that are less than five miles from the location being named will be considered when approving a road name.
45. Current Section 6.13: Need to clearly indicate the inspection and warranty provisions apply to public and private roads platted with ROW.
46. Current Section 6.13.3: This Current Section assumes all improvements are in place, which is not typically the case at final plat (final lift of asphalt, trees, and sidewalks usually not installed). Need to revise.
47. Current Section 6.13.4: It's not clear to me what a variance would be granted for. The warranty bond details should be relocated to Current Section 6.9 Improvement Guarantees.
48. Current Section 6.13.5: This isn't appropriate for a UDO.
49. Current Section 6.13.8: This Current Section duplicates Current Section 6.10.
50. Current Section 6.14: Need to clearly indicate these standards apply to public and private roads platted with ROW.
51. Current Section 6.14.1.B: Replicates roadway standards already noted elsewhere. It establishes a 500- ft cul-de-sac standard, which is inconsistent elsewhere. All standards need to be in one Current Section. Also need to have a Current Section that specifies when you built a certain road type.
52. Current Section 6.14.1.D: "sight" not "site."
53. Current Sections 6.14.E and H: These Current Sub-Sections conflict and need to be consolidated.
54. Current Section 6.15: Incorporate into Current Section 6.6.
55. Current Section 6.16: Typo in last line (shale).

56. Current Section 6.17.1: Errant word in sentence (must be meet...)
57. Current Section 6.18: Need to retitle this Current Section.
58. Current Section 6.18.1.C: Need to create provision for 2nd access when interior Current Section of subdivision has more than 100-lots served by one access. Need to also create standard for multifamily communities. Need to clean up items in C.1.a thru c....written poorly.
59. Current Section 6.18.1.D: Need provision for minimum stacking distance and required turnaround.
60. Current Section 6.18.1.F: Coordinate with Fire Marshall on eliminating or revising this. Many areas of the county lack public water and are served by wells. I don't think homes in other rural communities are built with these types of features.
61. Current Section 6.18.1.G: Coordinate with Fire Marshall to incorporate appropriate standards they have created, but not incorporated. Include provision that County can mandate developer installation of traffic calming measures when road design warrants.
62. Current Section 6.18.1.H: This Current Section conflicts with our requirement that all lots front a road. The five lot standard also gives the County a lot of angst regarding long term maintenance. Need to reconcile the lot access conflict and discuss best way to address this Current Section as not all lots in rural area can front road. Any shared drives should have a shared access and maintenance agreement recorded with the plat. Current Sub-Section H.4 could be delete as it's a given.

GENERAL DEVELOPMENT STANDARDS

1. General Comment: There are numerous Current Sections with individual deviation provisions. Should we eliminate these and/or incorporate them into the general Alternative Landscape Current Section which gives the Planning Director ability to approve a modified plan? Or, should we establish a new Current Section (eliminating the alternative Current Section) at the end of the landscape provisions granting certain abilities to staff to work with applicants on flexibility to the landscape plans given that certain criteria or thresholds are met?
2. Current Section 7.1: The RUB District is excluded from the landscape provisions.
3. Current Section 7.1: Need to require a perimeter planting strip when no buffer exists. Minimum 10-ft wide planted with trees and ground cover.
4. Current Section 7.1: Need to require 20-ft street yard landscape requirements (beyond street trees) requiring trees, shrubs, and ground cover along roads.
5. Current Section 7.1.1: Relocate nonconforming provisions to nonconformance Current Sections of Chapter 9. May want to consider eliminating these standards and similar parking standards and replace with a more comprehensive system of percent of improvements equates to a commensurate increase in nonconformance upgrades.
6. Current Section 7.1.1.C: Delete this Current Section. Can revise plans if in conformance to ordinance.
7. Current Section 7.1.1.D.1: Where is the referenced Current Section B related to Bonding? Current Section 2?
8. Current Section 7.1.1.D.3: Eliminate the 180-days limitation on replacement of dead planting. Should be in perpetuity.
9. Current Section 7.1.1.D.5, states “all required vegetation shall be placed on the side of the fence or wall of the development site under consideration.” Which side of the fence; the interior or the exterior?
10. Current Section 7.1.1.E.3: Delete provision – covered elsewhere.
11. Current Section 7.1.2: Create a tree protection requirement that contemplates at a min. protection of Heritage Trees and potentially existing tree canopy percentage.
12. Current Section 7.1.7.B.3: Understory trees need to be required to be native or locally-adapted consistent with canopy and evergreen trees.
13. Current Section 7.1.7.C.1: Requires mulching with 3-inch layer of appropriate material. Needs to identify what materials are appropriate.
14. Current Section 7.1.7.C.2: Prior provisions require native or locally-adapted trees – this provision only encourages native and drought-tolerant vegetation. Delete final sentence for consistency.
15. Current Section 7.1.3: Create a single planting rate of 1 tree per 30 linear feet. Create a street tree planting for the rural districts where not currently required of 1 tree per 50-ft. Keep the tree well planting rate. Need to create a proviso that trees are in planting strip unless conflicting with water or sewer utilities.
16. Current Section 7.1.3: Need to create standards that provide for adequate space for street

trees to be planted and grow.

17. Current Section 7.1.3.B.3: Delete this Current Section.
18. Current Section 7.1.3.C: Reduce this width to 5-ft.
19. Current Section 7.1.4: Consider adding requirement prohibiting parking lot light poles within landscaped islands.
20. Current Section 7.1.4.B: Not sure this exemption will ever be utilized. Consider deleting.
21. Current Section 7.1.4.C: Use 1 tree per 30-linear feet. Require the shrub and tree screening around all parking lot sides. Not just facing street.
22. Current Section 7.1.4.C.2: What constitutes “semi-opaque?”
23. Current Section 7.1.4.D: Require trees/islands at the ends of each row of parking in addition to every 10-spaces. Consolidate the parking space within 50-ft standard in this Current Section as well.
24. Current Section 7.1.4.D.2.b: Minimum island length should also be established.
25. Current Section 7.1.4.D.2.d: Does the requirement for parking spaces within 50 feet from base of a tree make sense? Would seem to require more cars within the critical root zones of trees which would be detrimental to the trees. Consider increasing or eliminating requirement.
26. Current Section 7.1.4.E: Require curbing (versus wheel stops) for non-single family parking lots with more than 25-stalls with exception of the RUB District.
27. Current Section 7.1.4.G: Use 1 tree per 30LF.
28. Current Section 7.1.4.G: Need narrative requiring the perimeter screen shown in the Current Section G exhibit that frames the perimeter or the parking long the interior drives (see left side of image) similar to when parking lots front a public or private road.
29. Current Section 7.1.4.G: Graphic does not reflect requirements of code.
30. Current Section 7.1.5.A: Need to establish buffers between use categories or groups of uses verses zoning districts.
31. Current Section 7.1.5.A.1: Erroneously notes RM instead of RN as an adjacent zoning district.
32. Current Section 7.1.5.A.5: Replace “yard” with “setback.”
33. Current Section 7.1.5.A.6: Replace “yard” with property line.”
34. Current Section 7.1.5.B: Need to re-evaluate these types and make more robust. There should not be a 10-ft option when residential abuts commercial. Need to create instances where a fence or berm is required in these instances as well.
35. Current Sections 7.1.6.3.b and c: Eliminate chain link fence with slats option and allow solid vinyl fence.
36. Current Section 7.1.6.4: Increase distance to 400-ft.
37. Current Section 7.1.7: Relocate General Current Section of landscape ordinance at beginning of chapter here.

38. Current Section 7.2.4: Consider the creation of a set aside area for parking where a user that may not need all of the parking which they are otherwise required to provide can set aside an area of the property that could be developed as parking in the future should a subsequent user of the property have a greater requirement.
39. Current Section 7.2.4.A: Create more robust required parking table. Missing many uses and some uses are not accurate and/or are otherwise unnecessarily exempt from parking requirements.
40. Current Section 7.2.4.A: Need a parking rate for senior housing.
41. Current Section 7.2.3: Eliminate this table and graphic exhibit. Revisit the parking location and building orientation Current Section in the HCO to improve it and create options.
42. Current Section 7.2.4.A: Gross leasable area (GLA) is not defined in the code. As this is not defined, it is unclear how parking may be calculated. Replace with gross floor area (GFA).
43. Current Section 7.2.4.A: Provide parking requirements for Banquet Hall and Agritourism uses.
44. Current Section 7.2.4.B: Create more conventional parking rates. Require an offset for the maximum parking such as enlarged street yards, etc. or other techniques.
45. Current Section 7.2.4.C: The exemptions we have are fine; however should there be a further “catch- all” option available for other unforeseen circumstances?
46. Current Section 7.2.4.C.1: This seems excessive – more so for the IMX District.
47. Current Section 7.2.4.D: Retitle to “Alternative Parking” and incorporate more traditional options: Shared parking, Satellite, etc.
48. Current Section 7.2.5: Need to create driveway throat standards between public road and drive aisle.
49. Current Section 7.2.5: Need to create stacking requirements for drive thrus.
50. Current Section 7.2.5.A.10: Delete Current Sub-Section 10 for residential.
51. Current Section 7.2.5.B: Allow “post and rope/chain” for gravel, grass, etc. lots marking.
52. Current Section 7.2.5.B.2: This table needs to be revised and any allowance for non-paved surface need to be more simplified.
53. Current Section 7.2.5.E: Need to clarify pedestrian walkways will be connected to public sidewalk. Clarify striping is only for driveway crossings, not the actual walkway.
54. Current Section 7.2.5.F.1: Need to exclude vehicle sales from the provision: “Open storage of automobiles, trucks or trailers of any type without current license plates shall be prohibited on any parcel.”
55. Current Section 7.2.6: Simplify this Current Section to only require one type of bike parking. Facility does not need to be covered. Conventional U-rack is fine mounted into concrete pad.
56. Current Section 7.2.7.A: Need to generalize this more to avoid someone trying to maneuver out of compliance by not using cut-away curb, etc.

57. Current Section 7.2.7.A.2: Define “driveway approach.”
58. Current Section 7.2.7.A.3: Need to modify the applicability language to not whenever the Administrator deems feasible. Perhaps this gets rightsized by requiring it when adjacent properties are part of the same development or in common ownership.
59. Current Section 7.2.7.A.4: Need to create language requiring that grading and finished elevations on subject parcel shall enable future connection from abutting parcels. Having too many properties develop with side lot line retaining walls challenging connectivity.
60. Current Section 7.2.7.A.5: “At all driveway approaches, a sight area shall be maintained according to the provisions of Appendix C, MSSD.” No such provision exists in Appendix C.
61. Current Section 7.3: Improve the lighting ordinance as a whole.
62. Current Section 7.3.2: Need to note if this is Initial or Maintained light levels.
63. Current Section 7.3.2.A: Having the standards designed by zoning district makes little sense, and given how footnote #1 discusses the applicability of light trespass between residential and non- residential properties (regardless of conformity of use), it only serves to make the very premise of this district-based standard more pointless.
64. Current Section 7.3.2.A: The RUB, OSP and MX Districts are not included.
65. Current Section 7.3.2.A: Based upon footnote #1, there is no concern of light trespass between residential properties, or between non-residential properties. This omission renders these regulations fairly pointless.
66. Current Section 7.3.2.A: Footnote #2 is utterly pointless. It only repeats the language to which it is a footnote.
67. Current Section 7.3.2.A: Footnote #3 is comprise of two halves. The first half states that the footcandles for outside sales areas shall be “measured as the average point of horizontal illuminance.” If this measurement is to be the average, and is to either be 10 f.c. or 20 f.c., and the otherwise maximum f.c. onsite per this same Current Section can be no more than 10 f.c., then this “average” cannot ever mathematically happen. The second half of this footnote is now moot as the balance of this footnote and the language to which it pertains is now irrelevant.
68. Current Section 7.3.2.B: Provide non-cut off designation allowance for decorative building lighting (not including wall packs, etc.). Max. height should be 32-ft (for pedestal) and 22-ft within 100-ft of residential zoning district or use. Require use of house-side shield when within 100- ft of residential.
69. Current Section 7.3.3.B: Eliminate vague Administrator reference in #3
70. Current Section 7.3.4.A.7: Replace municipal with County.
71. Current Section 7.3.4.B: Prohibit the use of neon or LED lighting around doors or buildings that are used as an attention grabbing device. Need to combine this Current Section with 7.4.8 Prohibited Signs.
72. Current Section 7.3.5: Revise/restructure this to include two Current Sections:
 - a) Submittal requirements of a site plan; and
 - b) Ongoing Compliance

Make clear that light values are based on Maintained values (it's buried in existing language). Relocate Nonconforming Lighting to Nonconformance ordinance.

73. Current Section 7.4: Re-examine temporary sign provisions in Panhandle/Hwy Corridor Overlay area.
74. Current Section 7.4: Need to re-examine wall signage allowance. 75 sq. ft. per building is insufficient. Based on percentage of façade area with max. size per sign.
75. Current Section 7.4: Need to re-examine freestanding heights/message areas to ensure they are consistent with industry standards.
76. Current Section 7.4: Need to have Reed case law consistency review.
77. Current Section 7.4: Need a Severability clause that states if any Current Section of ordinance is found in violation of law that it will not impact enforceability of remaining valid Current Sections of ordinance.
78. Current Section 7.4.2.A: Delete unnecessary language "no zoning permit will not be issued without application and fee..." at end of paragraph.
79. Current Section 7.4.2.A: Create a new "Exempt" signs Current Section that notes all signs exempt from the ordinance. Include sign refacing where there are no modifications to sign structure or panel or enlargement of message area.
80. Current Section 7.4.4.A.3: Increase Dated Sign threshold to 120-days.
81. Current Section 7.4.5.A Attached Signs: Wall signage is insufficient for non-residential districts. Maximum allocation of 50 or 75 sq. ft. does not work for larger single use sites or multitenant shopping centers. The districts clustered together are also not consistent. MX and IMX are fairly intense, but do not enjoy the highest allowance. In Current Sub-Section F, relocate Address signs to "Signs not Requiring a Permit" Current Section.
82. Current Section 7.4.5.B: In Current Sub-Section A, eliminate landscaping around base. Allow pole signs so long as the sign so long as the sign box is only x-feet from the grade.
83. Current Section 7.4.5.B: Please evaluate message area allotments. Hwy 521 signs inside or outside the HCO should be relatively large given 45 to 55mph speed limit in width of ROW.
84. Current Section 7.4.5.B:
 - a) Reorganize the district groupings by intensity. As previously noted, some of these are not grouped consistently.
 - b) Why would Institutional have a different max. # allowance? In monuments Current Section, the Chapter 5 reference may need to be a Chapter 4 HCO reference.
85. Current Section 7.4.5.B: Relocate A-frame signs to temporary sign Current Section. Allow A-frames in all business districts and home occupations.
86. Current Sections 7.4.5.C and D: Confirm this verbiage matches definitions of these in Ch-9.
87. Current Section 7.4.5: Current Section limits the amount of wall signage (Regional Business) to a maximum of 75' per building, regardless of building size. Under the previous UDO, the maximum surface area for any wall sign permitted on any commercial building

was limited to one square foot of sign space for each linear foot of frontage for each designated leased area. The change in standard - from 1 SF per each linear foot of leased frontage to a maximum of 75 SF per building

- effectively means anchor tenants (such as a grocer or big box user) are limited to the same amount of signage as a tiny boutique store. It also means, in the case of multi-tenant buildings, the likely maximum number of signs per building will be three (assumes 25' per sign, measuring 3' x 8.33'). Given that each multi-tenant building will likely have 4-6 tenants, this is a deal killer. The same can be said for the 75' limitation on big-box anchor tenants. Restore the former wall sign requirements or develop a new formula that is based on percentage of wall space for each tenant.

88. Current Section 7.4.5: Free standing signs are now limited to 10' in height. The previous standard was 20'. Along major thoroughfares the location of projects in need of larger ground signs a 10' sign is too small to provide the necessary panels and exposure required. Restore the previous standard of 20'.
89. Current Section 7.4.6.A: Include "walk-up window and/or drive-through window"
90. Current Section 7.4.6.D.3.b: This Current Section needs to be substantially broadened to take into account contemporary temporary advertisements tools that balance need for advertising and aesthetics. Not clear what types of tools are allowed without checking off the prohibition list. Any temporary wall type signage or banners should be 32 sq. ft. message areas to match plywood dimensions. This should also be relocated towards the end of the chapter.
91. Current Section 7.4.6.E: Eliminate the individually platted parcels Current Section and just fall back on freestanding sign allowance. In Current Sub-Section 2, drop the acreage threshold to 25-acres.
92. Current Section 7.4.6.F: There is very limited land (if any) in LI and HI that would be desirable for a billboard. It seems like we just want to prohibit them. If we are allowed to prohibit them by law, perhaps we do so.
93. Current Section 7.4.6.G: Eliminate Current Sub-Section G.2.c regarding drawings. It's a given.
94. Current Section 7.4.7: Relocate this to a more administrative Current Section such as where prohibited signs are.
95. Current Section 7.4.7.C: Make sure this is legal. Seems like there may be conflicting case law.
96. Current Section 7.4.7.G: Include provision that signs cannot be oriented to adjacent roadways in a manner that provide offsite visibility.
97. Current Section 7.4.7: In real estate signs, increase commercial signs to 32 sq. ft. Clarify the 4 sq. ft. for residential is for subdivision lots. Allow 32 sq. ft. for non-subdivision lots. In Current Sub-Section 2, increase subdivisions to 32 sq. ft. In Current Sub-Section J Yard Sales, remove "subject to penalties." No other similar Current Section has this. In Current Sub-Section L, increase sign allotment to 32 sq. ft. In Current Sub-Section Q, why would this be in place when there is a Directional sign Current Section already?
98. Current Section 7.4.8: In Current Sub-Section G Portable Signs, need to be more specific. In Current Sub-Section I, Motor Vehicles, this needs some more specificity.

99. Current Section 7.4.9.A: In Current Sub-Section 2, are these setbacks typical? If retained, relocate this to sign setback Current Section. It's lost here.
100. Current Section 7.4.11: Can this be relocated to Violations chapter in Ch-9?

ADMINISTRATION

1. General Comment: Need to create a general applicability, modification and appeal provision for each permit type.
2. Current Section 9.1.1.A: Need to update to take into account organizational changes. Rephrase to a combined “Planning and Zoning Department.” Delete “Zoning Official.” PD has that role. Incorporate Stormwater Management Department and “County Engineer.” This Dept. and position oversees Floodplain and review of public streets and stormwater. Public works is responsible for road inspections and maintenance.
3. Current Section 9.1.3: Need to modify this language to reflect TRC’s actual function of being a coordination body for the review of plans, projects, and ordinances and technical standards. TRC does not have decision-making authority as a body. In membership Current Section, remove ED Department and replace with SCDOT.
4. Current Section 9.1.4: Need some introductory language stating these powers and duties (Current Sub-Sections 1 and 2) are subject to concurrence by CC. They cannot initiate these items w/o funding, etc.
5. Current Section 9.14.A: Remove vested rights as that is a legal function unless SC Codes state otherwise. Make sure this is not elsewhere in UDO.
6. Current Section 9.14.A.5.a: Remove approval of preliminary plats from the PC decision making and transfer to staff. This is permitted by SC Codes and is universally advocated for by staff, legal counsel, administration dept, development community, etc.
7. Current Section 9.1.5.A.3: Add Special Exception (SE) decisions.
8. Current Section 9.1.6.B: Update to reflect changing dept. names and position changes per earlier feedback.
9. Current Section 9.2.2:
 - a) This would be a good Current Section to reference the construction standards manual in the appendix and reference as being adopted by reference so that we could detach it as its own document and update more easily.
 - b) This would also be a good Current Section to reference and give credence to plan, study, document, application submittal requirements found on various staff-developed applications and related articles.
10. Current Section 9.2.3:
 - a) Correct Conditional Use permit period
 - b) Replace TRC with Admin
 - c) Define Zoning Permit (somewhere)
 - d) Temp Use Permits are called out specifically, yet we have numerous other minor zoning permits not listed. Combine within “zoning permits” or broaden it.
 - e) Retitle site plan with “Civil Construction Plan” and give it 2-year permit period
 - f) Remove Preliminary Plat noticing with it being a staff-level approval and update approving agency
 - g) Not sure if Development Agreements should have an appeal procedure

- h) Add Comprehensive Plan Development or Amendment
 - i) Double check UDO Current Section reference in Column 2 of table
 - j) In table header, have the topic areas aligned in center of cell or bottom (not top aligned)
 - k) Chapter 9.2.3 and 5: This Current Section of Chapter 9 needs to be the “recipe card” for how development projects (amongst other approvals) are facilitated through Lancaster County and needs to be directly linked with Chapter 6 for standards and bonding and earlier Current Sections of Ch-9 for approving entity. This Current Section would in essence specify how an idea or vision becomes a completed project.
11. Current Section 9.2.3: This Current Section may require a more robust update versus strategic modifications. The format of individual permit types in Ch-9 may be salvageable, if new or modified Current Sub-Sections are created, content is made more concise, and the relationship to brother or sister permit types is more fully specified. The following is an outline to guide you; however further improvements/suggestions would be welcomed.
- a) Immediately following the table in 9.2.3 Permit/Process Type, Organize development approvals into a logical and sequential order and possibly into families such as Major Subdivisions, Non-Single Family Residential Civil Site Plans, and Administrative Permits. A goal for the Major Subdivision and Civil Construction Plan “Family Photo” would be to hand a developer this Current Section and they would have a concise outline of the process for full entitlement and construction.
 - i. The Major Subdivision Family would be: Zoning Map Amendment, Sketch Plan, Prelim. Plat, Grading Permit, Civil Construction Site Plan, As-built drawings, Final plat, Zoning Permit for New Home, Cert of Occupancy, and ROW Dedication.
 - ii. The Civil Construction Site Plan Family would be: Zoning Map Amendment, Sketch Plan, Grading Permit, Civil Construction Site Plan, As-built drawings, Zoning Permit for tenants, and Cert. of Occupancy.
 - b) Need to describe (sentence or 2) what each the above permit types are functionally, what has to be accomplished (if anything) before reaching that stage, the approval period, the extension of the approval period to take into account approval of subsequent permits, and the appeal process of each.
12. Current Section 9.2.3: Indicates that the Permit Period for a Subdivision (Major) – Preliminary Plat is “2 years to Final Plat.” This seems overly long.
13. Current Section 9.2.3: Indicates that the Permit Period for a Conditional Use “may be rescinded.” It needs to be changed to “2 years.”
14. Current Section 9.2.3: Civil plans need to be addressed.
15. Current Section 9.2.4: This should be relocated to the rear of chapter as it gets in the way of an orderly transition from the table in 9.2.3 and the development approval permits/types.
16. Current Section 9.2.5: This table may need to be significantly revised or removed based on comment 11 above. Some specific comments include.

- a) Site Analysis: This seems like a fancy descriptor for base level of information found on a Civil Construction plan or other plans. Perhaps this gets restructured using more conventional approaches.
 - b) Sketch Plan: Remove “binding” language in this paragraph
- 17. Current Section 9.2.6.C: Delete ability to request a transcript. We do not prepare transcripts.
- 18. Current Section 9.2.7: Need a provision authorizing the County to require site and/or foundation as-built drawings in association with the Civil Construction Plan process and Zoning Permit process. The underlying intent is to verify conformance with building setbacks and other development requirements that may not be confirmed through the site inspection process or be otherwise readily apparent. Would prefer the language to be mandatory unless deemed unnecessary by the Administrator.
- 19. Current Section 9.2.7.A.1: Need proviso that a zoning permit is only needed if an underlying development approval is not needed (civil construction permit, etc.).
- 20. Current Section 9.2.7.B: Consistent with previous comment, we have numerous other admin. permits not addressed in Ch-9; however temporary use is (sign permits, home occupation, etc.). Consider creating a broader category as a standalone or broaden Zoning Permits.
- 21. Current Section 9.2.7.C: Need to create a more robust process for temporary or interim COs with criteria versus what is currently noted. Need to also create within this or a separate Current Section the ability to issue temporary or interim Cos or phased commercial sites like a shopping center where one tenant or building is ready to open while other Current Sections or shopping center are under construction. Similar analogy for apartment complexes that wish to CO individual buildings while site construction is still underway.
- 22. Current Section 9.2.7.D: Need to create a more robust Admin. Modification process (similar to Rock Hill or others) for reductions to setbacks, buffer areas, height, parking, etc. Create thresholds and approval criteria.
- 23. Current Section 9.2.8.A: Incorporate a proviso that grading permit approvals are at the discretion of the County Engineer and may only be issued once a full civil construction submittal has been made and has undergone a full, first submittal review. Need to also provide the County Engineer with the ability to require a stabilization bond in the event the project initiates grading and goes bankrupt with construction activity ceasing. This Current Section also needs to reference DHEC’s role in issuing the final approval.
- 24. Current Section 9.2.8.B: Need to reference SCDHEC role in issuing the final approval.
- 25. Current Section 9.2.9: Flow chart is not accurate. Seems like this could be simplified and relocated to the “Family of Permits” previously referenced.
- 26. Current Section 9.2.9.A: Would like to have this process merged with the Civil Construction Plan process.
- 27. Current Section 9.2.9.A:
 - a) Need to retitle Civil Construction Plan. Need to contemplate phased site plans and how that impacts permit validity, etc. Plans should be good for 2-years unless common law vesting established.

- b) There needs to be a cohesive link between Grading Plans-Civil Construction Plans (including phasing)-Cos that clearly details their interrelationships.
28. Current Section 9.2.9.A.1: It is unclear as to when this is actually applicable.
29. Current Section 9.2.9.B.1: It is unclear as to when this is actually applicable.
30. Current Section 9.2.10.A: Consistent with prior comments, need to update the minor subdivision criteria. Remove TRC from 3rd bullet. In Item 4, a plat drawing is needed, not a Final Plat. Remove stormwater permit.
31. Current Section 9.2.10.A: In concert with Ch-6 comments on major subdivision requirements, if a proposed subdivision is located in the rural district and exceeds the minor plat thresholds, there should be an ability to do a Major subdivision with lower standards perhaps (no OSP, gravel roads w/ROW, etc.). How do other Counties manage this issue? We struggle with it weekly.
32. Current Section 9.2.10.B:
- a) In B2, need to clarify “associated with a major subdivision” since commercial projects don’t need this.
 - b) In B5, need to revise to take into account staff approval. Any use of days (if needed) should be calendar days.
 - c) In B6, remove all noticing requirements.
 - d) In B7, eliminate TRC mention.
 - e) In B9, shouldn’t issuance of Civil Construction permits have a relationship to Preliminary Plat validity and not just Final Plats? There needs to be a cohesive link between Prelim Plat-Grading Plans-Civil Construction Plans (including phasing)-Final Plats that clearly details their inter-relationships.
33. Current Section 9.2.10.C: Remove TRC references, phasing should be provided in Prelim. Plat or with Civil Construction Plans (typically).
34. Current Section 9.2.11: Current Section can be reserved without “Street Names.”
35. Current Section 9.2.12: Require variances to be recorded with the Register of Deeds.
36. Current Section 9.2.12.C.1.a: Current Section makes reference to the required quasi-judicial hearing on variance requests. However, Current Section 9.2.12.C.1.b states that the BZA may conduct another “public hearing” on the variance application but the preceding Current Sections do not make clear a “public hearing” is required in the first instance and just that a quasi-judicial hearing occurs. SC Code 6-29-800 (D) provides that:
- “The board must fix a reasonable time for the hearing of the appeal or other matter referred to the board, and give at least fifteen days' public notice of the hearing in a newspaper of general circulation in the community, as well as due notice to the parties in interest, and decide the appeal or matter within a reasonable time. At the hearing, any party may appear in person or by agent or by attorney.”
37. Current Section 9.2.14: Create a formal Interpretation process that is appealable to the BZA.
38. Current Section 9.2.14: Make sure this appeals process is consistent with others. Noticing different types of courts are referenced for appeals, which seems odd.

39. Current Section 9.2.15: Separate text amendments and rezonings into their own review procedures.
40. Current Section 9.2.15: Eliminate ability of BZA to submit text amendments.
41. Current Section 9.2.16: Per earlier discussions, this could be converted to use specific standards with controversial uses reviewed as Special Exceptions.
42. Current Section 9.2.17:
 - a) I am guessing this relates back to the vested rights Current Section of the State statutes. Will need to clean some of this up for removal of PC issuing plat approvals, etc.
 - b) Need to clarify in new introductory Current Section that this a “Statutory Vesting”
 - c) Need to create a separate Current Section for establishing “Common Law Vesting” that typically runs much longer than statutory vesting. This doesn’t have to be super detailed. I have seen summarized versions of Common Law vesting establishment.
 - d) May need to simply rewrite this Current Section in total or adopt another SC jurisdiction’s VR ordinance that reads more clearly (City or RH?). Need to define “Site Specific Development Plan.”
43. Current Section 9.3: Need to reorganize into clean and distinct Current Sub-Sections addressing Nonconforming lots, Nonconforming Structures, Nonconforming Uses, and Nonconforming Site Aspects (or similar descriptor) and create criteria within each. I am okay with separate Mobile Home and Sign Current Sub-Sections.
44. Current Section 9.3: Can we create a sunset clause for legal nonconforming junkyards/open storage? Council has requested this ordinance update address junk or junkyards more thoroughly so other suggestions beyond nonconformance are welcomed.
45. Current Section 9.3: Need to create some Exemption criteria for nonconforming structures, lots, and uses (Ch-5 stds) when the nonconformance was created by virtue of ROW acquisition.
46. Current Section 9.3: Need to incorporate change of use provisions within this chapter.
47. Current Section 9.3: Need to add new Current Sub-Section concerning Nonconforming Site Aspects, which should incorporate the nonconformance language addressed in individual Current Sections of Chapter 7 (parking, landscaping, lighting, etc.).
48. Current Section 9.3.2: This Current Sections needs to be cleaned up. Remove Current Sub-Section A1 - it has already noted elsewhere. Current Sub-Section A2 appears to be a use substitution provision which should fall under Nonconforming Uses and Nonconforming Structures. Please clean up criteria.
49. Current Section 9.3.2.B: This can be relocated to Nonconforming Structures Current Section.
50. Current Section 9.3.3: This Current Section seems out of place within a nonconformance chapter. Much of this content may be more appropriate within the Civil Construction Plan Current Section of Ch-9. Completely delete Current Sub-Section 4 regarding building out period.
51. Current Section 9.3.2.C: This can be relocated to nonconforming uses. In Current Sub-

Section e.i, add something to the effect of failure to maintain or expiration of most recent tenant's permits, licenses, or incorporation status.

52. Current Section 9.3.4:

- a) I want to make sure that Current Sub-Sections B.2.a do not preclude development of a single house or other dwelling unit if minimum density requirements are exceeded by virtue of not complying with min. lot area on a single lot.
- b) Clarify in Current Sub-Section B.3 or in Ch-1 that new structures built in previously approved plats shall comply with the setbacks recorded on the plat.
- c) Are Current Sub-Sections B4 and B5 needed given general language in Current Sub-Section B1?

53. Current Section 9.3.5:

- a) In Current Section A1, clarify that non-compliance with a Ch-5 use-specific requirement also constitutes a nonconforming use.
- b) In Current Sub-Section A2, Nonconforming Structures should just be for dimensional requirements associated with Ch-2 (i.e. setbacks, etc.). Other Current Sections should be addressed in new Nonconforming Site Aspects or similar chapter.
- c) In Current Sub-Section B3, do we need to clarify damage resulting from natural disaster or act of God versus deferred maintenance? Delete Current Sub-Section C related to extensions
- d) In Current Sub-Section C2, this seems really wordy. Could we just simply state that enlargements or structural operations are permitted so long as the existing nonconformance is not increased and no new nonconformance or violations are created? Delete Historic District Current Section (none existing).
- e) Shouldn't we have a value threshold limiting investment in nonconforming structures until they are corrected?
- f) As noted above, incorporate natural disaster/act of god provisions in Current Sub-Section C3. In Current Sub-Section C3b, delete last sentence about discretion of Administrator
- g) Please clean up language in Current Sub-Section D (2nd half).

54. Current Section 9.3.6.A: Needs to have language continuation consistent with that found in 9.3.6.B.

55. Current Section 9.3.6.A.1: Needs to include, or at least contain reference to the 180 day discontinuance threshold set forth in Current Section 9.3.2.C.1.e as it relates to the replacement of a nonconforming manufactured home.

56. Current Section 9.3.6.B: Need to raise as a policy issue whether or not we wish to not allow replacement mobile homes in nonconforming use parks (old unit is moved or destroyed and no replacement unit allowance).

57. Current Section 9.3.7:

- a) Can Current Sub-Section A1 be deleted since this is a given with all nonconformance or create a general Current Section at beginning of chapter

applicable to all nonconformances?

- b) In Current Sub-Section A3, should this be tied to damage from natural disaster or act of God?

58. Current Section 9.4: Organization system needs to be reworked. There are Current Sub-Sections given primary Current Section numbering types, etc. This chapter needs to be reorganized to create a more streamlined and uniform organization of violations, noticing procedures, appeals and hearing options, remedies/tools available to the County to seek abatement, etc. Its presently very disorganized and duplicative in many areas.

59. Current Section 9.4.1.C:

- a) In Current Sub-Section 2, For mailed NOVs, if State law does not require certified or registered mail, replace with “first class”
- b) Current Sub-Section C5 duplicates Current Sub-Section C.1.C

60. Current Section 9.4.1.D.2: This appears to relate to public noticing. Clarify. If it’s already in Ch-9, delete.

61. Current Sections 9.4.1.E.1 and 2: In Current Sub-Section 1, should this be enlarged to include all unsafe structures (not just signs)? In Current Sub-Section 2, should the word “temporary” be removed to not confuse with only uses permitted as temporary uses?

62. Current Section 9.4.1.G: Provision regarding liens seems incomplete. There is usually a descriptive sentence regarding lien process, etc.

63. Current Section 9.4.3:

- a) Current Sub-Section C within paragraph is incomplete
- b) Include provision that enables staff to undertake other administrative actions to achieve compliance that may be less than a stop work order. For example, we often times will cease all inspection services on an active construction site until violations of approved plans are remedied (mostly erosion control violations).

DEFINITIONS

1. Need a comprehensive review of use definitions and general definitions to ensure necessary words or phrases are suitably defined. Use of industry standard guides such as APA Planners Dictionary and similar resources is fine, if appropriate.
2. Combine the definitions in 10.3 with those in 10.4.
3. Accessory Structure definition references "principal structure". Principal structure is not defined.
4. Definition of encroachment doesn't seem to take Current Section 1.4.5 into account.
5. The various definitions of height, building height, story height need to be assimilated into a singular cohesive definition.
6. Definition of new impervious surface forgot to insert the date.
7. Definition of structure is limited to principal uses.
8. Need to distinguish restaurants (i.e. bar/grills) that serve alcohol from bar/tavern uses. ABC has seating and cooking facility requirements for on-premises hard alcohol establishments.
9. Define block.
10. Define change of use
11. Define enclosed.
12. Define frontage.
13. Define infill lots.
14. Define corner lot.
15. Define double frontage lot.
16. Define through lot.
17. Define front property line.
18. Define rear property line.
19. Define side interior property line.
20. Define site street property line.
21. Define property lines.
22. Define setback.
23. Define front yard setback. List this and others as "Setback, Front", etc. so they are clustered together.
24. Define rear yard setback.
25. Define side interior yard setback.
26. Define side street yard setback.
27. Delete definition of site area – already have lot area.
28. Delete definition of site depth – already have lot depth.

29. Define site plan.
30. Delete definition of site width – already have lot width.
31. Define unenclosed.
32. Define front yard. List this and others as “Yard, Front, etc.” so they are clustered together.
33. Define rear yard.
34. Define side interior yard.
35. Define side street yard.
36. Reorganize sign related definitions by indicating “Sign, window, Sign, Bracket,” etc so that they are clustered together. Clarify Window signs can also be installed on the outside also.

NEW CHAPTER 4 – LANDSCAPING & OPEN SPACE

Council Notes

1. 4.3.2.8.A. Dumpster -Delete required location , dumpster to be placed wherever there is room to load.
2. 4.3.4 - Exempt all existing parking lots unless building is doubled in size.
3. 4.3.2.3-3 Fencing should be an alternative to minimum depths. Buffers too wide for smaller parcels.
4. 4.3.2.3-3.E. Existing vegetation fences , walls and berms. - Fencing should be allowed and remove as determined by the Administrator. Also remove requirements of a landscape architect .
5. 4.3.2.7 - Have a concern about 100 buffer on smaller parcels.
6. 4.3.5.3 Major Subdivision Streetscaping - Is this for the subdivision entrance only ? Are trees planted in the right of way ? Please go over this section.
7. 4.5 Tree Preservation - Need to discuss all of this section. Specifically tree save requirements and mitigation requirements.
8. 4.5.5.A.Tree surveys and B. Tree Protection Plans - Need to discuss.
9. 4.6.4 Open space Types, B. Open space Calculations - Need to allow more density per acre if these calculations are required. Alternative only 50% of Wetlands and Riparian buffers count as open space.
10. Please refer to page 4-8, Applicability by Proposed Development Activity. In regards to building expansion, I do not agree that the entire site shall be brought into full compliance with this section.
11. Please refer to page 4–46, section C. I think we need to revisit the time limit that the county differs an application.
12. Overall, I feel that the UDO is too lengthy and would like to make it easier for people to do business in Lancaster County.
13. We will need to confirm defined terms and which defined term applies. For example, Administrator is used throughout and does not specify it is not the County Administrator. We should have a defined term for each one and then refer to that specific one in each appropriate section.
14. Confirm references to “this Section” or “this subsection” and include the actual section or subsection numbers as I believe some of them were confusing.
15. Confirm/simplify graphs as some could just seem confusing.
16. I didn’t make edits to all the fence types as I know we went around a bit on that one, but we should be consistent with our standards
- 17.

Committee Notes

18. Discussion re: Table 4.3.1.1-1

- i. Need to clarify better where street trees and subdivision signs are required; the new table gives the impression that neither are required in LDR-zoned districts. This is not the current practice.
 - ii. Street trees: need a good list of street trees that will survive in the area, taking into account the recent shift in hardiness
- 19. Other tree discussion:
 - i. Need to evaluate the list of tree species allowed to meet buffer requirements to ensure they are compatible with the area; include flowering or fruit trees in areas where they have space and won't damage property
 - ii. Need to discuss the tree zone required between the curb and sidewalk, and what types of trees can realistically grow in small areas; alternatively, could we expand the width of the tree growing areas to allow for a broader range of species
- 20. 4.3.2.3.B (*Buffers – Type B*)
 - i. Option 2 for a Type B buffer: 10 ft is not wide enough for evergreen trees to mature in a healthy manner; increase to 15 ft for better tree results
 - ii. When discussing options for berms, the Committee noted that a 2:1 slope needs 16 ft wide area; that removes berms from future considerations for buffers less than 16 ft wide (which is good to know)
- 21. 4.3.2.3.C (*Buffers – Type C*) Ensure that the wall option does not replace landscaping requirements and that walls must have landscaping
- 22. 4.3.2.4 (*Buffer Standards*) Graphics are needed to help carry the message
- 23. 4.3.2.4.C (*Fences and Walls*) - Should include a list of prohibited materials that replicates the list in the HCO overlay standards, ensuring it includes CMU
- 24. 4.3.2.4.E (*Existing Vegetation, Fences, Walls, and Berms*) - Agreed that chain link fencing should not be allowed to fulfill requirements
- 25. Additional conversation regarding chain link:
 - While chain link may be useful in some areas of the county, in other's it's a negative visual impact
 - Should chain link usage be relegated by geographic zone?
 - Can chain link be allowed if it is fully screened by landscaping?
 - Chain link fencing is often used by industrial and public safety uses – we want to be careful and not outlaw it but use it judiciously
 - Examples of good fence areas: Police Dept on Providence Road West in Ballentyne; Rock Hill Police Dept off Cherry Rd
- 26. 4.3.2.5.B (*Evergreen Shrub Screen*) - Allowing a 3-ft masonry wall is in conflict with Table 4.3.1.1 where walls are not allowed to replace landscaping
- 27. Discussion regarding landscaping:
 - Often developers/owners walk away from a project and leave dying landscaping; can we change that?
 - Recommendation: use a guarantee or surety bond to hold for a year; allow calendar flexibility in installation (or better yet, include landscape installation in the construction sequence)
- 28. 4.3.2.6 (*Additional Screening Standards for HCO District*)

- The requirement that ground-mounted mechanical equipment be screened to full height may conflict with utility maintenance and buffers; re-evaluate this statement
- OK with fences having metal in HCO that is decorative (refer back to PD examples)

29. 4.3.2.7 (*Use-Specific Buffer & Screening Standards*)

- This section allows chain link; it needs wording to note that the HCO (and any other overlay) could reject chain link fencing
- Request to add outdoor kennels to the restricted uses and require large buffers
- Discussion relating to groomed pine groves and if they would meet the opacity requirements in 100 ft; this might be addressed by assigning a minimum caliper to buffer trees
- Discussion about staff's request to require a low, 2-ft-tall buffer around parking areas that abut vacant lands; reminder to ensure the requirements to maintain sight triangles
- For wireless facilities: double-check that FCC rules don't preclude us from requiring landscaping for the use

NEW CHAPTER 5 – PARKING & LOADING

Council Notes

1. 5.4.2.H. Remove hybrid parking requirement.

Committee Notes

2. *5.1.1 – Purpose* – No comments or changes recommended.
3. *Section 5.1.2.B*: The subcommittee discussed separating bicycle parking into geographic zones. Proposed that developers be allowed to replace a required parking space with bicycle parking in order to bring sites up to code.
4. *5.2 OFF STREET PARKING REQUIREMENTS*: The Committee discussed the concept of maximum parking limits and inquired if there is an option for shared parking, which the consultants have provided guidance for in Section 5.3.
5. Calculation of Required Parking Spaces – Table 5.2.2.1 Discussion
 - Staff did not recommend changing the parking requirements for churches (consultants had asked if this was adequate)
 - Commissioners noted that the regional park discussion would need to be addressed relating to parking requirements
 - The committee discussed raising parking requirements to 1.0 per dwelling unit for age-restricted communities, as age does not necessarily mean fewer vehicles; Commissioners noted that they often have need for golf cart parking as well as vehicles.
6. *5.2.4 Bicycle Parking*: the committee discussed options for allowing bicycle parking to be installed in a parking stall if the overall parking for the use is not impacted.
7. *5.3.3 Deferred Parking Plans*: Commissioners asked if the area is growing annually, would the need for future parking grow as well? Could we add 10% to the count for future parking areas? Ms. Hardin stated that it could be added, and to allow administrative staff to drop the 10% if the need has not been proven at the time of installation. The committee also discussed the option for shared parking structures (garages).
8. *5.3.4 On-Street Parking Plans*: Commissioners noted that planned communities at times need to be allowed to count on-street parking toward the required parking for uses. Some discussion about being OK with on-street parking as long as safety was considered and that it didn't lead to congestion, giving the example of Ardrey Kell and the ignored stop signs.
9. *Graphics*: stressed the need for visual graphics to assist with code interpretation and asked for cross-sections to be included.

10. After a discussion regarding Possum Hollow Rd, Commissioners noted that some enforcement wording is missing regarding connectivity.

NEW CHAPTER 6 – OUTDOOR LIGHTING

Council Notes

1. No comments.

Committee Notes

2. 6.1 – Purpose: the group discussed the potential of adding to the list of purposes: “lighting for wayfinding and safety” and the five lighting principles for responsible outdoor lighting, as supported by the Joint International Dark-Sky Association and Illuminating Engineering Society:

Five Lighting Principles for Responsible Outdoor Lighting

Responsible outdoor lighting is	1 Useful	Use light only if it is needed All light should have a clear purpose. Consider how the use of light will impact the area, including wildlife and their habitats.	
	2 Targeted	Direct light so it falls only where it is needed Use shielding and careful aiming to target the direction of the light beam so that it points downward and does not spill beyond where it is needed.	
	3 Low Level	Light should be no brighter than necessary Use the lowest light level required. Be mindful of surface conditions, as some surfaces may reflect more light into the night sky than intended.	
	4 Controlled	Use light only when it is needed Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed.	
	5 Warm-colored	Use warmer color lights where possible Limit the amount of shorter wavelength (blue-violet) light to the least amount needed.	

Rev 08/2021

LIGHT TO PROTECT THE NIGHT

Five Principles for Responsible Outdoor Lighting

USEFUL		ALL LIGHT SHOULD HAVE A CLEAR PURPOSE Before installing or replacing a light, determine if light is needed. Consider how the use of light will impact the area, including wildlife and the environment. Consider using reflective paints or self-luminous markers for signs, curbs, and steps to reduce the need for permanently installed outdoor lighting.
TARGETED		LIGHT SHOULD BE DIRECTED ONLY TO WHERE NEEDED Use shielding and careful aiming to target the direction of the light beam so that it points downward and does not spill beyond where it is needed.
LOW LIGHT LEVELS		LIGHT SHOULD BE NO BRIGHTER THAN NECESSARY Use the lowest light level required. Be mindful of surface conditions as some surfaces may reflect more light into the night sky than intended.
CONTROLLED		LIGHT SHOULD BE USED ONLY WHEN IT IS USEFUL Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed.
COLOR		USE WARMER COLOR LIGHTS WHERE POSSIBLE Limit the amount of shorter wavelength (blue-violet) light to the least amount needed.

3. *6.2 – Applicability:* The committee agreed that all building canopies should be treated equally, and that the rules for building canopies in the HCO could be applied to all building canopies in the future.
4. *6.2.2 – Exemptions:* The committee agreed with staff that subitem 6.2.2.H should include public and private streets. There was discussion about whether public/private streets should be the only areas exempted from public agency work, with the example of Lancaster County Water & Sewer Division doing emergency work at night on a water line outside of a right-of-way. The committee resolved to ask the consultants about whether or not to include easements and the like in this list, and to clarify the wording. When discussing concerns about how seasonal lighting could get out of hand, the Planning Director offered a recommendation to limit seasonal lighting to a period of 30 days or more.
5. *6.2. – Prohibited Outdoor Lighting:* The committee agreed with staff that this section needed to be simplified, and additional clarification provided on the following:
 - What is the difference between floodlights and spotlights and uplighting and downlighting?
 - What is the difference between an awning and a canopy?

The committee also recommends that there are more visuals added to this section for easier comprehension.

Recalling a special event earlier in the year that called for paper lanterns (with live flames) to be released, and that there are state fire code regulations that should be mentioned in this section of the code, i.e. “paper lanterns for release without tethering, per state fire code.” The committee agreed to the proposal.

6. *6.3 – Lighting Zones:* The committee discussed the purpose of the lighting zones, and how the more intensive zones (Heavy Industrial, Mining) would have the most allowed light, and how the lighting zones are derived from the Dark-Sky association, which was recommended during a Council meeting’s Citizens Comments recently.
7. *6.4 – Lighting Levels:* the International Energy Conservation Code (IECC) regulations that are the base of these levels is a part of the International Code Council (ICC) suite of products, and that parts of the UDO may need to be implemented by the Building Department.
8. *6.5 – Limits to Off-Site Impacts:* The committee discussed the backlight, uplight, and glare (BUG) ratings, and pondered if there was a simpler way to regulate allowable light.
9. Figure 6.5.-2 was described as a good example of a helpful graphic for interpretation.
10. *6.6 – General Standards for All Outdoor Lighting:* the maximum height limits under 6.6.2 should be adjusted to accommodate increased height in the HCO district, if the current text amendment that the Planning Commission reviewed is approved by Council.

11. 6.6.3 – *Color Temperature*: Committee comments: “4300 – 4500K is considered the most natural white; these [3000 – 4000K] are warm colors. Consider up to 5000K for work/loading areas in LZ-1 and LZ-2?” The committee agreed that loading areas would need additional lighting allowances; this would need additional input from the consultants as to whether it would be possible to regulate the different areas of a structure for different color temperatures. Committee notes indicated that the colors listed would “look very blue.” The committee also asked if these temperatures would be applied to billboards; Ms. Hardin indicated that she would look at the proposed sign code and return that information. The potential of relocating the color temperature section to the sign code was discussed.

12. 6.7 *Additional Requirements for Specific Uses and Areas*

The committee had the following questions/comments:

- 6.7.1.A *Building Façades* – what constitutes a “portion” of a building? A graphic would be helpful in this application to building façades. Should this also refer to the sign code section of the UDO?
- 6.7.2 *Landscape Lighting* – the wording of this subsection is a little ambiguous and would benefit from simplification; Ms. Hardin asked if the view being prevented a view to the lighting or a view to the property?
- 6.7.3 *Outdoor Recreation Facilities* – the committee agrees with staff that the racetrack use should have its own set of lighting regulations; one said that the Indian Land High School lighting is “excessive” and we should pay attention to the regulations for athletic fields and schools.
- 6.7.4 *Security Lighting* – Commissioners asked if this section could be simplified, as it seems to conflict with or replicate other areas of the code; this could point back to the purpose of having lighting for wayfinding and safety.
- 6.7.5 *Vehicular and Building Canopies* – the committee agreed that all vehicular canopies should be treated equally.
- 6.7.6.1.B *Generally* – the committee felt this was also a good place to refer to the purpose of the chapter (including wayfinding and safety).
- 6.7.6.C – *Design & Development Standards* – the committee noted that this needed a graphic to better explain the concept.

13. 6.8 *Outdoor Lighting Plan Required* – Ms. Hardin reported that staff asked that the list of permits in 6.8.B should also include “civil plans.”

NEW CHAPTER 8 – BUILDING DESIGN

Council Notes

3. No comments.

Committee Notes

1. *8.1.2 – Applicability:* The committee discussed that agricultural zones (AR, RR, RB, RUB) are exempt from these regulations.
2. *8.1.2.B.2. – Residential Building Standards:* Question – should the list of applicable use categories should also include manufactured homes and accessory dwelling units?

The committee discussed, and opined the following:

- Manufactured homes are shipped pre-made from the factory and would be difficult to vary from; additionally, they operate as single-family housing, which is exempt from Section B.
- Accessory dwelling units are required to match the primary structure on site, and would be required to follow the same regulations.

The committee also noted that the language that cross-references Chapter 3 should remain, if not expanded.

3. *3.8.1.2.C.2.a Highway Corridor Overlay Building Design Standards* – Committee discussed that new Planned Development Districts (PDDs) should not be exempt from the Highway Corridor Overlay district but should instead be designed to match the existing developments along the corridors.
4. *8.1.2.D Hierarchy of Standards* – the committee discussed this section and proposed that the language be duplicated in the Rules of Interpretation.
5. *8.2.2. Exterior Materials* – Committee asked if split-faced concrete masonry unit (CMU) block was considered finished or unfinished? (Cross-reference with 8.4.5.D, where split-faced concrete is exempted from the prohibited materials list.)
6. Photos of finishes would be helpful in this chapter.
7. *8.3 – Residential Building Design Standards:* The committee determined to keep these regulations in Chapter 8, and to have a cross-reference (line-by-line) between Section 3.11 and Section 8.3.1. The committee asked for graphics of cottage courts (8.3.2) and townhomes (8.3.3) to illustrate the design implementation.
8. *8.3.1.E Multifamily Dwelling – Materials:* requested that the language be changed from “using one or more of the following” to “using at least two of the following.” Committee also proposed that the list of allowable materials under 8.3.1.E be applied to all residential building design subsections; this would move 8.3.1.E to a new section under the general title at Section 8.3.

9. *8.3.5 – Triplexes and Fourplexes:* Commissioners advocated a look at the Riviera neighborhood off Old Lancaster Hwy and Hwy 521 as a good example of multifamily blending with single family.
10. *8.3.5.B – Pedestrian entrances* – the committee was concerned that the proposed language was too restrictive and would not allow other good architectural designs to be constructed.
11. *8.4 Highway Corridor Overlay Design Standards:* - The committee agreed that both Section 8.4.2.B and Section 8.4.2.C could be deleted from the code, as these sections were drafted for homes in limbo ten years ago.
12. The committee felt “Where Required” in *8.4.5.B. Exterior Materials – Where Required* was too ambiguous; is there a better term to use?
13. The committee also had questions about why the list of prohibited materials in 8.4.5.D was different than the prohibited materials in Section 8.2.2 and discussed having both lists match.

APPENDIX A: LEGACY PLANNED DEVELOPMENT DISTRICTS

1. Some PDDs were erroneously left off this list and need to be included

APPENDIX B: HIGHWAY CORRIDOR OVERLAY DISTRICT SUPPLEMENTARY DIAGRAMS

1. Remove Appendix B from UDO

APPENDIX C: MANUAL OF SPECIFICATIONS AND STANDARD DETAILS (MSSD)

1. Need to get these consistent with UDO Chapter 6 requirements (this may need to be separate from UDO update)
2. There are no specifications in Appendix C. We propose to add minimum design and construction standards for development projects to this Appendix (earthwork, etc.).
3. Need to pull this out and adopt separately to enable easier updates, etc.

Schedule A

UNIFIED DEVELOPMENT ORDINANCE UPDATE

CHAPTER 4: LANDSCAPING & OPEN SPACE
STAFF REVIEW DRAFT: 2024-11-25

Prepared By:

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Item referring to other parts of the code

Consultants ask for input on these items

4 LANDSCAPING & OPEN SPACE¹

4.1 PURPOSE²

The appropriate use of existing and supplemental landscaping provides aesthetic, environmental, and economic benefits, and contributes to the overall quality of life. ~~The purpose of this Chapter is to:~~

- ~~A. — Enhance the aesthetic appearance of the community;~~
- ~~B. — Preserve existing tree canopy;~~
- ~~C. — Provide visual buffers and transitions between dissimilar land uses;~~
- ~~D. — Protect abutting properties from potential negative impacts of neighboring development;~~
- ~~E. — Preserve and enhance and property values through the adoption of reasonable landscaping standards;~~
- ~~F. — Provide a sense of privacy;~~
- ~~G. — Provide open space for the enjoyment and recreation of residents;~~
- ~~H. — Minimize the potential impacts of development, such as noise, dust, and glare of lights;~~
- ~~I. — Reduce soil erosion;~~
- ~~J. — Reduce stormwater velocity and volume;~~
- ~~K. — Provide shade to help regulate an area's temperature and reduced electricity costs; and~~
- ~~L. — Contribute to the overall quality of life and the built environment in Lancaster County.~~

¹ This Section combines, clarifies, and generally expands a number of landscape and screening

4.1 PURPOSE

4.3.1 GENERAL PROVISIONS

requirement located throughout the current UDO.

² This Section carries forward current § 7.1: Landscaping and Screening

4.2 APPLICABILITY³

- A. All development, including commercial development and subdivisions, must provide the landscaping and open space improvements specified in this Chapter.
- B. However, the following uses and subdivision types are exempt from the requirements of this Chapter:
 - 1. Individual single-family lots that are not part of a larger development; and
 - 2. Subdivisions that qualify as a minor or family subdivision according to the criteria in [Section 10.3: Land Development Procedures](#).
- C. Each Section in this Chapter provides a separate applicability based on the unique characteristics of each landscaping and open space requirement. ~~The requirements of this Chapter include:~~
 - 1. ~~Landscaping and Screening in Section 4.3;~~
 - 2. ~~Riparian Buffers in Section 4.4;~~
 - 3. ~~Tree Preservation in Section 4.5; and~~
 - 4. ~~Open Space in Section 4.6.~~

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³ This Section replaces the applicability matrix in § 7.1.1 with a clarification that the various standards' applicability are addressed with that standard.

4.3 LANDSCAPING & SCREENING⁴

4.3.1 GENERAL PROVISIONS

4.3.1.1 Applicability⁵

- A. **Generally.** The landscaping and screening standards apply based on the district and the extent of the proposed change. The development activity must meet both criteria to require compliance with this Section.
- B. **Applicability by Districts.**
1. *Generally.* The landscaping and screening standards implement the County's goal of creating distinct rural and suburban character areas appropriate for different parts of the County. Compliance with the standards of this Section is required based on zoning district as shown in Table 4.3.1.1-1: *Applicability of Landscaping & Screening Requirements by District*.
 2. *Exemption for Residential Uses.* Regardless of the district applicability rule, the standards of this Section do not apply to development on parcels with a principal use of single-family detached dwelling or duplex dwelling.
 3. *Exemption For Uses Adjacent to Railroads.* Parcels directly adjoining a railroad right-of-way or rail spur are exempt from the landscaping, buffer, and screening requirements in this Section for those property boundaries that directly adjoin the railroad right-of-way.

Table 4.3.1.1-1: Applicability of Landscaping & Screening Requirements by District

DISTRICT	BUFFERS & SCREENING	BUILDING LANDSCAPING	PARKING LOT LANDSCAPING	STREET TREES & STREET-SCAPING	SUBDIVISION ENTRY LANDSCAPING
AR	x	x	x	x	x
RR	x	x	x	x	x

⁴ This Section reorganizes and updates the landscaping and screening requirements in various parts of the UDO, including Sections 7.1: *Landscaping and Screening*; 4.3.2: *Highway Corridor Overlay District (HCO)*; and various use-specific standards in Chapter 5: *Use Regulations*. Major changes include district to use-based framework for buffers.

4.3 LANDSCAPING & SCREENING
4.3.1 GENERAL PROVISIONS

LANDSCAPING & OPEN SPACE

4

⁵ This Section provides for applicability based on the proposed rural and suburban character areas and also carries forward the current phased applicability based on the extent of the proposed development activity in Section 7.1.

Table 4.3.1.1-1: Applicability of Landscaping & Screening Requirements by District

DISTRICT	BUFFERS & SCREENING	BUILDING LANDSCAPING	PARKING LOT LANDSCAPING	STREET TREES & STREET-SCAPING	SUBDIVISION ENTRY LANDSCAPING
RN	✗	✗	✗	✗	✗
LDR	✓	✓	✓	✗	✗
MDR	✓	✓	✓	✓	✓
MFR	✓	✓	✓	✓	✓
RUB	✗	✗	✗	✗	✗
NB	✓	✓	✓	✓	✓
GB	✓	✓	✓	✓	✓
RB	✓	✓	✓	✓	✓
INS	✓	✓	✓	✓	✓
OSP	✗	✗	✗	✗	✗
BT	✓	✓	✓	✓	✓
LI	✓	✓	✓	✗	✗
HI	✓	✓	✗	✗	✗
M	✓	✗	✗	✗	✗
PDD	✓	✓	✓	✓	✓
HCO	✓	✓	✓	✓	✓

Key: ✓ = Standard Applies | ✗ = Standard Does Not Apply

- C. **Phased Compliance.** The standards of this Section apply on a sliding scale based on the extent of the change for each of the development activities as provided in Table 4.3.1.1-1: *Applicability by Proposed Development Activity*.

Table 4.3.1.1-1: Applicability by Proposed Development Activity

DEVELOPMENT ACTIVITY	APPLICABILITY
New Construction (Except Single-Family and Two-Family Dwellings on Previously Platted Lots)	All standards apply.

Table 4.3.1.1-1: Applicability by Proposed Development Activity	
DEVELOPMENT ACTIVITY	APPLICABILITY
Expansion of Parking Areas (Less than 50% of Total Existing Area or less than 12 spaces)	The standards of Subsection 4.3.4: <i>Landscaping</i> apply to areas within and adjacent to parking lot expansion areas.
Expansion of Parking Areas (50% or Greater of Total Existing Area, or 12 spaces or more)	The standards of Subsection 4.3.4: <i>Landscaping</i> apply to all new and existing parking areas.
Building Expansion (Less than 50% of Existing Floor Area)	The standards of Subsection 4.3.3: <i>Building Landscaping</i> apply only to the area around the addition.
Building Expansion (50% or Greater of Existing Floor Area)	The entire site shall be brought into full compliance with this Section.
Change of Use (From Residential to Non-Residential, OR any change of use which requires a denser buffer yard)	The entire site shall be brought into full compliance with this Section.
Change of Use (From Non-Residential to another Non- Residential)	The site shall be brought into compliance with Subsections 4.3.2: <i>Buffers & Screening</i> and 4.3.5: <i>Street Trees & Streetscaping</i> .
Building Interior and/or Exterior Renovation Only	Compliance with this Section is not required.

4.3.1.2 General Landscaping & Screening Locations⁶

Figure 4.3.1.2-1 illustrates the types of landscaping areas and buffer yards required by this Section. This diagram is for the illustrative purposes of the general areas for landscaping and does not specify the required landscaping and buffer areas for specific development applications.

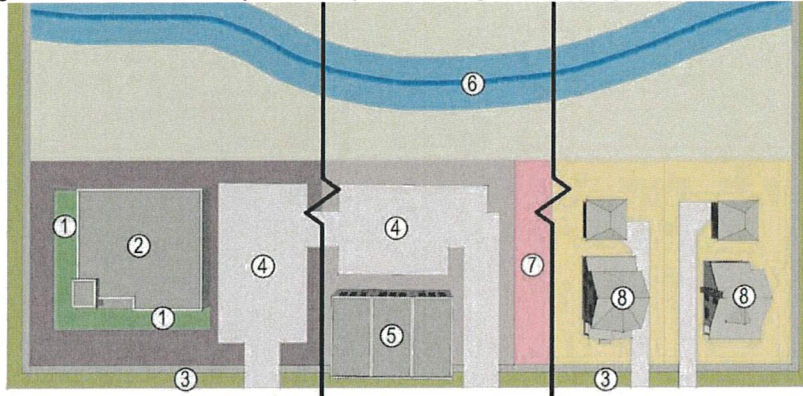
⁶ This Section carries forward and updates the illustration introducing various landscaping and screening
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4.3 LANDSCAPING & SCREENING

4.3.1 GENERAL PROVISIONS

requirements in current Section 7.1: *Landscaping and Screening*.

Figure 4.3.1.2-1: Hold for Updated Graphic Showing Landscaping and Screening Areas.



1. Perimeter Buffer – Note numbers do not match the current illustration.
2. Building Landscaping
3. Parking Lot Landscaping
4. Street Trees & Streetscaping
5. Major Subdivision Entry Landscaping
6. Riparian Buffers
7. Open Space

4.3.2 BUFFERS & SCREENING⁷

4.3.2.1 Applicability⁸

- A. **Relationship to Required Setbacks.** Buffers may be established within front, side, and rear setbacks required by this UDO. If a setback requirement is less than the minimum buffer requirement, the buffer width requirement controls.

⁷ This Section updates and reorganizes the buffer and screening standards in current Sections 7.1.5 *Buffers And Screening*; 4.3.2.J.: *Landscaping, Buffer Yard, And Screening Requirements* (HCO); and various use-specific standards in Chapter 5: *Use Regulations*. Key changes: 1) changes the buffer applicability standard from adjacent districts to adjacent uses; 2) increases buffering requirements for most buffer types, particularly by the addition of more evergreen shrubs; and 3) adding evergreen shrub screen as a buffer type.

⁸ This Section carries forward the applicability standards of current Paragraphs 7.1.5.A.4. & -5. and STAFF REVIEW DRAFT | LAST SAVED: 2024-11-25
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4.3.2 BUFFERS & SCREENING
7.1.5.C.4.

- B. **More Restrictive to Apply.** Where a proposed use or development-type abuts multiple use types or zoning districts along the same side or rear property line, the largest buffer requirement will apply along the entire side or rear property line.
- C. **Riparian Buffer.** Any required riparian buffer may be used to satisfy other buffer requirements, if the plants are equivalent in number and type required by this Chapter. Additional plant materials shall be installed in the riparian buffer to satisfy any remaining plant requirements. Additional plantings shall meet best management practices as ~~determined~~may be required by ~~the Administrator, SC DHEC's~~ Stormwater Best Management Practices Manual.

4.3.2.2 Required Buffers⁹

- A. **Generally.** Buffers are planting areas designed to separate incompatible adjacent uses and provide privacy and protection against potential adverse impacts of an adjoining incompatible use or zoning district.
- B. **Required Buffers by Adjacent Use.** Buffer yards are required for new uses with an existing adjacent use as provided in Table 4.3.2.2-1: *Buffer Requirements with Existing Use*. The use categories correspond with the uses in Subsection 3.2.5: Use Table.

Table 4.3.2.2-1: Required Buffers if Adjacent to Established Use						
PROPOSED PROPOSED USE	EXISTING USE					
	AGRICULTURE	RESIDENTIAL	MULTIFAMILY RESIDENTIAL	CIVIC/INSTITUTIONAL, OFFICE/SERVICE	AUTOMOTIVE, ENTERTAINMENT/ RECREATION, LODGING, RETAIL/FOOD SERVICE	INDUSTRY/WHOLESALE/ STORAGE, INFRASTRUCTURE
Agriculture	X	X	X	X	X	X
Residential	B	B	X	X	C'	C'

⁹This Section significantly updates the current buffer yard standards in current Paragraphs 7.1.5.A.1. thru -3. The proposed draft changes the buffer requirement from a district- to use-based framework.

Table 4.3.2.2-1: Required Buffers if Adjacent to Established Use

PROPOSED USE	EXISTING USE					
	AGRICULTURE	RESIDENTIAL	MULTIFAMILY RESIDENTIAL	CIVIC/INSTITUTIONAL, OFFICE/SERVICE	AUTOMOTIVE, ENTERTAINMENT/ RECREATION, LODGING, RETAIL/FOOD SERVICE	INDUSTRY/WHOLESALE/ STORAGE, INFRASTRUCTURE
Multifamily Residential	B	B	X	X	B ¹	C ¹
Civic/Institutional, Office/Service	X	A	A	X	X	X
Automotive, Entertainment/ Recreation, Lodging, Retail/Food Service	X	C	C	B	X	X
Industry/ Wholesale/ Storage, Infrastructure	X	C	C	C	B	X

Key: A = Type A Buffer | B = Type B Buffer | C = Type C Buffer | X = No Buffer Required

¹. Buffer only required where there is no equivalent buffer provided on the adjacent property.

- C. **Changes in Use.** A required buffer may be removed when the existing protected use transitions to another use that does not require a buffer.
- D. **Required Buffers Adjacent to Vacant Parcels.** If a new use is proposed adjacent to a parcel with no existing principal use (a vacant parcel), a bufferyard is required based on the zoning district of the ~~adjacent parcel~~ parcel with no existing principal use (vacant parcel) as provided in Table 4.3.2.2-2: *Required Buffers if Adjacent to Vacant Parcel*.

Table 4.3.2.2-2: Required Buffers if Adjacent to Vacant Parcel

PROPOSED USE	DISTRICT OF ADJACENT PARCEL					
	AR, RR, RN	LDR, MDR	MFR	INS, OSP	RUB, NB, GB, RB	LI, HI
Agriculture	X	X	X	X	X	X
Residential	B	B	X	X	X	X
Multifamily Residential	B	B	X	X	X	X
Civic/Institutional, Office/Service	X	A	A	X	X	X
Automotive, Entertainment/ Recreation, Lodging, Retail/Food Service	X	C	C	B	X	X
Industry/Wholesale/ Storage, Infrastructure	X	C	C	C	B	X

Key: A = Type A Buffer | B = Type B Buffer | C = Type C Buffer | X = No Buffer Required

- E. **Additional Buffer and Screening Requirements for Specific Uses.** Additional buffer and screening requirements for certain specific uses are included in 4.3.2.7: *Use-Specific Buffer & Screening Standards*.

4.3.2.3 Buffer Types¹⁰

- A. **Type A Buffer.** A Type A buffer is a planting strip intended to separate uses, provide vegetation in densely developed areas, and enhance the appearance of individual properties. ~~Type A buffers must provide at least the screening listed in Table 4.3.2.3-1: Type A Buffer Standards~~ Type A buffers must be semi-opaque as follows: having only seasonal horizontal openings not exceeding 25% of the total width from the ground to a height of 6 feet within 2 years of planting.

¹⁰ This Section significantly updates the current standards in Paragraph 7.1.5.B. The buffer density requirements are increased based on input from Council and staff.

Table 4.3.2.3-1: Type A Buffer Standards

BUFFER TYPE	MINIMUM DEPTH	MINIMUM PLANTINGS PER 100 LINEAR FEET	WALL, FENCE, OR BERM	REQUIRED OPACITY
Type A Buffer	10 feet	2 Canopy Trees 2 Understory Trees 16 Evergreen Shrubs	Not Required	Semi-opaque (i.e., having only seasonal horizontal openings not exceeding 25% of the total width from the ground to a height of 6 feet within 2 years of planting)

- B. **Type B Buffer.** A Type B buffer is a medium density screen intended to create a visual separation between uses and zoning districts. Type B buffers must ~~provide at least the screening listed in Table 4.3.2.3-2: Type B Buffer Standards~~ be more semi-opaque than Type A as follows: having only seasonal horizontal openings not exceeding 10% of the total width from the ground to a height of 8 feet within 2 years of planting.

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Table 4.3.2.3-2: Type B Buffer Standards

TYPE B BUFFER OPTIONS	MINIMUM DEPTH	MINIMUM PLANTINGS PER 100 LINEAR FEET	WALL, FENCE, OR BERM	REQUIRED OPACITY
Option 1	20 feet	2 Evergreen Trees 1 Canopy Tree 2 Understory Trees 24 Evergreen Shrubs	Not Required	Semi-opaque (i.e., having only seasonal horizontal openings not exceeding 10% of the total width from the ground to a height of 8 feet within 2 years of planting)
Option 2	10 feet	4 Evergreen Trees 3 Canopy Trees 3 Understory Trees 24 Evergreen Shrubs	Not Required	

- C. **Type C Buffer.** A Type C buffer is intended to provide a very dense all-season sight barrier to significantly separate uses and zoning districts. It is intended to reduce intrusive lighting and noise from adjacent properties. Type C buffers must ~~provide at least the completely opaque as follows: having no horizontal openings from the screening listed in Table 4.3.2.3-3: Type C Buffer Standards~~ ground to a height of 8 feet within 2 years of planting.

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Table 4.3.2.3-3- Type C Buffer Standards				
TYPE-C BUFFER OPTIONS	MINIMUM DEPTH	MINIMUM PLANTINGS PER 100 LINEAR FEET	WALL, FENCE, OR BERM	REQUIRED OPACITY
Option-1	40-feet	4 Evergreen Trees 4 Canopy Trees 4 Understory Trees 36 Evergreen Shrubs	Not Required	Completely opaque (i.e., having no horizontal openings from the ground to a height of 8 feet within 2- years of planting)
Option-2	30-feet	6 Evergreen Trees 2 Canopy Trees 4 Understory Trees 36 Evergreen Shrubs	Wall or Fence	
Option-3	30-feet	4 Evergreen Trees 2 Canopy Trees 2 Understory Trees 20 Evergreen Shrubs	Berm	

4.3.2.4 Buffer Standards¹¹

A. Buffer Locations.

1. A buffer must generally be constructed along the perimeter of the parcel.
2. In situations where irregular topographic conditions exist, such as when the perimeter of the property is at a lower grade than the use being screened, the Administrator may require the relocation of the required buffer to a location with a higher elevation in order to better serve its purpose.
3. Buffers shall not be located on any portion of any existing or proposed street right-of-way, or utility easement, unless permitted by the right-of-way owner or easement holder.

4.3 LANDSCAPING & SCREENING

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¹¹ This Section carries forward and updates the standards for installation of buffers in current Paragraphs 7.1.5.A.3. & -7 and 7.1.5.C.

- B. **Conflicts with Utilities.** Where overhead utility lines exist in the required streetscape buffer, any required canopy tree may be replaced with two understory trees. Understory trees shall be equally spaced on center where possible.
- C. **Fences and Walls.**
1. Fences and walls required by this Section must be:
 - (a) At least a 6-foot privacy fence or wall;
 - (b) Made of any combination of ~~treated and stained wood~~, brick, stone, wrought iron, polymer, decorative face block, or other composite material as approved by the Administrator; and
 - (c) Maintained in a like-new manner with the finished side facing towards the zone to be buffered (protected).
 2. The material(s) used shall provide an opaque fence.
 3. All required vegetation shall be placed on the unfinished side of the fence or wall.
 4. A chain link fence with slats is not considered a solid fence for purposes of this Section.
- D. **Berms.¹²**
1. Berms shall have a minimum height of three feet and a minimum crown width of eight feet.
 2. Berms shall not exceed a maximum height of six feet.
 3. If four feet in height or less, a berm shall have a side slope no greater than 3:1. If greater than four feet in height, a berm shall have a side slope no greater than 4:1.
 4. Berms shall be designed and constructed with an undulating appearance to mimic the natural topographical features of a site.
 5. The Administrator may allow an exception to the minimum and maximum height requirements for an earthen berm where topography or other natural site features may justify such an exception.

¹² This Paragraph replaces the general standards for berms with the standards from the HCO in 7.3.2.J.1.

E. Existing Vegetation, Fences, Walls, and Berms.

1. Existing vegetation, berms, walls, or fences (except chain link fences) within the landscaped area may be used to fulfill the standards for the type of landscaping required if (i) these elements are in good condition as determined by the Administrator. ~~However, existing chain-link fencing will not fulfill the standards of this Section.~~
2. Where existing vegetative areas are to be credited, they shall be shown on the plan with a certification by a licensed landscape architect that the existing vegetation fully complies with the landscape requirements.

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4.3.2.5 Evergreen Shrub Screen¹³

- A. When this UDO requires a continuous evergreen shrub screen, the evergreen shrubs shall:
1. Be at least 36 inches in height with a minimum spread of 24 inches at time of planting;
 2. Be spaced no more than five feet on center; and
 3. Have an average mature height of six feet.
- B. A masonry wall three feet in height may be used in place of a continuous evergreen shrub screen.
- C. The shrub screen may be penetrated for ingress/egress, including stub out and shared drive easements.

4.3.2.6 Additional Screening Standards for HCO District¹⁴

- A. Screening of Accessory Structures and Activities.
-
-

¹³ This Section carries forward the standard for evergreen shrub screens from Section 4.3.2.J.6.a.ii as a screening type that will apply to several situations.

¹⁴ This Section carries forward the standards of current Paragraph 4.3.2.J.1.

- a) Review Subsection 1 General against Ch-7 standards and remove redundant text; and
 - b) Relocate native species and drought tolerance language to Ch-7. Create a minimum percentage of
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4.3.2 BUFFERS & SCREENING

material standard featuring these characteristics.

1. All dumpsters, mechanical equipment, utility boxes, and similar structures shall be screened from view from all adjacent properties, residential use districts, and public right-of-way using an opaque screen.
 2. Ground-mounted mechanical equipment shall be screened to its full height on all sides using an opaque screen.
- B. **Stormwater Facilities.** Stormwater management basins shall be screened from view from the public right-of-way with a continuous evergreen screen as provided in 4.3.2.5: *Evergreen Shrub Screen*.
- C. **Fences and Walls.**
1. Boundary and internal fences or walls shall be of durable construction using quality material, such as brick, stone, wood, metal, decorative vinyl, or any combination of these materials.
 2. Chain link, welded or woven wire, and other wire fencing is prohibited in the HCO District, except for parcels with sports fields and recreational complex use.

4.3.2.7 Use-Specific Buffer & Screening Standards¹⁵

- A. **Applicability.** The uses identified in this Subsection must comply with the additional buffer and screening requirements applicable to that use.
- B. **Outdoor Storage Accessory Use.**
1. A Type C buffer is required along all public rights-of-way and property boundaries with uses other than Industry/Wholesale/Storage and Infrastructure use.
 2. Property boundaries that do not require a buffer shall be enclosed either with a chain-link fence extending from the ground to a height of not less than six

¹⁵ This Subsection updates and reorganizes various use-specific buffer and screening standards in Chapter 5: *Use Regulations*, including 1) § 5.9.10: *Storage - Outdoor Storage Yard*; 2) “restricted” uses, such as §§ 5.9.1: *Industry, Restricted*, 5.9.13: *Storage – Warehouse Indoor, Restricted*, and 5.9.15: *Wholesaling and Distribution Restricted*; 3) § 5.9.5: *Mining – Major in Depth Resource Extraction and Minor Surface Resources Extraction*; 4) § 5.2.7: *Manufactured Homes*; § 5.11.4: *Solar Farms*; and 5) § 5.11.5: *Wireless Communications*

4.3 LANDSCAPING & SCREENING
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Facility.

feet or with the above-described buffer. Site plan approval is required prior to the construction of the buffer.

C. Restricted Uses.

1. *Generally.* A buffer yard must be provided around the entire perimeter of the subject property and be delineated on the site plan for the following uses:
 - (a) Industry, Restricted;
 - (b) Storage – Warehouse Indoor, Restricted;
 - (c) Wholesaling and Distribution, Restricted; and
 - (d) Materials Recovery.
2. *Buffer Requirement.*
 - (a) For forested, undisturbed land that is proposed for one of the restricted uses, a minimum 100-foot buffer area is required along all property lines and public rights-of-way.
 - (b) For disturbed and agricultural land without significant tree canopy, a minimum 100-foot buffer area must be installed that incorporates the planting density of a Type C buffer yard.
3. *Buffer Standards.*
 - (a) No materials, processes, or activities, including parking or buildings, shall occur in the buffer area.
 - (b) However, roads for access to the site and utilities may cross the 100-foot area, and monitoring wells may be located within the 100-foot area.
 - (c) All existing trees within the buffer area shall be preserved, except to allow for construction of necessary road crossings, utilities, and monitoring of wells; or
3. *Required Fence.* A chain link security fence, a minimum of six feet in height, shall enclose the entire site. The fence may be placed inside the buffer area.

D. Mining Use.

1. A minimum 100-foot buffer area is required along all property lines and public rights-of-way.
2. No materials recovery or waste transfer activities, including parking, access roads, buildings, and disposal, shall occur in the buffer area. Roads for access to the site, buffer plantings, fences, utilities, and monitoring wells may be located within the 100-foot buffer area.
3. All existing trees within the buffer area shall be preserved, except to allow for construction of the encroachments allowed by this Section.

E. Manufactured Home Parks.

1. A Type A buffer must be installed and maintained at all property lines and along any street frontage.
2. A Type C buffer must be installed and maintained where the property abuts other residential uses.

F. Solar Farm Use.

1. *Landscaping and Screening.*
 - (a) Solar farms shall be screened by evergreen trees or shrubs that will achieve a minimum height of 10 feet within 3 years of planting. The plant material shall be spaced at no less than six feet on-center, with the intent to provide sufficient screening, through a combination of buffers, fencing, landscaping, and/or landscaped berms to ~~obscure~~block the solar equipment from exterior view from adjoining property owners and public rights-of-way.
 - (b) An opaque screen shall be provided for any adjacent property that is residentially zoned or has existing residential use. The opaque screen may be composed of a fence, landscaping, landscaped berm, or combination of these elements.
 - (c) Existing vegetation located on the same property as the solar farm may be used to satisfy the landscaping and screening requirements of this Paragraph if it is within or includes the required buffer and is of sufficient height, depth, and density of healthy vegetation to provide a visually opaque screen where required. The Administrator may determine that further screening improvements are not required if existing vegetation provides an adequate screen.

2. *Fencing.*

- (a) A security fence at least six feet in height is required.
- (b) A chain link fence is prohibited unless it is ~~screened~~completely blocked from view of adjoining property owners and public rights-of-way.
- (c) Screening may include plantings to create a “living fence” or to obscure the view of the fence.
- (d) Breaks in fencing may be allowed or required to facilitate wildlife needs where natural features provide appropriate barriers to access by humans for security and safety purposes.

G. **Parking Lot/Structure – Principal Use.** Where an above-ground parking structure fronts a street, the ground level shall be ~~screened~~completely blocked in such a way that vehicles are not visible from the right-of-way or sidewalk, such as through the use of the parking lot perimeter screening standards in Subsection 4.3.4: *Parking Lot Landscaping*.

H. **Wireless Communications Facilities.**

- 1. An evergreen shrub screen must surround the security fencing required by Subsection 3.8.7: *Wireless Communications Facility* when:
 - (a) The wireless communications facility is not an accessory use; and
 - (b) The site abuts or is visible from residential use, residential zoning district, or a street designated as a major thoroughfare by the Lancaster County Comprehensive Plan.
- 2. This screening is required in addition to any other screening required by other sections of this Chapter.
- ~~3. The Board of Zoning Appeals may impose this screening requirement on accessory uses when appropriate.~~
- ~~4.3.~~ This requirement does not apply to communications equipment co-located on facilities located in the right-of-way (such as telephone poles and light standards) or electric power company easements as long as all other applicable requirements of the UDO are met.

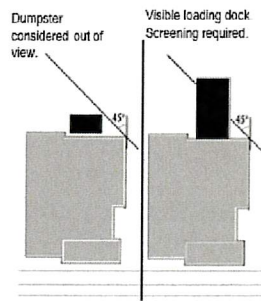
4.3.2.8 Loading Areas and Utilities Screening¹⁶

A. Dumpsters, Mechanical Equipment, Utilities, and Storage Areas.

1. General Screening Requirement.

- (a) All dumpsters, loading docks, mechanical equipment, and utility structures shall be completely screened from view from public and publicly accessed streets and any adjacent residential or mixed-use properties to a height of one foot above the structure or eight feet, whichever is less, by a wall or planted hedge.
- (b) ~~A~~An object or structure is considered out of view of the public street if it is within the 45 degree angles projected from the building edges (see diagram in Figure 4.3.2.8-1), except on a corner lot or lot with public drives along more than one side.

Figure 4.3.2.8-1: Visibility and Screening Requirement.



- (c) Where a Type B or C buffer exists or is installed along adjacent property lines, this shall be considered sufficient screening from adjacent properties.

2. Outdoor Storage Areas.

¹⁶ This Subsection increases the screening standards in current § 7.1.6 Loading Areas And Utilities Screening Assessment based on staff recommendations. Specific changes include replacing the option of a chain link fence with and without slats as a screening with a vinyl fence; and increasing the distance for the exemption for industrial uses from a 100-foot separation distance to 400 feet.

- (a) All unenclosed outdoor storage areas greater than 100 square feet shall also be completely screened from adjacent properties and streets to a height of eight feet by a wall, fence, or planted hedge.
 - (b) Where a Type B or C buffer exists or is installed along adjacent property lines, this shall be considered sufficient screening from adjacent properties.
- 3. *Materials for Dumpster Enclosures.*
 - (a) Where possible, enclosures for dumpsters are encouraged to be constructed with materials that are compatible with the design and materials of the principal building.
 - (b) Dumpster enclosures shall be installed using the following materials:
 - (1) Brick fence, brick/split face block, or decorative block; or
 - (2) Solid vinyl, solid wood, or fabricated metal fence. If these materials are used, a semi-opaque, continuous planting wall must also be installed around the enclosure with shrubs that will grow to a height of 8 feet with only seasonal horizontal openings within 5 years.
- 4. *Exemptions.*
 - (a) Dumpsters, loading docks, mechanical equipment, utility structures, and outdoor storage areas in the LI and HI districts are not required to be screened from view from streets, residential, or mixed-use properties if they are separated by at least 400 feet.
 - (b) The screening requirements of this Section may be waived by the Administrator based on a determination that site specific constraints render compliance impracticable.

B. Other Utility Structures.

- 1. Utility equipment and facilities associated with on-site electric, cable, telephone, gas, or other similar utility, including ground-based electrical transformers and power meters, shall be placed in service areas on the sides or rear of buildings, and shall be completely screened, to the extent possible, with an evergreen shrub screen or other acceptable alternative approved by the Administrator.

2. Areas around the equipment and facilities shall remain clear based on each utility company's guidelines.

4.3.3 BUILDING LANDSCAPING¹⁷

A. **Minimum Required Landscape Area.**

1. A minimum five-foot wide area shall be provided for landscaping adjacent to any side of the building facing a public right-of-way.
2. Up to 25% of the building width along the street may be utilized for entrance walkways and other features.

B. **Minimum Required Landscaping.** The minimum required landscaping shall consist of one of the following options every 40 linear feet:

1. 2 understory trees; or
2. 10 shrubs; or
3. Any equivalent combination thereof as approved by the Administrator.

C. **Interpretation.**

1. This 40 foot requirement serves as a ratio for establishing the minimum required landscaping.
2. In locating the minimum required landscaping, care shall be taken to ensure adequate space is provided for the width of tree spread, height, and root system requirements.

4.3.4 PARKING LOT LANDSCAPING¹⁸

4.3.4.1 Applicability

- A. **Generally.** The provisions of this Section apply to all parking lots containing more than 10 spaces.

¹⁷ This Section carries forward the current building perimeter planting standards in § 7.1.3.C but reduces the width of the required landscaped area from six to five feet.

¹⁸ This Subsection significantly updates and reorganizes the parking lot landscaping standards in § 7.1.4: *Parking Lot Area Landscaping* and HCO parking standard from §4.3.2.J: *Landscaping, Buffer Yard, and* STAFF REVIEW DRAFT | LAST SAVED: 2024-11-25
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Screening Requirements (HCO District). Based on input from Council and staff, the Subsection generally

B. **Screening Requirement Applies Separately.** The landscaping requirements of this Subsection shall not be used to meet any other landscaping, buffer, or screening requirements of the UDO.

C. **Exemptions.**

1. *Industry/Wholesale/Storage Uses.* Parking lots that serve industry, wholesale, and storage uses, as designated in the Use Table in [Subsection 3.2.5](#), (whether for employee or customer parking) are exempt from the requirements of this Section but must provide ~~an~~ *a completely opaque* evergreen shrub screen between all portions of the ~~a~~ parking lot within 100 feet of any property line or public or private street.
2. *Vehicle Rental/Leasing/Sales Uses.* Parking lots that serve vehicle rental, leasing, or sales uses, as designated in the Use Table in [Subsection 3.2.5](#), (whether for display of new or used vehicles for rental/sales/lease or for employee or customer parking) are exempt from the parking area landscaping and curbing requirements of this Section but must provide a Type B buffer between all portions of the parking lot within 50 feet of any adjacent property.

4.3.4.2 Required Parking Lot Landscape Areas

Figure 4.3.4.2-1 is intended to provide guidance by illustrating the locations for parking lot landscape areas required by this Chapter. This diagram does not provide the specifications required for screening and landscaped areas for all new or expanded parking lots.

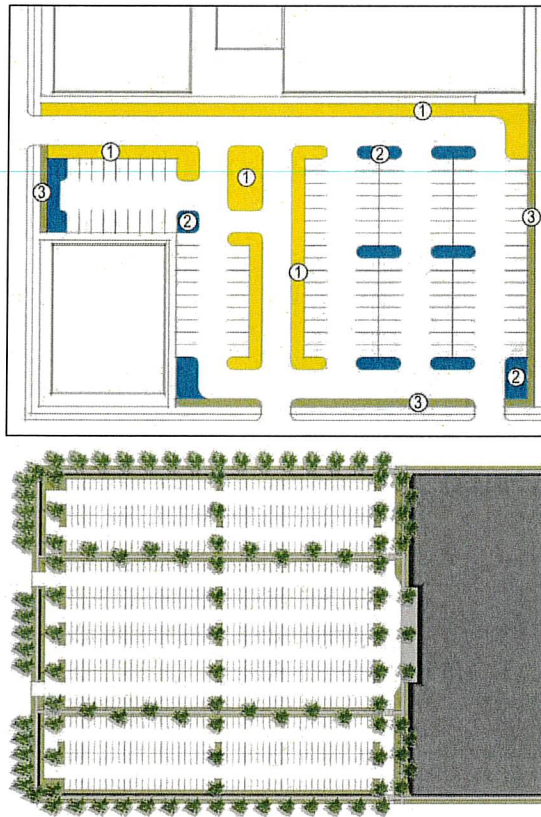
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increases the screening and planting requirements for parking lots and also implements parallel standards for the RUB, HCO, and all other districts to allow for rural and suburban place types.

Figure 4.3.4.2-1: Hold for Updated Graphic Showing Parking Lot Landscaping.



4.3.4.3 Parking Lot Perimeter Landscaping⁴⁹

A. Applicability.

⁴⁹This Subdivision generally updates the perimeter planting standard by increasing the density of plants and clarifying the planting requirements.

1. The parking lot perimeter landscaped area is in addition to and cannot overlap with the streetscape buffer required by Subsection 4.3.5: *Street Trees & Streetscaping*.
 2. In all other districts, parking lot perimeter landscaping plantings may also count toward the buffer requirements in 4.3.2.2: *Required Buffers*.
- B. **Required Landscaping.** Parking lot perimeter landscaping buffers must provide at least the screening listed in Table 4.3.4.3-1: *Parking Lot Perimeter Landscaping Standards*.

Table 4.3.4.3-1: Parking Lot Perimeter Landscaping Standards

DISTRICT	MINIMUM DEPTH	MINIMUM PLANTINGS PER 100 LINEAR FEET	OPTIONAL WALL OR FENCE
HCO	10 feet	3 Canopy Trees 2 Evergreen Trees 2 Understory Trees Evergreen Shrub Screen ¹	Not Allowed as Replacement
General Standard for All Other Districts <u>Except HCO and RUB</u>	10 feet	2 Canopy Trees 2 Understory Trees 24 Evergreen Shrubs	50% of Plantings May be Replaced with a 3-Foot Tall Masonry Wall
RUB	5 feet	1 Canopy Tree 2 Understory Trees 10 Shrubs with at least 50% Evergreen	Plantings May be Replaced with a 3-Foot Tall Masonry Wall

Notes:

¹. Refer to 4.3.2.5: *Evergreen Shrub Screen* for details.

C. **Access through Perimeter Landscaping Allowed.**

1. **Vehicular Access.** Required perimeter landscaping may include breaks and penetrations for ingress/egress, including stub outs and shared drive easements.
2. **Pedestrian Access.** Optional 8-foot openings are allowed every 50 feet to permit pedestrian passage where a connection to an existing or planned sidewalk or pedestrian pathway is provided.

4.3.4.4 Parking Lot Interior Landscaping²⁰

A. **Parking Aisle Islands.**

1. *End Islands.* Parking lot islands with planting areas containing a minimum of one canopy tree or two understory trees shall be placed at the end of every row of parking.
2. *Interior Islands.* Interior parking lot islands must be provided at intervals of no more than 10 spaces and contain a minimum of one canopy tree or two understory trees.

B. **Private Drive Islands.**

1. *Required Landscaping.* All private drives that channel traffic within a parking area, including vehicular ways between parking areas, and building frontages, shall be separated from adjacent sidewalks or rows of parking by a landscaped area as provided in Table 4.3.4.4-1: *Private Drive Island Landscaping Standards*.
2. *Substitution for Canopy Trees.* Understory trees may be substituted for canopy trees at the rate of two understory trees for every required canopy tree for up to 1/3 of the total required canopy trees.
3. *Traffic Control Islands.* Traffic control islands required by SCDOT may include landscaping or be impervious surface based on SCDOT specifications.

Table 4.3.4.4-1: Private Drive Island Landscaping Standards

DISTRICT	MINIMUM DEPTH	MINIMUM PLANTINGS PER 100 LINEAR FEET	OPTIONAL WALL OR FENCE
HCO	8 feet	3 Canopy Trees 2 Understory Trees 24 Evergreen Shrubs	Not Allowed as Replacement
General Standard for All Other Districts	6 feet	3 Canopy Trees 24 Shrubs with at least 50% Evergreen	50% of Plantings May be Replaced with a 3-Foot Tall Masonry Wall

²⁰ This Subdivision generally updates the interior planting standards by requiring a landscaped island on
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the interior of rows every 10 spaces. It also increases the density of plants and clarifies the planting requirements.

Table 4.3.4.4-1: Private Drive Island Landscaping Standards

DISTRICT	MINIMUM DEPTH	MINIMUM PLANTINGS PER 100 LINEAR FEET	OPTIONAL WALL OR FENCE
RUB	3 feet	2 Understory Trees 10 Shrubs with at least 50% Evergreen	Plantings May be Replaced with a 3-Foot Tall Masonry Wall

C. **Additional Standards for Parking Lot Interior Landscaping Areas.**

1. In addition to the tree requirement for any parking lot interior landscaped area, each shall include a combination of shrubs, turf grass, other ground cover, or mulch so that no portion of the area includes bare soil.
2. Shrubs in interior landscaping areas shall be maintained at a maximum height of 30 inches. Where sight lines do not permit shrubs, tree planting areas shall contain turf grass or other ground cover.
3. All trees in interior landscaping areas must have all limbs trimmed at least eight feet above ground level.

D. **Pedestrian Access.** Sidewalks or pedestrian pathways may be provided within required landscaped areas to address pedestrian needs.

4.3.4.5 **Parking Island Design Standards²¹**

A. **Dimensions of Parking Aisle Islands.**

1. The planting area of islands adjacent to a single row of parking must be a minimum of 144 square feet in area.
2. Islands adjacent to two rows of back-to-back parking must be a minimum of 288 square feet in area.
3. The minimum dimension (width or depth) for a parking aisle island is eight feet.

²¹ This Subdivision provides new dimension and design standards for parking island landscaped areas.

B. **Soil Quality.** All parking lot landscaping areas shall have a base of soil and shall not contain base course material.

C. **Curbing.**

1. All parking lot interior landscape areas shall be edged with a curb at least 6 inches in height if adjacent to drives or aisles.
2. The requirement for curbing does not apply in the RUB District.

4.3.4.6 Additional Standards For Large Parking Lots²²

A. **Applicability.** This Subsection provides additional standards for parking lots that require or include more than 100 parking spaces.

B. **Pedestrian Walkways.**

1. *Required Walkways.* For every four traffic aisles between parking bays, a landscaped island between two back-to-back parking bays with a pedestrian walkway shall be provided and shall extend the entire length of the parking bay or aisle.
2. *Design of Walkways.*
 - (a) The width of the landscaped island shall be at least 15 feet, measured from the back of curb to back of curb.
 - (b) The width of the pedestrian walkway shall be at least five feet.
3. *Plantings.* Trees shall be planted along the pedestrian walkway at the rate of one canopy tree or two understory trees for every 30 linear feet. Plantings required by this Section may count towards the tree planting requirement.
4. *Crosswalks Required.* Crosswalks shall be provided across private drives/driveways from the pedestrian walkways to connect to any adjacent building entrances, private walkways, and public sidewalks.

C. **Landscaped Medians.**

1. Any private drive that intersects with a public street shall include a landscaped median that extends from the intersection with the public street

²² Paragraph A carries forward the current standard for pedestrian walkways in § 7.1.4: *Additional Standards for Large Parking Lots (Greater than 100 Spaces)*. Paragraph B adds a new standard for landscaped

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medians.

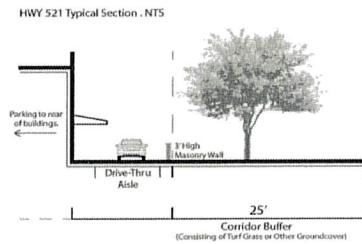
onto the property and may terminate where the drive intersects with or crosses another internal drive or parking area.

2. The landscaped median shall include the plant materials specified in Table 4.3.4.4-1: *Private Drive Island Landscaping Standards*.

4.3.4.7 Drive-Thru Facilities in the Highway Corridor Overlay²³

- A. **Screening Required.** If a drive-thru facilities in the HCO District cannot be located on the rear or side of the building from the corridor, the vehicle queuing spaces shall be screened so that vehicles queued are ~~partially~~completely concealed and screened from the view of passing cars and pedestrians from the U.S. Highway 521 or S.C. Highway 160 rights-of-way. Figure 4.3.4.7-1: *Cross-Section of Drive-Thru Screening* illustrates the screening requirement.

Figure 4.3.4.7-1: Cross-Section of Drive-Thru Screening



- B. **Design Standards.** Appropriate visibility for safety and functionality shall be maintained for parcels with drive-thru facilities using decorative masonry walls and landscaping ~~as follows that are consistent with this Chapter to provide completely opaque screening as approved by the Administrator.~~
1. ~~A decorative masonry wall shall be a minimum height of 36 inches as measured from finished grade on the corridor side of the wall and shall complement the surrounding buildings in material and architectural vernacular;~~
 2. ~~The decorative masonry wall shall be located outside of the streetscape buffer required by Subsection 4.3.5: *Street Trees & Streetscaping*;~~

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²³ This Subdivision carries forward the screening requirements for drive-thrus in the HCO District in § 4.3.2.J.4.

- ~~3. The preferred material for decorative masonry walls is the stacked stone precedent for the U.S. Highway 521 corridor in Indian Land. At a minimum, the materials shall comply with Subsection 8.4.5: Exterior Materials, and~~
- ~~4. The screening elements outlined in this Subsection shall be designed in a manner to allow unobstructed pedestrian access to the site at a minimum of one location. Such access may be necessary in more than one location for larger sites and development. When a sidewalk is provided along the corridor, a perpendicular connection shall be provided between the required pedestrian access and the provided corridor sidewalk.~~

4.3.4.8 Optional Rain Garden Islands²⁴

- A. **Applicability.** Required parking lot landscaping may incorporate one or more consolidated bioretention areas (rain gardens).
- B. **Incentive for Option.** If a development utilizes bioretention areas in parking lot landscaping, a portion of the space devoted to motor vehicle parking may be landscaped instead of paved, as follows:
 1. A landscaped area may include up to three feet of the front of the parking space as measured from a line parallel to the direction of the bumper of a vehicle as shown in Figure 4.3.4.8-1: *Illustration of Bioretention Island Landscaping*. The landscape strip shall be a minimum of six feet in width;
 2. The landscaped area within the parking space counts toward parking lot landscaping requirements and toward any overall site landscaping requirements; and
 3. In order to utilize this parking dimension bonus, landscaping must be below grade and designed as a bioretention area.

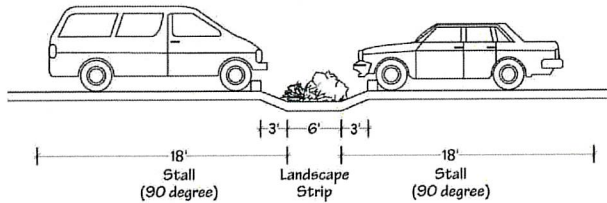
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²⁴ This Subdivision carries forward and reorganizes the standards in § 7.1.4.F.: *Bioretention Areas/Rain Gardens*.

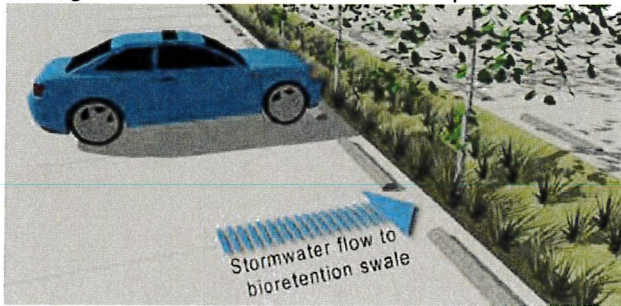
Figure 4.3.4.8-1: Illustration of Bioretention Island Landscaping.



C. Design Standards.

1. *Best Management Practices.* Bioretention areas shall be designed and landscaped to trap and mitigate runoff from paved surfaces consistent with the description and intent of SC DHEC's: [Stormwater Best Management Practices Manual](#).
2. *Effectiveness.* Bioretention areas shall be located where it is most practical to capture stormwater, manage parking lot traffic, and facilitate pedestrian use, including adjacent to and connecting with vegetated areas on the perimeter of a parking lot.
3. *Curbing.*
 - (a) Curbing may be discontinuous or perforated to allow stormwater to enter landscaped areas constructed for bioretention.
 - (b) Where bioretention areas are constructed, wheel stops may be used in place of curbing as shown in Figure 4.3.4.8-2: *Illustration of Wheel Stops and Runoff*.
 - (c) Where landscaping is above grade, curbing must be continuous to prevent landscaping material from eroding into the parking area.

Figure 4.3.4.8-2: Illustration of Wheel Stops and Runoff.



4.3.5 STREET TREES & STREETSCAPING²⁵

4.3.5.1 Purposes²⁶

It is the desire of the County to maintain tree-lined, pedestrian-friendly streets to improve the quality of life and aesthetics of the community for all residents. ~~Street trees and streetscaping serve the following purposes:~~

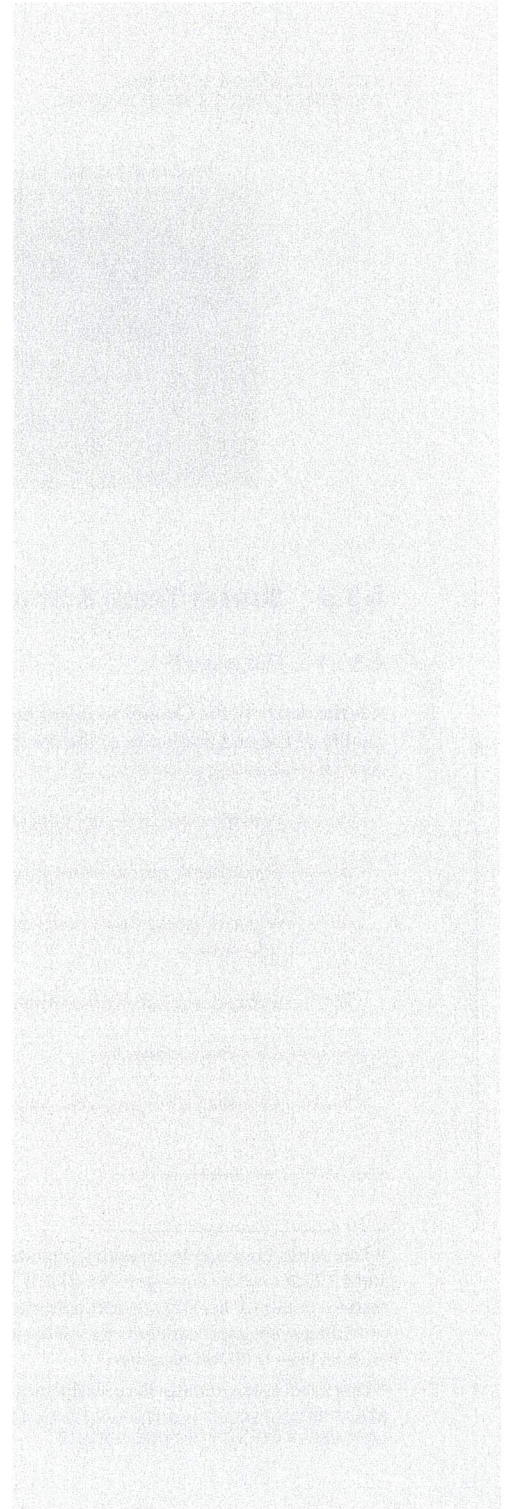
- ~~A. — Provides shade for the pedestrian realm of the street;~~
- ~~B. — Encourages cars to move more slowly;~~
- ~~C. — Improves pedestrian safety by creating a buffer between the moving cars and the sidewalk;~~
- ~~D. — Improves the aesthetic appeal of the street and fronting buildings;~~
- ~~E. — Absorbs stormwater;~~
- ~~F. — Absorbs pollutants from tailpipe emissions; and~~

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²⁵ This Subsection completely updates the standards in §§ 7.1.3: *Street Tree and Building Perimeter Plantings* and 4.3.2.J.2: *Corridor Frontage Buffer* (HCO). The primary changes include 1) combining the street tree and corridor buffer for the HCO district into one new streetscape buffer for all commercial districts; 2) providing streetscape standards for major subdivision frontages on public streets; 3) reducing the spacing of street trees to 30 feet on center.

²⁶ This Subdivision updates the introductory paragraph of current § 7.1.3: *Street Tree and Building Perimeter*
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Plantings.



~~G. — Adds value to the fronting properties.~~

4.3.5.2 Commercial District Streetscaping²⁷

- A. **Streetscaping Required.** A streetscape buffer is required for all new development as provided in Table 4.3.5.2-1: *Commercial District Streetscaping Standards*.

Table 4.3.5.2-1: Commercial District Streetscaping Standards			
DISTRICT	MINIMUM STREETSCAPE DEPTH	MINIMUM PLANTINGS PER 100 LINEAR FEET	OPTIONAL WALL OR FENCE
HCO	40 feet	3 Canopy Trees 2 Understory Trees 24 Shrubs with at least 50% Evergreen	Not Allowed as Replacement
MFR, NB, GB, RB, INS, BT, PDD	20 feet	3 Canopy Trees 24 Shrubs with at least 50% Evergreen	Not Allowed as Replacement
AR, RR, LDR, LDR, MDR, HDR, RUB, OSP, LI, HI	N/A	N/A	N/A

Key:
N/A = Not Applicable

- B. **Streetscape Buffer Depth.** The streetscape buffer depth is measured from the edge of the road right-of-way.

²⁷ This Subdivision completely updates the standards in §§ 7.1.3: *Street Tree and Building Perimeter Plantings* and 4.3.2.J.2: *Corridor Frontage Buffer* (HCO) for commercial districts. The primary changes include 1) combining the street tree and corridor buffer for the HCO district into one new streetscape buffer for all commercial districts; 2) adding buffer requirements for understory trees and shrubs; and 3) reducing the spacing of canopy trees to 30 feet on center. The streetscape buffer has been increased from

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25 feet to 40 feet in the HCO district to allow for planned highway expansion and has been added for all commercial districts at 20 feet.

- C. **Tree Planting Rates.** All canopy trees required by this Subsection shall be equally spaced at a maximum of 30 feet on center where not prohibited by intervening streets, driveways, parking lots, and other site improvements.
- D. **Conflicts with Utilities.** Where overhead utility lines are present in the required streetscape buffer and conflict with tree planting locations, any required canopy tree may be replaced with two understory trees. Understory trees shall be equally spaced on center where possible.
- E. **Existing Non-Conforming Frontages.** If an existing development requires supplemental streetscaping to comply with the standards of this Subsection:
1. Two understory trees may be substituted for each canopy tree and may be located anywhere on the parcel; and
 2. Shrubs may be located anywhere on the parcel.
- F. **Median Trees.**
1. Whenever a divided street with a center median is constructed, the developer or applicant shall also install trees in the median at the rate of ~~three~~four canopy trees for every 100 linear feet of road median.
 2. Understory trees may be substituted for canopy trees in medians less than 10 feet wide at the rate of ~~six~~eight trees per 100 linear feet.
- G. **Existing County-Adopted Streetscape/Tree Planting Plan.** Where a County-approved existing tree pattern exists on a street, the placement of new trees shall be compatible with the established pattern or species.
- H. **Other Landscaping Required.** In addition to the landscaping requirements in Table 4.3.5.2-1: *Commercial District Streetscaping Standards*, the streetscape buffer shall also include turf grass, ground cover, and mulch as appropriate. No portion of the streetscape buffer shall contain bare soil.
- I. **Compliance Required for Vacant Parcels in the HCO District.** Vacant commercial parcels in the HCO District shall provide a streetscape buffer while vacant to stabilize the site and maintain an attractive appearance along the corridor.
- J. **Use of Streetscape Buffer.**
1. **Impervious Surfaces.** Structures and impervious surfaces are prohibited in this area, except for:
 - (a) Streets and driveways connecting to the point of ingress and egress;

- (b) Signs permitted by **Chapter 7: Signs**;
 - (c) Utilities; and
 - (d) Sidewalks when connecting to a site.
2. *Display Areas.* Display of merchandise for sale or other similar display is prohibited within this area.

4.3.5.3 Major Subdivision Streetscaping²⁸

- A. **Entry Streetscaping Required.** A streetscaping buffer is required for all new major subdivisions as provided in Table 4.3.5.3-1: *Major Subdivision Entry Streetscaping Standards*.

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Table 4.3.5.3-1: Major Subdivision Entry Streetscaping Standards

DISTRICT	MINIMUM STREETSCAPE DEPTH	MINIMUM PLANTINGS PER 100 LINEAR FEET	OPTIONAL WALL OR FENCE
HCO	40 feet	3 Canopy Trees 2 Understory Trees 24 Shrubs with at least 50% Evergreen	Not Allowed as Replacement
<u>LDR</u> , MDR, MFR, PDD	20 feet	3 Canopy Trees 24 Shrubs with at least 50% Evergreen	Not Allowed as Replacement
AR, RR, RN, LDR , RUB, NB, GB, RB, INS, BT, PDD, AR, RR, RUB, OSP, LI, HI	N/A	N/A	N/A

²⁸ This Subdivision completely updates the standards in §§ 7.1.3: *Street Tree and Building Perimeter Plantings* and 4.3.2.J.2: *Corridor Frontage Buffer* (HCO) for major subdivisions. The primary changes include 1) creating a new streetscape buffer for major subdivisions in the HCO, MDR, MFR, and PDD Districts similar to the commercial requirement; 2) requiring street trees in all major subdivisions at a

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reduced spacing of 30 feet on center.

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Table 4.3.5.3-1: Major Subdivision Entry Streetscaping Standards

DISTRICT	MINIMUM STREETSCAPE DEPTH	MINIMUM PLANTINGS PER 100 LINEAR FEET	OPTIONAL WALL OR FENCE
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Key: N/A = Not Applicable

1. *Streetscape Buffer Locations.* Major subdivisions must include a streetscape buffer as required by this Subsection wherever the subdivision is adjacent to the right-of-way of an existing public street.
2. *Streetscape Buffer Depth.* The streetscape buffer depth is measured from edge of the road right-of-way.
3. *Tree Planting Rates.* All trees required as street trees by this Subsection shall be equally spaced at a maximum of 30 feet on center where not prohibited by intervening streets, driveways, parking lots, and other site improvements.
4. *Other Landscaping Required.* In addition to the requirement in Table 4.3.5.3-1: *Major Subdivision Entry Streetscaping Standards*, the streetscape buffer shall also include turf grass, ground cover, and mulch. No portion of the streetscape buffer shall contain bare soil.
5. *Existing County-Adopted Streetscape/Tree Planting Plan.* Where a County-approved existing tree pattern exists on a street, the placement of new trees shall be compatible with the established pattern or species.
6. *Use of Streetscape Buffer.* Structures and impervious surfaces are prohibited in this area, except for:
 - (a) Streets and driveways connecting to the point of ingress and egress;
 - (b) Landscape improvements such as walls, benches, masonry or stone pavers or walks, fountains, and gazebos;
 - (c) Sidewalks when connecting to a site;
 - (d) Utilities; and
 - (e) Signs permitted by [Chapter 7: Signs](#).

- B. **Street Trees.** On streets that do not require a streetscape buffer as provided in Paragraph A, major subdivisions must provide street trees.

1. **Street Tree Locations.**
 - (a) Street trees shall be planted in a planting strip between the sidewalk and the street or in tree wells located along the street/sidewalk, except where the Administrator determines this impossible due to insufficient right-of-way, topography, utility conflicts, or conflicts with SCDOT-operated roads.
 - (b) Where the Administrator determines that it is impractical for street trees to be located within the right of way, compliance with this Section may be achieved by planting street trees on private property.
 - (c) Tree wells shall provide a root aeration zone around the base of a tree. If the adjacent sidewalk is less than six feet in width, tree grates shall be provided to cover the exposed area of soil and to widen the pedestrian passage zone along the sidewalk.
2. **Street Tree Planting Rates.** Major subdivisions must provide ~~three~~**four** canopy trees as street trees for every 100 feet of street frontage, planted a maximum of 30 feet on-center.
3. **Conflicts with Utilities.** Where overhead utility lines exist in the required streetscape buffer, any required canopy tree may be replaced with two understory trees. Understory trees shall be equally spaced on center where possible.
4. **Median Trees.**
 - (a) Whenever a divided street with a center median is constructed in a subdivision, the developer shall also install trees in the median at the rate of ~~three~~**four** canopy trees for every 100 linear feet of road median.
 - (b) Understory trees may be substituted for canopy trees in medians less than 10 feet wide at the rate of ~~six~~**eight** trees per 100 linear feet.

4.3.5.4 Median and Right-of-Way Landscaping for the HCO District²⁹

- A. **Applicability.** The standards of this Subsection only apply to parcels fronting streets in the Highway Corridor Overlay (HCO) District.

²⁹ This Subdivision carries forward the current requirements of § 4.3.2.J.5.

B. **Landscaping of the Right-of-Way.** In general, there shall be no bare soil between the right-of-way and edge of pavement. At a minimum, this area shall include maintained turf grass. Maintenance is the responsibility of the adjacent property owner.

C. **Additional Median and Right-of-Way Landscaping.**

1. Additional median and/or street right-of-way landscaping is required for:
 - (a) Retail commercial development or use with a gross indoor floor area in excess of 40,000 square feet;
 - (b) All non-residential portions of a PDD development; and
 - (c) The homeowners' association (HOA) for any major subdivision that controls or maintains the subdivision's entrances.
2. Such additional landscaping shall consist of a combination of trees, shrubs, and turf grass or other ground cover as approved by SCDOT and the TRC.
3. ~~The following provisions apply for median and right-of-way landscaping:~~
 - ~~(a) All landscape improvements shall be approved by SCDOT and shall comply with the requirements set forth in the latest edition of the SCDOT ARMS Manual;~~
 - ~~(b) An encroachment permit with SCDOT is required for any landscape work performed within a public street or highway right-of-way;~~
 - ~~(c) Median improvements shall include the entire width of the median, not just the side adjacent to the commercial development. At a minimum such improvements shall extend the full length of the proposed commercial development. However, in some cases SCDOT may require median improvements to extend to the nearest median crossover;~~
 - ~~(d) Landscape improvements shall comply with SCDOT sight distance and sight triangle requirements. Any sight obstruction determined by the County or SCDOT shall be corrected immediately;~~
 - ~~(e) Irrigation is required as determined necessary by SCDOT, per the latest edition of the ARMS Manual; and~~
 - ~~(f) As required by SCDOT, applicants shall furnish, install, and maintain all plantings. The owner shall be responsible for perpetual~~

~~maintenance of all vegetation (and irrigation when applicable) within the right-of-way that is contiguous with the landscape improvements. SCDOT shall not be responsible for providing water, fertilizer, labor, materials, or maintenance within the landscaping limits of the right-of-way.~~

3. _____.

4.4 RIPARIAN BUFFERS³⁰

4.4.1 PURPOSES

A. The purposes of this Section are to:

1. Establish minimum acceptable requirements for buffers to protect the streams, wetlands, and floodplains of Lancaster County;
2. Protect the water quality of watercourses, reservoirs, lakes, and other significant water resources within the County;
3. Protect the County's riparian and aquatic ecosystems; and
4. Provide for the environmentally sound use of the County's land resources.

B. Buffers adjacent to stream systems and water bodies provide numerous environmental protection and resource management benefits, including:

1. ~~Restoring and maintaining the chemical, physical, and biological integrity of the water resources;~~
2. ~~Removing pollutants delivered from urban stormwater;~~
3. ~~Reducing erosion and sediment entering the stream;~~
4. ~~Stabilizing stream banks;~~
5. ~~Providing infiltration of stormwater runoff;~~

³⁰ This Section updates and reorganizes current § 8.6.3: *Buffer Areas*. Major changes include: 1) adding a purposes section; and 2) redefining the criteria for buffer selection using easily identifiable water features. It changes the criteria for watercourses from the current drainage area standard to a standard based on the USGS's stream classifications.

- ~~6. — Maintaining base flow of streams;~~
- ~~7. — Contributing the organic matter that is a source of food and energy for the aquatic ecosystem;~~
- ~~8. — Providing tree canopy to shade streams and promote desirable aquatic organisms;~~
- ~~9. — Providing riparian wildlife habitat; and~~
- ~~10. — Furnishing scenic value and recreational opportunity.~~

4.4.2 APPLICABILITY AND IDENTIFICATION OF AREAS REQUIRING BUFFERS³¹

- A. **Generally.** Undisturbed buffer areas are required for all waters of the United States or streams classified as waters of the state protected by this Section. Buffer areas are divided into two types, linear watercourse buffers and water body buffers.
- B. **Definitions.** The terms "waters of the United States" and "waters of the State" are defined in [Chapter 10](#) and refer to areas that are under the jurisdictional authority of and regulated by the U.S. Army Corps of Engineers or SC DHEC, respectively.
- C. **Linear Watercourses.** Linear watercourses include all intermittent and perennial watercourses identified through site inspection and US Geological Survey (USGS) maps.
 1. *Intermittent Stream.* An intermittent stream is a stream that flows only when it receives water from rainfall runoff or springs, or from some other surface source such as melting snow. Intermittent streams are those depicted on a USGS map with a dotted- and dashed- blue line.
 2. *Perennial Stream.* A perennial stream is a stream that normally has water in its channel at all times. Perennial streams are those depicted on a USGS map with a solid blue line.
 3. *Rivers.* Rivers in Lancaster County include the Catawba and Lynches Rivers.
- D. **Water Bodies.** Water Bodies include all ponds, lakes, and wetlands that are waters of the United States or waters of the State.

³¹ This Subsection significantly updates the identification of water bodies using the USGS categories of
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intermittent and perennial streams instead of the current area calculation.

E. **Rules for Delineation.**

1. Buffer areas for water bodies meeting the definition of waters of the United States or waters of the State shall extend from the ordinary high water mark.
2. Buffer areas for wetlands shall extend from the edge of the delineated wetland.
3. A property may contain a buffer area that originates from waters of the United States or waters of the State on another property.
4. The buffer area of a development site may be excluded in the determination of the water quality volume requirement.

F. **Carolina Heelsplitter Overlay.** More stringent buffer standards apply in the Six Mile Creek drainage basin, as designated by the USGS hydrographic unit code (HUC) 030501030203. Refer to [Subsection 2.7.1: Carolina Heelsplitter Overlay District](#).

G. **Exemptions.** All [existing](#) roadside drainage ditches, existing excavated detention facilities, existing borrow pits, existing quarries, and [existing](#) improvements to existing public road or trail developments or alignments are exempt from buffer requirements.

4.4.3 BUFFER WIDTHS³²

4.4.3.1 Linear Buffers

Linear buffers shall be designated along both sides of all the channels of all perennial and intermittent watercourses in the County. Table 4.4.3.1-1: *Linear Watercourse Buffer Standards* lists the minimum buffer widths.

Table 4.4.3.1-1: Linear Watercourse Buffer Standards	
WATERCOURSE DESIGNATION	MINIMUM BUFFER
Intermittent Stream	30 feet
Perennial Stream	50 feet
Catawba River Lynches River	100 feet

³² This Subsection updates the current framework for linear buffers by adopting standards based on the
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4.4.3 BUFFER WIDTHS

USGS's stream classification. The current buffer widths and the size classes for water bodies are unchanged.

4.4.3.2 Water Body Buffers

Water body buffers shall encompass all nonlinear bodies of water meeting the size classification of this Subsection. The minimum buffer widths are listed in Table 4.4.3.2-1: *Water Body Buffer Standards*.

Table 4.4.3.2-1: Water Body Buffer Standards	
SURFACE AREA OF WATER BODY	MINIMUM BUFFER
Less than or equal to 1/10 acre	N/A
Greater than 1/10 acre to 1 acre	30 feet
Greater than 1 acre to 2.5 acres	40 feet
Greater than 2.5 acres	50 feet

Key: N/A = Not Applicable

4.4.3.3 Buffer Averaging

The buffer width for a development site may be varied to a minimum of one-half of the buffer width required, upon approval of the Administrator, if the total buffer area required is achieved adjacent to the waters of the United States or waters of the State being buffered.

4.4.3.4 Additional Buffer to Protect Endangered Species

- A. **Generally.** In areas where state or federal threatened and endangered species are present in streams or water bodies, buffer widths shall be a minimum of 100 feet except when a more stringent buffer is required in other Sections of this UDO or by applicable law.
- B. **Carolina Heelsplitter Overlay.** Refer to Subsection 2.7.1: Carolina Heelsplitter Overlay District for additional standards to protect the endangered Carolina Heelsplitter (*Lasmigona decorata*).

4.4.4 USE AND MAINTENANCE

- A. Features of the stormwater management system approved by the Administrator may be within the buffer area of a development.

- B. Access through buffer areas shall be provided, when necessary, for maintenance purposes.
- C. Stormwater discharges that enter a buffer shall have appropriate energy dissipation measures to prevent erosion and scour.
- D. All buffer areas shall be maintained as in-situ vegetation and free from development, including disturbance of the soil, dumping or filling, erection of structures and placement of impervious surfaces, except as follows:
 - 1. A buffer area may be used for passive recreation (e.g., bird watching, walking, jogging, bicycling, horseback riding, and picnicking) and it may contain pedestrian, bicycle, or equestrian trails;
 - 2. Structures and impervious surfaces (including trails) may occupy a maximum of 20% of the buffer surface area if the runoff from such facilities is diverted away from the waters of the United States or waters of the State or such runoff is directed to enter the buffer area as non-concentrated flow;
 - 3. Utility maintenance and construction of utility facilities, as approved by the County and appropriate jurisdictional agencies;
 - 4. Buffer areas disturbed by allowing construction or as part of a re-vegetation plan shall be re-vegetated using native vegetation; and
 - 5. Removal of invasive species.

4.4.5 TEMPORARY CONSTRUCTION BUFFERS

- A. Construction buffers from the limits of the waters of the United States or waters of the State are required per SC DHEC requirements.
- B. The temporary construction buffer shall be marked by construction fencing and installed prior to the start of all other construction activities.
- C. All other construction activities, including soil erosion and sediment control features, shall take place on the non-wetland side of the construction fencing.

4.4.6 PERMANENT PROTECTION OF RIPARIAN BUFFERS

Preservation of required riparian buffer areas shall be provided by deed or plat restrictions.

4.5 TREE PRESERVATION³³

4.5.1 PURPOSE³⁴

The purposes of this Section are to:

- A. Implement the Comprehensive Plan;
- B. Protect the County's diminishing tree canopy;
- C. Identify and preserve healthy tree canopies;
- D. Expand the tree canopy through the promotion of tree planting within all new developments or individual properties;
- E. Mitigate the adverse effects of the loss of trees in the County occurring as a result of residential, commercial, institutional, and industrial land development practices;
- F. Provide County residents with the benefits of a healthy tree canopy, including shade, stormwater infiltration, and wildlife corridors and habitats;
- G. Preserve existing trees by requiring reasonable maintenance after planting; ~~and~~.
- H. ~~Protect the rights of all citizens and property owners by ensuring that a reasonable and prudent policy of conservation and replenishment of tree cover is applied during the process of land development.~~

³³ This Section complete revises the current tree preservation regulations in § 7.1.2: *Tree Protection on Private Property*. The most important changes are 1) replacing current incentive-based approach in 7.1.2: *Tree Protection on Private Property* with new mandatory tree save area requirement that varies by district; and 2) deleting HCO tree save areas in buffers required by § 4.3.2.L based on staff input. The proposed draft requires the preservation of existing trees on a development site based on a percentage of the area of the site that varies by district. This will preserve a portion of existing tree canopy during development as "tree save areas." If a site does not have sufficient tree canopy to meet the area requirement, planting of supplemental trees is not required. The draft does not include preservation requirements for individual trees based on large size (frequently referred to as specimen, grand, or heritage trees), but this can be

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4.5.1 PURPOSE

added if it is a preferred approach. Desire for improved tree preservation is an important early finding of the Comprehensive Plan, and this Section implements a strategy to preserve tree canopy.

³⁴ This new Section adds general purposes for a tree preservation ordinance. It should be revised when the Comprehensive Plan is complete to incorporate any specific findings on tree preservation.

4.5.2 APPLICABILITY³⁵

- A. **Generally.** This Section applies to all land developments in unincorporated areas of Lancaster County that are required to obtain a major or minor stormwater permit under [Section 8.3: Stormwater Permits – General](#).
- B. **Exceptions.** The following developments, land uses, and land disturbing activities are exempt from the applicability of this Section:
1. Developments subject to the exemptions provided for stormwater permits by [Section 8.3.5: Exempted Development](#);
 2. Agricultural use; and
 3. Legitimate forestry activity on land subject to a forest management plan as defined in S.C. Code Ann. [§ 48-23-205](#).
- C. **Limitations.** Clearing trees through development activity that uses timber harvesting as a means to prepare a site for development to circumvent the requirements of this Section is prohibited. The County will defer any application:
1. For one year after the completion of a timber harvest if:
 - (a) The harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance, or subdivision plan; and
 - (b) The removal qualified for an exemption contained in S.C. Code Ann. [§ 48-23-205\(B\)](#); or
 2. For five years after the completion of a timber harvest if:
 - (a) The harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance, or subdivision plan;

³⁵ This new Section provides the applicability of the tree preservation standards. Developments requiring a major or minor stormwater permit will be required to comply with the tree preservation standards. This exempts several smaller development types, including single-family homes not part of a larger common plan. It also exempts agriculture and forestry uses. Finally, the Section allows the counting of TSA area to satisfy requirements for perimeter and riparian buffers, open space, and low impact development

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4.5.2 APPLICABILITY
stormwater techniques.

- (b) The removal qualified for an exemption contained in in S.C. Code Ann. § 48-23-205(B); and
- (c) The harvest was a willful violation of County regulations.

D. **Tree Save Areas and Other Tree Requirements.** The areas preserved based on the requirements of this Section may also be used to satisfy other requirements for the provision of trees in this UDO, including:

1. *Buffers.* Retention of existing tree canopy in tree save areas (TSAs) may be used to satisfy perimeter buffers required by Subsection 4.3.2 and riparian buffers required by Section 4.4;
2. *Open Space.* Retention of existing tree canopy in TSAs may be used to satisfy the open space requirements in Section 4.6: *Open Space*;
3. *Low Impact Development.* Retention of existing tree canopy in TSAs may be used in areas designed for low impact development stormwater mitigation practices in [Section 8.3: Stormwater Permits-General](#). However, the TSAs required by this Section will not be used for detention ponds and other traditional stormwater management practices required by [Section 8.3: Stormwater Permits-General](#).

4.5.3 TREE SAVE AREAS³⁶

- A. **Tree Save Areas.** Trees survive the stress of construction best when they are left in stands or larger groupings. For that reason, this Section requires development sites to be designed and developed so that tree save areas (TSAs) are designated in a single, contiguous unit or multiple smaller units to preserve existing tree canopy.
- B. **Tree Save Area Required.**
 1. *In General.*
 - (a) If existing trees are present on a development site, the percentage of the total development site that must be preserved as TSA is the lesser of:

³⁶ This Section replaces the incentive-based tree preservation approach of § 7.1.2 with a new mandatory tree save area requirement for qualifying developments. There is an incentive to identify TSAs that include hardwood trees and areas adjacent to riparian buffers, which are preferred locations based on the [STAFF REVIEW DRAFT | LAST SAVED: 2024-11-25](#)
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input we received.

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- (1) The percentage of the site covered with existing tree canopy;
or
- (2) The percentage of the site area stated in Table 4.5.3-1: *Tree Preservation Standards by District*.

Table 4.5.3-1: Tree Preservation Standards by District	
DISTRICT	TREE SAVE REQUIREMENT
AR, RR, RN	20%
LDR, MDR, MFR	30%
RUB, NB, GB, RB, INS	15%
BT, LI, HI, M	10%
PDD	30%

2. *Sites without Trees or with Less than Required Tree Save Area.* Development sites without trees or with a smaller area of existing tree canopy than this Section requires for TSAs do not require the planting of additional trees to satisfy the tree save area requirement.
3. **OR** *Sites without Trees or with Less than Required Tree Save Area.* If sufficient tree save area does not exist on a development site, additional trees must be planted to meet the requirement for tree save area at the following rates:
 - (a) One tree per 500 square feet for an understory tree, and
 - (b) One tree per 900 square feet for a canopy tree.
4. *Sites with Recent Tree Removal.* The removal of trees prior to land development may result in the penalties described in Paragraph 4.5.2C: *Limitations*.

C. **Method for Identification of Tree Save Areas.** The selection and measurement of existing tree canopy and proposed TSAs may be evaluated with a tree survey as provided in Subsection 4.5.5: *Application Materials* or by using the most recent National Land Cover Database (NLCD), aerial or satellite imagery, or Light Detecting, Imaging, and Ranging (LIDAR). However, the current conditions of the site must be certified by the applicant's engineer or landscape architect to conform to the conditions shown in the selected method of identification.

D. **Tree Save Area Dimensions.** Tree save areas must have a minimum width that is the greater of:

1. Fifty feet along a development site dimension that is 1,000 feet or more; or

2. Five percent of the site width in any dimension that is less than 1000 feet.
- E. **Incentives for Preferred Locations.** Sites with preferred preservation conditions qualify for an incentive that reduces the overall percentage of the site that must be preserved as tree save area. The maximum reduction of tree save area using more than one condition is 5% of the site.
1. *Existing Hardwood Stands.* If the designated tree save area consists of deciduous forest or mixed forest as shown in the most recent National Land Cover Database (NLCD), the site qualifies for a reduction of the tree save area by 2.5% of the total site area. The current conditions of the site must be verified to match the NLCD for the incentive to apply.
 2. *Riparian Areas.* If the designated tree save area includes or is adjacent to a riparian buffer required by Section 4.4: *Riparian Buffers*, the site qualifies for a reduction of the tree save area by 2.5% of the total site area.

4.5.4 REMOVAL OF TREES NECESSARY TO FULFILL THE TREE SAVE AREA REQUIREMENT³⁷

- A. **Generally.**
1. Existing trees necessary to fulfill the requirement for tree save area may not be removed from a parcel without prior approval by the Administrator pursuant to the provisions of this Subsection.
 2. However, in an emergency situation due to storm damage or other natural disaster, or to alleviate an imminent hazard to the health, safety, and welfare of the citizens, or to repair property damage, prior approval for tree removal in a previously approved TSA is not required.
- B. **Mitigation Requirement for Removal of Trees from Tree Save Areas.** Land development activity that results in the removal of existing trees necessary to fulfill the requirement for tree save area must provide replacement trees in the TSA in the same ratio and quality as removed trees.
1. ~~The replacement plantings must be native canopy and understory trees in a ratio of three canopy trees per understory tree.~~
 2. ~~The trees must be replanted in the TSA at the following rates:~~

³⁷ This Section significantly expands and clarifies current § 7.1.2.A.3.d.: *Tree Removal inside Tree Save Areas* on the Administrator's authority to allow the removal of trees required for a TSA. It also expands on the current standards for removal of trees from a TSA in the HCO (See 4.3.2.L.2.).

~~(a) — One tree per 900 square feet for a canopy tree; and~~

~~(b) — One tree per 500 square feet for an understory tree.~~

- C. **Penalty.** If existing trees necessary to fulfill the requirement for tree save area are removed without administrative approval and mitigation as set out in this Subsection, any new development will be prohibited as provided in Paragraph 4.5.2C. Other penalties may also apply as provided by this UDO.
- D. **Administrative Approval.** For land development sites with a smaller area of existing tree canopy than this Section requires for TSAs ~~or sites where the applicant proposes to remove trees required to meet the tree save area requirement~~, the Administrator may approve requests to remove trees from required TSAs on development sites under limited circumstances, based on, but not limited to, the following factors:
1. The location of the existing trees to be used in a tree save area on the property prevent the development of the site based on locations for connections to existing roads, trails, and utilities (electric, gas, water, sewer, and the like);
 2. The location of the existing trees to be used in a tree save area on the property would cause detriment to public well-being in regard to sight visibility onto existing streets or hinder widening or enhancement plans for existing streets;
 3. The location of the existing trees to be used in a tree save area on the property would cause detriment to public well-being in regard to the placement of proposed utilities, such as electric, gas, water, and sewer;
 4. The location of the existing trees to be used in a tree save area on the property would cause detriment to public well-being in regard to drainage and stormwater measures;
 5. The location of the existing trees to be used in a tree save area on the property conflict with necessary elements of the site design that unreasonably impede or diminish the objectives of the development or prevent the provision of necessary features;
 6. A certified arborist or licensed landscape architect indicates in writing that the tree is diseased, or the soil and climate are not suitable for proper growth and health of the tree, or the tree is prone to cause property damage or personal injury; or

7. Any other situation where the application of the standards of this Section would result in unnecessary hardship to the applicant.

4.5.5 APPLICATION MATERIALS³⁸

A. Tree Surveys.

1. *When Required.* If tree save areas are required for a development, a tree survey must be provided with applications for major and minor stormwater permits required by [Section 8.3: Stormwater Permits – General](#) to identify and verify the existing tree canopy on the development site and proposed locations for TSAs.
2. *Standards.* A tree survey and inventory is a to-scale map or a site plan prepared by a licensed engineer, landscape architect, or surveyor or a certified arborist that includes the following information:
 - (a) Delineation of areas with existing tree canopy;
 - (b) Delineation of proposed TSAs;
 - (c) Calculations of the percentage of the site containing existing tree canopy and with the proposed TSAs; and
 - (d) Identification of trees 12 inches or more in DBH located in the tree save area that are within 60 feet of the margins of the disturbed area, including size, species, and condition.

B. Tree Protection Plans.

1. *When Required.* If TSAs are required for a development, the applicant must provide a Tree Protection Plan that complies with this Section with applications for major and minor stormwater permits required by [Section 8.3: Stormwater Permits – General](#), zoning permits (see [Section 10.4: Zoning Procedures](#)), and preliminary plats for major subdivisions (see [Section 10.3: Land Development Procedures](#)).
2. *Standards.* A Tree Protection Plan (TPP) is a plan of the same scale as, and superimposed on, a site plan or preliminary plat that indicates the root

³⁸ This new Section requires submission of a tree survey to verify compliance with the area requirements for TSA and the submission of a tree protection plan to ensure that trees are adequately protected from
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disturbance during construction.

protection zone of all trees to be protected or preserved on a development site.

- (a) A TPP must locate and identify by species and size the trees on the margin of the designated TSA that are to be protected during land disturbance activities. Trees that are in the interior of TSAs and those on areas of the site outside a TSA do not have to be located or identified on the TPP.
 - (b) The TPP must provide a root protection zone protecting all trees of 12 inches DBH or more that are within 60 feet of the margins of all TSAs. The critical root zone must measure a 1.25-inch radius from the trunk of all trees along the margin of the TSA for each inch of DBH.
 - (c) The TPP must describe the management plan for tree, vegetation, and soil protection measures that will be used before, during, and after all construction activities to promote the survival and retention of the trees in the TSA.
3. *Review by County.*
- (a) Upon receipt of a TPP that has not already been approved, the County will review the plan for compliance with the requirements of this Section and best management practices for tree protection within 15 calendar days of receipt.
 - (b) If the submitted TPP does not meet the technical requirements of this Section, staff will ask the applicant for additional information or a revised plan.

4.5.6 TREE PROTECTION DURING CONSTRUCTION³⁹

A. **Protective Fencing Required.**

- 1. Protective fencing or other barriers are required for areas designated as critical root zones on the tree protection plan. Protective fencing must:
 - (a) Be at least 4 feet in height;
 - (b) Completely encircle the critical root zone as provided on the TPP; and

³⁹ This new Section provides general standards for fencing TSAs and prevention of disturbances to the
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critical root zone.

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- (c) Be in place before any earth disturbing activity begins and remain in place for the duration of the project.
- 2. Groups of trees may be protected by one perimeter fence meeting the specifications outlined in this Section.
- B. **Signs Required.** Warning signs must be installed on the protective fence, spaced a minimum of one every 300 linear feet. The signs must contain the following or similar text in both English and Spanish: "TREE PROTECTION ZONE: KEEP OUT."
- C. **Development Activity Within Fenced Area Prohibited.** No construction, grading, parking, equipment, material storage, or any other land development activity is allowed within the fenced area at any time during the project except as provided in Paragraph D, below.
- D. **Trenching and Boring.**
 - 1. Trenching is not allowed without the Administrator's approval and requires a showing that boring is not a viable alternative construction method.
 - 2. Boring is allowed to install site access for utilities, but corridors for the boring must be identified on the tree protection plan and must not negatively impact root zones.

4.5.7 USE AND MAINTENANCE OF TREE SAVE AREAS⁴⁰

- A. **Ownership.** A tree save area established pursuant to this Section should be dedicated, where possible, to the homeowners association with a deed restriction limited to conservation open space uses, or by conservation easement to a land trust.
- B. **Trails and Greenways.** Tree save areas may include greenways and trails. Trail placement must be coordinated with the County Administrator so that the effective tree save area required is maintained.
- C. **Structures.**
 - 1. Structures are prohibited within critical root zone shown in the tree protection plan for all TSAs.
 - 2. A building restriction must be noted on the recorded plat for the subdivision.

⁴⁰ This Section significantly expands and clarifies the tree save area use standards in current § 7.1.2.A.3.c.: *Maintenance and Ownership*.

D. **Maintenance.**

1. Generally, the tree save area must be maintained in a natural state.
2. Invasive plant species may be removed without County approval.
3. Any alterations or maintenance to the tree save area must be accomplished without heavy equipment.

4.6 OPEN SPACE⁴¹

4.6.1 PURPOSE⁴²

A. The purposes of the requirement for developments to provide open space are to:

1. Preserve existing vegetation and important wildlife habitat;
2. Provide active and passive recreational opportunities for residents;
3. Enhance the aesthetic and environmental quality of development; and
4. Connect neighborhoods, open space, and employment areas.

4.6.2 APPLICABILITY⁴³

- A. All development, including commercial development and subdivisions must provide the open space improvements specified in this Section.
- B. However, subdivisions that qualify as a minor or family subdivision according to the criteria in [Section 10.3: Land Development Procedures](#), are exempt from the requirements of this Section.

⁴¹ This Section combines and significantly changes §§ 2.4: District Development Standards (open space required in each district); 4.3.2F.5.b. (HCO Pedestrian Amenities); 4.3.2L.1 (HCO Open Space); and 4.4.1.F. Open Space Requirement (Cluster Subdivision Overlay District open space standards). Significant changes include 1) general reorganization of all open space standards in one location; 2) measurement of all open space areas in a consistent way; 3) limitations on inclusion of riparian buffers, floodplains, and wetlands as open space to increase the usable open space in developments; and 4) addition of open space types to ensure that usable open space is provided.

⁴² This new Section provides the general purposes for open space standards.

4.6 OPEN SPACE

4.6.1 PURPOSE

⁴³ This Section clarifies the current applicability of open space in 6.3: *Required Improvements for All Development* but adds family subdivisions to the exemption for open space requirements.

- C. The developer is responsible for the installation and construction of required open space improvements.

4.6.3 OPEN SPACE REQUIREMENTS⁴⁴

- A. **Open Space for Subdivisions.** The percentage of the total site area stated in Table 4.6.3-1: *Open Space Requirements* must be preserved or developed as open space.

Table 4.6.3-1: Open Space Requirements		
DISTRICT/DEVELOPMENT	OPEN SPACE REQUIREMENT	IMPROVED OPEN SPACE ¹
AR	N/A	N/A
RR	N/A	N/A
RN	N/A	N/A
LDR	10 20%	5%
MDR	20%	5%
MFR	20%	5%
RUB	N/A	N/A
NB	N/A	N/A
GB	N/A	N/A
RB	N/A	N/A
INS	6%	N/A
OSP	N/A	N/A
BT	6%	N/A
LI	N/A	N/A
HI	N/A	N/A
M	N/A	N/A
PDD	30%	N/A
HCO	10% ²	500 sf per 40,000 GF ²

⁴⁴ The required open space area standards carry forward the current requirement in 2.4: District Development Standards and 4.3.2L.1 (HCO Open Space) and adds standards for the new (MFR, BT, and PDD) districts. Changes include: 1) change terminology from active to improved open space; 2) completely updates the approach open space calculations for cluster subdivisions in 4.4.1 (Cluster Subdivision Overlay District open space) from exempting defined primary conservation areas to requiring a percentage of the site area with limits on the amount of natural open space based on the

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4.6 OPEN SPACE
4.6.3 OPEN SPACE REQUIREMENTS
requirement for a minimum area of improved open space.

Table 4.6.3-1: Open Space Requirements		
DISTRICT/DEVELOPMENT	OPEN SPACE REQUIREMENT	IMPROVED OPEN SPACE ¹
Cluster Subdivision	30%	10%

¹ For information on the requirements for improved open space, refer to Section 4.6.4: *Open Space Types*.
² Refer to Paragraph 4.6.4D for additional standards on requirements for open space in the HCO.

B. Open Space Calculations.

1. Required open space areas include the areas described in Section 4.6.4: *Open Space Types*, such as natural and improved open space, with a preference for the preservation of important scenic vistas, environmentally sensitive lands, habitat for wildlife, and historically or archaeologically significant areas.
2. Improved open space required by this Section must only consist of the improved open space types listed in Table 4.6.4-1: *Types of Open Space*.
3. The following areas and uses do not qualify as open space:
 - (a) Riparian buffers required by Section 4.4: *Riparian Buffers*;
 - (b) Special flood hazard area (100 year floodplain);
 - (c) Wetlands;
 - (d) Roads and drives;
 - (e) Parking areas;
 - (f) Swimming pools; and
 - (g) Structures, except that structures are permitted in the open space when they serve an accessory function related to the open space use, such as picnic shelters, gazebos, fishing docks, playground equipment, or play structures.

4.6.4 OPEN SPACE TYPES⁴⁵

- A. **Generally.** Open space must include two or more of the types described in Table 4.6.4-1: *Types of Open Space*.

Table 4.6.4-1: Types of Open Space

TYPE OF OPEN SPACE	DESCRIPTION	MIN. SIZE
Natural Open Space		
Natural Area	An area of undisturbed or minimally disturbed vegetation. Examples include woodlands (including tree save areas required by Section 4.5: <i>Tree Preservation</i>). A natural area may contain multi-use paths to accommodate pedestrians, bicyclists, and equestrians, but typically does not contain structures or other improvements.	1,600 sf
Improved Open Space		
Park	An open space available for civic purposes, unstructured recreation, and limited amounts of structured recreation. Typically serves a single neighborhood or development.	0.5 ac
Greenway	A linear open space that links multiple neighborhoods, developments, or open spaces. May follow natural corridors, such as rivers and creeks. Greenways often contain multi-use trails to accommodate pedestrians, bicyclists, and equestrians.	10 ft in width
Playground	An open space that provides play areas for children and benches or other seating for parents. Playgrounds may be built within squares/greens and parks or may stand alone within a residential block.	4,000 sf
Active Recreation Area	An open space designed for specific, active recreational uses such as tennis courts, swimming pools, ballfields, and similar uses.	1,000 sf
Square/Green	An open space available for civic purposes, unstructured recreation, and limited amounts of structured recreation. Typically serves a single neighborhood or development in a prominent location. Includes landscaped areas and lawns with or without trees and shrubs. May include limited hardscaping.	0.25 ac

4.6 OPEN SPACE
4.6.4 OPEN SPACE TYPES

⁴⁵ This new Section defines open space types to ensure that developments have options to provide different types of usable open space. It also clarifies the requirement for open space in the HCO from current Sections 4.3.2L.1 & 4.3.2.F.5.b.

Table 4.6.4-1: Types of Open Space

TYPE OF OPEN SPACE	DESCRIPTION	MIN. SIZE
Pocket Park	An open space available for informal activities in close proximity to dwellings and/or workplaces. Often contains benches or other seating areas.	1,600 sf
Community Garden	An open space where plants are raised and maintained by the homeowners' association, a group of subdivision residents, or other community association for aesthetic enjoyment, agricultural production, education, and recreational purposes.	4,000 sf

Key: min = minimum | ft = feet | sf = square feet | ac = acres

- B. **Improved Open Space.** Improved open space requires clearing of underbrush and debris, making the area accessible to pedestrians, providing appropriate landscaping, and including one or more of the following features:

1. Walls or fences;
2. Walks or similar paved surfaces;
3. Water Fountains;
4. Statues or sculptures;
5. Common lawns or greens;
6. Tables and chairs;
7. Benches or other seating;
8. Litter and recycling receptacles;
9. Playground equipment; or
10. Other similar furnishings and amenities.

- C. **Counting of Other Site Features as Open Space.**

1. *Buffers.* Required setbacks and buffers may be included in calculating the open space requirement. Buffers required by Subsection 4.3.2: *Buffers & Screening* may constitute up to one-third of required open space if the buffers meet the other requirements of this Section. Buffers are considered a "natural area" open space type.

2. *Tree Save Areas.* Tree save areas required by Section 4.5: *Tree Preservation* are considered a “natural area” open space type and can meet that requirement for open space. However, tree save areas may not be counted as improved open space.
3. *Underground Utility Easements and Rights-of-Way.* Easements and rights-of-way for underground utilities may be located in required open space, if the above-ground portion of the easement or right-of-way qualifies as one of the open space types specified in Table 4.6.4-1: *Types of Open Space*.

D. **Open Space for Commercial Development in the Highway Corridor Overlay.**

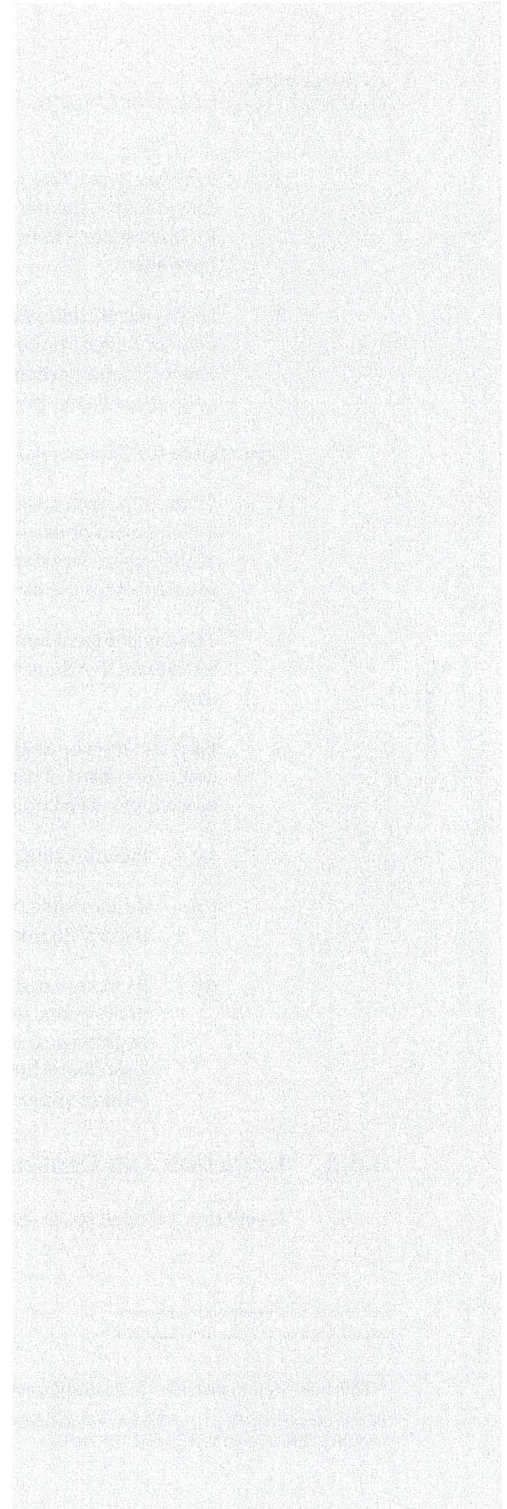
1. Of the 10% open space requirement for the HCO district, commercial development or use with a cumulative gross indoor floor area in excess of 40,000 square feet shall provide at least one improved open space area of 500 square feet for use by patrons.
2. The development must provide one additional improved open space area of 500 square feet for each additional 40,000 square feet of gross indoor floor area.
3. Each common open space area shall be a minimum of 500 square feet in area and may consist of squares, plazas, greens, or other similar improved open space types. The improved open space must:
 - (a) Include canopy trees to provide shade;
 - (b) Be accessible from sidewalks and other pedestrian circulation within the development; and
 - (c) Be maintained by the property owners, occupants, and tenants or their agents, who are jointly and severally responsible for the maintenance and upkeep of the open space. All such areas shall be kept free of litter and debris and shall generally be kept in neat and orderly appearance.

4.6.5 LOCATION AND DESIGN OF OPEN SPACE⁴⁶

- A. **Generally.** All open space shall:
- _____
- _____

⁴⁶ This new Section provides basic design, connectivity, and accessibility standards to ensure that open

4.6 OPEN SPACE
4.6.5 LOCATION AND DESIGN OF OPEN SPACE
space is usable by residents.



1. Be an integral part of the overall development design, with the specific layout of open space designed to be sensitive to the physical and design characteristics of the site;
 2. Be contiguous and connected with other open space both within the development and on abutting properties;
 3. Not be occupied by structures unless the structures are an integral part of the open space;
 4. Have direct access to the pedestrian network; and
 5. Be accessible to all residents, occupants, and tenants of the development.
- B. **Connectivity Required.** To the maximum extent practicable, open space shall be organized to create integrated systems of open space that connect with the following types of land uses located within or adjacent to the development:
1. Dedicated public park or greenways;
 2. Dedicated school sites;
 3. Other dedicated open spaces;
 4. Open space located adjacent to the development;
 5. Portions of the regional trail and open space system;
 6. Neighborhood shopping and activity centers; and
 7. Adjacent employment centers.
- C. **Accessibility Required.**
1. Open space must be accessible to all of the residents, occupants, and tenants by providing pedestrian access to open space within 1,320 feet of every dwelling unit in the development.
 2. Where provided, access to open space shall:
 - (a) Include a pedestrian connection such as a trail or sidewalk;
 - (b) Be a minimum of 20 feet in width;
 - (c) Be located where such access is visible to dwelling units and other buildings in the development;

- (d) Not be isolated by walls, screening, landscaping, or other barriers that would prevent residents, occupants, or tenants from locating the open space; and
- (e) Not be located on individual residential lots.

4.6.6 OPEN SPACE PLAN⁴⁷

- A. **When Required.** An applicant shall submit an open space plan as a part of the application for a building permit, civil construction plan, or preliminary plat, as applicable.
- B. **Contents of Plan.** An open space plan shall:
 - 1. Designate open space areas;
 - 2. Designate the type of open space that will be provided;
 - 3. Specify the manner in which the open space will be owned, preserved, and maintained as required by Subsection 4.6.7: *Ownership & Maintenance Standards*;
 - 4. Specify open space maintenance requirements, which include the following:
 - (a) Landscaped areas shall be regularly mowed, trimmed, cleaned, and weeded to ensure neatness;
 - (b) Hardscaped areas shall be maintained in good repair;
 - (c) Maintenance of natural areas is limited to removal of litter, dead trees, plant materials, and brush. Natural water courses shall be maintained as free flowing and devoid of debris; and
 - (d) Include a statement acknowledging that open space will be maintained as required by Subsection 4.6.7: *Ownership & Maintenance Standards*.

4.6 OPEN SPACE
4.6.6 OPEN SPACE PLAN

LANDSCAPING & OPEN SPACE

4

⁴⁷ This new Section requires an applicant to submit an open space plan to ensure compliance with this Section.

4.6.7 OWNERSHIP & MAINTENANCE STANDARDS⁴⁸

A. **Ownership.**

1. Open space shall be deed restricted in perpetuity through land development restrictions, including easements, deed restrictions, restrictive covenants, or other appropriate legal mechanisms and shall not be developed for use other than open space.
2. Open space shall remain under the ownership and control of the developer (or successors) or a homeowners' association or similar organization.
3. The land development restrictions are intended solely for the purpose of ensuring the land is protected and maintained as open space and shall not imply the right of public access or any other right or duty not expressly set forth by the terms of the restrictions.

B. **Maintenance.**

1. The person or entity identified as having the right of ownership and control over such open space shall be responsible for the continuing upkeep and proper maintenance of the open space.
2. The County shall have no responsibility for the maintenance of private open space areas.
3. If open space location meets a need in the Comprehensive Plan, the County and developer may consider conveyance of completed open space to the County, upon Planning Commission and Council approval.
4. The person or entity having the right of ownership and control over such recreational facilities and open space shall be responsible for their continuing upkeep and proper maintenance. It shall not be the responsibility of the County to maintain these areas.

4.6 OPEN SPACE
4.6.7 OWNERSHIP & MAINTENANCE STANDARDS

LANDSCAPING & OPEN SPACE

4

⁴⁸ This Section reorganizes and clarifies the ownership and maintenance standards in Section 4.4.1: Cluster Subdivision Overlay.

4.7 INSTALLATION & MAINTENANCE STANDARDS⁴⁹

4.7.1 APPLICABILITY

- A. **Generally.** This Section applies to all landscaping and plantings required by this Chapter.
- B. **Certificate of Occupancy.**
 - 1. Landscaping must be installed, inspected, and approved prior to the issuance of a Certificate of Occupancy.
 - 2. A Certificate of Occupancy accompanied by security as provided in Subsection 4.7.5: *Security for Completion* may be granted to permit installation of required landscaping after occupancy of the building.

4.7.2 LANDSCAPE PLAN

- A. **Landscape Plan Required.** Prior to obtaining a Zoning Permit, an applicant must receive approval of a landscaping plan as provided in [Chapter 10: Procedures](#).
- B. **Plan Submittal Requirements.** When a development application is made on any land where the landscaping requirements of this Chapter are applicable, the site or subdivision plan application shall be accompanied by a landscape plan as outlined in the [Submittal Checklist in Chapter 10: Procedures <or Appendix C, Manual of Specifications, Standards, and Design \(MSSD\)>](#).
- C. **Use of Existing Vegetation.** If existing vegetation is to be used to comply with any part of this Chapter, a plan for the protection of this vegetation during construction must be incorporated into the landscape plan and approved by the Administrator.
- D. **Revisions to Landscape Plan.** The Administrator will accept and review revised landscape plans that comply with this Chapter.

⁴⁹ This Section combines and clarifies current §§ 7.1.1: *Tree Protection and Applicability Matrix*; 7.1.7: *General Installation And Maintenance Standards*; and 4.3.2.J.: *Landscaping, Buffer Yard, and Screening Requirements* (HCO). Main changes include 1) clarifying and expanding the maintenance requirement, 2) adding an irrigation requirement for commercial uses; 3) clarifying and expanding the replacement requirement; 4) relocating the preferred species list to the MSSD; and 5) adding a reference for a prohibited plant list to be developed for invasive species.

4.7.3 PLANT MATERIAL STANDARDS

- A. **General Material Standards.** Plant material installed pursuant to this Chapter shall be good, healthy nursery stock. The form, size, quality, and proportions of proposed trees must meet the guidelines outlined in the ANSI Z60.1 American Standard for Nursery Stock.
- B. **Plant Lists.**
1. *Suggested Plant List.*
 - (a) Species listed in <Appendix C, Manual of Specifications, Standards, and Design (MSSD)>: Suggested Plant List, may be utilized to fulfill the requirements of this UDO.
 - (b) Species that are not listed in the Suggested Plant List are allowed and may comply with this Section if the Administrator reasonably determines that:
 - (1) The plant is not a prohibited species; and
 - (2) Is either native to the region or not invasive.
 2. *Prohibited Plant List.* Species listed in <Appendix C, Manual of Specifications, Standards, and Design (MSSD)>: Prohibited Plant List may not be used to meet the requirements of this UDO.
- C. **Use of Existing Vegetation.** The use of existing native vegetation to satisfy the requirements of this Chapter is preferred. However, supplemental plantings may be reasonably required, in addition to native plant material, by the Administrator.
- D. **Specifications for Required Plant Types.** All required plant material shall meet the minimum requirements of Table 4.7.3 *Plant Material Specifications*.

Table 4.7.3 Required Plant Material Specifications			
PLANTING TYPE	PROJECTED MATURE SIZE	MINIMUM SIZE AT PLANTING	MINIMUM HEIGHT AT PLANTING
Canopy Tree	> 35 ft. height	2.5 in. caliper ¹	8 ft.
Understory Tree	15 to 30 ft. height	2 in. caliper ¹	6 ft.
Evergreen Tree	> 20 ft. height	2.5 in. caliper ¹	8 ft.
Evergreen Shrubs	≥ 48 in. height ≥ 36 in. spread	N/A	30 in. height

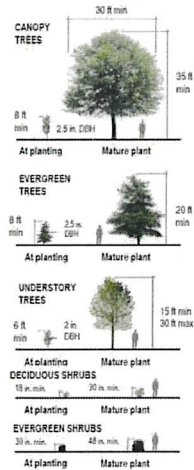
Table 4.7.3 Required Plant Material Specifications

PLANTING TYPE	PROJECTED MATURE SIZE	MINIMUM SIZE AT PLANTING	MINIMUM HEIGHT AT PLANTING
Deciduous Shrubs	≥ 30 in. height ≥ 30 in. spread	N/A	18 in. height
Groundcover	N/A	1.5 to 2.5 in. pots	4 in. stems

Key: ft. = feet | in. = inches

¹ Caliper is measured 6 inches above the soil line.

Figure ____: Current Plant Illustrations – Remove?



4.7.4 INSTALLATION STANDARDS

A. General Installation Standards.

1. *Installation Standards.* All plant material installation must conform to the minimum standards of the American National Standards Institute (ANSI) A300 Standards for Tree Care Operations.
2. *Irrigation Required for Commercial Districts.* All streetscape buffers, parking lot landscaping, and building landscaping for development in the commercial

districts must include appropriate irrigation for the site conditions and species.

3. *Easements & Right-of-Ways.* Nothing shall be planted or installed within an underground or overhead utility easement or a drainage easement without the reasonable approval of the Administrator and the consent of the easement holder.
 4. *Grading and Development in Required Landscape Areas.* The required landscaping shall not contain any development, impervious surfaces, or site features that do not function to meet these standards. If grading within a landscaped area is proposed, slopes of 3:1 or less are encouraged to ensure the proper transition of grades to the adjacent property and to facilitate landscaping and maintenance.
 5. *Bare Soil Prohibited.* All portions of the landscaping area not planted with shrubs and trees or covered by a wall or other screening device shall be planted with ground cover or grass or covered with natural mulch as appropriate for the site conditions.
 6. *Obstructions and Sight Distance.*
 - (a) Landscaping shall comply with SCDOT sight distance and sight triangle requirements.
 - (b) Landscaping shall not obstruct or impede traffic safety or obscure traffic signals, signs, or other similar traffic safety devices. nor obstruct the view of motorists using any street, driveway, parking aisles, or the approach to any street intersection so as to cause a traffic safety hazard.
 - (c) Any sight obstruction determined by the County or SCDOT shall be corrected immediately.
- B. **Completion.** All landscaping shall be installed pursuant to the requirements of this Chapter and County-approved landscaping plans unless substitutions are approved under the regulations set forth this Chapter.

4.7.5 SECURITY FOR COMPLETION

- A. **Standard for Security.** If the season or weather conditions prohibit planting, the developer may provide a bond, an irrevocable letter of credit, or other financial security acceptable to the Administrator in an amount equal to 125% of the cost of installing the required landscaping to guarantee the completion of the required planting.

- B. **Release of Security.** The financial security shall be canceled or returned upon completion of the required landscaping.

4.7.6 MAINTENANCE STANDARDS

A. **Maintenance.**

1. *Maintenance Responsibility.* The property owners, occupants, and tenants or their agents shall be jointly and severally responsible for the maintenance of all landscaping.
2. *Maintenance Requirement.*
 - (a) All landscaping required by or installed pursuant to the requirements of this UDO shall be free of disease and maintained in a healthy condition.
 - (b) Maintenance includes, as appropriate, provision of surface mulch, staking and guying, tree straightening, irrigation, fertilization, insect and disease control, pruning, mulching, and weeding.
 - (c) All required landscaping shall be kept free of litter and debris, and shall be free of dead, diseased, or severely damaged plants.

B. **Replacement of Plants.**

1. Any plants that die or are removed as the result of death, disease, or damage shall be replaced in a timely manner with an equal number and similar species and size at the next appropriate growing season.
2. Failure to maintain or replace dead, damaged, or diseased material shall constitute a violation of this UDO.
3. When plant material is dead or removed, the owner shall have up to 365 calendar days to replant with submittal of a guarantee as provided in Subsection 4.7.5: *Security for Completion*.

4.7.7 INSPECTIONS

- A. **Inspections Authorized.** The Administrator may inspect the site after the issuance of a Certificate of Occupancy to ensure compliance with the approved site plan and to ensure that the landscape is properly maintained.

- B. **Notice of Violation.** The Administrator may issue a Notice of Violation to comply with the provisions of the UDO if warranted upon an inspection.

4.8 ALTERNATIVE COMPLIANCE⁵⁰

- A. **Applicability.** This Section applies to provide for alternative compliance to all standards required by this Chapter.
- B. **Intent.** The standards contained in this Chapter are intended to encourage development that is aesthetically pleasing, economically viable, and environmentally sensitive. Site conditions may justify approval of alternative methods of compliance with this Chapter where normal compliance is impractical or impossible, or where achievement of the County's objectives can only be obtained through alternative compliance.
- C. **Criteria.** Requests for alternative compliance will be accepted for any permit application to which the requirements of this Chapter apply. The application should address the ways that the proposed alternative meets one or more of the following conditions:
1. Topography, soil, vegetation, drainage, or other site conditions are such that full compliance is impractical;
 2. Utilizes existing native vegetation on the site to substantially fulfill landscaping, buffer, and screening requirements;
 3. Improved environmental quality would result from the alternative compliance provisions of this Chapter;
 4. Spatial limitations, unusually shaped pieces of land, unusual servitude requirements, or prevailing practices in the surrounding neighborhood may justify alternative compliance for in-fill sites;
 5. Public safety considerations make alternative compliance necessary;
 6. Resolves a conflict between the requirements of this Chapter with existing federal or state statutory or regulatory requirements; or
 7. Addresses nonconformities on an existing lot.

⁵⁰ The Section expands on the alternative compliance allowed in § 7.1.1.E based on staff input.

D. **Review.**

1. The applicant shall submit a request for alternative compliance to the Administrator for review at the time the landscape plan is submitted.
2. The Administrator may reasonably approve an alternate plan that proposes different plant materials or placement, if quality, effectiveness, durability, and performance are equivalent to that required by this Chapter.

E. **Appeals.** Decisions of the staff regarding alternate methods of compliance may be appealed to the Board of Zoning Appeals in accordance with **Chapter 10: Procedures**.

Schedule A

UNIFIED DEVELOPMENT ORDINANCE UPDATE

CHAPTER 6: OUTDOOR LIGHTING
STAFF REVIEW DRAFT: SEPTEMBER 29, 2023

Prepared By:

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Commented [1]: I'd think about removing this whole section and just adding it as a guidelines document. Then, I would make any lighting plans subject to the reasonable approval of the Director. I'd like to create some flexibility here for reasonable non-conformance.

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6 OUTDOOR LIGHTING

6 OUTDOOR LIGHTING

6.1 PURPOSE¹

The purpose of this Chapter is to:

- A. Minimize light pollution, glare, and light trespass;
- B. Conserve energy and resources while maintaining night-time safety and utility;
- C. Curtail the degradation of the night-time visual environment;
- D. Provide safe access into buildings; and
- E. Enhance historic or notable features, buildings, or architectural elements.

Commented [2]: I would suggest minimizing these purpose statements in general as they could get the county in trouble. This one in particular has these as all goals with the "and" statement, but some may conflict so they won't all be attainable. We just need to be cautious with these.

6.2 APPLICABILITY

This Chapter applies to

- A. Outdoor lighting for:
 - 1. Non-residential uses; and
 - 2. Multi-family dwellings with five or more dwelling units;
- B. Vehicular and building canopies associated with any land use; and
- C. Street lighting in the Highway Corridor Overlay District.

Commented [3]: Will this apply to communities that have multiple TH buildings with 4 or less units?

6.2.2 EXEMPTIONS²

This Chapter does not apply to the following types of outdoor lighting, if they do not negatively impact vehicular and pedestrian safety:

6.1 PURPOSE

6.2.2 EXEMPTIONS

¹ Carries forward UDO Section 7.3.1. Adds new purposes in D and E.

² Carries forward exemptions in UDO Section 7.3.4.A. with revisions as described in the footnotes.

Proposes to eliminate the exemption in 7.3.4.A.4. ("lighting associated with landscape/ holiday/ festive/ temporary uses") as it relates to landscape lighting since it appears to conflict with the regulation for landscape and decorative lighting in 7.3.3.C.4. Adds new exemptions as noted in the footnotes.

- A. Lighting for single-family detached, duplex, triplex, fourplex, and individual townhome dwellings;³
- B. Lighting for residential/family care homes;⁴
- C. Lighting for cottage courts;⁵
- D. Lighting associated with an approved temporary use;⁶
- E. Temporary lighting associated with a development site;⁷
- F. Seasonal lighting;⁸
- G. Lighting used only under emergency conditions, including all temporary emergency lighting needed by the Sheriff or Fire Departments or other emergency services;
- H. Lighting installed or temporarily used by public agencies, their agents, or contractors for the purpose of illuminating public streets, except in the Highway Corridor Overlay District (see 6.7.6.3: Street Lighting);
- I. Traffic control signals and devices;⁹
- J. County or State lighting installed for the benefit of public health, safety, and welfare;¹⁰
- K. Lighting required pursuant to state and federal laws (e.g., Federal Aviation Administration requirements for lighting tall structures);¹¹

Commented [4]: Just added this clarification based on prior question.

³ Revises from "Individual residential lighting that is not part of a site plan or subdivision plat for street or other common or public area outdoor lighting."

⁴ New exemption.

⁵ New exemption.

⁶ Revised from "Lighting associated with landscape/holiday/festive/temporary uses."

⁷ New exemption.

⁸ Revised from "Lighting associated with landscape/holiday/festive/temporary uses."

⁹ New exemption.

¹⁰ Replaces *municipal* with *county*.

6.2 APPLICABILITY
6.2.2 EXEMPTIONS

OUTDOOR LIGHTING | 6

¹¹ Revised from "All hazard warning luminaires required by Federal regulatory agencies are exempt from the requirements of this article, except that all luminaires used must be red and must be shown to be as close as possible to the federally required minimum lumen output requirement for the specific task."

- L. Lighting of public monuments, statues, and art;¹²
- M. Underwater lighting in fountains, swimming pools, and other water features;¹³
- N. Lighting of United States flags; and¹⁴
- O. Lighting required by the Building Code.¹⁵

6.2.3 PROHIBITED OUTDOOR LIGHTING¹⁶

The following types of outdoor lighting are prohibited:

- A. **Laser Source Light.** The use of laser source light or any similar high intensity light for outdoor advertising or entertainment;
- B. **Searchlights.** The operation of searchlights for advertising purposes;
- C. **Flashing Lights.** Lights that flash, move, revolve, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation;
- D. **Strip Lights Around Doors or Buildings.** Strip lights used to attract attention, which are typically installed around doorways and along building edges;
- E. **Awning and Canopy Lighting.** Awnings or canopies with internal illumination (either from behind or underneath) that visually turns the translucent material into an internally illuminated material. Downlighting that illuminates the sidewalk or architectural features of a building may be installed under awnings and canopies; and
- F. **Floodlights and Spotlights Used to Illuminate Buildings.** Floodlights, spotlights, or any other similar lighting when used to illuminate buildings or other site features, unless approved as an integral architectural element on the outdoor lighting plan.¹⁷ This excludes floodlights and spotlights installed in accordance with 6.7.4 Security Lighting.

Commented [5]: I don't want to prohibit these outright. Maybe define more strictly what is offensive about these.

Commented [6]: Maybe have these with an "unless specifically approved"

¹² Revised from "Lighting of public art that has been permitted or otherwise approved by Lancaster County."

¹³ New exemption.

¹⁴ Revised from "Lighting of US Flags provided the flag standard does not exceed the maximum permitted building height for that district."

¹⁵ New exemption.

6.2 APPLICABILITY

6.2.3 PROHIBITED OUTDOOR LIGHTING

¹⁶ Carries forward exemptions in UDO Section 7.3.4.B. Adds a new prohibition for strip lights around doors and building edges pursuant to staff input.

¹⁷ Carries forward current prohibition in UDO Section 7.3.3.E.

OUTDOOR LIGHTING

6

6.3 LIGHTING ZONES

6.3.1 LIGHTING ZONES ESTABLISHED¹⁸

- A. Sections 6.4: Lighting Levels and 6.5: *Limits to Off-Site Impacts* regulate the amount of outdoor lighting and off-site impacts by lighting zone.
- B. Many zoning districts have common characteristics for the purposes of outdoor lighting regulations, and this Subsection combines zoning districts into common lighting zones. Table 6.3.1-1: *Lighting Zones* designates the zoning districts included in each lighting zone.

Table 6.3.1-1: Lighting Zones

ZONING DISTRICT	LIGHTING ZONE (LZ)
OSP, AR, RR, RN, RUB, LDR	LZ-1
MDR, HMFR, NB, GB, RB, INS, LI	LZ-2
HI, M	LZ-3

6.3.2 DESCRIPTION OF LIGHTING ZONES

- A. **Lighting Zone 1 (LZ-1).** LZ-1 includes areas with low ambient lighting levels. These typically include developed areas in parks and conservation/recreation areas, agricultural areas, rural residential areas, and rural business areas.
- B. **Lighting Zone 2 (LZ-2).** LZ-2 includes areas with moderate ambient lighting levels. These typically include suburban residential areas, office parks, neighborhood business districts, mixed use areas, and light industrial uses with limited nighttime operations.
- C. **Lighting Zone 3 (LZ-3).** LZ-3 includes areas with moderately high lighting levels. These typically include heavy industrial uses with nighttime operations.

6.4 LIGHTING LEVELS¹⁹

- A. The International Energy Conservation Code (IECC) specifies individual lighting power allowances for building exteriors. The IECC includes a base site allowance,

¹⁸ Regulating outdoor lighting by lighting zone is a best practice. The International Energy Conservation Code (IECC), used by all counties and municipalities in South Carolina, limits individual lighting power allowances for building exteriors by lighting zone. The zones proposed here generally align with those in

6.3 LIGHTING ZONES
6.3.1 LIGHTING ZONES ESTABLISHED
the IECC.

OUTDOOR LIGHTING | 6

¹⁹ South Carolina uses the 2009 IECC, so the individual lighting power allowances for building exteriors (expressed in watts) are significantly higher than in the 2021 IECC. Since 2009, the use of LED lighting has

plus allowances for building entrances and exits, building façades, uncovered parking areas, walkways, sales canopies, and outdoor sales areas.²⁰

- B. The IECC regulates exterior lighting by lighting zone, and generally describes the types of uses in each lighting zone. Section 6.3: Lighting Zones establishes lighting zones specific to Lancaster County, which are consistent with the lighting zones established in the IECC.

6.5 LIMITS TO OFF-SITE IMPACTS²¹

- A. This Section does not apply to lighting installed in accordance with 6.7.1: Building Façades, 6.7.2: Landscape Lighting, 6.7.4: *Security Lighting*, or 6.7.5: Vehicular & Building Canopies.
- B. All luminaires shall be rated and installed according to Table 6.5-1: *Maximum Allowable Backlight, Uplight, and Glare (BUG) Ratings*. Components of BUG ratings are illustrated in Figure 6.5-1.
- C. A luminaire may be used if it is rated for the lighting zone of the site or is lower in number for all ratings (B, U, and G). Luminaires equipped with adjustable mounting devices permitting alteration of the luminaire aiming in the field are prohibited.
- D. If a luminaire does not have a BUG rating, it shall be fully-shielded (see Figure 6.5-2: *Examples of Fully-Shielded Luminaires*).

become much more prevalent, and LEDs have become much more energy efficient. The IECC reflects this by reducing the individual lighting power allowances with each update to the Code. In the 2009 IECC [Table 505.6.2(2)], the base site allowance is 500 W in Lighting Zone 1, 600 W in Zone 2, 750 W in Zone 3, and 1300 W in Zone 4. In the 2021 IECC [Table C405.5.2(2)], the base site allowance is 350 W in Lighting Zone 1, 400 W in Zone 2, 500 W in Zone 3, and 900 W in Zone 4. Lighting levels can be much brighter under the 2009 IECC than under the 2021 IECC. For this reason, the County may want to consider additional limitations on lighting levels in one or more of the proposed Lighting Zones or for certain land uses.

²⁰ The IECC expressly excludes “advertising signage,” “directional signage,” “athletic playing areas,” and “industrial production, material handling, transportation sites, and associated storage areas” if they are equipped with a control device.

²¹ Proposed here is to limit off-site impacts of exterior lighting using Backlight, Uplight, and Glare

6.5 LIMITS TO OFF-SITE IMPACTS

6.3.2 DESCRIPTION OF LIGHTING ZONES

("BUG") ratings, which is a best practice. BUG ratings are provided on the manufacturer's spec sheet for the luminaire. As such, they are easily verifiable during site plan review. Using BUG ratings eliminates the need to regulate footcandles at the lot line.

OUTDOOR LIGHTING

6

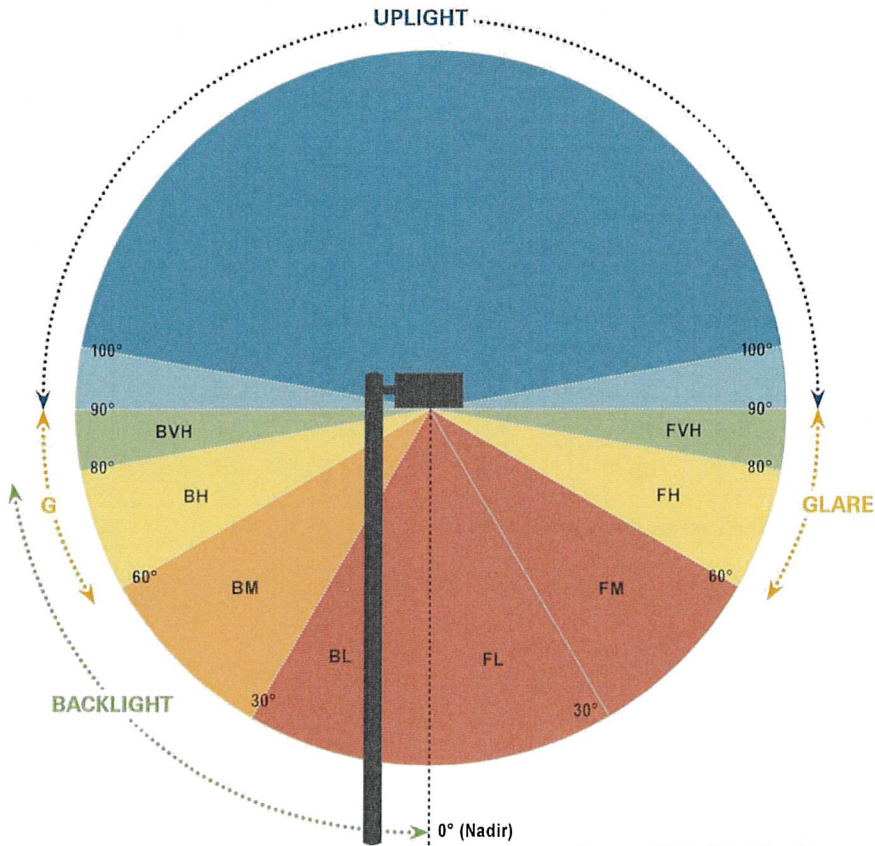
Table 6.5-1: Maximum Allowable Backlight, Uplight, and Glare (BUG) Ratings

	LIGHTING ZONE		
	LZ-1	LZ-2	LZ-3
Backlight Rating (max)			
2 or more mounting heights from lot line	B3	B4	B5
1 to less than 2 mounting heights from lot line and ideally oriented ¹	B2	B3	B4
0.5 to less than 1 mounting heights from lot line and ideally oriented ¹	B1	B2	B3
Less than 0.5 mounting heights from lot line and ideally oriented ¹	B0	B0	B1
Uplight Rating (max)			
All luminaires	U1	U2	U3
Glare Rating (max)			
2 or more mounting heights from lot line	G1	G2	G3
Any luminaire not ideally oriented within 1 to less than 2 mounting heights to any lot line	G0	G1	G1
Any luminaire not ideally oriented within 0.5 to less than 1 mounting heights to any lot line	G0	G0	G1
Any luminaire not ideally oriented within less than 0.5 mounting heights to any lot line	G0	G0	G0

Key: max = maximum allowed | B = backlight | U = uplight | G = glare

¹ To be considered "ideally oriented," the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the lot line.

Figure 6.5-1: Components of BUG Ratings²²



Source: [Global Lighting Forum](#)

Key: FVH = forward light very high | FH = forward light high | FM = forward light mid | FL = forward light low |
BVH = backlight very high | BH = backlight high | BM = backlight mid | BL = backlight low

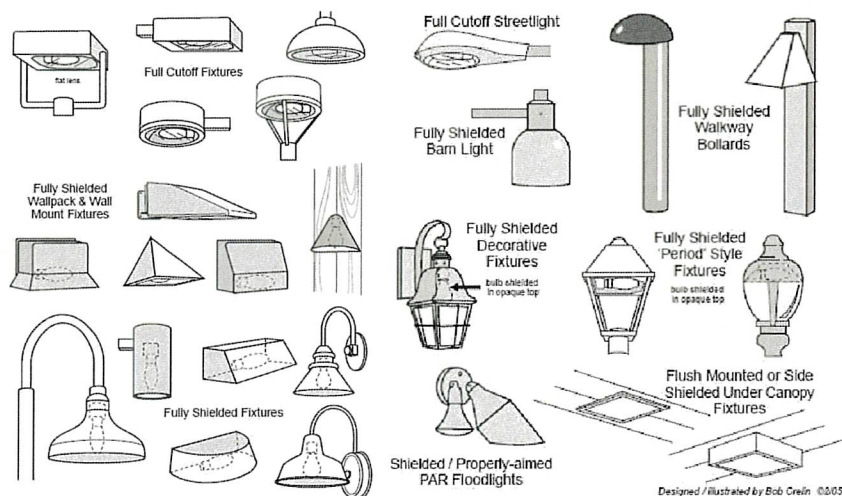
²² This graphic is from the [Global Lighting Forum](#). The consultant team is working to gain permission to
STAFF REVIEW DRAFT | 2023-09-29
LANCASTER COUNTY, SC UDO UPDATE

6.5 LIMITS TO OFF-SITE IMPACTS

6.3.2 DESCRIPTION OF LIGHTING ZONES

use this image in the UDO; as such it could be removed or replaced in the next draft of this Chapter. It is included here to help explain the concept of BUG ratings.

Figure 6.5-2: Examples of Fully-Shielded Luminaires



6.6 GENERAL STANDARDS FOR ALL OUTDOOR LIGHTING

6.6.1 FULLY-SHIELDED LUMINAIRES REQUIRED²³

- A. Except as provided in 6.7.4: *Security Lighting* and in 6.6.1B, below, all luminaires with more than 1,000 initial lamp lumens shall be fully-shielded.
- B. All luminaires associated with the following land uses must be fully-shielded:
 - 1. Outdoor display areas;²⁴
 - 2. Vehicle services – minor repair/maintenance;²⁵

²³ Revises and clarifies UDO Section 7.3.2.B.1. The current UDO requires all luminaires with more than 1,000 lumens, other than floodlights, flood lamps, and spotlights, to be full-cutoff. It allows luminaires that are not full-cutoff but requires them to be fully-shielded. Full-cutoff luminaires *are* fully-shielded (though fully-shielded luminaires are not necessarily full-cutoff), so the current regulation already requires all luminaires of more than 1,000 lumens to be fully-shielded. Proposes to delete 7.3.2.B.3, B.4, and B.5.

6.6 GENERAL STANDARDS FOR ALL OUTDOOR LIGHTING

6.6.1 FULLY-SHIELDED LUMINAIRES REQUIRED

²⁴ Significantly simplifies 7.3.3.A. by revising to reflect use of new terminology.

²⁵ Carries forward a portion of UDO Section 5.8.6.H.2.

3. Vehicle services – major repair/body work;²⁶
4. Waste/recycling convenience sites.²⁷

6.6.2 MAXIMUM HEIGHT²⁸

Except as provided in 6.7.3: *Outdoor Recreation Facilities*, the maximum mounting height of all luminaires is specified in Table 6.6.2-1: *Maximum Luminaire Mounting Height*.

Table 6.6.2-1: Maximum Luminaire Mounting Height

LIGHTING ZONE	HEIGHT (MAX) ¹
LZ-1	30 ft
LZ-2	30 ft
LZ-3	36 ft

Key: max = maximum allowed | ft = feet

¹ Freestanding light fixtures shall not exceed 15 feet in height if the light fixture is located on a lot that adjoins an existing residential zoning district or residential use.²⁹

6.6.3 CORRELATED COLOR TEMPERATURE³⁰

Table 6.6.3-1 specifies the maximum correlated color temperature of all exterior lighting for each Lighting Zone.

Table 6.6.3-1: Maximum Correlated Color Temperature

LIGHTING ZONE	CCT (MAX) ¹
LZ-1	3000K
LZ-2	4000K

²⁶ The current UDO requires fully-shielded luminaires for vehicle services – minor repair/maintenance, but not for vehicle services – major repair/body work. Proposed here is to require fully-shielded luminaires for both uses.

²⁷ Carries forward UDO Section 5.9.9.C.

²⁸ Carries forward UDO Section 7.3.2.B.2. Proposes to regulate luminaire mounting height by lighting zone and to allow increased height for luminaires in LZ-3. The industry standard height for lighting for industrial uses is 36 feet.

²⁹ This height limitation adjacent to residential currently applies to two uses: Vehicle Services – Minor Maintenance/Repair (allowed in NB, GB, RB, LI, HI, MX, IMX) and Public Recycling and Waste Collections Facilities (allowed in RUB, INS, LI, HI).

³⁰ The current UDO does not regulate correlated color temperature (CCT) outside the HC-O, where it simply requires “the color of all light sources [to] be white” on development sites and for street lighting, unless SCDOT has a different requirement. Proposed here is to limit CCT by Lighting Zone. Blue light emissions can be harmful to flora and fauna, and can result in decreased nighttime visibility and increased skyglow (International Dark-Sky Association, *Why Is Blue Light at Night Bad?*, December 22, 2016). Warmer lighting should be used in areas with low ambient lighting levels (e.g., Lighting Zone 1) to

6.6 GENERAL STANDARDS FOR ALL OUTDOOR LIGHTING
6.6.2 MAXIMUM HEIGHT
better integrate the lighting with the environment.

Table 6.6.3-1: Maximum Correlated Color Temperature

LIGHTING ZONE	CCT (MAX) ¹
LZ-3	6000K

Key: CCT = correlated color temperature | max = maximum allowed | K = Kelvin

¹ With tolerance within the ANSI standard C78.377 for LED sources.

6.7 ADDITIONAL REQUIREMENTS FOR SPECIFIC USES AND AREAS

6.7.1 BUILDING FAÇADES³¹

- A. Building façade lighting shall not be used to illuminate entire portions of a building(s) or sign(s).
- B. Lighting fixtures shall be carefully located and aimed so that light is directed only onto the building façade and away from adjacent properties and streets.

6.7.2 LANDSCAPE LIGHTING³²

Low voltage landscape lighting is allowed, if it is located and aimed to prevent light trespass and to prevent view from adjacent properties and streets.

6.7.3 OUTDOOR RECREATION FACILITIES³³

- A. **Applicability.** This Subsection applies to all outdoor public and private recreation facilities and open sports arenas/stadiums.
- B. **Standards.**
 - 1. All luminaires shall be fully-shielded.

³¹ Carries forward 7.3.3.E. with edits to simplify text. Removes maximum illumination standard since building façades are included in the IECC individual lighting power allowances. Relocates the restriction on the use of floodlights to 6.2.1: *Exemptions*. Section 6.9 proposes a definition for *building façade lighting*.

³² Carries forward 7.3.3.C.4. This provision for landscape and decorative lighting is located under "Security Lighting" in the current UDO. It appears to conflict with the exemption in UDO Section 7.3.4.A.4. ("lighting associated with landscape/holiday/festive/temporary uses"). Revises "[l]andscape and decorative lighting using incandescent lighting of 40 watts or less" as "low-voltage landscape lighting."

6.7 ADDITIONAL REQUIREMENTS FOR SPECIFIC USES AND AREAS

6.7.1 BUILDING FAÇADES

³³ Generally, carries forward 7.3.3.D. Clarifies applicability. Removes provisions related to glare control, positioning, aiming, and spillover light levels in favor of the BUG ratings in [6.5: Limits to Off-Site Impacts](#).

OUTDOOR LIGHTING

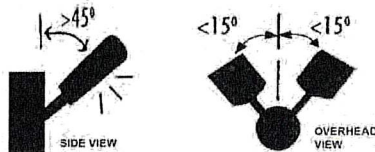
6

2. The maximum mounting height of all luminaires is 80 feet.³⁴

6.7.4 SECURITY LIGHTING³⁵

- A. Motion activated security lights or unshielded flood and spotlights, with 45 watts or less, installed for security and activated by motion sensor, are allowed. These unshielded lights must be mounted and aimed in a manner that minimizes uplighting and light trespass.³⁶
- B. All floodlights shall be installed such that the fixture is aimed down at least 45 degrees from vertical. All floodlights located within 50 feet of a street right-of-way shall be mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed 15 degrees from perpendicular to the right-of-way. See Figure 6.7.4-1: *Floodlight Orientation*.

Figure 6.7.4-1: Floodlight Orientation



- C. All flood or spot lamps emitting 1,000 or more lumens shall be aimed at least 60 degrees down from horizontal or shielded such that the main beam from the light source is not visible from adjacent properties or the street right-of-way.
- D. Area “dusk to dawn” open-bottom lights, with photosensors that automatically turn the light on and off at certain levels of ambient illumination, are allowed but must be fully-shielded.

³⁴ Clarifies current standard, which is “[f]ixtures for outdoor recreational facilities must not exceed 80 feet in mounting height (this includes bases and/or other mounting structures) above finished grade.” *Mounting height* is defined as “the height of the photometric center of a luminaire above grade level.”

³⁵ Carries forward 7.3.3.C. with minor revisions for clarity. Relocates 7.3.3.C.4. to [6.7.6: Landscape Lighting](#).

³⁶ Security lighting is not subject to the BUG ratings in [6.5: Limits to Off-Site Impacts](#). Orientation of a

6.7 ADDITIONAL REQUIREMENTS FOR SPECIFIC USES AND AREAS
6.7.4 SECURITY LIGHTING

OUTDOOR LIGHTING

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luminaire impacts its BUG ratings and security lights/floodlights are intended to be adjustable.

6.7.5 VEHICULAR & BUILDING CANOPIES³⁷

Lighting under vehicular and building canopies shall be designed so as not to create glare off-site. Acceptable methods include one or both of the following:

- A. Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy; or
- B. Surface-mounted fixture incorporating a flat lens that provides a fully-shielded light distribution.

6.7.6 HIGHWAY CORRIDOR OVERLAY DISTRICT³⁸

6.7.6.1 Generally

- A. This Subsection establishes additional aesthetic requirements for lighting equipment located on lots in the HC-O, Highway Corridor Overlay District.
- B. Streets, driveways, parking areas, sidewalks, and building entrances shall be lighted in order to contribute to the security of a property and to facilitate the safe passage of persons using such streets, driveways, sidewalks, and parking areas after dark.³⁹

6.7.6.2 Design & Development Standards

- A. **Type and Style of Light Fixtures.**⁴⁰ All fixtures shall:
 - 1. Be fully-shielded;
 - 2. Be consistent throughout a site in size, color, ornamentation, and materials; and
 - 3. Complement the surrounding buildings.

³⁷ Carries forward 7.3.3.B and expands to include building canopies. Eliminates “[o]ther method approved by the Administrator” since it is vague and does not include any criteria or guidance for the Administrator.

³⁸ Carries forward 4.3.2.I. Eliminates 4.3.2.I.2. (light intensity) in favor of the standards in [6.4: Lighting Levels](#) and [6.5: Limits to Off-Site Impacts](#). Eliminates 4.3.2.I.3. (signalized intersections) pursuant to staff input. Eliminates 4.3.2.I.7, 9, 11, 14, and 16, which are redundant to other sections in this Chapter 6.

³⁹ Carries forward a portion of the first paragraph in 4.3.2.I.

⁴⁰ Carries forward the first two sentences in 4.3.2.I.4 and revises the second to simply require fully-

6.7 ADDITIONAL REQUIREMENTS FOR SPECIFIC USES AND AREAS
6.7.5 VEHICULAR & BUILDING CANOPIES

OUTDOOR LIGHTING

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shielded fixtures. The rest of 4.3.2.I.4 is deleted since outdoor lighting in the HC-O is subject to the BUG ratings (Sec. 6.5) and correlated color temperature (Sec. 6.6.3).

B. **Maximum Height.**⁴¹

1. The maximum height of a luminaire is 18 feet, except as provided in 6.7.6.2B.2 and 6.7.6.2B.3, below.
2. In parking areas where the total number of parking spaces exceeds 100 spaces, luminaires located in the central portions of the parking area may be up to 25 feet in height.
3. The maximum height of a luminaire located within 50 feet of a residential use or district is 12 feet.

C. **Building Façades.** Buildings shall be safely illuminated at entry/exit locations using fully-shielded luminaires or off-building lighting that does not generate glare or otherwise allow the light to be viewed directly from an adjacent property.⁴²

D. **Security Lighting.** Security lighting is required, particularly at pedestrian walkways, and must comply with 6.7.4: *Security Lighting*.⁴³

E. **Floodlights.** Flood lights are allowed for security, loading areas, and other such applications if they comply with the standards in 6.7.4: *Security Lighting*.⁴⁴

F. **Underground Wiring.** All wiring and service connections for all lighting must be underground.⁴⁵

G. **Damaged, Broken, or Malfunctioning Lighting Equipment.** Any damaged, broken, or malfunctioning light fixture or pole shall be repaired or replaced immediately.⁴⁶

6.7.6.3 **Street Lighting**

- A. Street lighting, as required by [Chapter 9: Subdivision & Site Design](#), shall comply with SCDOT requirements where applicable. All street lights shall be consistent along the corridor and throughout a site.

⁴¹ Carries forward 4.3.2.I.8 and revises to simplify the text.

⁴² Carries forward a portion of 4.3.2.I.10.

⁴³ Carries forward requirement for security lighting in 4.3.2.I.12.

⁴⁴ Carries forward 4.3.2.I.13 and simplifies by adding a cross-reference to generally applicable standards for floodlights.

6.7 ADDITIONAL REQUIREMENTS FOR SPECIFIC USES AND AREAS
6.7.6 HIGHWAY CORRIDOR OVERLAY DISTRICT

OUTDOOR LIGHTING

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⁴⁵ Carries forward first sentence in 4.3.2.I.6. Relocates second sentence to Chapter 7: *Signs*.

⁴⁶ Carries forward 4.3.2.I.15.

- B. Street lights shall be fully-shielded, except that unshielded decorative street lamps featuring globes or glass panes are allowed if they:
 - 1. Are designed to diffuse light; and
 - 2. Include caps to direct light downward.
- C. The color of street light lamps shall comply with 6.6.3: Correlated Color Temperature, unless otherwise required by SCDOT.

6.8 OUTDOOR LIGHTING PLAN REQUIRED⁴⁷

- A. An outdoor lighting plan is required for any work involving outdoor lighting for all land uses subject to this Chapter.
- B. The applicant shall submit an outdoor lighting plan with the Zoning Permit application, Site Plan application, or Preliminary Plat application, as applicable.
- C. The outdoor lighting plan shall:⁴⁸
 - 1. Be integrated with the landscape plan, if a landscape plan is required for the proposed development;
 - 2. Depict the arrangement of all exterior lighting equipment, including the location and mounting height of each luminaire;
 - 3. Include a fixture schedule detailing the fixture type, lamp type and lumens, correlated color temperature, and BUG rating for each luminaire;
 - 4. Describe or depict the types of supports, poles, and raised foundations, if used; and
 - 5. Include the manufacturer's or electric utility's catalog specification sheets and/or drawings and photometric data for each type of luminaire.

⁴⁷ The current UDO does not require an applicant to submit lighting information on the site plan unless requested by staff. Proposed here is to require submittal of a lighting plan.

6.8 OUTDOOR LIGHTING PLAN REQUIRED
6.7.6 HIGHWAY CORRIDOR OVERLAY DISTRICT

⁴⁸ Carries forward 7.3.5.B.2. and adds new requirements for the outdoor lighting plan.

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6.9 NONCONFORMING LIGHTING⁴⁹

- A. Any nonconforming lighting fixture lawfully in place or approved by the County prior to the effective date of this Ordinance is exempt from this Chapter.
- B. Routine maintenance, including changing the lamp, ballast, starter, photo control, lens, or other required component, is allowed for all existing fixtures.
- C. At the time that a nonconforming luminaire is replaced, moved, upgraded, or otherwise changed, the luminaire must be replaced by either:
 - 1. The same type of luminaire that:
 - (a) Emits an equal or less amount of lumens as the original fixture;
 - (b) Allows the trespassing of an equal or less amount of light onto neighboring properties; and
 - (c) Restricts uplighting to an equal or less amount than the original fixture; or
 - 2. A fixture that complies with this Chapter.

6.10 DEFINITIONS⁵⁰

ARCHITECTURAL LIGHTING Luminaires designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.

BACKLIGHT For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.

BUG RATING A luminaire classification system that classifies backlight (B), uplight (U), and glare (G).

BUILDING FAÇADE LIGHTING Lighting designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.

Commented [7]: Are these definitions used the same way in other areas of the UDO? Or should this be limited to definitions as used in this particular section only? We need to be careful there are no overlapping definitions.

⁴⁹ Carries forward 7.3.5.C with revisions to simplify the text. This Section may be relocated to **Chapter 12: Nonconformities & Vested Rights**.

6.9 NONCONFORMING LIGHTING
6.7.6 HIGHWAY CORRIDOR OVERLAY DISTRICT

OUTDOOR LIGHTING

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⁵⁰ These new definitions are from the Joint International Dark-Sky Association – Illuminating Engineering Society Model Lighting Ordinance (MLO).

GLARE Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

LAMP A generic term for a source of optical radiation (i.e. "light"), often called a "bulb" or "tube." Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.

LANDSCAPE LIGHTING The illumination of trees, shrubs, or other plant material as well as ponds and other landscape features.

LIGHT POLLUTION Any adverse effect of artificial light including, but not limited to, glare, light trespass, skyglow, energy waste, compromised safety and security, and impacts on the nocturnal environment.

LIGHT TRESPASS Light that falls beyond the property it is intended to illuminate.

LIGHTING EQUIPMENT Materials specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.

LOW VOLTAGE LANDSCAPE LIGHTING Landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.

LUMEN The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from "watt," a measure of power consumption).

LUMINAIRE The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

LUMINAIRE, FULLY-SHIELDED A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.

LUMINAIRE, UNSHIELDED A luminaire capable of emitting light in any direction including downwards.

MOUNTING HEIGHT The height of the photometric center of a luminaire above grade level.

SEASONAL LIGHTING Temporary lighting installed and operated in connection with holidays or traditions.

UPLIGHT For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plan.

Schedule A

UNIFIED DEVELOPMENT ORDINANCE UPDATE

CHAPTER 8: BUILDING DESIGN
STAFF REVIEW DRAFT: OCTOBER 31, 2023

Prepared By:

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8 BUILDING DESIGN

8.1 GENERAL PROVISIONS

8.1.1 PURPOSE

The purpose of the building design standards is to promote a unified appearance of buildings across the jurisdiction that achieves the goals for consistent aesthetic enhancement of Lancaster County's commercial and multi-family areas.

8.1.2 APPLICABILITY

- A. **Commercial Building Design Standards.** Section 8.2: Commercial Building Design Standards applies to all new construction where the following conditions in subsections 8.1.2A.1 and 8.1.2A.2 below occur.

1. Zoning Districts. The building is located in one of the following zoning districts:

- (a) Multi-Family Residential District (MFR);
- (b) Neighborhood Business District (NB);
- (c) General Business District (GB);
- (d) Regional Business District (RB); or
- (e) Highway Corridor Overlay (HCO).

2. Use Categories.

- (a)2. The building contains a non-residential use.

- (b)3. The following use categories, as defined in Section 3.2.2: Use Categories, are specifically exempt from Section 8.2: Commercial Building Design Standards unless otherwise stated herein.

- (1)(a) Agricultural Uses;
- (2)(b) Civic/Institutional Uses;
- (3)(c) Industry/Wholesale/Storage Uses
- (4)(d) Entertainment and Recreation Uses; and

Commented [1]: I think these needed to be more clearly defined. See the edits I made. Also, please confirm that it is both conditions that need to be met.

Commented [2]: Are these the only districts where commercial buildings are allowed? What about hotels, motels and movie theaters? Indoor amusement centers? Etc.

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~~(5)(e)~~ Infrastructure Uses

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~~3.4.~~ *Non-Residential Buildings Adjacent to Residential Zoning Districts.*¹ Buildings in non-residential zoning districts with facades within 500 feet fronting on an adjacent residential zoning district shall adhere to the following sections:

- (a) Section 8.4.3: *Wall Planes*; and
- (b) Section 8.2.2: *Exterior Materials*.

B. **Residential Building Design Standards.** Section 8.3: Residential Building Design Standards applies to all new construction where the following conditions occur.

Commented [3]: This should be labeled more clearly throughout the document so as to not cause any confusion with SF. Perhaps, "Non-Single Family Residential Building Design Standards"?

- 1. *Zoning District.* The building is located within a residential zoning district or a commercial zoning district that allows residential uses; and
- 2. *Use Categories.* The building is identified as one of the following land uses under the Residential Use category in [Table 3.2.5-9: Residential Uses](#):
 - (a) Multifamily Dwelling with more than four dwelling units;
 - (b) Cottage Court;
 - (c) Townhome;
 - (d) Triplex/Fourplex; or
 - (e) Duplex.

C. **Highway Corridor Overlay Building Design Standards.**²

- 1. *Zoning District.* Section 8.4: Highway Corridor Overlay Design Standards applies to all buildings located on property zoned within the Highway Corridor Overlay District, except as specified in 8.1.2C.2, below.
- 2. *Exceptions.*
 - (a) Any property zoned and used for a single-family residential use, including the single-family residential portion of a property zoned Planned Development District (PDD), are exempt from the development standards of the Highway Corridor Overlay District.

¹ This section replaces façade materials and articulation provisions from Section 5.5.4: *General Commercial*.

² Carries forward and modifies applicability provisions of §4.3.2 Highway Corridor Overlay District
STAFF REVIEW DRAFT | OCTOBER 31, 2023
LANCASTER COUNTY, SC UDO UPDATE

8.1 GENERAL PROVISIONS
8.1.2 APPLICABILITY

(HCO).

- (b) Uses in the Civic/Institutional use category, as specified in Table 3.2.5-3: *Civic Institutional Uses* are specifically exempt from Section 8.4: Highway Corridor Overlay Design Standards.³
- (c) When a parcel has a vested right in effect, that parcel may be exempt from certain provisions of the Highway Corridor Overlay District, as outlined in Chapter 15: *Nonconformities & Vested Rights*.

D. Hierarchy of Standards.

1. Where a property is located within an Overlay Zoning District with adopted standards, then the stricter of the two sets of standards apply and the standards in this Chapter apply for any standard not addressed in the Overlay standards.
2. Where a property is zoned Planned Development District (PDD), then the stricter of the two sets of standards apply and the standards in this Chapter apply for any standards not modified by the PDD.

Commented [4]: Are there no uses within this category that we would consider commercial and applicable to these standards? We just need to confirm before this is all finalized.

Commented [5]: Is this a defined term?

Commented [6]: Defined? Let's please keep an eye on all capitalized terms to ensure they are properly defined.

³ Section 4.3.2: Need to incorporate HCO layout and other standards for non-traditional buildings like

8.1 GENERAL PROVISIONS
8.1.2 APPLICABILITY

churches, etc. as much of the ordinance targets commercial development. Consider exempting institutional buildings like churches, govt. facilities, etc.

8.2 COMMERCIAL BUILDING DESIGN STANDARDS

8.2.1 BUILDING ORIENTATION

- A. In this Section, the Primary Façade means the most prominent and visually significant exterior face of a building's exterior and typically the front of the building facing the street. The Secondary Façade means any other exterior face of the building that is not the Primary Façade.
- B. The Primary Façade of buildings shall orient toward the dominant roadway according to the following street hierarchy, with street types listed in order from most dominant to least dominant and in accordance with the SCDOT design manual:
1. Principal Arterial;
 2. Minor Arterial;
 3. Collector;
 4. Local; and
 5. Interior.
- C. Where a Primary Façade cannot feasibly face the dominant roadway due to topography, site constraints, or accessibility concerns, the Secondary Façade of the building that fronts onto the dominant roadway shall comply with the following Building Design sections:
1. Section 8.4.4: *Roofs*; and
 2. Section 8.4.3: *Wall Planes*.

8.2.2 EXTERIOR MATERIALS

- A. The following exterior building material finishes are prohibited:
1. Unfinished concrete masonry unit (CMU) block;
 2. Plywood; and
 3. Vinyl or plastic siding.
- B. The following materials are prohibited along the base of the building up to four feet, as measured from the top of the ground floor level:

Commented [7]: Should we add other items like metal siding? Perhaps it would be easier to identify what materials are required. See requirements for storage units or 8.3.1E.

1. Corrugated metal panels; and
2. Exterior insulation and finish systems (E.I.F.S.).

8.2.3 STORAGE FACILITIES

- A. Buildings shall be situated to minimize visual impact of storage units. Portions of the facility not dedicated to storage, such as office and visitor parking areas, shall be located at the front of the property nearest to the public right-of-way to shield storage units from view from the public right-of-way.
- B. Buildings fronting onto public right-of-way shall adhere to the following standards:
 1. *Materials.* The majority of the façade, including the base of the building, must be of a high-finish material such as brick or similar material.
 2. *Wall Planes.* The building shall comply with Section 8.4.3: *Wall Planes*.

8.3 RESIDENTIAL BUILDING DESIGN STANDARDS

8.3.1 MULTIFAMILY DWELLING⁴

- A. **Unity of Design.** All structures within a multifamily dwelling development shall utilize unifying architectural styling, including roof pitch, exterior cladding materials, and complementary material colors. This provision applies to dwelling unit buildings, common structures, garages, and other accessory structures.
- B. **Building Orientation.** Multifamily dwelling buildings shall comply with Section 8.2.1: *Building Orientation*.
- C. **Pedestrian Entrance.** Individual buildings shall have a pedestrian entrance oriented to either the street right-of-way, primary parking area, or a common open space accessible to the public.
- D. **Roof.** Buildings located within 500 feet of a single-dwelling residential zoning district shall have a pitched gable or hip roof.
- E. **Materials.** Exterior cladding of multi-family buildings shall be of a high-quality, durable material using one or more of the following:

⁴ This paragraph updates current 5.2.2 DWELLING – MULTIFAMILY based on feedback from Module 1.

1. Masonry or brick;
2. Wood;
3. Cementitious material; and
4. Stucco.

8.3.2 COTTAGE COURTS⁵

- A. **Unity of Design.** All structures within a Cottage Court shall utilize unifying architectural styling, including roof pitch, exterior cladding materials, and complementary material colors. This provision applies to cottage dwellings, common structures, garages, and other accessory structures.
- B. **Orientation of Cottage Dwellings.** Each cottage dwelling shall be oriented so that the front façade of the building faces the central courtyard. Dwelling units nearest to the street right-of-way shall orient to the street.
- C. **Porches.** A covered front porch, having a minimum depth of six feet and occupying at least 70% of the width of the front of each building, is required on the front of each cottage dwelling.

8.3.3 TOWNHOMES⁶

- A. **Unity of Design.** All structures within a Townhome development shall utilize unifying architectural styling, including roof pitch, exterior cladding materials, and complementary material colors. This provision applies to dwelling units, common structures, garages, and other accessory structures.
- B. **Number of Units per Buildings.** No more than six individual townhome units shall be included in a building.
- C. **Building Orientation.** Each townhome shall be oriented so that the front façade of the building faces a street, a parking area, or open space with a common pedestrian pathway accessible to the public.
- D. **Façade Variation.** Any building containing more than two units with common walls must differentiate the building façade of each unit from adjacent units through one of the following variation strategies:

8.3 RESIDENTIAL BUILDING DESIGN STANDARDS
8.3.2 COTTAGE COURTS

⁵ This new section provides standards for this new dwelling type.

⁶ This section proposes a new set of design regulations for townhomes.

1. *Roofline.* Vary the roof type, orientation, and/or significantly change the roof pitch;
2. *Building Height and Width.* Vary the profile of buildings by significantly changing the dimension of the height or width;
3. *Front Façade Plane.* Wall planes along the face of the front façade may advance or recede from the line of the main façade;
4. *Color and Texture.* Use varying color pallet (e.g., wall, trim, and roof color), and/or wall treatments that vary the texture of the facade.;
5. *Porch.* Alter the configuration of the front porch width, type, architectural treatment, depth, and/or roof coverage; or
6. *Building Material.* Differ the primary façade material used.

Commented [8]: How will "significantly" be defined? It would be more clear to specify a number or percentage change.

8.3.4 DUPLEXES⁷

- A. At least one pedestrian entrance shall be located on the front façade. Additional pedestrian entrances may be located on the side or rear of the building.
- B. On corner lots, each façade fronting a street shall have a pedestrian entrance.

8.3.5 TRIPLEXES AND FOURPLEXES⁸

- A. At least one pedestrian entrance shall be located on the front façade. Additional building entrances may be located on the side or rear of the building.
- B. Pedestrian entrances to fourplexes shall be designed so that all units receiving access from the front of the building are served by a common entrance and vestibule area. Additional building entrances may be provided on the side and rear of the building.
- C. On corner lots, each façade fronting a street shall have a pedestrian entrance.

⁷ This paragraph updates current 5.2.1 DWELLING – TWO FAMILY as completed in Module 1.

⁸ This paragraph updates current 5.2.3: DWELLING – THREE FAMILY (TRIPLEX) AND FOUR FAMILY (QUADRAPLEX) as completed in Module 1.

8.4 HIGHWAY CORRIDOR OVERLAY DESIGN STANDARDS⁹

8.4.1 BUILDING ORIENTATION¹⁰

All buildings within the Highway Corridor Overlay shall adhere to Section 8.2.1: Building Orientation.

8.4.2 BUILDING PLACEMENT¹¹

A. Building Setback.

1. Building setback requirements set forth in **Chapter 2: Zoning Districts** of the UDO apply.
2. In no instance shall a building be setback from the right-of-way less than 50 feet.

⁹ This section carries forward the content of Section 4.3.2(F) with changes noted.

¹⁰ Building Orientation replaces some of the Building Placement standards listed in Section 4.3.2(F).

¹¹ Carries forward Section 4.3.2.F provisions and modifies text to eliminate build-to setbacks and to allow the design of conventional shopping centers where stores are not necessarily oriented to face the street. The UDO in various sections places requirements on retail center design that does not allow for projects like The Promenade in which the shops are visible from the road with parking in the front. This does not lend itself to developments that appear welcoming and full of activity, which in turn limits their ability to be successful. Additionally, the current UDO requires commercial buildings to be constructed close to the

8.4 HIGHWAY CORRIDOR OVERLAY DESIGN STANDARDS
8.4.1 BUILDING ORIENTATION

BUILDING DESIGN

8

road which creates a safety issue and the inability to widen corridors in the future as the structures are too close to the roadway. The older UDOs did not have such restrictions.

8.4.3 WALL PLANES¹²

- A. Variation in architecture and materials is required along wall planes so that there is no expanse of blank exterior walls greater than 80 feet along the corridor.
- B. Variation in exterior walls may be achieved through the following design strategies:
 - 1. Use of architectural features such as window openings, columns, awnings, canopies, or other similar features;
 - 2. Use of horizontal or vertical offsets, projections, or recesses to differentiate building masses, forms, and/or components. Offsets shall be at least one foot in depth; or
 - 3. A break in the cornice, parapet, and roof lines to reduce the massing of the building.

8.4.4 ROOFS

- A. Rooflines of buildings adjacent to the corridor shall be varied to add interest and complement the character of surrounding development and neighborhoods.
- B. Rooflines greater than 80 feet in length must break up the roofline using one or more of the following design strategies:
 - 1. A change in the pitch of roof or use of a secondary roof structure;
 - 2. Use of gables, eaves, or stepped parapets; or
 - 3. Roof elaborations such as towers, cupolas, or dormers.

8.4.5 EXTERIOR MATERIALS¹³

- A. All buildings within the Highway Corridor Overlay shall adhere to Section 8.2.2: Exterior Materials, except where modified in this Section.
 - B. **Where Required.**
-
-

¹² The HCO requires architectural variation but does not mandate how to achieve this. This section specifies how to achieve variation in wall planes.

¹³ Staff comment: "Section 4.3.2.F.4: Replace "concrete" siding with "cementitious." Modify applicability

8.4 HIGHWAY CORRIDOR OVERLAY DESIGN STANDARDS
8.4.3 WALL PLANES

BUILDING DESIGN

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statement to require on all four sides of a building with exception of a fully screened service area.
Remove TRC approval of fence color and simply permit earth-tone colors or similar general standard.
Delete last sentence about aesthetics and building codes.”

1. All sides of the building shall comply with this requirement except any side of a building that is not visible from any point on an adjoining street right-of-way.
 2. Sides of the building that are screened with landscaping, a fence, or some combination of the two are considered to be visible from an adjoining street and must comply with the requirements of the Highway Corridor Overlay.
- C. **Permitted Materials.** Buildings, signs, walls, and other structures within the Highway Corridor Overlay shall be constructed using any of the following high-quality finish materials:
1. Brick, stone, or masonry cladding;
 2. Wood siding, such as clapboard, shingles, and board-and-batten;
 3. Fiber cement siding; or
 4. Stucco or exterior insulation and finish systems (E.I.F.S.) if applied four feet or higher, as measured from the top of ground floor level.
- D. **Prohibited Materials.**
1. In general, the use of vinyl, tin, metal, and masonry block (except split face/decorative masonry) is prohibited on the exterior walls of any building located within this district.
 2. Metal is permissible if in combination with other building materials for use as trim, windows, doors, roofing, other architectural elements, and signs.
- E. **Permitted Fence Material.**
1. Fences shall be of durable construction using the following materials: brick, stone, other masonry, wood, metal, decorative vinyl, or any combination thereof.
 2. The finished side of the fence shall face the corridor right-of-way or other adjacent property.
- F. **Prohibited Fence Material.** Chain link, welded or woven wire, and other similar fencing are prohibited in the Highway Corridor Overlay District, unless their use is for sports fields or recreational complexes. In such conditions, the fencing shall be color coated with a manufacturer applied finish. Finish colors must be earth-tones. Such fencing may also be permitted for temporary use during construction and site development if it is removed or replaced with a compliant material upon completion

Commented [9]: Is this consistent with other sections of the UDO?

Commented [10]: Is this consistent with other sections of the UDO?

of construction. This requirement is for aesthetic purposes only and is not associated with building code requirements or standards.

8.4.6 WINDOWS¹⁴

- A. The ground floor of the building must have window openings in addition to the required pedestrian entrance.
- B. Window openings shall not be concentrated in one area of the façade and must be regularly spaced across the façade.
- C. Window openings may not be obstructed from view into the building by more than 25%.

8.4.7 AUTO-ORIENTED CANOPIES

Fuel islands and auto-oriented canopies must not be located between the building and the public right-of-way, except where the following design provisions are made:

- A. Support columns are wrapped with a durable and high-quality masonry or wood finish material; and
- B. Auto-oriented canopies and their components are designed to be architecturally integrated with the main building using like materials.

8.4.8 DRIVE-THROUGH FACILITIES¹⁵

- A. **Location.** Buildings shall be designed so that drive-through windows are not located on the street-facing façade of buildings but rather on the side or rear of buildings.
- B. **Design.** Where drive-through lanes wrap around the building, such areas shall be designed to accommodate pedestrians and landscaping in addition to vehicles.

¹⁴ New section with generic provisions that require window openings.

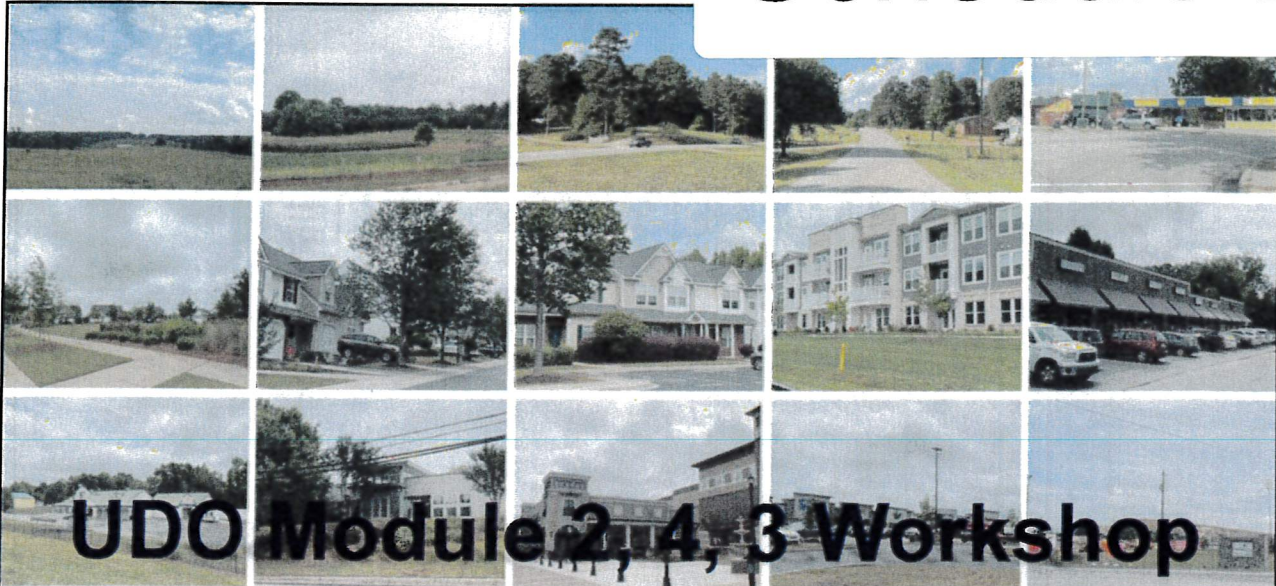
13.4 UNDEFINED TERMS

DEFINITIONS

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¹⁵ New section added. Provisions addressing drive-through facilities are common in suburban/rural corridors with similar conditions to Lancaster County.

Schedule B



UDO Module 2, 4, 3 Workshop

Lancaster County, South Carolina
June 11, 2025

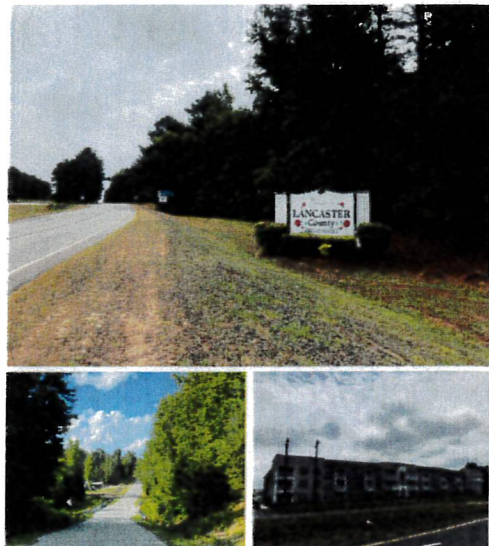
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WSC
 White Smith Cousins
 Planning | Codes | Design

1

Agenda

- Project Update
 - Module 2 – notes
 - Module 4 – overview, schedule
 - Preview of Module 3 Topics
- Next Steps

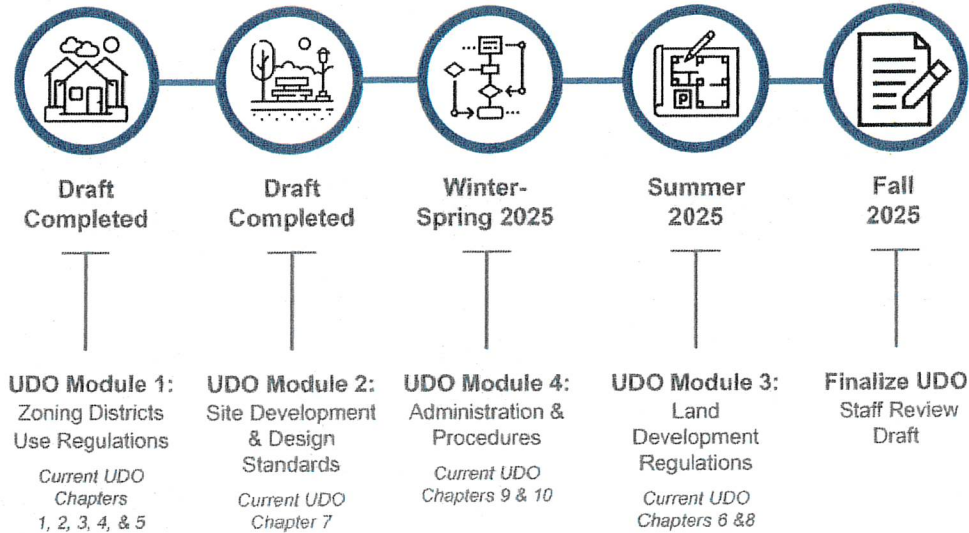


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Project Timeline



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Revised UDO Chapters

1. Introduction
2. Zoning Districts
3. Use Regulations
4. Natural Resources Protection
5. Parking & Loading
6. Outdoor Lighting
7. Signs
8. Architectural Design Standards
9. Subdivision & Site Design
10. Procedures
11. Administration
12. Nonconformities & Vested Rights
13. Definitions & Acronyms
14. Submittal Requirements

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Module 2

- | | |
|-----------------------------------|-------------------------------------|
| 1. Introduction | 9. Subdivision & Site Design |
| 2. Zoning Districts | 10. Procedures |
| 3. Use Regulations | 11. Administration |
| 4. Natural Resources Protection | 12. Nonconformities & Vested Rights |
| 5. Parking & Loading | 13. Definitions & Acronyms |
| 6. Outdoor Lighting | 14. Submittal Requirements |
| 7. Signs | |
| 8. Architectural Design Standards | |

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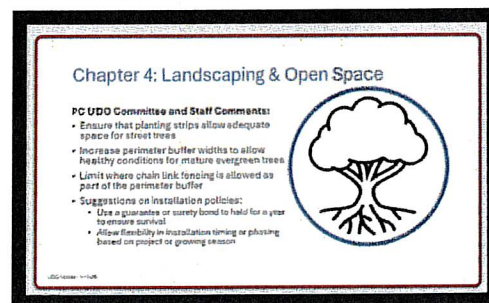
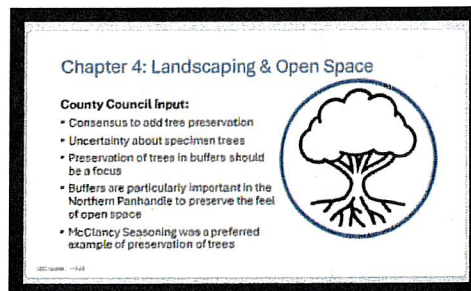
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Notes

Received from:

- Staff
- Stakeholders
- Planning Commission subcommittee
- Council Members



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Module 4 Topics

- | | |
|-----------------------------------|-------------------------------------|
| 1. Introduction | 9. Subdivision & Site Design |
| 2. Zoning Districts | 10. Procedures |
| 3. Use Regulations | 11. Administration |
| 4. Natural Resources Protection | 12. Nonconformities & Vested Rights |
| 5. Parking & Loading | 13. Definitions & Acronyms |
| 6. Outdoor Lighting | 14. Submittal Requirements |
| 7. Signs | |
| 8. Architectural Design Standards | |

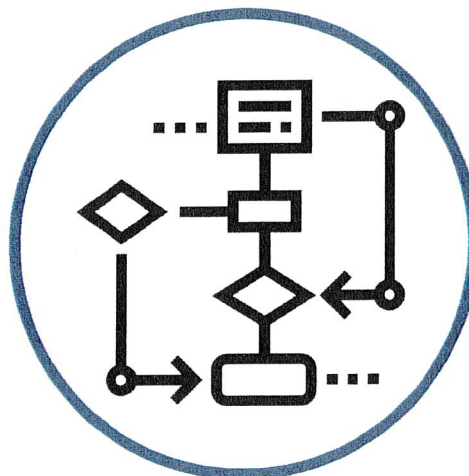
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Chapter 10: Procedures

- Current § 9.2: Review Procedures
- Provides Notice & General Requirements
- Procedure types include:
 - Zoning Permit
 - Variances
 - Special Exception
 - Plat Review
 - Appeals
- Goal: Conform All Procedures to the South Carolina Enabling Act



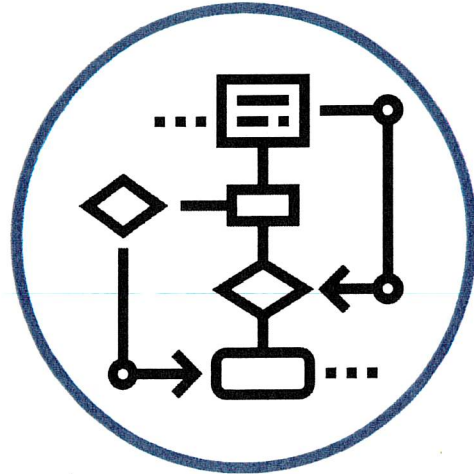
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Chapter 10: Procedures

- § 9.2.7: Administrative Modification of Dimensional Standards
 - Should County staff have authority to approve larger (but still minor) variances?



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Chapter 11: Administration

- Current:
 - § 9.1: Review Agencies
 - § 9.4: Violations & Enforcement
 - Rules of Interpretation – Various Sections of the UDO
- Goals:
 - Clarify and Consolidate
 - Ensure Review Agencies and Violations & Enforcement Comply with Enabling Act



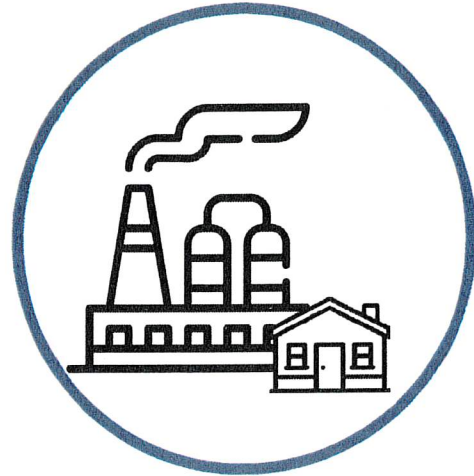
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Chapter 12: Nonconformities & Vested Rights

- Current:
 - § 9.3: Nonconformities
 - § 9.2.17: Vested Rights
- Goals:
 - Streamline and Clarify Nonconformities
 - Total Rewrite of Vested Rights to Clarify and Ensure Compliance with Vested Rights Act



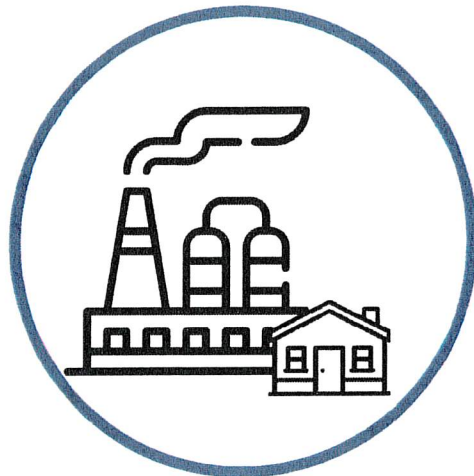
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Chapter 12: Nonconformities & Vested Rights

- § 9.3.4: Nonconforming Lots
 - What should owners be able to do to develop undeveloped nonconforming lots?
 - Should this differ from developed lots?
- § 9.3.6: Nonconforming Manufactured Homes and Manufactured Home Parks
 - Should the County allow replacement of units in nonconforming parks or on lots?



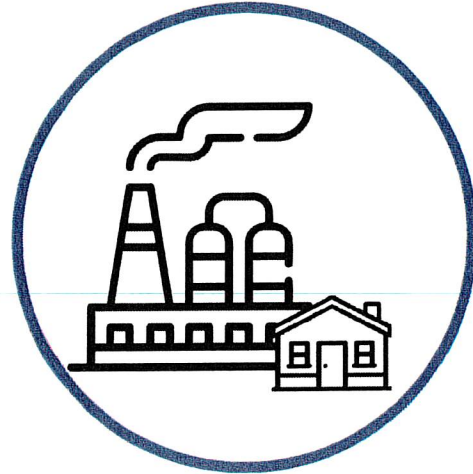
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Chapter 12: Nonconformities & Vested Rights

- § 9.3.5: Nonconforming Uses
 - Should the County phase out nonconforming junk yards?
- § 9.3.5: Nonconforming Site Features
 - Should the County provide different nonconformities standards for different development areas (rural vs. suburban)?
- Other Thoughts or Feedback?



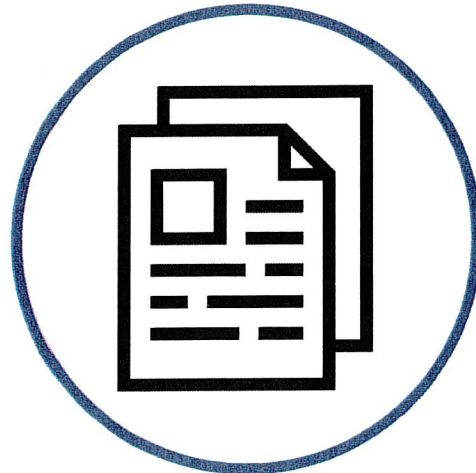
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Chapter 13: Definitions

- Current Chapter 10: Definitions
- Updated as part of each module and finalized at the end of the drafting process



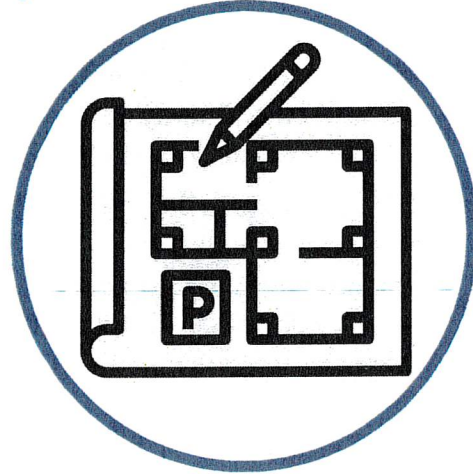
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Chapter 14: Submittal Requirements

- Current
 - § 9.2.5: Application Requirements
 - Various Other Sections of the UDO
- Goals:
 - Limited - Update and Clarify
 - County Staff Maintains Application Checklists Outside the Code



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Module 4 Topics – Council Submittals

10. Procedures and	
14. Submittal Requirements	Due June 23, 2025
12. Nonconformities & Vested Rights	Due July 14, 2025
11. Administration	Due July 28, 2025
13. Definitions & Acronyms	Due Aug 11, 2025

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Module 3 Topics

- | | |
|-----------------------------------|---|
| 1. Introduction | 9. Subdivision & Site Design |
| 2. Zoning Districts | 10. Procedures |
| 3. Use Regulations | 11. Administration |
| 4. Natural Resources Protection | 12. Nonconformities & Vested Rights |
| 5. Parking & Loading | 13. Definitions & Acronyms |
| 6. Outdoor Lighting | 14. Submittal Requirements |
| 7. Signs | |
| 8. Architectural Design Standards | |

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Module 3 Topics

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Chapter 9: Subdivision & Site Design

- Current § 4.1.1: Cluster Subdivision Overlay
- Current Ch. 6: Subdivision & Infrastructure Standards

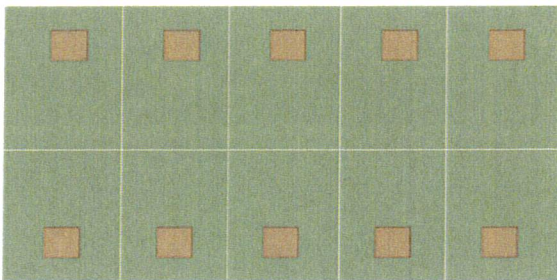


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Subdivision: Conventional

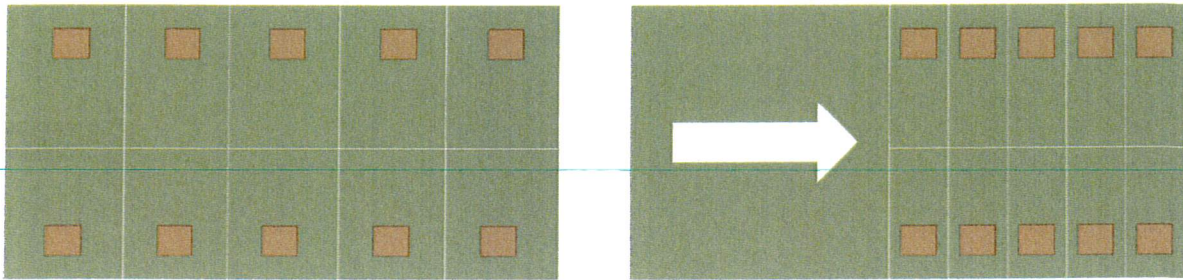


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Subdivision: Cluster

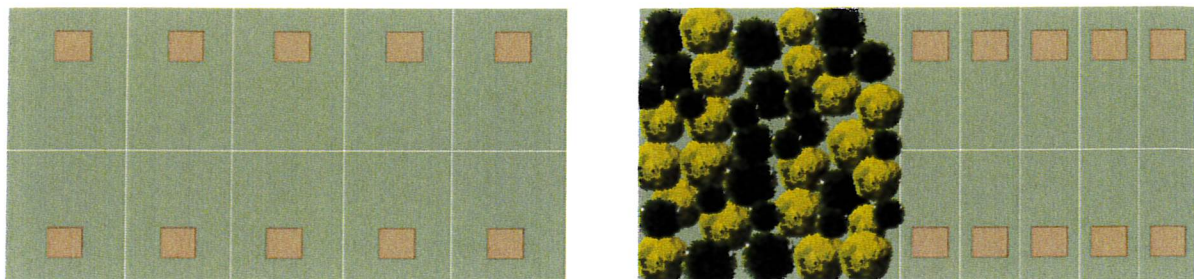


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Subdivision: Conservation

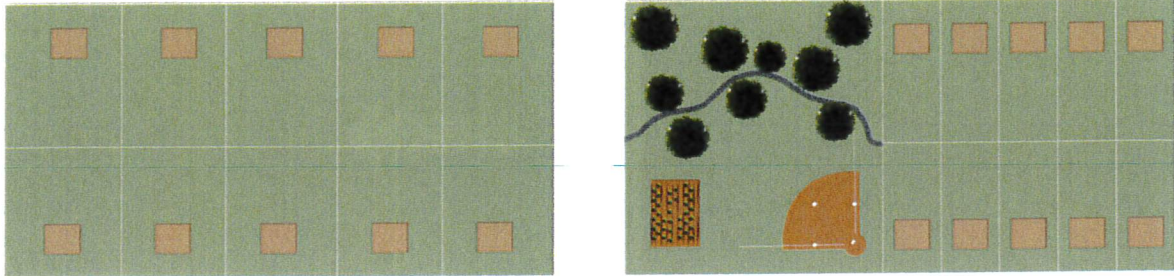


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Subdivision: Open Space

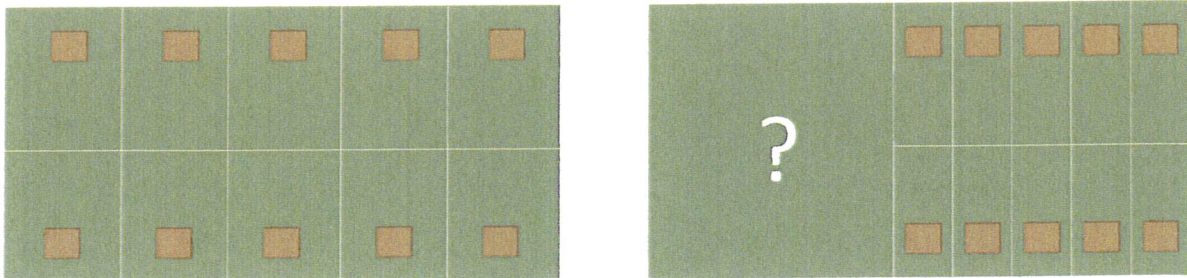


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Subdivision: Open Space Policy



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Current Subdivision Options

- Current: § 4.1.1: Cluster Subdivision Overlay
 - Minimum site – 30 acres
 - Open space requirement – 25% - excluding primary conservation areas (wetlands, surface water, streams)
 - Street frontage buffer – 0 ft.
 - Minimum lot size – 5,000 s.f.
 - Varied lot sizes required
 - Setbacks – front 20 ft. side 7 ½ ft.
 - Gross density is used as the metric

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Subdivision Options

- Discussion Topics:
 - Concerns with cluster subdivisions
 - Positives and negatives
 - Street buffers
 - Previous consensus (Sept. 2022) was to change density measurement to net density
- Goals for open space?
 - Conventional
 - Open Space
 - Conservation



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Subdivision Options

- Discussion Topics:
 - Proposed standards
 - Open space
 - LDR – 10%
 - MDR & MFR 20%
 - 5% improved open space
 - tree preservation requirements
 - LDR, MDR, MFR 30%
 - How should we coordinate the standards?



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Subdivision Infrastructure by District

Required Improvements	Zoning Districts													
	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	LI	HI
Underground Drainage*	-	-	-	-	-	-	-	X	X	X	X	X	X	X
Curb and Gutter*	-	-	-	-	-	-	-	X	X	X	X	X	X	X
Public Water and Hydrants	-	-	-	-	-	-	X	X	X	X	X	X	X	X
Public Sewer	-	-	-	-	-	-	X	X	X	X	X	X	X	X
Street Lights	-	-	-	-	-	-	-	X	X	X	X	X	X	X
Street Trees	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Paved Streets	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Street Signs (All)	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Underground Wiring	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Park/Open Space	X	-	-	-	X	X	X	-	-	-	-	X	-	-
Sidewalks (also see 6.7.1)*	-	-	-	-	-	X	X	X	X	X	X	X	-	-

* Administrator may wave required improvements with use of approved Low Impact Development Infrastructure.

- What changes are needed for the current table?

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Subdivision & Infrastructure Topics

- Private road design for family/minor subdivisions
 - Private drives accessing two lots – no standard
 - Private drives accessing up to five lots can have gravel surface
- Curb & gutter
- Sidewalks – especially perimeter sidewalks
- SCDOT standards preferred for roads?
- Add Townhouse/MF subdivisions as a type?
- Add grading plan approval?
- Should CTT require dedication?
- Other topics to discuss?

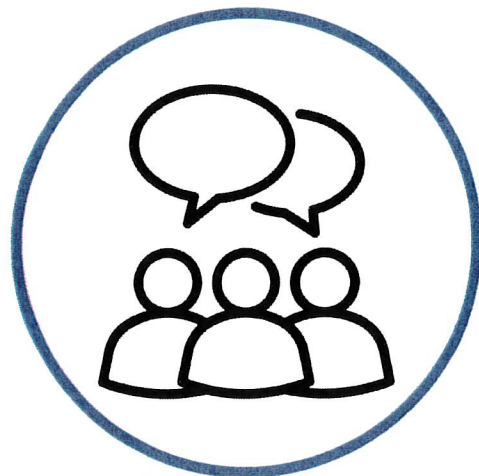


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Other Thoughts on Module 3?



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Next Steps

- **Module 2**
 - Comments incorporated/addressed in Final Draft of UDO
- **Module 4**
 - Committee meetings conducted by Planning Department staff
 - Drafts from staff committees are due by July COW; Council comments due August 11
 - Comments incorporated/addressed in Final Draft of UDO
- **Module 3:**
 - Committee meetings conducted by Planning Department staff
 - Drafts will be prepared for review at August COW meeting; Council comments due by September 8
 - Comments incorporated/addressed in Final Draft UDO
- **Final Combined UDO for Review – October 2025**

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Questions?



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Gross vs. Net Density

- Cluster Subdivision Overlay (CS-O) uses gross land area in the calculation of residential density
- CS-O allows significant lot size reductions in MDR (10,000 sf to 5,000 sf)
- Many development sites have significant environmental features (streams, steep slopes, etc.) that result in large portions of the site being unbuildable
- This results in neighborhoods that “feel” more dense than the maximum gross density of 2.5 du/ac

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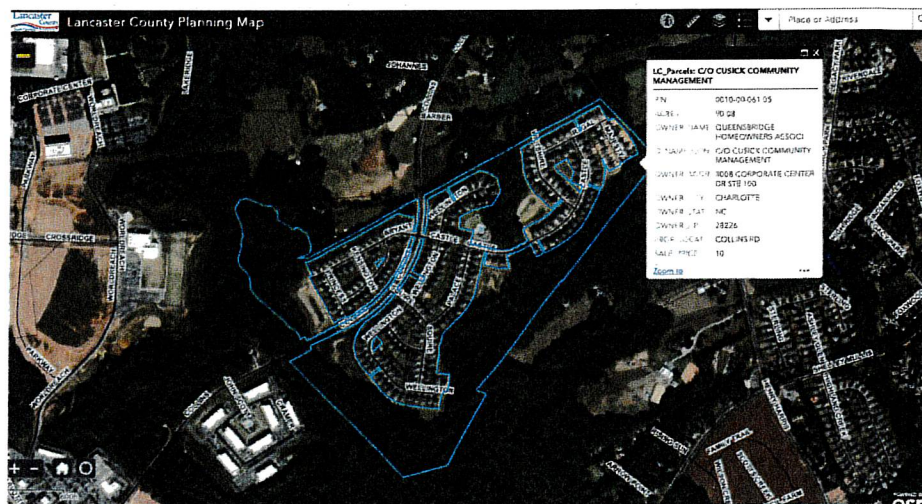
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DENSITY

Queensbridge
INDIAN LAND, SOUTH CAROLINA

- 156.22 GROSS ACRES
- 249 LOTS
- 1.59 DU/AC



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DENSITY

VISUALIZING NET DENSITY

Queensbridge

INDIAN LAND, SOUTH CAROLINA

- 15.77 NET ACREAGE (FILLED AREA)
- 71 LOTS
- 4.5 DU/AC AVERAGE



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DENSITY

VISUALIZING NET DENSITY

Queensbridge

LANCASTER, SOUTH CAROLINA



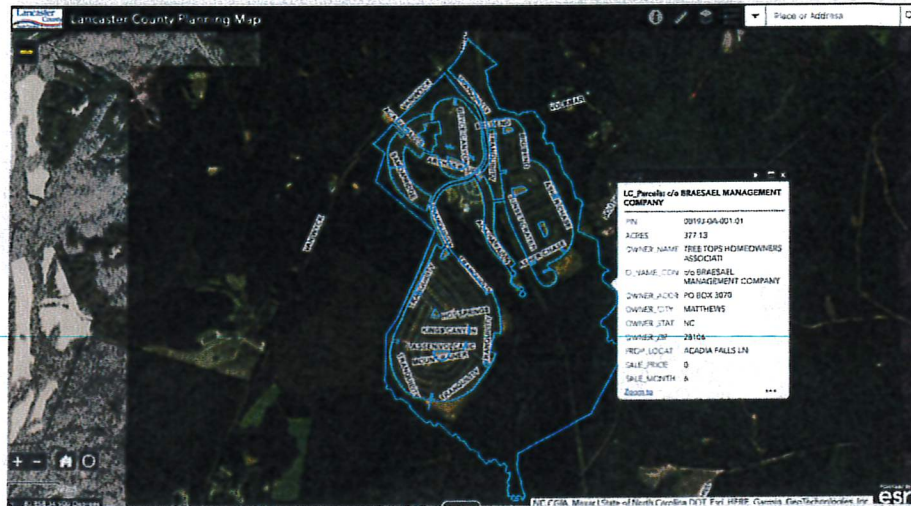
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DENSITY

Tree Tops

LANCASTER, SOUTH CAROLINA

- 613.61 GROSS ACRES
- 786 LOTS
- 1.28 DU/AC



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DENSITY

VISUALIZING NET DENSITY

Tree Tops

LANCASTER, SOUTH CAROLINA

- 43.86 NET ACREAGE (FILLED AREA)
- 242 LOTS
- 5.12 DU/AC AVERAGE



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DENSITY

VISUALIZING NET DENSITY

Tree Tops

LANCASTER, SOUTH CAROLINA



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Gross vs. Net Density

- Gross density allows more flexibility in site development
- Net density better correlates with the visual impact of density
- Communities typically regulate either maximum gross density or maximum net density
- Some communities regulate maximum gross density and minimum net density in order to encourage compact development with significant open space
- The calculation of net density varies by community (i.e., which elements are excluded from net land area)

County Council Input Needed:

- Should we explore alternative methods for calculating density?

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