MINUTES OF THE LANCASTER COUNTY PLANNING COMMISSION WORKSHOP MEETING

September 4, 2025 5:00 P.M.
MINUTES

Chairman Richards called the meeting to order at 5:00 p.m.

1. **Roll Call**:

Commissioners Present:

CHAIR Michelle Richards, Dist. 5
VICE-CHAIR Judianna Tinklenberg, Dist. 4
Lynette Hinson, District 3
Jason Cavalier, Dist. 1
~~T. Yokima Cureton, District 2~~
~~Sheila Hinson, Dist. 6~~
Frances Liu, Dist. 7

Absent: Sheila Hinson; Yokima Cureton

Staff Present: Dennis Marstall, County Administrator
April Williams, Planning Director
Matthew Blaszyk, Planner
Jennifer Bryan, Planning Technician
Corey Barnes, Planner
Kirsten Willis, Planner

The following press were notified of the meeting by email in accordance with the Freedom of Information Act: The Lancaster News, Kershaw News Era, The Rock Hill Herald, The Fort Mill Times, Cable News 2, Channel 9, and the local Government Channel.

2. **Presentation: CIP & Impact Fees Resolution 1307-R2025**

   Directing Planning Commission to conduct studies and recommend a Capital Improvement Plan and Impact Fee - Dennis Marstall

   Mr. Marstall thanked the Commissioners for their service, and introduced the Resolution from Council. The resolution directing Planning Commission to undertake feasibility studies is the first step toward instituting impact fees in the remainder of Lancaster County. Impact fees have already been instituted in the Panhandle (north of Highway 5).

The process is as follows:

- Council issues resolution directing Planning Commission to undertake studies.
- With the assistance of Planning and Procurement staff, the Commission will develop an RFP (Request for Proposals)
  to invite consultants to submit their proposals.
- Procurement will initiate the RFP process and direct proposals to the Commission for review.
- The Commission will choose a consultant and commission the necessary study.
- Once the studies are completed, Planning Commission will receive the results and make a recommendation to Council based on the information.
- Council will take the recommendations under advisement for the next fiscal year budget cycle and allot the necessary funds if a proposal is approved.

  Next step: Mr. Marstall will direct Procurement to provide RFP templates and draft text for review and amendment by the Commission.

  The Planning Director will coordinate with the Commission Chair about scheduling a Special Meeting for review and discussion of the RFP draft.

3. Old Business

a. **DA-2021-0528 ARBOR MEADOWS** (aka DA-2025-1506)
   Application by AM Group Landholdings LLC for a Development Agreement for Arbor Meadows development (SD-2021-0528) at TM 0087-00-105.00, a single-family residential development of 92 lots on 47.47 acres.

Staff : April Williams, Planning Director

Discussion Points:

- Redline additions are the Planning Director's recommendations
- More information about developments throughout the county would be helpful for assessing Development Agreements.
- Planning Director and Commissioner Cureton will coordinate efforts to get information about City of Lancaster projects.

b. **<u>SD-2024-1442 Shadow Moss</u>**
Application by Prestige Development & Site Works LLC and Michael McCarter for a Preliminary Plat for 52.235 acres located off Hilldale Drive (TM-0080-00-033.00) to develop a 98-lot single family residential community

<u>Staff :</u> Matthew Blaszyk, Planner

<u>Discussion Points</u>:
- Current revision resolves all TRC Comments
- Connectivity to other parcels is a code requirement, not and indicator of intended development.
- Fire access road will be gated and controlled by Fire Department

4. **<u>New Business</u>**

a. **<u>RZ-2024-1281: WHITEHALL PHASE 2</u>**
Application by Coulston Development and Pinnacle Homes USA LLC to rezone 60.02 acres off Flat Creek Road (TM 0080-00-061.00) from Rural Neighborhood to Medium Density Residential, with the intention of developing Whitehall Phase 2 residential subdivision. Concurrent with Comprehensive Plan Amendment application CP-2024-1281

<u>Staff</u> : Kirsten Willis, Planner

<u>Discussion</u>:

Current zoning allows up to 60 homes

b. **<u>CP-2024-1281 Whitehall Phase 2</u>**
Application by Coulston Development and Pinnacle Homes USA LLC for a Comprehensive Plan/Future Land Use Amendment for 60.02 acres off Flat Creek Road (TM 0080-00-061.00), to change the Future Land Use designation from Rural to Growth Area. Concurrent with rezoning application RZ-2024-1281

<u>Staff</u> : Kirsten Willis, Planner

<u>Discussion</u>: No additional discussion

c. **<u>RZ-2024-1663 Meritage Homes</u>**
Application by Tim Sheehy for Meritage Homes of the Carolinas to rezone approximately 355 acres located between Charlotte Highway and Activity Drive (TM# 0044-00-0006.00) from Rural Residential (RR) to Medium Density Residential (MDR) District, to allow development of a single-family residential neighborhood.

<u>Staff</u>: Matthew Baszyk, Planner

<u>Discussion</u>:
- FLU designation is Growth, compatible with this request.
- A Community Meeting was held at Springdale Recreation Center and was well attended.
- No Development Agreement is proposed, therefore there is no means to hold developer to proposals such as land for school. Developer has stated they are willing to work with the School District.
- Road designation for access to the school is problematic—must be a Collector Road.

d. **<u>RZ-2025-1292 MPV Activity Road</u>**
Application by Mike Bilodeau/ MPV Properties for 521Lancaster LLC to rezone approximately 48.339 acres located at Charlotte Highway near Lewis McAteer Rd. (TM# 0044-00-004.00 and p/o 0044-00-006.00) from Rural Residential (RR) to General Business (GB) District, to allow development as a commercial property.

<u>Staff</u>: Corey Barnes, Planner

<u>Discussion</u>:
- FLU designation is Growth: compatible with this proposal.
- Does the commercial plan complement the residential plan well?
- Commercial property is beneficial but it does bring external traffic to the neighborhood.
- Developer is working in conjunction with Lennar’s development proposal (north) and Meritage residential development (east)
- The developer is the same as created Redstone
- School location is not optimal, and no money is offered for the school facility itself. The Commission can require that any land donation be “pad ready.”
- There is no guarantee the residential project will not change to age-restricted, as has happened elsewhere.

e. **<u>RZ-2025-1648 Covepoint</u>**
Application by Covepoint Development Group and Carolina Development Services LLC to rezone approximately 498 acres off Riverside Road (TM 0031-00-015.00) from Rural Neighborhood (RN) to Medium Density Residential (MDR), with the intent of developing a single-family residential subdivision. Concurrent with Comprehensive Plan Amendment application CP-2025-1648

Staff Presentation: Kirsten Willis

<u>Discussion Points</u>:
Concern regarding potential onsite wastewater treatment instead of septic.

f. **<u>CP-20251648 Covepoint</u>**
Application by Covepoint Development Group and Carolina Development Services LLC for a Comprehensive Plan/Future Land Use amendment for approximately 498 acres off Riverside Road (TM 0031-00-015.00), to change the designation from Rural to Growth Area, with the intent of developing a single-family residential subdivision. Concurrent with rezoning application RZ-2025-1648.

Staff Presentation: Kirsten Willis

<u>Discussion Points:</u>
FLU designation is Economic Development/Rural; Council has previously expressed concern over preserving Econ. Development and Light Industrial property

g. **<u>CP-2025-2062 Kershaw Land Use Addendum</u>**
Addendum to the County Comprehensive Plan, updating the Future Land Use Plan for the Town of Kershaw.

<u>Staff:</u> Kirsten Willis, Planner

<u>Discussion Points:</u>
This will go to County Council before being referred back to Kershaw for final approval.

h. <u>Kershaw Annexation: 275 W. Second Street</u>

Application by Danny Lee Terry II to annex a property of approximately 1.2 acres located at 275 W. Second Street (TM 0114-00-052.00) into the Town of Kershaw

<u>Staff:</u> Jennifer Bryan, Planning Technician

<u>Discussion Points:</u>
A wider range map showing location in context of town would be helpful

i. <u>NRN-2025-1834: Quiet Rail Court</u>

Application by Autobahn Homes Inc to name a private driveway adjacent to 1110 Lancashire Drive (TM 0002J-0A-031.00) pursuant to Sec. 6.11.4.G of the Unified Development Ordinance. The proposed name of the private drive is Quiet Rail Court.

<u>Staff:</u> Jennifer Bryan, Planning Technician

<u>Discussion Points</u>
Reviewed by Sandra Burton; meets requirements for naming conventions. Signature of owner of other two lots on cul-de-sac is needed.

j. <u>Amendment to Rules of Procedures</u>

Proposed amendment to rules:
Commissioner Liu proposes amendment to allow for abstention from votes.
Planning Director proposes amendment specifying that Secretary is a rolling position: "administrative assistant to Planning Department or designated substitute."

Drafted amendments will be provided for vote at the regular meeting.

Other matters: Planning Director will email Commissioners about CE training dates, and potential dates for feld trip/workshops.

5. <u>Adjourn</u>

Meeting was adjourned at **<u>6:20 PM</u>**

SECTION 6-1-930. Developmental impact fee.

(A)(1) Only a governmental entity that has a comprehensive plan, as provided in Chapter 29 of this title, and which complies with the requirements of this article may impose a development impact fee. If a governmental entity has not adopted a comprehensive plan, but has adopted a capital improvements plan which substantially complies with the requirements of Section 6-1-960(B), then it may impose a development impact fee. A governmental entity may not impose an impact fee, regardless of how it is designated, except as provided in this article. However, a special purpose district or public service district which (a) provides fire protection services or recreation services, (b) was created by act of the General Assembly prior to 1973, and (c) had the power to impose development impact fees prior to the effective date of this section is not prohibited from imposing development impact fees.

(2) Before imposing a development impact fee on residential units, a governmental entity shall prepare a report which estimates the effect of recovering capital costs through impact fees on the availability of affordable housing within the political jurisdiction of the governmental entity.

(B)(1) An impact fee may be imposed and collected by the governmental entity only upon the passage of an ordinance approved by a positive majority, as defined in Article 3 of this chapter.

(2) The amount of the development impact fee must be based on actual improvement costs or reasonable estimates of the costs, supported by sound engineering studies.

(3) An ordinance authorizing the imposition of a development impact fee must:

(a) establish a procedure for timely processing of applications for determinations by the governmental entity of development impact fees applicable to all property subject to impact fees and for the timely processing of applications for individual assessment of development impact fees, credits, or reimbursements allowed or paid under this article;

(b) include a description of acceptable levels of service for system improvements; and

(c) provide for the termination of the impact fee.

(C) A governmental entity shall prepare and publish an annual report describing the amount of all impact fees collected, appropriated, or spent during the preceding year by category of public facility and service area.

(D) Payment of an impact fee may result in an incidental benefit to property owners or developers within the service area other than the fee payor, except that an impact fee that results in benefits to property owners or developers within the service area, other than the fee payor, in an amount which is greater than incidental benefits is prohibited.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-940. Amount of impact fee.

A governmental entity imposing an impact fee must provide in the impact fee ordinance the amount of impact fee due for each unit of development in a project for which an individual building permit or certificate of occupancy is issued. The governmental entity is bound by the amount of impact fee specified in the ordinance and may not charge higher or additional impact fees for the same purpose unless the number of service units increases or the scope of the development changes and the amount of additional impact fees is limited to the amount attributable to the additional service units or change in scope of the development. The impact fee ordinance must:

(1) include an explanation of the calculation of the impact fee, including an explanation of the factors considered pursuant to this article;

(2) specify the system improvements for which the impact fee is intended to be used;

(3) inform the developer that he may pay a project's proportionate share of system improvement costs by payment of impact fees according to the fee schedule as full and complete payment of the developer's proportionate share of system improvements costs;

(4) inform the fee payor that:

(a) he may negotiate and contract for facilities or services with the governmental entity in lieu of the development impact fee as defined in Section 6-1-1050;

(b) he has the right of appeal, as provided in Section 6-1-1030;

(c) the impact fee must be paid no earlier than the time of issuance of the building permit or issuance of a development permit if no building permit is required.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-950. Procedure for adoption of ordinance imposing impact fees.

(A) The governing body of a governmental entity begins the process for adoption of an ordinance imposing an impact fee by enacting a resolution directing the local planning commission to conduct the studies and to recommend an impact fee ordinance, developed in accordance with the requirements of this article. Under no circumstances may the governing body of a governmental entity impose an impact fee for any public facility which has been paid for entirely by the developer.

(B) Upon receipt of the resolution enacted pursuant to subsection (A), the local planning commission shall develop, within the time designated in the resolution, and make recommendations to the governmental entity for a capital improvements plan and impact fees by service unit. The local planning commission shall prepare and adopt its recommendations in the same manner and using the same procedures as those used for developing recommendations for a comprehensive plan as provided in Article 3, Chapter 29, Title 6, except as otherwise provided in this article. The commission shall review and update the capital improvements plan and impact fees in the same manner and on the same review cycle as the governmental entity's comprehensive plan or elements of it.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-960. Recommended capital improvements plan; notice; contents of plan.

(A) The local planning commission shall recommend to the governmental entity a capital improvements plan which may be adopted by the governmental entity by ordinance. The recommendations of the commission are not binding on the governmental entity, which may amend or alter the plan. After reasonable public notice, a public hearing must be held before final action to adopt the ordinance approving the capital improvements plan. The notice must be published not less than thirty days before the time of the hearing in at least one newspaper of general circulation in the county. The notice must advise the public of the time and place of the hearing, that a copy of the capital improvements plan is available for public inspection in the offices of the governmental entity, and that members of the public will be given an opportunity to be heard.

(B) The capital improvements plan must contain:

(1) a general description of all existing public facilities, and their existing deficiencies, within the service area or areas of the governmental entity, a reasonable estimate of all costs, and a plan to develop the funding resources, including existing sources of revenues, related to curing the existing deficiencies including, but not limited to, the upgrading, updating, improving, expanding, or replacing of these facilities to meet existing needs and usage;

(2) an analysis of the total capacity, the level of current usage, and commitments for usage of capacity of existing public facilities, which must be prepared by a qualified professional using generally accepted principles and

professional standards;

(3) a description of the land use assumptions;

(4) a definitive table establishing the specific service unit for each category of system improvements and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, agricultural, and industrial, as appropriate;

(5) a description of all system improvements and their costs necessitated by and attributable to new development in the service area, based on the approved land use assumptions, to provide a level of service not to exceed the level of service currently existing in the community or service area, unless a different or higher level of service is required by law, court order, or safety consideration;

(6) the total number of service units necessitated by and attributable to new development within the service area based on the land use assumptions and calculated in accordance with generally accepted engineering or planning criteria;

(7) the projected demand for system improvements required by new service units projected over a reasonable period of time not to exceed twenty years;

(8) identification of all sources and levels of funding available to the governmental entity for the financing of the system improvements; and

(9) a schedule setting forth estimated dates for commencing and completing construction of all improvements identified in the capital improvements plan.

(C) Changes in the capital improvements plan must be approved in the same manner as approval of the original plan.

HISTORY: 1999 Act No. 118, Section 1.