

Council Members

District 1: Terry Graham
District 2: Charlene McGriff
District 3: Billy Mosteller, Secretary
District 4: Jose Luis
District 5: Steve Harper, Chair
District 6: Allen Blackmon
District 7: Brian Carnes, Vice-Chair

**County Administrator**

Dennis E. Marstall

County Attorney

Ginny L. Merck-Dupont

Clerk to Council

Sherrie Simpson

November 15, 2023

4:00 PM

**101 North Main Street
Lancaster, SC 29720**

**LANCASTER COUNTY COUNCIL
COMMITTEE OF THE WHOLE
County Council Chambers, County Administration
Building, 101 North Main Street, Lancaster, SC 29720**

AGENDA

1. **Call to Order - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance and Invocation - Council Member Terry Graham**
4. **Approval of Agenda**

[deletion and additions of non-substantive matter]

5. **Citizens Comments**

*[Lancaster County Council welcomes comments and input from citizens who may not be able to attend Council meetings in person. Written comments may be submitted via mail to ATTN: Sherrie Simpson, Post Office Box 1809, Lancaster, SC, 29721, by email to Sherrie Simpson at ssimpson@lancastersc.net or by online submission by selecting the "Citizens Comments" quick link located on the County website homepage at <https://www.mylancastersc.org/>. Comments must be no longer than approximately 3 minutes when read aloud. Comments received will be acknowledged during the Citizens Comments portion of the meeting. Comments will need to be received prior to 4:00 p.m. on the day before the meeting. Please use the same link above in order to submit input/comments for Public Hearings. *Please note that any handouts presented to Council or Council Boards and Commissions become an official part of the record and a copy is attached to the legal minutes for the meeting.]*

6. **Discussion and Action Items**

- a. Lancaster County Airport Capital Improvement Plan (CIP) Update - Dennis Marstall / Paul Moses / Ken Holt
- b. Fire Growth Management Plan - Dennis Marstall / Darren Player
- c. Update on the Rewrite of the Unified Development Ordinance (UDO) regarding the Calculation of Density - Ashley Davis, Deputy Planning Director
- d. Discussion of Ordinance 2023-1865 regarding Amending the Unified Development Ordinance related to Chapter 2, Section 2.4 District Standards for Medium Density Residential (MDR)

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Chapter 2 (District Standards), Chapter 5 (Use Regulations), And Chapter 6 (Subdivision And Infrastructure Standards) Relating To The Medium Density Residential (MDR) Zoning District, On The Effective Date Of This Ordinance - ***Planning Department Case Number: UDO-TA-2023-0972. The Planning Commission recommended approval by unanimous vote. At the September 25, 2023 Council Meeting, the 1st Reading was Postponed until Council could discuss the item at the November 15, 2023 Committee of the Whole Meeting. - Allison Hardin***

- e. Discussion of Ordinance 2023-1870 regarding Amending the Unified Development Ordinance (UDO) related to Chapter 4, Section 4.4.1 Cluster Subdivision Overlay Standards

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Sections 4.4.1 (Cluster Subdivision Overlay District) On The Effective Date Of This Ordinance - ***Planning Department Case Number: UDO-TA-2023-0973. The Planning Commission recommended approval by a vote of 5-0. At the September 25, 2023 Council Meeting, the 1st Reading was Postponed until Council could discuss the item at the November 15, 2023 Committee of the Whole Meeting. - Allison Hardin***

7. Adjournment

Anyone requiring special services to attend this meeting should contact 285-1565 at least 24 hours in advance of this meeting. Lancaster County Council agendas are posted at the Lancaster County Administration Building and are available on the Website: www.mylancastersc.org

Meetings are live streamed and can be found by using the following link:
<https://www.youtube.com/@LancasterCoSCGov/streams>

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration and Paul Moses / Airport Manager

Department: Administration

Date Requested to be on Agenda: 11/15/2023

Council Action Requested:

This item is to update Council on the Airport's Capital Improvement Plan (CIP), which is due to the Federal Aviation Administration (FAA) on or before December 1, 2023.

Points to Consider:

Funding and Liability Factors:

The Capital Improvement Plan lays out the funding for the Airport for Fiscal Years 2025-2029.

Recommendation:

This item is for information only for Council and citizens.

ATTACHMENTS:

Description	Upload Date	Type
Fiscal Year 2025-2029 Capital Improvement Plan	11/9/2023	Backup Material

FY25 - FY29 Capital Improvement Plan

LOC ID

LKR

					Project Funding Plan					
FAA Fiscal Year	Project Name and Brief Description	National Priority Ranking (NPR)	AIP Eligibility - Reference AIP Handbook	Pavement Rehabilitation Projects Insert PCI	Total Project Cost	AIP Entitlements (150,000 per/yr)	BIL/AIG Infrastructure Funding (159,000 per/yr)	State Participation	Sponsor Participation	PFC Funds
2024	(Ancillary Improvements Site Work) Construction - Reimbursement	N/A	Page N-10, Table N-7, (e.)	N/A	\$0	\$0	\$145,000	\$8,056	\$0	N/A
	Carry Over AIP Entitlement Funding (Hangar Design & Construction)	N/A	N/A	N/A	\$0	\$300,000	\$0	\$0	\$0	
					\$0	\$0	\$145,000	\$8,056	\$0	
	2024 TOTAL				\$0	\$0	\$145,000	\$8,056	\$0	
2025	(Ancillary Improvements Site Work) Construction - Reimbursement	N/A	Page N-10, Table N-7, (e.)	N/A	\$0	\$0	\$145,000	\$8,056	\$0	N/A
	Carry Over AIP Entitlement Funding (Hangar Design & Construction)	N/A	N/A	N/A	\$0	\$450,000	\$0	\$0	\$0	
					\$0	\$0	\$145,000	\$8,056	\$0	
	2025 TOTAL				\$0	\$0	\$145,000	\$8,056	\$0	
2026	(Ancillary Improvements Site Work) Construction - Reimbursement	N/A	Page N-10, Table N-7, (e.)	N/A	\$0	\$0	\$145,000	\$8,056	\$0	N/A
	Hangar (125' x 125') - Design	31	Page O-6, Table O-3, (f.)	N/A	\$200,000	\$180,000	\$0	\$2,000	\$18,000	
	Carry Over AIP Entitlement Funding (Hangar Construction)	N/A	N/A	N/A	\$0	\$420,000	\$0	\$0	\$0	
	2026 TOTAL				\$200,000	\$180,000	\$145,000	\$10,056	\$18,000	
2027	Hangar (125' x 125') - Construction	31	Page O-6, Table O-3, (f.)	N/A	\$2,000,000	\$570,000	\$0	\$20,000	\$1,410,000	N/A
					\$2,000,000	\$570,000	\$0	\$20,000	\$1,410,000	
	2027 TOTAL				\$2,000,000	\$570,000	\$0	\$20,000	\$1,410,000	
2028	Carry Over AIP Entitlement Funding	N/A	N/A	N/A	\$0	\$150,000	\$0	\$0	\$0	N/A
					\$0	\$0	\$0	\$0	\$0	
	2028 TOTAL				\$0	\$0	\$0	\$0	\$0	
2029	Carry Over AIP Entitlement Funding	N/A	N/A	N/A	\$0	\$300,000	\$0	\$0	\$0	N/A
					\$0	\$0	\$0	\$0	\$0	
	2029 TOTAL				\$0	\$0	\$0	\$0	\$0	

NOTE: FAA fiscal year 2024 shown for reference.

NOTE: Capital Project Sales Tax 3 will provide \$900,000.

November 1, 2023

Additional Funds Needed (Discretionary and/or State Apportionment)
\$0
\$0
\$0
\$0
\$0
\$0
\$0
\$0
\$0
\$0
\$0
\$0
\$0
\$0
\$0
\$0

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 11/15/2023

Council Action Requested:

Receive information about future fire service needs related to fire apparatus and stations.

Points to Consider:

The County has taken responsibility to provide for fire apparatus across the County, including stipulated arrangements with the municipalities.

In 2016, the County issued \$7 million in general obligation bonds to purchase 18 different fire apparatus, including:

- 10 custom cab engines
- 2 custom pumper/tankers
- 1 dry side pumper
- 5 rescue trucks

That bond was paid off in March 2023.

The Fire Commission has identified an immediate need for 24 vehicles and fire apparatus totaling \$16.7 million, with a desire to purchase 36 vehicles and apparatus totaling nearly \$27 million dollars.

The first 24 vehicles would provide a new fire vehicle or apparatus for each of the 20 fire stations and replace a number apparatus that are more than 25 years old.

Given current supply chain issues, it is now projected to take an average of four years from the date of order to the date of receipt for a basic fire truck.

In addition to the fire apparatus, three new fire stations, in strategic locations across the County, have been identified within the next five years.

A new fire station on average can cost \$6 million, not including land costs.

This presentation will highlight these requests as well as present some options to plan and fund the purchase of these fire service request.

Funding and Liability Factors:

The County can utilize its general obligation bond capacity to fund apparatus purchases and station projects, as it has done in the past. These would be paid back through the existing county property tax structure. However, given the large amount requested, it would leave little bonding capacity for other County capital needs to be funded through general obligation bonds.

The County Council could consider a new property tax millage, just for fire service capital equipment and building expenses. There are several fire millage scenarios that could be implemented to help provide the funding needed to address the Fire Service requests that will be presented at this meeting.

Recommendation:

Provide feedback on the fire service capital purchase request and potential funding avenues to pay for such purchases.

ATTACHMENTS:

Description	Upload Date	Type
Fire Apparatus Request	11/9/2023	Backup Material

LANCASTER COUNTY FIRE SERVICE

Department Vehicle Replacement

Fire Commission - Administration			New Unit Cost
<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
(HAZ)	1985 C70 Chevrolet Hazmat	Replacement Plan	\$1,450,000.00
(SCHOOL)	1991 International Engine	Replacement Plan	\$970,000.00
County Wide Rescue	County Wide Rescue	County Wide Rescue	\$1,450,000.00
(County Spare)	1998 KME/Ford Engine	Replacement Plan - 25	\$970,000.00
Antioch Fire Department - Station 1			
<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
121	1998 KME/Ford Tanker	25 & Replacement Plan	\$515,000.00
Bell Town Fire Department - Station 2			
<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
221	2005 Seagrave Int. Tanker	Replacement Plan - Current owned by station	\$515,000.00
Buford Fire Department - Station 3			
<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
321	1998 KME/Ford Tanker	25 & Replacement Plan	\$515,000.00
Camp Creek Fire Department - Station 4			
<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
421	2006 Seagrave Int. Tanker	Replacement Plan - Current owned by station	\$515,000.00
Van Wyck Fire Department - Station 5			
<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
521	1998 KME/Ford Tanker	25 & Replacement Plan	\$515,000.00
Elgin Fire Department - Station 6			
<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
622	2006 FES Kenworth Tanker	Replacement Plan - Current owned by station	\$515,000.00

LANCASTER COUNTY FIRE SERVICE
Department Vehicle Replacement

Flat Creek Fire Department - Station 7

<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
731	2004 Ford F550 Rescue 4X4	Replacement Plan	\$615,000.00

Gooches Fire Department - Station 8

<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
821	1998 KME/Ford Tanker	25 & Replacement Plan	\$515,000.00

Heath Springs Fire Department - Station 9

<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
921	2005 Seagrave Ken. Tanker	Replacement Plan - Current owned by station	\$515,000.00

Indian Land Fire Department - Station 10

<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
1002	2007 Pierce Engine	Replacement Plan	\$1,040,000.00

Kershaw Fire Department - Station 11

<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
1121	1998 KME/Ford Tanker	25 & Replacement Plan	\$515,000.00

McDonald Green Fire Department - Station 12

<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
1231	2005 Ford F550 4X4 Rescue	Replacement Plan	\$615,000.00

Pleasant Valley Fire Department - Station 14

<u>Unit</u>	<u>Vehicle Type</u>	<u>Age of Apparatus</u>	
1402	2004 Spartan/Smeal Engine	Replacement Plan	\$1,040,000.00

LANCASTER COUNTY FIRE SERVICE

Department Vehicle Replacement

Rich Hill Fire Department - Station 15

Unit

1531

Vehicle Type

2009 Pierce/Int. Squad

Age of Apparatus

Replacement Plan - Move to Spare

\$615,000.00

Riverside Fire Department - Station 16

Unit

1621

Vehicle Type

1998 KME/Ford Tanker

Age of Apparatus

25 & Replacement Plan

\$515,000.00

Shiloh Zion Fire Department - Station 17

Unit

1721

Vehicle Type

1998 KME/Ford Tanker

Age of Apparatus

25 & Replacement Plan

\$515,000.00

Tradesville Fire Department - Station 18

Unit

1831

Vehicle Type

1994 Chevrolet Squad

Age of Apparatus

29 & Replacement Plan - Current owned by station

\$615,000.00

Unity Fire Department - Station 19

Unit

1921

Vehicle Type

1998 KME/Ford Tanker

Age of Apparatus

25 & Replacement Plan

\$515,000.00

Lancaster Fire Department

Unit

Engine 1

Vehicle Type

2007 KME Engine

Age of Apparatus

18 & Replacement Plan

\$1,040,000.00

Lancaster County Fire Service Trailers

Unit

LIGHT

Vehicle Type

TRAILER - LIPP

Age of Apparatus

Replacement including tax

\$38,605.68

\$11,500.00 TAX

\$16,650,105.68

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: A. Davis / Planning

Department: Planning

Date Requested to be on Agenda: 11/15/2023

Council Action Requested:

Provide staff with direction on how Council would prefer to see density calculated in the new Unified Development Ordinance (UDO).

Points to Consider:

In the current UDO, residential density is calculated by gross acreage. In prior meetings some members of Council indicated that they would like density to be calculated differently in the new UDO.

We have reached a point in the drafting of the UDO where we need to determine how we would like to calculate density. In the presentation, Planning Staff will outline three potential paths for density calculation.

Funding and Liability Factors:

N/A

Recommendation:

Provide feedback on calculation of density for the new UDO.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2023-1865 / Planning Case Number: UDO-TA-2023-0972

Contact Person / Sponsor: A. Hardin / Planning

Department: Planning

Date Requested to be on Agenda: 11/15/2023

Council Action Requested:

Consider the following text amendment to the UDO: Chapter Two, Sec 2.4 District Standards (MDR): Application by Planning Department on behalf of County Council to amend standards for MDR district, regarding lot size, front setbacks, usable open space, block length, and density calculation.

Points to Consider:

Please see attached staff report.

Funding and Liability Factors:

N/A

Recommendation:

Provide feedback on Ordinance 2023-1865.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2023-1865	9/26/2023	Ordinance
Staff Report	8/8/2023	Ordinance
Application	7/12/2023	Exhibit

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2023-1865

COUNTY OF LANCASTER

)

)

AN ORDINANCE

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”) CHAPTER 2 (DISTRICT STANDARDS), CHAPTER 5 (USE REGULATIONS), AND CHAPTER 6 (SUBDIVISION AND INFRASTRUCTURE STANDARDS) RELATING TO THE MEDIUM DENSITY RESIDENTIAL (MDR) ZONING DISTRICT, ON THE EFFECTIVE DATE OF THIS ORDINANCE

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Determinations.

The Council of Lancaster County (“Council”) finds and determines that:

- (a) Lancaster County initiated a full rewrite of the Unified Development Ordinance (UDO) in October 2021 to address substantive issues with the UDO, has retained a UDO consultant to assist in the full rewrite of the UDO, and the full rewrite is expected to take another twelve (12) to eighteen (18) months to complete.
- (b) Development interest and activity in Lancaster County continues to increase, particularly in the single-family housing market.
- (c) Lancaster County Council has previously expressed their interest in amending the regulations for medium density residential districts, and assigned staff to research and edit the regulations separate from the UDO rewrite.
- (d) Staff did research the single-family housing market, housing needs, and the current situation of housing costs and how they are out of reach of 75% of the households in the area, and found the following information:
 - i. Lancaster County has a severe shortage of housing that is affordable to “workforce” buyers (professional and blue-collar employees).
 - ii. Lancaster County regulations, including prohibition of “missing middle” housing types, has contributed to this shortage.
 - iii. Lancaster County residents have complained frequently about traffic and parking in their neighborhoods.

Based on this information, amendments were recommended and presented to the Planning Commission for review.

- (e) The text amendment is consistent with the goals of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as applicable provisions of South Carolina Code, Title VI.
- (f) Lancaster County Planning Commission considered the proposed text amendment at its meeting on July 18, 2023 and unanimously recommended approval (6-0) for this amendment.

Section 2. Amendment of Ordinance 2016-1442 (Unified Development Ordinance)

Ordinance 2016-1442 (Unified Development Ordinance), is amended as set forth in the “Interim Ordinance - Exhibit 1” attached hereto and incorporated herein by reference.

Section 3. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance, to the extent to of the conflict, supersede all other provisions and this ordinance is controlling.

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: December 11, 2023
Second Reading: January 8, 2024
Third Reading: January 22, 2024
Public Hearing: January 22, 2024

Approved as to form:

Virginia Merck-Dupont, County Attorney

PROPOSED TEXT AMENDMENTS

Language proposed for deletion is ~~striketrough~~

Language proposed for addition is highlighted and underlined

Section 2.3 Districts Described – Medium Density Residential (MDR): The Medium Density Residential District is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.

Section 2.4 Development Standards

MDR

1. DEVELOPMENT STANDARDS	
A. District/Development Area (min)	n/a
B. Development/District Exterior Setback/Buffer	n/a
C. Density (max)	2.5 units/acre
D. Open Space (min)	20%
E. Park Space (min)	5%
2. LOT STANDARDS	
A. Lot Area (min)	10,000 sf
B. Lot Width at Front Setback (min)	70 ft Water/Sewer OR 130 ft Septic See Below (5)
C. Pervious Surface (min)	45%
3. PRINCIPAL BUILDING	
A. Principal Front Setback (min)	30 ft
B. Street Side/Secondary Front Setback (min)	15 ft
C. Side (from adjacent lot) Setback (min)	10 ft
D. Rear Setback (min)	25 <u>20</u> ft
E. Other Standards	<u>n/a Garages, when facing a street, must be set back at least 40 feet from the right-of-way</u>
4. ACCESSORY STRUCTURE	
A. Side Setback	5 ft
B. Rear Setback	5 ft
C. Other Standards	See Below (1, 2)
MDR CONTINUED	

5. PARKING CONFIGURATION	
A. Parking Location per Section 7.2.3	See Chart 7.2
B. Parking in Exterior Setback/Buffer	n/a
C. On-street Parking	Not allowed
6. BUILDING HEIGHT	
A. Principal Building (max)	35 ft
B. Accessory Structure (max)	2 stories
C. Additional Height Permitted with Additional Setback	n/a

1. Accessory structures over 600 sf must comply with principal setback requirement.
2. No accessory structures may be located on corner lots between the street and wall line of the principal structure.
3. No accessory structures may be located on corner lots between the street and wall line of the principal structure, unless front setback requirements are provided on both streets.
4. For any nonresidential structure which is located immediately adjacent to a single-family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.
5. For any development/subdivision connected to both public water and sewer shall utilize the alternate dimensional standards given in the table.

5.2 RESIDENTIAL USES

5.2.1 DWELLING – TWO FAMILY [MDR, PB, HDR]

A. Building Location:

1. Two Family Dwellings shall be limited to one per block face in MDR zones.
2. Two Family Dwellings of two stories or more shall require one of the following design components on each side of the building that abuts a single family detached structure:
 - a. Increase the side yard setback by five (5) feet in addition to what is already required (Item 2 below); or
 - b. Plant a Type A buffer between the two-family dwelling and single family detached unit (Item 3 below); or
 - c. “Stepping down” structure height to one story on the sides abutting the single family detached unit for a minimum of ten (10) feet in depth (Items 1 and 4, below).



B. Building Type: Two Family Dwellings (duplexes) shall be restricted to the Detached House building type as shown in Chapter 3 with a maximum of 2 units designed to blend in with single family homes in the surrounding block, including using the same exterior building materials as other properties on the block.

C. Exterior Appearance

1. Two Family Dwellings shall be designed such that a maximum of two (2) main entrances are on the fronting facade. Additional building entrances may be provided on the side and rear of the building.
2. Two Family Dwellings on corner lots ~~must~~ may be designed such that a building entrance is on each facade fronting a street.

6.2.5 OTHER RELEVANT STANDARDS FOR SITE PLANS AND SUBDIVISIONS

In addition to the standards found in this chapter, these standards in the following may also apply:

- All sections of Chapter 7: General Development Standards
- All sections of Chapter 8: Natural Resources Protection
- Grading will be planned in phases, to retain tree cover for as long as possible, and minimize sediment runoff. The phasing plan must be reviewed and approved by staff and the Planning Commission during the preliminary plat review process. Any changes in phasing that affect infrastructure (streets, water, sewer, etc.) will require re-review by staff and Planning Commission.

PROPOSAL: Amend Unified Development Ordinance Standards for Medium Density Residential District.

APPLICABLE CHAPTER(S): UDO Chapter 2, Chapter 5, Chapter 6

APPLICANT: Lancaster County Council

STATED CONCERN: “Changes are intended to address known issues...related to front setbacks, usable open space, lot sizes, ...and density calculation.”

BACKGROUND:

Growth management has been an active discussion with the County Council over the course of the last years. Many discussions have focused on the Medium Density Residential (MDR) zone and cluster housing option for subdivision development. Staff has noted complaints on both sides of the MDR coin (too much and not enough density), and also the cluster development option (too much density and not enough usable space left for development).

There have been two attempts in the last twelve months to “fix” the Medium Density Residential (MDR) zoning district. The first attempt, “flex” zoning, was drafted in 2022 after months of research. It was perceived as too complex, and there were questions about how it would fit into the pending Unified Development Ordinance (UDO) rewrite. It failed to receive full Council support.

Afterwards, citizen engagement prompted the County Council to initiate other proposed changes to the Medium Density Residential (MDR) Zoning District and the associated Cluster Subdivision Overlay District (CSOD). The underlying intent of the amendments (as understood by staff) included: 1) Decreasing density of residential developments, 2) Increasing residential lot sizes, 3) Increasing useable open space acreage in neighborhoods, 4), Breaking up residential block faces, and 5) Expanding driveway parking within neighborhoods.

This second attempt, increasing the minimum lot size with variable lot options under cluster zoning, was made earlier this year. It was perceived as a regulation that would increase the cost of residential housing and failed to pass. Staff then asked for time to separate the two issues in order to reach a resolution.

In the months since the flex option was denied, Lancaster County Council has continued to hear many times from residents in the Indian Land area that there is too much residential development in their area. They primarily report issues with traffic, both on Hwy 521 and on local connectors to the highway, and request a moratorium on new development.

Lancaster County staff have heard complaints about housing as well, most of which can be lumped into one of three topics:

- The challenge in finding housing that is affordable to the “working class”
- Inability of new residents to add on to their existing homes due to lack of space or yard for accessory units, pools, etc.
- Developer interest in creating more lots for sale or development

Recently, there has been some support resurfacing for the flex zoning concept, especially from developers. Staff has also been investigating other concepts, including sunrise/sunset zoning, mandatory periodic review, and algorithmic review models (scorecards based on how a project addresses the community goals).

In this report, staff discusses the county’s housing needs, and alternatives to address both the needs and the public’s perceived issues.

REVIEW OF CURRENT REGULATIONS – MDR

Section 2.3 Districts Described – Medium Density Residential (MDR): The Medium Density Residential District is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.

Section 2.4 Development Standards	MDR
1. DEVELOPMENT STANDARDS	
A. District/Development Area (min)	n/a
B. Development/District Exterior Setback/Buffer	n/a
C. Density (max)	2.5 units/acre
D. Open Space (min)	20%
E. Park Space (min)	5%
2. LOT STANDARDS	
A. Lot Area (min)	10,000 sf
B. Lot Width at Front Setback (min)	70 ft Water/Sewer OR 130 ft Septic See Below (5)
C. Pervious Surface (min)	45%

MDR (Continued)	
3. PRINCIPAL BUILDING	
A. Principal Front Setback (min)	30 ft
B. Street Side/Secondary Front Setback (min)	15 ft
C. Side (from adjacent lot) Setback (min)	10 ft
D. Rear Setback (min)	25 ft
E. Other Standards	n/a
4. ACCESSORY STRUCTURE	
A. Side Setback	5 ft
B. Rear Setback	5 ft
C. Other Standards	See Below (1, 2)
5. PARKING CONFIGURATION	
A. Parking Location per Section 7.2.3	See Chart 7.2
B. Parking in Exterior Setback/Buffer	n/a
6. BUILDING HEIGHT	
A. Principal Building (max)	35 ft
B. Accessory Structure (max)	2 stories
C. Additional Height Permitted with Additional Setback	n/a

1. *Accessory structures over 600 sf must comply with principal setback require*
- *No accessory structures may be located on corner lots between the street and wall line of the principal structure.*
- *No accessory structures may be located on corner lots between the street and wall line of the principal structure, unless front setback requirements are provided on both streets.*
- *For any nonresidential structure which is located immediately adjacent to a single-family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.*
- *For any development/subdivision connected to both public water and sewer shall utilize the alternate dimensional standards given in the table.*

Section 2.5.3 Uses Permitted

- Dwelling, Single Family
- Gardens, Community and Private
- Class 1 and Class 2 Utilities*

Section 2.5.3 Uses Permitted with Review (Code Section that Outlines the Review Criteria)

- Dwelling, Two Family (5.2.1)
- Dwelling, Accessory (5.2.3)
- Home Occupation (5.4.2)
- Cemetery (5.6.1)

- Event Venue/Banquet Hall (5.6.2)
- Public Recreation Facilities (5.6.5)
- Child/Adult Day Care Home of five or fewer persons (5.7.1)
- Electric Vehicle Charging Stations (5.8.2)
- Backyard Pens/Coops (5.10.4)
- Farmer's Markets and Roadside Stands
- Geothermal Energy Systems (5.11.2)
- Solar Energy Systems (5.11.3)
- Wireless Communication Facility, Concealed and Up to 60 ft tall (5.11.5)
- Temporary Uses (5.12)

Section 2.5.3 Special Exceptions (Code that Outlines the Exceptions)

- Wireless Communication Facility, over 60 ft but less than 200 ft (5.11.5)

Section 2.5.3 Conditional Uses (Code Section that Outlines the Conditions)

- Places of Assembly (5.6.3)
- Schools – Elementary and Secondary (5.7.7)

* **Section 10.3 Definitions UTILITIES:** *Facilities or systems for the distribution of gas, electricity, steam, or water, the collection, treatment and disposal of sewage or refuse; the transmission of communications; of similar functions necessary for the provision of public services.
Radio transmission facilities less than 180 feet in height for use by ham radio operators or two-way radio facilities for business or governmental communications shall be deemed accessory uses and not utilities.*

Utilities are divided into 3 classes:

Class 1: *Distribution, transmission and collection lines (above and below ground) including electrical, solar panels, telephone/broadband internet, natural gas, waste water collection, and water distribution lines; pumping stations, lift stations, and telephone/broadband switching facilities (up to 200 square feet).*

Class 2: *Elevated water storage tanks; above ground natural gas facilities including regulator stations and Point of Delivery stations; package treatment plants; telephone/broadband switching facilities (over 200 square feet); substations; or other similar facilities in connection with telephone, electric, natural gas, steam, and water facilities, not including cellular communication towers.*

Class 3: *Generation, production, or treatment facilities such as power plants, water and sewage plants.*

Other Impacts to/from MDR (*Relevant Code Citations Italicized*):

- When mixed use buildings are located next to MDR zoned land, higher setback and buffer regulations are triggered to reduce the impact of a high bulk building next to a residential property zoned MDR. (*3.8.J, 5.5.4*)

- Restricted Industry (restricted industry uses, junkyards, landfills) must be at least ½ mile away from any MDR districts. (5.9.1.C.1; 5.9.2.C; 5.9.4)
- Restricted Indoor Warehouse and Wholesaling and Distribution uses must be at least ¼ mile from any MDR districts. (5.9.13.C)
- Private recycling collection stations are required to be at least 500 feet from MDR districts. (5.9.8)
- Outdoor storage yards and billboards are required to be at least 300 feet from MDR districts (5.9.10, 7.4.6.F.4), and illuminated signs must be set back at least 50 ft from any abutting property line shared with a property zoned MDR. (7.4.9.A.2)
- Outdoor theaters must be 200 feet from any adjacent property zoned MDR. (5.5.13)
- Junkyards adjacent to property zoned MDR are required to have a larger setback than from business and industrial zones. (100 ft vs 50 ft) (5.9.2.E)
- Temporary weekend flea markets must be located 250 ft from any MDR district, unless there is a four-lane road between the market and the MDR property. (5.12.4)
- Major subdivisions are required to have public water and hydrants, public sewer, street trees, paved streets, street signs, parks/open space, and sidewalks in their design. (6.3)
- Buffer yards are determined based on zone proximity to each other (7.1.5):
 - Where projects zoned AR, RR, RN, OSP, MH, LDR, MDR, or HDR abut property zoned MDR, there are no additional buffers required.
 - Where projects zoned UR, RMX, INS, MX, PB, NB, or GB abut property zoned MDR, the project must have a Type A (or, on multifamily uses, Type B) buffer.
 - Where RB, LI, HI, and M zones abut MDR zones, they are required to have a Type C buffer (most stringent requirement).
- The amount of light a project can shed onto adjacent property is significantly more limited when the adjacent property is MDR. (7.3.2.A)

RELEVANT DATA – NEW HOUSES IN LANCASTER COUNTY

Average home price in Lancaster County, June 2023:

\$405,528

Average Square Footage (2023 data to June) of New Single-Family Home:

3,503 sq ft

Median Sold Price (by Bedroom Count) in Lancaster County:

# BEDS	JUN 2022	JUN 2023	% INCREASE OVER 2022
1	\$110K	\$160K	+45.5%
2	\$297.3K	\$300K	+0.9%
3	\$303K	\$325K	+7.2%
4	\$459.2K	\$480K	+4.5%
5+	\$602.2K	\$625K	+3.8%

Source: RocketHomes

Homes for Sale (by Bedroom Count) in Lancaster County:

# BEDS	MAY 2023	JUN 2023	% CHANGE (+ OR -)
1	0	0	0.0%
2	60	72	+20.0%
3	241	243	+0.8%
4	126	120	-4.8%
5+	61	65	+6.6%

Source: RocketHomes

New Single-Family Home Construction in Lancaster County, 5 Year Review:

Single Family Homes in Lancaster County by year	Total sq. ft. of SF built in county	Average sq. ft. of a home (single family homes only)	Total number of homes permitted
2019	3,883,718	3,130	1,241
2020	4,888,779	3,460	1,413
2021	4,535,411	3,646	1,244
2022	3,561,567	3,579	995
2023	1,180,624	3,503	337

Source: Lancaster County Building Inspections

Affordability of New Single-Family Home Construction (2023):

Median New Home Price, June 2023	Household Income Needed to Qualify	Total Number of Households	Households Unable to Afford the Median Price	Percent Unable to Afford Median Price
SC: \$404,514	\$118,055	2,216,805	1,597,965	75%
CLT Area: \$469,445	\$138,191	1,119,126	847,316	76%

Source: National Association of Home Builders

NAHB Blog (<https://www.nahb.org/blog>) Lot Shortage Eases but Still a Problem

Obtaining lots for new homes remains a challenge for many of NAHB's builders, but the shortages are not as widespread as they were in 2021, according to responses to the May 2023 survey for the NAHB/Wells Fargo Housing Market Index (HMI).

Nearly half (42%) of single-family home builders characterized the supply of lots simply as low, and another 25% said the supply was very low. That total (67%) is down from 76% who reported shortages in the September 2021 survey, but is still the second highest incidence of lot shortages on record since NAHB began collecting the information in 1997.

The current percentage of builders reporting a shortage of lots is particularly high relative to the current level of production. Over the past six months, total housing starts have been hovering around an annual rate of 1.4 million. In comparison, in 2005 when total housing starts peaked at more than 2 million, 53% of builders were reporting lot shortages.

One factor contributing to the lot shortage is availability of credit for developers. **Loans to develop new residential lots** (<https://eyeonhousing.org/2023/05/rates-on-development-andconstruction-loans-continue-to-climb/>) were becoming both harder to obtain and more expensive over the prior year. Government regulation — which can lengthen and complicate the lot development process and add to its cost — is another factor.

(Published June 2023)

Current MDR Requirements leave property on the table:

Per acre...	43,560 sq ft
Open space requirement, 20%	- 8,712 sq ft
Park space requirement, 5%	- 2,178 sq ft
Minimum lot size (10,000 sq ft) x 2.5	<u>-25,000 sq ft</u>
Remaining square footage per acre	7,670 sq ft

STAFF ASSUMPTIONS:

- Lancaster County has a severe shortage of housing that is affordable to “workforce” buyers (professional and blue-collar employees).
 - Lancaster County regulations have contributed to this housing shortage by not having enough options for homes that are not detached single-family houses.
 - Fewer lots in rotation for development leads to higher cost per lot (principles of supply vs demand).
 - Previous development projects, in the Panhandle particularly, did not address traffic impacts well enough.
 - **A balanced code for mid-level housing and subdivisions can address these issues.**
-

OPTIONS to address concerns:

- **Add parking plan requirement for overflow; require parking to be on private lands (off street).**
 - There have been many complaints logged by staff regarding conflicts in subdivisions with on-street parking. Parking should not be allowed on-street unless the street width can accommodate public safety apparatus at the same time as a parked car on-street.
- **Allow flexible types of housing to address the “missing middle” housing options. (Ref: <https://missingmiddlehousing.com/types>)**
 - Townhouses, duplexes, triplexes and cottage courts could be utilized with the proper development standards.
 - Parts of the county could be designated as density-ready areas and given density bonuses for incorporating multiple types of housing.
 - Code changes that go along with this include flexible lot sizes, increased buffering (either by setbacks, landscaping, or both), variable front setbacks (garages must be far enough back to park cars), and clustered parking areas near open space.
- **Work with a receptive developer to create a pilot neighborhood to try out the regulations before applying them county-wide.**
- **Require phasing to reduce mass grading.**
 - Staff have received many complaints about entire development sites being taken down all at once; it provides challenges for sediment management as well.
 - Phasing the plans would allow trees to remain in sectors until the development progresses to the next phase.

OTHER ALTERNATIVES:

- **Reconsider flexible zoning options.**
 - Zoning regulations that give developers options for varied sizes of lots, lot widths, and setbacks (with proper screening) give the developer more financial options with the goal of giving the buyers more available price points.
- **Incorporate Traditional Neighborhood Design concepts into the MDR.**
 - Think walkable neighborhoods with safe, public open spaces.
 - This option takes more staff review and is stricter but results in desirable projects.

ADD THE FOLLOWING TO THE UDO REWRITE (requires more work and study):

- **Determine tree species and sizes to be protected;** prioritize tree species that are native to the area and help control stormwater (through absorption).
- **Anticipate and supplement customer needs.**
 - Many buyers are unhappy to discover their smaller lots are unable to hold a storage unit, or store a boat/RV/trailer, or build a backyard retreat.
 - Codes could support the implementation of these items in the neighborhood design by supporting neighborhood secured parking areas, storage units built into

the home, and elevated home sites under which vehicles could be parked or shaded seating/recreation areas could be installed.

STAFF CONTACT:

Allison Hardin, Development Services Director

ahardin@lanastercountysc.net

PROPOSED TEXT AMENDMENTS

Language proposed for deletion is ~~striketrough~~

Language proposed for addition is highlighted and underlined

Section 2.3 Districts Described – Medium Density Residential (MDR): The Medium Density Residential District is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.

Section 2.4 Development Standards

MDR

1. DEVELOPMENT STANDARDS	
A. District/Development Area (min)	n/a
B. Development/District Exterior Setback/Buffer	n/a
C. Density (max)	2.5 units/acre
D. Open Space (min)	20%
E. Park Space (min)	5%
2. LOT STANDARDS	
A. Lot Area (min)	10,000 sf
B. Lot Width at Front Setback (min)	70 ft Water/Sewer OR 130 ft Septic See Below (5)
C. Pervious Surface (min)	45%
3. PRINCIPAL BUILDING	
A. Principal Front Setback (min)	30 ft
B. Street Side/Secondary Front Setback (min)	15 ft
C. Side (from adjacent lot) Setback (min)	10 ft
D. Rear Setback (min)	25 <u>20</u> ft
E. Other Standards	<u>n/a Garages, when facing a street, must be set back at least 40 feet from the right-of-way</u>
4. ACCESSORY STRUCTURE	
A. Side Setback	5 ft
B. Rear Setback	5 ft
C. Other Standards	See Below (1, 2)

MDR CONTINUED

5. PARKING CONFIGURATION

A. Parking Location per Section 7.2.3	See Chart 7.2
B. Parking in Exterior Setback/Buffer	n/a
C. On-street Parking	Not allowed

6. BUILDING HEIGHT

A. Principal Building (max)	35 ft
B. Accessory Structure (max)	2 stories
C. Additional Height Permitted with Additional Setback	n/a

1. Accessory structures over 600 sf must comply with principal setback requirement.
2. No accessory structures may be located on corner lots between the street and wall line of the principal structure.
3. No accessory structures may be located on corner lots between the street and wall line of the principal structure, unless front setback requirements are provided on both streets.
4. For any nonresidential structure which is located immediately adjacent to a single-family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.
5. For any development/subdivision connected to both public water and sewer shall utilize the alternate dimensional standards given in the table.

5.2 RESIDENTIAL USES

5.2.1 DWELLING – TWO FAMILY [MDR, PB, HDR]

A. Building Location:

1. Two Family Dwellings shall be limited to one per block face in MDR zones.
2. Two Family Dwellings of two stories or more shall require one of the following design components on each side of the building that abuts a single family detached structure:
 - a. Increase the side yard setback by five (5) feet in addition to what is already required (Item 2 below); or
 - b. Plant a Type A buffer between the two-family dwelling and single family detached unit (Item 3 below); or
 - c. “Stepping down” structure height to one story on the sides abutting the single family detached unit for a minimum of ten (10) feet in depth (Items 1 and 4, below).



- B. **Building Type:** Two Family Dwellings (duplexes) shall be restricted to the Detached House building type as shown in Chapter 3 with a maximum of 2 units designed to blend in with single family homes in the surrounding block, including using the same exterior building materials as other properties on the block.

C. **Exterior Appearance**

1. Two Family Dwellings shall be designed such that a maximum of two (2) main entrances are on the fronting facade. Additional building entrances may be provided on the side and rear of the building.
2. Two Family Dwellings on corner lots must may be designed such that a building entrance is on each facade fronting a street.

6.2.5 OTHER RELEVANT STANDARDS FOR SITE PLANS AND SUBDIVISIONS

In addition to the standards found in this chapter, these standards in the following may also apply:

- All sections of Chapter 7: General Development Standards
- All sections of Chapter 8: Natural Resources Protection
- Grading will be planned in phases, to retain tree cover for as long as possible, and minimize sediment runoff. The phasing plan must be reviewed and approved by staff and the Planning Commission during the preliminary plat review process. Any changes in phasing that affect infrastructure (streets, water, sewer, etc.) will require re-review by staff and Planning Commission.



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lancastercountysc.net
www.mylancastersc.org

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant
- Fees associated with Application

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended UDO Chapter Two, Sec. 2.4 District Standards

Current Text _____

Refer to Exhibit A

Proposed Text Refer to Exhibit B

Description of Need for Proposed Text The proposed amendment changes standards for
Medium Density Residential (MDR) District : Lot size and front setbacks, usable
open space, block length, and density calculation .

☒ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name Allison Hardin, by Request from County Council

Address 101 N. Main Street

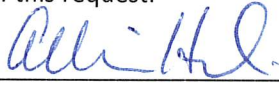
City Lancaster State SC Zip 29720 Phone 803-285-6005

Fax _____ Email ahardin@lancastersc.net

APPLICATION CERTIFICATIONS

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

Allison Hardin, Interim Planning Dir.



5-24-23

Applicant

Date

COUNTY COUNCIL REQUEST 3/27/2023 Agenda item 8b

Property Owner(s)

Date

Attach owner's notarized written authorization with property information if the applicant is not the owner.

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS

1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Text Amendment Application Fee - \$435.00

2. Planning Commission

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2023-1870 / Planning Case Number: UDO-TA-2023-0973

Contact Person / Sponsor: A. Hardin / Planning

Department: Planning

Date Requested to be on Agenda: 11/15/2023

Council Action Requested:

Chapter 4, Sec. 4.4 1 Cluster Subdivision Overlay Standards: Application by Planning Department on behalf of County Council to amend standards for Cluster Subdivision Overlay District, regarding lot size, front setbacks, usable open space, block length, CSOD lot size mix, and density calculation.

Points to Consider:

Funding and Liability Factors:

N/A

Recommendation:

Provide feedback on Ordinance 2023-1870.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2023-1870	9/26/2023	Ordinance
Application	7/12/2023	Exhibit
Cluster Subdivision Map	8/2/2023	Exhibit
Sample CSOD Plats part 1	8/2/2023	Exhibit
Sample CSOD Plats part 2	8/2/2023	Exhibit
Chart of CSOD Developments	8/2/2023	Exhibit
Staff Report	9/18/2023	Planning Staff Report

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2023-1870

COUNTY OF LANCASTER

)

)

AN ORDINANCE

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”) SECTIONS 4.4.1 (CLUSTER SUBDIVISION OVERLAY DISTRICT) ON THE EFFECTIVE DATE OF THIS ORDINANCE

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Determinations.

The Council of Lancaster County (“Council”) finds and determines that:

- (a) Lancaster County initiated a full rewrite of the Unified Development Ordinance (UDO) in October 2021 to address substantive issues with the UDO, has retained a UDO consultant to assist in the full rewrite of the UDO, and the full rewrite is expected to take another twelve (12) to eighteen (18) months to complete.
- (b) Development interest and activity in Lancaster County continues to increase, and over time, the general consensus of the County is that the cluster subdivision overlay district (CSOD) needed revision.
- (c) The current Lancaster County UDO has provisions for cluster subdivisions that are aligned with the Medium Density Residential (MDR) district, allowing for smaller lots but without a significant link to a reason for the cluster design.
- (d) The proposed text amendment would provide a stronger relationship to conservation and preservation principles which create better and more purposeful open space opportunities, providing buffers from natural hazards, and clustering development opportunities on the higher and better portions of property.
- (e) The text amendment is consistent with the goals of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as applicable provisions of South Carolina Code, Title VI.
- (f) Lancaster County Planning Commission considered the proposed text amendment at its meeting on July 18, 2023 and by a 5-0 vote recommended approval.

Section 2. Amendment of Ordinance 2016-1442 (Unified Development Ordinance)

Ordinance 2016-1442 (Unified Development Ordinance), is amended as set forth in the “Interim Ordinance - Exhibit 1” attached hereto and incorporated herein by reference.

Section 3. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance, to the extent to of the conflict, supersede all other provisions and this ordinance is controlling.

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2024.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading:	December 11, 2023
Second Reading:	January 8, 2024
Third Reading:	January 22, 2024
Public Hearing:	January 22, 2024

Approved as to form:

Virginia Merck-Dupont, County Attorney

PROPOSED TEXT AMENDMENTS

Language proposed for deletion is ~~strikethrough~~

Language proposed for addition is highlighted and underlined

4.4.1 CLUSTER SUBDIVISION OVERLAY DISTRICT (CSO)

The Cluster Subdivision Overlay District, is hereby established. Cluster subdivisions are residential developments ~~which offer an alternative to traditional subdivision design~~ that group structures together in particular areas of a site, with the ~~principle~~ principal purpose being to encourage open space, conservation, agriculture, recreation, and public or semipublic uses, and natural resource protection ~~in medium density residential districts.~~ Cluster subdivisions shall be designed using a site planning technique that concentrates buildings and structures to the most buildable areas of a site in order to preserve the remaining area as open space for recreation and/or preservation of significant site features. ~~Reductions below the minimums otherwise required by the UDO for lot area, lot width, and setbacks are allowed within a CSO, and such reductions are only permissible within a CSO.~~ By preserving open space, a cluster subdivision will provide another tool by which the County shall preserve its rural character, natural resources, and/or other priority areas identified under the comprehensive plan. In addition, cluster layouts reduce development costs by cutting road and utility costs, and bypassing natural conditions on the site (floodplains, large trees, steep terrain, etc). Cluster subdivisions are permitted in moderate-density single family residential districts, specifically, Medium Residential District. Cluster subdivisions are not permitted in any other zoning districts. Only lands that have a natural condition that prohibits standard subdivision development are eligible for the cluster subdivision option as determined by the administrator. Development of a Cluster Subdivision requires submission of a Development Agreement (see UDO 9.2.18). (Ord. No. 2019-1623, 12.9.19) The following general provisions apply to the Cluster Subdivision Overlay District:

A. MINIMUM ACREAGE

The minimum tract area for a cluster subdivision shall be 30 gross acres [unless a larger minimum acreage is required as part of the Development Agreement Process (i.e. 25-acres of highland)], shall consist of contiguous parcels, and must adjoin or have direct access to at least one collector street. (Ord. No. 2019-1623, 12.9.19)

B. MINIMUM LOT AREA

The minimum lot area (in square feet) per dwelling unit within a cluster subdivision is dependent upon the lot width. Except for incentive lots, the smallest lot size available under the cluster subdivision option shall be ~~5,000~~ 7,500 square feet. This shall be the minimum lot area allowed for any lot with the minimum lot width of ~~50-60~~ feet, as defined in Section C below. The minimum lot area per dwelling unit shall increase proportionately with an increase in lot width. Incentives to reduce minimum lot size to 5,000 square feet and 50 ft in width are explained in Section 4.4.1.D.3.

C. MINIMUM LOT WIDTH

In a cluster subdivision, where both central water and sewer services are available and adequate, the minimum lot width shall be ~~50~~ 60 feet, excepting incentive lots created under guidance of Section 4.4.1.D.3.

D. VARIETY OF LOT SIZES

Individual lots in a cluster subdivision shall vary in size and layout. ~~No more than 34 percent of the lots in a cluster subdivision shall have a single designated lot width.~~ The following shall apply:

1. ~~The minimum separation between any two designated lot widths shall be 10 feet. For example, if 34 percent of the total number of lots has a lot width of 50 feet, 34 percent could have a lot width of 60 feet, and the remaining could have a lot width of 70 feet or greater.~~ No two adjacent lots shall have the same lot width; there will be at least five feet difference in width as measured at the primary frontage/right-of-way.
2. ~~The Planning Commission may allow a developer to vary the width of individual lots to accommodate site restrictions (i.e., easements, corner lot widths, etc). However, such lots shall be counted with the nearest designated lot width.~~ Incentivized lots (per Section 4.4.1.D.3) may not count for more than 35% of the total lot count.
3. Additional lot size reduction incentives
 - a. Up to 35% of the total lots may be created with a minimum of 5,000 sq ft area and 50 ft lot width (measured at the primary frontage/right-of-way) if at least two of the following components are provided in the design and secured by a development agreement:
 1. A 100-foot riparian buffer is created along waterways or creeks;
 2. Half or more of the open space includes tree preservation of all existing species that measure 18" DBH or more;
 3. A trail system that connects to existing or planned public parks or trail systems outside of the neighborhood is created, built, and maintained;
 4. The neighborhood design includes a Safe Routes to School plan; and/or
 5. Homes built in A or AE zones are constructed on stilts and not fill.

E. SETBACKS

The following minimum setbacks are required for individual lots within a cluster subdivision:

1. **Front Yard:** The minimum front yard setback for the primary structure shall be 20 feet to the front of the structure and 40 feet to the garage, if the garage faces the street. If the garage faces a side yard or the rear of the property, the 20 foot setback applies.

Porches may extend into the front yard setback by five (5) feet to create additional variation in streetscape along local roads.

The front yard setback for a corner lot shall be as set forth in Chapters 2 and 3 of the UDO;

2. **Rear Yard:** The minimum rear yard setback shall be ~~30~~ **25** feet;
3. **Side Yard:** The minimum side yard setback shall be 7 ½ feet.
4. **Exceptions:** The Administrator may approve a reduction of rear or front setbacks by a maximum of five (5) feet in a situation where a structure can't meet the existing setbacks due to a condition in the natural environment that is being preserved, such as trees or wetlands. This may not be applied in addition to the porch exception in 4.4.1.E; this means that the Administrator may not approve a front setback that results in less than fifteen (15) feet from the right-of-way. Side yard setback reductions are not allowed under this exception.

F. OPEN SPACE REQUIREMENT

For a cluster subdivision, no less than ~~25~~ **30** percent of the site acreage, not including primary conservation areas as defined in Item 3 below, shall be set aside in perpetuity as open space. Open space shall be clearly labeled as such on any preliminary or final plat (including sketch plans) submitted for review. Open space in a cluster subdivision is also subject to the following:

- Open space ~~may~~ **shall** include, but is not limited to, **a combination of** passive recreation, natural preservation of important scenic vistas, environmentally sensitive lands, habitat for wildlife, **floodplains, riparian buffers, undisturbed forests of at least three (3) contiguous acres and at least two (2) different species of canopy trees as listed in Section 4.3.2.J.6.vii,** and/or historically or archaeologically significant areas. Structures, swimming pools, **stormwater management basins,** and athletic facilities shall not count as open space. However, structures are permitted in the open space when they serve an accessory function, such as a gazebo, fishing dock, playground equipment, or play structures (Ord. No. 2019-1623, 12.9.19);
- The amount of open space required to be set aside shall be determined by the following formula:

Open Space Set Aside = Total **Land Area in** Parcels minus **Total Land Area in** Primary Conservation Areas multiplied by **the** Open Space Percentage then added to **the** Primary Conservation Areas

$$TO = ((TP - PC) \text{ OSP}) + PC$$

TO	= Total Open Space Set Aside	(acres)
TP	= Total Parcel	(acres)
PC	= Primary Conservation Areas	(acres)
OSP	= Open Space Percentage	(% of Improvable Area)

3. Primary Conservation area includes those areas that cannot otherwise be built upon or improved and therefore would be preserved in a conventional development. Such areas specifically include wetlands, surface waters and intermittent stream channels, steep slope terrain, and soils that don't support building.
4. To fulfill the requirements of this item (4.4.1.F), a combination of the following shall be included in the required open space where practicable:
 - a. Wooded areas;
 - b. Scenic vistas;
 - c. Streams, ponds, wetlands, and floodplains;
 - d. Buffers, including landscaped, perimeter, river, and stream;
 - e. Areas containing slopes in excess of 25 percent;
 - f. Other areas containing unusual natural site features (such as major rock formations); ~~and~~
 - g. Habitats of rare, threatened, and/or endangered species as listed by the SC Department of Natural Resources (SCDNR);
 - h. Agricultural lands that are in use;
 - i. Areas of historical importance;
 - j. Parking areas to support these amenities and overflow parking; and/or
 - k. Other environmentally, historically, or archaeologically significant or unique areas;
5. Open spaces shall be contiguous to the extent practicable when not restricted by topography, existing water body, and other natural features;
6. Pedestrians shall have access to open space;
7. Open space shall be deed restricted and shall not be developed for use other than open space except for agricultural lands, which shall be deed restricted to agricultural use and/or open space;
8. Open space shall remain under the ownership and control of the developer (or successors) or a homeowner's association or similar organization. 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. The County shall have no responsibility for the maintenance of open space areas. If open space location meets a need in the County comprehensive plan, the County and developer may consider conveyance of completed open space to the County, upon Planning Commission and Council approval.

~~The person or entity having the right of ownership and control over such recreational facilities and open space shall be responsible for the continuing~~

~~upkeep and proper maintenance of the same. It shall not be the responsibility of the County to maintain these areas.~~

9. A cluster subdivision shall include provisions for the protection of trees and other natural amenities within the area or areas designated for open space. The removal of trees and natural vegetation in designated open space is ~~strongly discouraged,~~ though it is ~~permitted during the development phases~~ **prohibited except** for the purpose of **constructing** trails and other such recreational improvements as approved ~~by planning staff under the development agreement and/or site plan review.~~ All open space shall be clearly labeled as such on any preliminary or final plat (including sketch plans) submitted for review. Trees over 24 inches in diameter (DBH) shall be preserved and incorporated in designated open space where practicable, and upon the request of planning staff such trees existing within areas designated for trails and other such recreational improvements may also need to be shown and labeled. Upon completion of development phases, no person or entity shall remove or destroy any trees ~~or natural vegetation~~ from designated open space without approval from the Administrator. However, normal maintenance and removal of dead or fallen trees are permitted and recommended, **including removal of vegetation as part of a Firewise program,** and shall be the responsibility of the person or entity identified as having the right of ownership as outlined in Item 8 above.

G. MAXIMUM DENSITY

The maximum number of dwelling units allowed per acre for a cluster subdivision shall not exceed the maximum for the residential use district in which it is located, as set forth in Chapter 2 of the UDO, where the total number of dwelling units allowed shall be based on the gross acreage of the site. For example, when the CSO is located within the MDR, Medium Density Residential, where the maximum density is two **and a half** dwelling units per acre, a 100-acre parcel of land shall be allowed to have no more than ~~200~~ **250** dwelling units built on the site.

- H. **COMMERCIAL REQUIREMENT:** There shall be no required commercial within a cluster subdivision.
- I. **SITE PLANNING REVIEW STANDARDS:** A cluster subdivision shall follow the site plan review standards and procedures as set forth in Chapter 9 of the UDO, including but not limited to Section 9.2. Furthermore, planning staff shall also include the following in their review:
 1. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures, street patterns, and use relationships;
 2. The site layout shall accommodate and preserve any features of historic, cultural, archaeological, or sensitive environmental value. Individual lots, buildings, structures, streets, parking areas, utilities, and infrastructure shall be designed and sited to minimize the alteration of natural features, vegetation, and topography;

3. Where practicable, individual lots, buildings, structures, streets, parking areas, utilities, and infrastructure should be designed and sited to be compatible with surrounding development patterns;
4. Where practicable, open space shall be located on a site in such a manner so that view sheds from existing public right-of-way are not obstructed, but are enhanced by the open space;
5. Private streets are permitted in a cluster subdivision, provided such streets meet the construction standards of Chapter 6 and Appendix C of the UDO. The following shall apply:
 - a. As required in Chapter 6 of the Lancaster County Code, as amended, the minimum right-of-way and pavement width shall be as follows:

Road Type	Right-of-Way (feet)	Pavement (feet)
Local (closed drainage)	50	22
Local (open drainage)) – follow guidance for collector (rural)	66	22 24
Collector) – follow guidance for collector (rural)	66	24

- b. On-street parking is permitted in a cluster subdivision ~~where adequate right-of-way and pavement width is provided in accordance with standards of the South Carolina Department of Transportation~~ where street widths are 30 feet or more; after the effective date of this ordinance, on-street parking is prohibited on streets with less width; and
 - c. To ensure adequate clearance for emergency vehicles in a cluster subdivision, the Planning Commission may require signage and/or pavement markings to clearly indicate areas where on-street parking is prohibited;
6. Installing sidewalks on both sides of local streets in a cluster subdivision is encouraged required. ~~At a minimum, a sidewalk will be required on at least one side of every local street, with a sidewalk required on both sides of arterial and collector streets.~~
 Local, arterial, and collector streets shall be clearly labeled as such on any preliminary or final plat submitted for review. On local roads with areas where natural environments are not favorable for concrete sidewalk construction, the developer may discuss alternative path surfaces to meet the sidewalk requirement (for example, permeable pavement). Only surfaces that comply with the Americans with Disabilities Act may be considered, and the Administrator has the final say on accepting such replacement;
7. In general, landscaping requirements for a cluster subdivision shall comply with the requirements of Chapter 7 of the UDO. However, the Planning Commission may vary such requirements in response to applications demonstrating alternative

landscaping based on creative site planning. Existing trees and natural vegetation shall be retained wherever possible and shall count towards meeting the landscaping requirements;

8. The following buffer requirements shall apply for a cluster subdivision:
 - a. In general, buffer requirements for a cluster subdivision shall comply with the requirements of Chapter 7 of the UDO where a buffer yard may be required between adjacent zoning districts;
 - b. Existing trees and natural vegetation shall be retained wherever possible and shall count towards meeting the buffer requirements;
 - c. Ingress/egress to the property shall be allowed within a buffer, as well as utility easements and sidewalks;
 - d. A 50-foot buffer shall be required on the frontage of all existing public streets. Where there is insufficient natural vegetation to provide a visual buffer for principal structures, plantings shall be installed by the developer. A minimum of 25 percent of the trees and 75 percent of the shrubs shall be evergreens in order to achieve opacity;
 - e. The Planning Commission may allow a developer to vary the buffer requirement to preserve view sheds from existing view sheds, as required in Item 4 above.
 - f. Buffer requirements within a cluster subdivision shall count as open space where it is contiguous with other areas designated as open space.
 - g. A 50-foot riparian buffer shall be created along waterways or creeks.
 - h. Wetland buffers are extended by an additional 10 feet to accommodate wetland migration.
9. Variety in architecture and building materials shall be encouraged within a cluster subdivision. It is encouraged that buildings are constructed using quality finish materials (i.e., brick, masonry, stone, concrete siding, or stucco). Vinyl siding is permissible if in combination with other building materials.
10. Grading will be planned in phases, to retain tree cover for as long as possible, and minimize sediment runoff. The phasing plan must be reviewed and approved by staff and the Planning Commission during the preliminary plat review process. Any changes in phasing that affect infrastructure (streets, water, sewer, etc.) will require re-review by staff and Planning Commission.

J. OTHER ZONING REQUIREMENTS

The Cluster Subdivision Overlay District may contain zoning and development standards and requirements that are inconsistent with or conflict with zoning and development standards and requirements contained elsewhere in the UDO. The standards and requirements contained in the Cluster Subdivision Overlay District supersede all other zoning and development standards and requirements. The Cluster Subdivision Overlay District is deemed controlling. If the Cluster Subdivision Overlay District is inconsistent with or conflicts with zoning and development

standards and requirements contained elsewhere in Chapter 4, then the zoning and development standards and requirements contained in Chapter 4 supersede the standards and requirements contained in the Cluster Subdivision Overlay District and the provisions contained in Chapter 4 are deemed controlling.

~~K. EXAMPLES OF APPLYING FORMULAS~~

~~Below are examples of applying formulas to determine the total number of dwelling units allowed and the amount of the site acreage to be set aside as open space within a Cluster Subdivision Overlay District.~~

~~Example: Assume that a 50-acre parcel is being developed. The residential use district is MDR, Medium Density Residential District, where the maximum density is 2.5 dwelling units per acre. Assume that there are 5 acres of Primary Conservation area. The open space percentage is 25 percent (or as a decimal, .25).~~

~~The following formula would be used to determine the total number of dwelling units allowed:~~

~~Total Dwelling Units Allowed = Total Parcel multiplied by Maximum Dwelling Units per Acre~~

TU	= Total Units Allowed	(dwelling units)
TP	= Total Parcel	(acres)
DUA	= Maximum Dwelling Units per Acre	(dwelling units/acre)

~~TU = (TP) (DUA)~~

~~TU = (50) (2.5)~~

~~TU = 125 Total Lots or Dwelling Units Allowed~~

~~The following formula would be used to determine the amount of the site acreage to be set aside as open space:~~

~~Total Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas~~

$$TO = ((TP - PC) \cdot OSP) + PC$$

TO	= Total Open Space Set Aside	(acres)
TP	= Total Parcel	(acres)
PC	= Primary Conservation Areas	(acres)
OSP	= Open Space Percentage	(% of Site Acreage excluding PC)

~~TO = Total Open Space Set Aside TP = 50 acres Total Parcel~~

~~PC = 5 acres Primary Conservation Areas OSP =~~
~~25% (or .25) Open Space Percentage~~

~~TO = ((50 - 5) .25) + 5~~

~~TO = ((45) .25) + 5~~

~~TO = (11.25) + 5~~

~~TO = 16.25 acres of Total Open Space Set Aside~~



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylanastersc.org

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant
- Fees associated with Application

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended _____

Current Text _____

Proposed Text _____

Description of Need for Proposed Text _____

☐ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

Fax _____ Email _____

APPLICATION CERTIFICATIONS

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

Applicant

Date

Property Owner(s)

Date

Attach owner's notarized written authorization with property information if the applicant is not the owner.

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS

1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Text Amendment Application Fee - \$435.00

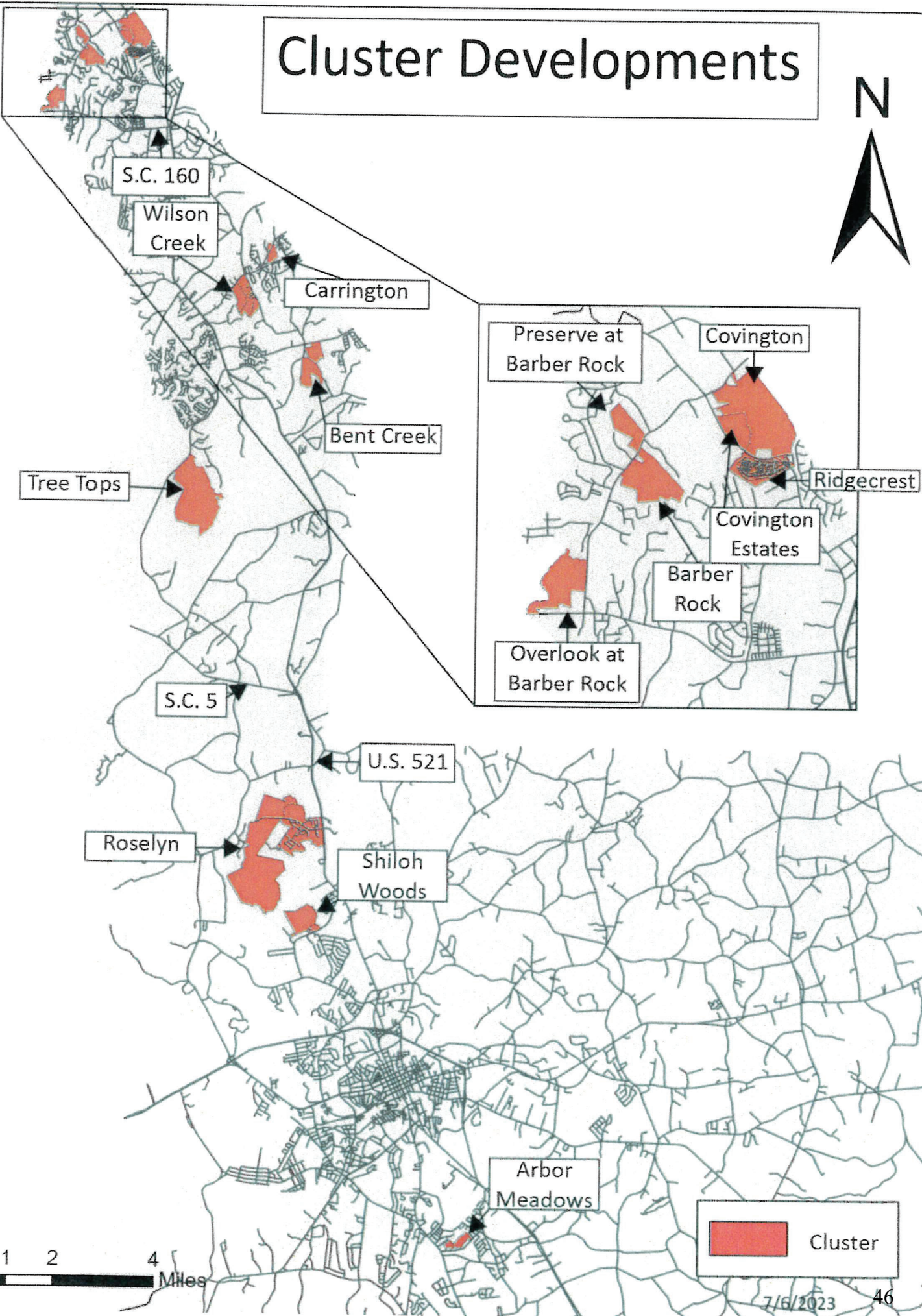
2. Planning Commission

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval

Cluster Developments



Sheet Index

- Sheet PP-1: COVER SHEET
Sheet PP-2: EXISTING CONDITIONS PLAN
Sheet PP-3: PROPOSED SITE PLAN
Sheet PP-4: PROPOSED DRAINAGE PLAN
Sheet PP-5: PROPOSED UTILITY PLAN

Covington Estates

PRELIMINARY SUBDIVISION PLAT

for
Kolter Acquisitions, LLC
LANCASTER COUNTY, S.C.

Site Development Data

Tax Parcel No.: 0003-00-042.00
Zoning Jurisdiction: Lancaster County
Zoning Classification: MDR
Existing Land Use: Vacant
Proposed Land Use: Single Family Residential
Total Site Area: 34.52± acres
Area in Harrisburg Road R/W: 1.38± acres
Net Site Area: 33.14± acres (After R/W Dedication)
Maximum Density: 2.5 units per acre
Maximum Number Lots Allowed: 82 (2.5 x 33.14)
Number Lots Proposed: 53
Proposed Density: 1.60 units per acre (53 / 33.14)
Common Open Space Required: 6.63 acres (20%)
Common Area Provided: 11.00 acres (33.2%)
Park Area Required: 1.66 acres (5%)
Park Area Provided: 2.03 acres (6.1%)
Connectivity Ratio: 1.4 (7 links & 5 nodes)
MDR District Yard Requirements:
Minimum Lot Area: 10,000 SF
Minimum Lot Width: 70'
Minimum Setback: 30'
Minimum Side Yard: 10'
Minimum Side Yard Corner Lot: 15'
Minimum Rear Yard: 25'
Maximum Height: 35'

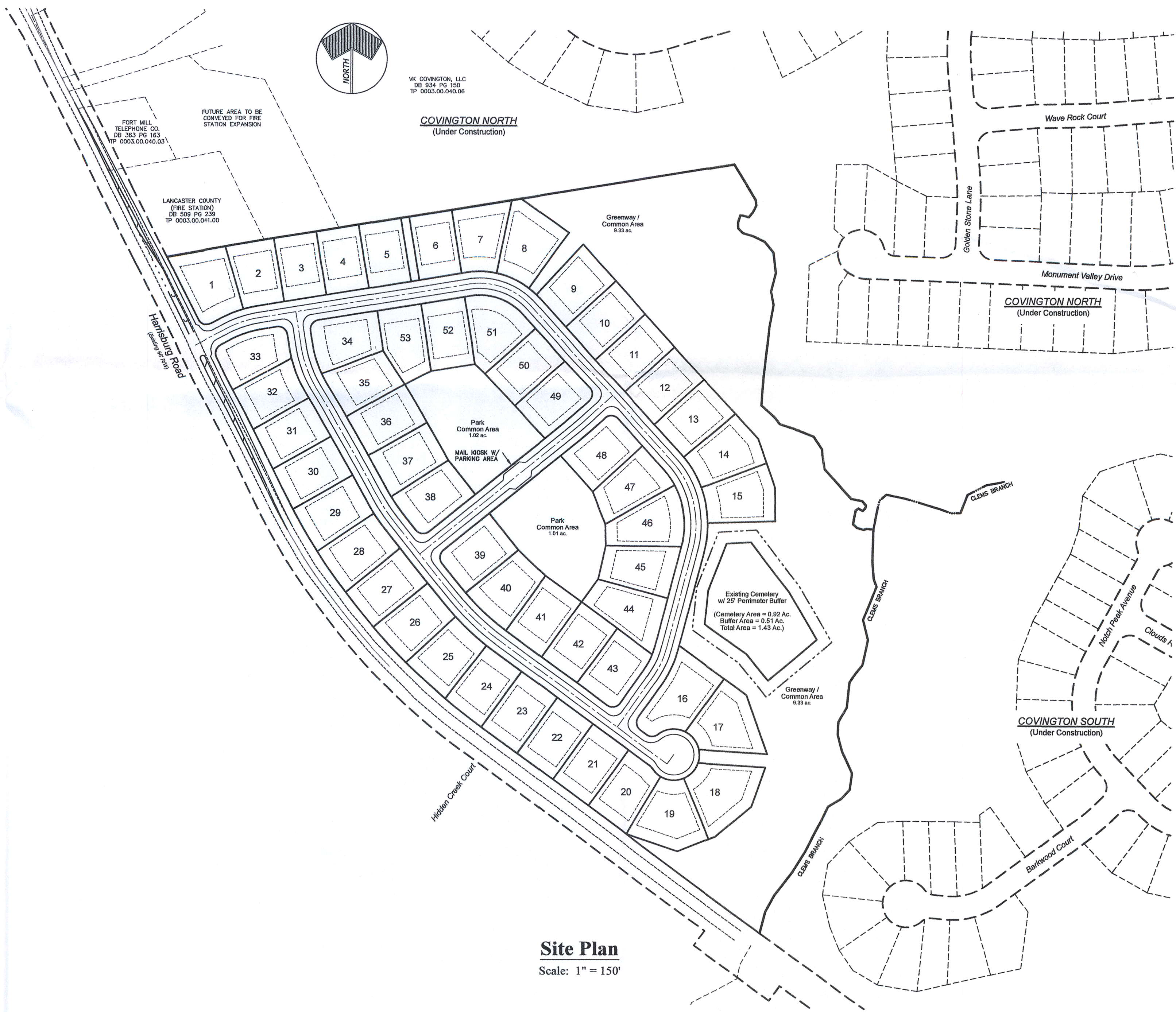
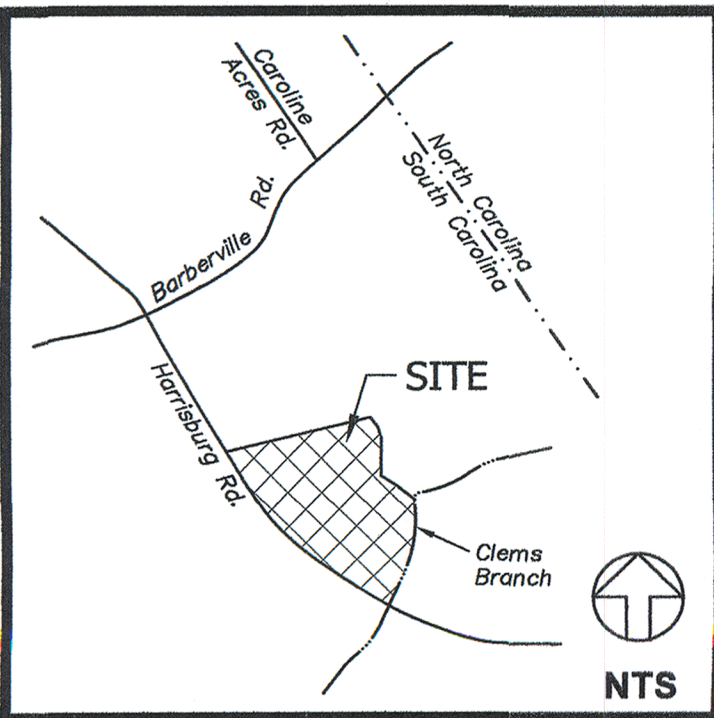
Engineer

Metrolina Engineering & Surveying Associates
4400 Stuart Andrew Blvd, Suite N
Charlotte, NC 28217
Phone: (704) 334-1325
Contact: Wayne M. Harris, P.E.
(wharris@MetroESA.com)

Developer

Kolter Acquisitions, LLC
3737 Glenwood Avenue, Suite 100
Raleigh, NC 27612
Phone: (919) 868-6567
Contact: David Goracke
(dgoracke@kolter.com)

Vicinity Map

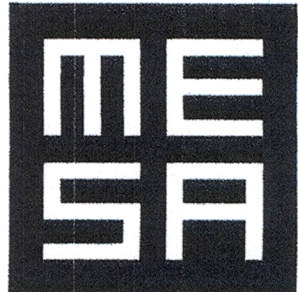
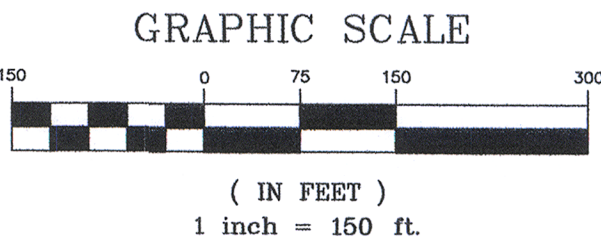


Site Plan
Scale: 1" = 150'

General Notes

- The purpose of this Preliminary Plat is to depict the general layout and site configuration of the proposed Covington Estates development. Final configuration of the proposed development improvements may vary from this depiction based on regulatory review comments, modifications required by final engineering design / preparation of Construction Documents, and/or other considerations.
- Site development and installation of all proposed improvements shall be in accordance with the requirements of the Lancaster County Unified Development Ordinance (UDO).
- Water and Sanitary Sewer service shall be provided via an extensions of the existing Lancaster County water and sewer systems. All related improvements shall be designed and installed in accordance with the requirements of the Lancaster County Water & Sewer District, and/or SCDHEC as applicable. Fire hydrants shall be provided as a part of water main improvements, and shall be located within 500' of all dwellings.
- Boundary information per surveys previously prepared by Metrolina Engineering & Surveying Associates.
- Topographic data within the Covington Estates boundary is based on field run surveys previously prepared by Metrolina Engineering & Surveying Associates. Topography for off-site areas was compiled for various sources.
- Storm water BMP locations are approximate, and subject to modification thru the design and approval process. Post-developed impervious areas are approximately 7.3 acres for lots (based on an average of 6,000 sq/lot) and 3.0 acres for streets.
- As a part of final Construction Documents and supporting calculations, a Flood Study for Clemis Branch will be prepared and submitted for review. The purpose of the Flood Study will be to determine Base Flood Elevations, and to verify that proposed storm water BMP's do not create any adverse impacts to upstream properties.
- A 5' concrete sidewalk shall be provided on one side of all internal streets, and a pedestrian trail shall be provided along the northern boundary to provide access to the Covington North Common Area.
- Street trees shall be provided along all internal streets in accordance w/ the Lancaster County UDO.
- Storm drainage, water, and sanitary sewer improvements as depicted on Sheets PP-4 and PP-5 are conceptual in nature, and intended to show the approximate layout of these improvements. Final locations of improvements and related easements are subject to modification thru the design and approval process.
- Common Areas shall be conveyed to Homeowners Association for the beneficial use of all residents of this development.
- The anticipated typical lot size is depicted on Sheet PP-3, however final lot size may vary depending on specific Builder requirements. No lot size or dimension shall be less than the minimums specified by the Lancaster County UDO.

PRELIMINARY PLAN APPROVED
BY THE LANCASTER COUNTY PLANNING COMMISSION
SUBJECT TO THE FOLLOWING CONDITIONS:
A WALL CONSISTING OF HIGH QUALITY MATERIALS SHALL BE CONSTRUCTED AT THE REAR OF THOSE LOTS WHICH ADJACENT HARRISBURG ROAD. THIS WALL SHALL BE INSTALLED PRIOR TO FINAL PLAT APPROVAL FOR THESE RESPECTIVE LOTS.
DATE: 11/16/17, EXPIRES: 11/16/19
[Signature] DEPUTY PLANNING DIRECTOR



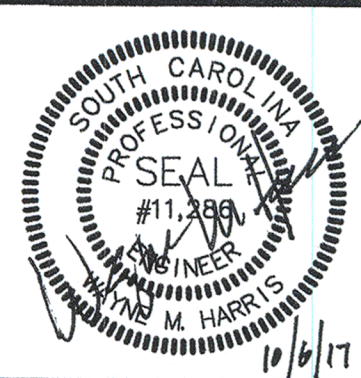
METROLINA
ENGINEERING &
SURVEYING
ASSOCIATES
4400 STUART ANDREW BLVD.
SUITE N
CHARLOTTE, NC 28217
P (704) 334-1325
F (704) 334-1330
NC REG-1170 & SC REG-0046

COVER SHEET

Covington Estates
Kolter Acquisitions, LLC
3737 Glenwood Avenue, Suite 100, Raleigh, NC 27612

Revisions
#1 - 10/26/17: Revised Sheets 1-5 per TDC review.

Job No. 027-17-001
Date 9/1/17
Proj. Mgr. WMH
Drawn AW/WMH

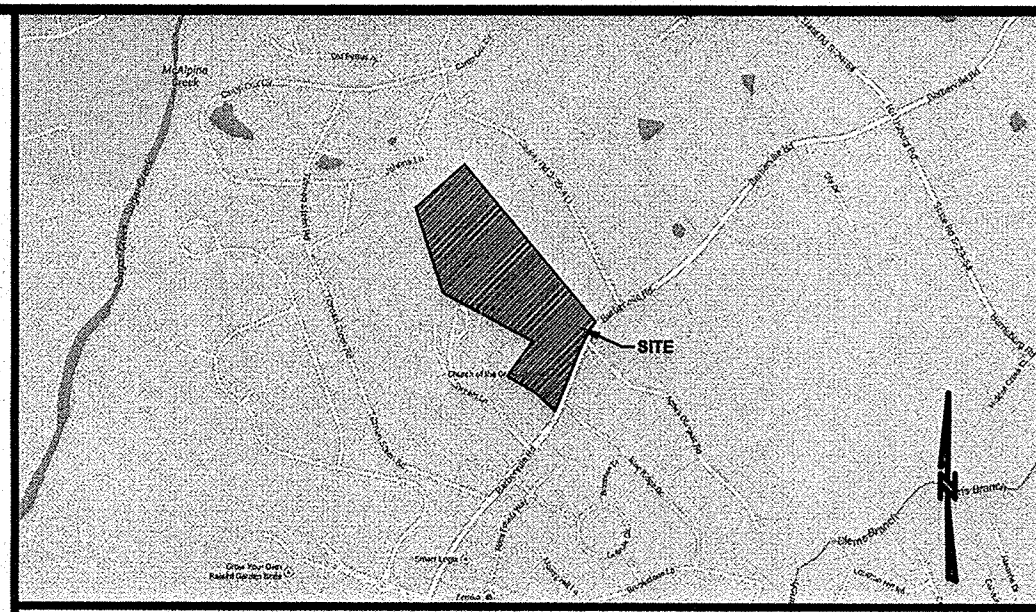


Scale: NOTED

Sheet No.
PP-1
Of 5

THE PRESERVE AT BARBER ROCK

LOCATED IN LANCASTER COUNTY, SOUTH CAROLINA



VICINITY MAP NTS

Development Data:	
Tax Parcels:	003-00-068.00 & 003-00-063.01
Site Area:	35.13 Acres
Location:	Lancaster County, SC
Land Use:	Vacant
Existing:	Single-Family Detached Residential
Proposed:	
Zoning:	R-15P CSOD (Ordinance #2014-1274) (Cluster Subdivision Overlay District)
Total Lots:	52 Lots
61'x125' Lots	18 Lots (34%)
71'x130' Lots	17 Lots (33%)
81'x135' Lots	17 Lots (33%)
Total Dwelling Units Allowed = Total Parcel multiplied by Maximum Dwelling Units per Acre	
TU = (TP)(DUA)	
TU = Total Units Allowed (dwelling units)	
TP = Total Parcel (acres)	
DUA = Maximum Dwelling Units per Acre (dwelling units/acres)	
TU = (35.13)(1.5)	
TU = 52.70 Total Lots or Dwelling Units Allowed	

Proposed Density:	1.48 DU/AC
Total Open Space Proposed:	+/- 14.75 Acres
Primary Conservation Areas:	+/- 4.68 Acres

Total Open Space Proposed = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

TO = (TP-PC)OSP+PC
TO = Total Open Space Proposed (Acres)
TP = Total Parcel (Acres)
PC = Primary Conservation Area (Acres)
OSP = Open Space Percentage (% of Site Acreage excluding PC)
TO = (35.13 - 4.68) 25% + 4.68
TO = 12.29 Acres of Total Open Space Required

Note: The Preserve at Barber Rock CSOD shall include provisions for the protection of trees and other natural amenities within the areas designated for open space in accordance with Section 6F9 of the Lancaster County CSOD Ordinance.

Proposed Fire Hydrants:	4 Hydrants
Connectivity Index (Links/Nodes):	
Required:	1.0*
Provided:	1.4 (7 Links / 5 Nodes)
* Refer to Development Agreement, Ordinance No. 2014-1308, Article III, Section 3.01A	

R-15P CSOD Lot Standards:	
Minimum Lot Width:	50'
Minimum Lot Area:	5,000 sf
Smallest Lot Provided:	7,825.00 sf
Minimum Setbacks:	
Front:	20'
Side:	5'
Rear:	30'

* If side yards are five feet (5') then the following conditions must be met:
- Dwelling units must have fire resistant siding as approved by the Lancaster County Building Official
- Vented soffits must be avoided for dwellings less than 10' from an adjacent dwelling unit or structure.
- Windows of dwelling units must be offset from windows of adjacent units.

** Where lot fronts on any corner, front-yard setbacks shall be in accordance with Lancaster County UDO Section 5.4.4b.

Boundary Information
Boundary information obtained from survey by ESP Associates, P.A. entitled "Boundary Survey of Tax Parcels 3-00-063.01 and 3-00-068.00 Being 35.134 Acres Total" dated 1/22/2014.

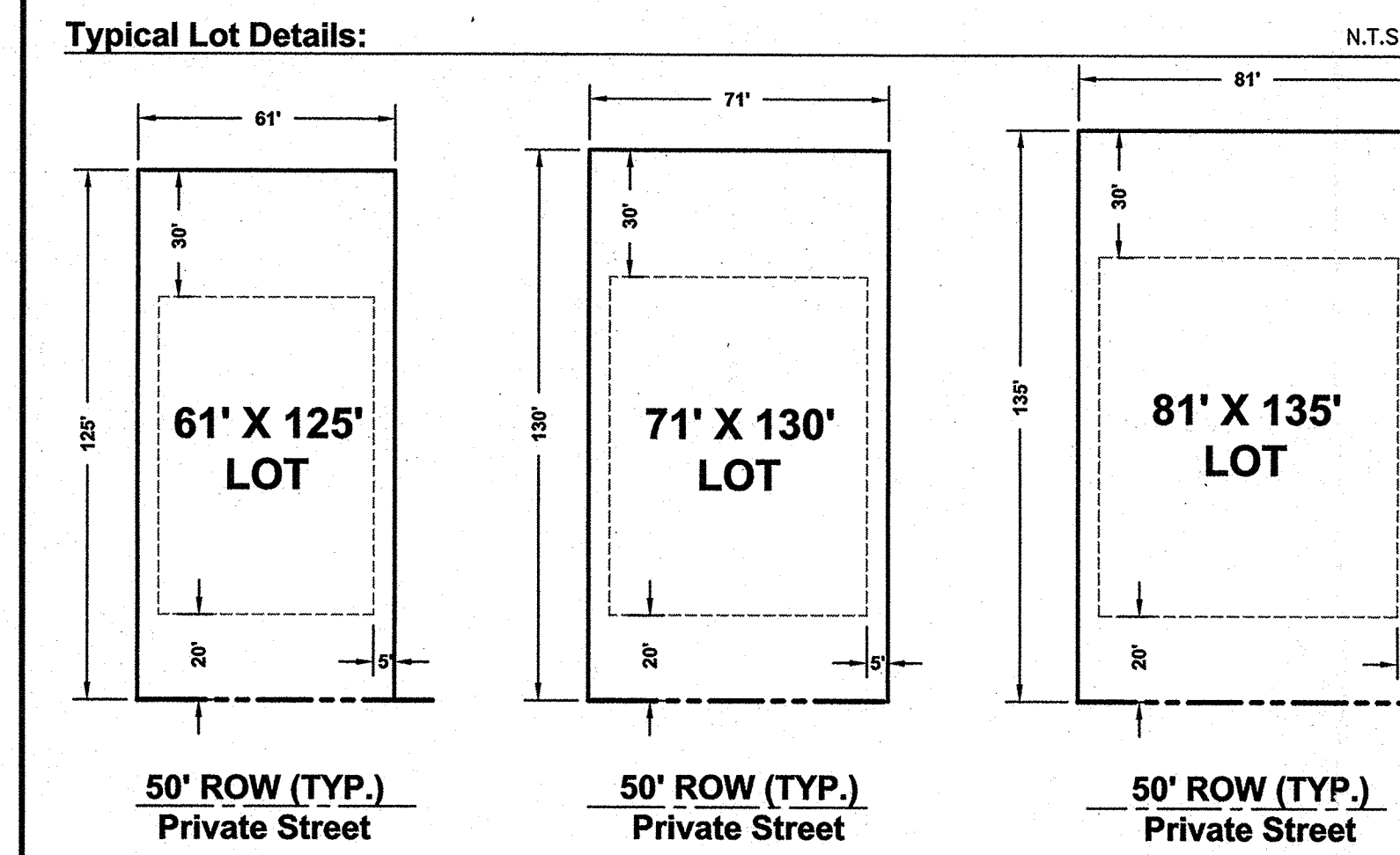
Topographic Information
Topographic information obtained from survey by ESP Associates, P.A. entitled "Topographic Survey of Parcels 3-00-063.01 and 3-00-068.00 Being 35.135 Acres Total" dated 1/22/2014.

Stream and Wetland Information
Stream and wetland information obtained from preliminary survey by ESP Associates, P.A. entitled "Wetland Survey of Tax Parcels 3-00-063.01 and 3-00-068.00" dated 4/13/2014.

Road Improvement
Road improvements are subject to available right of way and coordination with SCDOT during driveway permitting process.

Off Site Utility Improvements
Final alignment of all off site utility improvements to be determined during design phase in coordination with LCWSD.

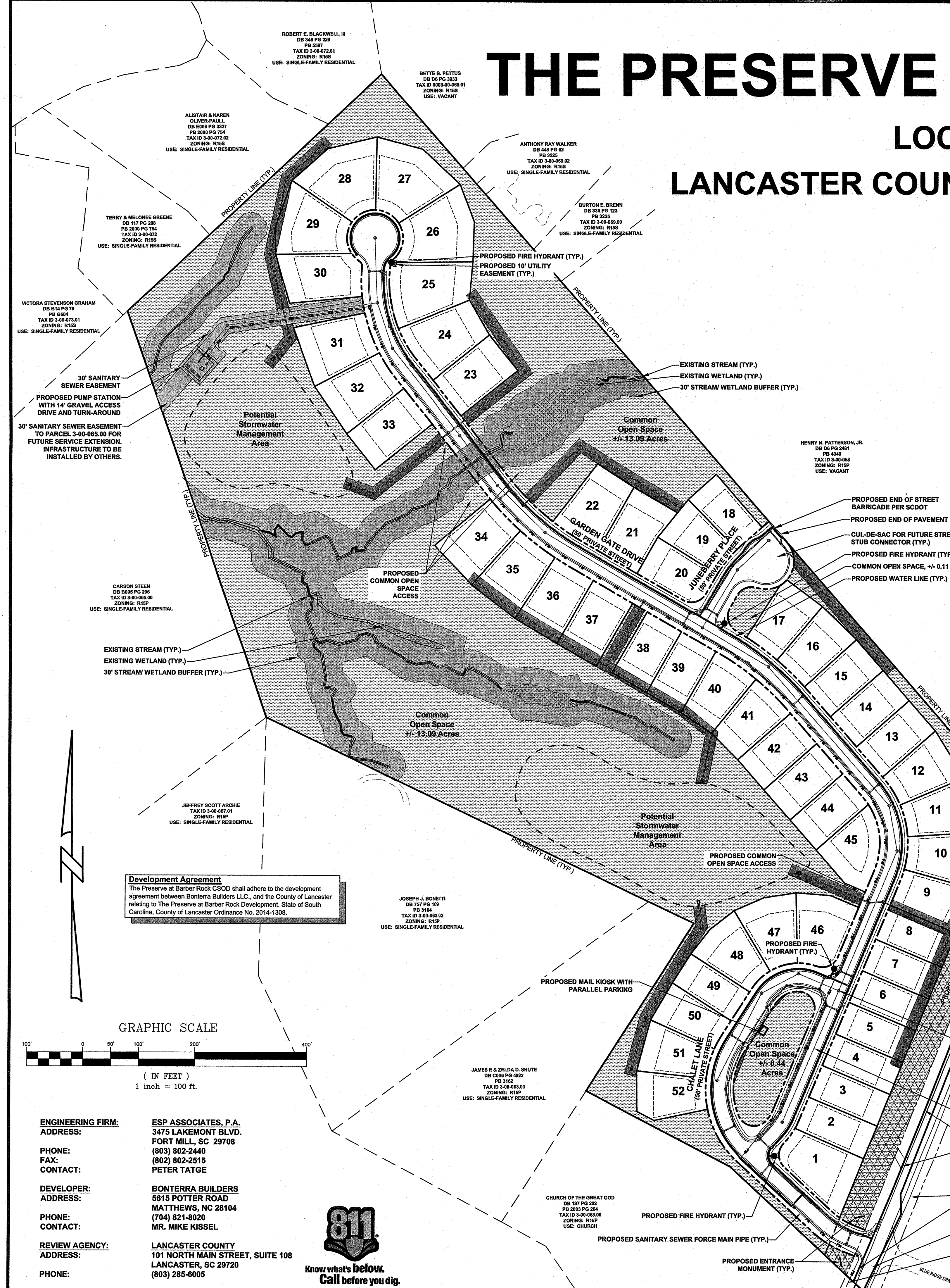
Total Open Space Proposed
Total Open Space Proposed includes property buffers, pocket parks, natural areas, and water quality areas as well as Primary Conservation Areas.



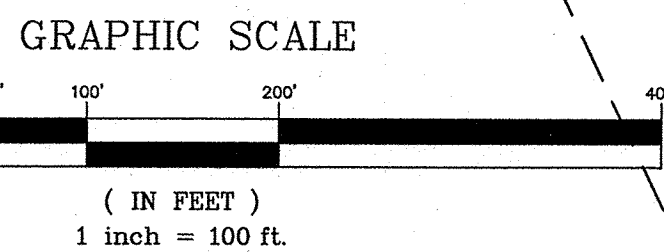
Road Names & Lengths:	
Chalet Lane	+/- 760.4 LF
Garden Gate Drive	+/- 2,102.8 LF
Juneberry Place	+/- 219.4 LF
Total Length of Proposed Roads:	+/- 3,082.6 LF

- Notes:**
- Preliminary Plan is subject to minor revisions during the design process as may be required.
 - See Sheets 1-3 for detailed lot dimensions.
 - Applicant to provide and install road signs for this subdivision.
 - Applicant to install a central mail kiosk for this community. Location shown on Preliminary Plan is conceptual and subject to final approval from USPS. Location and number of kiosks is subject to change.
 - All roads within The Preserve at Barber Rock CSOD are to be privately maintained and have a minimum pavement width of 22' as per Lancaster County Ordinance No. 2014-1285.
 - Developer agrees to grant easement over private street road ROW after construction to LCWSD for access to water and sewer infrastructure.
 - Although streets will be private, water, sewer, and hydrants will be public and maintained by LCWSD.
 - Proposed locations of water and sewer lines shown on Preliminary Plat are preliminary and have not been designed. Design and details of water and sewer systems shall be provided during construction document phase.
 - Location and size of Potential Stormwater Management Areas are conceptual and preliminary and still need to be determined. The exact size and location of these areas will be determined during construction document phase.
 - Signage and monumentation details, including sizing and locations, will be determined upon the submittal of Construction Documents. Monumentation and signage to be permitted separately. Monumentation to be installed outside of sight triangles & sight distance lines.
 - Street signs to be consistent with SCDOT details or approved equivalent. Decorative street signs may be installed as long as they meet or exceed the minimum specifications established by SCDOT.
 - Construction plans for water, storm and sewer systems to be provided during construction document phase.
 - Road grading and profile is to be determined during the construction document phase.
 - Site grading, cut, and fill to be determined during the construction document phase.
 - Detailed landscape planting plans, outlining landscaping and buffer plantings, to be provided during the construction document phase.
 - Site distance plan and profile to be provided during construction document phase as requested by SCDOT.
 - Fire hydrants to be spaced and installed to ensure that each phase of construction of development has adequate hydrant protection. Phasing to be determined at construction document phase, hydrant locations to be adjusted to provide coverage based on phasing.
 - Proposed sewer easements shall have no steeper than 4:1 slope as requested by LCWSD.
 - As requested by LCWSD, proposed pump station to be graded to ensure proper drainage.
 - Based on meeting with Lancaster County on 1/23/15 applicant agrees to install street trees outside of 3' planting strip behind sidewalk. Street trees to be located 3-4' behind back of sidewalk either in the front yard of each lot, side yard of each lot or in a common open space area. Exact locations to be determined at construction documents to avoid conflicts with utilities and driveways.
 - Applicant agrees to provide an increased curb radius located at the entrance from Barberville Road (in lieu of deceleration lane). Exact curb radius size to be provided as specified by SCDOT. Size to be coordinated during construction document phase.

PRELIMINARY PLAN APPROVED
by the
Lancaster County Planning Commission
SUBJECT TO THE FOLLOWING CONDITIONS:
See NOA letter written on 1-30-15
DATE: *2/6/15* EXPIRES: *2/6/17*



Development Agreement
The Preserve at Barber Rock CSOD shall adhere to the development agreement between Bonterra Builders LLC, and the County of Lancaster relating to The Preserve at Barber Rock Development, State of South Carolina, County of Lancaster Ordinance No. 2014-1308.



ENGINEERING FIRM: ESP ASSOCIATES, P.A.
ADDRESS: 3475 LAKEMONT BLVD.
FORT MILL, SC 29708
(803) 802-2440
(802) 802-2515
PETER TATGE

DEVELOPER: BONTERRA BUILDERS
ADDRESS: 5615 POTTER ROAD
MATTHEWS, NC 28104
(704) 821-8020
MR. MIKE KISSEL

REVIEW AGENCY: LANCASTER COUNTY
ADDRESS: 101 NORTH MAIN STREET, SUITE 108
LANCASTER, SC 29720
(803) 285-6005



ESP Associates, P.A.
P.O. Box 7030
Clemens, NC 28012
919-487-1111
Fort Mill, SC 29708
704-883-4949 (NC)
803-802-2440 (SC)
www.espassociates.com

STATE OF SOUTH CAROLINA
ESP ASSOCIATES, P.A.
No. C01144
CLUSTER SUBDIVISION OVERLAY DISTRICT

LANCASTER COUNTY, SOUTH CAROLINA
928
J. LEVINSKY
2-3-15

NO.	DATE	REVISION
1	01/14/2015	REVISED PER STAFF REVIEW COMMENTS DATED 12/17/2014
2	02/03/2015	REVISED TO ADD NOTES BASED ON 12/01/15 PLANNING COMMISSION MEETING

PRELIMINARY PLAN (OVERALL)

THE PRESERVE AT BARBER ROCK
BONTERRA BUILDERS
LANCASTER COUNTY, SC

PROJECT INFORMATION	
PROJECT MANAGER:	PT
DESIGNED BY:	MM
DRAWN BY:	AC
PROJECT NUMBER:	BX10.400
ORIGINAL DATE:	12/03/2014
SHEET:	OVERALL

NOTES:

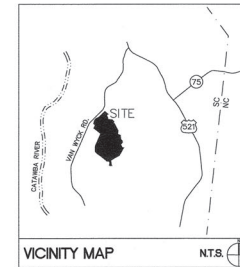
1. PRELIMINARY PLAN IS SUBJECT TO MINOR REVISIONS DURING THE DESIGN PROCESS AS MAY BE REQUIRED.
2. PER DEVELOPMENT AGREEMENT/ORDINANCE NO. 2014-1315, RECORDED 12/10/2014, THIS DEVELOPMENT IS LIMITED TO A MAXIMUM OF 835 RESIDENTIAL UNITS. THE DEVELOPER, AT THEIR DISCRETION, MAY CHOOSE TO INCLUDE LESS THAN THE 789 SHOWN IN THIS PRELIMINARY PLAN.
3. SEE SHEETS FOR LOT DIMENSIONS.
4. DEVELOPER TO PROVIDE AND INSTALL ROAD SIGNS FOR THIS SUBDIVISION.
5. CENTRALIZED MAIL KIOSKS TO BE PROVIDED FOR USPS MAIL DELIVERY. FINAL LOCATION OF MAIL KIOSKS TO BE DETERMINED DURING CONSTRUCTION DOCUMENT PHASE AND SHALL BE PURSUANT TO APPROVAL BY POST MASTER.
6. OVERFLOW PARKING FOR COMMUNITY TO BE LOCATED IN FUTURE AMENITY AREAS.
7. A "CLICK & ENTER" SYSTEM WILL BE PROVIDED ON ALL COMMUNITY ACCESS GATES AS WELL AS A BACK UP KNOX KEY SWITCH SYSTEM PER SECTION 13.8.3 OF THE LANCASTER COUNTY ORDINANCE.
8. FLOORPLAN INFORMATION OBTAINED FROM FEMA FIRM MAP NUMBER 45057020000 EFFECTIVE DATE OF STUDY JUNE 16, 2011.
9. EXISTING WALKING TRAILS ARE LOCATED THROUGHOUT THE SITE AND ARE TO REMAIN WHERE FEASIBLE. ADDITIONAL WALKING/PEDESTRIAN TRAILS MAY BE PROVIDED THROUGHOUT DEVELOPMENT. FINAL LOCATION OF ADDITIONAL TRAILS TO BE FIELD LOCATED AT TIME OF CONSTRUCTION.
10. ALL HOUSES TO BE WITHIN 500' OF A WORKING FIRE HYDRANT, AS MEASURED BY HOSE LENGTH TO DRIVEWAY.
11. 50' R/W CROSS-SECTION APPROVED BY FIRE MARSHALL TO MEET MID-BLOCK HYDRANT CLEARANCE WIDTHS.
12. HYDRANTS TO BE INSTALLED AND OPERATIONAL PRIOR TO VERTICAL CONSTRUCTION COMMENCING.

TREE TOPS LANCASTER, SC

VARIANCES

- THE FOLLOWING VARIANCES WERE GRANTED BY THE LANCASTER COUNTY PLANNING COMMISSION ON MARCH 17, 2015:
1. A VARIANCE FROM CHAPTER 26 OF THE LANCASTER COUNTY CODE WHICH STATES THAT CUL-DE-SACS SHALL NOT EXCEED 1,000' IN LENGTH, EXCEPT WHERE UNUSUAL TOPOGRAPHIC OR OTHER PHYSICAL CONDITIONS DICTATE OTHERWISE. THE VARIANCE WAS GRANTED FOR THE CUL-DE-SAC PORTION OF ACADIA LANE. THE CUL-DE-SAC LENGTH SHALL NOT EXCEED 1,700' IN LENGTH.
 2. A VARIANCE FROM SECTION 13.7.9.1 OF THE LANCASTER COUNTY UDO WHICH STATES THAT THE LENGTH OF BLOCKS HEREINAFTER ESTABLISHED SHOULD NOT EXCEED 1,800' AND SHALL NOT BE LESS THAN 600' IN LENGTH. THE LENGTH OF BLOCKS MAY BE MODIFIED, WHEN APPROPRIATE, DUE TO TOPOGRAPHY OR THE PHYSICAL SHAPE OF THE PROPERTY BEING SUBDIVIDED. THE VARIANCE WAS GRANTED TO ALLOW SHORTER BLOCK LENGTHS AROUND THE PERIMETER OF POCKET PARKS WITHIN TREE TOPS.
 3. A VARIANCE FROM SECTION 13.7.10.3 OF THE LANCASTER COUNTY UDO WHICH STATES THAT STURMED OUT STREETS SHALL BE REQUIRED TO BE PROVIDED TO ANY ADJACENT UNDEVELOPED PARCELS OR PARCELS USED FOR A SINGLE-FAMILY HOME THAT CONTAINS A MINIMUM OF FIVE ACRES. THE VARIANCE WAS GRANTED SO AS TO NOT REQUIRE THESE STUB-OUTS.
 4. A VARIANCE FROM SECTION 2.15.6.(1)(b) OF THE LANCASTER COUNTY UDO WHICH STATES THAT SIDEWALKS WILL BE REQUIRED ON AT LEAST ONE SIDE OF EVERY LOCAL STREET, WITH A SIDEWALK REQUIRED ON BOTH SIDES OF ARTERIAL AND COLLECTION STREETS (IN SUBDIVISIONS DEVELOPED VIA CLUSTER SUBDIVISION OVERLAY DISTRICT STANDARDS). A VARIANCE WAS GRANTED SO AS TO NOT REQUIRE THAT SIDEWALKS BE PROVIDED ON BOTH SIDES OF A PORTION OF BOTH TRANQUILITY BOULEVARD AND ACADIA LANE AS INDICATED ON THE APPROVED PRELIMINARY PLAN.

ROAD NAME		LENGTH
ACADIA FALLS LANE	(86' R/W)	4,293 LF
ARCHES BLUFF CIRCLE	(50' R/W)	3,330 LF
ASHER CHASE TRAIL	(50' R/W)	2,648 LF
BIG BEND DRIVE	(50' R/W)	1,997 LF
BRYCE CANYON WAY	(50' R/W)	967 LF
CAPE BRITTON LANE	(50' R/W)	283 LF
CAPITAL REEF DRIVE	(50' R/W)	1,533 LF
CHANNEL ISLANDS WAY	(50' R/W)	810 LF
DRY TORTUGAS WAY	(50' R/W)	330 LF
GLACIER NATIONAL WAY	(50' R/W)	679 LF
GRAND TETON PLACE	(50' R/W)	461 LF
GRAND SAND ROAD	(50' R/W)	628 LF
NOT SPRINGS ROAD	(50' R/W)	1,273 LF
KINGS CANYON WAY	(50' R/W)	1,097 LF
LAKEVIEW VILLAGE TRAIL	(50' R/W)	1,763 LF
SUNSET CRATER PLACE	(50' R/W)	3,237 LF
MOUNT RAINIER PLACE	(50' R/W)	696 LF
OLIVER STANLEY TRAIL	(50' R/W)	4,678 LF
REDWOOD GROVE TRAIL	(50' R/W)	794 LF
SANORA RIDGE DRIVE	(50' R/W)	2,547 LF
SEQUOIA FOREST WAY	(50' R/W)	497 LF
TRANQUILITY BOULEVARD	(172' R/W)	11,802 LF
WIND CAVE STREET	(50' R/W)	1,004 LF
TOTAL		47,535 LF



SURVEY DISCLAIMER

ALTA/ASOM LAND TITLE SURVEY, SURVEY ISSUE DATE JANUARY 29, 2015. PROVIDED BY CESI, 45 SPRING STREET SW, CONCORD, NC 28025, (704) 786-5404

DEVELOPMENT SUMMARY

OWNER: LENNAR CAROLINAS, LLC
11230 CARMEL COMMONS BLVD
CHARLOTTE, NC 28226
613.613 ACRES

SITE ACREAGE: 0022-00-007, 0019-00-003

ZONING: R30P
CLUSTER SUBDIVISION OVERLAY DISTRICT

EXISTING USE: VACANT

PROPOSED USE: DEVELOPMENT AGREEMENT/
ORDINANCE NO. 2014-1315,
RECORDED 12/10/2014

MAX. DENSITY: 1.28 DUA BASED ON 786 LOTS INDICATED.
1.36 DUA PERMISSIBLE PER DEVELOPMENT
AGREEMENT.

MAX. LOT COUNT: 786 LOTS INDICATED.
835 LOTS PERMISSIBLE PER DEVELOPMENT
AGREEMENT.

MAX. BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE.

MIN. LOT WIDTH: 55' (PROPOSED)

MIN. LOT AREA: 7,150 SF +/- (PROPOSED)
5,000 SF (PERMISSIBLE PER CSOD)

FRONT YARD SETBACK: 20'

REAR YARD SETBACK: 30'

SIDE YARD SETBACK: 7'

CORNER LOTS: 15' (SIDE YARD)

OPEN SPACE: 613.613 TOTAL SITE ACRES
57,942 ACRES PRIMARY CONSERVATION
138,917 ACRES (25% REQ. OPEN SPACE)
196,859 ACRES TOTAL MIN. OPEN SPACE
TO BE PROVIDED PER CSOD.
360± ACRES OPEN SPACE PROVIDED.

RECEIVED
3-26-15
ASIM

PRELIMINARY PLAN APPROVED

Lancaster County Planning Commission
SUBJECT TO THE FOLLOWING CONDITIONS:
1. THE PLAN IS APPROVED FOR THE PURPOSES OF THE CLUSTER SUBDIVISION OVERLAY DISTRICT.
2. THE PLAN IS APPROVED FOR THE PURPOSES OF THE CLUSTER SUBDIVISION OVERLAY DISTRICT.
3. THE PLAN IS APPROVED FOR THE PURPOSES OF THE CLUSTER SUBDIVISION OVERLAY DISTRICT.
4. THE PLAN IS APPROVED FOR THE PURPOSES OF THE CLUSTER SUBDIVISION OVERLAY DISTRICT.
5. THE PLAN IS APPROVED FOR THE PURPOSES OF THE CLUSTER SUBDIVISION OVERLAY DISTRICT.
6. THE PLAN IS APPROVED FOR THE PURPOSES OF THE CLUSTER SUBDIVISION OVERLAY DISTRICT.
7. THE PLAN IS APPROVED FOR THE PURPOSES OF THE CLUSTER SUBDIVISION OVERLAY DISTRICT.
8. THE PLAN IS APPROVED FOR THE PURPOSES OF THE CLUSTER SUBDIVISION OVERLAY DISTRICT.
9. THE PLAN IS APPROVED FOR THE PURPOSES OF THE CLUSTER SUBDIVISION OVERLAY DISTRICT.
10. THE PLAN IS APPROVED FOR THE PURPOSES OF THE CLUSTER SUBDIVISION OVERLAY DISTRICT.

NOTE: EXISTING TREES GREATER THAN 24" IN DIAMETER WILL BE PRESERVED AND INCORPORATED INTO AREAS DESIGNATED AS OPEN SPACE WHERE PRACTICABLE.

FUTURE AMENITY STRUCTURES SHALL NOT CONTOUR TOWARD REQUIRED OPEN SPACE, PER CSOD ORDINANCE.

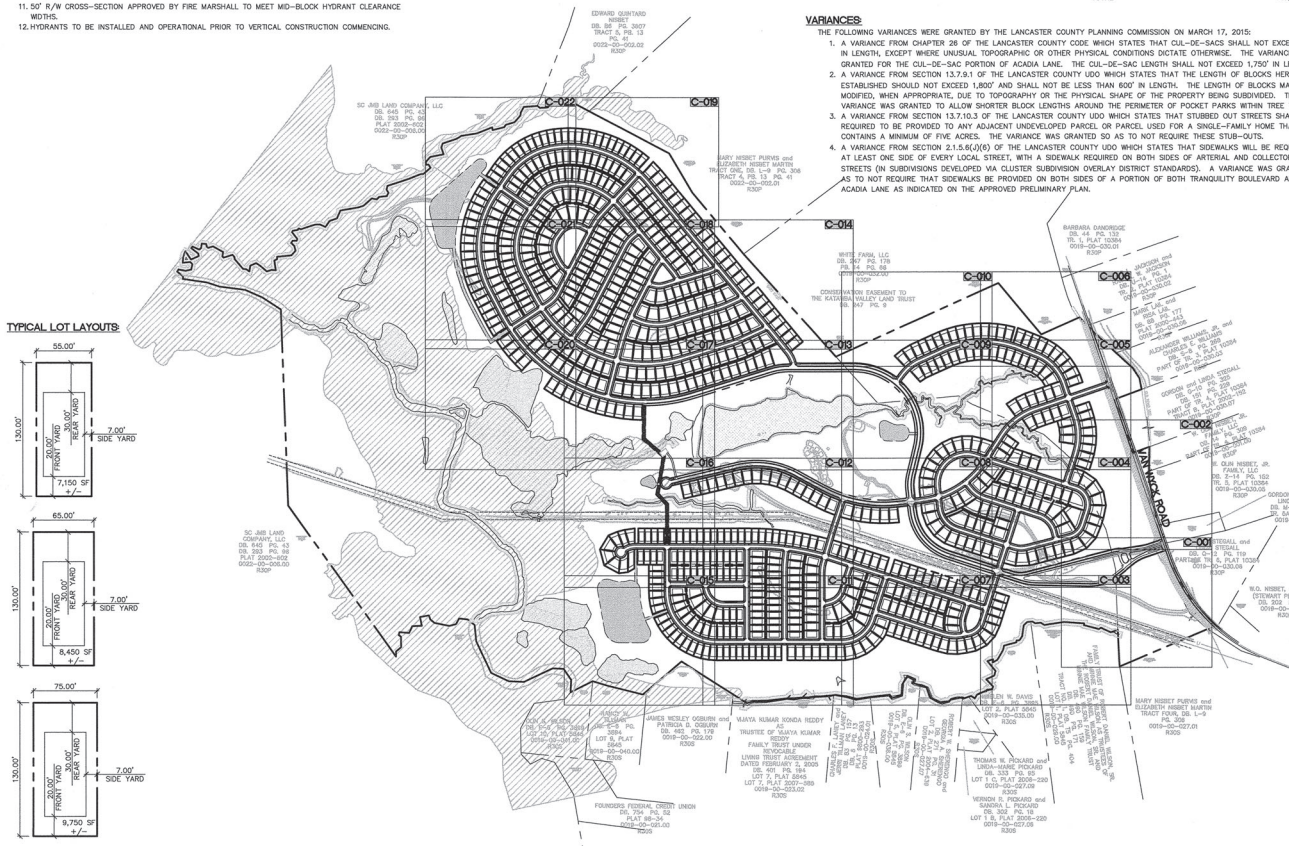
PRIMARY CONSERVATION AREA BASED ON STREAM AND WETLAND DELINEATION AS PROVIDED BY WETLANDS AND PLANNING GROUP, AND SURVEY WITH ISSUE DATE JANUARY 29, 2015, AS PROVIDED BY CESI, 45 SPRING STREET SW, CONCORD, NC 28025, (704) 786-5404.

ROAD IMPROVEMENTS

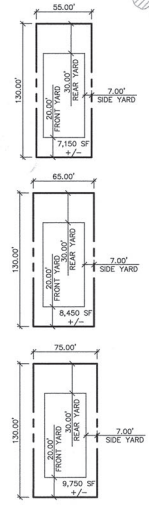
ROAD IMPROVEMENTS ARE TO BE AS RECORDED IN DEVELOPMENT AGREEMENT/ORDINANCE NO. 2014-1315, RECORDED 12/10/2014, AND AS NOTED IN THE TRAFFIC IMPACT ANALYSIS PROVIDED BY KIMLEY HORN AND ASSOCIATES.



1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN, ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND LANCASTER WATER AND SEWER DISTRICT SPECIFICATIONS.
4. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.



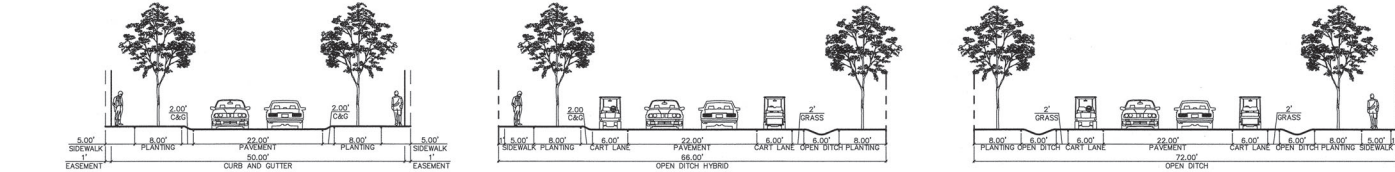
TYPICAL LOT LAYOUTS



50' ROW - STANDARD CURB AND GUTTER

66' ROW - HYBRID

72' ROW - OPEN DITCH



Shaping the Environment
Realizing the Possibilities

Land Planning
Landscape Architecture
Civil Engineering
Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202
p: 704.375.1555 f: 704.375.1951
url: www.colejeneststone.com

LENNAR CAROLINAS, LLC

11230 CARMEL COMMONS BLVD
CHARLOTTE, NC 28226

TREE TOPS

VAN WYCK ROAD
LANCASTER, SC 29720

PRELIMINARY PLAN - OVERALL

Project No.

4354

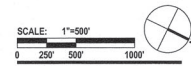
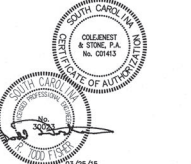
Issued

02/02/15

Revised

03/10/15 - PER PLANNING COMMENTS

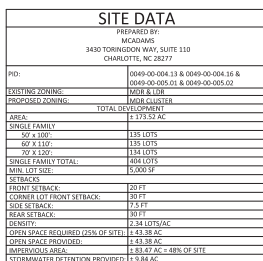
03/25/15 - PER PLANNING COMMENTS



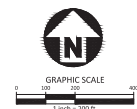
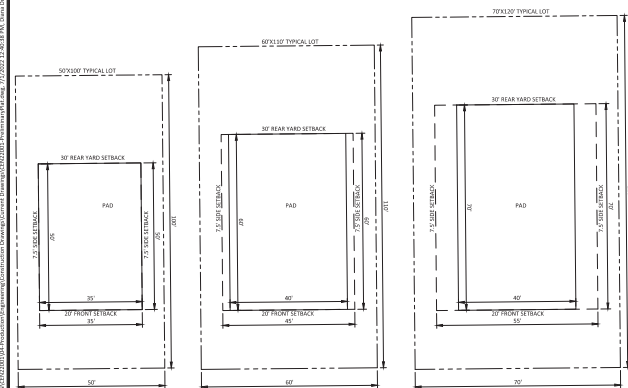
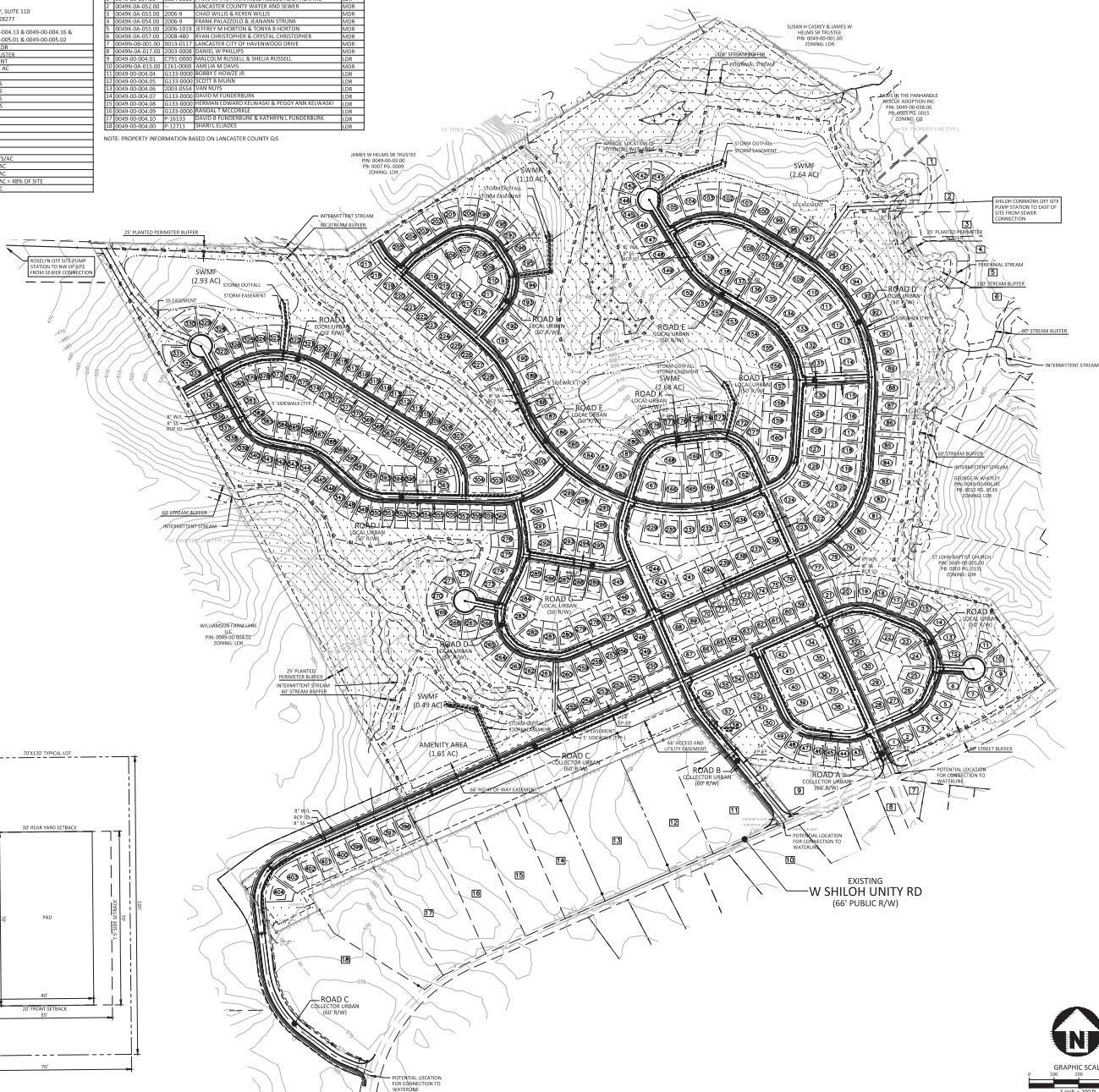
C-000

The drawings, the project manual and the design shown thereon are instruments of ColeJenest & Stone, P.A. The reproduction or unauthorized use of the documents without consent of ColeJenest & Stone, P.A. is prohibited.

ColeJenest & Stone, P.A. is prohibited.

[illegible]

NOTE: PROPERTY INFORMATION BASED ON LANCASTER COUNTY GIS



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



McADAMS
The John R. McAdams Company, Inc.
3430 Toringdon Way
Suite 110
Charlotte, NC 28277
phone 704.527.0800
fax 919.361.2269
license number: C-0293, C-187
www.mcadamsco.com

CLIENT
CENTURY COMMUNITIES
7401 CARMEL EXECUTIVE PARK DRIVE
SUITE 310
CHARLOTTE, NORTH CAROLINA 28226

SHILOH WOODS
PRELIMINARY PLAT
W SHILOH UNITY ROAD
LANCASTER, SOUTH CAROLINA 29720



REVISIONS

NO.	DATE
-----	------

PLAN INFORMATION

PROJECT NO. CEN-22001
 FILENAME CEN22001-PreliminaryPlan
 CHECKED BY JBW
 DRAWN BY DMD
 SCALE 1"=200'
 DATE 07. 01. 2022
SHEET

PRELIMINARY PLAT
SITE PLAN

PL-1

[illegible]

**ColeJenest
& Stone**

Shaping the Environment
Realizing the Possibilities

Land Planning
+
Landscape Architecture
+
Civil Engineering
+
Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202
919 704 3761 FAX 704 376 7851

PROVIDENT

BAYARD
1108 INDUSTRIAL DRIVE
MATTHEWS, NC 28105

**WILSON CREEK
SINGLE FAMILY**

8309 HENRY HARRIS ROAD
INDIAN LAND, SC 29707

OVERALL PROJECT PLAN

Project No.

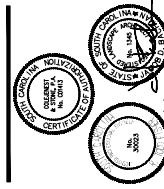
4717

Issued

03/15/2021

03/15/2021

Revised



SCALE: 1"=200'

C-000

IS FULLY RESPONSIBLE FOR CONTACTING THE PARTIES AND ASSURING THAT EXISTING OR TO CONSTRUCTION.

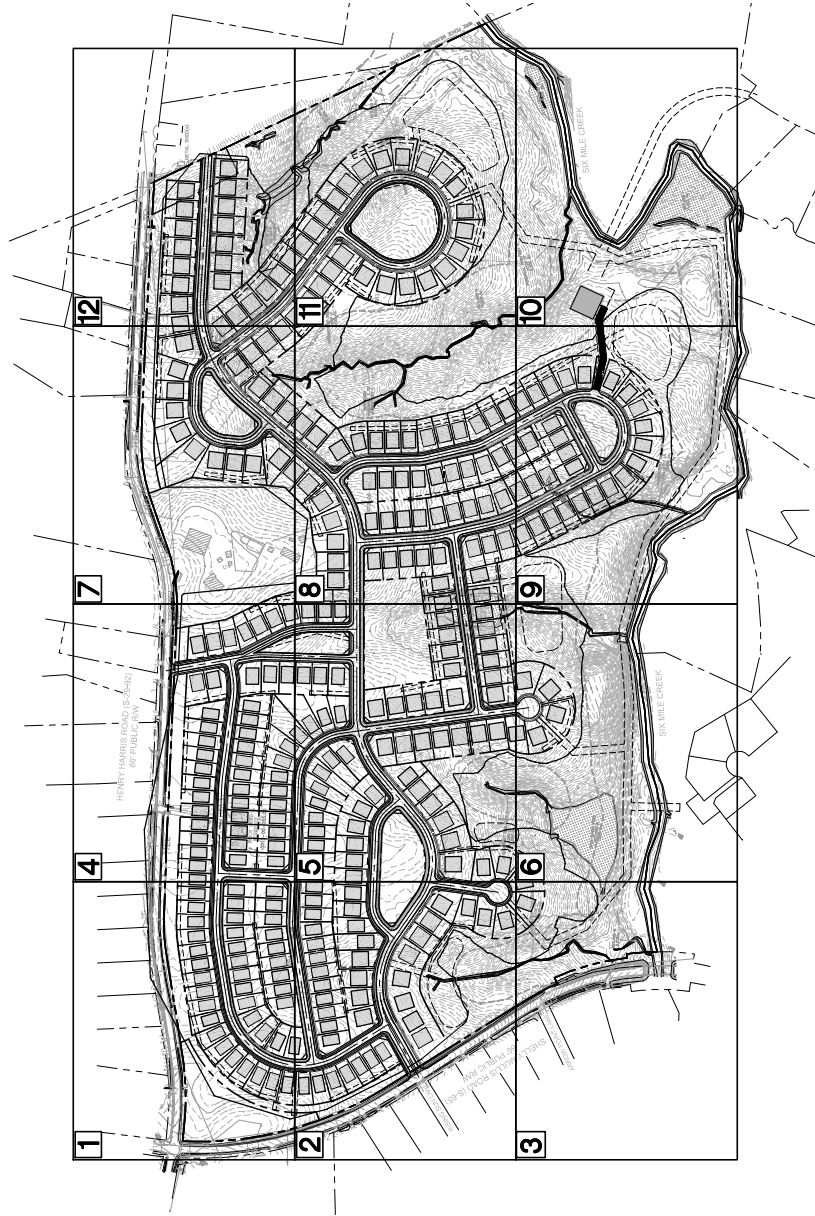
1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.

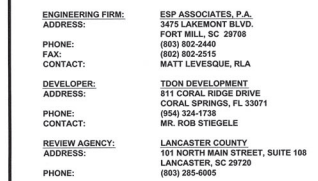
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND LANCASTER WATER AND SEWER DISTRICT SPECIFICATIONS.

© Celenest & Stone, P.A. 2021



C-000	OVERALL PROJECT PLAN
C-100	EXISTING CONDITIONS
C-200 - C-212	PRELIMINARY PLAT
C-500 - C-513	PRELIMINARY GRADING AND DRAINAGE
C-600 - C-601	DRIVEWAY SIGHT DISTANCE



[illegible]

Typical Lot Details:

70' X 130' LOT

90' X 140' LOT

ROW (VARIES)

ROW (VARIES)

N.T.S.

Note: Applicant has requested waiver from 3' lot side required as noted in Section 2.5.6(b) of the Lancaster County Unified Development Ordinance

Road Names & Lengths:

Local Collector Street - 66' ROW, 24' pavement, sidewalk 2 sides:	
 Local Collector Street (Portion of)	1,776.02 LE
 Local Collector Street (Portion of)	87.07 LE
 Local Collector Street (Portion of)	685.27 LE
Local Residential Street - 50' ROW, 22' pavement, sidewalk 2 sides:	
 Local Residential Street (Portion of)	631.11 LE
Local Residential Street - 50' ROW, 22' pavement, sidewalk 1 side:	
 Local Residential Street (Portion of)	585.72 LE
 Local Residential Street (Portion of)	615.30 LE
 Local Residential Street (Portion of)	847.90 LE
 Local Residential Street (Portion of)	612.37 LE
 Local Residential Street (Portion of)	1,068.00 LE
 Local Residential Street (Portion of)	1,003.15 LE
 Local Residential Street (Portion of)	874.31 LE
 Local Residential Street (Portion of)	715.20 LE
 Local Residential Street (Portion of)	392.76 LE
 Local Residential Street (Portion of)	341.60 LE
 Local Residential Street (Portion of)	830.80 LE
 Local Residential Street (Portion of)	406.58 LE
 Local Residential Street (Portion of)	1,729.15 LE
 Local Residential Street (Portion of)	1,747.32 LE
Total Length of Proposed Roads:	17,075.16 LE

		ESP Associates, P.A. P.O. Box 4700 Charlotte, NC 28216 3474 Latham Blvd. Fort Mill, SC 29708 803-539-2440 (SC) www.esp-associates.com	
		SOUTH CAROLINA STATE OF 145-C ESP ASSOCIATES, P.A. STATE OF SOUTH CAROLINA	
		County of Lancaster, South Carolina 9228 JAMES H. LEVINSKY, JR. CLERK OF COURT	
PRELIMINARY PLAN (OVERALL)		BENT CREEK	
TOON DEVELOPMENT		LANCASTER COUNTY, SC	
PROJECT INFORMATION			
PROJECT MANAGER:		NL	
DESIGNED BY:		MM	
DRAWN BY:		AC	
PROJECT NUMBER:		BT39.100	
ORIGINAL DATE:		07/07/2014	
SHEET:		OVERALL	

DEVELOPMENT INFORMATION:

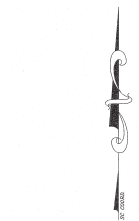
Project Name: Carrington Subdivision
Developer: Lancaster County, South Carolina
SINACORI BUILDERS, LLC
 10100 Park Cedar Dr. Suite 166
 Charlotte, North Carolina 28210
 Phone: (704) 543-7474
Property Owner: CARRINGTON III, LLC
 5915 Cary Ridge Dr.
 Charlotte, North Carolina 28277
Tax I.D.: 0009-00-009.00
Site Acreage: 37.4+ (Total)
Open Space: 9.42Ac. Required (± 13.02 Acres Provided)
Zoning: MDR- Cluster Subdivision Overlay (CSO)
School District: Lancaster County School District
Fire District: Indian Land Fire District
Setbacks/Yards: Front - 20FL
 Side - 7.5FL
 Rear - 15FL @ Corners
 - 30FL
Land Use: Existing - Partially Wooded, Vacant
 Proposed - Detached Single Family
 50 Ft (55-65-75 FV Shown)
Min. Lot Width: 5,000 Sq. Ft.
Min Lot Size: 83 (Single Family Residential)
Lots Proposed: 55' Lots = 28
 65' Lots = 28
 75' Lots = 27

Road Lengths: Shelbourne Way 600 LF
 Moher Cliff Drive 1165 LF
 Monastic Road 1276 LF
 Wicklow Place 480 LF
 Muckross Lane 701 LF

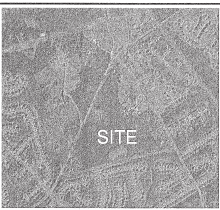
CONDITIONS:
 - Stormwater Management Will Be Required
 - Site is Subject to Carolina Heelsplitter Overlay District (CHOD)
 - There Can Be No More Than 34% of A Single Lot Type (3 Widths
 Required At 10' Increments)

OTHER APPLICABLE REGULATIONS
 1. SCDHEC Stormwater Regulations
 2. SCDOT Traffic Regulations

★ APPROXIMATE LOCATION OF
 MAILBOX KIOSKS



SEE TOPOGRAPHY PROVIDED FROM LANCASTER COUNTY AERIAL
 TOPOGRAPHY
 BOUNDARY SURVEY AS PROVIDED BY R. JOE HARRIS & ASSOCIATES, INC.
 HORIZONTAL DATUM USED TO BE A NAD 83 AND VERTICAL DATUM BEING USED
 BE DATUM 1988. R. JOE HARRIS & ASSOCIATES, INC. FOR BENCHMARKS AND
 CONTROL INFORMATION.



SITE

VICINITY MAP - N.T.S.

Line Table		
Line #	Length	Direction
L-1	485.597	N85° 51' 17.14"W
L-2	232.200	N86° 09' 28.16"W
L-3	346.646	N13° 26' 39.11"W
L-4	289.243	N13° 27' 16.80"W
L-5	100.370	N13° 40' 02.67"W
L-6	572.825	N13° 38' 39.60"W
L-7	70.002	N13° 19' 06.96"W
L-8	515.587	N57° 59' 46.05"E
L-9	263.942	N18° 02' 31.51"E
L-10	74.037	N76° 45' 24.69"E
L-11	161.630	N71° 43' 25.43"E
L-12	120.152	N71° 42' 31.49"E
L-13	27.837	N71° 42' 20.70"E
L-14	213.474	S00° 42' 29.42"W
L-15	138.801	S00° 43' 35.27"W
L-16	138.550	S00° 43' 36.03"W
L-17	924.409	S00° 39' 44.88"W
L-18	171.249	S00° 34' 59.88"W
L-19	503.188	S00° 54' 22.77"W



LOT #1 WIDTH (IN)			LOT #2 WIDTH (IN)			LOT #3 WIDTH (IN)			LOT #4 WIDTH (IN)		
1	2	3	4	5	6	7	8	9	10	11	12
1	65	13,181	26	75	9,750	51	65	8,450	76	55	7,151
2	65	9,970	27	75	10,591	52	65	9,339	77	55	7,862
3	65	8,552	28	75	12,224	53	65	13,347	78	55	8,888
4	65	8,530	29	75	12,088	54	65	11,565	79	55	13,770
5	65	8,508	30	75	9,750	55	65	10,107	80	55	20,090
6	65	8,506	31	75	9,750	56	75	10,642	81	55	13,365
7	55	7,188	32	75	9,750	57	75	9,750	82	55	9,705
8	55	7,200	33	75	9,750	58	75	10,639	83	55	9,799
9	55	7,536	34	75	9,750	59	75	9,949			
10	55	8,628	35	75	9,750	60	65	8,425			
11	55	7,980	36	75	9,750	61	65	9,126			
12	55	7,190	37	75	9,750	62	65	10,907			
13	55	7,190	38	75	9,750	63	65	13,176			
14	55	7,190	39	75	9,750	64	65	9,139			
15	55	7,190	40	75	9,750	65	65	8,450			
16	55	7,190	41	75	9,750	66	65	8,450			
17	55	7,190	42	65	10,140	67	65	9,146			
18	55	7,190	43	65	8,775	68	75	12,057			
19	55	7,190	44	65	8,776	69	75	11,261			
20	55	7,190	45	65	8,837	70	75	10,636			
21	55	7,190	46	65	9,343	71	75	15,076			
22	55	8,017	47	65	9,343	72	55	28,033			
23	55	9,744	48	65	9,880	73	55	8,602			
24	75	9,750	49	65	8,450	74	55	7,157			
25	75	9,750	50	65	8,450	75	55	7,154			

SEE SHEET SP-2 FOR STANDARD
 DETAILS & TECHNICAL NOTES

DATE	ISSUED FOR	REV
05/01/17	Initial Submittal to Lancaster County	0
09/12/17	Second Submittal to Lancaster County	1

Know what's below.
Call before you dig.

Engineer:

R. Joe Harris & Associates, Inc.
 Engineering • Land Surveying • Planning
 Management
 101 West Camp Creek, Suite 111, Fort Mill, SC 29504
 (716) 885-1000

www.rjeharris.com

This drawing shall not be used for construction purposes until the
 seal and signature of the responsible registered engineer on the
 drawing, and proper permit forms and related fees are transmitted
 by the Owner, Owner's Agent or Contractor to the Authority
 having jurisdiction.

Corporate Seal	Engineer's Seal

Project Manager	Drawn
P. Murphy	R. Samuels
Department Manager	Checked
P. Murphy	A. Bowersox
Printed Date	
June 12, 2017	
Client	
SINACORI BUILDERS	
10100 PARK CEDAR DR., SUITE 166	
CHARLOTTE, NORTH CAROLINA 28210	
P: (704) 543-7474	

Project:

Carrington Subdivision

Drawing Title:

Preliminary Plat

Project No.	Drawing No.
2540	SP-1
DWG File Name:	
2540-Preliminary Plat	

<u>Cluster Development Name</u>	<u>Nearest Major Road</u>	<u>Main Entry Road(s)</u>	<u>Acerage</u>	<u>Lots</u>	<u>Roads In?</u>
Arbor Meadows	Pineview Dr	n/a	92	47	No
Barber Rock	Barberville Rd	Chalet Ln	86.2	184	Yes
Bent Creek	Jim Wilson Rd, Henry Harris Rd	Twelve Mile Creek Rd, Chippenham Ave	75.58	99	Yes
Carrington	Shelley Mullis Rd, Goldwing Ln	Monastic Rd, Moher Cliff Dr	37.4	83	Yes
Covington	Harrisburg Rd	n/a	164.74	328	No
Covington Estates	Harrisburg Rd	Ancestry Trl	33.14	53	Yes
Overlook at Barber Rock	Barberville Rd	Harbor Bay Dr	83.82	126	Yes
Preserve at Barber Rock	Barberville Rd	Chalet Ln	34.12	52	Yes
Ridgecrest	Harrisburg Rd	Tabor Ln, Chateau Ridge Way	56.78	131	Yes
Roselyn	Charlotte Hwy / 521	Roselyn Ave	1396.91	1850	Some
Shiloh Woods	W Shiloh Unity Rd	n/a	169.86	398	No
Tree Tops	Van Wyck Rd	Tranquility Blvd, Acadia Falls Ln	613.613	786 Indicated, 385 permissible per DA	
Wilson Creek	Shelley Mullis Rd, Henry Harris Rd	Wilson Creek Dr, Daniel Pine Dr	169.07	326	Some

PROPOSAL: Amend Unified Development Ordinance Standards for Cluster Subdivision Overlay District (CSOD) standards.

APPLICABLE CHAPTER(S): UDO Chapter 4.4.1

APPLICANT: Lancaster County Council

STATED CONCERN: “Changes are intended to address known issues...related to front setbacks, usable open space, lot sizes, CSOD lot mix, block face lengths, and density calculation.”

PROJECT SUMMARY & PROPOSAL:

Growth management has been an active discussion with the County Council over the course of the last year.

In 2022, a proposed Interim Ordinance for the cluster design standards, including changes to minimum lot size, front yard setbacks, open space requirements, and open space in relation to block length, was denied. Afterwards, citizen engagement prompted the County Council to initiate proposed changes to the Medium Density Residential (MDR) Zoning District and the associated Cluster Subdivision Overlay District (CSOD). This also failed to pass as a joint resolution, and staff asked for time to separate the two issues in order to reach a resolution.

OVERVIEW:

Staff has had concerns that the cluster subdivision overlay district was not being used in the way that cluster subdivisions are intended and is seeking to address this.

Cluster subdivisions are generally used to accommodate a specific goal of the community and/or comprehensive plan. For example, cluster design flexibility is provided in many communities in exchange for natural resource protection, transit-oriented neighborhoods, or to achieve affordable housing. The Lancaster County Cluster Subdivision Overlay code section references this but does not specifically require or call out the objective.

Earlier attempts were challenged based on discussions about how the options would impact the Panhandle. Cluster subdivision design, properly implemented, could be viable county-wide.

OPTIONS:

Staff has reviewed multiple code sources and recommends deliberation of the following options (in no particular order):

- **Only allow cluster subdivisions as a means to address an accepted need in the county.**
 - Current code mentions using cluster subdivision design to preserve trees and flood areas but needs more teeth and to list more of the county’s stated concerns (slope failure areas, floodways, stream banks, tree species and size for preservation, etc).

- **Add parking plan requirement for overflow; require parking to be on private lands (off street); allow narrower roads by review/approval of Planning Commission.**
 - One component option of cluster subdivision is to reduce impervious surfaces, like roads. Reducing the width of pavement on roads should be allowed only if the width will accommodate public safety, and only if parking is prohibited on the street so that public safety and public health vehicles (garbage trucks) can safely travel the roadways as needed.
- **Allow flexible setbacks (a range of setbacks vs a standard setback) to reduce the need for variance.**
 - If the purpose of cluster housing is to preserve land that has issues with terrain, water, tree preservation, etc., then the developer should have some flexibility to site the houses in such a way to achieve this. A single setback regulation can defeat the purpose of the cluster subdivision without some flexibility. Avoiding a costly delay by requiring variance review also helps move the project along and achieves the community's goals.
- **Require phasing to reduce mass grading.**
 - Staff have received many complaints about entire development sites being taken down all at once; it provides challenges for sediment management as well.
 - Phasing the plans would allow trees to remain in sectors until the development progresses to the next phase.
- **Apply the following to the future UDO rewrite:**
 - Determine tree species and sizes to be protected; prioritize tree species that are native to the area and help control stormwater (through absorption).

PLANNING COMMISSION RECOMMENDATION:

At their August 15, 2023 meeting, the Planning Commission unanimously (7-0) recommended approval of the ordinance, with the following changes (incorporated into the ordinance for 1st reading):

1. 4.4.1.D.3.a (– reduce required components from three (3) to two (2)
2. 4.4.1.D.3.a.1 – increase riparian buffer to 100 ft from 50 ft
3. 4.4.1.D.3.a.2 [An additional 5% of open space over the 25% required in Section 4.4.1.F] and 4.4.1.D.3.a.6 [Wetland buffers are extended by an additional 10 feet to accommodate wetland migration] – remove from the list of options and add to the design requirements
4. 4.4.1.D.3.a.8 [The stormwater system improves an existing issue in the area basin/watershed by at least 25% performance]– remove from the list of options due to enforcement difficulties
5. Add to design requirements: required 50 ft riparian buffer along waterways/creeks
6. 4.4.1.F.1 - Open space **shall** (rather than “may”) include the combination of uses listed

STAFF CONTACT: Allison Hardin, Development Services Director / ahardin@lancastercountysc.net

PROPOSED TEXT AMENDMENTS

Language proposed for deletion is ~~strikethrough~~

Language proposed for addition is highlighted and underlined

4.4.1 CLUSTER SUBDIVISION OVERLAY DISTRICT (CSO)

The Cluster Subdivision Overlay District, is hereby established. Cluster subdivisions are residential developments ~~which offer an alternative to traditional subdivision design~~ that group structures together in particular areas of a site, with the ~~principle~~ principal purpose being to encourage open space, conservation, agriculture, recreation, and public or semipublic uses, and natural resource protection ~~in medium density residential districts~~. Cluster subdivisions shall be designed using a site planning technique that concentrates buildings and structures to the most buildable areas of a site in order to preserve the remaining area as open space for recreation and ~~/or~~ or preservation of significant site features. ~~Reductions below the minimums otherwise required by the UDO for lot area, lot width, and setbacks are allowed within a CSO, and such reductions are only permissible within a CSO.~~ By preserving open space, a cluster subdivision will provide another tool by which the County shall preserve its rural character, natural resources, and/or other priority areas identified under the comprehensive plan. In addition, cluster layouts reduce development costs by cutting road and utility costs, and bypassing natural conditions on the site (floodplains, large trees, steep terrain, etc). Cluster subdivisions are permitted in moderate-density single family residential districts, specifically, Medium Residential District. Cluster subdivisions are not permitted in any other zoning districts. Only lands that have a natural condition that prohibits standard subdivision development are eligible for the cluster subdivision option as determined by the administrator. Development of a Cluster Subdivision requires submission of a Development Agreement (see UDO 9.2.18). (Ord. No. 2019-1623, 12.9.19) The following general provisions apply to the Cluster Subdivision Overlay District:

A. MINIMUM ACREAGE

The minimum tract area for a cluster subdivision shall be 30 gross acres [unless a larger minimum acreage is required as part of the Development Agreement Process (i.e. 25-acres of highland)], shall consist of contiguous parcels, and must adjoin or have direct access to at least one collector street. (Ord. No. 2019-1623, 12.9.19)

B. MINIMUM LOT AREA

The minimum lot area (in square feet) per dwelling unit within a cluster subdivision is dependent upon the lot width. Except for incentive lots, the smallest lot size available under the cluster subdivision option shall be ~~5,000~~ 7,500 square feet. This shall be the minimum lot area allowed for any lot with the minimum lot width of ~~50-60~~ feet, as defined in Section C below. The minimum lot area per dwelling unit shall increase proportionately with an increase in lot width. Incentives to reduce minimum lot size to 5,000 square feet and 50 ft in width are explained in Section 4.4.1.D.3.

C. MINIMUM LOT WIDTH

In a cluster subdivision, where both central water and sewer services are available and adequate, the minimum lot width shall be ~~50~~ 60 feet, excepting incentive lots created under guidance of Section 4.4.1.D.3.

D. VARIETY OF LOT SIZES

Individual lots in a cluster subdivision shall vary in size and layout. ~~No more than 34 percent of the lots in a cluster subdivision shall have a single designated lot width.~~ The following shall apply:

1. ~~The minimum separation between any two designated lot widths shall be 10 feet. For example, if 34 percent of the total number of lots has a lot width of 50 feet, 34 percent could have a lot width of 60 feet, and the remaining could have a lot width of 70 feet or greater.~~ No two adjacent lots shall have the same lot width; there will be at least five feet difference in width as measured at the primary frontage/right-of-way.
2. ~~The Planning Commission may allow a developer to vary the width of individual lots to accommodate site restrictions (i.e., easements, corner lot widths, etc). However, such lots shall be counted with the nearest designated lot width.~~ Incentivized lots (per Section 4.4.1.D.3) may not count for more than 35% of the total lot count.
3. Additional lot size reduction incentives
 - a. Up to 35% of the total lots may be created with a minimum of 5,000 sq ft area and 50 ft lot width (measured at the primary frontage/right-of-way) if at least two of the following components are provided in the design and secured by a development agreement:
 1. A 100-foot riparian buffer is created along waterways or creeks;
 2. Half or more of the open space includes tree preservation of all existing species that measure 18" DBH or more;
 3. A trail system that connects to existing or planned public parks or trail systems outside of the neighborhood is created, built, and maintained;
 4. The neighborhood design includes a Safe Routes to School plan; and/or
 5. Homes built in A or AE zones are constructed on stilts and not fill.

E. SETBACKS

The following minimum setbacks are required for individual lots within a cluster subdivision:

1. **Front Yard:** The minimum front yard setback for the primary structure shall be 20 feet to the front of the structure and 40 feet to the garage, if the garage faces the street. If the garage faces a side yard or the rear of the property, the 20 foot setback applies.

Porches may extend into the front yard setback by five (5) feet to create additional variation in streetscape along local roads.

The front yard setback for a corner lot shall be as set forth in Chapters 2 and 3 of the UDO;

2. **Rear Yard:** The minimum rear yard setback shall be ~~30~~ **25** feet;
3. **Side Yard:** The minimum side yard setback shall be 7 ½ feet.
4. **Exceptions:** The Administrator may approve a reduction of rear or front setbacks by a maximum of five (5) feet in a situation where a structure can't meet the existing setbacks due to a condition in the natural environment that is being preserved, such as trees or wetlands. This may not be applied in addition to the porch exception in 4.4.1.E; this means that the Administrator may not approve a front setback that results in less than fifteen (15) feet from the right-of-way. Side yard setback reductions are not allowed under this exception.

F. OPEN SPACE REQUIREMENT

For a cluster subdivision, no less than **25 30** percent of the site acreage, not including primary conservation areas as defined in Item 3 below, shall be set aside in perpetuity as open space. Open space shall be clearly labeled as such on any preliminary or final plat (including sketch plans) submitted for review. Open space in a cluster subdivision is also subject to the following:

1. Open space **may shall** include, but is not limited to, **a combination of** passive recreation, natural preservation of important scenic vistas, environmentally sensitive lands, habitat for wildlife, **floodplains, riparian buffers, undisturbed forests of at least three (3) contiguous acres and at least two (2) different species of canopy trees as listed in Section 4.3.2.J.6.vii, and/or** historically or archaeologically significant areas. Structures, swimming pools, **stormwater management basins**, and athletic facilities shall not count as open space. However, structures are permitted in the open space when they serve an accessory function, such as a gazebo, fishing dock, playground equipment, or play structures (Ord. No. 2019-1623, 12.9.19);
2. The amount of open space required to be set aside shall be determined by the following formula:

Open Space Set Aside = Total **Land Area in** Parcels minus **Total Land Area in** Primary Conservation Areas multiplied by **the** Open Space Percentage then added to **the** Primary Conservation Areas

$$TO = ((TP - PC) OSP) + PC$$

TO	= Total Open Space Set Aside	(acres)
TP	= Total Parcel	(acres)
PC	= Primary Conservation Areas	(acres)
OSP	= Open Space Percentage	(% of Improvable Area)

3. **Primary Conservation area** includes those areas that cannot otherwise be built upon or improved and therefore would be preserved in a conventional development. Such areas

- specifically include wetlands, surface waters and intermittent stream channels, steep slope terrain, and soils that don't support building.
4. To fulfill the requirements of this item (4.4.1.F), a combination of the following shall be included in the required open space where practicable:
 - a. Wooded areas;
 - b. Scenic vistas;
 - c. Streams, ponds, wetlands, and floodplains;
 - d. Buffers, including landscaped, perimeter, river, and stream;
 - e. Areas containing slopes in excess of 25 percent;
 - f. Other areas containing unusual natural site features (such as major rock formations); ~~and~~
 - g. Habitats of rare, threatened, and/or endangered species as listed by the SC Department of Natural Resources (SCDNR);
 - h. Agricultural lands that are in use;
 - i. Areas of historical importance;
 - j. Parking areas to support these amenities and overflow parking; and/or
 - k. Other environmentally, historically, or archaeologically significant or unique areas;
 5. Open spaces shall be contiguous to the extent practicable when not restricted by topography, existing water body, and other natural features;
 6. Pedestrians shall have access to open space;
 7. Open space shall be deed restricted and shall not be developed for use other than open space except for agricultural lands, which shall be deed restricted to agricultural use and/or open space;
 8. Open space shall remain under the ownership and control of the developer (or successors) or a homeowner's association or similar organization. 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. The County shall have no responsibility for the maintenance of open space areas. If open space location meets a need in the County comprehensive plan, the County and developer may consider conveyance of completed open space to the County, upon Planning Commission and Council approval.

~~The person or entity having the right of ownership and control over such recreational facilities and open space shall be responsible for the continuing upkeep and proper maintenance of the same. It shall not be the responsibility of the County to maintain these areas.~~
 9. A cluster subdivision shall include provisions for the protection of trees and other natural amenities within the area or areas designated for open space. The removal of trees and natural vegetation in designated open space is ~~strongly discouraged, though it is permitted during the development phases~~ prohibited except for the purpose of constructing trails and

other such recreational improvements as approved by planning staff under the development agreement and/or site plan review. All open space shall be clearly labeled as such on any preliminary or final plat (including sketch plans) submitted for review. Trees over 24 inches in diameter (DBH) shall be preserved and incorporated in designated open space where practicable, and upon the request of planning staff such trees existing within areas designated for trails and other such recreational improvements may also need to be shown and labeled. Upon completion of development phases, no person or entity shall remove or destroy any trees or natural vegetation from designated open space without approval from the Administrator. However, normal maintenance and removal of dead or fallen trees are permitted and recommended, including removal of vegetation as part of a Firewise program, and shall be the responsibility of the person or entity identified as having the right of ownership as outlined in Item 8 above.

G. MAXIMUM DENSITY

The maximum number of dwelling units allowed per acre for a cluster subdivision shall not exceed the maximum for the residential use district in which it is located, as set forth in Chapter 2 of the UDO, where the total number of dwelling units allowed shall be based on the gross acreage of the site. For example, when the CSO is located within the MDR, Medium Density Residential, where the maximum density is two and a half dwelling units per acre, a 100-acre parcel of land shall be allowed to have no more than 200 250 dwelling units built on the site.

H. COMMERCIAL REQUIREMENT: There shall be no required commercial within a cluster subdivision.

I. SITE PLANNING REVIEW STANDARDS: A cluster subdivision shall follow the site plan review standards and procedures as set forth in Chapter 9 of the UDO, including but not limited to Section 9.2. Furthermore, planning staff shall also include the following in their review:

1. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures, street patterns, and use relationships;
2. The site layout shall accommodate and preserve any features of historic, cultural, archaeological, or sensitive environmental value. Individual lots, buildings, structures, streets, parking areas, utilities, and infrastructure shall be designed and sited to minimize the alteration of natural features, vegetation, and topography;
3. Where practicable, individual lots, buildings, structures, streets, parking areas, utilities, and infrastructure should be designed and sited to be compatible with surrounding development patterns;
4. Where practicable, open space shall be located on a site in such a manner so that view sheds from existing public right-of-way are not obstructed, but are enhanced by the open space;
5. Private streets are permitted in a cluster subdivision, provided such streets meet the construction standards of Chapter 6 and Appendix C of the UDO. The following shall apply:
 - a. As required in Chapter 6 of the Lancaster County Code, as amended, the minimum right-of-way and pavement width shall be as follows:

Road Type	Right-of-Way (feet)	Pavement (feet)
Local (closed drainage)	50	22
Local (open drainage)) – follow guidance for collector (rural)	66	22-24
Collector) – follow guidance for collector (rural)	66	24

- b. On-street parking is permitted in a cluster subdivision where adequate right-of-way and pavement width is provided in accordance with standards of the South Carolina Department of Transportation where street widths are 30 feet or more; after the effective date of this ordinance, on-street parking is prohibited on streets with less width; and
 - c. To ensure adequate clearance for emergency vehicles in a cluster subdivision, the Planning Commission may require signage and/or pavement markings to clearly indicate areas where on-street parking is prohibited;
 6. Installing sidewalks on both sides of local streets in a cluster subdivision is encouraged required. At a minimum, a sidewalk will be required on at least one side of every local street, with a sidewalk required on both sides of arterial and collector streets. Local, arterial, and collector streets shall be clearly labeled as such on any preliminary or final plat submitted for review. On local roads with areas where natural environments are not favorable for concrete sidewalk construction, the developer may discuss alternative path surfaces to meet the sidewalk requirement (for example, permeable pavement). Only surfaces that comply with the Americans with Disabilities Act may be considered, and the Administrator has the final say on accepting such replacement;
 7. In general, landscaping requirements for a cluster subdivision shall comply with the requirements of Chapter 7 of the UDO. However, the Planning Commission may vary such requirements in response to applications demonstrating alternative landscaping based on creative site planning. Existing trees and natural vegetation shall be retained wherever possible and shall count towards meeting the landscaping requirements;
 8. The following buffer requirements shall apply for a cluster subdivision:
 - a. In general, buffer requirements for a cluster subdivision shall comply with the requirements of Chapter 7 of the UDO where a buffer yard may be required between adjacent zoning districts;
 - b. Existing trees and natural vegetation shall be retained wherever possible and shall count towards meeting the buffer requirements;
 - c. Ingress/egress to the property shall be allowed within a buffer, as well as utility easements and sidewalks;

- d. A 50-foot buffer shall be required on the frontage of all existing public streets. Where there is insufficient natural vegetation to provide a visual buffer for principal structures, plantings shall be installed by the developer. A minimum of 25 percent of the trees and 75 percent of the shrubs shall be evergreens in order to achieve opacity;
- e. The Planning Commission may allow a developer to vary the buffer requirement to preserve view sheds from existing view sheds, as required in Item 4 above.
- f. Buffer requirements within a cluster subdivision shall count as open space where it is contiguous with other areas designated as open space.
- g. A 50-foot riparian buffer shall be created along waterways or creeks.
- h. Wetland buffers are extended by an additional 10 feet to accommodate wetland migration.
- 9. Variety in architecture and building materials shall be encouraged within a cluster subdivision. It is encouraged that buildings are constructed using quality finish materials (i.e., brick, masonry, stone, concrete siding, or stucco). Vinyl siding is permissible if in combination with other building materials.
- 10. Grading will be planned in phases, to retain tree cover for as long as possible, and minimize sediment runoff. The phasing plan must be reviewed and approved by staff and the Planning Commission during the preliminary plat review process. Any changes in phasing that affect infrastructure (streets, water, sewer, etc.) will require re-review by staff and Planning Commission.

J. OTHER ZONING REQUIREMENTS

The Cluster Subdivision Overlay District may contain zoning and development standards and requirements that are inconsistent with or conflict with zoning and development standards and requirements contained elsewhere in the UDO. The standards and requirements contained in the Cluster Subdivision Overlay District supersede all other zoning and development standards and requirements. The Cluster Subdivision Overlay District is deemed controlling. If the Cluster Subdivision Overlay District is inconsistent with or conflicts with zoning and development standards and requirements contained elsewhere in Chapter 4, then the zoning and development standards and requirements contained in Chapter 4 supersede the standards and requirements contained in the Cluster Subdivision Overlay District and the provisions contained in Chapter 4 are deemed controlling.

K. ~~EXAMPLES OF APPLYING FORMULAS~~

~~Below are examples of applying formulas to determine the total number of dwelling units allowed and the amount of the site acreage to be set aside as open space within a Cluster Subdivision Overlay District.~~

~~Example: Assume that a 50 acre parcel is being developed. The residential use district is MDR, Medium Density Residential District, where the maximum density is 2.5 dwelling units per acre. Assume that there are 5 acres of Primary Conservation area. The open space percentage is 25 percent (or as a decimal, .25).~~

~~The following formula would be used to determine the total number of dwelling units allowed:~~

~~Total Dwelling Units Allowed = Total Parcel multiplied by Maximum Dwelling Units per Acre~~

TU	= Total Units Allowed	(dwelling units)
TP	= Total Parcel	(acres)
DUA	= Maximum Dwelling Units per Acre	(dwelling units/acres)

~~$TU = (TP) (DUA)$~~

~~$TU = (50) (2.5)$~~

~~$TU = 125$ Total Lots or Dwelling Units Allowed~~

The following formula would be used to determine the amount of the site acreage to be set aside as open space:

~~Total Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas~~

~~$TO = ((TP - PC) OSP) + PC$~~

TO	= Total Open Space Set Aside	(acres)
TP	= Total Parcel	(acres)
PC	= Primary Conservation Areas	(acres)
OSP	= Open Space Percentage	(% of Site Acreage excluding PC)

~~$TO =$ Total Open Space Set Aside $TP = 50$ acres Total Parcel~~

~~$PC = 5$ acres Primary Conservation Areas $OSP = 25\%$ (or .25)~~

~~Open Space Percentage~~

~~$TO = ((50 - 5) .25) + 5$~~

~~$TO = ((45) .25) + 5$~~

~~$TO = (11.25) + 5$~~

~~$TO = 16.25$ acres of Total Open Space Set Aside~~