

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

September 13, 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**
2. **Welcome and Recognition**
3. **Pledge of Allegiance and Invocation - Council Member Brian Carnes**
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 of 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. Unified Development Ordinance (UDO) Update Discussion - Ashley Davis
- b. Discussion of New Text Amendments Until Finalization of the Unified Development Ordinance Rewrite - Ashley Davis
- c. Airport Terminal and Lighting Vault Project Update - Dennis Marstall

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: A. Davis / Planning

Department: Planning

Date Requested to be on Agenda: 9/13/2023

Council Action Requested:

Provide feedback to the Planning Staff to give direction to the UDO consultants regarding how the County would like to handle complex/ multi-use (mixed use) development projects within the new Unified Development Ordinance.

Through research and discussions with the consultants, Planning Staff has identified 3 potential paths and is seeking direction from Council as to which path they would like to see built into the new UDO ordinance.

Points to Consider:

Form-Based Mixed-Use:

- What we have currently (Chapter 3 of the UDO);
- Difficult for both developers and staff to implement in suburban or rural area;
- Not used frequently in South Carolina

Planned Development Districts:

- Provides opportunities for flexibility
- Used in 29 of the 46 counties in South Carolina
- PDD district requirements are crafted by the local jurisdiction
- High Level of involvement from staff, Planning Commission, and Council
- Requires a mix of commercial and Residential

Flex/ Master Plan Districts:

- Similar to PDDs, with the difference being we could create Flexible districts which were entirely Commercial or Residential not mandating the mix of uses required by PDDs;
- Used in 3 South Carolina Counties ;
- High Level of involvement from staff, Planning Commission, and Council

Funding and Liability Factors:

N/A

Recommendation:

Provide input and feedback as to how Councilmembers would like to address mixed use developments in the UDO update.

ATTACHMENTS:

Description	Upload Date	Type
Presentation of Potential Paths	9/7/2023	Exhibit

UDO Discussion

Planning Staff needs to provide our UDO consultants with direction regarding how the County would like to handle complex/ multi-use development projects within the new Unified Development Ordinance.

Why Mixed Use?

- Mixed-Use developments have the potential to create character defining, dynamic, walkable environments
- Reduces auto dependency, roadway congestion, and air pollution by co-locating multiple destinations
- Provides more housing opportunities and choices
- May increase affordable housing opportunities
- Encourages economic investment
- Promotes efficient use of land and infrastructure
- 1998 Lancaster County UDO: PDD
- 2016 Lancaster County UDO: Form-Based Mixed Use (MX, RMX, IMX)



Local Example: Riverwalk

- 1,008 acres
- Public Trails, BMX Facility, Velodrome, Playgrounds, Recreation Fields
- Commercial District- 250,000 square feet of retail including restaurants, shops, markets, and services
- Business Park- home to 4 major corporations, 1.7 million square feet of facilities completed, ability to add an additional 1.5 million square feet
- 2,350 Residential units (Single-Family, Townhomes, Apartments)



Example: Bridgeway Station

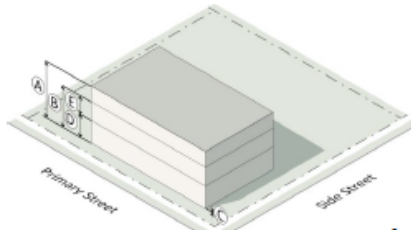
- 80 acres
- 68,939 square feet of retail
- 210,824 square feet of residential
- Approximately 73,000 square feet of office
- Approximately 81,000 square feet of institutional development
- 24,691 square feet of plaza and pavilion public space; and,
- 5+ acres of parks connected to the Swamp Rabbit Trail



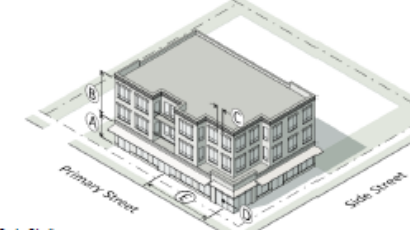


Form Based Mixed-Use

C. Height



D. Activation



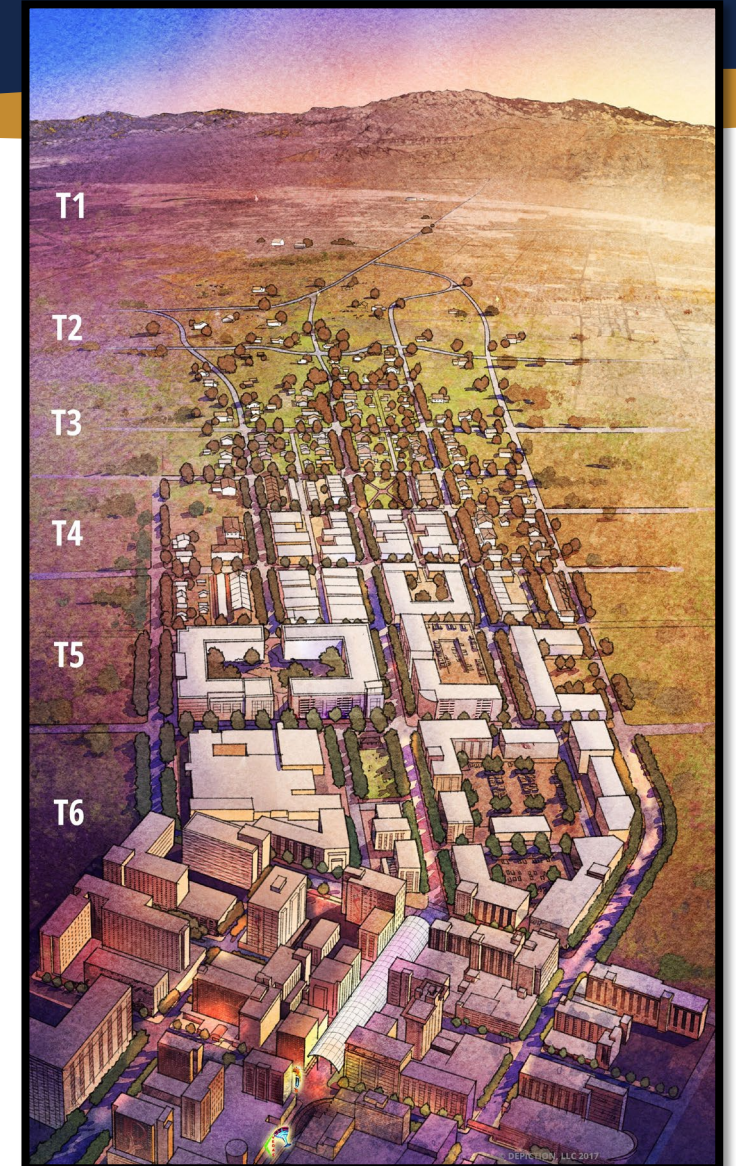
Source: Code Studio

Building Height		Transparency	
A	Building height (max)	A	Ground story (min) 60%
	RMX, MX, IMX 3 stories/45'	B	Upper story (min) 20%
	MX, IMX 4 stories/55'	C	Blank wall area (max) 30'
	MX, IMX 5 stories/67'	The street-fronting, street-level window pane surface area must allow views into the ground story use for a depth of at least 8 feet.	
Reduced height may be required when abutting a protected district (see Section 3.7.J)		Pedestrian Access	
B	Building height (min) 2 stories	D	Entrance facing primary street Required
Story Height		E	Entrance spacing along primary street (max) 75'
C	Ground floor elevation 0'	Permitted Building Elements	
D	Ground story height, floor to ceiling (min) 13'	Porch	No
E	Upper story height, floor to ceiling (min) 9'	Stoop	No
		Balcony	Yes
		Gallery	Yes
		Awning/Canopy	Yes
		Forecourt	Yes

- What we have currently
- Designed for use in dense urban environments
- Very specific design guidelines with little to no room for flexibility
- Areas which utilize a form base codes implement it throughout entire community to create cohesive design/character
- Utilizing a form-based code only within mixed-use districts creates significant challenges for both developers and staff

Form Based Mixed-Use

- **National Examples of Form Based Code:**
 - **City of Buffalo, NY:** Full Code
 - **Town of Fort Myers, FL:** Full Code
 - **City of Flagstaff, AZ:** Full Code
 - **City of Las Vegas, NV:** Full Code
 - **City of Miami, FL:** Full Code
- **SC jurisdictions using Form Based Code:**
 - **Beaufort County - Multi-jurisdictional:** Full Code
 - **City of Columbia:** Form Based Code within certain Planned Development Districts
 - **Town of Hilton Head:** Form Based Code within certain Planned Development Districts



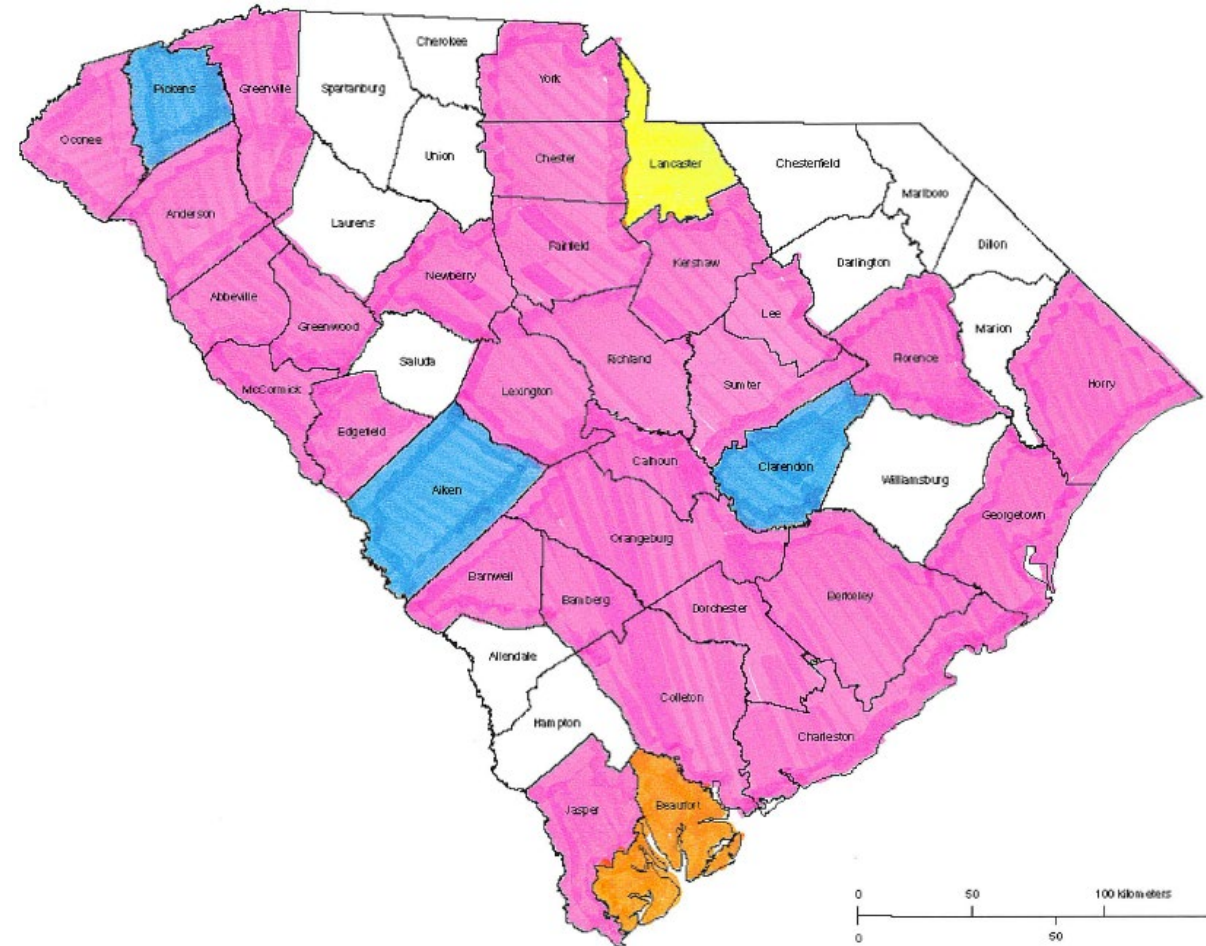
Planned Development Districts



- Much more common in South Carolina
- Specifically allowed by SC Code § 6-29-740
- Designed to allow flexibility in development that will result in improved design, character, and quality of new mixed-use developments and preserve natural and scenic features of open spaces
- Planned development districts may provide for variations from other ordinances and the regulations of other established zoning districts concerning use, setbacks, lot size, density, bulk, and other requirements to accommodate flexibility.
- Can be crafted to specific standards set by jurisdiction

Planned Development Districts

- The majority of South Carolina Counties utilize versions of Planned Development Districts
- Sometimes known as PD, PDD, or PUD
- PDDs are required to have both a residential and commercial component
- The local jurisdiction is given the ability to craft specific language guiding development of PDDs (Size, percentage of commercial to residential, etc.)
- High degree of involvement/ input from Staff, Planning Commission, and Council

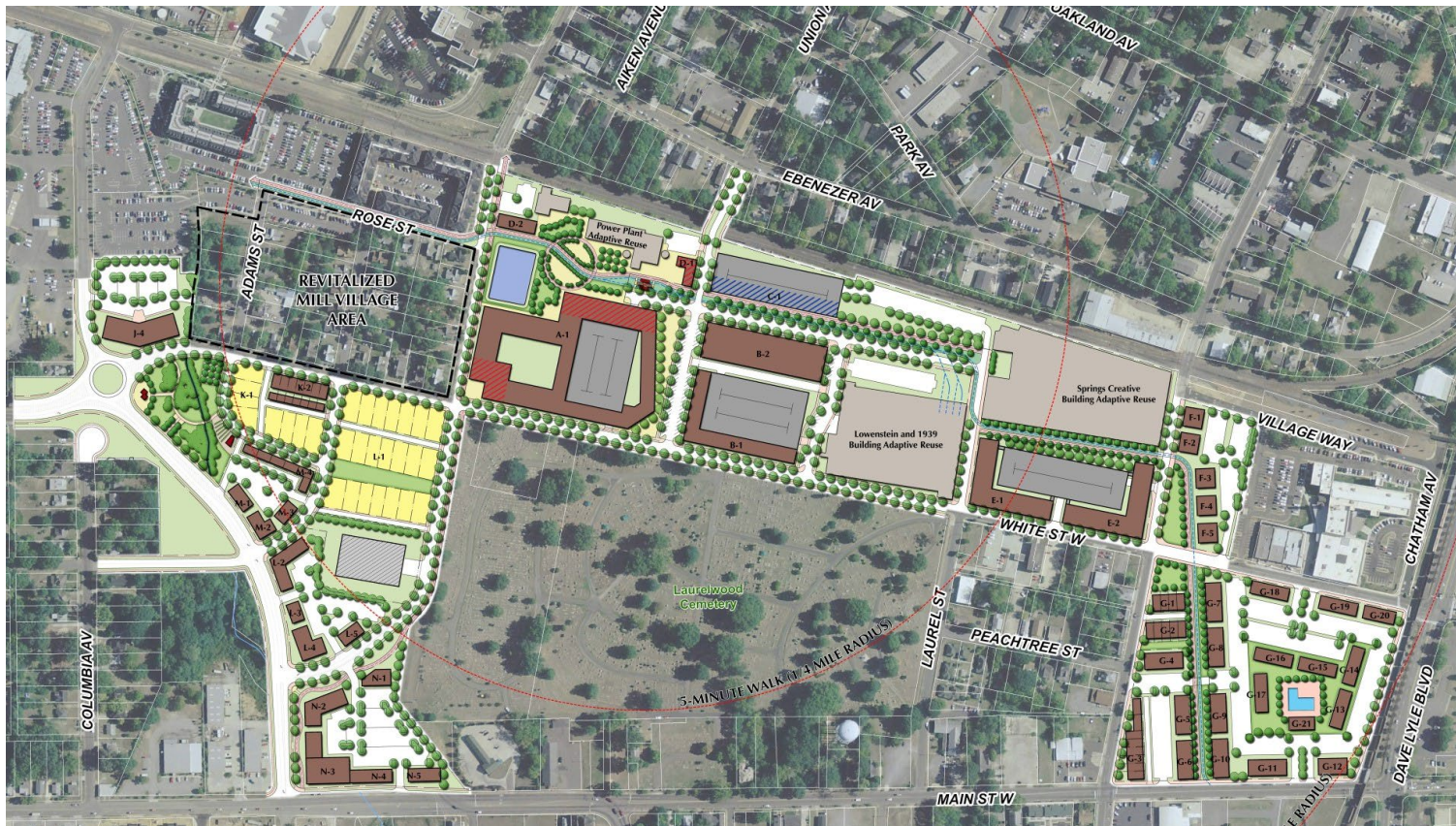


Flexible/ Master Plan Districts



- Similar to PDDs
- Would be site specific
- Would allow flexibility to only certain standards
- Simplified version of the Flex Ordinance reviewed by County Council in 2022
- High degree of involvement/ input from Staff, Planning Commission, and Council

Flexible/ Master Plan Districts



- Utilized by 3 counties in SC
- Regularly used by the City of Rock Hill
- Would likely be broken into 3 Zoning Districts
 - Flex Mixed Use
 - Flex Residential
 - Flex Commercial



Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: A. Davis / Planning

Department: Planning

Date Requested to be on Agenda: 9/13/2023

Council Action Requested:

Receive information from representatives of the Planning Commission related to limiting the number of text amendments to the current Unified Development Ordinance during the development of a new Unified Development Ordinance.

Points to Consider:

Planning Commission Chair, Charles Deese, and Vice-chair, James Barnett, will be presenting the Planning Commission's concerns regarding text amendments to the current UDO.

Funding and Liability Factors:

N/A

Recommendation:

Receive information and provide feedback related to text amendments to the UDO.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 9/13/2023

Council Action Requested:

Receive information on the financing sources (and amounts) and timeline for the new Airport Terminal and Lighting Vault projects.

Points to Consider:

The Project Manager, Ken Holt, will provide a detailed presentation on the airport project(s), and will have the owner of the construction contractor, Travis Hayes, in attendance to address any Council questions.

In August 2022, the County awarded a construction contract to HayCo construction to build a new airport lighting vault and construct a new airport terminal.

The Lighting Vault project began in May 2023 and the new terminal project has been delayed, in order for the County to apply for federal funds for the terminal project.

In January 2023, Council received a presentation outlining the new airport terminal and lighting vault projects and an outline of our strategy to apply for federal funds.

In August 2023, the county was notified it will be awarded \$2,292,379 from the federal Bipartisan Infrastructure Law -- Airport Terminals Program.

The funding agreement for the federal funds is to be executed by the end of September 2023.

Now that the federal funding support is known, and potentially more state aeronautics commission support, we can reevaluate the project timeline and move to issue the Notice to Proceed for the contractor to begin the construction work on the terminal.

Funding and Liability Factors:

At the January 2023 Council update, both the lighting vault and terminal project had a total project cost of \$5.92 million, with several sources of funds helping to pay for the projects, including federal funds, plus state aeronautics commission funds and county funds.

Due to the project delay to apply for federal funds, it has been over a year since the contract with the construction company was signed.. During that timeframe the contractor and their subcontractors have identified over \$750,000 in cost escalations for the project.

In addition, the project management firm has requested that the County consider having a full-time on-site project manager, rather than the part-time project manager position they identified in their bid.

Both of these issues, plus a significant cost increase over \$100,000 from Duke Energy to do the large voltage electrical work on the project has escalated the overall total project(s) cost to \$7,122,038.

Even with the cost escalation, which estimates the County portion being 34% of the total project cost or \$2.4 million, which is near the current amount of funding Council has authorized for this project.

The total amount of funding needed as the County's share is still fluid, as we do not have final confirmation of how much

additional funding the State Aeronautics Commission is going to provide. There will not be a final answer on that until late October or November.

County Council originally authorized \$3.5 million in funding for the airport project(s), but reduced that amount to \$2.5 million as part of the FY24 budget adoption, with the caveat motion that Council adopted that *"if any airport construction would need funding, the money would be taken from fund balance."*

Based on how the County addresses the request for cost escalation (and it is verified), plus the consideration of additional project management time, and how much additional state aeronautics commission support the County will receive, will either lower or increase the County portion of funding from the currently identified \$2.4 million amount.

Recommendation:

Provide feedback regarding the airport project(s) update.