

Committee Members

District 1: Stuart Graham
District 4: Jose Luis
District 5: Steve Harper, Chair
Citizen: Maggie Norris
Citizen: Darrell Walters
PC Chair: Shelly Richards
PC Vice-Chair: Judianna Tinklenberg
Development Serv. Dir.: Allison Hardin
Zoning Director: Shannon Catoe
Ex-Officio: James Mulvaney



Interim County Administrator
Steve Willis

County Attorney
Ginny L. Merck-Dupont

Clerk to Council
Sherrie Simpson

January 29, 2026
6:00 PM

LANCASTER COUNTY COUNCIL

COUNTY COUNCIL AD-HOC UNIFIED DEVELOPMENT ORDINANCE (UDO) COMMITTEE
COUNTY COUNCIL CHAMBERS, COUNTY ADMINISTRATION
BUILDING, 101 NORTH MAIN STREET, LANCASTER, SC 29720

MINUTES

Committee Members Present: Stuart Graham, Jose Luis, Steve Harper, Maggie Norris [*who entered the meeting late at approximately 6:13 p.m. during the Discussion of the Tree Save Program*], Darrell Walters, Shelly Richards, Allison Hardin, and James Mulvaney.

Committee Members Absent: Judianna Tinklenberg, and Shannon Catoe.

Staff Members/Others Present: Sherrie Simpson, Clerk to Council; and Dr. Kirsten Willis.

A quorum of the County Council Ad-Hoc Unified Development Agreement (UDO) Committee was present for the meeting. The following press were notified of the meeting by e-mail in accordance with the Freedom of Information Act: *The Lancaster News*, *Kershaw News Era*, *The Rock Hill Herald*, Cable News 2, Channel 9 and the local government channel. The agenda was posted in the lobby of the County Administration Building and also on the County website the required length of time.

Call to Order Council Ad-Hoc Unified Development Ordinance Committee Meeting -
Committee Chair Steve Harper

Committee Chairman Steve Harper called the County Council Ad-Hoc Unified Development Ordinance (UDO) Committee meeting to order at approximately 6:00 p.m.

Approval of the Agenda

Jose Luis moved to approve the agenda. Seconded by Darrell Walters. The motion Passed by unanimous vote of 7-0; Absent: Maggie Norris, Judianna Tinklenberg, and Shannon Catoe.

Citizens Comments

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

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

Discussion and Action Items

a. Approval of Minutes from the January 22, 2026, County Council Ad-Hoc Unified Development Ordinance (UDO) Committee Meeting

Jose Luis moved to approve the minutes from the January 22, 2026, County Council Ad-Hoc UDO Committee meeting. Seconded by Stuart Graham. The motion to approve the January 22, 2026, minutes Passed by unanimous vote of 7-0; Absent: Maggie Norris, Judianna Tinklenberg, and Shannon Catoe.

b. Decision Points - Allison Hardin

The Committee did not discuss the Decision Points item during the meeting.

d. Discussion of Tree Save Program - Allison Hardin

The Committee reviewed the proposed draft of the UDO, Chapter 7, and specifically pages 26 through 37 of the agenda packet. Allison Hardin provided the Committee Members with a handout of the Tree Preservation proposal and that handout is attached to the minutes as Schedule A. She discussed making the program a requirement of the UDO and not an option. The Committee had lengthy discussions regarding the difficulties of enforcing the current code of a Tree Save Program because it is optional, except for the Highway Corridor Overlay. The Committee also discussed their concerns about timber harvesting being impacted by such a program, stormwater implications, how such a program may effect affordable housing and development buffers, how to possibly use it as an incentive program for developers, and how it could be used to preserve the "normal" nature of the community. After these lengthy discussions, the Committee determined to integrate the Tree Save program/areas into the buffer/open space requirements. The Committee also determined that Table 4.5.3-1 requirement should be reduced to 20% at least, and that the County should use the program as an incentive program by reducing the open space requirement for developers by 5% for every tree save area and another 5% for active space inclusion.

c. Discussion of rural business zoning - Allison Hardin

Next, the Committee continued a discussion from the last meeting regarding rural business zoning and whether parking lots should be gravel or paved. After a discussion, the Committee decided that hard top parking should continue to be the standard; however, they recommended that Rural Business zoning be exclusively eligible for an exemption to utilize gravel lots.

e. Future Agenda Topics

The Committee set the following meeting dates and topics for February:

1. February 11, 2026, to discuss streets;
2. February 19, 2026, to discuss the characteristics of subdivisions; and
3. February 26, 2026, to discuss any remaining topics for the Committee.

Adjournment

Stuart Graham moved to adjourn the meeting. Seconded by Maggie Norris. The motion to adjourn the meeting Passed by unanimous vote of 8-0; Absent: Judianna Tinklenberg, and Shannon Catoe.

There being no further business to discuss, the County Council Ad-Hoc Unified Development Ordinance (UDO) Committee meeting adjourned at approximately 7:36 p.m.

Respectfully Submitted:

Sherrie Simpson

Sherrie Simpson
Clerk to Council

Approved by the Committee on February 11, 2026

Schedule A

TREE PRESERVATION

PROPOSED: Complete amendment of the current tree preservation regulations in § 7.1.2: *Tree Protection on Private Property*.

The most important changes:

- 1) replacing current incentive-based approach in 7.1.2: *Tree Protection on Private Property* with new mandatory tree save area requirement that varies by district
- 2) deleting HCO tree save areas in buffers required by § 4.3.2.L based on staff input. The proposed draft requires the preservation of existing trees on a development site based on a percentage of the area of the site that varies by district. This will preserve a portion of existing tree canopy during development as “tree save areas.” If a site does not have sufficient tree canopy to meet the area requirement, planting of supplemental trees is not required.

The draft does not include preservation requirements for individual trees based on large size (frequently referred to as specimen, grand, or heritage trees), but this can be added if it is a preferred approach. Desire for improved tree preservation is an important early finding of the Comprehensive Plan, and this Section implements a strategy to preserve tree canopy.

DRAFT CODE – APPLICATION (4.5.2.A)

Applies to all projects that are required to get a major or minor stormwater permit.

4.5.2.B Exceptions. The following developments, land uses, and land disturbing activities are exempt from the applicability of this Section:

1. Developments subject to the exemptions provided for stormwater permits by Section 8.3.5: *Exempted Development*;
2. Agricultural use; and
3. Legitimate forestry activity on land subject to a forest management plan as defined in S.C. Code Ann. § 48-23-205.

CLEAR CUTTING PROHIBITED (4.5.2.C)

Proposed prohibition on clear cutting prior to development

Limitations. Clearing trees through development activity that uses timber harvesting as a means to prepare a site for development to circumvent the requirements of this Section is prohibited. The County will defer any application:

1. For one year after the completion of a timber harvest if:
 - (a) The harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance, or subdivision plan; and
 - (b) The removal qualified for an exemption contained in S.C. Code Ann. § 48-23-205(B); or
2. For five years after the completion of a timber harvest if:
 - (a) The harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance, or subdivision plan;
 - (b) The removal qualified for an exemption contained in in S.C. Code Ann. § 48-23-205(B); and
 - (c) The harvest was a willful violation of County regulations.

MULTIPLE OBJECTIVES (4.5.2.D): Tree save requirements can be used in conjunction with buffers, open space, and low impact development requirements.

TREE QUALITY (4.5.3.A)

Proposal requires development sites to be designed and developed so that tree save areas (TSAs) are designated in a single, contiguous unit or multiple smaller units to preserve existing tree canopy

In addition, any trees of 12" DBH or larger that are within 60 ft of proposed disturb area must be noted on a tree survey with size and type identification required. (4.5.5.2.d)

QUANTITY (4.5.3.B)

If existing trees are present on a development site, the percentage of the total development site that must be preserved as TSA is the lesser of:

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

Sites without Trees or with Less than Required Tree Save Area are still required to preserve trees but do not require the planting of additional trees to satisfy the tree save area requirement.

Property owner may reduce required area by up to 5% if the tree save area includes riparian areas or existing hardwood stands. (Section 4.5.3.E)

HOW TO IDENTIFY TREE AREAS (4.5.3.C)

The selection and measurement of existing tree canopy and proposed TSAs may be evaluated with a tree survey as provided in Subsection 4.5.5: *Application Materials* or by using the most recent

National Land Cover Database (NLCD), aerial or satellite imagery, or Light Detecting, Imaging, and Ranging (LIDAR). However, the current conditions of the site must be certified by the applicant's engineer or landscape architect to conform to the conditions shown in the selected method of identification.

TREE AREA MINIMUMS – AREA (4.5.3.D)

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

1. Fifty feet along a development site dimension that is 1,000 feet or more; or
2. Five percent of the site width in any dimension that is less than 1000 feet.

TREE REMOVAL TO SAVE TREES (4.5.4)

Trees that are required to be removed to allow the preferred trees to thrive are subject to administrative review, timeline for removal, and penalties for unpermitted removal.

HOW TO APPLY (4.5.5)

Requirements for tree surveys and tree protection plans (TPP), including:

- (a) A TPP must locate and identify by species and size the trees on the margin of the designated TSA that are to be protected during land disturbance activities. Trees that are in the interior of TSAs and those on areas of the site outside a TSA do not have to be located or identified on the TPP.
- (b) The TPP must provide a root protection zone protecting all trees of 12 inches DBH or more that are within 60 feet of the margins of all TSAs. The critical root zone must measure a 1.25-inch radius from the trunk of all trees along the margin of the TSA for each inch of DBH.
- (c) The TPP must describe the management plan for tree, vegetation, and soil protection measures that will be used before, during, and after all construction activities to promote the survival and retention of the trees in the TSA.

TREE PROTECTION DURING CONSTRUCTION (4.5.6)

Guidelines for protecting tree save areas during construction activities.

USE AND MAINTENANCE OF TREE SAVE AREAS (4.5.7)

Restrictions on types of uses allowed in the tree save areas, and prohibition of using heavy equipment in the maintenance of the area.