Planning Commission Members
District 1: Alan Patterson
District 2: Tamecca Neely
District 3: Charles Deese, Chair
District 4: Judianna Tinklenberg
District 5: James Barnett, Vice-Chair
District 6: Sheila Hinson
District 7: Ben Levine

County Attorney
Ginny L. Merck-Dupont

Clerk to Planning Commission
Jennifer Bryan

Development Services Director

June 20, 2023 | **6:00 PM** | **101 North Main Street Lancaster, SC 29720**

LANCASTER COUNTY PLANNING COMMISSION
County Council Chambers, County Administration Building, 101 North Main Street, Lancaster, SC 29720

AGENDA

1. **Call to Order Regular Meeting and Roll Call Vote**

2. **Approval of the Agenda**

3. **Citizen's Comments**

   [Lancaster County welcomes comments and input from citizens who may not be able to attend meetings in person. Written comments may be submitted via mail to ATTN: Jennifer Bryan, Post Office Box 1809, Lancaster, SC, 29721, by email to Jennifer Bryan at jbryan@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.]

4. **Approve Minutes**

   a. May 16, 2023 Regular Minutes

   b. June 1, 2023 Workshop Minutes

5. **Public Items**

   a. CU-2023-0695 Tommy's Car Wash

   Application by The Timmons Group, TIL Holdings of Texas, George McGinn and Sallie Cooper for a Conditional Use Permit for a 2.9-acre parcel at 168 Fort Mill Highway/Highway 160 (TM# 0008-00-007.00) for development of an automated car wash facility.

   b. RZ-2023-0596 Dylan & Tammy Ellis

   Application by Dylan & Tammy Ellis for a rezoning of 4.77 acres at 1993 Beacon Road (TM# 0089-00-086.01) from Rural Neighborhood (RN) to Agricultural Residential (AR) district, in order to locate a mobile home on the property.

c. RZ-2023-0629 Teresa Johnson

Application by Teresa Johnson to rezone a 1.0 acre parcel at the corner of Mackey and Douglas Roads (TM# 0103F-0F-006.03) from Medium Density Residential (MDR) to Manufactured Housing (MH) District, in order to locate a mobile home on the property.

d. SD-2023-0161 Edgewater Phase 11

Application by True Homes LLC on behalf of owners Lancaster County Forfeited Land Commission and B &C Landholdings LLC, for a Preliminary Plat encompassing 47.08 acres at and adjacent to Edgewater Parkway and Gateway Drive (p/o TM #s 0106-00-003.02 and 0106-00-003.00) for the development of 106 detached single-family homes and 49 townhomes.

6. New Business

a. SD-2019-001 Vested Rights Extension for Patterson Preserve

Request by Exeter Development Company to extend its vested rights for the Patterson Preserve pursuant to Section 9.2.17.A.2 of the Unified Development Ordinance.

b. RN-2023-1119 New Road Name Approvals

Review new road names submitted to County E-911 Addressing.

c. Overview of next month's Agenda

d. Other

7. Adjourn

The Planning Commission makes a recommendation to County Council on these items. Recommendations made at this meeting are tentatively scheduled for consideration by County Council in the following month. County Council agendas are posted online at https://lancastersc.novusagenda.com/agendapublic/meetingsresponsive.aspx

****The Planning Commission makes the final decision on these items.***

***Anyone requiring special services to attend this meeting should contact 285-1565 at least 24 hours in advance of this meeting. Lancaster County Planning Commission 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://mylancastersc.org/boards___commissions/planning_commission/planning_commission_meetings.php

Agenda Item Summary

Ordinance # / Resolution #: May 16, 2023 Regular Minutes
Contact Person / Sponsor: J. Bryan
Department: Planning
Date Requested to be on Agenda: 6/20/2023

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
May 16, 2023 Regular Minutes	6/13/2023	Exhibit

MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION
CHARLES DEESE, DISTRICT 3, CHAIRMAN
JAMES BARNETT, DISTRICT 5, VICE-CHAIRMAN
T. YOKIMA CURETON, DISTRICT 2
JUDIANNA TINKLENBERG, DISTRICT 4
SHEILA HINSON, DISTRICT 6
ALAN PATTERSON, DISTRICT 1
BEN LEVINE, DISTRICT 7
CLERK: JENNIFER BRYAN

MINUTES
Lancaster County Planning Commission
May 16, 2023 6:00 p.m.

Chairman Deese called the meeting to order at 6:00 p.m.

1. **ROLL CALL**: Quorum is present (6 Commissioners)

Commissioners Present:

Yokima Cureton	Ben Levine	Sheila Hinson
Charles Keith Deese	Alan Patterson	Judianna Tinklenberg

Absent: James Barnett

Staff Present:

Allison Hardin, Interim Director — Clerk: Jennifer Bryan
Ashley Davis, Senior Planner
Matthew Blaszyk, Planner

The following press were notified of the meeting by email in accordance with the Freedom of Information Act: The Lancaster News, Kershaw News Era, The Rock Hill Herald, The Fort Mill Times, Cable News 2, Channel 9, and the local Government Channel. The agenda was also posted in the lobby of the County Administration Building for the required length of time and was published on the County website.

THE FOLLOWING IS A SUMARY OF PROCEEDINGS. IT IS NOT A VERBATIM TRANSCRIPT.

2. APPROVE AGENDA

Chairman Deese called for a motion to approve the agenda.
Motion to Approve by **Alan Patterson** ; 2nd by **Sheila Hinson**.
Called vote: 6:0 . **Motion approved unanimously**.

3. CITIZEN'S COMMENTS [see Sign-In sheet attached] (None signed in)

Chairman Deese closed the floor to comments from the public.

4. APPROVE MINUTES

a. April 18, 2023 Regular Minutes

Chairman Deese called for a motion to approve April 18, 2023 Regular Minutes as written. Motion to Approve by **Ben Levine**; 2nd by **Sheila Hinson**.
Called vote: 5:0**. Motion approved.** (Y. Cureton not present at 4/18/2023 meeting).

b. May 4, 2023 Workshop Minutes

Chairman Deese called for a motion to approve May 4, 2023 Workshop Minutes as written. Motion to Approve by **Ben Levine**; 2nd by **Sheila Hinson**.
Called vote: 5:0**. Motion approved.** (Y. Cureton not present at 4/18/2023 meeting).

5. PUBLIC ITEMS

a. UDO-TA-2023-0344 C4 OP Owner LLC/Costco

Application by C4 OP Owner LLC to amend UDO sections 4.3.2 regarding Highway Corridor Overlay regulations; and section 7.4.5 Signage Standards. (In 4 parts).

Staff Presentation: Allison Hardin, Interim Panning Director, presented the application consistent with the staff report. Analysis in four parts:

1. Highway Corridor Overlay District: Standards and parking location. Exemption for hospitals and large-scale retailers.
2. Bicycle Parking
3. Signage Allowances
4. Definition of "Large Scale Retailer."

Staff Recommendations: Alternative text options for each part [see attached slide "Summary"]

Questions to staff:
Ben Levine requested clarification (for Part 1 HCOD revision) of the revised building setback with 2 rows of parking. **Hardin** responded that the original total would have been 125, but with the addition of the 50-foot setback and the two rows, the total would be 175 feet.
Ben Levine (regarding Part 4 definition): How much of the "retailer" is dedicated to commercial- how to avoid a large warehouse with a retail portion that is only a small percentage of the space? I'm concerned with warehouse facilities defining themselves as "large-scale retailer."
Hardin: The code definitions for warehouse and general retail will cover this.
Ashley Davis: there is code that deals with percentage of outdoor versus indoor storage, but in general there is a degree of interpretation on retail vs. "warehouse" because the code cannot be that specific on every potential use.

Judianna Tinklenberg: The corridor district purpose is concerned with aesthetics. Are there any changes to the landscape requirements?
Allison Hardin: Only insofar as they are affected by Section 4.3.2.

Ashley Davis: Landscape buffers are per Chapter 7 Parking Standards, they will not be affected by the proposed amendments to Chapter 4. They are not asking to be exempted from Chapter 7 standards.
JT: Will there be sufficient buffering/landscaping to protect residential area across the street?
Davis:: Landscape buffers are not required in this instance, other than what is required in parking design.

Y. Cureton: Regarding bicycle spaces, my concern is that employees who want alternative transportation, I think the number of spaces needs to be higher. Is there a formulaic way to arrive at a number?
Allison Hardin: I could not find a formula specific or applicable to this use and location, but you can make a recommendation for a higher number.
Y.Cureton: Is the signage area they are requesting the same as what applies in other areas of Lancaster, and in other places?
Hardin: Many places use a rule of 1 sf per linear foot of building, with a cap of a certain square footage. With a building this size the linear foot rule is insufficient.
Cureton: Per side?
Davis: No, the limit is for total area, not per side.

Sheila Hinson: I commend the staff for how much they put together in this presentation.
Chairman Deese: I concur, I've read all of this, and thank you for your work.

Ben Levine: Is TIA requirement triggered by zoning, or by use?
Ashley Davis: It is generated by use, but some consideration of zoning comes in with overlay districts. The ITA manual for trip generation data is based on use.

Alan Patterson: For parking lots, did the applicant request any amendment regarding lighting and glare reduction provisions?
Hardin: No, they did not request any change. One benefit in having buildings closer to the street is they provide a buffer for parking lot lighting.

Comment from applicant(s):

> **Yates Dunaway** (on behalf of C4OP LLC/Crosland Southeast)
> Regarding the TIA, "Discount Club" is a category with trip generation data. Developers are amenable to staff alternatives for items 2, 3 and 4, but provisions in item 1 will have to be refined and renegotiated. For example, SCDOT asks for at least 250 feet from road ingress for drive aisle and stacking, so the plan cannot reduce that to 175 feet.

Hardin: You're referring to the entrance on 521?

> **Dunaway**: Yes. Our plan places the building at 300 feet, allowing the 250 drive aisle plus 50 feet for additional parking near the front door.

Ben Levine: Is the second entrance required?

> **Y. Dunaway**: no, it is preferred but not required.

Alan Patterson: Is the gas station located at the right?

Dunaway: Yes, it is at the upper right corner.

Ben Levine: The main entrance [of the building] is closest to 521?

Dunaway: Yes. The back corner is the loading, and tire center.

Alan Patterson [to staff]: Does this site plan reflect the requested distance from road?

Hardin: Yes. Our engineering staff reviewed it and agreed that 125 feet is not sufficient for stacking. But also keep in mind that this change will apply to the highway corridor as a whole.

Ben Levine: I see why you can't locate the traffic signal farther north, but having two entrances creates traffic problems in two places.

Dunaway: Yes, our traffic engineers came up with this as the best solution given the constraints of the site.

Ashley Davis: Ben, for reference, the Possum Hollow light is just north. Creek Bed location would be too close to the next traffic signal further north, which has already been planned by SCDOT.

Hardin: To clarify, the entrance will connect with Hanover?

Dunaway: DOT wants the traffic signal entrance for this site plan to be directly across from the Hanover development.

Ben Johnson (Attorney for applicant) Our request is not as broad as it seemed. We will provide staff with a revised text narrowing the scope of the application with regard to section 4.3.2. The main purpose is to receive relief from the requirement to front the building on the street, and have entrances at front and rear; we seek relief from the requirement for less than 45% of parking to the side. Also, representatives from MUSC have also signed up to speak; some of the requested changes will benefit hospital design.

Hardin: We will have to tweak the wording to isolate the sections you want to change.

Levine: So the subsections under F and G are not being requested for relief.

Hardin: We understood the intent, so we focused on those changes, but we did note the scope of the existing text in the report to acknowledge that the request needs to be refined.

Eric Brand, Front Royal VA (Costco representative): Worldwide we have 848 stores, we have built a lot of these. Our members have certain expectations. After walking the aisles, customers don't want to walk far to their car. I'm happy to answer questions.

Levine: Will there be a separate entrance for alcohol sales?

Brand: We are not planning on alcohol sales at this store. There will be one entrance.

Patterson: I understand your perspective regarding what your customers want, but I have to consider residents and commuters, if you're adding another traffic signal. Why is it not acceptable to have the building closer to the road?

Brand: Making left turns out of the parking lot will be next to impossible without a traffic signal. Locating the building closer to the road is problematic because of DOT traffic control measures. Because this retailer is a destination rather than an impulse decision, DOT sees a need for a traffic signal to control traffic entering and exiting. This determines much of the design layout.

Yates Dunaway: The traffic engineer looked at the possibility of having no signal, but the data indicated that this would cause traffic problems on 521. The topography of the site means that the building will sit lower than the street, the and slopes toward the creek, which will create some buffering as well as better aesthetics. Sitting close to the street makes sense for smaller buildings, but with a building this size it's better to sit off road.

Public Hearing: (See attachments: Sign-in Sheets)

- **Patrick Faulkner** (Keith Corporation, MUSC project). Supports this amendment as it will benefit the hospital's needs as well. We previously applied for a UDO Amendment, withdrawn due to state's certificate of need requirements. The parking design for hospitals and medical facilities has different needs than ordinary retail facilities and has more in common with these large scale facilities. We would look at providing parking on all sides of the building, as shown in the applicant's examples.
- **Samuel Walker** (Charlotte NC): Regarding the sample image of Grand Strand Regional [Hospital]. A hospital is one type of building that looks better with parking between the building and the street. Hospitals have several types of entrances: a main entrance for the general public; and entrance for ambulances and emergency vehicles; mechanical support & loading in the rear. He supports the text amendment in particular because it allows different designs for hospital parking. The demands of serving patients and the medical community require different standards for parking and entrances than commercial and retail operations.

Chairman Deese closed Public Hearing and called for a motion on item UDO-TA-2023-0344 C4 OP Owner LLC/Costco.

PART 1: HCOD Standards

Motion to approve part 1 (HCOD Standards), by Alan Patterson; 2nd by Judianna Tinklenberg. [After discussion of recommended alternatives language in the motion, these commissioners withdrew the motion.]

With clarification from applicant, the request is now:

- Exemption from F.1,
- two sections of G.1,
- F.1.c with added language
- G.1.a

Motion to approve part 1 amendment, changing "Section 4.3.2.F. 1(b) to …F.1(c), and adding recommendations from staff per staff report, by **Ben Levine**. Seconded by **Alan Patterson**.

Discussion:
Alan Patterson: It seems reckless to make changes that impact the whole HCOD for one use. HCOD is in place for a reason, doesn't see justification for the change.

Ben Levine: The existing UDO didn't foresee this particular use. This gives us an opportunity before the full UDO change, to make some changes. The parking still has some restrictions that give flexibility. The hospital use definitely requires different parking design.

Called vote: 3:3. **Motion fails for lack of majority**.
BL For AP Against SH For JT Against YC Against CD For

PART 2: Bicycle Parking 7.2.6.

Motion to approve with alternate recommendations by staff, by Ben Levine; 2nd by Judianna Tinklenberg.
Discussion: no comments.
Called vote: 5:1. **Motion is approved.**
BL For AP For SH For JT For YC Against CD For

PART 3 : Signage Allowances

Motion to approve with alternate recommendations by staff, by Ben Levine; 2nd by Alan Patterson.
Discussion: no comments.
Called vote: 6:0. **Motion is approved unanimously.**
BL For AP for SH For JT For YC For CD For

PART 4: Definitions

Motion to approve alternate recommendations by staff, by Ben Levine; 2nd by Yokima Cureton.

Discussion:
Ben Levine: we do not have any limit on percentage of store devoted to warehousing rather than consumer retail space. Would support any amendment to cover this, or input from staff as to whether this would be appropriate.

Davis: Given the way these stores warehouse merchandise on the sales floor, it would be difficult to draft language that would be adequate.

Hardin: it would be very difficult to draft such language to take into account the potential uses.

Levine: I will not add this to the motion, but just a request to staff to look at that language.

Patterson: My inclination would be not to focus on the storage space, but percentage of space open to the general public, to avoid large warehouses with a small sales floor.

Called vote: 6:0. **Motion is approved unanimously**

BL For	AP For	SH For	JT For	YC For	CD For

Chairman Deese stated the item will go to County Council for consideration, and applicant will be notified of time and date. Item 1 will not have a recommendation attached.

b. RZ-2023-0344 C4 OP Owner LLC /Costco

Application by C4 OP Owner LLC to rezone approximately 28.01 acres at and adjacent to 8918 Charlotte Highway (TM # 0010-00-029.00) from Light Industrial (LI) to Regional Business (RB) district, in order to develop a retail facility with ancillary gas station.

Staff Presentation: Matthew Blaszyk, Planner, presented the application consistent with the staff report. Staff Recommendations: No recommendation. DA requires written agreement between County and owner for change of zoning district.

Questions to staff:
Alan Patterson: How will the County address the loss of LI property?
Davis: The DA designates this property for "Economic Development Project," Costco is such a project. The site is complex and there is not a direct recommendation because it is a nuanced issue.
Hardin: The Comprehensive Plan will designate additional areas for development.
Y. Cureton requested clarification of the differences between RB and LI zoning.
Davis: Generally LI reserved for larger-scale economic development projects, such as Continental Tire or Nutramax headquarters; as opposed to heavy industrial like a concrete plant with a lot of outside noise.

Comment from applicant(s):

Yates Dunaway: Restrictions were placed on this particular parcel in the DA, so it is not fully usable for all LI uses, in order for it to be compatible with surrounding development. We will be happy to work with Council to meet any requirements of the DA with regard to a written agreement.

Questions from Commissioners:

Judianna Tinklenberg: Is the requested use by-right in RB district?
Blaszyk: Yes, it is. No Conditional Use application is required.
Alan Patterson: Does LI use have higher or lower traffic per use?
Davis: It depends on the specific use, but in general the uses are very comparable.

Public Hearing: (See attachments: Sign-in Sheets). None signed in.
One comment submitted online, see attachment.

Chairman Deese closed Public hearing and called for a motion on item RZ-2023-0344 C4 OP Owner LLC /Costco.
Motion to approve by **Alan Patterson** ; 2nd by **Ben Levine** .

Discussion:
Ben Levine: The uses for LI that we would want to designate for Indian Land would not likely be permitted in this parcel, due to its including as part of The Exchange mixed-use development, so I support the change.

Alan Patterson:/ **Ben Levine** withdrew motion and 2nd; restated as Motion to Approve with Staff Recommendations.

Called vote: 5:1. (Tinklenberg Against). **Motion is approved**.
Chairman Deese stated the item will go to County Council for consideration, and applicant will be notified of time and date.

c. SD-2022-1205 Riverchase Sec 3

Application by Riverchase Estates Partners LLC for a Preliminary Plat for approximately 806.12 acres located along Riverside Road north of the intersection with Cobblestone way (p/o TM # 0030-00-002.00), for a phase of the larger Riverchase development, consisting of 251 single-family homes, minimum lot size one acre.

Staff Presentation: Ashley Davis, Senior Planner, presented the application consistent with the staff report. The development is subject to Ordinance 892 and the 2008 Development Standards and has a Development Agreement.
Staff Recommendations: Conditional Approval: **Within 60 days of this meeting**

- Resolution of outstanding TRC/Staff Comments specific to the Preliminary Plat;
- The submission of a modified development schedule and narrative of explanation and justification as required by section 1.07 of Ordinance # 892 to be distributed to County Council for review.
- Acquisition of an updated Encroachment Permit from the Lancaster and Chester Railroad LLC. Per L&C Railroad, there is potential for the line to be re-activated, and L& C has concerns about placement of a level crossing at a blind curve as shown on the plat.

Questions to staff:
Alan Patterson: Can they add smaller lots if sewer service is extended?
Davis: Lot size requirements are in the Development Agreement, if they were to add more lots they would have to come back before Planning Commission.

Alan Patterson: Is the TIA for this section, or the whole development?
Davis: The TIA included is for the existing and future sections.

Alan Patterson: Do they pay a lump sum for the Fire Station, what is the sum?
Davis: Started at 1.2 million, it is increased on the same scale as the rooftop fees, so it has gone up. It would not fund the whole thing, but it would be a significant portion of the cost of a fire station.

Ben Levine: Is 60 days enough for the applicant to meet the conditions?
Davis: The only one I'm concerned about is the L&C encroachment permit. If it can't be resolved, they will come back to Planning Commission.

Comment from applicant(s):

> **Brandon Pridemore**: The developer purchased an encroachment permit in 2008, that issue can be addressed quickly. The development is moving forward now because of the increased interest and development in this area since COVID. The minimum lot size under R-30 zoning (extant in 2008) is 30,000 sq.ft, not one acre, but only one lot in this section is under one acre. The fire station has not been completed, because it was offered to the County but there is a requirement that the station be built within 12 months of turning it over, and the County was not ready to build.

Questions from Commissioners:
Judianna Tinklenberg: Are there additional amenities planned in this section?

> **Pridemore**: No, the amenities are those shared with other sections. There will be trails. There is no obligation in the development agreement to create other amenities.

Public Hearing: (See attachments: Sign-in Sheets)

- **Daniel Gates**: (deferred)
- **Daniel Badillo** (Riverchase): Concerned about safety on Route 5 and Riverchase Road, the danger from logging trucks will only increase with contruction traffic. Please put a light at the intersection to address safety issues.

Davis: Catawba Council of Governments (COG) are planning intersection improvement at that intersection within the next year,a re lining up funding. This group will be working with COG on this project.

- **Maria Siffert** (Riverchase resident): Is there anything in the plan about realigning the School Districts?

Davis: The School District controls the assignment, we are in conversation to get more imput on future planning for schools.

- **Maria Siffert**: Is there commercial use planned for any of this land?

Davis: We don't have immediate information, if you leave your contact I can find out.

- **Siffert**: Thank you. Also, we were promised certain amenities such as a kayak launch, and those have not been built.

Davis: Unless it's outlined in the Development Agreement, or is part of the code, we have no way to enforce that.

Chairman Deese closed Public hearing and called for a motion on item SD-2022-1205 Riverchase Sec 3.
Motion to approve with staff recommendations 1 & 2, by **Alan Patterson**; 2nd by **Yokima Cureton**.

Discussion:
Alan Patterson: Concerned about the Van Wyck Fire District being impacted by the development.

Ben Levine: Even though the developer thinks they have an encroachment from the railroad, we need to be sure. I would like to **amend the motion** to add staff recommendation 3, to make sure the permit is in place. **2nd by Sheila Hinson.**

Called vote:
Amendment: Vote**:** 6:0. **Amendment is passed.**

Motion vote (as amended): 6:0. **Motion is unanimously approved.**

The Planning Commission makes final decisions regarding preliminary plats.

[Chairman Deese called a recess at 8:57 pm.]

[Meeting resumed at 9:02 pm.]

d. RZ-2023-0531 Crossridge 4

Application by Ben Cerullo on behalf of Crossridge Development LLC to rezone parcels at and adjacent to 8574 Charlotte Highway: 1.79 acres (p/o 0010-00-059.00) and 1.31 acres (p/o 0010-00-016.02) from PDD-26 to Regional Business (RB); ad 1.09 acres (p/o 0010-00-057.00) and 1.62 acres (p/o 0010-00-056.00) from Regional Business (RB) to PDD-26, to adjust boundaries of parcels under current development.

Staff Presentation: Ashley Davis, Senior Planner, presented the applications consistent with the staff report. Crossridge and the PDD were not originally intended as one project, but the later Master Plan combined the two. This step will realign parcel boundaries and zoning to conform to the road boundaries. Staff Recommendations: Approval.

Questions to staff:
Ben Levine; Are there any issues on transfer of development rights with the PDD?
Davis: The subject properties are now all under common ownership, which resolved any issues in development rights.

Comment from applicant(s):

Matthew Levesque ESP Associates: A Minor Subdivision application has been submitted, waiting for approval of rezoning to complete. The sues proposed are allowed in both zoning district, we are just cleaning up parcel boundaries for site plans.

Public Hearing: (See attachments: Sign-in Sheets)

Waylon Wilson (Legend Oaks Court, Indian Land): Not opposed to addition or deletion of property in the PDD, but the current proceeding does not follow the requirements of SC State Code 6.29, Ordinance 2015-1346, and the County UDO Sec 13.12.2 in effect when the PDD was created. County must follow the proper procedure. Do not sidestep the legal and required process. I have documentation if any would like to look at it.

Davis: If Mr. Wilson will email me the material, I will forward it to the County Attorney, who will be present at the three readings before County Council, if the case is moved forward.
[Mr. Wilson declined to email any documents, or provide them to the Clerk.]

Chairman Deese closed Public hearing and called for a motion on item RZ-2023-0531 Crossridge 4.

Motion to approve by **Sheila Hinson**; 2nd by **Yokima Cureton**.

Discussion:

Alan Patterson: There's a lot of undeveloped area in this PDD, and it's an eyesore. For the updated Comp Plan, can we include landscape and maintenance standards for "prepped" but undeveloped land? Some of these projects sit for years with acres of barren dirt.
Ben Levine: Regarding Mr. Wilson's concerns, please make sure that the Attorney is made aware of this.
Hardin: We will do so.

Yokima Cureton: When will the Comp Plan be ready?
Hardin: In about 18 months.

Called vote: 6:0. **Motion is approved unanimously**.
Chairman Deese stated the item will go to County Council for consideration, and applicant will be notified of time and date.

6. NEW BUSINESS

a. Overview of Next Month's Agenda
   - MDR Text Amendment
   - CSOD Text Amendment
   - Road Hierarchy Text Amendment
   - Patterson Preserve vested rights
   - RZ (Johnson) MDR to MH
   - RZ (Ellis) RN to AR
   - CU Tommy's Car Wash
   - New Road Names

b. Update on projects:
   Comprehensive Plan: drafting Land Use Plan, which will form the foundation for much of the remaining work.
   UDO revision: When requests come in for amendments, we cannot refuse. If the amendment is approved, it will be added to the new UDO revision

c. Other: Discussion of alternate dates/ locations for September Workshop (9/7). Staff has been apprised that Workshop will conflict with another use in Conference Room in September. Looking at alternate locations. Commissioners are amenable to use of Admin. Conference Room, or to Historic Courthouse for Workshop.

7. ADJOURN

Motion to adjourn by Sheila Hinson, 2nd by Ben Levine. Motion approved by unanimous consent. Meeting adjourned at 9:25 p.m.

Summary

Lancaster County
South Carolina

	Request	Alternative
Item 1	Exemption from building to street	Add 125 feet to existing setback
Site	No maximum front setback	Add 125 feet to existing setback
Design	No requirement to have front and rear entry	Alternative side door vs rear door
	No preference for villages vs strip development	*None - Recommended to keep*
	No parking location restrictions	Add two aisles of parking between road and structure
	No limit on side yard parking	*None - Recommended to keep*
	No requirement for landscaping features	*None - Recommended to keep*
	No requirement for pedestrian safety	*None - Recommended to keep*
Item 2	Require 3 bicycle parking spaces, short term	Same as commercial but capped at 15 spaces
Bikes	No requirement for long term bicycle parking	1 for every 50 employees
Item 3	Increase wall signage from 75 sq ft to 1,600 sq ft	Increase to 800 sq ft
Wall Signs	Allow signage on all four walls	Allow on two walls
Item 4	Define "large-scale retailer" as 100,000 sq ft or more	Removed reference to "general commercial"
Definition	Links definition to existing General Commercial use	Removed specifics of "retail warehouse"

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County
South Carolina

PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 3: CITIZEN'S COMMENTS

General Comments or comments on matters not on tonight's agenda.
For comments on specific agenda items under discussion, please sign in on the appropriate sheet.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, May 16, 2023

Citizens are allowed 3 minutes per person to speak. Everyone speaking before The Commission will be required to do so in a civil manner. The Commission will not tolerate personal attacks on individual Commissioners, County Staff or any person or group. Racial slurs will not be permitted. The Commission's number one priority is to conduct business for the citizens of this county.

PLEASE PRINT

1.
2.
3.
4.

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County
South Carolina

PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 5a: UDO-TA-2023-0344 C4 OP Owner LLC/ Costco

Application by C4 OP Owner LLC to amend UDO sections 4.3.2 regarding Highway Corridor Overlay regulations; and section 7.4.5 Signage Standards. (In 4 parts)

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, May 16, 2023

Citizens are allowed 3 minutes per person to speak. Everyone speaking before the Commission will be required to do so in a civil manner. The Commission will not tolerate personal attacks on individual Council Members, County Staff or any person or group. Racial slurs will not be permitted. The Commission's number one priority is to conduct business for the citizens of this county.

PLEASE PRINT

1.	Patrick Faulkner
2.	Samuel Walker
3.	
4.	

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County
South Carolina

PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 5b: RZ-2023-0344 C4 OP Owner LLC/ Costco

Application by C4 OP Owner LLC to rezone approximately 28.01 acres at and adjacent to 8918 Charlotte Highway (TM # 0010-00-029.00) from Light Industrial (LI) to Regional Business (RB) district, in order to develop a retail facility with ancillary gas station.

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, May 16, 2023

Citizens are allowed 3 minutes per person to speak. Everyone speaking before the Commission will be required to do so in a civil manner. The Commission will not tolerate personal attacks on individual Council Members, County Staff or any person or group. Racial slurs will not be permitted. The Commission's number one priority is to conduct business for the citizens of this county.

PLEASE PRINT

1. CITIZENS COMMENT SUBMITTED ONLINE: WENHAO GAI, IN SUPPORT OF COSTCO PROJECT
2.
3.
4.

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County
South Carolina

PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 5c: SD-2022-1205 Riverchase Sec 3

Application by Riverchase Estates Partners LLC for a Preliminary Plat for approximately 806.12 acres located along Riverside Road north of the intersection with Cobblestone way (p/o TM # 0030-00-002.00), for a phase of the larger Riverchase development, consisting of 251 single-family homes, minimum lot size one acre

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, May 16, 2023

Citizens are allowed 3 minutes per person to speak. Everyone speaking before the Commission will be required to do so in a civil manner. The Commission will not tolerate personal attacks on individual Council Members, County Staff or any person or group. Racial slurs will not be permitted. The Commission's number one priority is to conduct business for the citizens of this county.

PLEASE PRINT

1.	Daniel Gates (on behalf of Applicant/Developer)
2.	DANIEL BADILLO
3.	MARIA SIFFERT
4.	

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County
South Carolina

PLANNING COMMISSION
Public Hearing Sign In Sheet

Item 5d: RZ-2023-0531 Crossridge 4

Application by Ben Cerullo on behalf of Crossridge Development LLC to rezone parcels at and adjacent to 8574 Charlotte Highway: 1.79 acres (p/o 0010-00-059.00) and 1.31 acres (p/o 0010-00-016.02) from PDD-26 to Regional Business (RB); ad 1.09 acres (p/o 0010-00-057.00) and 1.62 acres (p/o 0010-00-056.00) from Regional Business (RB) to PDD-26, to adjust boundaries of parcels under current development

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, May 16, 2023

Citizens are allowed 3 minutes per person to speak. Everyone speaking before the Commission will be required to do so in a civil manner. The Commission will not tolerate personal attacks on individual Council Members, County Staff or any person or group. Racial slurs will not be permitted. The Commission's number one priority is to conduct business for the citizens of this county.

PLEASE PRINT

1. Waylon Wilson
2.
3.
4.

Citizen Comment

Lancaster County

Submitted On:
May 16, 2023, 03:29PM EDT

Agenda Item for Discussion:	C4 OP Owner LLC / Costco
Meeting Date:	May 16, 2023 03:28 PM
Full Name	**First Name:** Wenhao **Last Name:** Gai
Phone Number	6463880199
Email	calvingai@lgcpartners.com
Address:	668 Penny Royal Ave Fort mill sc 29715
Citizen Comment - Regarding Agenda Item:	It's essential for our community to welcome a Costco into our neighborhood. This would grant local residents access to reasonably priced groceries. Furthermore, the introduction of this new facility would create increased job opportunities for the working class. Given the challenges presented by inflation, an increase in competition will certainly serve to benefit the citizens and neighbors in our vicinity.

Agenda Item Summary

Ordinance # / Resolution #: June 1, 2023 Workshop Minutes
Contact Person / Sponsor: J. Bryan
Department: Planning
Date Requested to be on Agenda: 6/20/2023

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
June 1, 2023 Workshop Minutes	6/5/2023	Exhibit

MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION
CHARLES DEESE, DISTRICT 3, CHAIRMAN
JAMES BARNETT, DISTRICT 5, VICE-CHAIRMAN
TAMECCA NEELY, DISTRICT 2
JUDIANNA TINKLENBERG, DISTRICT 4
SHEILA HINSON, DISTRICT 6
ALAN PATTERSON, DISTRICT 1
BEN LEVINE, DISTRICT 7
CLERK: JENNIFER BRYAN

MINUTES OF THE LANCASTER COUNTY PLANNING COMMISSION WORKSHOP MEETING

June 1, 2023 5:00 P.M.
MINUTES

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

1. Roll Call:

Members Present:

Jim Barnett	Charles Deese	Sheila Hinson
Ben Levine	Tamecca Neely	Judianna Tinklenberg

Absent: Alan Patterson

Others Present:

Allison Hardin, Interim Director
Ashley Davis, Senior Planner
Matthew Blaszyk, Planner
Clerk: Jennifer Bryan

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

2. New Business

a. CU-2023-0695 Tommy's Car Wash

Application by The Timmons Group, TIL Holdings of Texas, George McGinn and Sallie Cooper for a Conditional Use Permit for a 2.9-acre parcel at 168 Fort Mill Highway/Highway 160 (TM# 0008-00-007.00) for development of an automated car wash facility.

Staff Presentation: Matthew Blaszyk, Planner
Discussion: [See attached location map]

- Revised site plan per TRC comments will be submitted this week, and will be updated in staff report.
- Parcel nearby at corner of 521 is a veterinarian's office.
- Commissioners expressed concern over too many small, single entrance businesses in proximity to the intersection.

- There is a concrete median preventing left turns into the proposed entrance.
- SCDOT has requested entrance alignment with Lowe's across Fort Mill Highway.

b. RZ-2023-0596 Dylan & Tammy Ellis

Application by Dylan & Tammy Ellis for a rezoning of 4.77 acres at 1993 Beacon Road (TM# 0089-00-086.01) from Rural Neighborhood (RN) to Agricultural Residential (AR) district, in order to locate a mobile home on the property.
Staff Presentation: Matthew Blaszyk, Planner
Discussion: [See attached location map]

- There is a deeded easement for ingress and utilities.

c. RZ-2023-0629 Teresa Johnson

Application by Teresa Johnson to rezone a 1.0 acre parcel at the corner of Mackey and Douglas Roads (TM# 0103F-0F-006.03) from Medium Density Residential (MDR) to Manufactured Housing (MH) District, in order to locate a mobile home on the property.

Staff Presentation: Matthew Blaszyk, Planner
Discussion: [See attached location map]

- Add copy of deed to attachments.

d. SD-2023-0161 Edgewater Phase 11

Application by True Homes LLC on behalf of owners Lancaster County Forfeited Land Commission and B &C Landholdings LLC, for a Preliminary Plat encompassing 47.08 acres at and adjacent to Edgewater Parkway and Gateway Drive (p/o TM #s 0106-00-003.02 and 0106-00-003.00) for the development of 146 detached single-family homes and 50 townhomes.
Staff Presentation: Ashley Davis, Senior Planner
Discussion: [See attached location map]

- Unit counts in description above are incorrect: new count is single-family lots 10 plus 49 townhomes.
- Staff has requested letter from bond holder approving reconfiguration and lower lot count.

e. UDO-TA-2023-0972 Sec. 2.4 MDR Standards

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.
Draft text will be provided at the Workshop.

Staff Presentation: Allison Hardin, Interim Director
Discussion: (for items **e and f**) [See attached memo and research materials]

- Review "Gentle Density" concepts
- Possible alternatives to consider: sunrise/sunset zoning (sets time limit for development before reversion to prior district); Gradient zoning; algorithmic review models; floating zones.

- Existing MDR standards are problematic because they allow CSOD essentially by right. Need more clarification of goals to be met to qualify for CSOD.
- CSOD options or other density options are needed to avoid regulatory takings challenges.

f. UDO-TA-2023-0973 Sec 4.4.1 CSOD Standards

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.
Discussion: (see above under item e) [See attached memo and research materials]

g. UDO-TA-2023-0975 Sec 6.5 County Street Classification & Design

Sec. 6.5 County Street Classification & Design: Application by Planning Department on behalf of County Council to amend Section 6.5 County Street Classification & Design. Draft text will be provided at the Workshop.
Staff Presentation: Allison Hardin , Interim Director
Discussion: [See attached memo and research materials]

- Street hierarchy of construction standards will address challenges faced by families who do not have the resources that large developers draw on for road development.

h. SD-2019-001 Vested Rights Extension for Patterson Preserve

Request by Exeter Development Company to extend its vested rights for the Patterson Preserve pursuant to Section 9.2.17.A.2 of the Unified Development Ordinance.
Staff Presentation: Ashley Davis, Senior Planner
Discussion: [See attached location map]

- Ordinance allows two routes to request extension of vested rights; staff issued a denial of administrative extension on March 23, 2023.

i. New Road Name Approvals

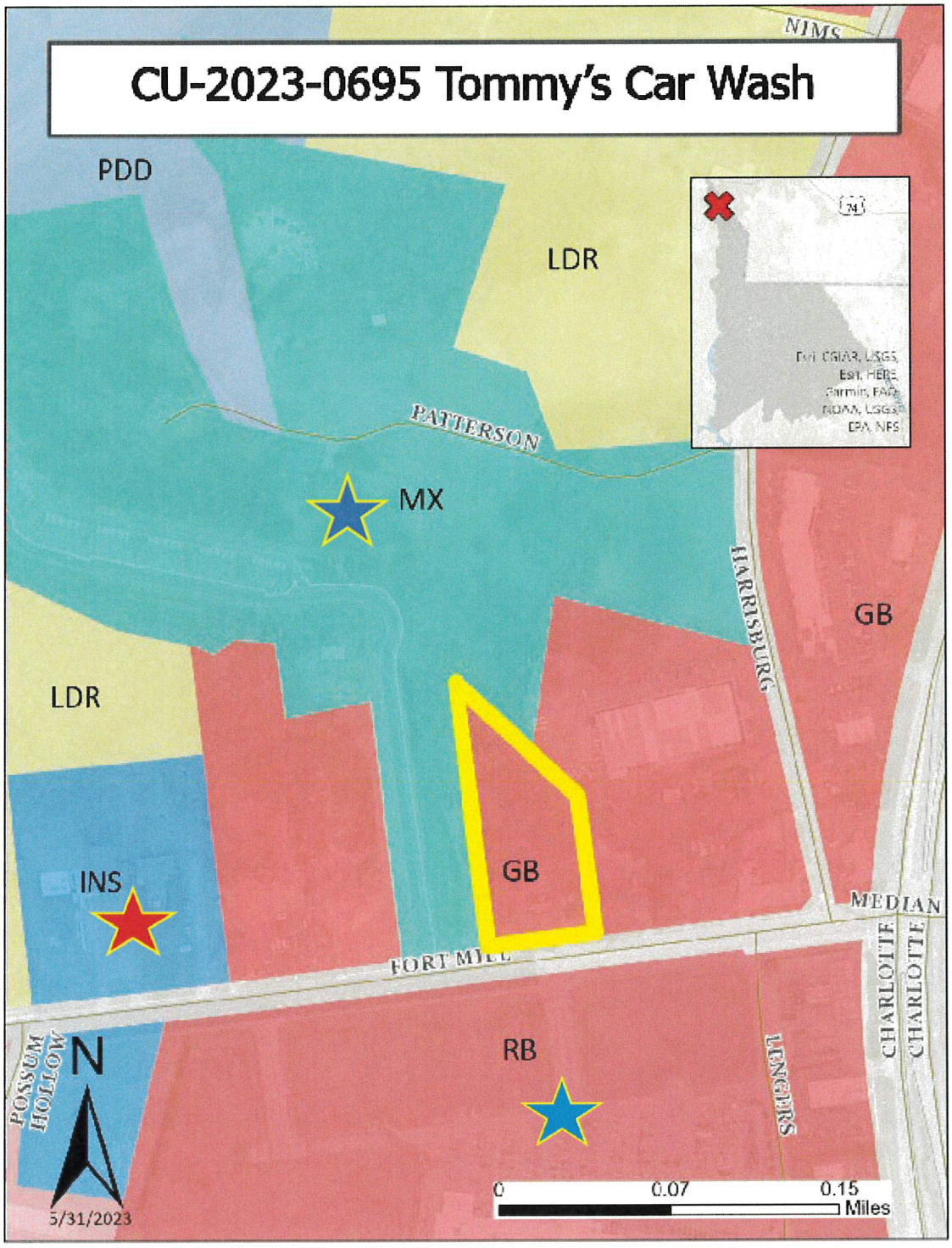
Review new road names submitted to County E-911 Addressing. Available documents will be provided at the Workshop.
Staff Presentation: Allison Hardin
Discussion:
[See attached staff report with list of new road names]

3. Other:

a. Above agenda items will be divided: **items a-d and item h** will be heard at 6/20/2023 PC meeting; the remainder will be heard either at a Special Called Meeting on June 278, 2023 or at July 18 PC meeting.

b. Review of Next Month's Agenda: Deadline for submissions is Friday June 2, only one small rezoning has been submitted.

4. Adjourn: Meeting was adjourned at 6:25 pm.



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South Carolina

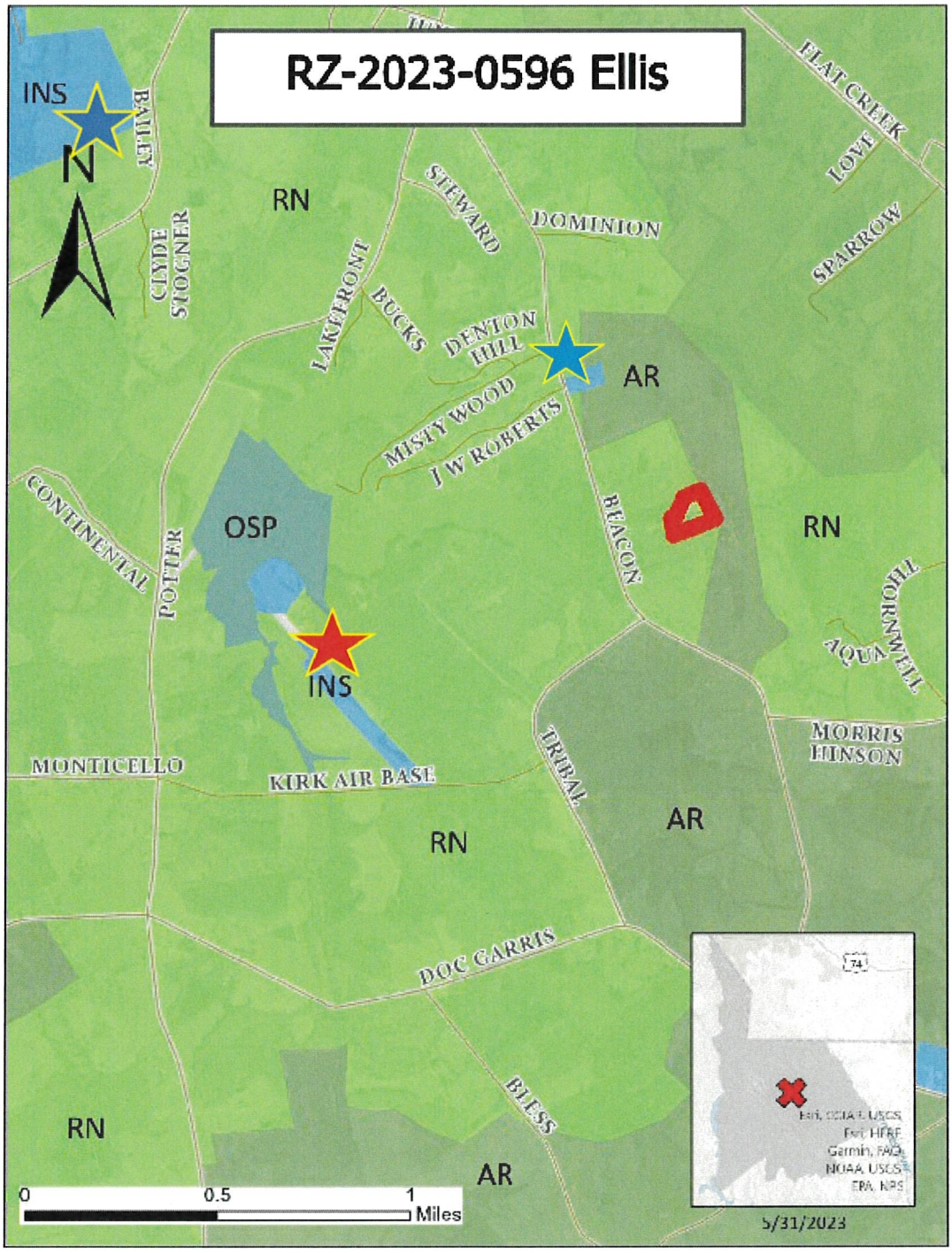
Proposal:
Vehicle: Minor Maintenance & Repair

Subject Property

Capital Club Apartments

Pleasant Hill Methodist Church

Lowe's



Lancaster County
South Carolina

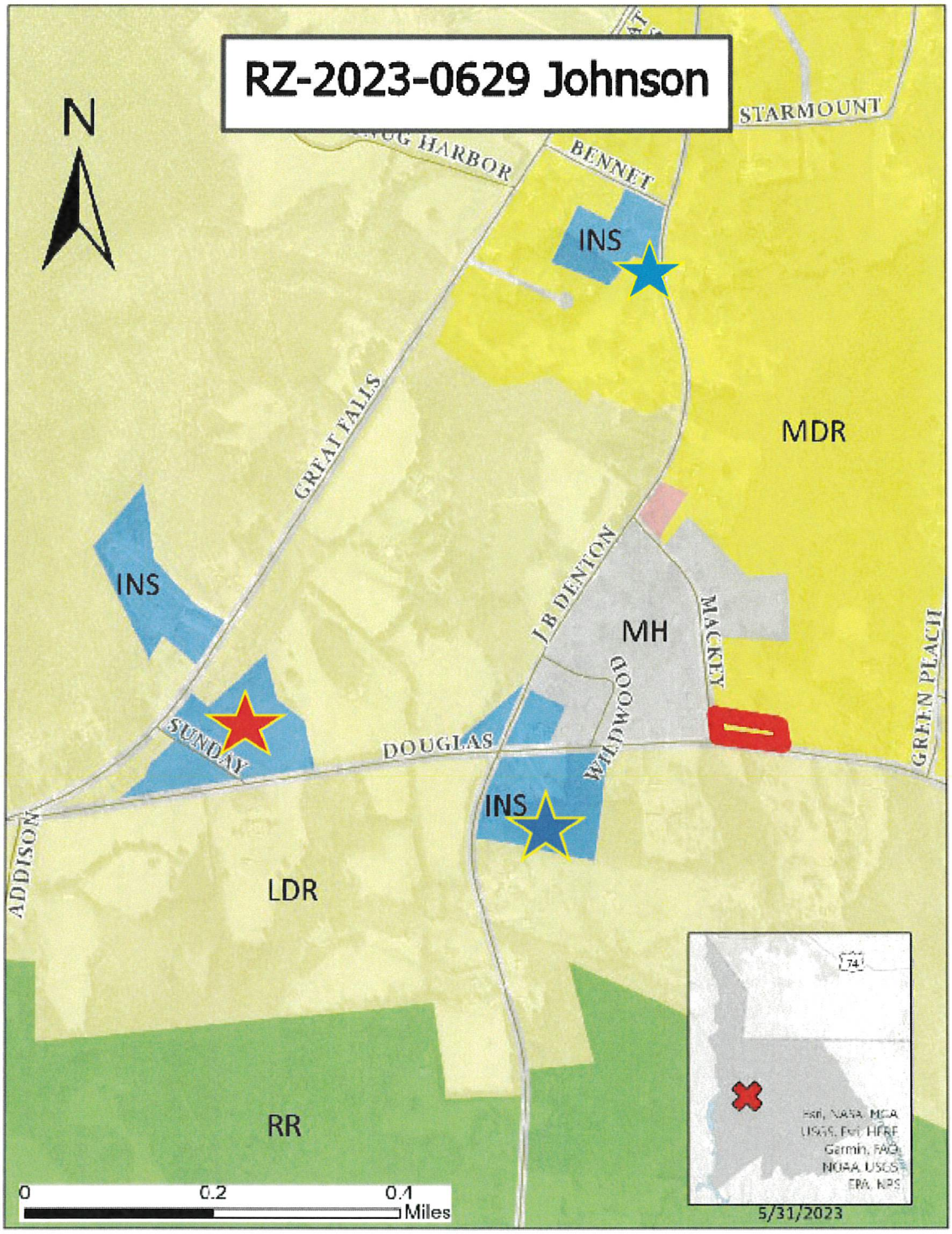
Proposal:
Rezoning RN to AR

Subject Property

Lancaster Children's Home

Kirk Air Base

Pilgrim Baptist Church



Lancaster County
South Carolina

Proposal:
Rezoning MDR to MH

Subject Property

Mt. Moriah AME Zion Church

Douglas Presbyterian Church

Friendship Baptist Church



Lancaster County
South Carolina

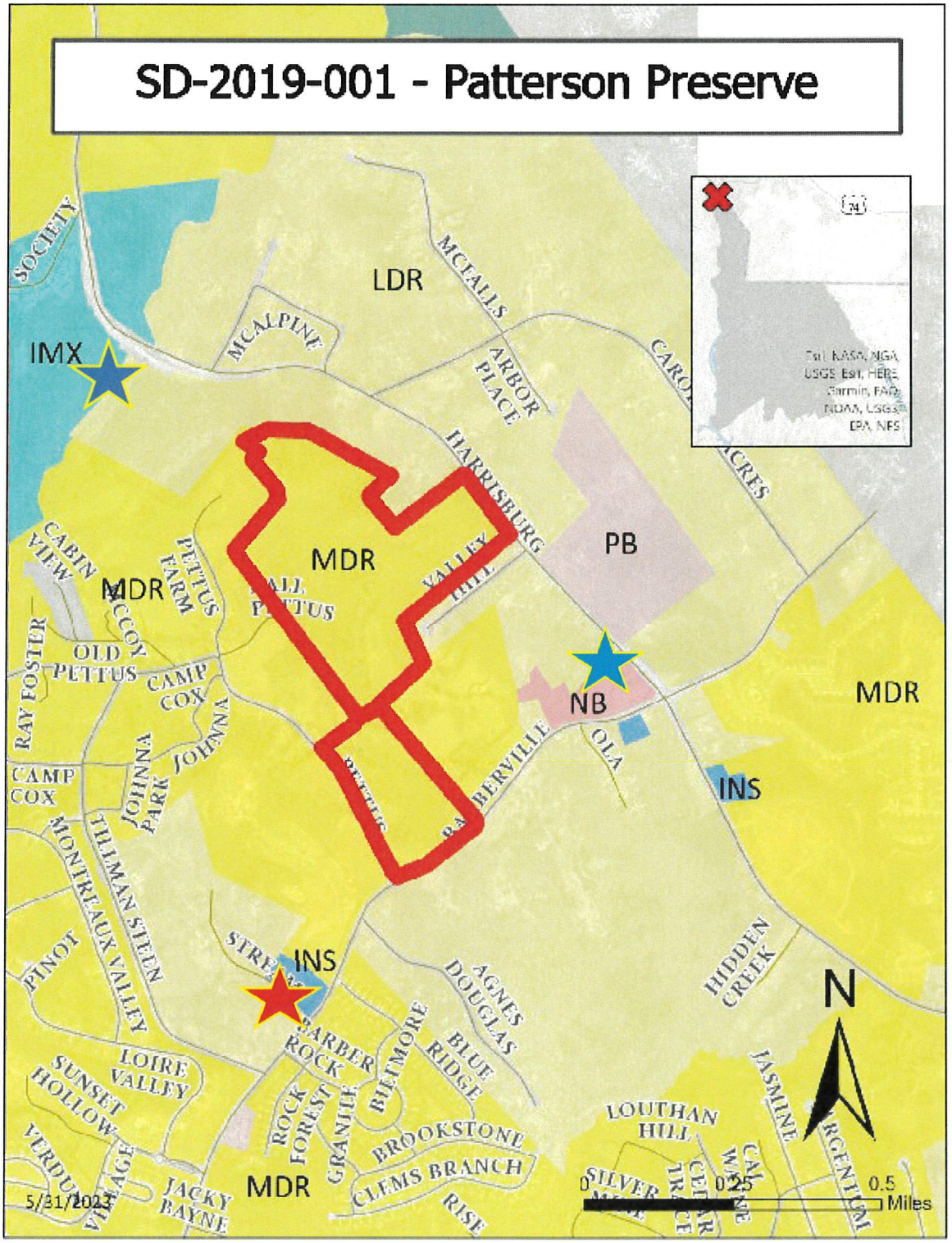
Proposal:
Preliminary Plat

Subject Property

Bear Creek Inlet

Catawba River

Edgewater (Undeveloped)



Lancaster County
South Carolina

Proposal:
Extension of Vested Rights

Subject Property

Pines Sugar Creek

Church of the Great God

Shamrock Landscaping

Lancaster County
South Carolina

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. _____ _____

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

PROPOSAL:	Amend Unified Development Ordinance Standards for Medium Density Residential District.
APPLICABLE CHAPTER(S):	UDO Chapter 2
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."

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 that applied flexible zoning regulations (known as the "flex" option) 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.

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.

OVERVIEW:

Staff is aware that two attempts in the last year to "fix" the Medium Density Residential (MDR) zoning district have not been successful. 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.

The second attempt, increasing the minimum lot size with variable lot options under cluster zoning, was made earlier this year. It was seen as a regulation that would increase the cost of residential housing.

In recent months, there has been some support resurfacing for the flex zoning concept, especially from developers. Staff has been investigating additional concepts, including sunrise/sunset

zoning, mandatory periodic review, and algorithmic review models (scorecards based on how a project addresses the community goals). These are being evaluated based on the impact to development, compliance with state law, and the County's capacity to implement them.

Both earlier attempts were challenged based on discussions about how the options would impact the Panhandle. Staff has combed through hours of meetings with the Council and public input, and is finalizing some recommendations that are aimed to balance the perceptions from the community, the market needs, the current housing situation, and the future growth projections that have been discussed in the comprehensive plan rewrite meetings. The draft is not yet complete, and will be forwarded to you in your packets prior to the meeting.

ATTACHMENTS:

1. Previous Text Amendment (Feb 2023)
2. TA Application
3. *Zoning Practice,* "Practice Gentle Density", February 2023

STAFF CONTACT:

Allison Hardin, Interim Planning Director
ahardin@lancastercountysc.net

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2023-1841

AN ORDINANCE

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE ("UDO") CHAPTERS 2 AND 4: STANDARDS FOR MEDIUM DENSITY RESIDENTIAL DISTRICT AND 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 development project are often presented to the Council that comply with technical requirements of the UDO, but do not fully realize the development policy goals of Lancaster County.

(c) To address issues with development standards within the current UDO, Lancaster County directed its UDO consultants to develop an interim ordinance to address some of the larger issues associated with development projects that have been processed with the current UDO.

(d) It is necessary and prudent to amend the UDO with these interim ordinance text amendments prior to the full UDO rewrite to ensure that high quality development projects occur in Lancaster County and that, prior to full UDO rewrite, development projects better achieve the development policy goals of Lancaster County.

(e) The text amendment related to Chapter 2 of the UDO would increase minimum lot size in the Medium Density Residential (MDR) District from 10,000 square feet to 12,000 square feet; increase front setbacks for garages to 40 feet from 30 feet; and change density to 2.0 dwelling units ~~an~~ per acre from 2.5 dwelling units.

(f) The text amendment will additionally provide notational changes at the bottom of the dimensional table to implement modifications related to the MDR District density calculation and open space. The amendments implementing these changes will apply to both Cluster Subdivisions and the MDR District~~., Under~~. Under this amendment, conventional MDR projects will meet the same open space standards as the Cluster Subdivision Overlay District (CSOD).

(g) The text amendment related to Chapter 4 would establish a 70 foot minimum lot width per lot and 9,500 square foot minimum lot area for 51% of the lots in a subdivision; establishes an exception by allow~~s~~ing up to 49% of the lots to ~~be~~ have a minimum of 50 foot lot ~~wide~~ width and 7,000 square foot minimum lot area; limits the amount of floodplain being eligible ~~as~~ for use as required open space to 50%; requires block face to be broken up with

open space or a street intersection; creates net-density calculations versus gross density calculations using total site acreage; and limits Primary Conversation land and floodplain acreage to 50% in density calculation.

(h) The text amendments will improve the quality of new subdivisions within the MDR District and its associated CSOD by virtue of increasing lot sizes while allowing variability in lot width, incorporation of more useable open space, providing more onsite parking, and reducing uninterrupted block faces.

(i) The text amendments are consistent with the applicable provisions 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.

(j) Lancaster County Planning Commission considered the proposed text amendments at its meeting on January 17, 2023 and by a unanimous vote, recommended approval of the proposed text amendments with Version 2 of the amendment related to Chapter 4 being the preferred version. This ordinance codifies their preferred version.

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 _____, 2023.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

ATTEST:

_____
Sherrie Simpson, Clerk to Council

First Reading: February 27, 2023

Second Reading: March 13, 2023
Third Reading: March 27, 2023
Public Hearing: March 27, 2023

Approved as to form:

_____
Virginia Merck-Dupont, County Attorney

NOT APPROVED

FEBRUARY 2023 | VOL. 40 NO. 2

APA

ZONING PRACTICE

Unique Insights | Innovative Approaches | Practical Solutions

Practice Gentle Density



In this Issue: The Legacy of Single-Family-Only Zoning | State and Local Responses | Gentle Density Zoning Standards | Public Involvement | Conclusion

Practice Gentle Density

By Jackie Berg, AICP, and John Houseal, FAICP

Cities, towns, and counties across the country are facing a housing availability and affordability crisis. To address the issue, many are developing plans and policies that promote housing stock diversification in both new and infill development scenarios (Figure 1). However, when such development proposals are presented for review and approval, neighbors often fiercely oppose them, citing concern over a perceived change in the character of their neighborhoods and loss in property value and quality of life.

This issue of *Zoning Practice* explores zoning strategies that balance the concerns of residents and the demands of the housing market by accommodating gentle density increases in a context-sensitive manner. From historic downtown neighborhoods to modern residential subdivisions, the tools presented can be used by planners throughout the country to implement housing policy through regulation.

The Legacy of Single-Family-Only Zoning

Beginning in the early 20th century, zoning was introduced in American cities as a means to control booming development. Beyond land-use control, however, zoning was also motivated by special interests concerned with maintaining existing community character in the face of both cultural and physical change, especially changes in cultural and ethnic makeup resulting from immigration. As written by M. Nolan Gray in *Arbitrary Lines*, "[Zoning's] defining contribution was to enshrine



Figure 1. A range of medium-density housing types (Credit: Sightline Institute, Flickr)

the single-family house as the urban ideal, while casting apartments as mere 'parasites' and corner grocers as threats to public welfare."

After the Supreme Court ruled in favor of the constitutionality of zoning in the 1926 *Euclid v Amber* case, the federal government incentivized municipalities across the country to adopt zoning regulations—often by tying the availability of federal funding for transportation infrastructure, housing subsidies, and disaster recovery to zoning implementation. The spread of zoning, especially single-family-only zoning, throughout the country is intimately linked to the rapid suburbanization experienced after World War II. The rise of the suburbs and the segregated, low-density land uses that define them, worsened issues of economic segmentation and related racial and ethnic segregation stemming from the high cost of car and home ownership required for suburban life. This transition left many inner-city neighborhoods in a state of disinvestment, further cementing the sentiment that high-density housing leads to crime, property devaluation, and quality-of-life decline. It also exacerbated the acute housing availability and affordability crisis since the Great Recession by limiting the amount and types of housing that can be built.

State and Local Responses

The legacy of single-family-only zoning and a severe housing affordability crisis have motivated several distinct types of state and local zoning-reform efforts. Some states and local jurisdictions have explored eliminating single-family-only zoning. Many others have taken less-drastic measures to reform regulations related to housing development in an effort to accommodate additional and affordable housing in single-family districts.

Table 1. Select State and City Actions to Eliminate Single-Family-Only Zoning

Jurisdiction	Action
California	Eliminated single-family-only zoning in cities and urbanized unincorporated areas by authorizing property owners to build two dwelling units on any single-family-zoned lot and to subdivide any single-family-zoned lot large enough to split into two lots of at least 1,200 square feet (Senate Bill 9, 2021)
Charlotte, NC	Rezoned all previously single-family-only districts as Neighborhood 1 Zoning Districts, which permit duplexes and triplexes in addition to single-family homes (Unified Development Ordinance, 2022)
Gainesville, FL	Rezoned all previously single-family-only districts as Neighborhood Residential districts, which permit up to four dwelling units per lot (Ordinance No. 211358, 2022)
Maine	Eliminated single-family-only zoning by authorizing between two and four dwelling units on any lot in a zoning district that permits housing, depending on whether the lot is located in a designated growth area or has an existing dwelling unit (LD 2003, 2022)
Minneapolis, MN	Eliminated single-family-only zoning by authorizing up to three dwelling units on any lot in the lowest-intensity residential district (Table 546-1)
Oregon	Eliminated single-family-only zoning for many cities by requiring all cities with populations of at least 1,000 in metropolitan service areas and all other cities with populations of at least 10,000 to permit at least two units on each lot in areas zoned for residential use (HB 2001, 2019)
Walla Walla, WA	Rezoned all previously single-family-only zones as Neighborhood Residential zones, which permit duplexes, triplexes, fourplexes, and cottage homes in addition to single-family homes (Ordinance 2018-53, 2018)

Efforts to Eliminate Single-Family-Only Zoning

To combat the issues of housing availability and affordability being faced by communities across the nation, several states and local governments have taken dramatic steps toward eliminating single-family-only zoning (Table 1). Many other communities, like Seattle, have considered eliminating single-family-only zoning but have not been successful due to backlash from residents. Commonly cited concerns related to eliminating single-family-only zoning include a desire to preserve existing community character in order to protect property values, combat crime, maintain traffic conditions, not over burden schools, conserve open space, and more.

Although these concerns are understandable at an emotional level, they often do not hold water in practice. For example, according to a study by Daniel Kuhlmann published in the *Journal of the American Planning Association* in 2021, home values in Minneapolis increased three to five percent in comparison to similar homes outside of the city after local officials adopted a new comprehensive plan proposing the elimination of single-family-only zoning. The study further suggests that the increase in property value is seen most significantly in relatively inexpensive neighborhoods of Minneapolis, helping to lessen the gap between property values and to build equity for lower income homeowners.

Other Efforts to Zone for Housing Affordability

In addition to largely eliminating single-family-only zoning, California, considered by many as a leader in housing reform, has recently passed a slew of other laws to mitigate the state's housing shortage. For example, Senate Bill 6 (2019) allows for by-right multifamily housing development in all commercial and office districts; Assembly Bill 2097 (2022) eliminates all parking requirements for housing within a half-mile of public transit; and Senate Bill 478 (2021) requires that floor-area-ratio restrictions on multifamily housing be a minimum of 1.0 for developments with three to seven units and 1.25 for developments with eight to 10 units. This last bill also prohibits a local jurisdiction from denying a housing development proposal on the basis that the lot does not meet minimum size requirements.

Some states, such as North Carolina (§160D-702(b)) and Oklahoma (SB 1713, 2020) have passed legislation that prohibits local governments from enacting design standards for one- and two-family housing (as defined by the building code), which includes single-family detached, duplex, and townhome development. The goal of the legislation is to reduce the costs associated with design standards, such as required building materials, roof form, façade articulation or type, glazing, and more.

A larger number of municipalities and counties are adopting incremental zoning reforms, such as allowing accessory dwelling units (ADUs) in single-family zoning districts (Table 2). Known by many names, including granny flats, in-law units, backyard cottages, secondary units, carriage houses, and more, an accessory dwelling unit is a smaller, independent dwelling unit that may be detached,

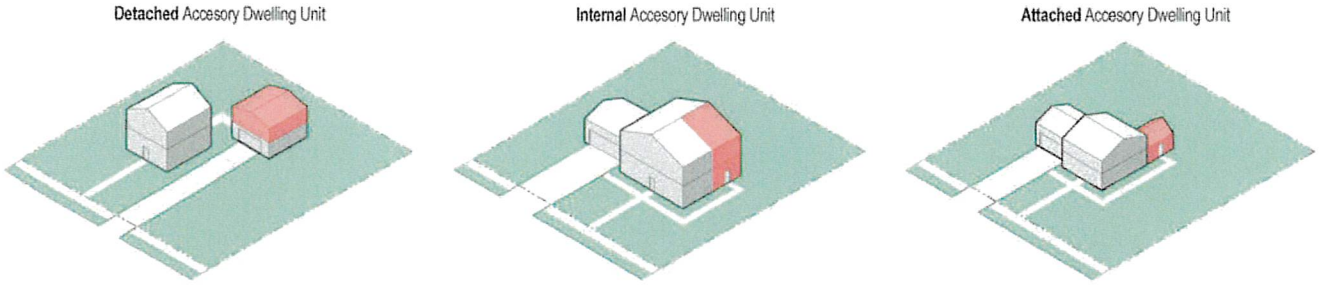


Figure 2. Examples of accessory dwelling unit types (Prepared by Houseal Lavigne)

Jurisdiction	Use Pearmissions
Amherst, MA	Permits one internal, attached, or detached ADU per single-family detached dwelling by right, subject to use-specific standards, in most residential districts (§5.011)
Apple Valley, MN	Permits one internal or attached ADU per single-family detached dwelling with a discretionary use permit, subject to use-specific standards, in its lowest-intensity residential district (§155.382)
Bloomington, IN	Permits one internal, attached, or detached ADU per single-family or duplex dwelling by right, subject to use-specific standards, in all residential districts (§20.03.030(g)(5))
Boise, ID	Permits one internal, attached, or detached ADU per single-family detached dwelling by right, subject to use-specific standards, in most residential districts (§11-06-03.1.A)
Chatham County, NC	Permits one internal, attached, or detached ADU per single-family detached dwelling by right in all residential districts (§10.13)
Columbia, MO	Permits up to two internal, attached, or detached ADUs per lot with a discretionary use permit, subject to use-specific standards, in its lowest-intensity residential district (§29-3.3(gg))
Decatur, GA	Permits one internal, attached, or detached ADU per single-family detached dwelling by right, subject to use-specific standards, in all residential districts (§6.8.3.A)
Fayetteville, AR	Permits one internal or attached and one detached ADU per single-family detached dwelling by right, subject to use-specific standards, in most residential districts (§164.19)
Hudson, OH	Permits one internal, attached, or detached ADU per single-family detached dwelling by right, subject to use-specific standards (§1206.03(a))
Jenks, OK	Permits one internal, attached, or detached ADU per single-family detached dwelling by right, subject to use-specific standards, in multiple residential districts (§16-5-12(B))
Madison, WI	Permits one internal, attached, or detached ADU per lot, subject to use-specific standards, in all districts (§28.151)
Murray, UT	Permits one internal, attached, or detached ADU per single-family detached dwelling by right, subject to use-specific standards, in all residential districts (§17.78)
Nashville, TN	Permits one internal or attached ADU per single-family detached dwelling by right and one detached ADU per single-family dwelling by right, subject to use-specific standards, in multiple residential districts (§17.16.030.G)
Olympia, WA	Permits one internal, attached, or detached ADU per single-family detached dwelling by right, subject to use-specific standards, in all residential districts (§18.04.060.A)
Oxford, MS	Permits one internal, attached, or detached ADU per single-family detached dwelling by right, subject to use-specific standards, in all residential districts (§3.5.6)

Table 2. Select Jurisdictions That Permit ADUs

attached, or internal to the primary dwelling on a parcel (Figure 2). Accessory dwelling units have several benefits, including affordability; providing a source of additional income for homeowners, making homeownership more realistic for moderate income households; and accommodating multigenerational living and supportive housing.

Other states and local governments are reversing bans or limitations on manufactured housing, an affordable alternative to traditional single-family detached homes. For example, California (Government Code §65852.3), Idaho (§67-6509A), Kansas (§12-763), Nevada (§278.02095), Ohio (§519.212), and Washington (§35.21.684) require local jurisdictions to allow manufactured homes in areas zoned for single-family residences; Huntsville, Texas, overturned a ban on the placement of manufactured housing throughout the community; and London, Kentucky, reversed a regulation that required manufactured housing to be located in manufactured home communities (parks) only.

Design standards that control the appearance of infill missing-middle housing are often an important tool to provide fair certainty to residents.

Shortcomings of These Efforts

Like all legislation and regulatory reforms, the approaches discussed in the previous sections have their shortcomings. For example, much of the legislation recently passed in California introduces blanket requirements across all communities, regardless of their characteristics. However, in a state as large as California, characteristics such as slope, wildfire hazard, and flood risk can significantly impact how new housing formats and additional housing units overall are best regulated in a community.

The North Carolina and Oklahoma prohibitions on design standards for one- and two-family housing have made it difficult for some communities to introduce missing-middle housing as an allowed infill housing type in established neighborhoods. Infill missing-middle housing in existing single-family only neighborhoods is an effective approach to accommodating affordable housing throughout a community and leveraging existing infrastructure to serve a greater number of people. Design standards that control the appearance of infill missing-middle housing are often an important tool to provide fair certainty to residents. Knowing that the character of their neighborhoods will not be fundamentally altered, residents tend to not protest the allowance of diversified housing, streamlining initial regulation adoption and later development approval.

Just as design standards can make infill missing-middle housing more palatable for residents, design and use standards can make ADUs more acceptable as well. The vast majority of the communities that allow ADUs today have some design and use standards. The primary topics regulated are unit type (i.e., detached, attached, or internal); bulk and mass; location on a lot; location of unit entry; parking and access; design in relation to primary and adjacent dwellings; and requirements for the owner of the property to use either the principal or accessory dwelling as their primary residence. Although these standards can be helpful in ensuring that ADUs blend into the character of neighborhoods, maintaining the appearance of a single-family detached neighborhood at the right-of-way, they can also severely limit the number of ADUs that can be built. The most limiting regulations are often lot coverage restrictions and parking requirements.

Another significant barrier to the development of missing-middle housing in both infill and new development scenarios is the discretionary review process. Requiring special or conditional use approval, conditional district rezoning, architectural review commission approval, or the wide variety of other discretionary review procedures employed by municipalities and counties can add to the time and, therefore, the cost of development. Discretionary review requirements also run the risk of denying approval to development proposals that



Figure 3. Build-to zone (Prepared by Houseal Lavigne)

otherwise meet the requirements of regulations, including design standards and other measures put in place to provide fair certainty to neighbors and applicants.

Gentle Density Zoning Standards

Learning from and building off of the successes and setbacks highlighted previously, the following section focuses on how local jurisdictions can accommodate and encourage the development of missing-middle housing in new development and infill development scenarios.

Bulk and Dimensional Standards

Bulk and dimensional standards, including lot area and width standards, setback requirements, and height and coverage restrictions, can play a significant role in blending missing-middle housing types into new and existing neighborhoods.

For new neighborhoods, municipalities and counties should consider controlling density through minimum lot area and minimum lot area per dwelling unit standards. As always, the minimum lot area requirement will establish the base lot size for the district. The minimum lot area per dwelling unit standard, however, will ensure that missing-middle housing types like triplexes and quadplexes have a proportional amount of open space to their single-family detached and duplex neighbors. The minimum lot area per dwelling unit could be set at half of the minimum lot area requirement to accommodate duplexes in the same manner as single-family detached dwellings.

Additionally, municipalities and counties should consider establishing a "build-to zone" that applies to all housing types in the same manner (Figure 3). This will ensure that the rhythm of development from the right-of-way is consistent, making the blend of housing types look more seamless.

If eliminating lot area and width requirements is not realistic, municipalities can work to promote reinvestment in existing housing, especially naturally occurring affordable housing, by minimizing nonconformities. To accomplish this, communities can conduct a nonconformities analysis that compares the existing minimum lot area and width requirements established for a zoning district with existing development within that district. Using tools such as ArcGIS, the analysis should first determine the number of parcels in each district that do not conform with the existing lot area and width requirements (Figure 4). Then the analysis should determine the number of parcels in each district that would remain nonconforming if the lot area and width requirements were reduced (Figure 5).

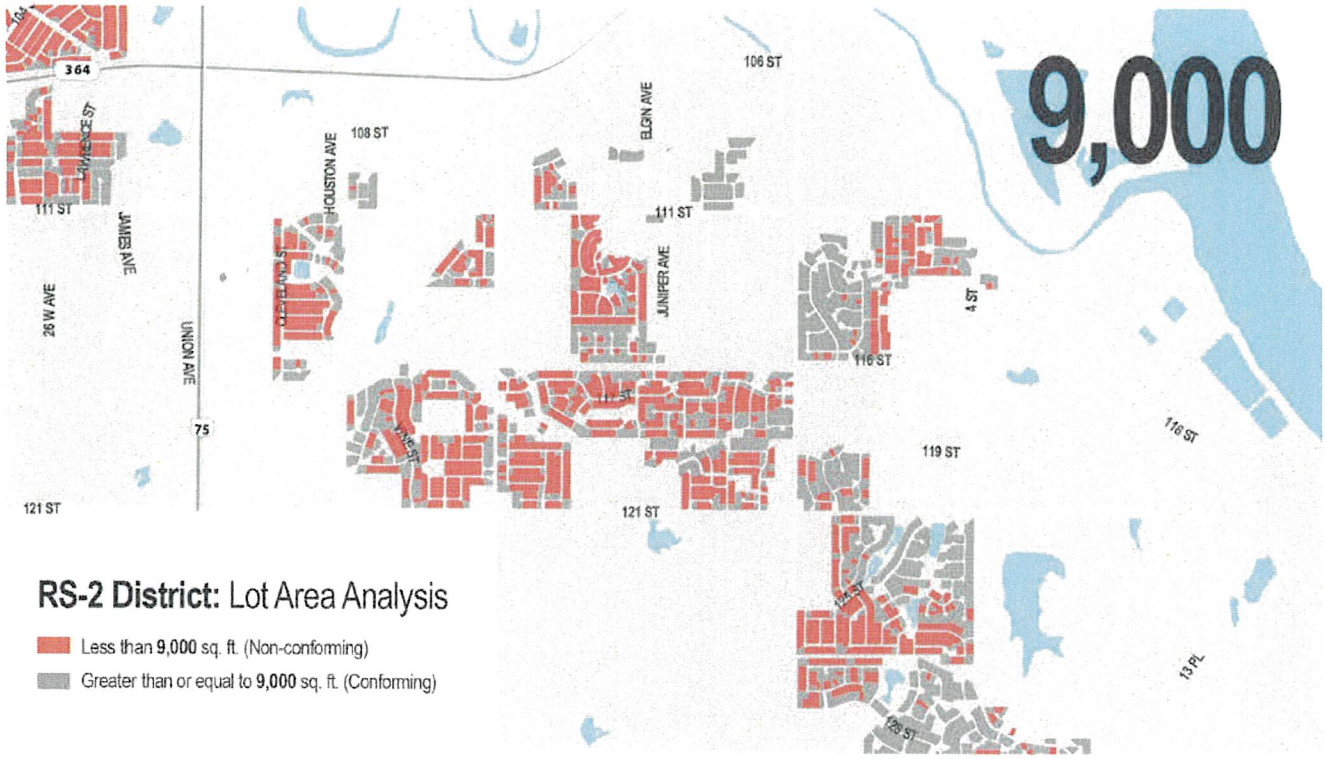


Figure 4. Nonconformities under existing lot area requirements (Prepared by Houseal Lavigne using ArcGIS Software)

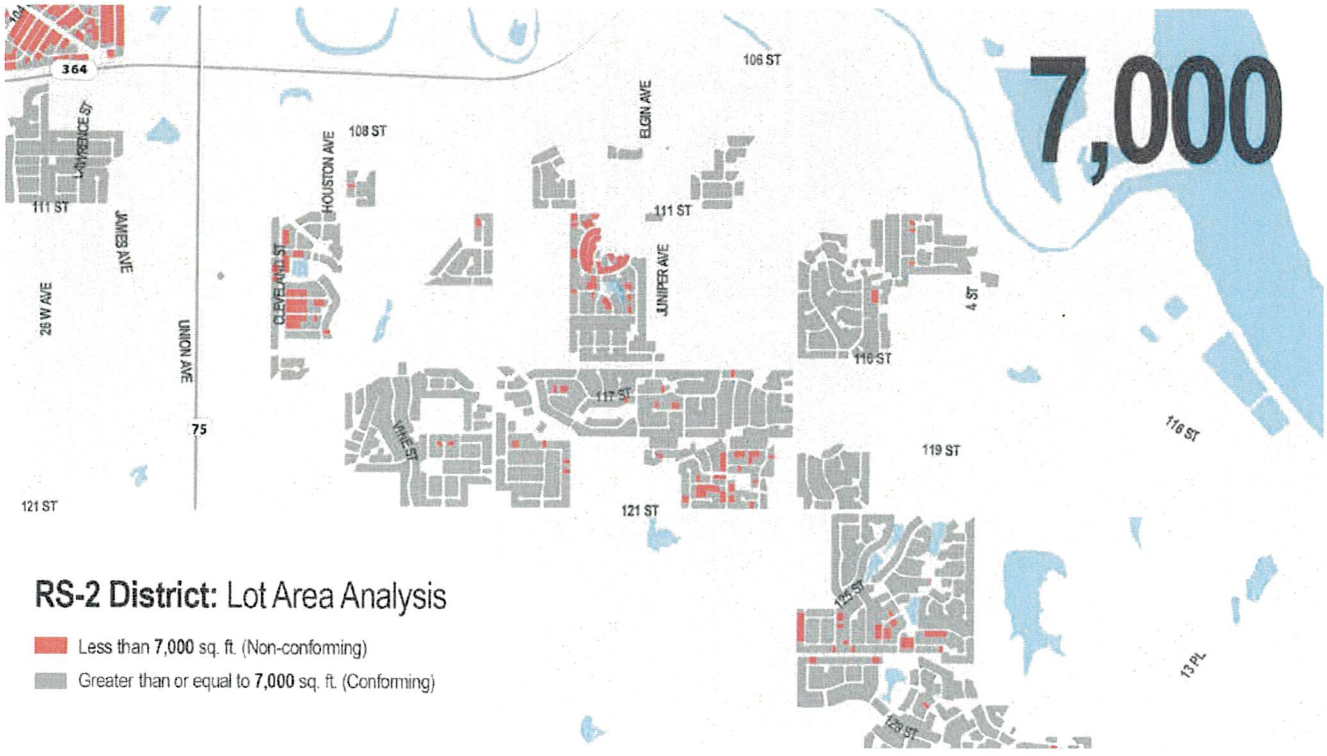


Figure 5. Nonconformities with reduced lot area requirements (Prepared by Houseal Lavigne using ArcGIS Software)

If eliminating lot area and width requirements is not realistic, municipalities can work to promote reinvestment in existing housing, especially naturally occurring affordable housing, by minimizing nonconformities.

To ensure that reducing the lot area and width minimums would not alter the character of established neighborhoods (a common argument against this type of zoning reform), alternative minimums can be tested to see if they would create new opportunities for existing lots to be subdivided. New opportunities for subdivision include lots that are at least two times greater in area and twice the width of the alternative lot area and width minimums being considered. Again, using a tool such as ArcGIS, new opportunities for subdivision can be examined to determine whether they could lead to a change in neighborhood character. For example, if there is a concentration of parcels in a neighborhood that could be subdivided due to the proposed standards changing, would such an amendment result in a shift in neighborhood character. In some instances, it may be most appropriate for these parcels to be rezoned to another zoning classification that requires larger lots, thus preventing the creation of several new lots in an established area. In other circumstances, the alternative minimums should be increased district wide to prevent opportunities for subdivision. However, if the parcels that represent new subdivision opportunities are scattered throughout neighborhoods, rather than clustered together, and surrounded by parcels that are more consistent with the alternative minimums, the new subdivision opportunities would not result in a shift in neighborhood character.

Infill development is most common in older neighborhoods where it is economically viable to tear down aging structures and build new ones. These types of neighborhoods were often developed organically over time, in some cases before zoning regulations were put in place, and do not have consistent bulk and dimensional standards from one property to another. In these circumstances, municipalities should consider eliminating or amending minimum lot area and width requirements to encourage and accommodate reinvestment. Additionally, municipalities should consider adopting an averaging or variable approach to yard setbacks. For example, in Bloomington, Illinois' Downtown Residence District, the required front yard setback is the average of the front yard setbacks along the same side of the street and on the same block (§44-403.B(2)).

Use Standards

Use standards are supplementary requirements for uses regardless of whether they are allowed by-right or by discretionary approval. The use standards highlighted below are equally appropriate in both new and infill development.

Both new and existing neighborhoods can benefit from standards for higher-density missing-middle housing types that regulate the allowed location of the housing type on a block and its related siting. For example, Bentonville, Arkansas' Downtown Neighborhood (DN) districts distinguish between block-end and mid-block locations and allows higher densities at the former more liberally than the latter (§401.07-B). The DN districts also require that all residential buildings be oriented toward a public street and that all parking garages, lots, or spaces be located in the rear or interior side yard, rather than in the front yard (Figure 6).

Municipalities and counties should also consider allowing single-family homes to be converted to multifamily buildings. Converting homes, especially historic properties, can help to extend the economic life of existing structures, beneficial in both maintaining neighborhood character and minimizing environmental impacts related to development. Use standards for single-family to multifamily conversions should require that the outward appearance of the structure be maintained in substantially the same manner and that parking be accommodated on-site.

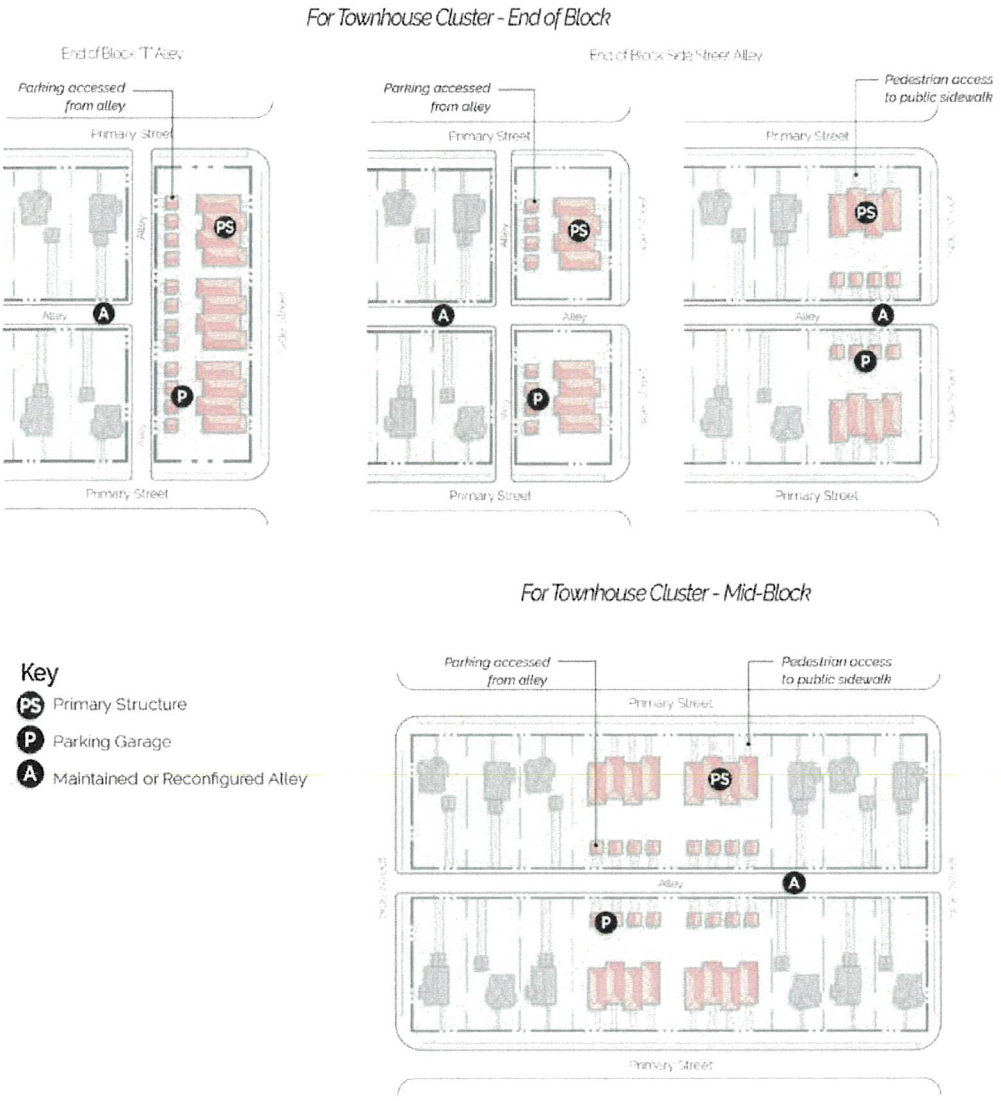


Figure 6. End of block versus mid-block townhouse parking standards (Prepared by Houseal Lavigne)

Design Standards

Objective design standards can help to provide fair certainty as to the appearance and function of new and infill development for both current residents and developers. Objective design standards can also streamline development approval since they can be reviewed for compliance by municipal staff rather than subjectively debated at discretionary review hearings.

For new neighborhoods, design standards do not need to reflect and be complementary with existing development. Therefore, a municipality should consider facilitating robust community outreach before standards are drafted to ensure they meet the preferences and expectations of the community. Communities should consider focusing on three to five key design features that can provide streamlined, but not cookie-cutter development. Key design features could include roof type, building material mix, and porches and other entry features.

Design standards for infill development should reflect and be complementary with existing neighborhood development. However, in many infill development scenarios, there is not a consistent architectural style utilized throughout a neighborhood or even on the same block. In these circumstances a combination of objective and subjective design standards may be needed. Objective design standards, like those discussed for new development above, should regulate key design features

that are consistently seen throughout a neighborhood, such as dormers, wood siding, and front porches. Subjective design standards, such as requiring architectural features in keeping with existing neighborhood character, should allow for flexibility if the design of adjacent properties warrants such and should be an administrative approval.

Transition Standards

Ensuring an adequate transition between lower-density and higher-density housing is often the most important planning consideration when contemplating how to accommodate diverse housing within communities and neighborhoods.

When starting with a clean slate, mixed-density residential neighborhoods should integrate natural buffers, such as large stands of mature trees, creeks, and wetlands, into the site design to provide a visual and physical transition between higher- and lower-density uses as well as preserve valuable environmental features. To accomplish this, communities should consider adopting conservation design standards that allow flexibility in bulk and dimensional standards in exchange for environmental feature preservation.

Transition standards for infill development should consider the relationship of new residences to surrounding development. For example, Morrisville, North Carolina, has transition standards that apply to buildings with a height that exceeds that of neighboring existing homes by one story or more (§5.9.6.C.3). Four transition techniques are established, and three are required to be met (Figure 7). The techniques include stepping down the structure height and mass along the shared property line; increasing the side yard setback a minimum of 10 feet beyond what is required; providing variations in side-building-wall and roof form; and utilizing dormers and sloping roofs to accommodate upper stories.

Public Involvement

Zoning ordinance reform to accommodate and encourage the development of missing-middle housing should include



Figure 7. An example of infill transition standards (Credit: Town of Morrisville, North Carolina)

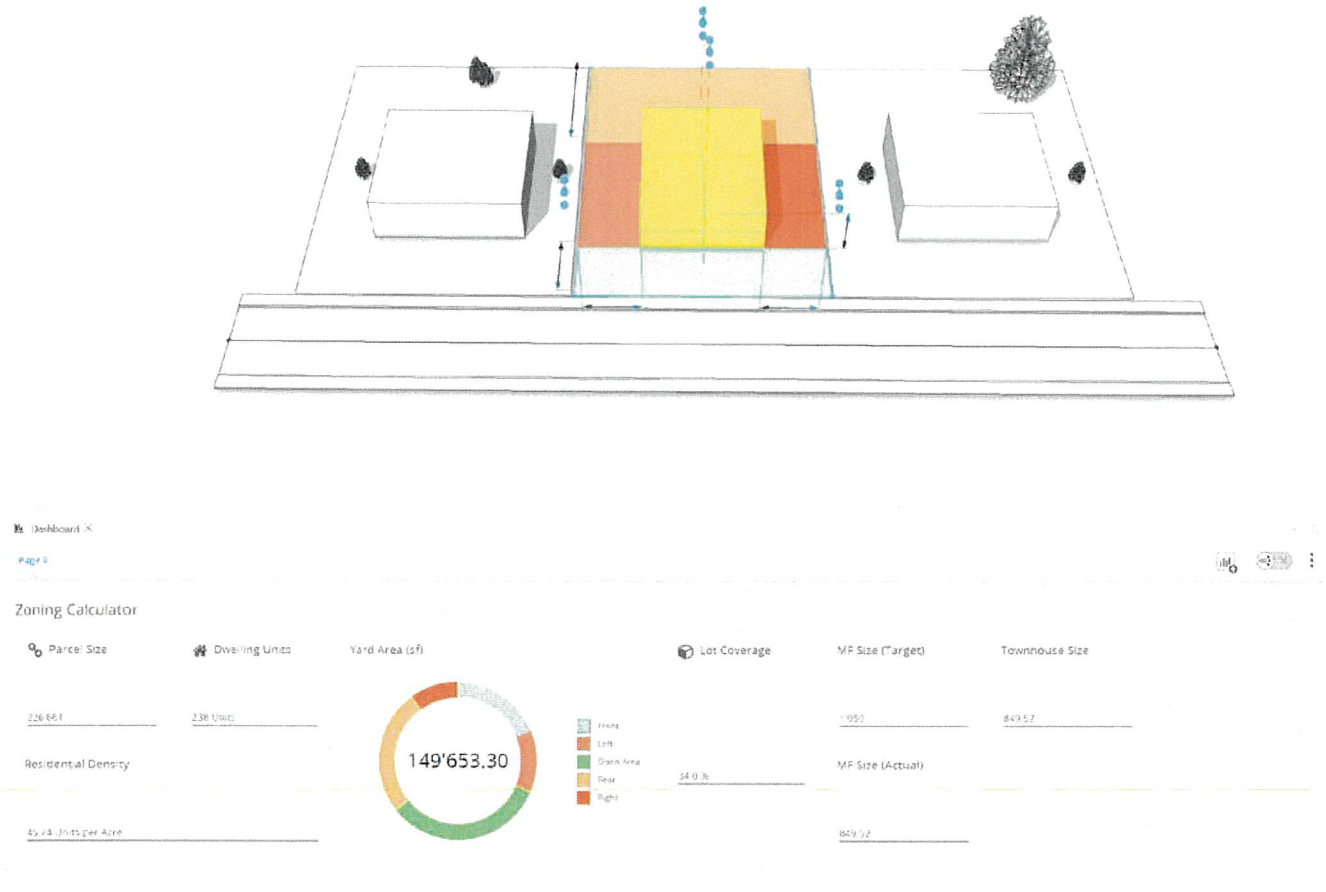


Figure 8. Procedurally modeled density calculator and dashboard (Prepared by Houseal Lavigne using ArcGIS Software)

robust public involvement. Time spent at the beginning of the reform process to build community consensus often pays dividends in project adoption and implementation. Changes in zoning that could impact the character of people's neighborhoods can be scary, and without adequate understanding as to the reasoning behind the changes and their potential impacts, residents push back, and reform fails.

Public involvement for zoning reform initiatives should focus on visualizing the potential impacts of proposed changes. Procedural modeling tools, such as ArcGIS CityEngine, can be used to test and compare building envelopes and built form for higher density infill housing in the context of existing single-family houses (Figure 8). This type of visualization can help residents understand that density can be on the inside of a building without showing evidence of such on the outside. By utilizing procedural modeling, live testing at community meetings can allow consensus to be reached more easily.

Conclusion

To combat the housing availability and affordability crisis facing the nation, zoning reform will need to be considered by states, counties, and municipalities. Not all of the strategies presented in this article will be applicable in every community, as housing and development, resident sentiment, established neighborhood character, and so much more differ city to city. However, if the approach to zoning does not change, housing issues will likely not be addressed in a meaningful and impactful way. As a first step, jurisdictions should consider doing a chapter-by-chapter assessment of their zoning and subdivision ordinances to identify barriers

to housing development. Utilizing the results of the assessment, community conversations should then be conducted to gather feedback on the best ways to eliminate identified barriers and create new housing opportunities. Then, based on the feedback received, recommendations for ordinance amendments should be developed and presented to elected and appointed officials for consideration. Refined with elected and appointed official feedback, recommendations should be converted to text amendments, supported with graphics and illustrations, and brought through the adoption process. This process will help to ensure that amendments address the barriers to housing the community is facing and are vetted by residents and community leadership – ideally making the adoption process go more smoothly and the resulting ordinances more responsive to local needs.

About the Authors



Jackie Berg, AICP, is a Practice Lead with Houseal Lavigne. She is focused on working with municipalities to develop actionable plans and useful implementation tools that reflect the vision and goals of the community. Her experience with both planning and zoning grounds all her work in the realities of the market and effectively balances community aspirations with what it takes to get good development done.



John Houseal, FAICP, is a Partner and Founder of Houseal Lavigne and is regarded as one of the nation's top urban planning professionals with a reputation as a leader in urban planning, contemporary development practices, and community outreach. He has worked with hundreds of communities across the country and has received multiple national and state level awards for a variety of urban planning and design related projects.

Cover credit: Photo by Dan Bertolet, Sightline Institute: Missing Middle Homes Photo Library, Flickr

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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 Four, Sec. 4.4.1

Current Text: Sec. 4.4.1, Cluster Subdivision Overlay District (Refer to Exhibit A)

Proposed Text: Refer to Exhibit B

Description of Need for Proposed Text: The proposed amendment changes standards for Cluster Subdivision Overlay District : Lot size and front setbacks, usable open space, block length, CSOD lot mix, 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

PROPOSAL:	Amend Unified Development Ordinance Standards for Cluster Subdivision Overlay District (CSOD) standards.
APPLICABLE CHAPTER(S):	UDO Chapter 4
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.

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.

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 conservation subdivision code 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. Staff has combed through hours of meetings with the Council and public input, and is finalizing some recommendations that are aimed to balance the perceptions from the community, the market needs, the current housing situation, environmental considerations, and the future growth projections that have been discussed in the comprehensive plan rewrite meetings. The draft is not yet complete, and will be forwarded to you in your packets prior to the meeting.

ATTACHMENTS:

1. Previous Text Amendment (Alternative 2, as recommended by Planning Commission – Feb 2023)
2. TA Application
3. *Zoning Practice,* "Cluster Development," August 2007

STAFF CONTACT:

Allison Hardin, Interim Planning Director
ahardin@lancastercountysc.net

Amendment Version 2

4 OVERLAY DISTRICTS

4.4 CHARACTER PROTECTION OVERLAYS

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, with the principle purpose being to encourage open space 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 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. 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. 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 shall be ~~5,000~~ 9,500 square feet. This shall be the minimum lot area allowed for any lot with the minimum lot width of 70 ~~50~~ -feet, as defined in Section C below. The minimum lot area per dwelling unit may ~~shall increase~~ decrease proportionately with any ~~increase~~ decrease in lot width, as referenced in Sections 4.4.1.C and D.

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~~70-feet except as specified in Section 4.4.1.D below.

D. VARIETY OF LOT SIZES

Individual lots in a cluster subdivision ~~shall~~ may vary in size and layout. Up to 49% of the lots may have a minimum lot width of 50-ft. with a minimum lot area of 7,000 sq. ft. ~~No more than 34 percent of the lots in a cluster subdivision shall have a single designated lot width.~~ The following shall also 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.~~

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.

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 principal structure shall be 20 feet. The minimum front yard setback for any principle front or side accessed garages shall be 40-ft. 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 feet;
3. **Side Yard:** The minimum side yard setback shall be 7 ½ feet.

F. OPEN SPACE REQUIREMENT

For a cluster subdivision, no less than 25 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. No more than 50% of the set-aside open space may consist of floodplain. A minimum of 5% of the open space set aside shall consist of park 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 include, but is not limited to, passive recreation, natural preservation of important scenic vistas, environmentally sensitive lands, habitat for wildlife, and historically or archaeologically significant areas. Structures, swimming pools, 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 Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas~~

~~TO = ((TP - PC) OSP) + PC~~ TO = TP X OSP*

*TO may not include PC and may only include up to 50% floodplain.

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;
4. To fulfill the requirements of this item (f), the following shall be included in the required open space where practicable:
   a. Wooded areas;
   b. Scenic vistas;
   c. Streams, ponds, wetlands, and floodplains (up to 50%);

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. Other environmentally, historically, or archaeologically significant or unique areas;

5. Open space 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;

8. Open space shall remain under the ownership and control of the developer (or successors) or a homeowners 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 for the purpose of trails and other such recreational improvements as approved by planning staff. 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, and shall be the responsibility of the person or entity identified as having the right of ownership as outlined in Item 8 above.

10. A maximum of 10-residential lots may be located on a single block face when not interrupted by an intersecting street (excluding alleys) or a useable open space set-aside. Open space set-asides used to interrupt the block face shall be meet or exceed the minimum lot width and area of the smallest lot on the block face and have landscaping and active and/or passive amenities incorporated within it. A block face is defined as the portion of a block or tract of land facing the same side of a single street and located between the closest intersecting streets, railroad ROW, and/or lake or pond.

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 developable acreage of the site and up to 50 percent of the primary conservation open space acreage and up to 50% of the floodplain acreage. For example, when the CSO is located within the MDR, Medium Density Residential, where the maximum density is two dwelling units per acre, a 100 acre parcel of land with 80-acres of developable land and 20 acres of primary conservation land and floodplain shall be allowed to have no more than ~~200~~ 180 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)	66	22
Collector	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; 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. 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;

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;

   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.

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.

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).~~

1. 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 = (TP) (DUA)

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

   TU = (50) (2.5)

   TU = 125 Total Lots or Dwelling Units Allowed

2. 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

4.4.2 EQUESTRIAN ORIENTED SUBDIVISION OVERLAY DISTRICT (EOSO)

Equestrian Oriented Subdivision Overlay District is hereby established. Equestrian oriented subdivisions are residential developments which are designed with particular emphasis placed on equestrian activities and which provide such facilities as community stables, riding rings, pastures, and riding trails. In addition, private stables may be located on individual residential lots. Equestrian oriented subdivisions are permitted in all agricultural and residential zoning districts except for the MH, Manufactured Housing District, subject to the following provisions:

A. BUILDING AND STRUCTURE

All buildings and structures related to the care or housing of horses and to the operation of the riding facilities on the common property shall be located at least 100 feet from any exterior property line of the development.

B. PRIVATE STABLES

Private stables on individual residential lots shall be located at least 5 feet, but not more than 60 feet, from any rear property line or horse trail; 20 feet from any interior property line; 40 feet from any corner yard property line, and in the front yard it shall be located behind the front facade of the principal building. However, along the exterior property line of the development, the setback shall be 100 feet unless a horse trail separates the property from the land located outside the development. In such a case, the setbacks shall be as stated above.

C. MINIMUM LOT SIZE

If a horse or miniature horse is to be kept on a lot which is located within this designation, the minimum lot size shall be ½ acre. The number of horse(s) allowed is one horse or two miniature horses per ½ acre. The owner of a lot which contains less than ½ acre shall not be allowed to keep a horse on that lot. Otherwise, the minimum lot size shall be the same as is required by the underlying zoning district. The minimum lot width and setback requirements shall be the same as is required by the underlying zoning district.

D. RIDING TRAILS

Riding trails shall generally be located in the interior of the development. However, if a riding trail is to be located along the exterior property line of the development, it shall be set back 30 feet from the exterior property line of the development.

E. STABLES

The lots with stables located on them shall be designed and maintained to drain so as to prevent ponding, the propagation of insects, and the pollution of adjacent streams and other water bodies.

F. MAINTENANCE

The premises shall be maintained in a sanitary condition through the proper use of lime and pesticides.

G. HORSES IN CONTAINED AREAS

If the horses are in a contained area, all manure shall be removed at least twice a day from the confined area so as to prevent the propagation of flies and the creation of odors. Owners of horses kept in a confined area are encouraged to use a Rabon supplement as this will reduce the propagation of flies.

H. STORAGE OF GRAIN

All grain on the lot shall be stored in rodent-proof containers.

I. EXERCISE AND TRAINING AREAS

All exercise and training areas shall be dampened so as to prevent dust.

J. COMMUNITY RIDING FACILITIES

All proposed community riding facilities, including community stables, riding rings, pastures, and riding trails shall be indicated on the plans. As part of the information submitted when applying for an Equestrian Oriented Subdivision Overlay District, a written statement describing the proposed means of ownership and proposed program for maintenance of these facilities shall be included. A copy of this information shall be kept on file in the Planning Department and the Building and Zoning Department.

DRAFT

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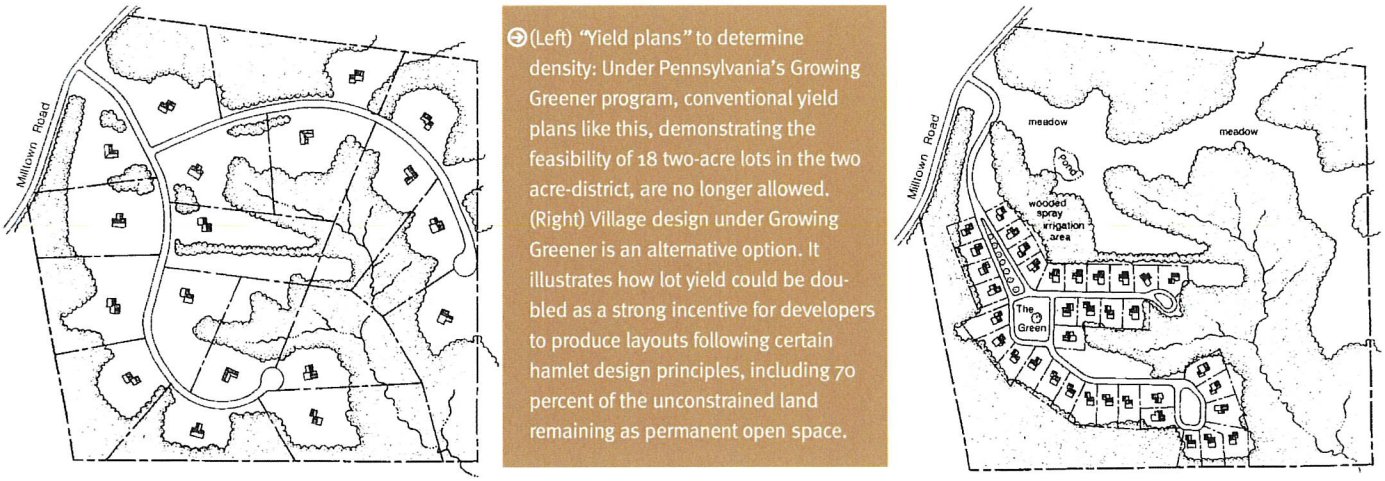
PRACTICE CLUSTER DEVELOPMENT

8

Cluster Development: Modern Application of an Old Town Form

By Stuart Meck, FAICP

Residential cluster development is a form of land development in which principal buildings and structures are grouped together on a site, thus saving the remaining land area for common open space, conservation, agriculture, recreation, and public and semipublic uses.



(Left) "Yield plans" to determine density: Under Pennsylvania's Growing Greener program, conventional yield plans like this, demonstrating the feasibility of 18 two-acre lots in the two acre-district, are no longer allowed. (Right) Village design under Growing Greener is an alternative option. It illustrates how lot yield could be doubled as a strong incentive for developers to produce layouts following certain hamlet design principles, including 70 percent of the unconstrained land remaining as permanent open space.

All images by Randall Arendt. Adapted from PAS Report 523/524: *Crossroads, Hamlet, Village, Town: Design Characteristics of Traditional Neighborhoods, Old and New*; revised edition, 2004.

In many respects, cluster development dates back to one of the earliest town forms. In primitive early settlements, dwelling units were often organized to form a common area or enclosure that residents could use together and readily defend if necessary.

In the United States, the 1928 development of Radburn, New Jersey, represented the first formal introduction of the cluster development concept. It drew on English town planning principles, notably those of the Garden Cities movement. In Radburn, single-family homes and garden apartments are sited in "superblocks" of 35 to 50 acres. The superblocks have no through traffic and are interspersed with parks and related green spaces on which the residences face. Clustering also became the basic site design concept in such contemporary new towns as Reston, Virginia, and Columbia, Maryland.

Cluster development has a number of distinct advantages over conventional subdivision development. A well-planned cluster development concentrates dwelling units on the most buildable portion of the site and preserves natural drainage systems, vegetation, open space, and other significant natural features that help control stormwater runoff and soil erosion.

The common areas function as a trap for nutrients dissolved or suspended in stormwater runoff. Cost savings during construction are achieved by the reduction in street lengths and utility installations. Later savings can be realized in street and utility maintenance (less surface area that needs repaving and fewer feet of water and sewer line to maintain). Because dwelling units are placed closer together, refuse and other service vehicles do not have to negotiate over as much street mileage, thus reducing travel time.

Where clustering is accompanied by higher-density residential land uses and the provision of pedestrian pathways and bikeways, especially those that link to off-site activity centers, residents of the cluster development may walk and exercise more.

Clustering also enhances the sense of community, allowing parents better supervision of children playing in common areas and promoting social interaction among neighbors.

The model ordinance featured in this issue of *Zoning Practice* is intended to encourage developers to use cluster development as an alternative to conventional lot-by-lot development, and authorizes cluster development as of right either in all residential districts or in selected ones. Section 110 of the ordinance (see page 7) also offers density bonuses of up to 25 percent when a developer: (a) provides affordable housing as part of the cluster development (thereby helping the local government achieve housing goals that may have been established by the state) and (b) conveys land for open space, recreation, or other purposes that is accessible to the public.

Under Section 107 of the model (see page 6), the local planning commission has the primary responsibility for reviewing and approving a cluster development, although such a function could also be assigned to a hearing examiner. The model ordinance sets forth criteria for the commission to apply in deciding whether to approve the cluster development. (Remember that the responsibilities of the local planning commission vary from state to state.)

The model does not include a severability clause because it assumed this ordinance will be incorporated into a zoning code that will have one already.

This model is based on a sample ordinance appearing in *Nonpoint Source Pollution: A Handbook for Local Governments* by Sanjay Jeer, Megan Lewis, Stuart Meck, Jon Witten, and Michelle Zimet, Planning Advisory Service Report No. 476 (Chicago: American Planning Association, 1997). Local policy makers, such as mayors, city council members, and planning commissioners, can use this article to familiarize themselves with the contents of land development regulations, alternative ways to update such regulations, methods to incorporate smart growth objectives, and types of smart growth ordinances.

The model cluster development ordinance provides a starting point for discussion among policy makers as to the desirability and general approach to such regulations. In some cases, the model ordinance provides several regulatory alternatives among which policy makers can select or, by working with their planners, devise a hybrid approach that suits their community.

Professional planners can use the options discussed in the article to help policy makers understand land development regulation and how to meet smart growth objectives in the formulation of a town center ordinance. The article contains enough model language for planners to understand the technical and administrative complexities of smart growth ordinances and get into the details of drafting and administering one for cluster developments. The primary smart growth principle addressed with cluster development is the preservation of open space and farmland. Secondary smart growth principles include creating distinctive and attractive places.

Model provisions are followed by commentary and remarks concerning the locally adopted ordinances used as a basis for drafting them.



Homes fronting directly onto parks: A view showing the direct relationship beween houselots and the formal open space. These lots have no street frontage and are accessed only by foot from the front, with driveways leading to rear service lanes. These homes possess greater "curb appeal" than similar houses fronting onto curbs and streets.

THE MODEL TOWN CENTER ORDINANCE WITH COMMENTARY

101. Purpose

(1) It is the purpose of this ordinance to permit residential cluster development in order to:

(a) encourage creative and flexible site design that is sensitive to the land's natural features and adapts to the natural topography;

(b) protect environmentally sensitive areas of a development site and preserve on a permanent basis open space, natural features, and prime agricultural lands;

(c) decrease or minimize nonpoint source pollution impacts by reducing the amount of impervious surfaces in site development;

(d) promote cost savings in infrastructure installation and maintenance by such techniques as reducing the distance over which utilities, such as water and sewer lines, need to be extended or by reducing the width or length of streets; and

(e) provide opportunities for social interaction and walking and hiking in open space areas.

Remember to consult your state statutes to employ definitions that are consistent with those statutes. These definitions were drawn from different sources and, while useful, may differ from those already established by your state legislation. Definitions of "affordable," "low-income household," and "moderate-income household" may need to be changed to comply with current requirements of the applicable federal or state construction or rehabilitation program. In particular, the

THE MODEL CLUSTER DEVELOPMENT ORDINANCE

This issue of *Zoning Practice* provides an overview of the structure of cluster development regulations and is part of a larger effort by the American Planning Association on the development of model smart growth ordinances. The original report was prepared under the direction of APA's research department in Chicago. Stuart Meck, FAICP, was the principal investigator and coauthor. He is the director of the Center for Government Services in the Edward J. Bloustein School of Planning and Public Policy at Rutgers University. Coauthor Marya Morris, AICP, a former APA senior research associate, is now a senior associate with Duncan Associates in Chicago. Rebecca Retzlaff, AICP, assistant professor in Auburn University's community planning program, assisted the authors. Other coauthors include Kirk Bishop, executive vice president of Duncan Associates, Chicago, and Eric Damian Kelly, vice president of Duncan Associates and a professor of planning at Ball State University in Muncie, Indiana. The editor was James Hecimovich, the editor of APA's Planning Advisory Service. Lisa Barton, design associate, designed the report. William R. Klein, AICP, APA's director of research, provided overall project administration.

bracketed percentages may be modified to affect the scope of the definition.

102. Definitions

As used in this ordinance, the following words and terms shall have the meanings specified herein:

Affordable means either a sales price that is within the means of a moderate-income household or a rental amount for housing that is within the means of a low-income household, as those terms are defined in this Section. In the case of dwelling units for sale, housing that is affordable is housing for which the mortgage, taxes, insurance, and fees are no more than [30] percent of the adjusted income for a household whose gross annual income is at or below [80] percent of the median for the area based on household size. In the case of rental housing, housing that is affordable is housing for which the monthly rental amount plus utility costs do not exceed [30] percent of the adjusted income for a household whose gross income is [50] percent of the area median household income adjusted for household size.

Buffer is land maintained in either a natural or landscaped state and used to screen or mitigate the impacts of development on surrounding areas, properties, or rights-of-way.

Building means any structure used or intended for supporting or sheltering any use or occupancy.

Cluster (or *Clustering)* is a site-planning technique that concentrates buildings and structures in specific areas on a lot, site, or parcel to allow the remaining land to be used for recreation, open space, or preservation of features or structures with environmental, historical, cultural, or other significance. The techniques used to concentrate buildings may include, but shall not be limited to, reduction in lot areas, setback requirements, and bulk requirements, with the resultant open space being devoted by deed restrictions for one or more uses.

Cluster development, residential refers to a land development project in which the site planning technique of clustering dwelling units is employed.

Common open space is the portion of the site set aside in perpetuity as open space. This area may include coastal and freshwater wetlands, floodplains or flood-hazard areas, stream corridors, prime agricultural lands, habitats of endangered wildlife as identified on applicable federal or state lists, scenic views, historical or cultural features, archaeological sites, or other elements to be protected from development, as well as easements for public utilities.

Development means the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mine, excavation, landfill or land disturbance; and/or any change in use, or alteration or extension of the use, of land.

Gross area is the total area of the site, including the net buildable area and public rights-of-way.

Infrastructure refers to the facilities and services needed to sustain residential, commercial, industrial, institutional, and other activities.

Land development project means a project in which one or more lots, tracts, or parcels of land are to be developed or redeveloped as a coordinated site for a complex of uses, units, or structures, including, but not limited to, planned development and/or cluster development for residential, commercial, institutional, recreational, open space, and or/mixed uses as are provided for in the zoning ordinance.

Lot means either: (a) the basic development unit for determination of area, depth, and other dimensional variations; or (b) a parcel of land whose boundaries have been established by some legal instrument, such as a recorded deed or map, and recognized as a separate legal entity for purposes of transfer of title.

Low-income household is one whose gross annual income does not exceed [50] percent of the area median as adjusted for household size.

Moderate-income household means a household whose gross annual income is less than [80] percent of the area median as adjusted for household size.

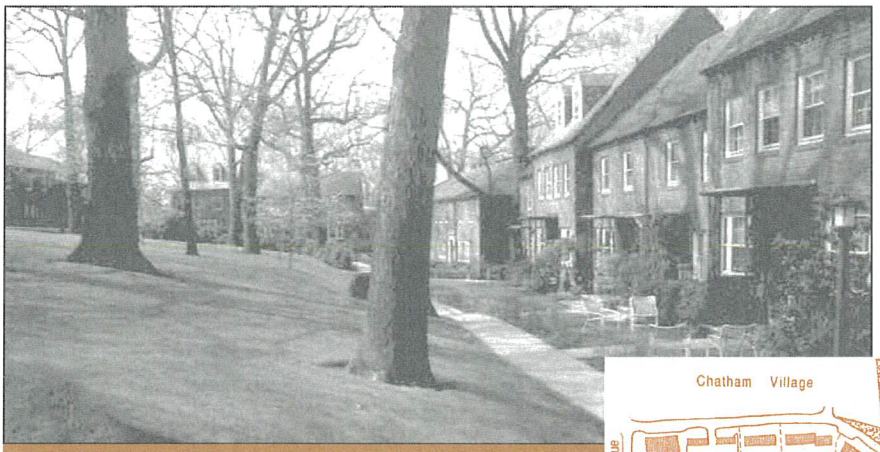
Net buildable area means the portion of the cluster development that may be developed or used for common open space, whether publicly dedicated or private, but excluding private streets, public streets, and other publicly dedicated improvements.

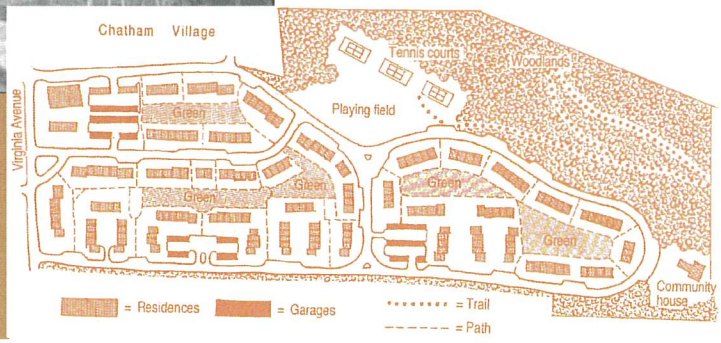
Site plan means the development plan for one or more lots on which is shown the existing and the proposed conditions of the lot.

Street, private is a local roadway serving only abutting lots, not publicly dedicated or maintained by the [local government] but meeting specific municipal improvement standards and providing access for service and emergency vehicles.

Street, public means all public property reserved or dedicated for street traffic.

Structure means anything constructed or erected that requires location on the ground or attached to something having location on the ground.





(Above) A typical green at Chatham Village in Pittsburgh. Occupying the highest ground on this hilltop site, it is framed by buildings that are two stories high in front and three in the back, with garages on the lowest level. (Right) Homes in Chatham Village are accessed from the rear via a loop road, and face each other across smaller and more formal greens.

There is a fair degree of debate about whether the area of a cluster development should be limited. Because cluster development is fundamentally a design review process, in theory the approach should be applicable to a site of any size. However, it may be that, for smaller sites, a cluster development may not yield any appreciable benefits over conventional subdivisions. Consequently, the decision to authorize cluster development will depend on the policy preferences of the individual local government.

103. Applicability; General Provisions

(1) A residential cluster development shall be permitted [as of right in any residential zoning district pursuant to this ordinance or as of right in the following zoning districts: list district names]:

(a) All principal and accessory uses authorized in the applicable residential zoning district(s) shall be allowed in the cluster development. In addition, multifamily dwellings, duplexes, and town houses may be permitted for a cluster development located in a residential zoning district that does not otherwise allow attached dwelling units.

(b) Maximum lot coverage, floor area ratios, building height, and parking requirements for the applicable zoning district shall apply to the cluster development. Maximum lot coverage, floor area ratios, and parking requirements, however, shall be applied to the entire site rather than to any individual lot.

(2) The following provisions shall apply to any residential cluster development, regardless of the general requirements of the applicable residential zoning district:

(a) The minimum area of the cluster development shall be [two to five] acres.

In some states, the identification of floodplains and coastal or freshwater wetlands occurs routinely as part of the land development and subdivision review process. Optional language in Section 103(2)(g) above requires that at least 50 percent of the floodplains and wetlands must be included as part of the common open space. By including the land designated as common open space, the calculation of net buildable area gives credit for the land area in which floodplains and wetlands that meet state criteria are located. This is intended to serve as an incentive to employ clustering by allowing the area represented by lands in floodplains and wetlands to be used in determining the maximum number of dwelling units.

(b) No minimum width or depth of a lot shall apply.

(c) A minimum separation of [10] feet shall be provided between all principal buildings and structures.

(d) A minimum yard or common open space of a least [25] feet in depth shall be provided, as measured from all public streets and from the side and rear lot lines of the entire cluster development.

(e) Each lot shall have a minimum access of [12] feet to a public or private street. Such access may be shared with other lots.

(f) More than one principal building or structure may be placed on a lot.

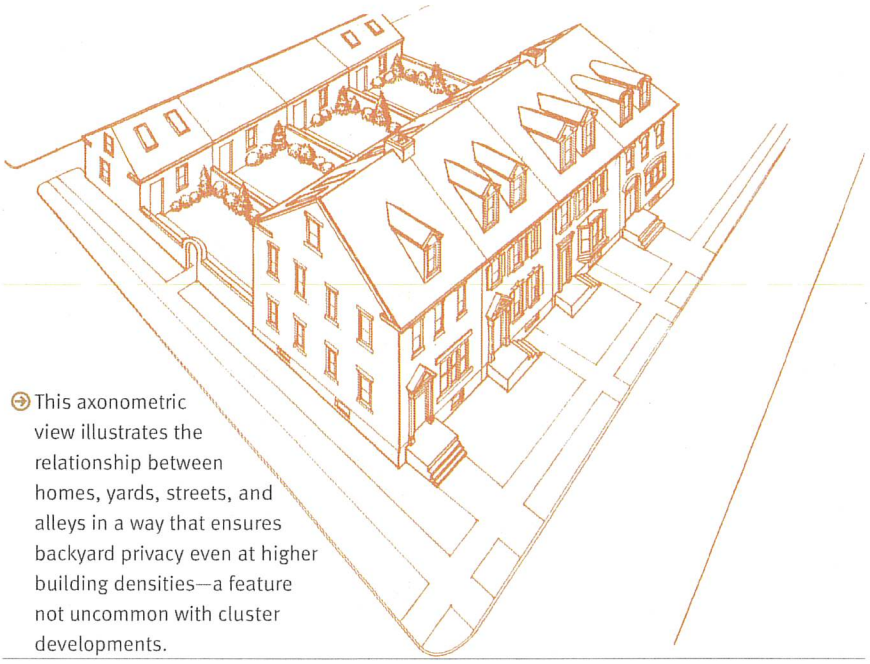
(g) Not less than [25] percent of the site shall be conveyed as common open space in the manner provided for in Section [110]. [Where the site contains floodplains and/or coastal or freshwater wetlands, not less than [50] percent of such floodplains and/or wetlands shall be included in calculating the common open space.]

Uses other than residences may be located on the site. For example, the cluster development may include storage facilities, garages, and recreational buildings. Conceivably, a very large cluster development could also include sites for schools.

104. Contents of Site Plan

(1) The preliminary and final site plan for a residential cluster development shall include, but shall not be limited to, the following information:

(a) The maximum number and type of dwelling units proposed



This axonometric view illustrates the relationship between homes, yards, streets, and alleys in a way that ensures backyard privacy even at higher building densities—a feature not uncommon with cluster developments.

(b) The areas of the site on which the dwelling units are to be constructed or are currently located and their size (this may take the form of the footprint of the dwelling unit or a building envelope showing the general area in which the dwelling unit is to be located).

(c) The calculations for the permitted number of dwelling units, derived pursuant to Section [105]

(d) The areas of the site on which other proposed principal and accessory uses may be located and their size

This model assumes the local government will require sidewalks as part of the public improvements required for subdivision.

(e) The areas of the site designated for common open space and their size

(f) The areas of the site designated for parking and loading and the size of individual spaces

(g) The number and percentage of dwelling units, if any, that are proposed to be affordable

(h) The location of sidewalks, trails, and bike paths

(i) The number of acres that are proposed to be conveyed as common open space

(j) [Cite any other plans or information otherwise required by the local government for a major land development or subdivision in its land development or subdivision regulations, such as a plan for landscaping and screening.]

The calculations in Section 105 (2) below are intended to mirror those that a local government would normally employ for determining the maximum number of dwelling units permitted for nonclustered development. Some communities may subtract from the gross area of the cluster development land area in wetlands and floodplains, which will reduce the maximum number of dwelling units in the development.

105. Calculation of Permitted Number of Dwelling Units; Density Bonuses

(1) Except as provided in paragraph (3) below, the maximum numbers of dwelling units proposed for a residential cluster development shall not exceed the number of dwelling units otherwise permitted for the residential zoning district in which the parcel is located.

(2) Except as provided in paragraph (3) below, the number of permitted dwelling units on a site shall be calculated in the following manner:

(a) Measure the gross area of the proposed cluster development site in acres and tenths of an acre.

(b) Subtract from the gross area determined in subparagraph (a) the area of public and private streets and other publicly dedicated improvements, measured in acres and tenths of an acre, excluding common open space

(whether or not it is conveyed pursuant to Section [110] below). The remainder shall be the net buildable area.

(c) Convert the net buildable area from acres to square feet (SF), using the equivalency of 43,560 SF = 1 acre.

(d) Divide the net buildable area by the smallest minimum lot size (in square feet) per unit for a dwelling unit permitted in the zoning district. This figure shall be rounded to the nearest lower number to establish the maximum number of dwelling units to be permitted in the cluster development.

The bonus provisions in Section 105 (3) below are a means by which a local government can ensure that new housing will benefit low- and moderate-income households and implement state goals for affordable housing. Indeed, should a local government decide it wants to more aggressively provide for affordable housing through cluster development (as well as open space conveyance) it might increase the density bonus from the suggested figure of 25 percent.

(3) The [local planning commission] may approve an increase of up to [25] percent of the maximum number of dwelling units in the cluster development, as calculated in paragraph (2) above, if:

Note that only when the common open space is both conveyed and is accessible to the public is a density bonus justified. If the common open space was simply conveyed to a private entity (as opposed to the local government), but there was no public access, a density bonus could not be approved.

(a) the percent of density bonus is no greater than the percent of dwelling units in the cluster development that are affordable units; and/or

(b) the percent of density bonus is no greater than the percent of the gross area of the cluster development that is both:

1. set aside as and conveyed as common open space pursuant to Section [110]; and

2. accessible to the public.

While these review criteria are intended to guide the planning commission in the evaluation of the proposed cluster development, they cannot replace a sensitive and creative site planner who has the responsibility of designing cluster development or an experienced professional planner whose responsibility it is to review the proposal and advise the planning commission on necessary design changes.

106. Procedures for Review

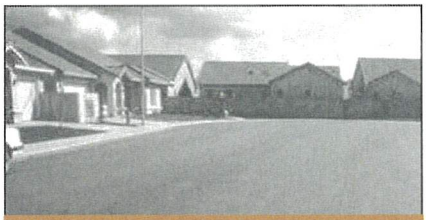
(1) The [local planning commission] shall review and approve a residential cluster development and any amendments thereto as a land development project in the manner provided for in [cite applicable state statute], together with any ordinances and regulations adopted pursuant thereto and appearing in [cite applicable local land development regulations].

107. Review Criteria

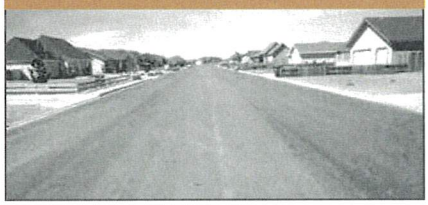
(1) In reviewing a residential cluster development, the [local planning commission shall determine whether:

(a) the site plan satisfies the requirements of Sections [103], [104], and [105];

(b) buildings and structures are adequately grouped so at least [25] percent of the total area of the site is set aside as common open space. To the greatest degree practicable, common open space shall be designated as a single block and not divided into unconnected small parcels located in various parts of the development;



(Above) Terminal vista: "Reverse-frontage" lots should never be allowed to be created at the end of a cul-de-sac, causing the back end of houses to face directly onto the cul-de-sac "circle." (Below) Neighborhood freeway design: The combination of excessively wide streets and the absence of shade trees is an unattractive combination, despite some engineers' claims that wider streets are safer and that trees constitute "fixed deadly objects."



(c) pedestrians can easily access common open space;

(d) the site plan establishes, where applicable, an upland buffer of vegetation of at least [50] feet in depth adjacent to wetlands and surface waters, including creeks, streams, springs, lakes, and ponds;

(e) individual lots, buildings, structures, streets, and parking areas are situated to minimize the alteration of natural features, natural vegetation, and topography;

(f) existing scenic views or vistas are permitted to remain unobstructed, especially from public streets;

(g) the site plan accommodates and preserves any features of historic, cultural, or archaeological value;

(h) floodplains, wetlands, and areas with slopes in excess of [25] percent are protected from development;

(i) the cluster development advances the purposes of this ordinance as stated in Section [101]; and

(j) [other, such as contiguity requirement for common open space].

(2) The [local planning commission] may, in its opinion, apply such special conditions or stipulations to its approval of a residential cluster development as may be required to maintain harmony with neighboring uses and to promote the objectives and purposes of the comprehensive plan and the zoning and subdivision ordinances.

(3) If the [local planning commission] finds that the requirements of paragraph (1) above are satisfied, it shall approve the residential cluster development, subject to any special conditions or stipulations pursuant to paragraph (2) above, any density bonus pursuant to Section [105], and any reductions [and/or waivers] pursuant to Section [108].

Most local governments have adopted standard design specifications for streets. This allows the planning commission to reduce street pavement widths in order to minimize impervious surfaces on the site, as well as to limit the portions of the site that must be regraded to accommodate wider streets. If a street proposed in a cluster development is to be used as a connector from an adjoining development or as a through street, it is probably not a candidate for a reduction in width. There is no firm rule, however, on when a reduction or waiver should be allowed, and determinations should be made on a case-by-case basis.

The 22-foot pavement width shown in brackets assumes a 15-foot travel lane and a seven-foot parking area. If parking were desired on both sides of the street, a 28-foot pavement would accommodate two seven-foot parking lanes and a 14-foot wide travel lane.

108. Reduction [and/or Waiver] of Certain Physical Design Requirements

(1) In approving a residential cluster development, the [local planning commission] may reduce the pavement width of any public or private streets that would otherwise be required by the [subdivision regulations or other design specifications for roads] to [22] feet.

(2) An applicant who wants the reduction of pavement width of public or private streets as provided for in paragraph (1) above, shall submit a statement of justification for the reduction [and/or waiver] along with the final site plan.

If the density bonus is to be given on the basis of a guarantee of the provision of affordable housing, there must be a mechanism to ensure that the housing, whether it is for sale or for rent, will remain affordable for a reasonable period of time. This is done through a

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deed restriction and mortgage lien approved by the local government's law director.

109. Controls on Resale and Re-rental of Affordable Housing Units Used as Basis for Density Bonus

(1) Affordable dwelling units used as the basis for approving a density bonus in Section [105] shall be subject to a deed restriction and a mortgage lien to ensure that newly constructed low- and moderate-income sales and rental units remain affordable to low- and moderate-income households for a period of not less than [30] years, which period may be renewed.

(2) The deed restriction and mortgage lien shall be approved by the [local government] law director and shall be enforceable by the [local government] through legal and equitable remedies.

110. Conveyance of Open Space

(1) Common open space provided by a residential cluster development shall be conveyed as follows:

(a) To the [local government] and accepted by it for park, open space, agricultural, or other specified use or uses, provided that the conveyance is approved by the [local planning commission] and is in a form approved by the [local government] law director; or

(b) To a nonprofit organization whose principal purpose is the conservation of open space, to a corporation or trust owned or to be owned by the owners of lots or dwelling units within the residential cluster development, or to owners of shares within a cooperative development. If such a corporation or trust is used, ownership shall pass with the conveyances of the lots or dwelling units. The conveyance shall be approved by the [local planning commission] and shall be in a form approved by the [local government's] law director .

(2) In any case, where the common open space in a residential cluster development is conveyed pursuant to subparagraph (1)(b) above, a deed restriction enforceable by the [local government] shall be recorded that provides that the common open space shall:

(a) be kept in the authorized conditions(s); and

(b) not be developed for principal uses, accessory uses (e.g., parking), or roadways.

CONCLUSION

This overview of the structure of cluster development is part of larger effort by the American Planning Association to develop model smart growth ordinances, including models that may be adapted by local governments to implement special planning policies (e.g., multimodal transportation, affordable housing, etc.). As used in this effort, smart growth ordinances and development codes mean regulations intended to achieve a variety of objectives (e.g., encouraging mixed uses, preserving open space and environmentally sensitive areas, providing a choice of housing types and transportation modes, and making the development review process more predictable). In addition, because smart growth ordinances provide more transportation options and more compact, mixed use development, they inevitably have public health implications; they encourage walking, bicycling, and human interaction, with the potential to support more active, socially engaged lifestyles that result in better physical and mental health.

The following should have been included in About the Authors in last month's issue. *Zoning Practice* regrets the accidental error:

"This article is distilled by the authors from material in a forthcoming PAS Report, *Zoning as a Barrier to Multifamily Housing Development*, co-authored by Gerrit Knaap, Stuart Meck, Terry Moore, and Robert Parker, released by APA in July 2007. Copyright APA 2007. Research for the report was supported by the Lincoln Institute of Land Policy, the Fannie Mae Foundation, and the U.S. Department of Housing and Urban Development."

Single-family homes clustered around a common green. ©iStockphoto.com/ Joe Gough

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ZONING PRACTICE
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DOES YOUR CLUSTER DEVELOPMENT ORDINANCE HAVE THE ESSENTIALS?

8

PROPOSAL:	Amend Unified Development Ordinance Standards for Road Hierarchy.
APPLICABLE CHAPTER(S):	6.14 (Road Construction Standards)
APPLICANT:	Lancaster County Council

STATED CONCERN: Appeal from the public to amend regulations relating to subdividing heirs property in rural areas.

PROJECT SUMMARY & PROPOSAL:
Earlier in 2023, the County received requests from two separate families who were interested in subdividing their rural properties for distribution among family members. Both were impacted by sections of the code that related to street length and design.

In April 2023, the County Council passed an ordinance (after recommendation from the Planning Commission) that amended Section 6.4.1 – Connectivity, essentially grandfathering in streets that were built at the time the current UDO was adopted in 2016 from meeting current block length, block width, through-block connections, and cul-de-sac design standards. This permitted one family to move forward, but the other remains impacted by regulations that result in additional cost to subdivide; namely, road construction.

Current UDO guidance in Section 6.14 includes required width for three types of rights-of-way: local, collector, and commercial/arterial roads. Road projects in the County have previously been classified as one of these three. Each requires a certain width of pavement.

Two potential changes have been discussed in development meetings:

1. For family subdivisions in rural areas where traffic is not a concern, ***is it possible to reduce the street design requirement from pavement to an all-weather surface***, like gravel?

2. There is a conflict regarding "alley" design between the limited choices of road type and other sections of code (specifically Chapter 3 and Detail R8 in Appendix C). Alleys are one-way, one-lane roads but are not accommodated in the geometric criteria of 6.14.1, forcing all alleys to be constructed as two-lane paved areas with 50-foot rights-of-way. ***The road type list should include "alley" roads with dimensions that match Detail R8 of Appendix C*** (12' paved road minimum and 1.5' gutter on each side, for a minimum of 15' ROW).

HEALTHY NEIGHBORHOOD STREET DESIGN STANDARDS (Source: ***Street Design Guidelines for Healthy Neighborhoods*** by Dan Burden, Michael Wallwork PE, Ken Sides PE, Ramon Trias, and Harrison Rue):

Street Type	Max Width	Max Design Speed	Max Corner Radius	Max Centerline Radius	Curb	Median	Max Street Length	Vehicle Volume	Walk Way	Bike Lanes	Trees	2-Way Traffic	Parking
Trail	8-14'	20 mph	n/a	95'	no	n/a	n/a	na	n/a	n/a	yes	yes	no
Alley	10-12'	10 mph	15'	50'	no	n/a	400'	200	no	no	no	yes	no
Lane	16-18'	20 mph	15'	90'	option	no	600'	200	both	no	yes	option	1 side
Street	26'	20 mph	15'	90-120'	option	no	1,320'	600	both	no	yes	yes	2 sides
Avenue	varies	30 mph	15-25'	250'	yes	option	n/a	3-20K	both	yes	yes	yes	option
Main Street	varies	15-25 mph	15-25'	600'	yes	option	2,600'	3-10K	both	option	yes	yes	option
Boulevard	varies	30-35 mph	25'	500'	yes	yes	n/a	20-40K	both	yes	yes	yes	option
Parkway	varies	45+ mph	25'	1,000' +	no	yes	n/a	20-60K	no	trails	yes	yes	no

Full staff report will follow in your packet.

STAFF CONTACT:
Allison Hardin, Interim Planning Director
ahardin@lancastercountysc.net

Agenda Item Summary

Ordinance # / Resolution #: Vested Rights Extension for Patterson Preserve
Contact Person / Sponsor: A. Hardin
Department: Planning
Date Requested to be on Agenda: 6/1/2023

Points to Consider:

ATTACHMENTS:

Description	Upload Date	Type
Memo	5/25/2023	Exhibit
Timeline of Work	5/25/2023	Exhibit
Report on Expenditures	5/25/2023	Exhibit
UDO Sec. 9.2.17 Vested Rights	5/25/2023	Exhibit

March 23, 2023

Christine Early
Director of Acquisitions
Exeter Development Company
Suite 9250
1905 Woodstock Rd
Roswell, GA 30075

Dear Christine:

This letter is in response to your request for a one-year vested rights extension for the Preliminary Plat for Patterson Preserve, which was first received in my office February 10, 2023. We reviewed your request pursuant to the Lancaster County Unified Development Ordinance (UDO), Section 9.2.10.B (Administration Review Procedures, Subdivisions, Subdivision (Major) – Preliminary Plat).

We respectfully decline to extend the existing vested rights for Patterson Preserve, based on Section 9.2.10.B.10: "The administrator may grant a single extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension."

The information used to form this opinion includes the following:

Two Year Extension Argued and Approved, 2019 – 2021

- **2/4/19:** Application to subdivide property identified as 0003-00-049.00, 0003-00-049.13, and 0003-00-049.17 was signed on February 1, 2019 and received by Lancaster County on February 4, 2019. Page 6 of the application indicates that the project, called Patterson Preserve, is a cluster subdivision.
- **6/4/19:** Staff provided comments through the Technical Review Committee (TRC) process, including two "not approved" letters sent in March 2019 with TRC comments that needed resolution. On June 4, 2019, the TRC gave conditional approval for the plat to move forward to the Planning Commission for preliminary plat review; outstanding comments, considered minor in nature, would have to be addressed.
- **6/18/19:** The Preliminary Plat for the development known as Patterson Preserve was approved by the Lancaster County Planning Commission (PC) June 18, 2019. This approval was pursuant to UDO section 9.2.3, which establishes the Planning Commission as the approving agency for Preliminary Plats and establishes a two-year permit period (consistent with S.C. Code, § 6-29-1530).
- **3/9/21**: Despite the minor staff comments pending, Exeter did not resubmit to resolve staff comments until March 9, 2021 (nearly 2 years after the Planning Commission approval).
- **4/2/21**: Once staff comments were addressed, Patterson Preserve plans were stamped, then issued on April 2, 2021.

- **7/26/21**: Joe Neal (Attorney with Morton and Getty's) contacted county staff on July 26, 2021 on behalf of the property owners requesting formal information on the vesting status of Patterson Preserve
- **10/27/21:** County Staff issued a formal notice to Exeter Development that their vesting for the approved Patterson Preserve Preliminary Plat had expired based on the Planning Commission approval date of June 18, 2019.
- **10/28/21**: Jeff Smerko (Chief Acquisitions Officer for Exeter Development) replied, stating that they [Exeter] were *"weeks away from making full submittals to all agencies."*
- **11/4/21:** Chaplin Spencer (Attorney with Spencer and Spencer) issued a rebuttal to county staff's assertion that the beginning of the vesting came from Planning Commission approval (6-18-2019). Mr. Spencer opined that the beginning of vesting should be derived from the date of full preliminary plat approval (4-2-2021).
- **11/24/21**: John Dubose (County Attorney) issued a response stating that the prior County assertion was withdrawn and that *"Exeter Development Company, LLC ("Developer") has a vested right to develop the Patterson Preserve for two years from final Preliminary Plat approval by the TRC on April 2, 2021."*

Advance Knowledge of What Was Needed to Make the April 2023 Deadline

- Jeremy Wethington (Land Development Project Manager for Exeter) emailed on March 29, 2022, stating the following: *I need to know the requirements for platting and what options are available for bonding. For our Patterson Preserve Community we were approved April of 2021. It is my understanding that we need to have ALL plats recorded by April of 2023 and there may a chance for a one-year extension. Even with the extension it will be very tight for us to have the community 100% complete for all platting to be recorded.*
    - County Staff responded: *"...so long as you are making substantial investment and progress into the site with 50-75% of lots final platted by April 2023 you should be okay from a vesting standpoint"*

- Your letter, dated February 20, 2023, that states the anticipation of *"full submittal of construction documents in April or May, 2023"*- knowing that the vesting ends on April 2, 2023, this indicates that the company does not anticipate being able to complete the civil review step by the deadline, much less the 50-75% final platting as staff indicated in 2022.

While we have determined that your project falls under the Preliminary Plat review process, your letter also points to the vested rights section (9.2.17). Even under this section of the UDO, there is a block to extending the vested rights for Patterson Preserve.

Section 9.2.17.A.2 states that "The Planning Commission must approve applications for at least five annual extensions of the vested right if a timely and proper application has been filed with the Planning Commission unless an amendment to the UDO has been adopted that prohibits approval."

- The initial application for Patterson Preserve (submitted February 4, 2019) states on page 6 that the development was submitted under the "cluster subdivision" design standards.
- On December 19, 2021, the Lancaster County Council approved Ordinance #2019-1623, amending the UDO to require all cluster subdivisions to have a development agreement.

- There are no development agreements on record for Patterson Preserve to fulfill that requirement, and as such, approval of the cluster subdivision would not be available.

When you're ready to re-apply, our staff stands ready to assist you.

Please feel free to reach out to me if you have any questions.

Regards,

Allison Hardin, CFM

Interim Planning Director

Lancaster County, SC

PROPOSAL:	Approve road/street names in Lancaster County
APPLICABLE LAWS:	Chapter 6 of Lancaster County Unified Development Ordinance (UDO); SC Code of Laws 6-29-1200
APPLICANT:	Lancaster County

PROJECT SUMMARY & PROPOSAL:
Proposal to approve street names in Lancaster County

BACKGROUND:
The South Carolina Code of Laws, Section 6-29-1200 (A), states the following:

> *(A) A local planning commission created under the provisions of this chapter [the South Carolina Local Government Comprehensive Planning Enabling Act of 1994] shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction. It is unlawful for a person in laying out a new street or road to name the street or road on a plat, by a marking or in a deed or instrument without first getting the approval of the planning commission.*

In April 2023, the Planning Commission approved the road names that were include in the Master Street Address Guide (MSAG) to date. Since that time, there have been 58 additional road names sorted and prepared for Planning Commission review.

The attached list will be on your agenda for approval in June.

STAFF RECOMMENDATION:
Staff will recommend **approval** of the street names listed, to be included in the County's master street address guide.

ATTACHMENTS:
1. List of road & street names, May 2023

STAFF CONTACT:
Allison Hardin,
Interim Planning Director
ahardin@lancastersc.net

ROAD NAME	SUBDIVISION	LAST PHASE APPROVED
FORMATION CT	KINSDALE	CIVIL PLAN-BIB-SUB 0R SUBDIVISION, < 150 LOTS PHASE 1
KINSHIP DR (Phase 1 & 2)	KINSDALE	
MILLENIUM DR	KINSDALE	
RAPPORT CT	KINSDALE	
PEDIGREE CIR	KINSDALE	CIVIL CONSTRUCTION PLAN, > 150 LOTS PHASE 2
INTEGRITY LN	KINSDALE	
PARTNER CT	KINSDALE	
UNISON LN	KINSDALE	
ACCORD CT	KINSDALE	
ROYAL CT	KINSDALE	
DANNY DR (VAN WYCK COMMUNITY)	PRIVATE DRIVE	
AMARILLO CT	Roselyn	Preliminary Plat
BARN BEN TER	Roselyn	Preliminary Plat
BEACHWOOD AV	Roselyn	Preliminary Plat
BEACON RIDGE RD	Roselyn	Preliminary Plat
BEAR BLUFF RD	Roselyn	Preliminary Plat
BEAVER TRACK CT	Roselyn	Preliminary Plat
BENTWIND RD	Roselyn	Preliminary Plat
BOAR TUSK TER	Roselyn	Preliminary Plat
BOWFIN RD	Roselyn	Preliminary Plat
BRIGHT SKY RD	Roselyn	Preliminary Plat
CAMDEN GLEN RD	Roselyn	Preliminary Plat
CANYON GATE ST	Roselyn	Preliminary Plat
CHAPEL RIDGE RD	Roselyn	Preliminary Plat
COTTON CREST LN	Roselyn	Preliminary Plat
COYOTE GLEN DR	Roselyn	Preliminary Plat
CREEK RUN LN	Roselyn	Preliminary Plat
CROOKED BRANCH RD	Roselyn	Preliminary Plat
DEER JUMP DR	Roselyn	Preliminary Plat
EASY CROSS CT	Roselyn	Preliminary Plat
FAWN CHASE DR	Roselyn	Preliminary Plat
FIELD BEND DR	Roselyn	Preliminary Plat
FOGGY CREEK CT	Roselyn	Preliminary Plat
FOREST FLOOR RD	Roselyn	Preliminary Plat
FRANKLIN OAK DR	Roselyn	Preliminary Plat
GATE TRAIL TER	Roselyn	Preliminary Plat
GOLDEN FALLS RD	Roselyn	Preliminary Plat
GOODDAY DR	Roselyn	Preliminary Plat
HAWKS LANDING PL	Roselyn	Preliminary Plat
HAZY HILL WAY	Roselyn	Preliminary Plat
HIDDEN NEST CT	Roselyn	Preliminary Plat
LOCUST LN	RIVERCHASE	Currently on Section 3 preliminary plat
CEDAR RIDGE WAY	RIVERCHASE	Currently on Section 3 preliminary plat
Hedgedown Grove Pl	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Albany Mews Pl	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Barberry Dr	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2

Ravenscroft Close Way	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Lindores Rd	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
T[illegible]r Hill Way	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Charter Way	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Granby Pl	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Grosbeak Ter	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Parrot Way	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Parakeet Ct	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Kite Dr	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Flicker Rd	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Goshawk Pl	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Badey Hill Dr	Arbor Hills	To be placed on Civil Plans

Agenda Item Summary

Ordinance # / Resolution #: CU-2023-0695 Tommy's Car Wash
Contact Person / Sponsor: M. Blaszyk
Department: Planning
Date Requested to be on Agenda: 6/20/2023

Issue for Consideration:
To either approve or deny proposed Conditional Use for a car wash.

Points to Consider:
The property was rezoned from the Mixed-Use Zoning District to General Business Zoning District earlier this year (Ordinance No. 2023-1839).

The property is located a quarter mile away from an existing car wash at the Havoline Xpress Lube. The proposed site is also within 1 mile radius of 11 pre-existing minor maintenance and repair facilities. These include car washes, oil change facilities, and repair shops.

The proposed plan includes a 5,000 sq ft "future office building". It is unclear if this structure and associated parking lot would be constructed in tandem with the proposed car wash.

The applicants have submitted an original and revised site plan. The second plan is closer to compliance with the Lancaster County UDO but is still missing key points.

Recommendation:
The submitted plan does not currently meet the County requirements for a car wash facility. Any vote for approval of the car wash should include a condition to address all outstanding staff comments.

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	6/13/2023	Planning Staff Report
Application	5/9/2023	Exhibit
Survey Plat	5/9/2023	Exhibit
Turning Analysis	5/9/2023	Exhibit
Revised Site Plan	6/8/2023	Exhibit
TRC/Evolve Comments	6/13/2023	Exhibit

PROPOSAL:	Conditional Use Application to Permit: Minor Maintenance & Repair (Auto)
PROPERTY LOCATION:	168 Fort Mill Highway (TM# 0008-00-007.00).
CURRENT ZONING DISTRICT:	General Business (GB); Highway Corridor Overlay District
APPLICANT:	TIL Holdings of Texas The Timmons Group George McGinn and Sallie Cooper
COUNCIL DISTRICT:	District #4, Jose Luis
STATUTORY NOTICES:	Signs posted 6/02/2023 Hearing notice published 6/03/2023 in The Lancaster News Published 6/07/2023 in Carolina Gateway Mailed notices 6/02/2023 Posted agenda in lobby 6/13/2023

OVERVIEW & BACKGROUND:

Site Information

This property is located at 168 Fort Mill Highway, directly across from the Lowe's Hardware Store. There is an existing nonconforming residence that is located on the property that will be removed if this project is approved and receives a permit. The proposed Conditional Use is to allow the use of a car wash on the parcel. Access is available via Fort Mill Highway.

The property was rezoned from MX to GB earlier this year see (Ordinance No. 2023-1839). A car wash falls under the "Vehicle Service, Minor Maintenance and Repair" category of Lancaster County's Unified Development Ordinance (UDO). This use is required to go through the conditional use process under the currently adopted UDO (2.5.3).

This site would be located 0.25 miles from the Car Wash at the existing Havoline Xpress Lube located at 9759 Charlotte Hwy and 1 mile south of another existing car wash, a Sam's Xpress Car Wash at 10130 Charlotte Hwy. Each of these car washes are of similar design to the proposed site.

Staff is also aware of two conditional uses that were approved by County Council in April and May. A Tidal Wave Auto Spa (carwash) and Valvoline Oil Change facility. Both uses are considered the same use type under "Vehicle Service, Minor Maintenance and Repair" and are located adjacent to each other in Indian Land.

Current Proposal & Project Overview

The applicant is seeking a conditional use permit to allow an automotive car wash (minor maintenance and repair). The project consists of demolishing the existing nonconforming residence and constructing a "Tommy's Car Wash". The plan also includes a 5,000 square foot office building at the rear of the

proposed site. An original and revised conditional use plan has been submitted for review. The most recent revised plan brings the proposed site close to compliance with the Lancaster County UDO. There are still several sections of code the plan does not meet. The revised plans set of comments can be found in attachment 4.

Summary of Surrounding Zoning and Uses

Surrounding Property	Zoning District	Use
North	Mixed Use	Capital Club Apartments
South	Regional Business	Lowe's Shopping Plaza
East	General Business	Kushi World Bazar (Store)
West	Mixed Use	Capital Club Apartments

PHOTOS OF PROJECT AREA:



Facing out from subject parcel across S.C.160 at Lowe's.



Current sidewalk and storm drain infrastructure on site.



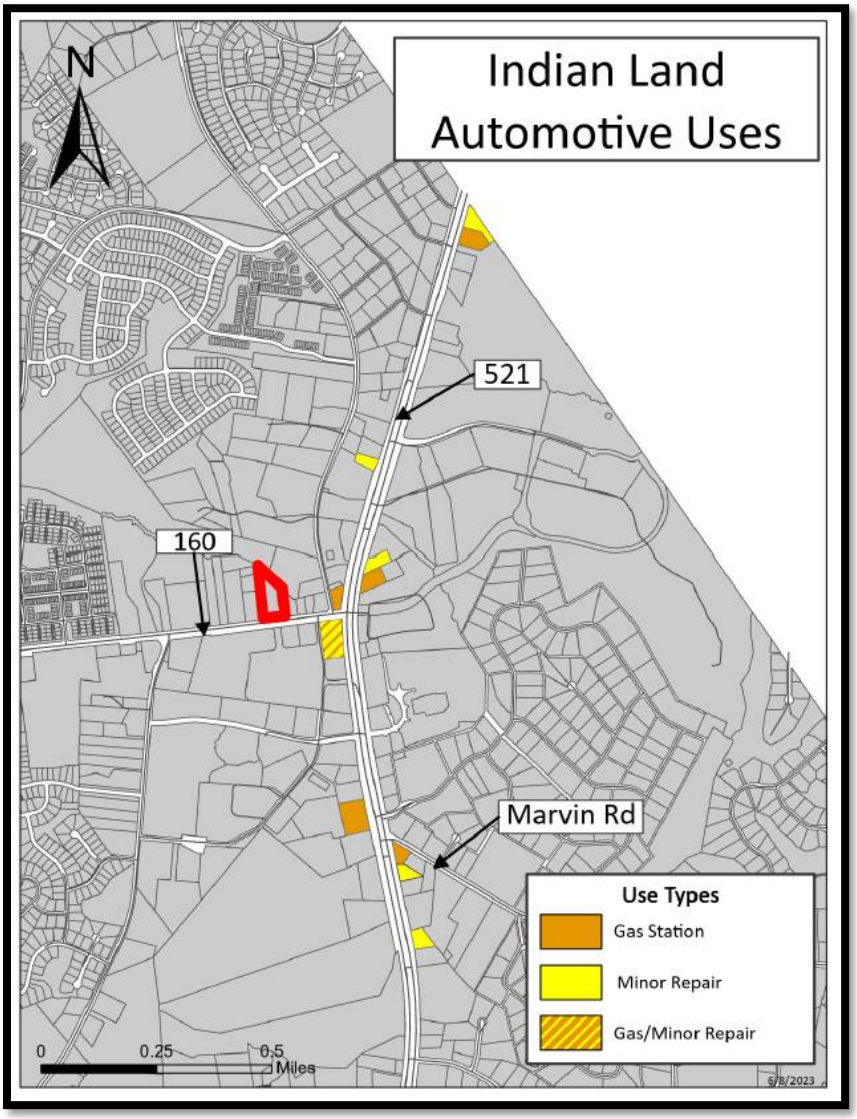
Current sidewalk and storm drain infrastructure on site.



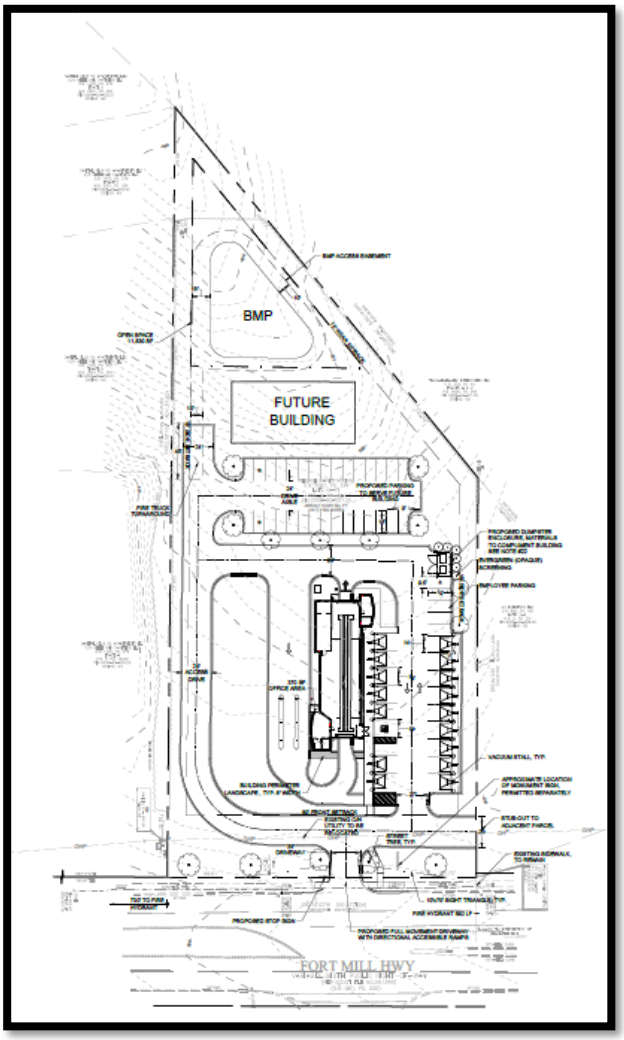
State of existing structure on property.

Location to adjacent car washes and other minor maintenance and repair facilities.

The proposed Tommy's Car wash is located within one mile of 11 pre-existing minor maintenance and repair facilities. These include car washes, oil change facilities, and repair shops. The closest of these facilities is the Havoline Xpress Lube located across Fort Mill highway which is an oil/lube change facility and car wash. Below is a map that displays the minor maintenance and repair facilities within a one-mile radius of the site. The project site is outlined in red on the map.



Revised site plan and existing problems:



Proposed Site Layout

The revised site plan that was submitted for review is closer to meeting the County Code than the original plan. A snipping of the plan is located above and the full plan is attached in attachment 3. This plan still has questions and staff comments that need to be addressed before it meets code requirements. These include:

- Will the site be phased, or will both the carwash and office building/parking lot be built at the same time?
- The required wall located along the drive through is not shown on the plan.
- The distance from the property line to the proposed monument sign needs to be shown on the plan.
- The entrance still does not seem to be centered with the Lowe's entrance across the street.
- Will the parking area with vacuum stalls be gated?

- The parking lot for the office building still lacks required landscaping.
- Required bike parking is missing on plan. 1 per 10,000 SF of gross floor area, 3 minimum. UDO 7.2.6
- Please mark the existing well on the site plan.
- Please show the calculations and mark the area for the required 10% open space on the plan. This area cannot include any area within a floodplain or stormwater BMP zone.

APPLICABLE UDO PROVISIONS:

5.1.2. - CONDITIONAL USE (CU)

A. Conditional Uses are uses which are generally compatible with other land uses permitted in a zoning district but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and/or the County as a whole, require individual consideration in their location, design, configuration, and/or operation at the particular location proposed.

B. All Conditional Uses shall at a minimum meet the standards for the zoning district in which they are located and the specific standards set forth in this article for that use.

C. Individual consideration of the use may also call for the imposition of individualized conditions in order to ensure that the use is appropriate at a particular location and to ensure protection of the public health, safety, and welfare.

D. Approval procedures for Conditional Use permits are found in Chapter 9, Administration.

5.8.6 VEHICLE SERVICES – MINOR MAINTENANCE/REPAIR [NB, GB, RB, LI, HI, MX, IMX]

A. Outdoor Vehicle Storage: All outdoor storage of vehicles awaiting work or pick-up shall be screened by a Type C buffer in accordance with Section 7.1.5. No vehicles or awaiting work or pick-up shall be located closer than 5 feet to any adjoining property line, within a required landscape area, or in any right-of-way. No outside storage of junk vehicles or parts shall be permitted unless a permit for an outdoor storage yard is also obtained.

B. Vehicle Bays: Vehicle bays which are not set perpendicular to the street must be screened from direct view by a hedge or other landscaping. Bays facing the street must also incorporate awnings, windows, and/or other articulation/ornamentation sufficient to reduce the impact of the repair bays on the street as determined by the Technical Review Committee (TRC).

C. Noise: No noises resulting from the occasional repair or maintenance of a motor vehicle shall be audible at or beyond the property line between 8 PM and 7 AM the following morning. Intercom/sound systems shall not be audible at or beyond the property line.

D. Repair Work: All repair work shall be conducted entirely within an enclosed structure; car wash activities may be done outside when all requirements of stormwater management are met.

E. Screening: All boundaries of a property containing such uses that directly adjoin a Single-Family residential district shall be buffered with a solid fence extending from the ground to a height of not less than 6 feet and a Type B buffer.

F. Accessory Structure Location: Accessory structures such as self-service vacuum cleaners, air pumps, and other self-service structures must be setback 50 feet from any residential use and 25 feet from any right-of-way.

G. Fueling Islands: Each drive-up fueling facility permitted under this title shall have off-street driveway stacking space that shall not inhibit or impede access to or from any parking space or drive.

H. Lighting
1. Canopy lighting fixtures shall be hidden inside a canopy so as not to be visible from offsite.
2. Freestanding lighting fixtures shall not exceed 15 feet in height if the use adjoins an existing residential district or residential lot. All light fixtures shall be cutoff luminaries that block the light source from off-site view.

I. Car Wash Allowed as Accessory Use: A one-bay car wash may be allowed as an accessory use. The car wash shall meet the setbacks for the principal use and not exceed 900 square feet in area. The car wash bay shall not be oriented toward the public right-of-way. Car washes are required to have operational recycled water systems where a minimum of 50 percent of water utilized is recycled.

10.3 VEHICLE SERVICES–MINOR

Facilities for the fueling, cleaning and servicing of automobiles, recreational vehicles, and other personal vehicles as a primary use. Examples include: gas stations; car washes (attended and self-service); car stereo and alarm system installers; detailing services; muffler and radiator shops; tire and battery sales and installation (not including recapping); and quick lube services. Such uses may include structures that are specialized for selling gasoline with storage tanks, often underground or hidden. The sale of vehicle parts, food, and convenience items may be included as an incidental part of such uses.

STAFF RECOMMENDATION:

The submitted plan does not currently meet the County requirements for a car wash facility. Any vote for approval of the car wash should include a condition to address all outstanding staff comments.

ATTACHMENTS:

1. Conditional Use Application
2. Location Map/ Zoning Map
3. Revised Site Plan
4. TRC/Evolve Comments

STAFF CONTACT:
Matthew Blaszyk, Planner
mblaszyk@lancastersc.net 803-416-9380

Banks McGinn
1825 Shady Pine Circle
Fort Mill, SC 29715

Sallie M. Cooper
10 Shaded Way
Round Rock, TX 78664

March 20, 2023

Lancaster County Planning Department
P.O. Box 1809, 101 N. Main Street
Lancaster, SC 29721

To Whom It May Concern:

We, George Banks McGinn and Sallie M. Cooper, give permission for TIL Holding of Texas LLC to apply for the conditional use zoning for the use of a car wash and office to be located at 168 Fort Mil Highway.

Signed,

George
Notary For: Banks McGinn

Sworn and Subscribed before me
On this 21st day of March, 2023
Josh Patel
Notary Public for York, South Carolina
Commission Expires: 9/30/2026

JOSH PATEL NOTARY PUBLIC SOUTH CAROLINA MY COMMISSION EXPIRES SEPTEMBER 30, 2026

George Banks McGinn
Property Owner
George Banks McGinn

Sallie M. Cooper
Property Owner
Sallie M. Cooper

Notarized

Subscribed and sworn to before me by
Sallie M. Cooper
on this the 21 **day of** March, **20** 23.
Elvia Recinos-Leiva
Notary Public

ELVIA RECINOS-LEIVA
My Notary ID # 130046163
Expires December 9, 2026

Lancaster County
South Carolina

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

CONDITIONAL USE APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- All items noted on the Conditional Use Plan Checklist
- Fees associated with review

GENERAL INFORMATION

Property Address 168 Fort Mill Highway

City Indian Land State SC Zip 29707 Tax Parcel ID 0008-00-007.00

Current Zoning GB Current Use Single Family (vacant)

Total Acres 2.9 Surrounding Property Description Undeveloped (AR), Commercial (GB), Industrial (GB)

Proposed Conditional Use Express car wash and Office

CONTACT INFORMATION

Applicant Name TIL Holdings of Texas, LLC

Address 1225 Mercedes Benz Dr

City Shreveport State LA Zip 71115 Phone 318-698-5770

Fax 318-797-0504 Email sburson@tixpresswash.com

Co-Property Owner Name GEORGE BANKS McGINN

Address 1825 SHADY PINE CIRCLE

City FORT MILL State S.C. Zip 29715 Phone 803-487-9156

Fax _____ Email BANKSMCGINN@GMAIL.COM

CONDITIONAL USE PLAN CHECKLIST

X The size of the plan and number of copies should conform to the following: Eight copies that are 24" x 36" (full size) and Two copies that are 11" x 17" (reduced size).

X A descriptive location of the property and vicinity map at a scale of not less than one inch equals one mile.

X Proposed name of the development.

X The date of the survey or plan.

X All plans shall be embossed with the seal and signature of the engineer/surveyor responsible for the work.

X A graphic scale and numerical scale shall be shown on the plan.

X The North arrow shall be shown and be accurately correlated with the courses with indications as to whether it is true, magnetic or grid.

X Total acreage and boundaries of the development shall be shown on the plan.

X All existing and proposed uses of land throughout the tract shall be shown on the plan.

X Topography of the site with a contour interval of not more than 5 feet shall be shown on plan.

X Typical arrangement of existing and proposed buildings and structures, including dimensions, elevations, uses, and setbacks shall be shown on the plan.

X Location of adjoining property lines and existing buildings shall be shown on the plan.

X The names of adjacent landowners, lot and/or block numbers, highways, streets, and named waterways shall be shown.

X All property lines shall be defined by course and horizontal distance. All property lines shall be plotted to the scale shown in the title.

X All easements and rights-of-way of existing and proposed buildings and structures shall be shown and shall include their widths and center lines.

X All existing street intersections shall be shown on the plan.

X Proposed parking areas and traffic circulation shall be shown on the plan.

X Exact ratio of impervious surfaces to lot area shall be shown.

X At a minimum the plan shall include basic landscape information such as the location and dimension of required buffer yards.

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.

S. Todd Sun — 3-21-2023

Applicant TIL Holdings & Texas, LLC — Date

Gloria Barb McGuire — 3/21/23

Property Owner(s) — Date

Barbara Ann Cooper 3.21.23

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.
   - Conditional Use Application Fee - $325.00

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 a resolution for approval.
   - Subsequent to County Council action, notice of action will be provided to the applicant,

owner, and adjacent property owners.

- **Please note that upon approval of a conditional use, the applicant shall subsequently submit a site plan to The Lancaster County Planning Department for review. This site plan shall conform to the site plan process as enumerated in UDO Section 9.2.9 (Site Plan Process Chart)**

LEGEND:

C&G - CURB & GUTTER
C.G.F. - COMBINED GRID FACTOR
CI - CURB INLET
CP - CALCULATED POINT
D.B. - DEED BOOK
ECM - EXISTING CONCRETE MONUMENT
EPH - EXISTING PUNCH HOLE
EIP - EXISTING IRON PIPE
EIR - EXISTING IRON ROD
EMM - EXISTING METAL MONUMENT
EN - EXISTING NAIL
EOG - EDGE OF GRAVEL
EOP - EDGE OF PAVEMENT
EU - END UNKNOWN
FFE - FINISHED FLOOR ELEVATION
GM - GAS METER
GW - GUY WIRE
HVAC - HEATING, VENTILATION, AIR COND.
(M) - MEASURED
M.B. - MAP BOOK
N.G.S. - NATIONAL GEODETIC SURVEY
NIR - NEW IRON ROD
NN - NEW NAIL
O/HANG - OVERHANG
P.B. - PLAT BOOK
PIN - PARCEL IDENTIFICATION NUMBER
PM - POWER METER
PP - POWER POLE
PG. - PAGE
P/L - PROPERTY LINE
(R) - RECORDED
R/W - RIGHT-OF-WAY
RCP - REINFORCED CONCRETE PIPE
SDMH - STORM DRAIN MANHOLE
(T) - TOTAL
TBM - TEMPORARY BENCHMARK
TPED - TELEPHONE PEDESTAL
UB - UTILITY BOX

LINE LEGEND:

EASEMENT
PROPERTY LINE
PROPERTY LINE (NOT SURVEYED)
RIGHT-OF-WAY
RIGHT-OF-WAY (NOT SURVEYED)
SETBACK
POWER LINE — E —
STORM DRAIN PIPE — SD —

ALTA OPTIONAL TABLE A ITEMS STATEMENT:

1. IRON PINS OR MONUMENTS AT CORNERS SHOWN.

2. ADDRESS SHOWN IN TITLE BLOCK AND/OR BUILDINGS AS OBSERVED WHILE CONDUCTING FIELD WORK OR RESEARCH ON GIS.

3. FLOOD ZONE - SEE FLOOD CERTIFICATION SHOWN HEREON.

4. GROSS LAND AREA SHOWN HEREON.

5. VERTICAL RELIEF INFORMATION - SEE NOTE 4 AND BENCHMARKS AS SHOWN HEREON.

6(a). SEE ZONING NOTE AND DISCLAIMER IF NO REPORT HAS BEEN PROVIDED.

7(a). EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL SHOWN HEREON.

8. SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK (IN ADDITION TO THE IMPROVEMENTS AND FEATURES REQUIRED PURSUANT TO SECTION 5 ABOVE) (e.g. PARKING LOTS, BILLBOARDS, SIGNS, SWIMMING POOLS, LANDSCAPED AREAS, SUBSTANTIAL AREAS OF REFUSE).

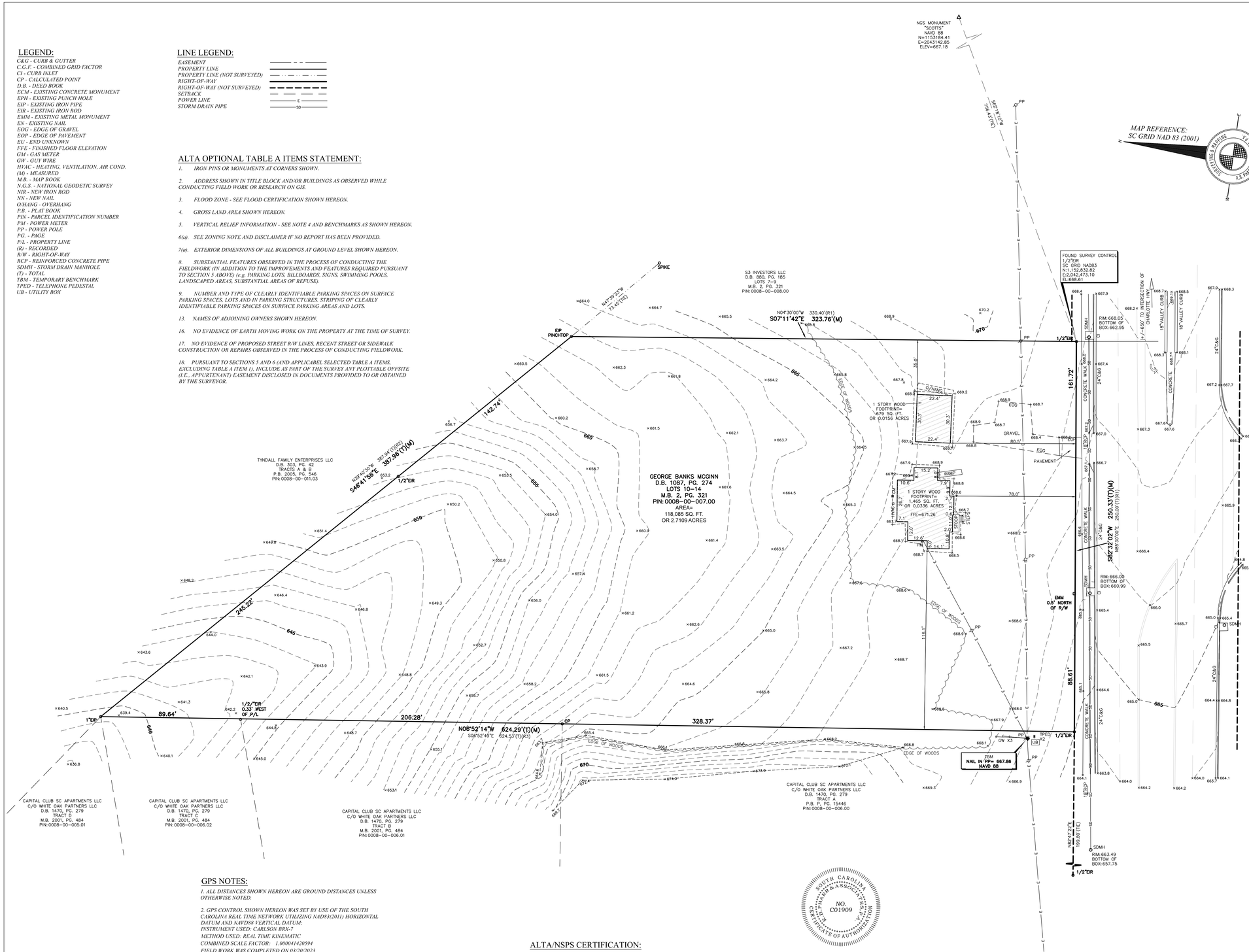
9. NUMBER AND TYPE OF CLEARLY IDENTIFIABLE PARKING SPACES ON SURFACE PARKING SPACES, LOTS AND IN PARKING STRUCTURES. STRIPING OF CLEARLY IDENTIFIABLE PARKING SPACES ON SURFACE PARKING AREAS AND LOTS.

13. NAMES OF ADJOINING OWNERS SHOWN HEREON.

16. NO EVIDENCE OF EARTH MOVING WORK ON THE PROPERTY AT THE TIME OF SURVEY.

17. NO EVIDENCE OF PROPOSED STREET R/W LINES, RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK.

18. PURSUANT TO SECTIONS 5 AND 6 (AND APPLICABEL SELECTED TABLE A ITEMS, EXCLUDING TABLE A ITEM 1), INCLUDE AS PART OF THE SURVEY ANY PLOTTABLE OFFSITE (I.E., APPURTENANT) EASEMENT DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR.



NOTES:

1. ELEVATIONS BASED ON N.G.S. MONUMENT "SCOTTS", ELEVATION = 667.18 FEET, NAVD 88.

2. BROKEN LINES UNLESS THEY HAVE A METES AND BOUNDS DESCRIPTION, INDICATE PROPERTY LINES NOT SURVEYED.

3. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

4. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.

RECORDED BEARING REFERNCES:

R1 - M.B. 2, PG. 321
R2 - P.B. 2005, PG 546
R3 - D.B. 1470, PG. 282

ZONING:

SUBJECT PROPERTY ZONED: MX (MIXED USE)
ZONING RESTRICTIONS AS PER ZONING ORDINANCE:

NO ZONING REPORT WAS PROVIDED AT TIME OF SURVEY, PURSUANT TO ALTA TABLE A ITEM 6.PURCHASER/DEVELOPER TO VERIFY ZONING REQUIREMENT PRIOR TO FURTHER DEVELOPMENT OF SITE.

FOR FURTHER INFORMATION CONTACT THE LANCASTER COUNTY ZONING DEPARTMENT AT 803-416-9777.

PARKING:

NO PARKING SPACES OBSERVED ON PROPERTY

GPS NOTES:

1. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES UNLESS OTHERWISE NOTED.

2. GPS CONTROL SHOWN HEREON WAS SET BY USE OF THE SOUTH CAROLINA REAL TIME NETWORK UTILIZING NAD83(2011) HORIZONTAL DATUM AND NAVD88 VERTICAL DATUM.
INSTRUMENT USED: CARLSON BRX-7
METHOD USED: REAL TIME KINEMATIC
COMBINED SCALE FACTOR: 1.000041420594
FIELD WORK WAS COMPLETED ON 03/20/2023

Know what's **below.** **Call** before you dig.

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

ALTA/NSPS CERTIFICATION:

TO: TIL HOLDINGS OF TEXAS, LLC

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS , AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6a, 6b, 7a, 8, 9, 13, 16, 17, AND 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 4, 2023.

C. CLARK NEILSON — *04-12-2023*
C. CLARK NEILSON — *DATE*
PLS, NO. 19403
cneilson@rbpharr.com

SOUTH CAROLINA PROFESSIONAL ENGINEER ASSOCIATE CERTIFICATE OF AUTHORIZATION NO. C01909

SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR NO. 19403 C. CLARK NEILSON

FLOOD CERTIFICATION:

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT *LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED* MAY 16, 2017
MAP NUMBER: 4557C0040E; ZONE X

I HEREBY STATE THAT ON THE 4TH *DAY OF* APRIL *20* 23 *TO BEST OF MY PROFESSIONAL KNOWELEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.*

SIGNED C. Clark Neilson

AREA= 118,085 SQ. FT.OR 2.7109 ACRES

REVISIONS

ALTA/NSPS LAND TITLE SURVEY PREPARED FOR:
TIL HOLDINGS OF TEXAS, LLC
168 FORT MILL HWY
CITY OF INDIAN LAND, LANCASTER COUNTY, SC
MAP REFERENCE: 2-321
DEED REFERENCE: 1087-274
TAX PARCEL NO: 0008-00-007.00

R.B. PHARR & ASSOCIATES, P.A.
SURVEYING & MAPPING
LICENSURE NO: C01909
969 E. 7TH ST., #100 CHARLOTTE, N.C. 28204 TEL: (704) 376-2186

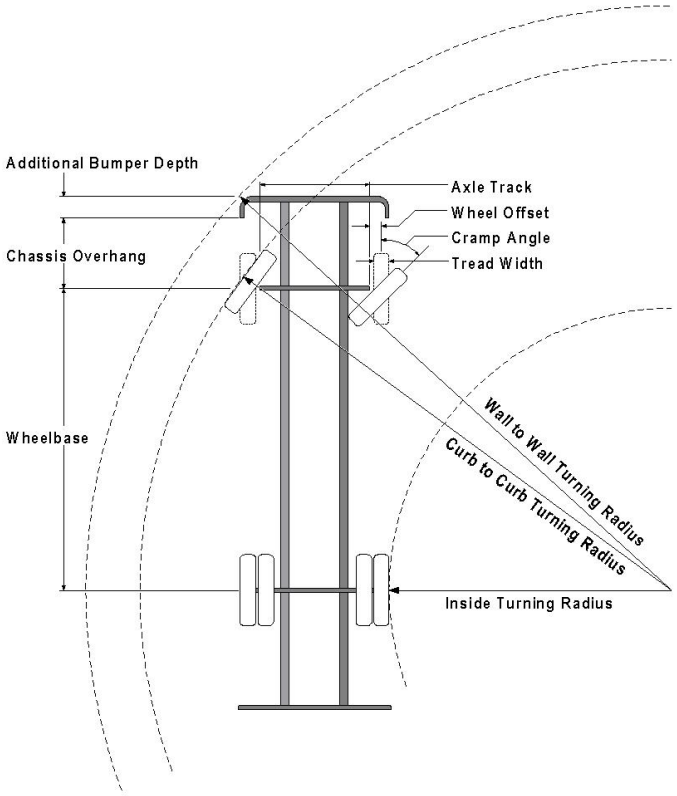
CREW:	DRAWN:	REVISED:	SCALE:	DATE:	JOB NO.
NJC	KPM		1" = 30'	APRIL 4, 2023	94981

PLOTTED: 4/14/23
G:\94\8\94981\DWG\94981.DWG

Turning Performance Analysis

11/03/2021

Bid Number: 588
Department: Lancaster County Fire Service
Chassis: Velocity Chassis, 100AAT
Body: Aerial, 100AAT, Alum Body



Parameters:

*Inside Cramp Angle:	40°
Axle Track:	82.92 in.
Wheel Offset:	5.3 in.
Tread Width:	17.5 in.
Chassis Overhang:	78 in.
Additional Bumper Depth:	24 in.
Front Overhang:	102 in.
Wheelbase:	271 in.

Calculated Turning Radii:

Inside Turn:	25 ft. 9 in.
Curb to curb:	41 ft. 10 in.
Wall to wall:	46 ft. 10 in.

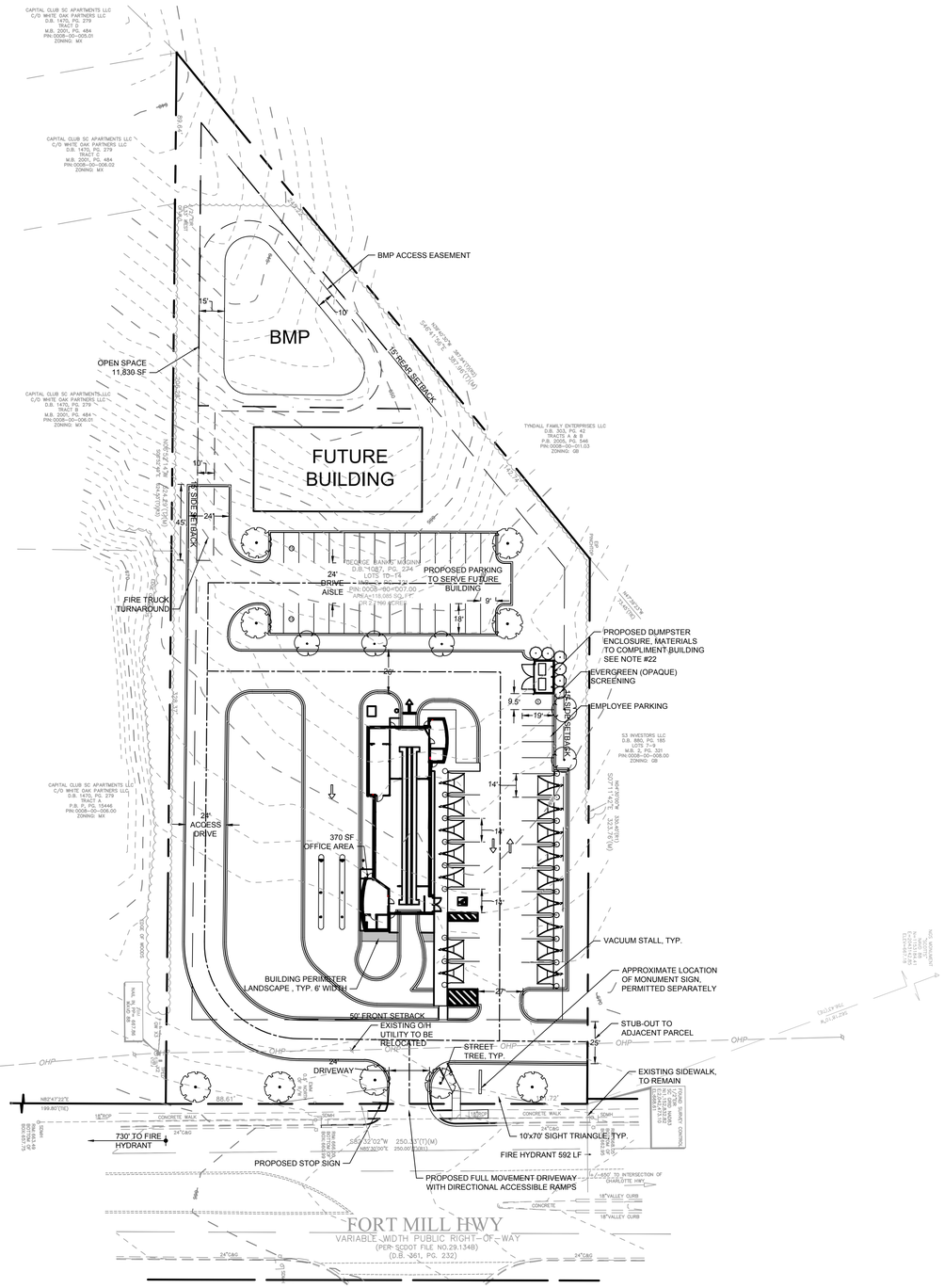
Category	Option	Description
Bumpers	0721868	Bumper, 24" Total (13" Extension), Polished S/S, Integrated, 100AAT, VEL
Axle, Front, Custom	0508846	Axle, Front, Oshkosh TAK-4, Non Drive, 24,000 lb, Velocity
Axle, Front, Custom	0508846	Axle, Front, Oshkosh TAK-4, Non Drive, 24,000 lb, Velocity
Wheels, Front	0019618	Wheels, Front, Alcoa, 22.50" x 13.00", Aluminum, Hub Pilot
Tires, Front	0582746	Tires, Front, Goodyear, G296 MSA, 445/65R22.50, 20 ply
Aerial Devices	0771866	Aerial, Ascendant 100' Aerial Tower
Aerial Devices	0771866	Aerial, Ascendant 100' Aerial Tower
Aerial Devices	0771866	Aerial, Ascendant 100' Aerial Tower
Aerial Devices	0771866	Aerial, Ascendant 100' Aerial Tower
Aerial Devices	0771866	Aerial, Ascendant 100' Aerial Tower
Aerial Devices	0771866	Aerial, Ascendant 100' Aerial Tower

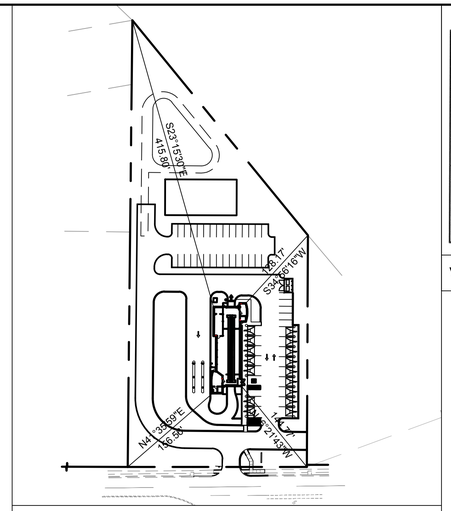
Notes:

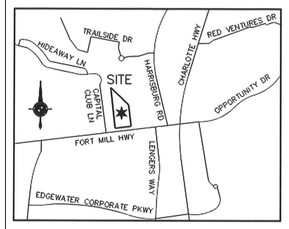
*Actual Inside cramp angle may be less than shown.

Curb to Curb turning radius calculated for 9.00 inch curb.

Definitions:	
Inside CrampAngle	Maximum turning angle of the front inside fire.
Axle Track	King-pin to King-pin distance of front axle.
Wheel Offset	Offset from the center line of the wheel to the King-pin.
Tread Width	Width of the tire tread.
Chassis Overhang	Distance of the center line of the front axle to the front edge of the cab. This does not include the bumper depth.
Additional Bumper Wheel	Depth that the bumper assembly adds to the front overhang.
Wheelbase	Distance between the center lines of the vehicles front and rear axles.
Inside Turning Radius	Radius of the smallest circle around which the vehicle can turn.
Curb to Curb Turning Radius	Radius of the smallest circle around which the vehicle's tires can turn. This measures assumes a curb height of 9 inches.
Wall to Wall Turning Radius	Radius of the smallest circle around which the vehicle's tires can turn. This measures takes into account any front overhang due to chassis , bumper extensions and or aerial devices.







VICINITY MAP NOT TO SCALE

SITE PLAN LEGEND

	R/W, PROPERTY LINE	
	1'-6" CURB AND GUTTER	-/-
	STOP SIGN	
	STREET SIGN	
	HEAVY-DUTY CONCRETE	-/-
	CONCRETE	-/-
	CONCRETE SIDEWALK	-/-

SITE SUMMARY

DEVELOPER:	TIL HOLDINGS OF TEXAS, LLC
PROJECT NAME:	TOMMY'S EXPRESS CAR WASH
TMS:	0008-00-007.00
ZONING:	GB
OVERLAY:	HIGHWAY CORRIDOR OVERLAY DISTRICT (HCOD)
LOT SIZE:	2.7109 ACRES
EXISTING USE:	SINGLE FAMILY RESIDENTIAL
PROPOSED USE:	CAR WASH (EXPRESS TUNNEL) AND OFFICE (FUTURE)
BUILDING SIZE:	
CARWASH:	5,200 SQUARE FEET
OFFICE (FUTURE):	5,000 SQUARE FEET
SETBACKS:	
FRONT:	50'
SIDE:	15'
REAR:	15'
MAX BUILDING HEIGHT:	35' (OR 3 STORIES, WHICHEVER IS GREATER)
BUILDING HEIGHT:	28' - 0"
PARKING - CAR WASH	(5,200 SF TOTAL, 4,830 SF WASH AREA, 370 SF OFFICE)
REQUIRED:	11 (1 SPACES/500 SF = 10.4 SPACES [5,200 / 500])
PROVIDED:	22 (INCLUDES 1 ACC. SPACE)
PARKING - OFFICE (FUTURE)	
REQUIRED:	20 (1 SPACES/250 SF = 20 SPACES [5,000 / 250])
PROVIDED:	30 (INCLUDES 2 ACC. SPACE)
BUFFER YARDS:	NOT REQUIRED (GB ADJACENT TO GB AND MX)
OPEN SPACE	
REQUIRED:	11,809 SF (10% OF 118,087)
PROVIDED:	11,830 SF

IMPERVIOUS SUMMARY

SITE ACREAGE:	118,084 SF (2.71 ACRES)
PROPOSED BUILDINGS:	9,710 SF
PROPOSED PAVEMENT:	55,693 SF
FINAL BUA %:	55.4%

GENERAL NOTES

1. CONTRACTOR TO VERIFY EXISTING CONDITIONS AND DETERMINE IF THERE ARE ANY DISCREPANCIES FROM THE PLANS PRIOR TO CONSTRUCTION.
2. CONTRACTOR TO USE ARCHITECTURAL DRAWINGS FOR EXIST DIMENSIONS OF THE BUILDING.
3. CONTRACTOR TO FOLLOW AND UTILIZE ALL LANCASTER COUNTY AND SCDOT TRAFFIC CONTROL GUIDELINES SET FORTH FOR ALL WORK PERFORMED IN THE RIGHT-OF-WAY. CONTRACTOR TO COORDINATE AND CALL FOR INSPECTIONS AS SPECIFIED IN THE PERMIT.
4. CONTRACTOR IS TO CUT A CLEAN EDGE ALONG EXISTING PAVEMENT PRIOR TO TYING IN NEW DRIVE. NEW ASPHALT, BASE MATERIAL, AND PAVEMENT CONSTRUCTION METHODS SHALL MEET MINIMUM REQUIREMENTS OF LANCASTER COUNTY AND SCDOT.
5. ALL TRAFFIC SIGNAGE AND STREET MARKINGS IN THE RIGHT-OF-WAY SHALL USE REFLECTIVE SHEETING THAT MEETS THE REQUIREMENTS OF ASTM 04956-09. OBTAIN SHEETING FROM MANUFACTURES PREQUALIFIED IN ACCORDANCE WITH THE LANCASTER COUNTY AND SCDOT QUALIFIED PRODUCT POLICY 20 AND WHO APPEAR IN THE CURRENT EDITION OF SCDOT QUALIFIED PRODUCTS LIST 20.
6. ALL DIMENSIONS ARE AT 90 DEGREES UNLESS OTHERWISE NOTED.
7. ALL RADII SHALL BE 5' (F.O.C.) UNLESS OTHERWISE NOTED.
8. CONTRACTOR SHALL ESTABLISH AND VERIFY POINT OF BEGINNING (P.O.B.) AND STAKE SITE AS INDICATED ON CONSTRUCTION DOCUMENTS PRIOR TO COMMENCEMENT OF CONSTRUCTION. NOTIFY TIMMONS IMMEDIATELY OF ANY DISCREPANCIES.
9. ALL DIMENSIONS ARE TO FACE OF CURB OR CENTERLINE UNLESS OTHERWISE NOTED.
10. ALL DETAILS SHALL BE CONSTRUCTED IN STRICT COMPLIANCE WITH SPECIFICATIONS AND CONSTRUCTION DOCUMENTS.
11. ALL SIDEWALKS SHALL BE MINIMUM 5'-0" UNLESS OTHERWISE NOTED.
12. PARKING SPACE DIMENSIONS ARE 18.0' x 9.0' WIDE UNLESS OTHERWISE NOTED.
13. NO OBSTRUCTION OF PUBLIC R/W OR SIDEWALK WILL BE ALLOWED. NO PARKING IS ALLOWED OVER PUBLIC SIDEWALKS.
14. NO DEMOLITION LANDFILLS ALLOWED ON SITE.
15. APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN CONDITIONS WARRANT OFF-SITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED PROPERTY OWNERS.
16. IN ORDER TO ASSURE PROPER DRAINAGE, KEEP A MINIMUM OF 0.5% SLOPE ON THE CURB.
17. SUBSURFACE DRAINAGE FACILITIES MAY BE REQUIRED IN THE STREET RIGHT-OF-WAY IF DEEMED NECESSARY BY THE INSPECTOR.
18. ALL UTILITIES WILL BE UNDERGROUND.
19. OFF-SITE CONSTRUCTION OR GRADING REQUIRES A LETTER FROM THE AFFECTED PROPERTY OWNER GRANTING PERMISSION.
20. EXISTING WELLS SHALL BE CLOSED ACCORDING TO SCDHEC STANDARD PRODCEDURES.
21. DEMOLITION PERMITS ARE REQUIRED FOR ANY STRUCTURE ON THE PROPERTY PRIOR TO CONSTRUCTION.
22. DUMPSTER ENCLOSURE, MECHANICAL EQUIPMENT, ANDUTILITY BORES SHALL BE SCREENED FROM VIEW FROM ALL ADJACENT PARCELS, RESIDENTIAL USE DISTRICTSAND PUBLIS R/W'S.

TRAFFIC NOTES

1. SIGHT DISTANCE VISIBILITY AT ALL ENTRIES/EXITS WILL BE MAINTAINED IN ACCORDANCE WITH SCDOT'S ACCESS AND ROADSIDE MANAGEMENT STANDARDS MANUAL.
2. ALL TRAFFIC CONTROL DEVICES WILL BE TO MUTCD STANDARDS (MANUAL OR UNIFORM TRAFFIC CONTROL DEVICES).

ADA NOTES

1. THE PUBLIC RIGHT OF WAY MUST REMAIN ADA COMPLIANT DURING CONSTRUCTION OR AN ALTERNATIVE ROUTE MUST BE PROVIDED.
2. ALL ACCESS POINTS TO BUILDING ARE PLANNED TO BE ADA COMPLIANT.
3. MINIMUM 98-INCH VERTICAL CLEARANCE MUST BE PROVIDED AT ADA VAN PARKING SPACE, ACCESS AISLE, AND ON VEHICULAR ROUTE TO AN FROM VAN SPACE.

SPECIAL LIGHTING NOTES

1. LIGHTING SHALL BE SHIELDED AND INSTALLED TO MINIMIZE GLARE ON ADJACENT PROPERTIES.
2. SIGNAGE TO BE PLACED ON DUMPSTER GATES DESIGNATING THAT NO PARKING WILL BE ALLOWED IN FRONT OF DUMPSTER.

SURVEY NOTES

1. THE ALTA/NSPS LAND TITLE SURVEY HAS BEPREPARED BY R.B. PHARR & ASSOCIATES, P.A. AND IS DATED APRIL 4, 2023.

NAD 83

SCALE 1"=40'
0 40' 80'

South Carolina 811 Call 811 Before you Dig

NOTE: INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES SHOWN ON THESE PLANS MAY HAVE BEEN PROVIDED TO TIMMONS GROUP. TIMMONS GROUP HAS NOT PHYSICALLY LOCATED THE UTILITIES TO VERIFY THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. HOWEVER, TIMMONS GROUP HAS NO NOTICE OR KNOWLEDGE OF ANY FACTS THAT WOULD LEAD US TO CONCLUDE THAT THE INFORMATION IS NOT ACCURATE. FURTHERMORE, OTHER UTILITIES AND STRUCTURES NOT SHOWN ON THESE PLANS MAY BE ENCOUNTERED BY THE OWNER, HIS EMPLOYEES, HIS CONSULTANT, HIS ASSIGNS AND HIS CONTRACTORS. THE OWNER AND HIS CONTRACTOR SHALL AGREE THAT TIMMONS GROUP IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THE UNDERGROUND INFORMATION. INFORMATION WITH RESPECT TO ABOVEGROUND MONUMENTS OF SUCH UTILITIES IS BASED UPON ACTUAL FIELD MEASUREMENTS AND OBSERVATIONS, AND IS SHOWN HEREON.

REGISTERED PROFESSIONAL ENGINEER
JASON V. CRUTCHFIELD
No. 28346
4-17-23

THIS DRAWING PREPARED AT THE
CHARLOTTE OFFICE
610 E. Morehead Street, Suite 250 | Charlotte, NC 28202
TEL 704.602.8600 FAX 704.376.1076 www.timmons.com
North Carolina License No. C-1652

YOUR VISION ACHIEVED THROUGH OURS.

DATE	REVISION DESCRIPTION

DATE 04/17/2023
DRAWN BY J.DOLAN
DESIGNED BY J.DOLAN
CHECKED BY J.DOLAN
SCALE 1" = 40'

TIMMONS GROUP

TOMMY'S EXPRESS CAR WASH

LANCASTER COUNTY, SOUTH CAROLINA

CONDITIONAL SITE PLAN

JOB NO. 58654
SHEET NO. CSP1.0

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, inclusive, but not limited to construction, bidding, and/or construction staking without the express written consent of TIMMONS GROUP

S:\1\0458654-Tommy's Lancaster County\DWG\Sheet\CD\058654-C200-SITE .dwg | Plotted on 6/12/2023 4:09 PM | by Jason Dolan

Lancaster County
Planning Department
P. O. Box 1809
Lancaster, SC 29721
803.285.6005
planning@lancastercountysc.net

June 12, 2023

Jason Dolan
Timmons Group

Charlotte, NC

Project Number	20230695
Project Name	Tommy's Express Car Wash
Location	168 Fort Mill Highway
Stage	Conditional Use
Parcel(s)	
Status	Not Approved

Dear: Jason Dolan

We have completed our review of the plan identified above. The comments listed on the attached report must be addressed and revised plans submitted with a response letter.

If the attached comments require changes to the plans, please submit the requisite number of sets, along with a pdf of the plan set on a CD, to the Lancaster County Planning Department.

Once revised plans are received, they will be submitted to staff for review.

Please be aware that plans will not be routed for review without a response letter

Sincerely,

Plan Review Comments

County Engineer - Stephen Blackwelder - 8035482406 — Not Approved
sblackwelder@lancastersc.net

Review Comments:

General Comments:
1. The preliminary nature of this plan does not provide adequate detail to formally comment, but the following are items of note from the information given. More detailed comments will be forthcoming during the civil plan review.
2. The project is within the Panhandle Highway Corridor Overlay District.
3. A Traffic Impact Analysis (TIA) (or a letter from a Traffic Engineer certifying that less than 50 cumulative peak hour trips will be generated) will be required for this project. Any recommended traffic improvements on site and off site will need to be adhered to.
4. All BMP ponds will need an access area at least 10' wide. This access can be at a slope not greater than 4(H) to 1(V) for maintenance equipment to get to the pond.
a. The BMP pond should be adequately sized to meet the requirements for the total expected developed conditions for the project
5. If there is a well on this site, it must be closed according to SC DHEC standard procedures for closing wells.
6. The internal curb radius from the pay station area toward the wash tunnel looks very tight. It scales at about 11.5 feet.
7. Is SCDOT okay with a full access driveway from this site? SCDOT Encroachment permit will be needed. The driveway will need to align with the existing Lowes Home Improvement drive across SC 160.
8. Have you considered angled vacuum stalls to make access and traffic flow better?
9. The parking spaces for the future building (office) are called out to be 9' X 18'. They must be at least 9'-6" wide.

Fire Marshal - John Magette - 8032838888 — Not Approved
jmagette@lancastersc.net

Review Comments:

1. This is a review for the conditional use only. A more detailed review will be completed at civil submission.
2. All dead end fire apparatus access roads must have an approved turn
around. See IFC Appendix D for a list of approved turnarounds. The shown turnaround will not be approved.
3. All buildings must be within 500 feet of a fire hydrant, measured as an
apparatus would lay hose.
4. Use the attached turning report to provide an auto turn exhibit showing how a fire apparatus can negotiate turns

LC Water & Sewer District - Erin Evans - 8032856919 — No Review Done
eevans@lcwasd.org

Review Comments:

LCWSD is a separate entity from the County. We have our own submittal requirements. Please check our website, www.lcwasd.org, under the Developers tab for our policies and procedures.

The developer must submit 2 sets of hard copy water and sewer plans directly to LCWSD, adhering to the LCWSD Water & Wastewater Extension Policy.

SCDOT - David Gamble - (803) 385-4280 — Approved
GambleDD@scdot.org

Review Comments:

Driveway ingress and egress must align with the access across the street.

Restriping of SC160 will be evaluated during the encroachment permit process.

This review is a general access location review only and does not include required driveway widths, radius returns, pavement design or any other details.

A full review for compliance with the SCDOT ARMS manual will be conducted when the SCDOT permit is applied for.

Planning - Matthew Blaszyk - 803-285-6005 **Not Approved**
mblaszyk@lancastersc.net

Review Comments:

- Will the site be phased or will both the carwash and office building/parking lot be built at the same time?
- The required wall located along the drive through is not shown on the plan.
- The distance from the property line to the proposed monument sign needs to be shown on the plan.
- The entrance still does not seem to be centered with the Lowe's entrance across the street.
- Will the parking area with vacuum stalls be gated?

o Parking lot for office building still lacks required landscaping.

- Required bike parking missing on plan. 1 per 10,000 SF of gross floor area, 3 minimum. UDO 7.2.6.
- Please mark the existing well on the site plan.
- Please show the calculations and mark the area for the required 10% open space on the plan. This area cannot include any area within a floodplain or stormwater BMP zone.

Agenda Item Summary

Ordinance # / Resolution #: RZ-2023-0596 Dylan & Tammy Ellis
Contact Person / Sponsor: M. Blaszyk
Department: Planning
Date Requested to be on Agenda: 6/20/2023

Issue for Consideration:
To approve or deny the rezoning request.

Points to Consider:
The parcel is adjacent to the proposed AR zoning district.

The applicant does have a permit to operate from SCDHEC.

The applicant will need to go through the Zoning Department to obtain a permit for the mobile home if the rezoning is approved.

Recommendation:
Staff recommends Approval of the request to rezone 4.77 acres (TM# 0089-00-086.01) from Rural Neighborhood (RN) District to Agricultural Residential (AR) District.

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	6/13/2023	Planning Staff Report
Application	5/9/2023	Exhibit
Ellis Plat	5/9/2023	Exhibit
SCDHEC Septic Permit	6/6/2023	Exhibit
Location Map	6/13/2023	Exhibit

PROPOSAL:	Request to rezone Approx. 4.77 acres
PROPERTY LOCATION:	1993 Beacon Road (TM# 0089-00-086.01)
CURRENT ZONING DISTRICT:	Rural Neighborhood (RN) District
PROPOSED ZONING DISTRICT:	Agricultural Residential (AR) District
APPLICANT:	Dylan & Tammy Ellis
COUNCIL DISTRICT:	District 5, Steve Harper

STATUTORY NOTICES:

Hearing notice published 6/3/2023 in The Lancaster News
Sign posted 6/2/2023
Mailed notices 6/1/2023
Posted agenda in lobby 6/13/2023

OVERVIEW:

Proposal

The applicant has requested to rezone a parcel of 4.77 acres. The intent is to allow placement of a mobile home on the property. A mobile home is permitted with review under the MH Zoning district. The applicant will have to go through the Zoning Department once the rezoning is passed to obtain a permit for the mobile home.

Site Information

The parcel that is proposed to be rezoned is currently zoned as residential but is currently vacant. An approved septic system was recently installed on site.

Summary of Adjacent Zoning and Uses

The properties are surrounded predominantly by RN and AR zoned properties. There is an AR parcel adjoining the subject property to the east.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	RN and AR	Residential; Agricultural
South	Lancaster County	RN	Residential; Agricultural
East	Lancaster County	AR	Residential; Agricultural
West	Lancaster County	RN	Residential; Agricultural

ANALYSIS & FINDINGS:

Zoning Districts
As previously noted, the subject property is currently in the RN District. Pursuant to UDO Chapter 2.3, the RN District *"…is established to protect the residential character of communities and neighborhoods in the rural area at a density of 1.0 dwelling unit per acre. The district is intended to promote rural living, protect farmland, and to maintain the low density residential*."

Requested AR

UDO Chapter 2.3 describes the requested AR District as *"… established as a district in which the principal uses of the land are restricted due to lack of available utilities, unsuitable soil types, steep slopes, or for the protection of prime agricultural lands.*"

Compatibility with Surrounding Area
As noted previously, the subject property is predominately surrounded by the RN and AR Districts. The surrounding uses are primarily residential and agricultural in nature.

RELATIONSHIP TO PUBLIC PLANS

The Future Land Use Category of the subject properties is Rural Living, which corresponds to the Community Type of Rural Living. The adopted Comprehensive Plan states that the Rural Living Community Type "*includes a variety of residential types, from farmhouses, to large acreage rural family dwellings, to ecologically-minded "conservation subdivisions" whose aim is to preserve open landscape, and traditional buildings, often with a mixture of residential and commercial uses that populate crossroads in countryside locations.*" The Comprehensive Plan further establishes several possible land use considerations representing typical development in this category which are depicted in the table below.

The Rural Living Future Land Use Category starts south of Highway 5 and extends to the rest of the County boarding with the City of Lancaster and the Towns of Heath Springs and Kershaw. The Rural Living Future Land Use Category and Rural Living Community Type are intended to be Synonyms.

The requested AR District is consistent with the Rural Living Future Land Use Category and the Comprehensive Plan.

Rural Living: Land Use Considerations		
Cultivated Farmland	Single-Family Detached Home	Convenience Store / Hardware Store / Restaurant
Woodlands / Timber Harvesting	Smaller-lot Single Family and Town Homes	Gas Station
Livestock / Arable	Mobile Home	Church
Natural Area	Barns / Storage	Light Industrial (ancillary to farming)

INFRASTRUCTURE CONSIDERATIONS

Transportation
There are no issues with traffic generated from this request at this time.

Public Utilities

Water is currently serving this site, there is a septic tank that has been permitted by SCDHEC.

Public Schools
There are no capacity concerns for the schools within this area pertaining to this change.

PHOTOS OF PROJECT AREA:



Ariel view of subject property



Facing subject property's easement off Beacon Rd



Looking down easement on property



Site of proposed mobile home

STAFF RECOMMENDATION:

Staff recommends **Approval** of the request to rezone 4.77 acres (TM# 0089-00-086.01) from Rural Neighborhood (RN) District to Agricultural Residential (AR) District, pursuant to the following findings of fact:

1. That the subject project consists of the following parcel: TM# 0089-00-086.01;
2. That the subject property is currently zoned RN District and proposed to be rezoned AR District;
3. That the subject property has a Future Land Use designation of Rural Living, and a Community Type of Rural Living; and
4. That the proposed AR District is generally consistent with the surrounding area which is comprised of RN, and AR Districts.

ATTACHMENTS:

1. Rezoning Application
2. Proposed Minor Subdivision Plat
3. Location Map/ Zoning Map
4. SCDHEC Permit

STAFF CONTACT:

Matthew Blaszyk, Planner
mblaszyk@lancastersc.net | 803-416-9380

Lancaster County
South Carolina

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

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

GENERAL INFORMATION

Property Address 1993 Beacon Rd
City Lancaster State SC Zip 29720 Tax Parcel ID 0089-00-086.01
Current Zoning RN Current Use Vacant
Proposed Zoning AR Total Acres 4.77
Project Description Set up Doublewide on Property for my Permanent Residence, which will not be seen from the highway due to the driveway being 1/3 of a mile long
Surrounding Property Description AR and RN
Within one mile of this property there is a mix of stick built homes, Doublewides and many single wides (26 mobile homes total within one mile)

CONTACT INFORMATION

Applicant Name Dylan Ellis
Address 3080 Major Evans Rd.
City Lancaster State SC Zip 29720 Phone 803-320-4655
Fax _____ Email EllisRentals@me.com
Property Owner Name Dylan Ray Ellis & Tammy Pate Ellis
Address 3080 Major Evans Rd
City Lancaster State SC Zip 29720 Phone 803-320-4655
Fax _____ Email EllisRentals@me.com

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: 3/29/2023

Property Owner(s) — Date: 3/29/2023

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.
- Rezoning Application Fee – single parcel $435.00
- Rezoning Application Fee – multi parcel $610.00

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.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would like to request a special presentation, please notify the County Clerk @ (803) 416-9307 before 5:00pm on the first Monday of the month to make arrangements.

This Plat Represents a Boundary Survey at the Request of Mrs. Delores M. Pate
Being a 10.78 Acre Tract of Delores M. Pate's Land Divided into Three Lots- Lots A, B, & C.
Lots A, B, & C Containing 4.01, 2.00, and 4.77 Acres Respectively
Having Such Shape, Form, Marks, & Boundaries as Shown
Located at 1989 Beacon Road Near the Primus Community
Lancaster County, South Carolina
October 1, 2012

10/1/12

Reference Tax Map 89 Parcel 86.00
Deed Book 219 Page 147
Deed Book Z-5 Page 2265
Plat in Deed Book Z-5 Page 2265
Plat Book 12 Page 44

2012016294
PLAT MEDIUM
RECORDING FEES $10.00
PRESENTED & RECORDED:
12-04-2012 01:07 PM
JOHN LANE
REGISTER OF DEEDS
LANCASTER COUNTY, SC
By: CANDICE PHILLIPS DEPUTY
BK:PLAT 2012
PG:559-559

APPROVED FOR RECORDING
Planning Official Date 12/2/12
This plat must be recorded by the following date: 12/2/13

Location Map n.t.s.

Hwy 903 · S Potter Rd · Beacon Rd · SITE · Bear Crk. · Morris Hudson Rd · Tribal Rd

Plat 99-637

Julia Plyler
Tax Map 89 Parcel 87.00
Plat in Deed Book Z-5 Page 2916
DB C-7 Page 309
DB C-7 Page 311

Charles E. Horne
Tax Map 89 Parcel 88.00
Deed Book H-8 Pages 238 & 239
Plat in Deed Book Z-5 Page 2074

Damon Lynn Mungo
Tax Map 89 Parcel 91.01
Plat 2004-193

Beacon Road

LOT A
4.01 ACRES

LOT B
2.00 ACRES
(Combines with Parcel 85.00)

LOT C
4.77 ACRES

Plat Book 12 Pg 44

existing home · bldgs · storage bldg · drive · car shed · shed · p pole

1-1/4" Pipe (Fd) @ Fce Corner
1" Pipe (Fd)
1/2" Rebar (Set) @ 15.10'
5/8" Rebar (Fd) @ 369.85'
5/8" Rebar (Fd) @ 5.92'
Approx. 1197' to Tribal Road
1197

S79-09-49W 210.53'
S78-49-52W 4.19'
N42-13-45W 104.85'
bldg. over by 1.10
S68°54'33"W 908.51' with or near old fence
N35°50'31"E 297.39'
N68°17'07"E 172.01'
S02°39'46"E 31.74'
N83-21-50E 688.15'
S83°21'50"W 299.00'
S68°17'07"W 165.62'
S02°39'46"E 182.34'
N04°29'02"W 105.36'
N04°17'28"W 30.05'
S83°21'50"W 389.87'
N83°22'01"E 365.17'
S12°03'57"E 105.00'
S12°46'55"E 69.32'
S12°48'55"E 30.18'
S13°14'13"E 30.20'
N68°54'33"E 241.77'
S22°30'03"E 427.83'
N22°30'03W 1072.80' to 5/8" rebar with cap @ fce corner
Beside 30" Longleaf Pine on old fence
S61°20'27"W 40.06'
S68°29'19W 87.55'
S22°30'03"E 1012.81'
1/2" Rebar (Fd)
N68°17'07"E 165.62'
N85°10'51"E
S82°35'01W 81.84'
S89°01'45W 142.07'
S73°47'35W 98.44'
S71°03'50W 91.43'
S78°21'02W 92.89'
S82°12'16"W
N79°08'15W 13.82'
S56°13'28W 75.51'
Metal T-Post (Set) @ 379.27'
Metal T-Post (Set) on old fence
Metal T-Post (Set)
3/4" Threaded Rod (Fd)
At or Near Edge of Swamp
171.43' N69°48'49"W
Line Runs Along or Near Edge of the Swamp (see note)
Iron under Trash Pile
Tammy & Mark Ellis
Tax Map 89 Parcel 85.00
Deed Book 60 Page 269
Deed Book 241 Page 67
Plat 99-637
Plat 98-453
Other Lands of:
Delores M. Pate (In the Reservoir Swamp)
Tax Map 89 Parcel 86.00
Deed Book 219 Page 147
Deed Book Z-5 Page 2265
Plat in Deed Book Z-5 Page 2265

SOUTH CAROLINA
HILLIARD JEFF
LAND SURVEYOR
LLC
No. 3785
CERTIFICATE OF AUTHORIZATION

Numerical Scale
1 Inch = 100 Feet

GRAPHIC SCALE 1"=100'
0 100 200 300

Symbols & Abbreviations

EIP = EXISTING IRON PIN
NIP = NEW IRON PIN
PK = PK NAIL
RR = RAILROAD SPIKE
PP = PINCHED PIPE
Fd = FOUND
IR = IRON
MON = MONUMENT
REBR = REBAR
E = POWER LINE
T= TELEPHONE LINE
-X- = FENCE LINE

Note on Line @ Edge of Swamp:
This Line does not represent a Flood Study of any type or kind.
This Line is simply a random line at what appears to be the edge of Bear Creek Reservoir Swamp & is not a prediction of Flooding.
Contact Lancaster County Building & Zoning for Flood Elevations & Contours.

Note on Pate Land in Swamp:
I Did not Find a Deed Conveying Land in & Around Bear Creek to Lancaster County at or near the time of Bear Creek Reservoir Dam Construction.
Eric Pate tells me that his Father did Receive some Compensation from Lancaster County for flooding near the Creek. Attorney to verify what & if any rights were conveyed with this compensation.

I hereby state that to the best of my knowledge, information, and belief, the survey Shown was made in accordance with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class B survey as specified therein; also there are no visible encroachments or projections other than those shown.

This plat is subject to any Easements, Agreements, Right of ways or Restrictions of record prior to the date of this plat, which were not visible & apparent at the time of the field survey.
Also, owner/buyer must verify highway, road, powerline, & utility, r/w-easement widths, location, & restrictions before working or building near a highway, road, powerline or underground utility.

This Plat does not include a Flood Study of any type or kind. This Plat does not include a Prediction of Flooding.

Jeffrey N. Hilliard S.C. PLS # 21230
N.C. # L-4853

Hilliard, Jeff Land Surveyor LLC
1826 Flint Ridge Road
Heath Springs, S.C. 29058
803-273-3748

FILE: WILLIAMPATE1SCALE

Rick

APPROVAL TO OPERATE

Contractor Self-Inspection

Onsite Wastewater System

dhec

File No.: 2020060014

County: Lancaster

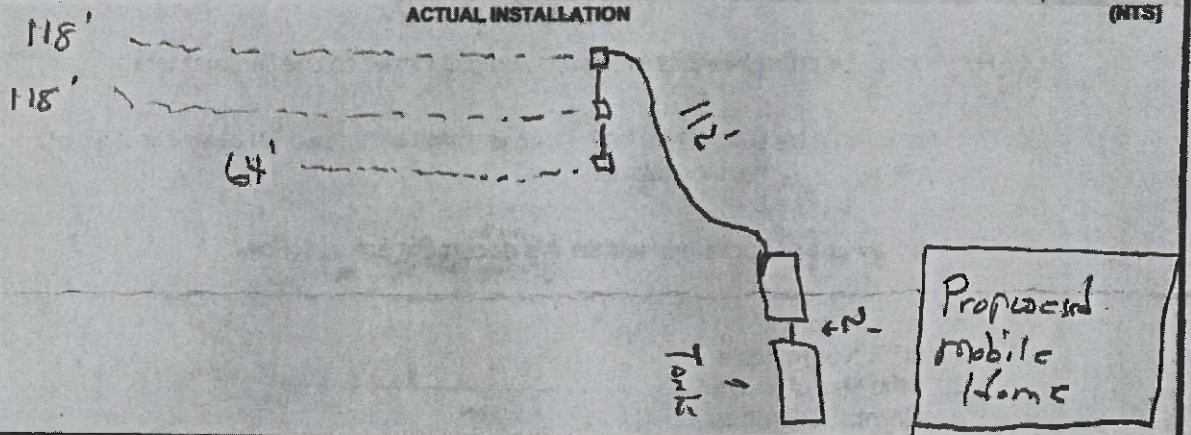
Name: Dylan Ellis | Address: 1993 Beacon Rd. Lancaster, SC | Program Code: 360

Type Facility: Mobile Home | Tax Map:

Subdivision: Beacon Rd. | Site: Same | Water Supply: Public

Block: Lot:

ACTUAL INSTALLATION (NTS)



FINAL INSPECTION

Installer: Randy Hudson

Septic Tank Mfr: J.S Size: 1000 (gal)

Pump Chmbr Mfr: J.S Size: 1000 (gal)

Pump Mfr: Goulds

Pump Model: PE 5im

Grease Trap Mfr: —

Alternative Product: —

Aggregate Type: Quick 4 Inf.

Aggregate Depth (in):

Trench Width (in): 36"

Trench Depth (in): 26"

Fill Cap: ☐ Yes ☒ No Fill Cap Depth (in):

Well Installed: ☐ Yes ☒ No

Well Dist (ft): —

Building Dist (ft): —

Property Dist (ft): 17'

Water Dist (ft):

Elevation Readings

Plumbing Stubout: N A	Septic Tank Inlet: 3-2	Septic Tank Outlet: 3-4½	Pump Chmbr Inlet: 3-6

Line No.

1	5-3	5-4½	5-5	5-6
2	6-2	6-3½	6-4	6-4½
3	7-2	7-3½	7-4	

RECEIVED
OCT 26 2020
By CPhelps

Comments:

Contractor Printed Name: Randy Hudson License No.: 29-367-29039

I hereby certify the system was installed in accordance with the referenced permit and R.61-56.

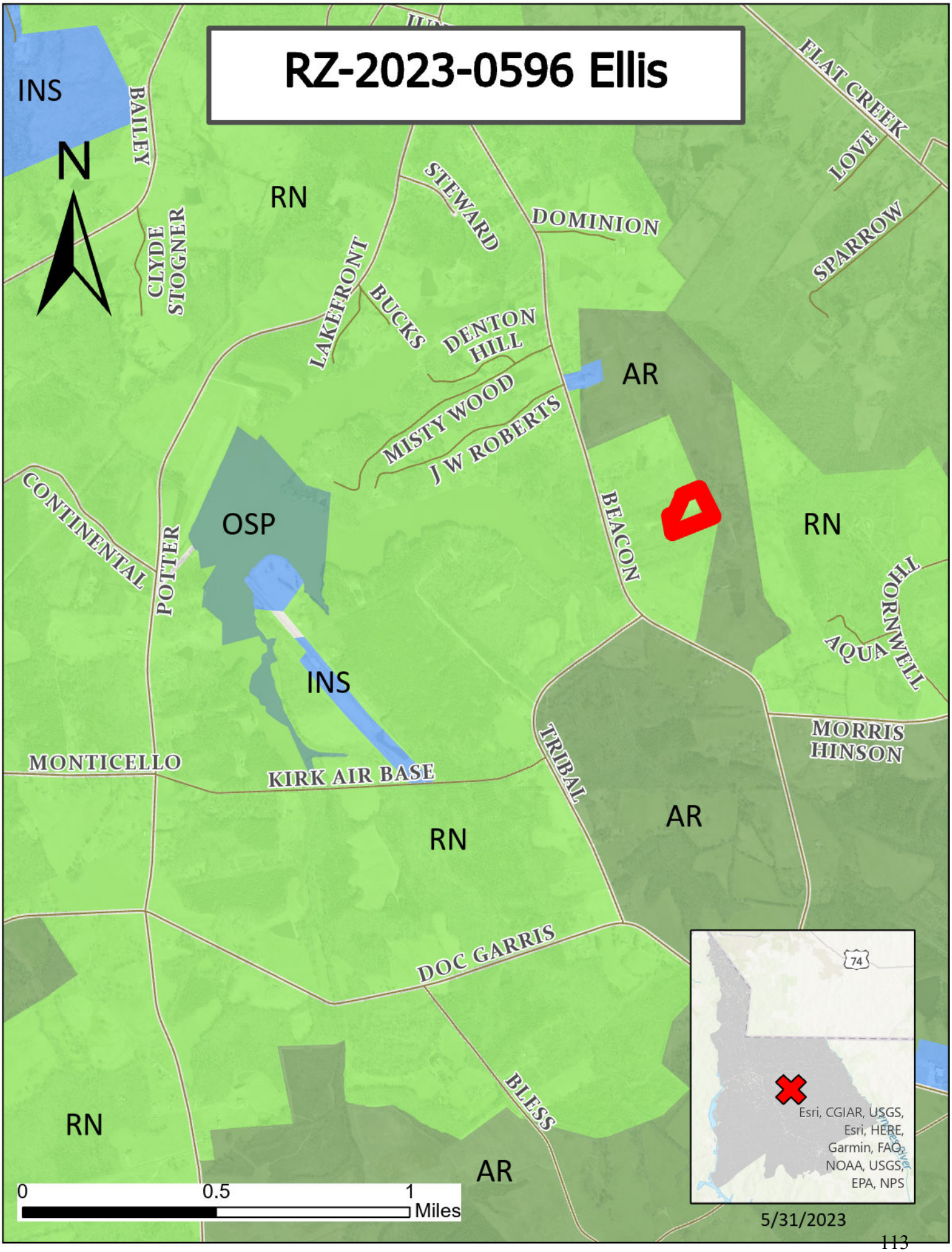
Contractor Signature: Randy H Date: 10-22-20

Office Use Only:

APPROVAL BY DHEC TO OPERATE
(based on the information provided above)

THIS CERTIFICATE MUST BE COMPLETELY FILLED OUT AND SUBMITTED TO THE LOCAL DHEC REGIONAL OFFICE. THE SYSTEM CANNOT BE PLACED INTO OPERATION UNTIL THIS FORM IS APPROVED AND SIGNED BY A DEPARTMENT REPRESENTATIVE.

Cathy Phelps Date: 10-26-2020


RZ-2023-0596 Ellis
INS
N
BAILEY
CLYDE STOGNER
RN
STEWARD
DOMINION
FLAT CREEK
LOVE
SPARROW
LAKEFRONT
BUCKS
DENTON HILL
AR
MISTY WOOD
J W ROBERTS
CONTINENTAL
POTTER
OSP
BEACON
RN
THORNWELL
AQUA
INS
MORRIS HINSON
TRIBAL
MONTICELLO
KIRK AIR BASE
AR
RN
DOC GARRIS
BLESS
RN
AR
0
0.5
1
Miles
74
Esri, CGIAR, USGS, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS
5/31/2023

Agenda Item Summary

Ordinance # / Resolution #: RZ-2023-0629 Teresa Johnson
Contact Person / Sponsor: M. Blaszyk
Department: Planning
Date Requested to be on Agenda: 6/20/2023

Issue for Consideration:
To approve or deny the proposed rezoning.

Points to Consider:
The parcel is adjacent to the proposed MH zoning district.

The applicant does have a permit to operate from SCDHEC.

The applicant will need to go through the Zoning Department to obtain a permit for the mobile home if the rezoning is approved.

Recommendation:
Staff recommends **Approval** of the request to rezone 1.0-acre (TM# 0103F-0F-006.03) from Medium Density Residential (MDR) District to Manufactured Home (MH) District.

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	6/13/2023	Planning Staff Report
Application	5/9/2023	Exhibit
Johnson plat	5/9/2023	Exhibit
Septic Permit	5/9/2023	Exhibit
LCWSD Service letter	5/9/2023	Exhibit
Johnson Deed	6/6/2023	Exhibit
Location Map	6/13/2023	Exhibit

PROPOSAL:	Request to rezone 1.0 acre of property
PROPERTY LOCATION:	Corner of Mackey and Douglas Roads (TM# 0103F-0F-006.03)
CURRENT ZONING DISTRICT:	Medium Density Residential (MDR) District
PROPOSED ZONING DISTRICT:	Manufactured Housing (MH) District
APPLICANT:	Teresa Johnson
COUNCIL DISTRICT:	District 2, Charlene McGriff
STATUTORY NOTICES:	Hearing notice published 6/3/2023 in The Lancaster News Signs posted 6/2/2023 Mailed notices 6/11/2023 Posted agenda in lobby 6/13/2023

OVERVIEW:

Proposal

The applicant has requested to rezone a parcel 1.0 acre in size. The intent is to allow placement of a mobile home on the property. A mobile home is permitted with review under the MH Zoning district. The applicant will have to go through the Zoning Department once the rezoning is passed to obtain a permit for the mobile home.

Site Information

The parcel proposed to be rezoned is currently zoned for residential use but is vacant. This use would continue under the proposed zoning. The applicant provided a recorded plat that confirmed the parcel is one acre and would be a conforming lot if rezoned.

Summary of Adjacent Zoning and Uses

The properties are surrounded predominantly by MH and MDR zoned properties. There is an MH parcel within 80 feet to the west across Mackey Road, and another less than 500 feet to the north.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	MDR; MH	Residential
South	Lancaster County	LDR	Residential, Agricultural
East	Lancaster County	MDR	Residential
West	Lancaster County	MH	Residential (Manufactured Housing)

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject property is currently in the MDR District. Pursuant to UDO Chapter 2.3, the MDR District *"…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."

Requested MH

UDO Chapter 2.3 describes the requested MH District as "… *accommodates manufactured homes in MH parks, subdivisions, and single lot districts*."

Compatibility with Surrounding Area
As noted previously, the subject property is predominately surrounded by the MDR and MH Districts. The surrounding uses are primarily residential in nature.

RELATIONSHIP TO PUBLIC PLANS

The Future Land Use Category of the subject properties is Transitional, which corresponds to the Community Type of Suburban SF/MF Residential & Commercial. The adopted Comprehensive Plan states that the *Suburban SF Residential & Commercial* Community Type "*urban single-family neighborhoods are formed as subdivisions or communities, with a relatively uniform housing type and density throughout. They may support a variety of single-family detached residential types, from mobile homes to large lot, low-density single-family homes to denser formats of smaller single-family homes. Homes are oriented interior to the neighborhood and typically buffered from surrounding development by transitional uses or landscaped areas. Suburban single-family neighborhoods are often found in close proximity to suburban commercial, office, and industrial centers, and help provide the consumers needed to support these centers.*" The Comprehensive Plan further establishes several possible land use considerations representing typical development in this category which are depicted in the table below.

The Future Land Use Category of the subject properties is Transitional, which corresponds to the Community Type of Suburban SF/MF Residential & Commercial. The adopted Comprehensive Plan states that the *Suburban MF Residential & Commercial* Community Type "*Suburban multifamily neighborhoods are generally formed as complexes or communities, with a relatively uniform housing type and density throughout. They support the highest residential density in the suburban landscape and may contain one of the following housing types: condominiums, townhomes, senior housing, or apartments. Suburban multifamily neighborhoods are found in close proximity to suburban commercial, office, and industrial centers, and help provide the consumers needed to support these centers. Buildings are oriented interior to the site and typically buffered from surrounding development by transitional uses or landscaped areas. Large parking lots and low street connectivity are common in suburban multifamily neighborhoods.*" The Comprehensive Plan further establishes several possible land use considerations representing typical development in this category which are depicted in the table below.

The Transitional Future Land Use Category extends in a ring around the City of Lancaster from North Corner Road to the Edgewater Community in the South. The Transitional Future Land Use Category and Suburban SF/MF Residential & Commercial Community Type are intended to be Synonyms.

The requested MH District is consistent with the Future Land Use Category and the Comprehensive Plan.

Suburban Single-Family/Multi-Family Neighborhood: Land Use Considerations		
Mobile	Modular Homes	School
Single-Family Detached Home	Church	Community Park
Single-Family Attached Home (Town Home / Duplex)	Natural Area	Community Center / Pool and Recreational Amenities

INFRASTRUCTURE CONSIDERATIONS

Transportation

There are no issues with traffic generated from this request at this time.

Public Utilities

Water is currently serving this site, there is a septic tank that has been permitted by SCDHEC.

Public Schools

There are no capacity concerns for the schools within this area pertaining to this change.

PHOTOS OF PROJECT AREA:



An ariel view of the subject property



Facing subject parcel off Douglas Rd



Facing subject parcel and Mackey Rd off Douglas Rd



Facing subject parcel and Douglas Rd

STAFF RECOMMENDATION:

Staff recommends **Approval** of the request to rezone 1.0-acre (TM# 0103F-0F-006.03) from Medium Density Residential (MDR) District to Manufactured Home(MH) District, pursuant to the following findings of fact:

1. That the subject project consists of the following parcel: TM# 0103F-0F-006.03.00;
2. That the subject property is currently zoned MDR District and proposed to be rezoned MH District;
3. That the subject property has a Future Land Use designation of Transitional, and a Community Type of Suburban SF/MF Residential & Commercial; and
4. That the proposed MH District is generally consistent with the surrounding area which is comprised of MDR, MH and LDR Districts.

ATTACHMENTS:

1. Rezoning Application
2. Recorded Plat
3. SCDHEC Permit
4. Location Map/ Zoning Map

STAFF CONTACT:

Matthew Blaszyk, Planner
mblaszyk@lancastersc.net | 803-416-9380

Lancaster County
South Carolina

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

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- Deed and survey plat or boundary survey
- Fees associated with review

GENERAL INFORMATION

Property Address TBD (corner of Mackey and Douglas Roads)
City Lancaster State SC Zip 29720 Tax Parcel ID 0103F-0F-006.03
Current Zoning MDR Current Use empty lot
Proposed Zoning MH Total Acres 1.0
Project Description I am wanting to place a double-wide mobile home on the property. This will be my personal residence.

Surrounding Property Description
The other properties on Mackey Road are evenly split between mobile homes and stick built homes.

CONTACT INFORMATION

Applicant Name Teresa Ann Johnson
Address 2390 Mackey Road
City Lancaster State SC Zip 29720 Phone 803-320-7119
Fax 803-286-7123 Email reesasim@yahoo.com
Property Owner Name Teresa Ann Johnson
Address 2390 Mackey Road
City Lancaster State SC Zip 29720 Phone 803-320-7119
Fax 803-286-7123 Email reesasim@yahoo.com

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.

Teresa Ann Johnson — 3/25/2023

Applicant — Date

Teresa Ann Johnson — 3/25/2023

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**

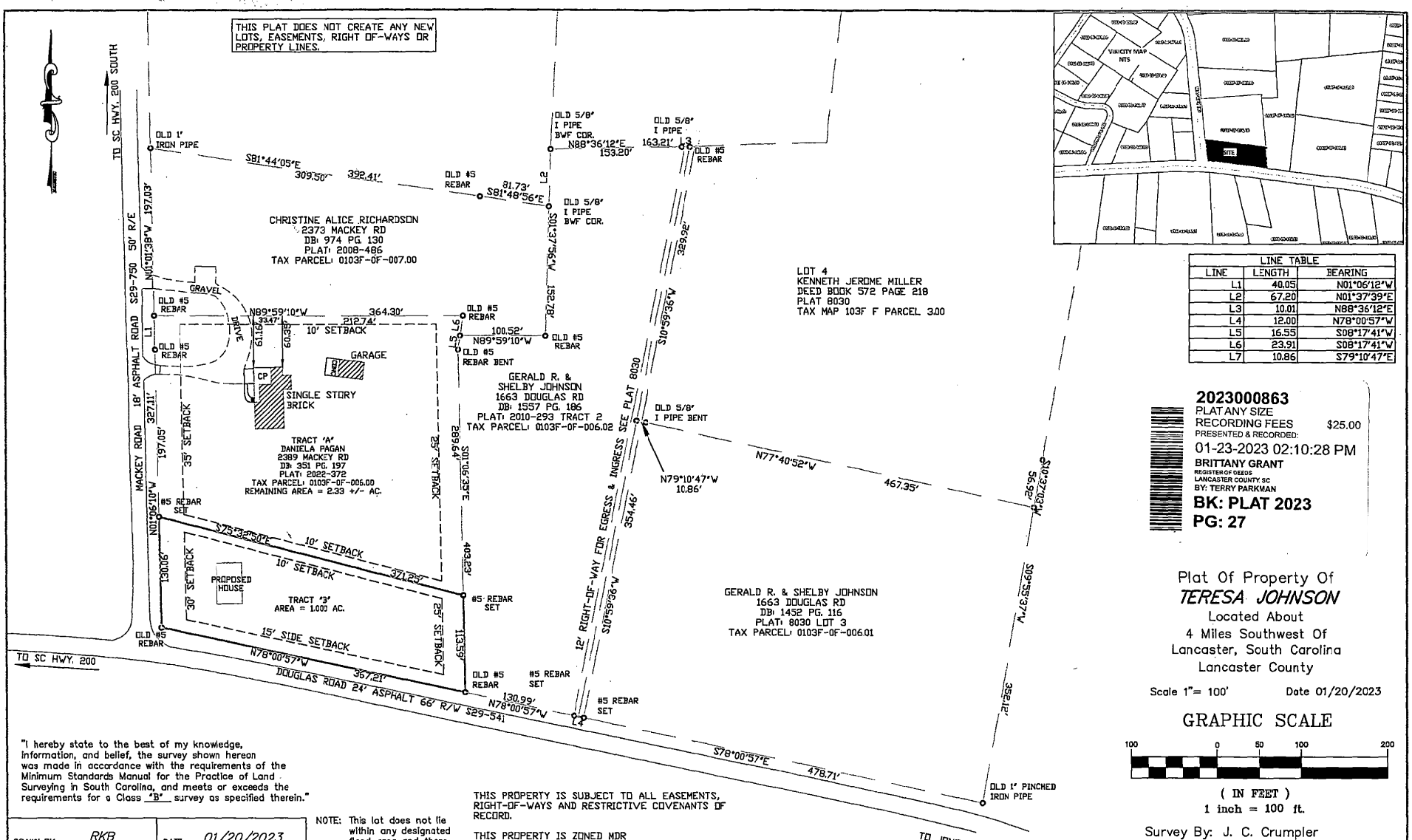
- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel $435.00
- Rezoning Application Fee – multi parcel $610.00

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.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would like to request a special presentation, please notify the County Clerk @ (803) 416-9307 before 5:00pm on the first Monday of the month to make arrangements.



LINE TABLE		
LINE	LENGTH	BEARING
L1	40.05	N01°06'12"W
L2	67.20	N01°37'39"E
L3	10.01	N88°36'12"E
L4	12.00	N78°00'57"W
L5	16.55	S08°17'41"W
L6	23.91	S08°17'41"W
L7	10.86	S79°10'47"E

2023000863
PLAT ANY SIZE
RECORDING FEES $25.00
PRESENTED & RECORDED:
01-23-2023 02:10:28 PM
BRITTANY GRANT
REGISTER OF DEEDS
LANCASTER COUNTY, SC
BY: TERRY PARKMAN
BK: PLAT 2023
PG: 27

Plat Of Property Of
TERESA JOHNSON
Located About
4 Miles Southwest Of
Lancaster, South Carolina
Lancaster County

Scale 1"= 100' Date 01/20/2023

GRAPHIC SCALE

100 0 50 100 200

(IN FEET)
1 inch = 100 ft.

Survey By: J. C. Crumpler
S.C. Reg. No. 6574
207 Chesterfield Avenue
Lancaster, South Carolina

"I hereby state to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class "B" survey as specified therein."

DRAWN BY: RKB	DATE: 01/20/2023
CHECKED BY: JCC	A PORTION OF TAX PARCEL: 0103F-0F-006.00
JOB NO.: 10-05-5	SHEET 1 OF 1

NOTE: This lot does not lie within any designated flood area and there are no encroachments or projections other than as shown on this plat.

THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIVE COVENANTS OF RECORD.

THIS PROPERTY IS ZONED MDR (MEDIAN DENSITY RESIDENTIAL)
FRONT SETBACKS - 30'
SECONDARY FRONT SETBACK - 15'
SIDE SETBACKS - 10'
REAR SETBACK - 25'

dhec

PERMIT TO CONSTRUCT
Onsite Wastewater System

Permit ID: 29-2022-10-0020 v1.0
County: Lancaster

Name: TERESA JOHNSON
Type Facility: Residential
Subdivision:
Block: Lot: Track B

Site: 2389 MACKEY RD, , LANCASTER

Program Code: CONVENTIONAL
System Code: 100
TM #: 103F-0F-006.00
Water Supply: Public Water Source

PERMIT TO CONSTRUCT SYSTEM SPECIFICATIONS

Daily Flow (gpd): 240 **Tank Sizes (gal):** Septic Tank: 1000 Pump Chamber: Grease Trap:
LTAR (g/d/ft²): .3 **Trenches:** Length (ft): 267 Width (in): 36 Max. Depth (in): 28 Agg. Depth (in): 14
Min Pump Capacity: GPM at ft. of Head

SPECIAL INSTRUCTIONS/CONDITIONS

THIS PERMIT IS SITE SPECIFIC. ANY CHANGES TO THE SYSTEM MUST BE APPROVED BY DHEC.ALTERNATIVE TRENCH PRODUCTS APPROVED UNDER STATE RULES AND REGULATIONS MAY BE SUBSTITUTED. ANY UNAPPROVED CHANGES WILL VOID THIS PERMIT.

Installers must contact the local Environmental Affairs office by 10:00 AM the day prior to installation in order to schedule a time for the final inspection. If a Department representative does not arrive withing 30 minutes of the scheduled time, the installer may conduct the final inspection. When a contractor self-inspection occurs, the installer must complete DHEC form 3978, Approval to Operate Contractor Self-Inspection. The installer must submit the DHEC form 3978 within 2 business days of the completion of installation.

- *All applicable setbacks set forth in Regulation 61-56 apply.*
- *Maximum Trench Depth not to exceed 28 inches. Do not install under wet conditions.*
- *Do not install the septic system within 5 feet from the property line. No parking, driving, building, or paving over the area of septic system and the repair area before or after installation. Do not cut, fill, or change the grade of the natural soils in the septic system area.*
- *A pump may be necessary in the repair area.*

PERMIT TO CONSTRUCT SYSTEM DIAGRAM

See System Diagram on page 2 of this document.

Issued/Revised By: Michael Kelley Date: January 24, 2023

DHEC 1781 (01/2014)

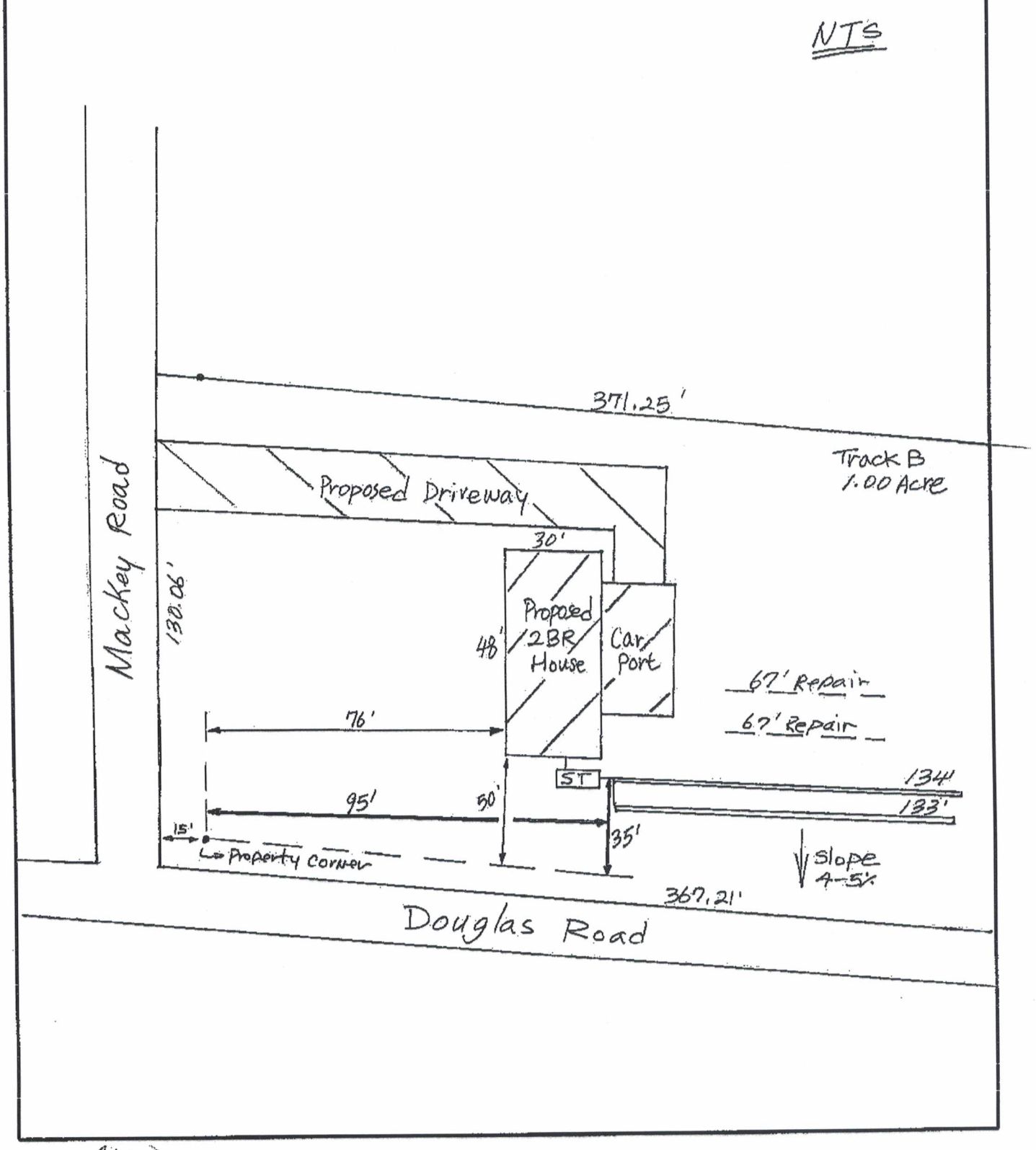
This Permit is Appealable Under the Administrative Procedures Act.
This Permit will Expire and Become Null and Void Five (5) Years from the Issuance Date.
There may be an Additional Fee for Changes in this Permit that Require a Site Reevaluation.

dhec

PERMIT TO CONSTRUCT
Onsite Wastewater System

Applicant: TERESA JOHNSON
Permit ID: 29-2022-10-0020 v1.0
County: Lancaster

PERMIT TO CONSTRUCT SYSTEM DIAGRAM



LCWSD

DATE 2-3-23

This is to verify that Lancaster County Water & Sewer District has water service available provided all local, state, and LCWSD policies are followed and fees are paid in full.

Parcel: 0103F-0F-006.03

Name: Teresa Johnson

If you have any questions concerning this please call our office at 803-285-6919.

Thank you,

Laura Watterson

Lancaster County Water & Sewer District

PREPARED BY TRIMNAL & MYERS, LLC

LANCASTER COUNTY, SC	
2023000889	DEED
RECORDING FEES	$15.00
STATE TAX	$0.00
COUNTY TAX	$0.00
PRESENTED & RECORDED	
01-23-2023	03:35:59 PM
BRITTANY GRANT	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: CANDICE PHILLIPS	
BK:DEED 1629 PG:13-16	

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

TITLE TO REAL ESTATE

CORRECTIVE DEED CORRECTING DEED BOOK 1584 PAGE 142 TO CORRECT LEGAL DESCRIPTION

KNOW ALL MEN BY THESE PRESENTS, THAT **Daniela Pagan** (hereinafter called "Grantors") in the State aforesaid, for and in consideration of the sum of TWELVE THOUSAND AND 00/100 ($12,000.00) Dollars, to him paid by **Teresa Ann Johnson** (hereinafter called "Grantee/s") in the State aforesaid (the receipt whereof is hereby acknowledged), have granted, bargained, sold and released, and by these Presents (do(es) grant, bargain, sell and release, unto the said:

Teresa Ann Johnson, his/their Heirs and/or Assigns Forever:

All that certain piece, parcel or lot of land, lying, being and situate with any and all improvements thereon, shown as Tract B containing 1.00 acres, more or less as shown on plat prepared for Teresa Johnson prepared by J.C. Crumpler dated January 20, 2023 and recorded January 23, 2023 in Book 2023 at Page 27 in the Office of the Register of Deeds for Lancaster County, South Carolina. Plat is craved for a more accurate description as to metes and bounds.

Being a portion of the property conveyed to Daniela Pagan by Deed recorded August 25, 2006 in Deed Book 351 Page 193 in the Register of Deeds Office for Lancaster, SC.

TMS# P/O 0103F-0F-006.00

Grantee's Address: 2390 Mackey Rd. Lancaster, SC 29720

This conveyance is made subject to all existing easements, restrictions, rights of way and/or encroachments.

TOGETHER will all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the said premises before mentioned unto the said **GRANTEE/S**, Their Heirs and/or Assigns forever.

AND the said **GRANTOR/S** do hereby bind themselves and their heirs and/or assigns to warrant and forever defend all and singular the said premises unto the said GRANTEE/S, Their Heirs and/or Assigns, against Themselves and Their Heirs and/or Assigns and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

ADDITIONAL PAGE INTENTIONALLY LEFT BLANK

WITNESS our Hand(s) and Seal(s) this 21st day of January in the year of our Lord 2023.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Witness #1

Daniela Pagan

Witness #2

STATE OF South Carolina)
)
COUNTY OF Lancaster) ACKNOWLEDGEMENT

I, Gerald R. Johnson Jr., Notary Public for the State of SC

do hereby certify that **GRANTOR/S** personally appeared before me this day and acknowledged the due execution of the foregoing deed.

Sworn before me this 21st day of January, 2023

Gerald R. Johnson Jr.
Notary Public for the State of SC
My Commission Expires: 4 / 8 / 2030

File No 25980

STATE OF SOUTH CAROLINA)
COUNTY OF LANCASTER) AFFIDAVIT FOR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

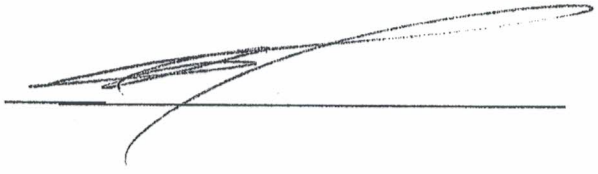
1. I have read the information on the back of this affidavit and I understand such information.

2. The property being transferred is located at Tract B was transferred by Daniela Pagan to Teresa Ann Johnson dated 01/21/2022.

3. The deed is exempt from the deed recording fee because (See information section of affidavit): that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed. Code Section 12-24-30, - see exemption #12 (Code Section 12-24-40(12))

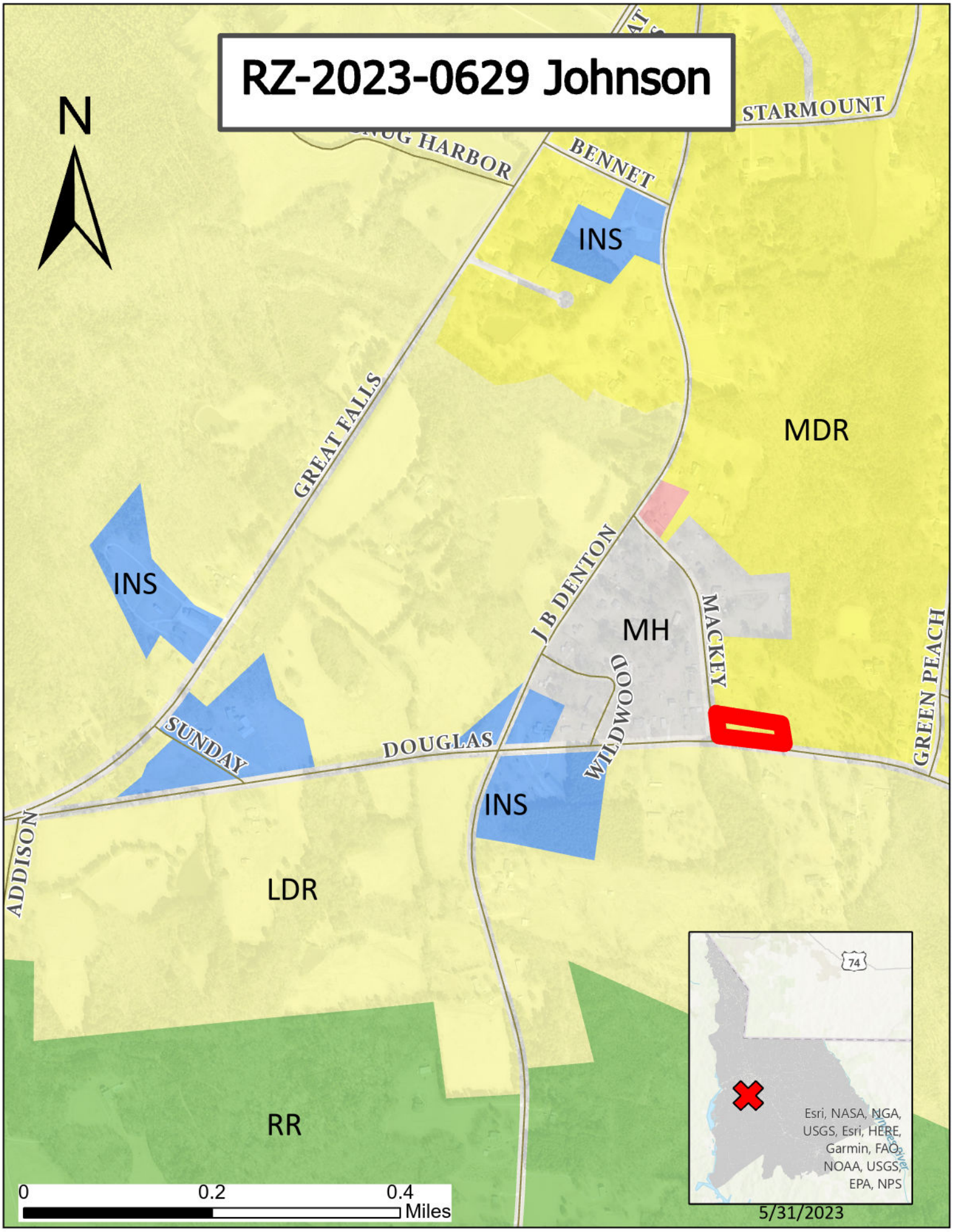
4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Attorney.

5. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.



SWORN to before me this 23
day of Jan 2023

Notary Public for SC
My Commission Expires: 9/25/30


RZ-2023-0629 Johnson
N
STARMOUNT
BENNET
INS
GREAT FALLS
MDR
INS
J B DENTON
MH
MACKEY
GREEN PEACH
WILDWOOD
SUNDAY
DOUGLAS
INS
ADDISON
LDR
RR
0
0.2
0.4
Miles
74
Esri, NASA, NGA, USGS, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS
5/31/2023

Agenda Item Summary

Ordinance # / Resolution #: SD-2023-0161 Edgewater Phase 11
Contact Person / Sponsor: A. Davis
Department: Planning
Date Requested to be on Agenda: 6/20/2023

Issue for Consideration:

Points to Consider:

Recommendation:
Staff recommends **Conditional Approval** of this Major Preliminary Subdivision Plat request subject to the following condition:

1. Resolution of outstanding TRC Preliminary Plat comments within 60 days of this meeting (Planning, Fire, and LCWSD)

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	6/13/2023	Planning Staff Report
Application	5/25/2023	Exhibit
Proposed Plat	5/25/2023	Exhibit
TRC Comments	6/13/2023	Exhibit

PROPOSAL: Application for Preliminary Plat for 47.08 ac (p/o TM #s 0106-00-003.02 and 0106-00-003.00) for the development of 106 single-family lots and 49 townhomes for a total of 155 lots.

PROPERTY LOCATION: at and adjacent to Edgewater Parkway and Gateway Drive (p/o TM #s 0106-00-003.02 and 0106-00-003.00)

CURRENT ZONING DISTRICT: Planned Development District (PDD-2 Edgewater)

APPLICANT: True Homes LLC (Developer)
Lancaster County Forfeited Land Commission (owner)
B &C Landholdings LLC (owner)

COUNTY COUNCIL DISTRICT: District 5, Steve Harper

NOTICE: Published hearing notice The Lancaster News 6/3/2023
Posted signs 6/2/2023
Mailed notices 6/1/2023
Agenda published 6/13/2023 and posted in Lobby

OVERVIEW & BACKGROUND:

Site Information & Existing Condition

This area is currently vacant. Under the original bond configuration this area included 196 homes (146 Detached and 50 townhomes). This preliminary plat proposal includes a reconfiguration of the original plan for this area to address TRC members' concerns regarding access and connectivity. While this area was included in the original bond documents no Preliminary Plat/Development review was done for this area.

Summary of Surrounding Zoning and Uses

Surrounding Property	Jurisdiction	Zoning District	Use
North	Lancaster County	PDD-2	Single-family Development (Edgewater- Phases 2 & 9)
South	Lancaster County	PDD-2	Single-family Residential (Edgewater- The Cottages)
East	Lancaster County	PDD-2	Golf Course (Edgewater)
West	Lancaster County	PDD-2	Single-family Residential (Edgewater- Phases 1B, 5, and 6)

Zoning

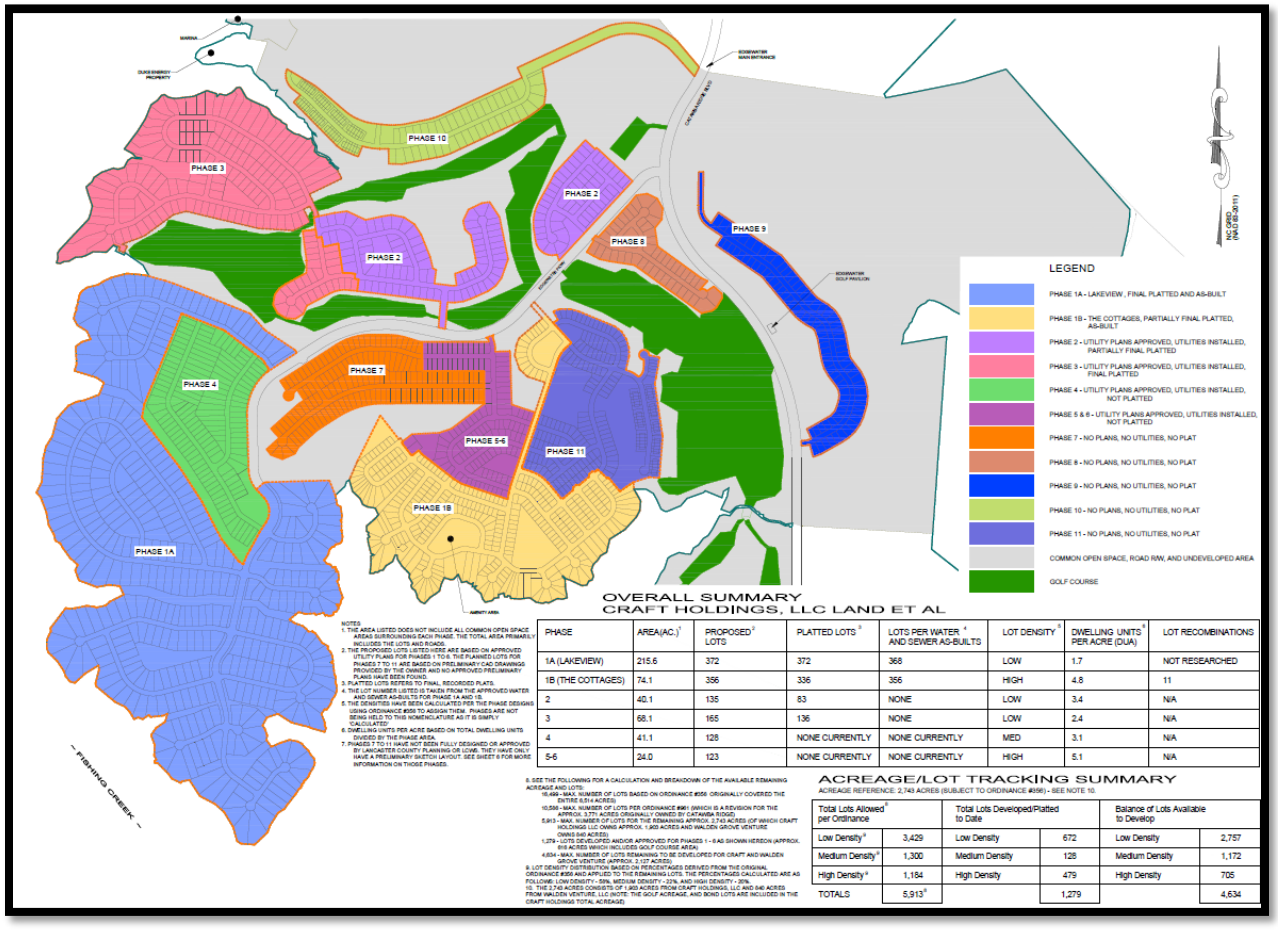
The proposed Preliminary Plat is part of the larger development of the PDD-2 Edgewater development Master Plan.

PDD Legacy District: A PDD is a Planned Development District. The 1998 Edition of the Lancaster County Unified Development Ordinance (UDO) defined the PDD district as a *" … district is designed to accommodate a mixture of compatible residential, office, commercial, or other uses of land which are planned and developed as an integral unit and which, due to such mixture of uses or other aspects of design, could not be located in other districts established in this ordinance without compromising the proposed concept of integrated and flexible development*."

Under the 2016 edition of the Lancaster County UDO, the PDD district was not carried forward as an active district but instead as a Legacy District. This designation allows PDDs to continue to develop under the PDD master plan, relevant development agreements, and under the development standards which were in place at the time of the PDD approval.

This PDD is governed by Ordinances 322, 348, and 356 as well as Lancaster County 1998 Subdivision Standards and Development Ordinance.

ACTIVE DEVLOPMENTS IN THE PROJECT AREA:



OVERALL SUMMARY
CRAFT HOLDINGS, LLC LAND ET AL

PHASE	AREA(AC.)	PROPOSED LOTS	PLATTED LOTS	LOTS PER WATER AND SEWER AS-BUILTS	LOT DENSITY	DWELLING UNITS PER ACRE (DUA)	LOT RECOMBINATIONS
1A (LAKEVIEW)	215.6	372	372	368	LOW	1.7	NOT RESEARCHED
1B (THE COTTAGES)	74.1	356	336	356	HIGH	4.8	11
2	40.1	135	83	NONE	LOW	3.4	N/A
3	68.1	165	136	NONE	LOW	2.4	N/A
4	41.1	128	NONE CURRENTLY	NONE CURRENTLY	MED	3.1	N/A
5-6	24.0	123	NONE CURRENTLY	NONE CURRENTLY	HIGH	5.1	N/A

ACREAGE/LOT TRACKING SUMMARY

Total Lots Allowed per Ordinance		Total Lots Developed/Platted to Date		Balance of Lots Available to Develop	
Low Density	3,429	Low Density	672	Low Density	2,757
Medium Density	1,300	Medium Density	126	Medium Density	1,172
High Density	1,184	High Density	479	High Density	705
TOTALS	5,913		1,279		4,634

DEVELOPMENT SUMMARY (of the Proposed Plat) :

Development Summary	
Site Acreage	47. 08 +/- acres
Proposed Lots	106 single-family & 49 townhomes
Project Overview	PDD mixed residential: Single Family lots and townhomes
Open Space	22 acres proposed (46.72% of area within plat)
Streets	To be privately maintained

Infrastructure
Water and Sewer (LCWSD)*:* The pump station proposed within this section will also serve subsequent phases, as well as the area formerly known as Bridlewood (now known as the Pinery). LCWSD has several outstanding comments to be resolved (see TRC Comments).

Schools (LCSD): The School District has recommended approval of this request.

STAFF RECOMMENDATION:

Staff recommends **Conditional Approval** of this Major Preliminary Subdivision Plat request subject to the following conditions:

1. Resolution of outstanding TRC Preliminary Plat comments within 60 days of this meeting (Planning, Fire, and LCWSD)

ATTACHMENTS:
1. Preliminary Plat Application
2. Location Map/ Zoning Map
3. Preliminary Plat
4. TRC/Evolve Comments

STAFF CONTACT:
Ashley Davis
Senior Planner
adavis@lancastersc.net

Lancaster County
South Carolina

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

MAJOR SUBDIVISION PRELIMINARY PLAT

WHEN TO USE THIS PROCESS:

Use the attached checklist for subdivisions that

- Create 6 or more lots for any type of development; or
- Create new streets or alleys; or
- Increase the number of lots in a major subdivision previously approved by Lancaster County

APPLICATION AND APPROVAL PROCESS

- **Sketch Plan Application:** Complete the Sketch Plan review process prior to submission of a Major Subdivision Preliminary Plat. Sketch Plans are usually a one-sheet conceptual drawing. Refer to the **Sketch Plan Checklist** for additional information.
- **Required Pre-Application Conference:** Please call to schedule a Pre-Application Conference prior to submitting a Preliminary Plat application.The conference will be used to provide an overview of applicable standards and the approval process, as well as additional feedback on your sketch.
- **Traffic Impact Analysis:** Submit a TIA to County and SCDOT for review and Approval. This process is initiated by submitting a scoping request to County and SCDOT for approval prior to TIA preparation. Please note TIAs are reviewed on behalf of the County by consulting traffic engineers. Applicants are responsible for payment of consultant's fees prior to TIA review, based on an estimate prepared by County Engineering staff.

Prepare the Preliminary Plat using the attached checklist (see below) and the current UDO available on our website. Project can be submitted online by creating an account at https://evolvepublic.infovisionsoftware.com/lancaster/?portal=project

SUBMIT THE FOLLOWING ITEMS FOR PLAN REVIEW:

- Application with contact and project information (see p. 2)
- Fees: After submitting documents, you will receive an email with fees due and forms of payment accepted, along with a link to online payment portal. Plans will not be routed for review until payment and hard copies are received (if needed- see below).
- Two (2) paper copies of Preliminary Plat and Supporting Data is required for all submittals over 10 pages.

Plans will be reviewed by County staff and a notice of revision, if required, will be sent to the designated contact person. Prior to the Planning Commission meeting, staff will review the plan with the Technical Review Committee. After Planning Commission approves the plat, you will receive a notification that you can print the stamped digital set from Evolve Project Portal. Upon the approval of a Preliminary Plat, detailed plans for street construction, utility line installations,and similar approvals shall be included in detailed **Civil Construction Plans.**

PROJECT INFORMATION

Project Address/Location: Intersection of Gateway Drive and Serendipity Drive

Tax Map ID/Parcel No.: 0106-00-003.02, 0106-00-003.00

Project Description: Edgewater Phase 11

Applicant Name: True Homes, LLC.

Address: 2649 Brekonridge Centre Drive, Monroe, NC 28110

Phone: 704-560-6217 Email: kfenn@truehomesusa.com

Property Owner Name: B&C Land Holdings, LLC.

Address: 2627 Brekonridge Centre Drive, Monroe, NC 28110

Phone: 704-560-6217 Email: kfenn@truehomesusa.com

Other Project Contacts

Name: Keith Fenn

Address: 2649 Brekonridge Centre Drive, Monroe, NC 28110

Phone: 704-560-6217 Email: kfenn@truehomesusa.com

Name: Vince Keene, PE

Address: 730 Windsor Oak Court, Charlotte, NC 28273

Phone: 704-556-1990 Email: vincek@y-wh.com

Applicant Signature: _____ Date: 5/8/23

Owner Signature: Carrie W. Helms, FLC Chair Date: 04/18/2023

Owner Signature: _____ Date: 4-21-2023

(For additional owners, attach copies of this page with required signatures)

PRELIMINARY PLAT CHECKLIST

The following identifies information required on Preliminary Plat drawings; however, this checklist should not be used as a substitute to reviewing the UDO.

PROJECT INFORMATION

Project Address/Location: Intersection of Gateway Drive and Serendipity Drive

Tax Map ID/Parcel No.: 0106-00-003.02, 0106-00-003.00

Project Description: Edgewater Phase 11

Applicant Name: True Homes, LLC.

Address: 2649 Brekonridge Centre Drive, Monroe, NC 28110

Phone: 704-560-6217 Email: kfenn@truehomesusa.com

Property Owner Name: Lancaster County Forfeited Land Commission

Address: 101 N Main Street, Lancaster, SC 29720

Phone: 803-416-9335 Email:

Other Project Contacts

Name: Keith Fenn

Address: 2649 Brekonridge Centre Drive, Monroe, NC 28110

Phone: 704-560-6217 Email: kfenn@truehomesusa.com

Name: Vince Keene, PE

Address: 730 Windsor Oak Court, Charlotte, NC 28273

Phone: 704-556-1990 Email: vincek@y-wh.com

Applicant Signature: Date: 5/8/03

Owner Signature: Terri W. Helms, FLC Chair Date: 04/18/2023

Owner Signature: Date: 4-21-2023

(For additional owners, attach copies of this page with required signatures)

PRELIMINARY PLAT CHECKLIST

The following identifies information required on Preliminary Plat drawings; however, this checklist should not be used as a substitute to reviewing the UDO.

GENERAL PROJECT INFORMATION:

Please identify the following general information on the site plan drawing either within a notes section or on the plat drawing itself, as appropriate.

1. Proposed name of project.
2. Name, mailing address, email address, and phone number of the owner and/or developer and designer of the site plan.
3. Map scale using appropriate engineer's scale, north arrow, and date.
4. Vicinity map (1" = 1 mile min. scale).
5. Total acreage to be developed.
6. Boundaries of the tract to be developed with all bearings and distances. At least two points of the survey must be tied to SC geodetic control points [See State Plane Coordinate Checklist]
7. Proposed use of all lots to be used. See "zoning considerations" section above. Be sure to designate any lots proposed to be used for uses other than single-family residential.
8. Tax map number.
9. Zoning district classification and, if applicable, overlay zone(s).
10. Land use, zoning district classification, and tax map number of adjacent properties, names of adjacent developments, and owners of adjoining parcels.
11. Total number of lots and layout of all lots, including building setback lines, scaled dimensions, area in square feet, lot numbers (if multiple lots), and utility easements with width and use.
12. Location and dimensions of all proposed buildings including number of stories and total square footage by use.
13. Building setbacks and proposed impervious surface calculation.
14. In case of re-subdivision, submit a copy of existing plat.

EXISTING CONDITIONS:

Please identify the following existing conditions on the plan drawing that may be located on the subject property or adjacent areas.

1. Topography by contours at vertical intervals of not more than five feet. All elevations shall refer to Mean Sea Level Datum (if available).
2. Show location and right-of-way of existing streets, curb cuts, and driveways within 300 feet of the site.
3. Show location and footprint of existing buildings on adjacent parcels.
4. Show location of railroads and utility lines either on or adjacent to the property to be developed. Specify whether utility lines are in easements or rights-of-way and show location of poles/towers.
5. Size and location of existing sewers, water mains, storm drains, culverts or other underground facilities within the street or within the right-of-way of streets or roads

adjoining the tract. Show ditches, swales, and drainage easements adjacent to the proposed project.

6. Location, size, and use of any existing structures on the subject property that will remain on the site
7. Location of city limit lines, if adjacent to subject property.
8. Show location of nearest hydrant. Spacing should be 500 feet single-family residential (this distance is measured in the direction of fire truck travel).
9. The Fire Department will need access to within 150 feet of all points of the building.
10. Location of land subject to flooding and nearest 100-year flood zone and elevation.
11. Location of existing or planned public parks, schools, greenways, trails, or other major public amenity located within ½ mile of the development site.

ENVIRONMENTAL CONSIDERATIONS:

ENVIRONMENTALLY SENSITIVE LANDS

1. Depict any water resources subject to the UDO Chapter 8, Natural Resources Protection, and comply with all requirements laid out in the aforementioned section.
2. Depict any prohibitive/severe steep slope areas (greater than or equal to 3H:1V) and take into accountthe limitations on disturbance when designing the project.
3. Depict stormwater management areas.

TREE RETENTION

1. Identify tree canopy retention areas.
2. Show trees that require protection.

LANDSCAPING

- Show landscaping for required site landscaping areas.

OPEN SPACE

1. Indicate if all or a portion of the site has been designated as an Open Space.
2. Calculate required common open space acreage.
3. Show any trails and greenways on the Lancaster County Carolina Thread Trail Master Plan that developer is required to construct.
4. Show all existing or planned public parks, schools, greenways, existing trails, or other major public amenities within ½ mile of the site, and pedestrian connections provided by the developer to those areas.

INFRASTRUCTURE CONSIDERATIONS:

GRADING, STORMWATER, AND UTILITY SYSTEM

Please identify the following proposed grading, stormwater, and utility system improvements.

1. Preliminary plan for sanitary sewers showing the location of manholes and points of discharge. Indicate direction of flow.
2. Preliminary plan for storm sewer system showing the location of outlets and direction of flow.
3. Preliminary plan of water supply system
4. All proposed easements.
5. Submit written verification to serve from all non-county utility service providers (gas, telephone, cable, and water and sewer district).
6. Proposed major contour changes in areas where substantial cut and/or fill is to be done.

Roads, Bridges, and Public Ways (UDO 6.13, pg. 21)

General design criteria are explained in two primary places in the UDO—Chapter 6 and Appendix C. Please refer to both when designing the community. The below is a brief summary of some of the "big picture" points, but those two sections in the Zoning Ordinance have many other requirements to which you will need to refer.

1. Connectivity is required within the neighborhood, and between the neighborhood and adjacent neighborhoods or other lands. Additionally, a second entrance is required for more than 100 units.
2. Traffic calming measures such as minimum street widths, short block lengths, on-street parking, controlled intersections, and roundabouts should be used per the UDO.
3. Sidewalks are required both internally, and in some cases, externally to the development and must be at least five feet wide.
4. Street trees are required to be planted in accordance with the UDO.
5. See Chapter 6: Subdivision and Infrastructure Standards and Appendix C – Manual of Specifications and Standard Details (MSSD), generally for road specifications, cross sections, and other important information. For example:
    a. Cul-de-sacs should be avoided except as described in the UDO.
    b. Gated communities have additional requirements as laid out in the UDO.
    c. Curb and gutter requirements are applicable in some districts as designated in the UDO.
6. Traffic Impact Analysis, refer to Chapter 6, Subdivision and Infrastructure Standards.

LOT DESIGN

Identify a lot configuration that complies with the following standards.

1. Lot designed to comply with the UDO design requirements
    a. Lots cannot be divided by City limit lines or zoning districts.
    b. Through lots are prohibited.

c. Flag lots are prohibited except where they are necessary to eliminate access onto arterial or collector roadways.

d. Side lot lines must be at right angles to straight street lines and radial to curved sidewalk and street lines.

USE-SPECIFIC STANDARDS

The UDO has standards associated with specific uses in order to minimize negative impacts and/or to help shape the design of a specific use. Design the proposed site plan in compliance with any applicable use-specific standards.

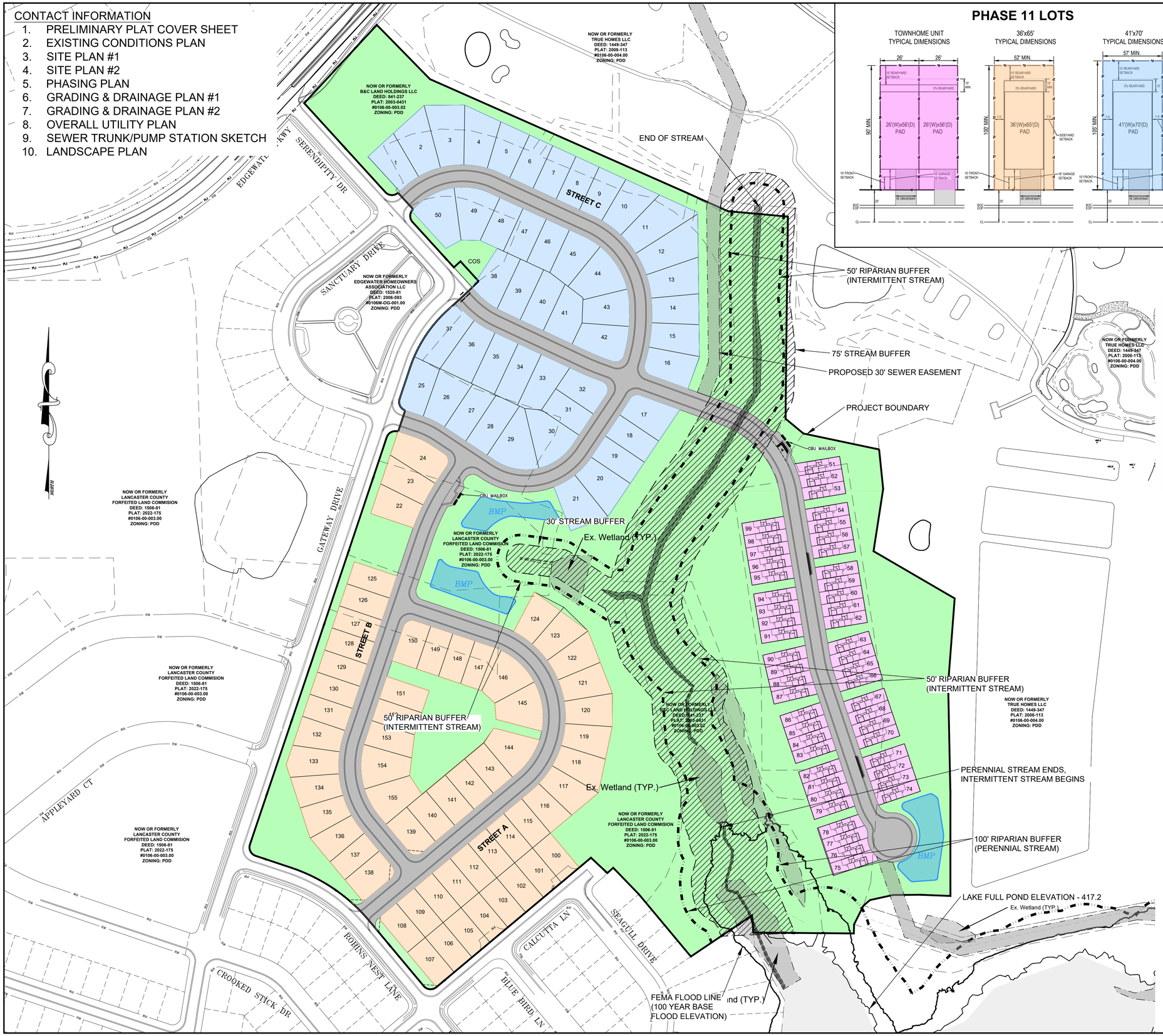
OVERLAY DISTRICTS

If an overlay district exists, be sure to address the applicable standards for it in the site design.

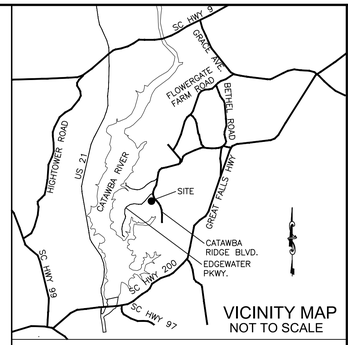
- ☐ **McWhirter Field Aviation Overlay** Please refer to the UDO for allowed uses and associated development criteria.
- ☐ **Carolina Heelsplitter Overlay**
- ☐ **Carolina Thread Trail Overlay**
- ☐ **Highway Corridor Overlay**
- ☐ **Equestrian Oriented Subdivision Overlay**

CONTACT INFORMATION

1. PRELIMINARY PLAT COVER SHEET
2. EXISTING CONDITIONS PLAN
3. SITE PLAN #1
4. SITE PLAN #2
5. PHASING PLAN
6. GRADING & DRAINAGE PLAN #1
7. GRADING & DRAINAGE PLAN #2
8. OVERALL UTILITY PLAN
9. SEWER TRUNK/PUMP STATION SKETCH
10. LANDSCAPE PLAN



PHASE 11 LOTS



VICINITY MAP
NOT TO SCALE

- 52'x100' LOT (36'x65' PAD)
- 57'x105' LOT (41'x70' PAD)
- 26'x95' TOWNHOME LOT (26'x56' PAD)

Project:	EDGEWATER PHASE 11		
Gross Acreage	47.08		
Zoning	PDD		
Parcel ID(s)	0106-00-003.02, 0106-00-003.00		
# of Lots (Total)	155		
Phase:	Pod A	Pod B	Pod C
Lot Type	Detached SF	Townhome	Detached SF
# of Lots	47	49	59
Density	Medium	High	Medium
Pad Dimension's	41'(W) X 70'(D)	26'(W) X 56'(D)	36'(W) X 65'(D)
Min. Lot Size	57'(W) X 105'(D)	26'(W) X 90'(D)	52'(W) x 100'(D)
Min. Lot Area	5,985 sf	2,340 sf	5,200 sf
Front Setback	10'	10'	10'
Garage Setback	16'	16'	16'
Side Setback	7.5'	N/A*	7.5'
Rearyard Setback	15'	15'	15'

* NOTE 20' MINIMUM SEPARATION PROVIDED BETWEEN TOWNHOME END UNITS.

DEVELOPMENT DATA

COMMON OPEN SPACE PROVIDED: 22.00 AC. (46.72%)

THIS SITE IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS INDICATED ON FEMA MAP NUMBERS 45057C0225D AND 45057C0240D BOTH DATED JUNE 16, 2011.

PHASE 11 LOTS PER ORIGINAL BOND ARRANGEMENT: 196 TOTAL
(146 DETACHED SINGLE FAMILY, 50 TOWNHOMES)
PHASE 11 LOTS PROPOSED: 155 TOTAL

GENERAL NOTES:

- 4' SIDEWALK TO BE PROVIDED ON ONE SIDE OF ROADS.
- PROPOSED STREETS ARE TO BE PRIVATE.
- PROPOSED SEWER AND WATER TO BE OWNED, OPERATED, AND MAINTAINED BY LANCASTER COUNTY WATER AND SEWER DISTRICT.
- SETBACKS TO BE TAKEN FORM INSIDE OF EACH LOT LINE

CONTACT INFORMATION

CIVIL ENGINEER
VINCENT G KEENE
YARBROUGH-WILLIAMS & HOULE, INC.
PHYSICAL ADDRESS: 730 WINDSOR OAK COURT
CHARLOTTE, NC 28273
MAILING ADDRESS: P.O. BOX 1198
PINEVILLE, NC 28134
704-556-1990; 704-556-0505(FAX)
VINCEK@Y-WH.COM

DEVELOPER
TRUE HOMES, LLC
2649 BREKONRIDGE CENTRE DR.
MONROE, NC 28210
PHONE: 704-238-1229
CONTACT: KEITH FENN, PE
CONTACT EMAIL: KFENN@TRUEHOMESUSA.COM

PROPERTY OWNER:
LANCASTER COUNTY FORFEITED LAND COMMISION
101 N MAIN STREET
LANCASTER, SC 29720

B&C LAND HOLDINGS LLC
2627 BREKONRIDGE CENTRE DRIVE
MONROE, NC 28110

Edgewater

This map was produced by photogrammetric methods from LiDAR data and aerial photography in accordance with National Map Accuracy Standards for 1"=50' scale mapping with 1' contours as published by the USGS. Planimetric features that lie in areas delineated as "VISUALLY OBSCURED" may not adhere to National Map Accuracy Standards. Unless expressly noted otherwise, lidar generated topographic features are not mitigated in the VISUALLY OBSCURED areas.

Ninety-five (95) percent of all contours on clear unobscured ground will be correct to within one-half (1/2) of the contour interval. The remaining five (5) percent will not exceed error of more than the contour interval.

Dashed-line contours shall have an accuracy with respect to true elevation of one contour interval or one-fourth (1/4) the average height of the ground cover, whichever is greater.

Ninety (90) percent of all spot elevations on clear unobscured ground will be correct to within twenty-five (25) percent of the specified contour interval, and none will be in error by more than fifty (50) percent of that contour interval.

Ninety-five (95) percent of all visible planimetric features shall be within one-fortieth (1/40) of an inch, at map scale, of their correct coordinate positions. No such well defined features shall be in error by more than one-twentieth (1/20) of an inch.

100 0 50 100 200
1 inch = 100 ft.
GRAPHIC SCALE

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SOUTH CAROLINA PROFESSIONAL ENGINEER
No.22649
VINCENT G. KEENE
4/04/23

SOUTH CAROLINA
YARBROUGH-WILLIAMS & HOULE INC.
No.C00332
CERTIFICATE OF AUTHORIZATION

YARBROUGH-WILLIAMS & HOULE, INC.
Planning ○ Surveying ○ Engineering
730 Windsor Oak Court Charlotte, North Carolina, 28273 704.556.1990
Mailing: P.O. Box 1198 Pineville, North Carolina, 28134 704.556.0505(fax)
NC Corporate Registration #C-0475

NO.	DATE	REVISION	BY

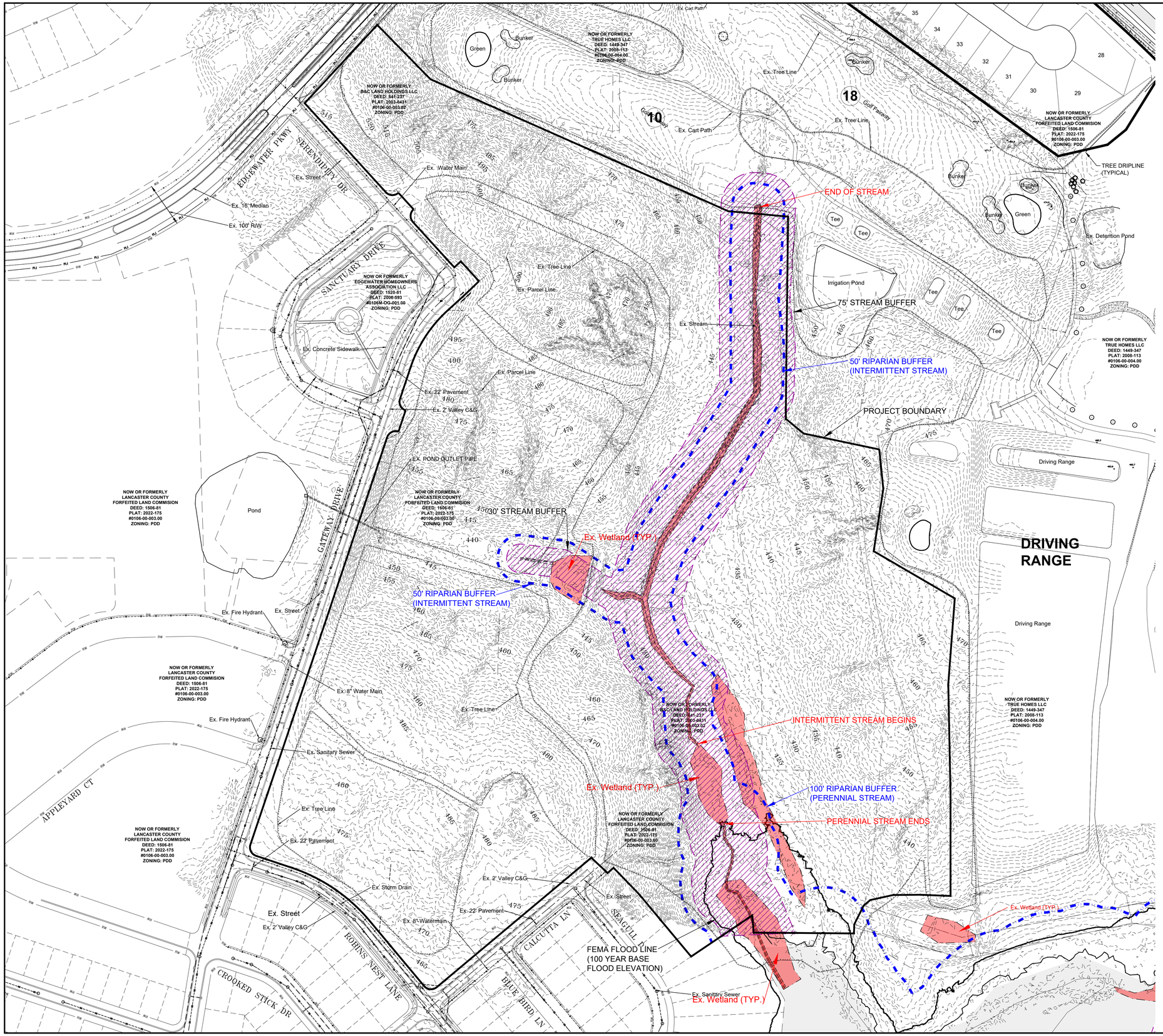
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DATE 4/04/23
DRAWN BY VG
CHECKED BY VGK

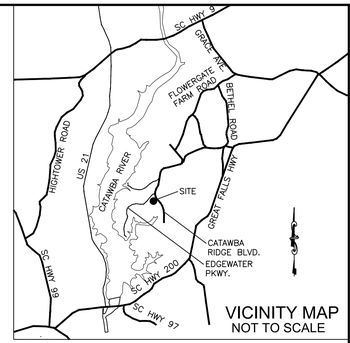
SHEET TITLE
PRELIMINARY PLAT - COVER SHEET

PROJECT
EDGEWATER PHASE 11
CANE CREEK TWSP., LANCASTER CO., SC
TRUE HOMES, LLC.

DRAWING NO.

SHT 1 OF 10 SHTS





VICINITY MAP
NOT TO SCALE

TrueHomes
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SOUTH CAROLINA PROFESSIONAL ENGINEER
No.22649
VINCENT G. KEBNE
4/04/23

SOUTH CAROLINA
YARBROUGH-WILLIAMS & HOULE INC.
No.C00332
CERTIFICATE OF AUTHORIZATION

YARBROUGH-WILLIAMS & HOULE, INC.
Planning ○ Surveying ○ Engineering
Mailing Address: P.O. Box 1199
700 Rea Road, Suite 4 Court, Charlotte, North Carolina, 28273
Pineville, North Carolina, 28134
704.556.1990 704.588.0505(fax)
NC Corporate Registration #C-0475

NO.	DATE	REVISION	BY

PROJECT NO.
SCALE 1" = 100'
DATE 4/04/23
DRAWN BY KTG
CHECKED BY VGK

SHEET TITLE
EXISTING CONDITIONS PLAN

PROJECT
EDGEWATER PHASE 11
CANE CREEK TWSP., LANCASTER CO., SC
TRUE HOMES, LLC

DRAWING NO.

SHT 2 OF 10 SHTS

NOW OR FORMERLY
TRUE HOMES LLC
DEED: 1449-347
PLAT: 2008-113
#0106-00-004.00
ZONING: PDD

NOW OR FORMERLY
B&C LAND HOLDINGS LLC
DEED: 841-237
PLAT: 2003-0431
#0106-00-003.02
ZONING: PDD

NOW OR FORMERLY
EDGEWATER HOMEOWNERS
ASSOCIATION LLC
DEED: 1520-81
PLAT: 2006-593
#0106M-OG-001.00
ZONING: PDD

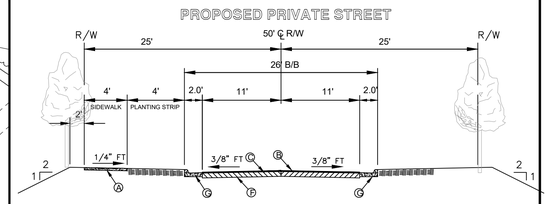
EDGEWATER PKWY
SERENDIPITY DR
SANCTUARY DRIVE
GATEWAY DRIVE
STREET C
EX. PARCEL LINE (TYP.)
10
COS
EX. WET POND
BMP
BMP
PROP. SDE
20' SDE (TYP.)
4' PLANTING STRIP W/ 4' SIDEWALK (TYP.)
CBU MAILBOX
CBU MAILBOX
BMP ACCESS & MAINTENANCE EASEMENT
BMP ACCESS & MAINTENANCE EASEMENT
Ex. Wetland (TYP.)
PROPOSED 30' SEWER EASEMENT
END OF STREAM
50' RIPARIAN BUFFER (INTERMITTENT STREAM)
75' STREAM BUFFER
TREE SAVE
TREE SAVE
PROJECT BOUNDARY
15' REARYARD SETBACK (TYP.)
25'x25' SIGHT TRIANGLE (TYP.)

1 6,957 SF
2 8,759 SF
3 9,728 SF
4 8,170 SF
5 6,602 SF
6 5,985 SF
7 5,985 SF
8 5,985 SF
9 6,375 SF
10 7,598 SF
11 10,080 SF
12 9,845 SF
13 7,508 SF
14 6,519 SF
15 6,852 SF
16 7,373 SF
17 7,294 SF
18 6,509 SF
19 5,985 SF
20 7,546 SF
21 7,749 SF
22 6,417 SF
23 6,784 SF
24 8,074 SF
25 7,252 SF
26 7,516 SF
27 6,782 SF
28 7,256 SF
29 9,180 SF
30 9,031 SF
31 5,757 SF
32 6,485 SF
33 7,358 SF
34 7,125 SF
35 7,125 SF
36 8,337 SF
37 9,186 SF
38 7,441 SF
39 7,021 SF
40 6,850 SF
41 7,072 SF
42 7,816 SF
43 7,068 SF
44 8,551 SF
45 7,155 SF
46 5,985 SF
47 5,985 SF
48 5,985 SF
49 8,451 SF
50 8,782 SF
125 5,200 SF
126 5,200 SF

51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99

1 inch = 60 ft.
GRAPHIC SCALE
NORTH

PROPOSED PRIVATE STREET



PAVEMENT SCHEDULE
- (A) 4" CONCRETE SIDEWALK
- (B) 1-1/2" BITUMINOUS CONCRETE SURFACE COURSE, TYPE 9.5B
- (C) 2-1/2" BITUMINOUS CONCRETE BINDER COURSE, TYPE I19B
- (D) 6" COMPACTED AGGREGATE BASE COURSE
- (E) 2'-0" VALLEY CURB & GUTTER

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SOUTH CAROLINA PROFESSIONAL ENGINEER
No.22649
VINCENT G. KEENE
4/12/23

SOUTH CAROLINA
YARBROUGH-WILLIAMS & HOULE INC.
No.C00332
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Planning ○ Surveying ○ Engineering
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700 Westwood Court, Suite 200, Charlotte, North Carolina, 28273, 704.556.1990
Mailing: P.O. Box 1198, Pineville, North Carolina, 28134, 704.588.0505(fax)

NO.	DATE	REVISION	BY

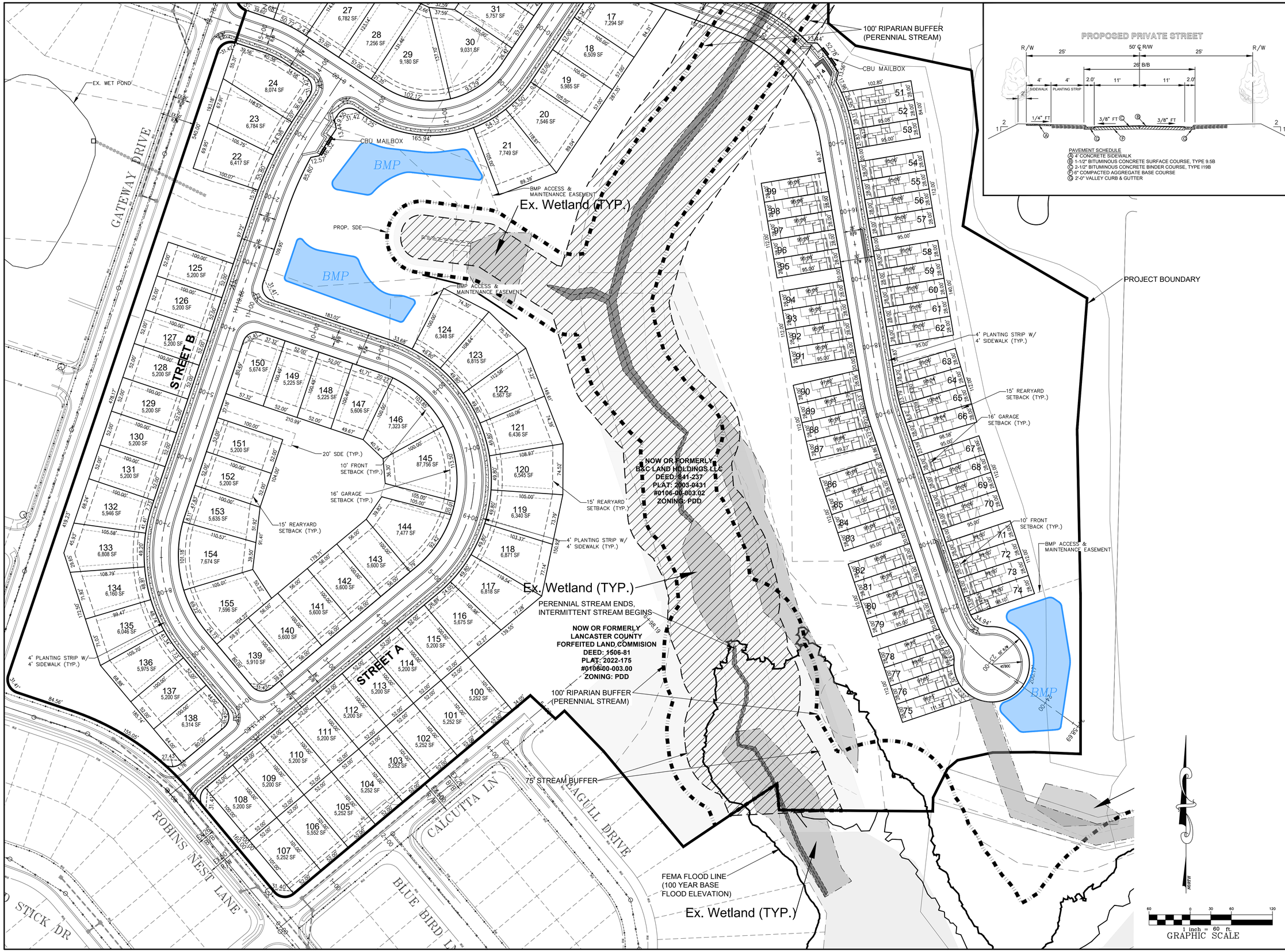
PROJECT NO.
SCALE 1" = 60'
DATE 4/04/23
DRAWING BY KTG
CHECKED BY VGK

SHEET TITLE
SITE PLAN #1

PROJECT
EDGEWATER PHASE 11
CANE CREEK TWSP., LANCASTER CO., SC
CRAFT HOMES USA, LLC

DRAWING NO.

SHT 3 OF 10 SHTS



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SOUTH CAROLINA
PROFESSIONAL ENGINEER
No.22649
VINCENT G. KERNE
4/04/23

SOUTH CAROLINA
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No.C00332
CERTIFICATE OF AUTHORIZATION

YARBROUGH-WILLIAMS & HOULE, INC.
Planning ○ Surveying ○ Engineering
Mailing: P.O. Box 1198 Pineville, North Carolina, 28134
Physical: 700 Westinghouse Blvd. Suite 100 Charlotte, North Carolina, 28273 704.588.0505(fax)
NC Corporate Registration #C-0475

NO.	DATE	REVISION	BY

PROJECT NO.
SCALE 1" = 60'
DATE 4/04/23
DRAWN BY KTG
CHECKED BY VGK

SHEET TITLE
SITE PLAN #2

PROJECT
EDGEWATER PHASE 11
CANE CREEK TWSP., LANCASTER CO., SC
TRUE HOMES, LLC.

DRAWING NO.

SHT 4 OF 10 SHTS

PHASE	MED. DEN. 52' SF	MED. DEN. 57' SF	26' TOWN-HOMES	TOTAL
PHASE A	0	15	49	64
PHASE B	0	35	0	35
PHASE C	56	0	0	56

PHASE B

PHASE B

PHASE A

PHASE C

STREET C

STREET B

STREET A

SANCTUARY DRIVE

GATEWAY DRIVE

EDGEWATER PKWY

SERENDIPITY DR

APPLEYARD CT

ROBINS NEST LANE

CROOKED STICK DR

CALCUTTA LN

BLUE BIRD LN

SEAGULL DRIVE

COS

BMP

CBU MAILBOX

END OF STREAM

50' RIPARIAN BUFFER (INTERMITTENT STREAM)

75' STREAM BUFFER

30' STREAM BUFFER

PROPOSED 30' SEWER EASEMENT

PROJECT BOUNDARY

PERENNIAL STREAM ENDS, INTERMITTENT STREAM BEGINS

100' RIPARIAN BUFFER (PERENNIAL STREAM)

LAKE FULL POND ELEVATION - 417.2

FEMA FLOOD LINE (100 YEAR BASE FLOOD ELEVATION)

NOW OR FORMERLY
B&C LAND HOLDINGS LLC
DEED: 841-237
PLAT: 2003-0431
#0106-00-003.02
ZONING: PDD

NOW OR FORMERLY
TRUE HOMES LLC
DEED: 1449-347
PLAT: 2008-113
#0106-00-004.00
ZONING: PDD

NOW OR FORMERLY
EDGEWATER HOMEOWNERS ASSOCIATION LLC
DEED: 1520-81
PLAT: 2006-593
#0106M-OG-001.00
ZONING: PDD

NOW OR FORMERLY
LANCASTER COUNTY
FORFEITED LAND COMMISION
DEED: 1506-81
PLAT: 2022-175
#0106-00-003.00
ZONING: PDD

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FORFEITED LAND COMMISION
DEED: 1506-81
PLAT: 2022-175
#0106-00-003.00
ZONING: PDD

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PLAT: 2003-0431
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ZONING: PDD

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DEED: 1449-347
PLAT: 2008-113
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ZONING: PDD

NOW OR FORMERLY
LANCASTER COUNTY
FORFEITED LAND COMMISION
DEED: 1506-81
PLAT: 2022-175
#0106-00-003.00
ZONING: PDD

NOW OR FORMERLY
TRUE HOMES LLC
DEED: 1449-347
PLAT: 2008-113
#0106-00-004.00
ZONING: PDD

NOW OR FORMERLY
LANCASTER COUNTY
FORFEITED LAND COMMISION
DEED: 1506-81
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NOW OR FORMERLY
B&C LAND HOLDINGS LLC
DEED: 841-237
PLAT: 2003-0431
#0106-00-003.02
ZONING: PDD

NOW OR FORMERLY
TRUE HOMES LLC
DEED: 1449-347
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NOW OR FORMERLY
LANCASTER COUNTY
FORFEITED LAND COMMISION
DEED: 1506-81
PLAT: 2022-175
#0106-00-003.00
ZONING: PDD

NORTH

100 0 50 100 200
1 inch = 100 ft.
GRAPHIC SCALE

TrueHomes
IT'S ALL ABOUT U

SOUTH CAROLINA PROFESSIONAL ENGINEER
No.22649
VINCENT G. KERNE
4/04/23

SOUTH CAROLINA
YARBROUGH-WILLIAMS & HOULE INC.
No.C00332
CERTIFICATE OF AUTHORIZATION

YARBROUGH-WILLIAMS & HOULE, INC.
Planning ○ Surveying ○ Engineering
Mailing: P.O. Box 1198
Physical: 700 Westinghouse Court
Charlotte, North Carolina, 28273 704.556.1990
Pineville, North Carolina, 28134 704.588.0505(fax)
NC Corporate Registration #C-0475

NO.	DATE	REVISION	BY

PROJECT NO.

SCALE 1" = 100'

DATE 4/04/23

DRAWN BY VG

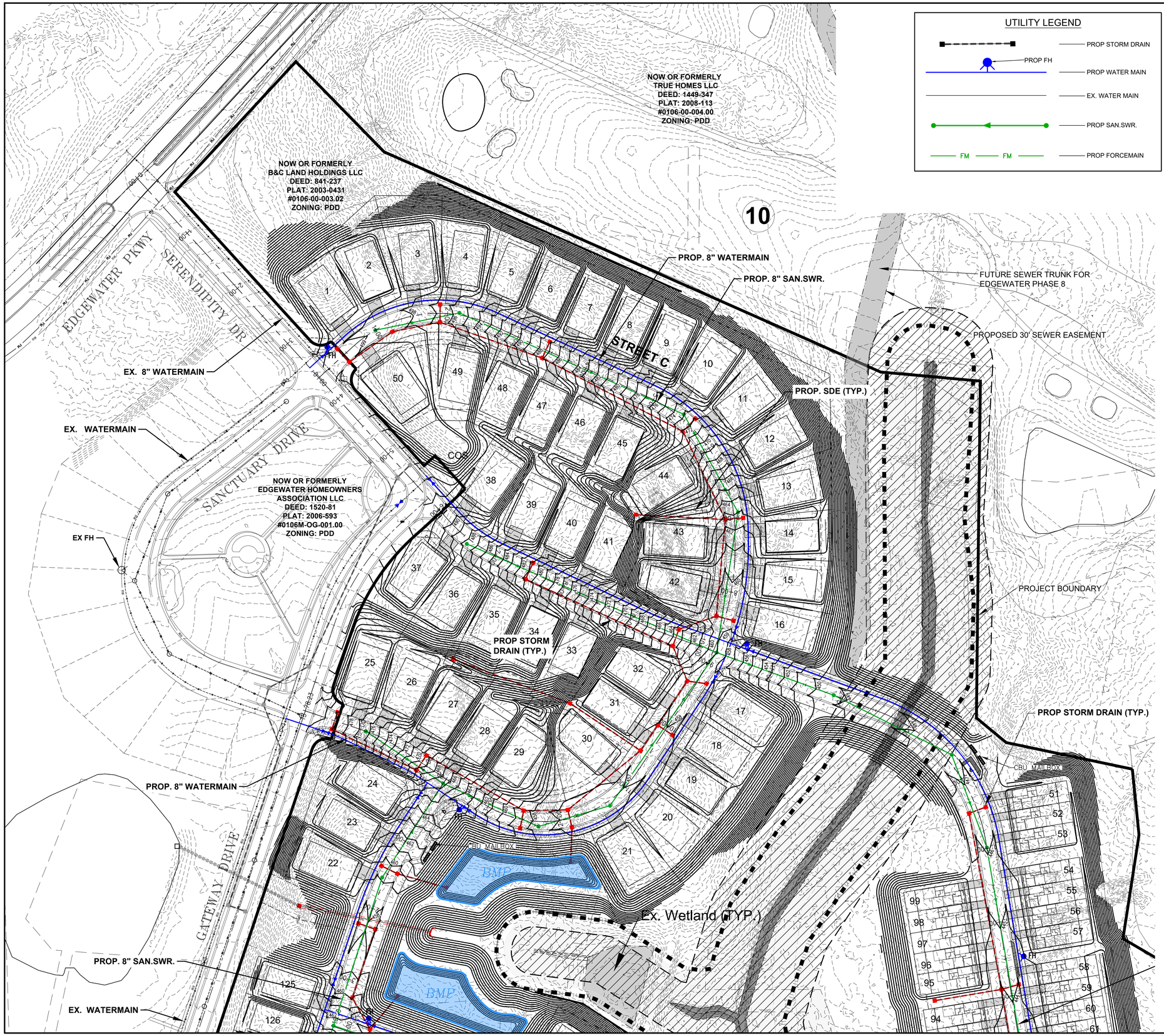
CHECKED BY VGK

SHEET TITLE
PHASING PLAN

PROJECT
EDGEWATER PHASE 11
CANE CREEK TWSP., LANCASTER CO., SC
TRUE HOMES, LLC.

DRAWING NO.

SHT 5 OF 10 SHTS



148

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SOUTH CAROLINA PROFESSIONAL ENGINEER
No.22649
VINCENT G. KEENE
4/04/23

SOUTH CAROLINA
YARBROUGH-WILLIAMS & HOULE INC.
No.C00332
CERTIFICATE OF AUTHORIZATION

YARBROUGH-WILLIAMS & HOULE, INC.
Planning ○ Surveying ○ Engineering
NC Corporate Registration #C-0475
Raleigh Office: 5440 Page Road, Suite 100, Durham, North Carolina, 27703, 919.361.2449
Charlotte Office: 720 Hembree Park Court, Suite 100, Charlotte, North Carolina, 28273, 704.556.1990
Pineville Office: 11121 Carmel Commons Blvd., Suite 305, Pineville, North Carolina, 28134, 704.553.0505(fax)

NO.	DATE	REVISION	BY

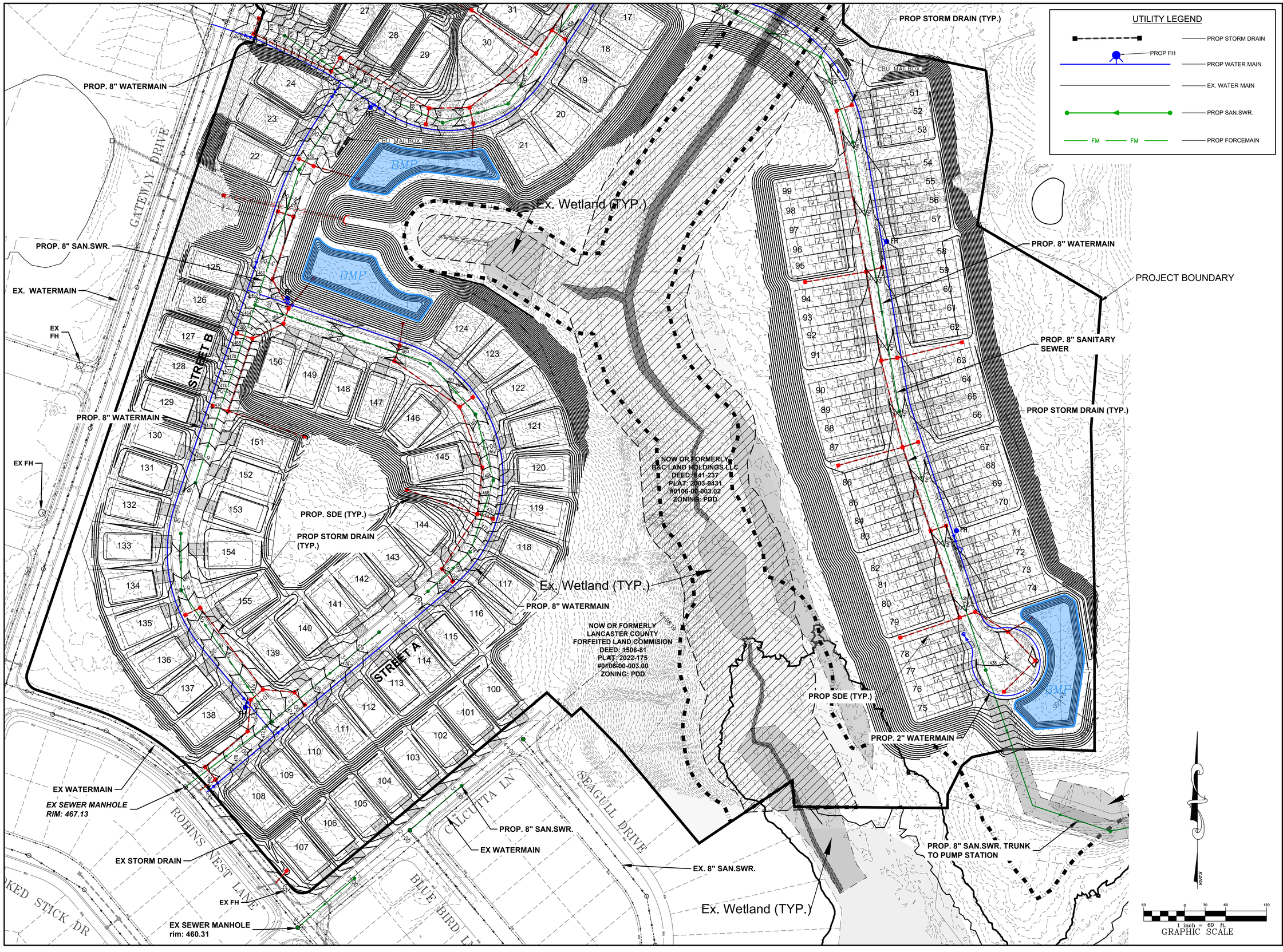
PROJECT NO.
SCALE 1" = 60'
DATE 4/12/23
DRAWING BY CG
CHECKED BY VGK

SHEET TITLE
GRADING AND DRAINAGE PLAN #1

PROJECT
EDGEWATER PHASE 11
CANE CREEK TWSP., LANCASTER CO., SC
TRUE HOMES, LLC

DRAWING NO.

SHT 6 OF 10 SHTS



TrueHomes
IT'S ALL ABOUT U

SOUTH CAROLINA PROFESSIONAL ENGINEER No.22649 VINCENT G. KEENE
4/04/23

SOUTH CAROLINA LICENSED CERTIFICATE OF AUTHORIZATION YARBROUGH-WILLIAMS & HOULE INC. No.C00332

YARBROUGH-WILLIAMS & HOULE, INC.
Planning ○ Surveying ○ Engineering
NC Corporate Registration #C-0475
709 Westwood Court, Charlotte, North Carolina, 28273 704.556.1990
P.O. Box 1198, Pineville, North Carolina, 28134 704.550.0505(fax)

NO.	DATE	REVISION	BY

PROJECT NO.
SCALE 1" = 60'
DATE 4/12/23
DRAWN BY KTG
CHECKED BY VGK

SHEET TITLE
GRADING AND DRAINAGE PLAN #2

PROJECT
EDGEWATER PHASE 11
CANE CREEK TWSP., LANCASTER CO., SC
TRUE HOMES, LLC

DRAWING NO.

SHT 7 OF 10 SHTS

PROPOSED 8" SANITARY SEWER (TYPICAL)

PROPOSED 30' PERMANENT SANITARY SEWER EASEMENT

PROPOSED 8" WATERMAIN (TYPICAL)

EX 12" WATERMAIN

PROPOSED FIRE HYDRANT(TYPICAL)

PROPOSED 8" SANITARY SEWER (TYPICAL)

PROPOSED 8" WATERMAIN (TYPICAL)

PROPOSED 8" WATERMAIN (TYPICAL)

PROPOSED 8" SANITARY SEWER (TYPICAL)

EX 8" WATERMAIN

EX8" SANITARY SEWER

PROPOSED 8" WATERMAIN (TYPICAL)

PROPOSED 8" SANITARY SEWER (TYPICAL)

EX 8" WATERMAIN

EX8" SANITARY SEWER

EX 8" WATERMAIN

PROPOSED 2"WATERMAIN (TYPICAL)

PROPOSED 30' PERMANENT SANITARY SEWER EASEMENT

PROPOSED 8" SANITARY SEWER (TYPICAL)

PROPOSED 6" FORCE MAIN

PROPOSED 12" WATERMAIN (TYPICAL)

PROPOSED LCWSD PUMP STATION

NOW OR FORMERLY B&C LAND HOLDINGS LLC DEED: 841-237 PLAT: 2003-0431 #0106-00-003.02 ZONING: PDD

NOW OR FORMERLY EDGEWATER HOMEOWNERS ASSOCIATION LLC DEED: 1520-81 PLAT: 2006-093 #0106M-OG-001.00 ZONING: PDD

NOW OR FORMERLY LANCASTER COUNTY FORFEITED LAND COMMISION DEED: 1506-81 PLAT: 2022-175 #0106-00-003.00 ZONING: PDD

NOW OR FORMERLY TRUE HOMES LLC DEED: 1449-347 PLAT: 2008-113 #0106-00-004.00 ZONING: PDD

DEED: 1449-347 PLAT: 2008-113 #0106-00-004.00 ZONING: PDD

NOW OR FORMERLY LANCASTER COUNTY FORFEITED LAND COMMISION DEED: 1506-81 PLAT: 2022-175 #0106-00-003.00 ZONING: PDD

NOW OR FORMERLY B&C LAND HOLDINGS LLC DEED: 841-237 PLAT: 2003-0431 #0106-00-003.02 ZONING: PDD

NOW OR FORMERLY TRUE HOMES LLC DEED: 1449-347 PLAT: 2008-113 #0106-00-004.00 ZONING: PDD

EDGEWATER PKWY

SERENDIPITY DR

SANCTUARY DRIVE

GATEWAY DRIVE

STREET A

STREET B

STREET C

CROOKED STICK DR

ROBINS NEST LANE

CALCUTTA LANE

BLUE BIRD LN

SEAGULL AVE

CBU MAILBOX

BMP

Ex. Wetland (TYP.)

DRIVING RANGE

PUTTING GREEN

18

10

9

1

COS

150

TrueHomes
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SOUTH CAROLINA PROFESSIONAL ENGINEER No.22649 VINCENT G. KERNE 4/12/23

SOUTH CAROLINA YARBROUGH-WILLIAMS & HOULE INC. No.C00332 CERTIFICATE OF AUTHORIZATION

YARBROUGH-WILLIAMS & HOULE, INC.
Planning ○ Surveying ○ Engineering
(Primary)
700 Woodlawn Rd. Suite 108
Charlotte, North Carolina, 28273 704.556.1990
(Secondary)
P.O. Box 1198
Pineville, North Carolina, 28134 704.556.0505(fax)
NC Corporate Registration #C-0475

NO.	DATE	REVISION	BY

PROJECT NO.
SCALE 1" = 100'
DATE 4/12/23
DRAWN BY KTG
CHECKED BY VGK

SHEET TITLE
OVERALL UTILITY PLAN

PROJECT
EDGEWATER PHASE 11
CANE CREEK TWSP., LANCASTER CO., SC
TRUE HOMES, LLC

DRAWING NO.

SHT 8 OF 10 SHTS

NORTH

100 0 50 100 200

1 inch = 100 ft.

GRAPHIC SCALE

NOW OR FORMERLY
LANCASTER COUNTY
FORFEITED LAND COMMISION
DEED: 1506-81
PLAT: 2022-175
#0106-00-003.00
ZONING: PDD

MATCHLINE

FUTURE EDGEWATER
GOLF CLUBHOUSE

NOW OR FORMERLY
TRUE HOMES LLC
DEED: 1449-347
PLAT: 2008-113
#0106-00-004.00
ZONING: PDD

PUTTING
GREEN

T TRIANGLE

PROPOSED STREET
TREE (TYPICAL)

DRIVING
RANGE

CATAWBA RIDGE BLVD.

10' MINIMUM SEPARATION
BETWEEN SEWER/WATER
AND STREET TREES (TYPICAL)

PROP. 6" FORCEMAIN

EX. GOLF COURSE

PROP. 12" WATERMAIN

PROP PHASE 11

WETLANDS

PROPOSED SEWER TRUNK LINE

PROPOSED 30' SEWER EASEMENT

EX. FLOOD PLAIN

Ex. Wetland (TYP.)

FUTURE EDGEWATER
PHASE 9B

PROPOSED PUMP STATION

EXISTING LCWSD PUMP
STATION

TIE TO EX. FORCEMAIN

FUTURE EDGEWATER
PINERY

EX. 12" WATERMAIN

NOW OR FORMERLY
CRAFT HOLDINGS LLC
DEED: 406-23
PLAT: 2003-0431
#0106-00-003.02
ZONING: PDD

EDGEWATER PKWY

EX. FORCEMAIN

NOW OR FORMERLY
CRAFT HOLDINGS LLC
DEED: 406-23
PLAT: 2003-0431
#0106-00-003.02
ZONING: PDD

PROP. 6" FORCEMAIN

NOW OR FORMERLY
TRUE HOMES LLC
DEED: 1449-347
PLAT: 2008-113
#0106-00-004.00
ZONING: PDD

FUTURE EDGEWATER
PHASE 8

CATAWBA RIDGE BLVD.

FUTURE EDGEWATER
PHASE 9A

NOW OR FORMERLY
LANCASTER COUNTY
FORFEITED LAND COMMISION
DEED: 1506-81
PLAT: 2022-175
#0106-00-003.00
ZONING: PDD

MATCHLINE

TrueHomes
IT'S ALL ABOUT U

SOUTH CAROLINA
PROFESSIONAL ENGINEER
No.22649
VINCENT G. KERNE
4/12/23

SOUTH CAROLINA
YARBROUGH-WILLIAMS & HOULE INC.
No.C003332
CERTIFICATE OF AUTHORIZATION

YARBROUGH-WILLIAMS & HOULE, INC.
Planning ○ Surveying ○ Engineering
(formerly)
700 Westinghouse Court
Charlotte, North Carolina. 28273
704.556.1990

P. Owen
P.O. Box 1198
Pineville, North Carolina. 28134
704.588.0505(fax)

NC Corporate
Registration #C-0475

NO.	DATE	REVISION	BY

PROJECT NO.

SCALE 1" = 100'

DATE 4/12/23

DRAWN BY KTG

CHECKED BY VGK

SHEET TITLE
SEWER TRUNK/PUMP STATION SKETCH

PROJECT
EDGEWATER PHASE 11
CANE CREEK TWSP., LANCASTER CO., SC
TRUE HOMES, LLC.

DRAWING NO.

SHT 9 OF 10 SHTS



PLANT SPECIFICATIONS:

A. PLANT MATERIALS SHALL COMPLY WITH THE RECOMMENDATIONS AND REQUIREMENTS OF ANSI Z60.1 1990 "AMERICAN STANDARD FOR NURSERY STOCK". ALL TREES MUST BE UNIFORM IN SIZE AND SHAPE WITH THE MINIMUM REQUIRED ROOT BALL SIZE RELATIVE TO CALIPER FOR BALLED AND BURLAPPED PLANTS.

B. THE VENDOR WILL PROVIDE HEALTHY, VIGOROUS STOCK GROWN UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PLANTING PROJECT. NURSERY STOCK SHALL BE FREE OF DISEASE, INSECTS, EGGS, LARVAE, INJURY, AND DEFECTS SUCH AS ABRASIONS OR DISFIGUREMENT. PLANTS SHIPPED FROM HARDINESS ZONES MORE THAN 2 ZONES AWAY SHALL BE APPROVED BY BUYER PRIOR TO SHIPMENT.

C. THE BUYER RESERVES THE RIGHT TO INSPECT ALL TREES AT PLACE OF GROWTH OR POINTE OF PURCHASE FOR COMPLIANCE WITH REQUIREMENTS FOR NAME, SIZE, QUALITY AND QUANTITY. A MINIMUM OF 72 HOURS SHALL BE GIVEN FOR THE SCHEDULING OF THIS INSPECTION OF PROPOSED NURSERY STOCK.

D. ALL TREES SHALL BE DELIVERED FROM THE GROWING SITE TO THE PLANTING SITE IN CLOSED OR COVERED TRUCK. PLANTS SHALL BE PROTECTED AT ALL TIMES FROM SUN OR DRYING WINDS.

E. THE VENDOR SHALL MAINTAIN ALL LANDSCAPE MATERIAL IN A FIRST CLASS CONDITION UNTIL PRODUCT IS DELIVERED AND FINAL ACCEPTANCE IS GRANTED.

F. TREES MOVED BY WINCH OR CRANE SHALL BE THOROUGHLY PROTECTED FROM ALL MECHANICAL DAMAGE TO ROOTS AND TRUNK BY MEANS OF BURLAP, WOOD BATTENS, OR OTHER ARBORICULTURALLY APPROVED PRODUCTS AND METHODS.

G. PLANT MATERIALS WILL BE TRUE TO NAME AND VARIETY ESTABLISHED BY THE AMERICAN JOINT COMMITTEE ON HORTICULTURAL NOMENCLATURE "STANDARDIZED PLANT NAMES".

H. TREES WITH NATURAL UPRIGHT GROWTH HABIT WILL HAVE A SINGLE, STRAIGHT TRUNK THAT IS WELL FORMED AND STURDY. TREES WITH MULTIPLE LEADERS, UNLESS SPECIFIED, WILL BE REJECTED.

I. LATERAL BRANCHING SHALL BE PLENTIFUL AND UNIFORMLY DISTRIBUTED. AT LEAST HALF THE TRUNK SHOULD HAVE LATERAL BRANCHES. EXCESSIVE PRUNING OF LOWER HALF OF LATERAL BRANCHES SHALL BE CAUSE FOR REJECTION.

J. TREES WHICH HAVE BEEN "TOPPED" SHALL BE REJECTED.

K. PRUNING SCARS SHOULD BE CLEAN CUT LEAVING LITTLE OR NO PROTRUSION FROM THE TRUNK OR BRANCH.

L. TREES SHALL BE FREE OF COLD INJURY AND SUN SCALD.

M. CALIPER OF THE TRUNK SHALL BE TAKEN SIX INCHES ABOVE THE GROUND FOR DIAMETERS UP TO AND INCLUDING FOUR INCH CALIPER SIZE, AND TWELVE INCHES ABOVE THE GROUND FOR LARGER SIZES.

N. TREES SHALL BE DENSELY SUPPLIED WITH HEALTHY, VIGOROUS LEAVES OF NORMAL SIZE, SHAPE, TEXTURE, AND OF DEEP GREEN COLOR.

O. PEST OR MECHANICAL DESTRUCTION SHALL NOT EXCEED APPROXIMATELY ¼ OF INDIVIDUAL LEAVES NOR AFFECT MORE THAN FIVE PERCENT OF THE TOTAL FOLIAGE.

P. ROOTS SHALL BE STURDILY ESTABLISHED. ROOT MASS SHALL NOT BE EXCESSIVELY ROOT BOUND. KINKED AND CIRCLING ROOTS ARE NOT ACCEPTABLE. THERE SHALL BE NO LARGE ROOTS GROWING OUT OF CONTAINER.

Q. ROOTING MEDIUM SHALL BE WEED-FREE.

R. THERE SHOULD BE NO "INCLUDED" BARK BETWEEN BRANCHES.

S. LIVE OAKS ARE NOT TO BE DUG AND TRANSPLANTED BEFORE DECEMBER 1ST.

GENERAL NOTES:

- SITE IS SUBJECT TO THE LANCASTER COUNTY 1998 UDO ORDINANCE.
- STREET TREES SHALL BE PROVIDED AT AVERAGE 50 FEET ON CENTER.
- STREET TREES SHALL HAVE A MINIMUM TRUNK SIZE OF 2-1/2" CALIPER, AS MEASURED 12" ABOVE GROUND LEVEL.
- STREET TREES SHALL NOT BE LOCATED INSIDE OF THE SIGHT TRIANGLE AT INTERSECTIONS.
- STREET TREES SHALL NOT BE PLANTED WITHIN 10 FEET OF ANY SEWER OR WATER MAIN.
- ACTUAL LOCATION OF TREES MAY VARY (DEPENDING ON FIELD CONDITIONS), BUT THE MINIMUM NUMBER OF TREES AND SIZE SPECIFIED MUST BE INSTALLED BY BUILDER PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.

PLANT INSTALLATION:

A. PLANTING SHALL BE DONE IN THE DORMANT SEASON AFTER LEAF DROP IN THE FALL UNTIL BUD BREAK IN SPRING UNLESS PLANTING PALMETTO TREES OR SPECIAL PRECAUTIONS ARE TAKEN TO ENSURE SURVIVAL.

B. PLANTS SHALL BE PROTECTED AT ALL TIMES FROM SUN AND DRYING WINDS.

C. THE MINIMUM ROOTING AREA FOR SMALL TREES SHOULD BE 4×4 FEET IN DIMENSION, FOR LARGER TREES ROOTING AREA SHOULD BE 6×6 FEET. ISLANDS SHOULD PROVIDE AT LEAST 400 SQUARE FEET OF ROOTING AREA.

D. THE PLANTING HOLE SHALL BE DUG AS DEEP AS THE ROOT BALL AND AT LEAST TWICE AS WIDE.

E. THE TREE SHALL BE PLACED IN THE HOLE AT ITS ORIGINAL GROWING LEVEL.

F. ROPES AND STRAPS OR CONTAINERS SHALL BE REMOVED. ALL BURLAP SHALL BE CUT AND REMOVED FROM THE UPPER 1/3 OF THE ROOTBALL AND WIRE BASKETS SHALL BE CUT SO THEY DO NOT PROTRUDE ABOVE THE FINAL GRADE.

G. TREES SHALL BE WATERED SUFFICIENTLY TO SETTLE THE SOIL AND THOROUGHLY WET THE ROOT BALL.

H. A BERM OR BASIN SHALL BE CONSTRUCTED AROUND THE OUTSIDE OF THE BACK-FILLED AREA TO HOLD WATER.

I. A FOUR-INCH LAYER OF MULCH SHALL BE PLACED OVER THE PLANTING AREA FROM THE OUTSIDE OF THE BERM TO THE BASE OF THE TRUNK.

J. THE "PLANTING AREA" COMPRISES THE ROOT BALL, HOLE, BACKFILL, AND OUTSIDE RIM OF THE BERM.

K. STAKING AND GUYING SHALL ONLY BE USED WHERE SUPPORT IS NECESSARY. TIES SHALL BE MADE OF A BROAD, SOFT, STRAPPING MATERIAL. STAKING SHALL ALLOW SLIGHT MOVEMENT OF THE TRUNK. THE USE OF RUBBER HOSES ARE NOT RECOMMENDED.

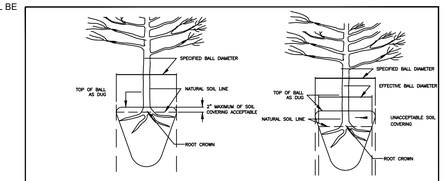
L. PRUNING SHALL BE LIMITED TO BROKEN BRANCHES.

M. FERTILIZER SHALL NOT BE USED AT PLANTING TIME.

N. TREE WRAP SHALL NOT BE USED.

O. THE USE OF ROOT BARRIERS IS NOT RECOMMENDED.

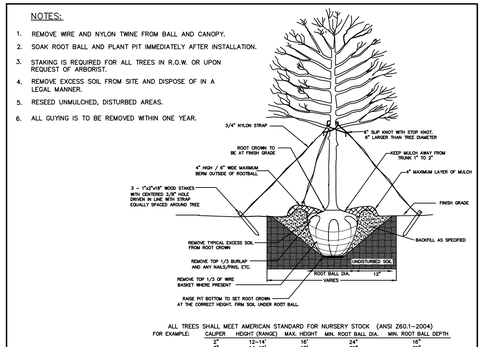
P. THE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL TO BE IN HEALTHY AND FLOURISHING CONDITION FOR A PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE.



NOTE:
A ROOT COLLAR EXCAVATION FOR ALL TREES SPECIFIED WILL BE DONE BY THE CITY ARBORIST TO ENSURE THAT TREES ARE NOT PLANTED/GROWN TOO DEEP. AT SOURCE (NURSERY), LANDSCAPE CONTRACTOR SHALL HAVE SUPPLIER MARK GROUND LEVEL LINE ABOVE ROOT BALL. IF CITY ARBORIST DETERMINES THAT THERE IS EXCESSIVE SOIL OVER THE ROOT CROWN, THESE TREES WILL BE REJECTED.

ROOT CROWN DEPTHS
(TREE ROOT BALL CONDITION ON TREES FROM SUPPLIERS)

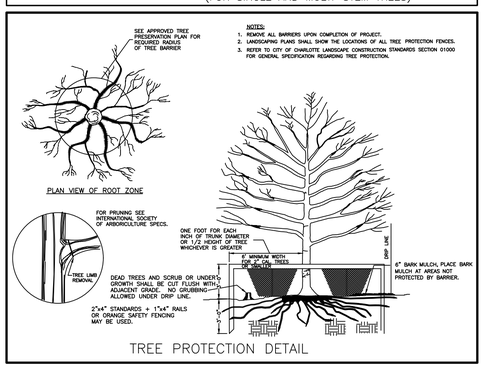
NOTES:
1. REMOVE WIRE AND NYLON TWINE FROM BALL AND CANOPY.
2. SOAK ROOT BALL AND PLANT PIT IMMEDIATELY AFTER INSTALLATION.
3. STAKING IS REQUIRED FOR ALL TREES IN R.O.W. OR UPON REQUEST OF ARBORIST.
4. REMOVE EXCESS SOIL FROM SITE AND DISPOSE OF IN A LEGAL MANNER.
5. RESEED UNMULCHED, DISTURBED AREAS.
6. ALL GUYING IS TO BE REMOVED WITHIN ONE YEAR.



ALL TREES SHALL MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1–2004)

FOR EXAMPLE:	CALIPER	HEIGHT (RANGE)	MAX. HEIGHT	MIN. ROOT BALL DIA.	MIN. ROOT BALL DEPTH
	3"	12–14'	16'	34"	16"
	5"	14–16'	18'	32"	21"

TREE PLANTING DETAIL
(FOR SINGLE AND MULTI-STEM TREES)



NOTES:
1. REMOVE ALL BARRIERS UPON COMPLETION OF PROJECT.
2. LANDSCAPING PLANS SHALL SHOW THE LOCATIONS OF ALL TREE PROTECTION FENCES.
3. REFER TO CITY OF CHARLOTTE LANDSCAPE CONSTRUCTION STANDARDS SECTION 01000 FOR GENERAL SPECIFICATION REGARDING TREE PROTECTION.

TREE PROTECTION DETAIL

TrueHomes
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SOUTH CAROLINA PROFESSIONAL ENGINEER
No.22649
VINCENT G. KERNE
4/12/23

SOUTH CAROLINA
YARBROUGH-WILLIAMS & HOULE INC.
No.C003332
CERTIFICATE OF AUTHORIZATION

YARBROUGH-WILLIAMS & HOULE, INC.
Planning ○ Surveying ○ Engineering
Professional Park
720 Governors Court
Charlotte, North Carolina, 28273
704.556.1990
P.O. Box 1198
Pineville, North Carolina, 28134
704.588.0505(fax)
NC Corporate Registration #C-0475

NO.	DATE	REVISION	BY

PROJECT NO.
SCALE 1" = 100'
DATE 4/12/23
DRAWN BY KTG
CHECKED BY VGK

SHEET TITLE
LANDSCAPE PLAN

PROJECT
EDGEWATER PHASE 11
CANE CREEK TWSP., LANCASTER CO., SC
TRUE HOMES, LLC.

DRAWING NO.

SHT 10 OF 10 SHTS

Lancaster County
Planning Department
P. O. Box 1809
Lancaster, SC 29721
803.285.6005
planning@lancastercountysc.net

June 13, 2023

Vincent G. Keene
Yarbrough-Williams & Houle, Inc.
P.O. Box 1198
Pineville, NC 28273

Project Number	20230161
Project Name	Edgewater Phase 11
Location	Int. of Gateway and Serendipity D
Stage	Preliminary Plat
Parcel(s)	0106-00-003.02 and 0106-00-00
Status	Not Approved

Dear: Vincent G. Keene

We have completed our review of the plan identified above. The comments listed on the attached report must be addressed and revised plans submitted with a response letter.

If the attached comments require changes to the plans, please submit the requisite number of sets, along with a pdf of the plan set on a CD, to the Lancaster County Planning Department.

Once revised plans are received, they will be submitted to staff for review.

Please be aware that plans will not be routed for review without a response letter

Sincerely,

Plan Review Comments

County Engineer - Stephen Blackwelder - 8035482406 — Approved
sblackwelder@lancastersc.net

Review Comments:

General Comments:
1. The preliminary nature of this plan set does not provide adequate detail to formally comment, but the following are items of note from the information given. More specific comments will be provided during the civil review cycle.
2. This project in the SC DHEC jurisdiction and not the MS4 for Lancaster County.
3. A Permit from the Army Corp of Engineers will be needed prior to crossing the stream as proposed. Any disturbance of wetlands or stream buffers will also need to be permitted through the ACOE prior to construction in those areas. The permitting process can be lengthy.
4. Sewer
a. The sewer for this phase is to go to a pump station that has not been built yet.
b. When will the pump station and associated access and infrastructure be built?
c. Is the sewer infrastructure downstream of this pump station in place?
d. If not, when will it be operational?
e. We are reluctant to approve any plan that allows disturbance of land where there is no willingness and capability for water and sewer for the proposed parcels.
5. The BMP ponds will need to have an access area at least 10 feet wide at not greater than a 4(H) to 1(V) slope to the bottom of the pond. This is for maintenance of the pond during and after construction. This appears to not be an issue with the pond location proposed.
6. The section of Catawba Ridge Blvd for the access points of this phase is in bad shape and needs rebuilt. We have seen plans for this several years ago with no activity on the site. We will need to know the time frame for the road reconstruction and the time frame for this project to insure the roadway improvements are completed prior to the first building permit being issued.

E911 Address - Sandra Burton - (803) 416-9325 — Approved
sburton@lanc911.com

Review Comments:

1. Addresses will be issued to developer at Civil Phase.
2. Please submit a list of road names to be considered for this subdivision. They will need to be compared to roads names within Lancaster County along with surrounding counties. They cannot be similar in sound or spelling for 911 purposes. Those already on map need not be submitted. Also, all new road names must be presented to the Planning Commission for approval.
3. A CAD file, in the State Plane Coordinate System of 1983, needs to be submitted to addresser@lanc911.com when Civil is submitted. Please send in a version around 2010 and no 3D. We are working on providing the developer with addresses at Civil Phase so that they can be placed on Final Plats when submitted.

Fire Marshal - John Magette - 8032838888 — Not Approved
jmagette@lancastersc.net

Review Comments:

1. Townhome section creates a one access development. Developments with one access must comply with South Carolina Fire Code section 503.1.2.1

LC Water & Sewer District - Erin Evans - 8032856919 — Not Approved
eevans@lcwasd.org

Review Comments:

1. Pump station is shown in flood plain.
2. Submit sketch plan of PS showing 100'x100' and truck turnaround addressing flood plain and buffer.
3. Are the townhome lots accounted for with previous plan.
4. Address sewer in flood plain and buffer.

5. Provide ACOE jurisdiction determination.
6. Will a 6" FM serve all the upstream lots?
7. A detailed review will be provided when submitted to LCWSD.

Planning - Ashley Davis - 803-416-9433 **Conditional**
adavis@lancastersc.net

Review Comments:

- Provide documentation from Bond holders acknowledging the change in configuration and number of lots.

LC School District - Bryan Vaughn - (803) 286-6972 **Approved**
Bryan.Vaughn@lcsd.k12.sc.us

Review Comments:

SCDOT - David Gamble - (803) 385-4280 **No Review Needed**
GambleDD@scdot.org

Review Comments:

This site does not directly access a state maintained road. If a TIA is required please submit it to SCDOT for review.

Agenda Item Summary

Ordinance # / Resolution #: Vested Rights Extension for Patterson Preserve
Contact Person / Sponsor: A. Hardin
Department: Planning
Date Requested to be on Agenda: 6/20/2023

Issue for Consideration:
N/A

Points to Consider:
The timeline included in the "background" portion of your staff report includes dates not included in previous exhibits.

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	6/13/2023	Planning Staff Report
Exeter Extension Request: 2023	6/13/2023	Exhibit
Lancaster County- Denial of Administrative Extension:2023	6/13/2023	Exhibit
Vesting Expiration Notice: 2021	6/13/2023	Exhibit
Chaplin Spencer Response: 2021	6/13/2023	Exhibit
John Dubose Response: 2021	6/13/2023	Exhibit
S.C. Code § 6-29-1530	6/13/2023	Exhibit
UDO § 9.2.17	6/13/2023	Exhibit

PROPOSAL:	Request for Extension of Vested Rights, pursuant to Section 9.2.17.A.2 of the Unified Development Ordinance.
PROPERTY LOCATION:	Approximately 103.45 acres located adjacent to Harrisburg Road and Barberville Road (TM #s 0003-00-049.00, 0003-00-049.13, and 0003-00-049.17).
CURRENT ZONING DISTRICT:	Medium Density Residential (MDR)
APPLICANT:	Exeter Development Company
COUNTY COUNCIL DISTRICT:	District 4, Jose Luis
NOTICE:	Published hearing notice The Lancaster News 6/3/2023 Posted signs 6/2/2023 Mailed notices 6/1/2023 Agenda published 6/113/2023 and posted in Lobby

PROCESS & BACKGROUND:

Process

The Lancaster County UDO outlines two methods to extend vested rights in relation to Preliminary Plats.

Method 1:

UDO section 9.2.10.B.9 states:

> Approval of a Preliminary Plat shall be valid for 2 years from the date of approval. If the approved Preliminary Plat provides for multiple phases within the subdivision, a Final Plat approval for any one phase shall extend the Preliminary Plat approval for all other phases for a period of up to 2 years from the date of the Final Plat approval for that phase. If a Final Plat approval has not been obtained prior to the end of this 2 year period, the Preliminary Plat approval shall become void.

UDO section 9.2.10.B.10 states that "The Administrator may grant a single extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension."

Method 2:

UDO section 9.2.17 (see attached) which aligns with S.C. Code § 6-29-1530 (see attached) allows for the ***landowner*** to apply for a one year extension of vested rights to be reviewed by the Planning Commission.

Background

• **8/7/18:** LCWSD suggested to Jeremy Horton (Timmons Engineering working on behalf of Exeter) to coordinate with Casey Werner (Cole Jenest and Stone working on behalf of Suncrest) to discuss the possibility of combined efforts/cost share to make water/sewer happen for the McAlpine Creek area.

• **11/12/18:** Brandon Pridmore (R.Joe Harris on behalf of Exeter) reached out to LCWSD discuss multiple options for obtaining sewer access.

• **2/4/19:** Application to subdivide property identified as 0003-00-049.00, 0003-00-049.13, and 0003-00-049.17 was signed on February 1, 2019 and received by Lancaster County on February 4, 2019. Page 6 of the application indicates that the project, called Patterson Preserve, is a cluster subdivision.

• **6/4/19:** Staff provided comments through the Technical Review Committee (TRC) process, including two "not approved" letters sent in March 2019 with TRC comments that needed resolution. On June 4, 2019, the TRC gave conditional approval for the plat to move forward to the Planning Commission for preliminary plat review; outstanding comments, considered minor in nature, would have to be addressed.

• **6/18/19:** The Preliminary Plat for the development known as Patterson Preserve was approved by the Lancaster County Planning Commission (PC) June 18, 2019. This approval was pursuant to UDO section 9.2.3, which establishes the Planning Commission as the approving agency for Preliminary Plats and establishes a two-year permit period (consistent with S.C. Code, § 6-29-1530).

• **3/9/21**: Despite the minor staff comments pending, Exeter did not resubmit to resolve staff comments until March 9, 2021 (nearly 2 years after the Planning Commission approval).

• **4/2/21**: Once staff comments were addressed, Patterson Preserve plans were stamped, then issued on April 2, 2021.

• **7/26/21**: Joe Neal (Attorney with Morton and Getty's) contacted county staff on July 26, 2021 on behalf of the property owners requesting formal information on the vesting status of Patterson Preserve

• **10/27/21:** County Staff issued a formal notice to Exeter Development that their vesting for the approved Patterson Preserve Preliminary Plat had expired based on the Planning Commission approval date of June 18, 2019.

• **10/28/21**: Jeff Smerko (Chief Acquisitions Officer for Exeter Development) replied, stating that they [Exeter] were "*weeks away from making full submittals to all agencies."*

• **11/4/21:** Chaplin Spencer (Attorney with Spencer and Spencer) issued a rebuttal to county staff's assertion that the beginning of the vesting came from Planning Commission approval (6-18-2019). Mr. Spencer opined that the beginning of vesting should be derived from the date of full preliminary plat approval (4-2-2021).

• **11/24/21**: John Dubose (County Attorney) issued a response stating that the prior County assertion was withdrawn and that *"Exeter Development Company, LLC ("Developer") has a vested right to develop the Patterson Preserve for two years from final Preliminary Plat approval by the TRC on April 2, 2021."*

• **03/29/22**: Jeremy Wethington (Land Development Project Manager for Exeter) emailed planning staff with the following question: *I need to know the requirements for platting and what options are available for bonding. For our Patterson Preserve Community we were approved April of 2021. It is my*

understanding that we need to have ALL plats recorded by April of 2023 and there may a chance for a one-year extension. Even with the extension it will be very tight for us to have the community 100% complete for all platting to be recorded.

- County Staff responded: "*…so long as you are making substantial investment and progress into the site with 50-75% of lots final platted by April 2023 you should be okay from a vesting standpoint"*

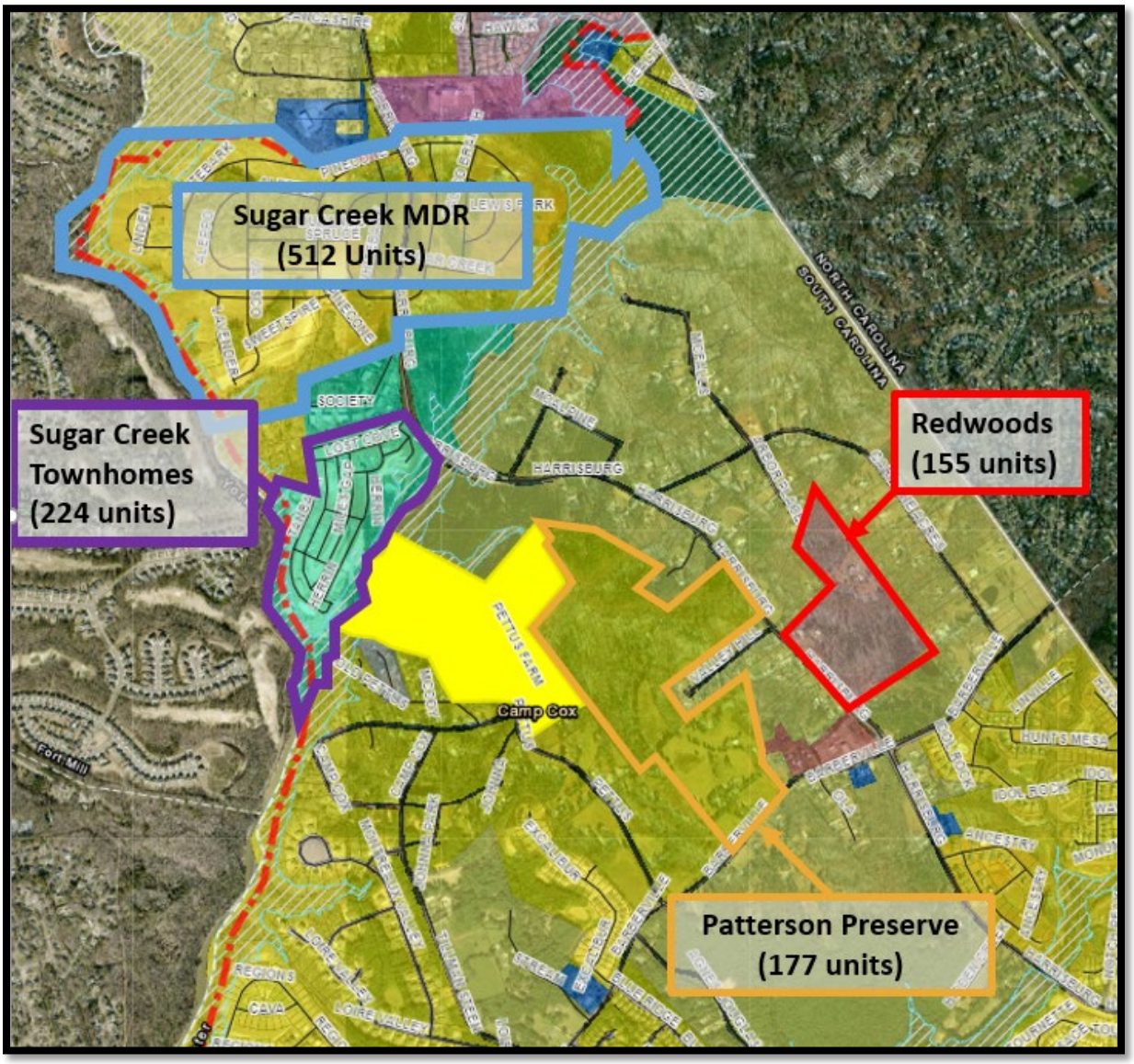
• **02/20/23**: Exeter submits a letter to planning staff stating the anticipation of *"full submittal of construction documents in April or May, 2023"*- knowing that the vesting ends on April 2, 2023, this indicates that the company does not anticipate being able to complete the civil review step by the deadline, much less the 50-75% final platting as staff indicated in 2022.

• **03/23/23:** Planning Staff declines request for administrative vested rights extension outlined in Method 1 above.

• **04/01/23:** ESP Associates (on behalf of Exeter) attempted to submit Civil Plans for review despite notice that the administrative request to extend vesting rights had been denied.

• **04/20/23:** Vested Rights extension meeting for Patterson Preserve preliminary plat approval held at the Lancaster County Administration building. In attendance: Chaplin Spencer, Attorney for Exeter Development Company, Christine Early, Director of Acquisitions of Exeter Development Company, Timothy Kemper, CEO of Exeter Development Company; Allison Hardin, Lancaster County Interim Planning Director, Ginny Merck-Dupont, Lancaster County Attorney and Dennis Marstall, Lancaster County Administrator. Requested an administrative one-year extension or allowing the request to proceed to Planning Commission. Lancaster County staff held to the previously issued administrative extension denial, leading to the request to proceed to Planning Commission.

ACTIVE DEVLOPMENTS IN THE PROJECT AREA:



Both Sugar Creek projects and their associated infrastructure improvements are actively under construction but have not yet entered the vertical construction phase.

Patterson Preserve was approved by Planning Commission in 2019 and is now requesting an extension of vested rights. Patterson Preserve is not party to a Development Agreement with Lancaster County.

Redwoods was approved in 2021 and has not yet submitted any form of civil plans to the county for review. Redwoods is a party to a 5 year Development Agreement with Lancaster County.

Analysis:

Is this a valid request? Both S.C. Code § 6-29-1530 and UDO § 9.2.17 make specific reference to the fact that the "*landowner of real property with a vested right may apply*" to extend vested rights. Lancaster County records indicate that Exeter Development Company (the applicant) does not own the properties in question and no exhibits provided in this extension request include signatures or commentary from the landowners of record.

What changes have occurred which would preclude the approval of an extension? Both S.C. Code § 6-29-1530 and UDO § 9.2.17 reference that the governing body (Planning Commission) must approve applications for five annual extensions unless changes to relevant codes have been made which prohibit the approval. Since the original Planning Commission (June 18, 2019) approval the following relevant changes have been adopted by County Council:

- On December 19, 2019, the Lancaster County Council approved Ordinance #2019-1623, amending the UDO to require all subdivisions developed under the Cluster Subdivision Overlay District to have a development agreement. Patterson Preserve was designed as a Cluster subdivision and does not have a Development Agreement.
- Between January and June of 2021, the Lancaster County Council approved the following Ordinances 2021-1722, 2021-1723, 2021-1724, 2021-1725, and 2021-1791 which established multiple impact fee districts. This site is located within all fee districts established in 2021.

What caused the need for this extension?

Exeter states:

> A critical component to the delays in obtaining approval of the final subdivision plan *has been out of Exeter's control*. Exeter has been told by Lancaster Water and Sewer District (LCWSD) and Lancaster County Planning many times that our subdivision plans cannot even be submitted for review until there is sewer capacity available for the project. *The Sugar Creek pump station, which is not being built by Exeter*, has been significantly delayed over the last 2 years *(emphasis added).*

Both Lancaster County Planning and LCWSD allow plans to begin civil submittals and on-site development if they are participants in the infrastructure improvements required for the site to develop. Despite sewer not being fully operational the Sugar Creek projects have been allowed to proceed with on-site development (grading, infrastructure installation, etc.) in conjunction with completing their off-site sewer improvements. The 2018 emails provided by LCWSD indicate that they encouraged Exeter to partner with Suncrest (Sugar Creek Developers) on the force main and pump stations which would have allowed Exeter to proceed to into Civil Plan submittals. Exeter elected not to partner with Suncrest in the substantial improvements needed to provide sewer access which has resulted in their inability to move forward.

ATTACHMENTS:

1. Exeter Extension Request: 2023
2. Lancaster County- Denial of Administrative Extension:2023
3. Vesting Expiration Notice: 2021
4. Chaplin Spencer Response: 2021
5. John Dubose Response: 2021
6. S.C. Code § 6-29-1530
7. UDO § 9.2.17

STAFF CONTACT:

Ashley Davis
Senior Planner
adavis@lancastersc.net
803-416-9433

Memo

Date: May 23, 2023

To: Lancaster County Planning Commission Members

From: Exeter Development Company

RE: Patterson Preserve Vested Rights Extension Request

History: Exeter Development Company entered into a contract to purchase approximately 103 acres of the Patterson Preserve land in September, 2018. On June 18, 2019, the Planning Commission **conditionally** approved a preliminary plat for 177 lots on this property with the by-right use of the Cluster Subdivision Overlay District (CSOD) under the MDR zoning of the property. Exeter sought to commence development around December, 2020 and was informed that grading or other infrastructure activities could not be conducted until **final** preliminary plat approval. On April 2, 2021, Lancaster County approved the Preliminary Plat for Patterson Preserve. The County mailed confirmation of the Preliminary Plat approval to Developer's engineer of record on April 2, 2021 with a letter stating: "This letter is to confirm APPROVAL of your Preliminary Plat plans."

Despite the April 2, 2021 approval and extensive discussions with County Planning Staff during the first half of 2021, the County sent Exeter a letter dated October 27, 2021 indicating that the Preliminary Plat expired. This is contrary to the County's UDO because vesting does not occur with a conditionally approved plan, but rather, a final approved plan. Exeter hired legal counsel to protect its vested rights and the County confirmed that Exeter has a vested right to develop Patterson Preserve for two years from final preliminary plat approval on April 2, 2021. No one disputes that vested rights to that preliminary plat approval for Patterson Preserve began on April 2, 2021. Therefore, Exeter's request for an extension to the 2-year vested rights on the approved preliminary plat for Patterson Preserve will focus on the time period from April 2, 2021 to now.

A critical component to the delays in obtaining approval of the final subdivision plan has been out of Exeter's control. Exeter has been told by Lancaster Water and Sewer District (LCWSD) and Lancaster County Planning many times that our subdivision plans cannot even be submitted for review until there is sewer capacity available for the project. The Sugar Creek pump station, which is not being built by Exeter, has been significantly delayed over the last 2 years. Covid contributed to these delays. This pump station has to be accepted, online and working before Exeter is even allowed to submit these plans for review. Please see correspondence from Lancaster County Planning and LCWSD for confirmation. It is expected that the pump station will be accepted and online prior to the June 20, 2023 Planning Commission meeting.

Exeter still continued with development and paid numerous consultants and engineers to work on the project including environmental approvals, roadway design, water / sewer design, easement

acquisitions, and the engineering design and submitted subdivision plans for the project on April 1, 2023. Those subdivision plans were listed as “not accepted” on the County website on April 12, 2023.

Both S.C. Code § 6-29-1530(A)(2)(b) and Lancaster County UDO Sections 9.2.17(A)(2) and (B)(3) protect significant investments made during the development process and mandate approval of up to five annual extensions of a preliminary plat. Exeter sent the vested rights extension request to the Planning Commission and planning department on 2/10/23.

Exeter also maintains our vested rights under the UDO in 9.2.17(D) because Exeter has met all 3 conditions as follows:

a. Obtained significant approval - Preliminary Plat approval on April 2, 2021;
b. Relied in good faith- Have been consistently working on the project, spending money and company resources to obtain approvals, even without being able to submit construction documents as we knew we had vested extension rights; and
c. Incurred significant obligations and expenses - **$969,131.97 to date**

Exeter has relied in good faith that our vested rights extension would be granted while expending extensive employee time and resources. Exeter respectfully requests that the Planning Commission grant the requested one-year extension.

Please find attached a Timeline/Summary of Events for work that has occurred on the Patterson Preserve project and a Transaction Detail of Costs Exeter has incurred on this project to date.

Exeter Barberville Developers, LLC
Transaction Report
All Dates

		Amount
Accounting Fees		
		4,567.50
Total Accounting Fees	**$**	**4,567.50**
Bank Service Charges		
		265.92
Total for Bank Service Charges	**$**	**265.92**
Engineering		
		500.00
		129,405.10
		5,125.00
Total for Barberville - Engineering	**$**	**135,030.10**
Engineering - ESP		
Bid and Construction Phase Services		
		3,887.50
Total for Bid and Construction Phase Services	**$**	**3,887.50**
Construction Documents		
		19,005.00
		13,303.50
		15,204.00
		1,900.50
		10,452.75
		11,403.00
		3,230.85
		37,473.15
		27,003.75
Total for Construction Documents	**$**	**138,976.50**
Harrisburg Rd Topo		
		2,708.00
		677.00
Total for Harrisburg Rd Topo	**$**	**3,385.00**
Hwy 160 Topo		
		3,420.00
		855.00
Total for Hwy 160 Topo	**$**	**4,275.00**
LCWSD Wtr/Swr Sketch Plan Submittals		
		697.50
		3,557.40
		2,817.50
Total for LCWSD Wtr/Swr Sketch Plan Submittals	**$**	**7,072.40**
Offsite Rd Impmts-Hrsbrg/Bbrvl		
		750.00

Total for Offsite Rd Impmts-Hrsbrg/Bbrvl	**$**	**750.00**
Site Control		
		8,950.00
Total for Site Control	**$**	**8,950.00**
Stake SS Manhole w/ Hub Elevation		
		1,500.00
Total for Stake SS Manhole w/ Hub Elevation	**$**	**1,500.00**
Stream/Wetland Impact Exhibits		
		5,907.50
		220.00
		1,320.00
		2,357.50
		51,978.50
Total for Stream/Wetland Impact Exhibits	**$**	**61,783.50**
Wetlands Survey		
		7,514.00
		5,780.00
Total for Wetlands Survey	**$**	**13,294.00**
Total for Engineering - ESP	**$**	**243,873.90**
Engineering - Geotech		
		3,000.00
Total for Engineering - Geotech	**$**	**3,000.00**
Engineering - Kimley Horn		
		2,600.00
Total for Engineering - Kimley Horn	**$**	**2,600.00**
Environmental		
		11,200.00
		1,600.00
Total for Environmental	**$**	**12,800.00**
Dogwood Escrow		
		42,500.00
Total for Dogwood Escrow	**$**	**42,500.00**
Land Deposit		
		70,000.00
Total for Land Deposit	**$**	**70,000.00**
Land Survey		
		55,946.64
Total for Land Survey	**$**	**55,946.64**
Legal		
		52,573.79
		10,056.00
		588.00
		120.00
		12,319.33
		8,244.90
		8,216.50
		851.25

		741.00
		150.00
		484.50
		3,100.88
		812.50
Total for Legal	**$**	**98,258.65**
Offsite Easement		
		3,500.00
Total for Offsite Easement	**$**	**3,500.00**
PSA Extension Fees		
		12,500.00
		14,500.00
		12,500.00
		14,500.00
		15,000.00
		15,000.00
		14,500.00
		12,500.00
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		12,500.00
		14,500.00
		12,500.00
		14,500.00
		12,500.00
		14,500.00
Total for PSA Extension Fees	**$**	**273,000.00**
State Filing Fees		
		635.00
		1,260.00
Total for State Filing Fees	**$**	**1,895.00**
Title Search		
		978.00
Total for Title Search	**$**	**978.00**
Traffic Impact Study		
		20,916.26
Total for Traffic Impact Study	**$**	**20,916.26**
TOTAL	**$**	**969,131.97**

Timeline of work on Patterson Preserve project
from April 2, 2021 – May 23, 2023:

12/20-3/23	Wetland permitting for 401/404 certifications and endangered species through DHEC and Army Corps of Engineers for Patterson Preserve. Public notice – 5/19/22; walk with Corps – 3/2/21. Full approvals issued – 3/2/23.
2/21-current	ESP, Exeter's engineer, works on design including the following: off-site sewer design, off-site force main design, on-site subdivision plans, erosion control plans, grading plans, on and off-site roadway improvement design, water and sanitary sewer for on-site phases 1, 2 and 3; sketch plan submittals, construction document submittals.
4/21-current	Exeter communicates, negotiates and pays sellers to extend contract rights of the Patterson Preserve property.
4/2/21	Lancaster County stamped "approved" on the preliminary plat for Patterson Preserve and issued a letter confirming approval of the preliminary plat.
2/4/22	E-mail from Rox Burhans - The District's policy is to **not** review the on-site utility design until the off-site infrastructure/station is operational (or close to). As we understand it, the pump station may not be operational for a year or more. This is certainly speculative given all of the uncertainty in sourcing labor and materials. The County will not be reviewing civil construction plans separate from the utility plans. County and District staff review these plans together to ensure there are no conflicts between the various systems and to avoid duplicate reviews. We would be happy to coordinate with your team in advance of your submittal to help with any preliminary design questions.
2/15/22	Approval from Lancaster County Water and Sewer District (LCWSD) to proceed with engineering design of the off-site sewer from Sugar Creek Pump Station to the Patterson Preserve property.
8/22-12/22	Calls from Exeter to adjacent property owners regarding sewer easement acquisitions and proposals sent including Haltom, Pettus, Howie landowners. Calls and correspondence with Suncrest, Eastwood, Redwood and Cameron Property for shared costs (2, 3 and 4-party agreements) for off-site sewer and force main work to bring capacity to their projects along with Exeter's Patterson Preserve project. Lots of correspondence with LCWSD too during this time and ongoing.
8/31/22	Sanitary sewer survey and appraisal permission letters sent to adjacent property owners listed above granting permission for Exeter and LCWSD to walk these properties for survey alignment of the gravity sewer extension from Suncrest's Sugar Creek pump station to the Patterson Preserve property and Eastwood property; and to Harrisburg Road to connect to Redwood's property and then to Cameron property.
11/2/22	Survey walk with Exeter, ESP (engineer for Exeter) and LCWSD, Eastwood also in attendance. We all walked the entire property from the Sugar Creek pump station to Patterson Preserve property and confirmed the off-site sewer locations with LCWSD (Tim Kiser in attendance).

1/30/23	Submittal of revised sketch plan for off-site sewer alignment to LCWSD.
4/21-8/22	Obtaining contractor bids for off-site sewer work for gravity sewer from Sugar Creek pump station and revised bids for current construction pricing - $2 million plus on average just for this portion of off-site work. Force main work at Clems Branch will be approximately $400,000 additional.
2/10/23	Letter from Exeter requesting a one-year extension of vested rights to preliminary plat approval – sent to planning, planning director, assistant planning director and planning commission. Requested under UDO 9.2.17 (A) (2) and (B) (3) following and citing South Carolina Code 6-29-1530 (A) (2) (b).
3/8/23	LCWSD approves sketch plan for off-site sewer alignment for Patterson Preserve.
3/24/23	Response letter of vested rights extension request to Exeter received from Allison Hardin, Lancaster County Interim Planning Director; request denied under a different section of its UDO than requested that allows a single one-year extension upon "sufficient justification", UDO 9.2.10 (B) (10).
4/1/23	Civil Site Construction plans for 175 lots, application, DHEC Notice of Intent (NOI), Traffic Impact Analysis and SCDOT encroachment permit documents submitted to the County for Patterson Preserve subdivision
4/12/23	Engineer received notification that the documents above were "Not Accepted"
4/20/23	Vested Rights extension meeting for Patterson Preserve preliminary plat approval held at the Lancaster County Administration building. In attendance: Chaplin Spencer, Attorney for Exeter Development Company, Christine Early, Director of Acquisitions of Exeter Development Company, Timothy Kemper, CEO of Exeter Development Company; Allison Hardin, Lancaster County Interim Planning Director, Ginny Merck-Dupont, Lancaster County Attorney and Dennis Marstall, Lancaster County Administrator. Requested an administrative one-year extension or allowing the request to proceed to Planning Commission.
4/20/23	Exeter begins preparing for Planning Commission meeting

NOTE: Exeter expenses paid for legal services, land payments/deposits/extension fees, title, engineering, surveying, fees, easements, environmental, traffic consultants, wetlands, utility coordination and geo-tech work: **$969,131.97**

March 23, 2023

Christine Early
Director of Acquisitions
Exeter Development Company
Suite 9250
1905 Woodstock Rd
Roswell, GA 30075

Dear Christine:

This letter is in response to your request for a one-year vested rights extension for the Preliminary Plat for Patterson Preserve, which was first received in my office February 10, 2023. We reviewed your request pursuant to the Lancaster County Unified Development Ordinance (UDO), Section 9.2.10.B (Administration Review Procedures, Subdivisions, Subdivision (Major) – Preliminary Plat).

We respectfully decline to extend the existing vested rights for Patterson Preserve, based on Section 9.2.10.B.10: "The administrator may grant a single extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension."

The information used to form this opinion includes the following:

Two Year Extension Argued and Approved, 2019 – 2021

- **2/4/19:** Application to subdivide property identified as 0003-00-049.00, 0003-00-049.13, and 0003-00-049.17 was signed on February 1, 2019 and received by Lancaster County on February 4, 2019. Page 6 of the application indicates that the project, called Patterson Preserve, is a cluster subdivision.
- **6/4/19:** Staff provided comments through the Technical Review Committee (TRC) process, including two "not approved" letters sent in March 2019 with TRC comments that needed resolution. On June 4, 2019, the TRC gave conditional approval for the plat to move forward to the Planning Commission for preliminary plat review; outstanding comments, considered minor in nature, would have to be addressed.
- **6/18/19:** The Preliminary Plat for the development known as Patterson Preserve was approved by the Lancaster County Planning Commission (PC) June 18, 2019. This approval was pursuant to UDO section 9.2.3, which establishes the Planning Commission as the approving agency for Preliminary Plats and establishes a two-year permit period (consistent with S.C. Code, § 6-29-1530).
- **3/9/21**: Despite the minor staff comments pending, Exeter did not resubmit to resolve staff comments until March 9, 2021 (nearly 2 years after the Planning Commission approval).
- **4/2/21**: Once staff comments were addressed, Patterson Preserve plans were stamped, then issued on April 2, 2021.

- **7/26/21**: Joe Neal (Attorney with Morton and Getty's) contacted county staff on July 26, 2021 on behalf of the property owners requesting formal information on the vesting status of Patterson Preserve
- **10/27/21:** County Staff issued a formal notice to Exeter Development that their vesting for the approved Patterson Preserve Preliminary Plat had expired based on the Planning Commission approval date of June 18, 2019.
- **10/28/21**: Jeff Smerko (Chief Acquisitions Officer for Exeter Development) replied, stating that they [Exeter] were "*weeks away from making full submittals to all agencies."*
- **11/4/21:** Chaplin Spencer (Attorney with Spencer and Spencer) issued a rebuttal to county staff's assertion that the beginning of the vesting came from Planning Commission approval (6-18-2019). Mr. Spencer opined that the beginning of vesting should be derived from the date of full preliminary plat approval (4-2-2021).
- **11/24/21**: John Dubose (County Attorney) issued a response stating that the prior County assertion was withdrawn and that *"Exeter Development Company, LLC ("Developer") has a vested right to develop the Patterson Preserve for two years from final Preliminary Plat approval by the TRC on April 2, 2021."*

Advance Knowledge of What Was Needed to Make the April 2023 Deadline

- Jeremy Wethington (Land Development Project Manager for Exeter) emailed on March 29, 2022, stating the following: *I need to know the requirements for platting and what options are available for bonding. For our Patterson Preserve Community we were approved April of 2021. It is my understanding that we need to have ALL plats recorded by April of 2023 and there may a chance for a one-year extension. Even with the extension it will be very tight for us to have the community 100% complete for all platting to be recorded.*
    - County Staff responded: *"…so long as you are making substantial investment and progress into the site with 50-75% of lots final platted by April 2023 you should be okay from a vesting standpoint"*

- Your letter, dated February 20, 2023, that states the anticipation of *"full submittal of construction documents in April or May, 2023"*- knowing that the vesting ends on April 2, 2023, this indicates that the company does not anticipate being able to complete the civil review step by the deadline, much less the 50-75% final platting as staff indicated in 2022.

While we have determined that your project falls under the Preliminary Plat review process, your letter also points to the vested rights section (9.2.17). Even under this section of the UDO, there is a block to extending the vested rights for Patterson Preserve.

Section 9.2.17.A.2 states that "The Planning Commission must approve applications for at least five annual extensions of the vested right if a timely and proper application has been filed with the Planning Commission unless an amendment to the UDO has been adopted that prohibits approval."

- The initial application for Patterson Preserve (submitted February 4, 2019) states on page 6 that the development was submitted under the "cluster subdivision" design standards.
- On December 19, 2021, the Lancaster County Council approved Ordinance #2019-1623, amending the UDO to require all cluster subdivisions to have a development agreement.

- There are no development agreements on record for Patterson Preserve to fulfill that requirement, and as such, approval of the cluster subdivision would not be available.

When you're ready to re-apply, our staff stands ready to assist you.

Please feel free to reach out to me if you have any questions.

Regards,

Allison Hardin, CFM

Interim Planning Director

Lancaster County, SC

October 22, 2021

Jeffrey Smerko
Exeter Development Company, LLC
3176 National Drive
Raleigh, NC 27612

RE: PATTERSON PRESERVE PRELIMINARY PLAT EXPIRATION

Dear Mr. Smerko,

This letter serves as official notification that your Preliminary Plat for the proposed Patterson Preserve using the Cluster Subdivision Overlay District (CSOD) including 177 has expired. This plat included Tax Map Numbers 0003-00-049.00, 0003-00-049.13, and 0003-00-049.17.

Lancaster County Unified Development Ordinance section 9.2.3 establishes the Planning Commission as the approving agency for Preliminary Plats. Section 9.2.3 also establishes a two year permit period as is consistent with S.C. Code, § 6-29-1530. The Preliminary Plat for the development known as Patterson Preserve was approved by the Lancaster County Planning Commission June 18, 2019. Lancaster County did not receive a formal extension request on or before June 18, 2021 therefore the plat is now considered expired.

Should you still wish to develop this property you will be required to submit a plan consistent with current regulations found in the Lancaster County Unified Development Ordinance beginning at the Sketch Plan stage.

Please feel free to contact me at 803.416.9433 or adavis@lancastercountysc.net if you have any questions.

Sincerely,

Ashley Davis
Senior Planner

C: Rox Burhans, Development Services Director
John Dubose, County Attorney

Enc: UDO VIA URL:
https://cms9files.revize.com/lancastercountysc/Document_Center/Department/Development%20Service/Planning/Updated%20UDO%2012.22.20/UDO%20-%20Combined%202020%2012-22.pdf

SPENCER & SPENCER
PROFESSIONAL ASSOCIATION

Attorneys and Counselors at Law

C.E. SPENCER (1849-1921)
C.W.F. SPENCER (1876-1956)
C.W.F. SPENCER, JR. (1911-1985)
EMIL W. WALD (1934-2011)
W.C. SPENCER (1928-2018)
WILLIAM L. "RED" FERGUSON †
PAUL W. DILLINGHAM
W. MARK WHITE*
W. CHAPLIN SPENCER, JR.*
R. BRENT THOMPKINS*
JEREMY D. MELVILLE*
SHIRYL R. BALLARD*
CATHY LIGHTSEY WEAVER

† Of Counsel
* Also admitted in NC

SUITE 200
226 EAST MAIN STREET

P.O. BOX 790
ROCK HILL, S.C. 29731-6790

Telephone
803-327-7191

Telecopier
803-327-3868

Internet Address
chaplinspencer@spencerfirm.com

Website
www.spencerfirm.com

November 4, 2021

Via Email
John K. Dubose, III
2530 Devine Street
Columbia, SC 29205

Re: Patterson Preserve - Improper Expiration of Preliminary Plat

John:

As discussed, our firm represents Exeter Development Company, LLC ("Developer"). On June 18, 2019, the Planning Commission *conditionally approved* a preliminary plat for 177 lots on approximately 103 acres. Developer sought to commence development around December 2020 and was informed that grading or other infrastructure activities could not be conducted until final preliminary plat approval. On April 2, 2021, Lancaster County *approved* the Preliminary Plat for Patterson Reserve. See enclosed Preliminary Plat with April 2, 2021 approval stamp. The County mailed confirmation of Preliminary Plat approval to Developer's engineer of record on April 2, 2021 with a letter stating: "This letter is to confirm APPROVAL of your Preliminary Plat plans." See enclosed letter.

Despite the April 2, 2021 approval and extensive discussions with County Planning Staff during the first half of 2021, the County sent Developer a letter dated October 27, 2021 indicating that the Preliminary Plat expired. See enclosed letter. Specifically, the letter states:

> Lancaster County Unified Development Ordinance (UDO Section 9.2.3 establishes the Planning Commission as the approving agency for Preliminary Plans. UDO Section 9.2.3 and Section 9.2.10(B)(9) establish a two-year permit validity period, as is consistent with S.C.Code, § 6-29-1530. The Preliminary Plat for the development known as Patterson Preserve was approved by the Lancaster County Planning Commission June 18, 2019. Lancaster County did not receive a formal extension request pursuant to UDO Section 9.2.10(B)(10) on or before June 18, 2021, therefore the plat is now expired and is null and void.[1]

Developer does not debate that vested rights are established for a period of two years after plan approval. However, the Preliminary Plat was not approved until April 2, 2021. The state vested rights statutes cited in the County's October 27, 2021 letter clarify the difference between "approval" and "conditional approval."

> "'Approved' or 'approval' means a final action by the local governing body or an exhaustion of all administrative remedies that results in the authorization of a site specific development plan or a phased development plan."
>
> "'Conditionally approved' or 'conditional approval' means an interim action taken by a local governing body that provides authorization for a site specific development plan or a phased development plan but is subject to approval."

S.C.Code Ann. § 6-29-1520 (1), (3). The state statutes further provide that a local governing body must provide two-year vested rights in an approved site specific development plan and may provide two-year vested rights in a conditionally approved site specific development plan. S.C.Code Ann. § 6-29-1530.

The County expressly chose not to provide vested rights for conditionally approved plans.

---

[1] It must be noted that UDO Section 9.2.10(B)(10) stating that the County "may grant a single extension of this time period of up to one year upon submittal by the applicant of sufficient justification for the extension" is contrary to both S.C.Code § 6-29-1530(A)(2)(b) and Lancaster County UDO Sections 9.2.17(A)(2)and(B)(3) which mandate approval of up to five annual extensions.

> The Planning Commission shall not provide for or approve the establishment of a two-year vested right in a conditionally approved site specific development plan. No two-year vested right is established in a conditionally approved site specific development plan until such vested right is specifically and expressly approved by the Planning Commission in writing when a site specific development plan is approved without conditions.

UDO Section 9.2.17(A)(3); see also UDO Section 9.2.17(B)(1)(d) ("No vested right is established under a conditionally approved phased development plan"). Section 9.2.17(A)(5) provides: "No vested right in a site specific development plan shall attach or be established until plan applications and required documents have been received, *all required approvals have been given or granted,* and all fees have been paid in accordance with the procedures outlined in this code." "Following an approval or approval with conditions of the Preliminary Plat by the Planning Commission, the applicant will be directed to prepare detailed Construction Documents for review by the Administrator and members of the TRC (as necessary) . . . The applicant may make changes and submit a revised plan which revisions shall be submitted, reviewed and acted on in accordance with the procedures set forth in this section. Once the applicant secures approval of the Preliminary Plan and Construction Documents, the applicant will be directed to proceed to the preparation of a Final Plat." UDO Section 9.2.10(B)(7).

In this case, approval of the revised plans meeting the conditions of the conditional approval were made by the TRC on April 2, 2021 which resulted in *approval* of the Preliminary Plan. The County's UDO and operational procedures have the TRC making approval of conditionally approved plans. UDO Section 9.2.10(B)(7).[2]

Developer has vested rights to develop the Patterson Preserve for two years from final Preliminary Plan approval on

[2] See also Section 9.2.10(B)(5) stating "[o]nce an application is deemed complete by the Administrator, the TRC shall review the application and approve, deny, or approve with conditions the Preliminary Plat based on compliance with the land development standards contained in this ordinance within 65 working days of its submittal. If no action is taken by the Planning Commission within this time period, the Preliminary Plat shall be deemed approved." The Planning Commission took no further action after TRC approval of the revised Preliminary Plat resulting in deeming the Preliminary Plat approved.

April 2, 2021. The County's conditional approval does not trigger expiration of the two-year vested rights period. In addition, Developer's expenditure of approximately $175,000 since March 2021 to finalize development plans, construction drawings and related development costs in reliance on communications and approvals from Lancaster County provides a vested right.[3]

There has been miscommunication or misapplication of the UDO regarding approval and conditional approval of the Preliminary Plat for Patterson Preserve. Developer seeks to amicably resolve these issues and have its development rights restored. Please contact me upon your review to discuss resolution.

Sincerely,

W. Chaplin Spencer, Jr.

Enclosures

cc: Jeffrey Smerko

[3] The County's UDO recognizes common law vested rights as follows:
The landowner's rights are considered vested in the types of land use and density or intensity of uses defined in the development plan, and the vesting is not affected by later amendments to the UDO if the landowner:

a. Obtains or is the beneficiary of a significant affirmative government act that remains in effect allowing development of a specific project;
b. Relies in good faith on the significant affirmative government act; and
c. Incurs significant obligations and expenses in the diligent pursuit of the specific project in reliance on the significant affirmative government act.

UDO Section 9.2.17(D)(1); see also Grays Hill Baptist Church v. Beaufort County, 431 S.C. 630, 850 S.E.2d 29, 34-35 (2020) (recognizing vested rights to complete approved plan upon significant expenditures).

DEVELOPMENT INFORMATION

Project Name:	Patterson Preserve Subdivision Lancaster County, South Carolina
Developer:	Exeter Development Company 3176 National Drive , Suite 105 Raleigh, NC 27612 Phone: (919) 818-2512
Tax I.D.:	0003-00-049.00, 0003-00-049.13, 0003-00-049.17
Site Acreage:	103.45 Ac.±(Total) 1.15 Ac.± (Existing SCDOT R/W) 102.30 Ac.± (Net Development Acreage)
Open Space:	25% of Net Development Acreage Required Natural Preservation Areas*: 1.16 Ac.± (Wetlands) 2.44 Ac.± (Streams) 3.60 Ac.± Total [(102.30-3.60) X 25%]+3.60 = 28.28 Ac.± 51.22 Ac.± Provided (50.0%)
Tree Save:	Existing Tree Canopy = 76.8 Ac.± 13.0 Ac.± Provided (16.9%)
Zoning:	MDR Cluster Subdivision Overlay
School District:	Lancaster County School District
Fire District:	Pleasant Valley Fire District
Setbacks/Yards:	Front - 20Ft. Side - 7.5Ft. / 15Ft. Corners Rear - 30Ft.
Min. Lot Width:	55Ft.
Min.Lot Area:	7,425 Sq. Ft.
Lots Proposed:	94 Lots - Phase 1 (1-38, 115-133, 141-177) 83 Lots - Phase 2 (39-114, 134-140) 177 Lots Total (Single Family Residential)

* Wetland and streams included in natural preservation area maybe reduced with approval by the USACOE through issued 404/401 permits.

PER SCDOT DISCUSSION THE FOLLOWINGARE THE APPROVED TIA MITIGATIONS:

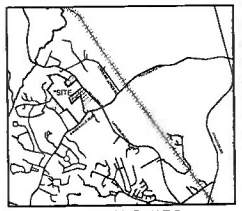
HARRISBURG ROAD at BARERVILLE ROAD:
Construction of an exclusive westbound right-turn lane on Barberville Road with 125 feet of storage.

BARBERVILLE ROAD/STOCK LANE AND FORT MILL HIGHWAY
Design of an exclusive southbound right-turn lane on Barberville Road with 300 feet of storage, representing approximately 70% (ROW) plans. (note taper or storage would be reduced in order to get taper starting just south of the driveway)

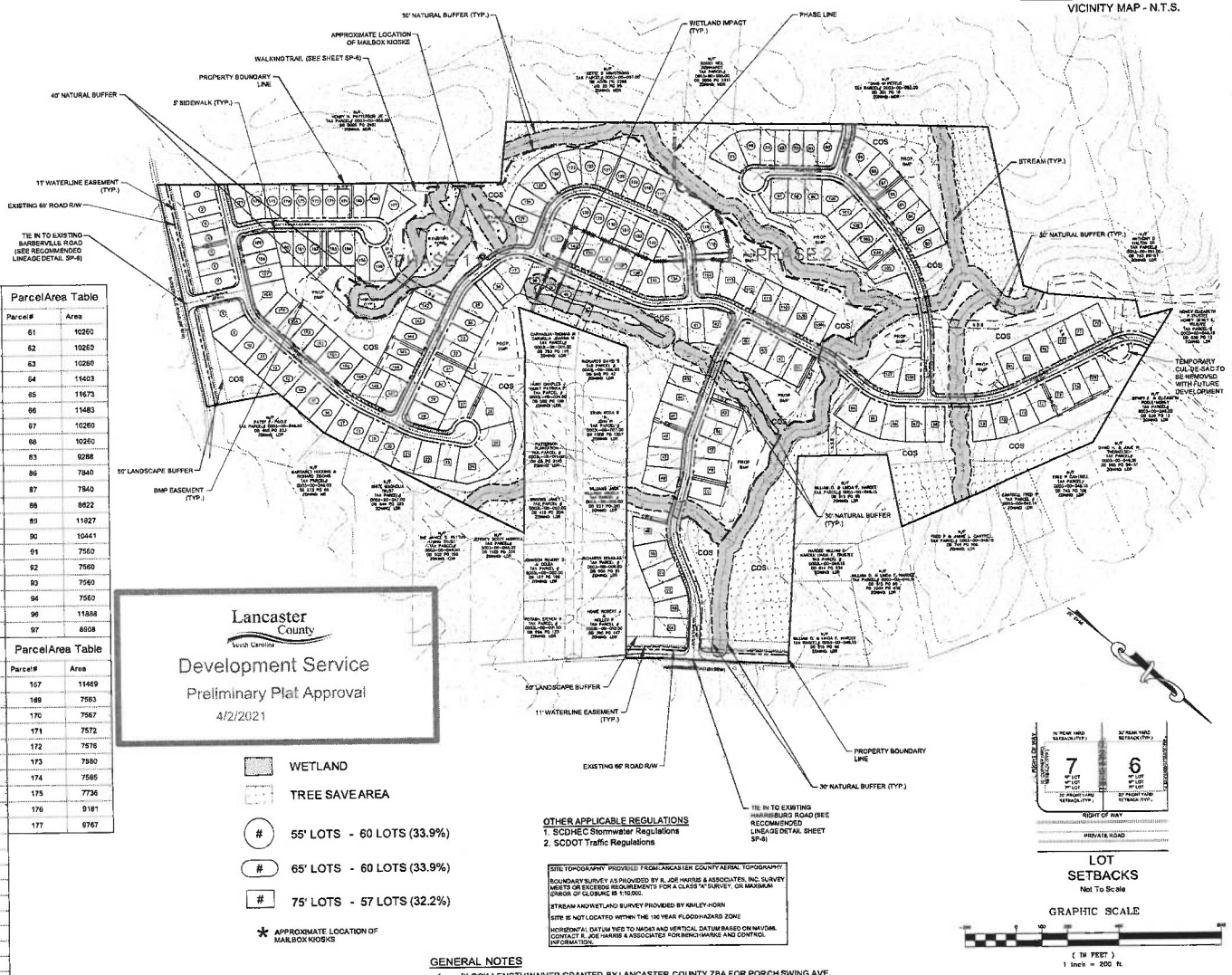
BARBERVILLE ROAD at SITE ACCESS 1
Construction of an eastbound left-turn lane on Barberville Road with 150 feet of storage.

HARRISBURG ROAD at SITE ACCESS 2
Construction of a northbound left-turn lane on Harrisburg Road with 150 feet of storage.

Road Lengths:		
	GARDEN ROAD	3516 LF
	RIDING RING ROAD	1690 LF
	SADDLEHORSE DR	1510 LF
	PORCH SWING AVE	1405 LF
	GREY BARN ST	1030 LF
	CATTLE COURT	573 LF
	FERN TERRACE	243 LF
	HAY FIELD TERRACE	200 LF



VICINITY MAP - N.T.S.



ParcelArea Table		ParcelArea Table		ParcelArea Table		ParcelArea Table	
Parcel#	Area	Parcel#	Area	Parcel#	Area	Parcel#	Area
1	9728	21	11276	41	8910	61	10260
2	7560	22	10846	42	12124	62	10260
3	7560	23	10298	43	10260	63	10260
4	7560	24	16440	44	10260	64	11403
5	7560	25	18545	45	10260	65	11673
6	7560	26	17435	46	11616	66	11483
7	8553	27	16372	47	10260	67	10260
8	11911	28	10462	48	10979	68	10260
9	11637	29	8910	49	12144	83	9268
10	9122	30	8910	50	11345	86	7840
11	8910	31	8910	51	10260	87	7840
12	8910	32	8910	52	9559	88	8622
13	8910	33	8910	53	9680	89	11827
14	8910	34	8910	54	10260	90	10441
15	8910	35	11502	55	10700	91	7560
16	9872	36	8910	56	10919	92	7560
17	9728	37	12988	57	9922	93	7560
18	9090	38	8910	58	10260	94	7560
19	8974	39	8910	59	10260	96	11888
20	9373	40	8910	60	10174	97	8908

ParcelArea Table		ParcelArea Table		ParcelArea Table		ParcelArea Table	
Parcel#	Area	Parcel#	Area	Parcel#	Area	Parcel#	Area
98	8910	122	9410	145	8910	167	11469
99	8910	123	9410	146	8896	169	7563
100	11501	124	9410	147	9869	170	7567
101	8910	125	11057	148	9184	171	7572
102	8910	129	7368	149	9526	172	7576
106	11097	129	7560	150	9063	173	7580
108	10260	130	7560	151	8910	174	7585
109	10260	131	7560	152	8910	175	7736
110	10260	132	7560	153	8910	176	9181
111	10260	133	8534	154	8910	177	9767
112	10375	134	10584	155	8688		
113	12255	135	10850	156	12873		
114	11610	136	8910	157	8912		
115	9325	137	8910	158	7560		
116	9213	138	8910	159	9577		
117	7560	139	8910	160	8361		
118	7560	140	8910	161	7560		
119	7560	141	10184	162	7560		
120	7560	142	8910	163	7560		
121	8738	144	8910	164	7560		

Lancaster County
South Carolina
Development Service
Preliminary Plat Approval
4/2/2021

WETLAND
TREE SAVE AREA
(#) 55' LOTS - 60 LOTS (33.9%)
(#) 65' LOTS - 60 LOTS (33.9%)
[#] 75' LOTS - 57 LOTS (32.2%)
* APPROXIMATE LOCATION OF MAILBOX KIOSKS

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

SITE TOPOGRAPHY PROVIDED FROMLANCASTER COUNTY AERIAL TOPOGRAPHY
BOUNDARY SURVEY AS PROVIDED BY R. JOE HARRIS & ASSOCIATES, INC. SURVEY MEETS OR EXCEEDS REQUIREMENTS FOR A CLASS "A" SURVEY, OR MAXIMUM ERROR OF CLOSURE IS 1:10,000.
STREAM ANDWETLAND SURVEY PROVIDED BY KINLEY-HORN
SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOODHAZARD ZONE
HORIZONTAL DATUM TIED TO NAD83 AND VERTICAL DATUM BASED ON NAVD88. CONTACT R. JOE HARRIS & ASSOCIATES FOR BENCHMARKS AND CONTROL INFORMATION.

GENERAL NOTES
1. BLOCK LENGTHWAIVER GRANTED BY LANCASTER COUNTY ZBA FOR PORCH SWING AVE.

LOT SETBACKS
Not To Scale

GRAPHIC SCALE
(IN FEET)
1 inch = 200 ft.

DATE	ISSUED FOR	REV
[illegible]	Initial Submittal to Lancaster County	0
[illegible]	Revised Submittal to Lancaster County	1
[illegible]	Revised Submittal to Lancaster County	2
[illegible]	Revised Submittal to Lancaster County	3

PUPS
811 Know what's below. Call before you dig.

Engineer:
RJH
R. Joe Harris & Associates, Inc.
Engineering • Land Surveying • Planning
[illegible] P: (803) 957-1796
www.rjoeharris.com

This drawing shall not be used for construction purposes until the seal and signature of the responsible registrant appears 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.

Engineer's Seal: SOUTH CAROLINA R. JOE HARRIS & ASSOCIATES, INC. No. 000262 CERTIFICATE OF AUTHORIZATION
Engineer's Seal: SOUTH CAROLINA PROFESSIONAL ENGINEER PATRICK L. MURPHY No. 26855

Project Manager: A. Bowersox	Drawn: R. Nedawi
Department Manager: P. Murphy	Checked: P. Murphy
Print Plot Date: March 9, 2021	Author Seal: [illegible]
Author Initials: [illegible]	Author Date: [illegible]

Client:
Exeter Development Company
3176 NATIONAL DRIVE
RALEIGH, NC 27612
P: (919) 818-2512

Project:
Patterson Preserve
Preliminary Plat

Drawing Title:
Preliminary Plat
Overall

Project No.: 3075	Drawing No.: SP-1
Dwg File Name: 3075-Preliminary Pal	

Lancaster County
South Carolina

Lancaster County
Planning Department
P. O. Box 1809
Lancaster, SC 29721
803.285.6005
planning@lancastercountysc.net

April 02, 2021

Patrick Murphy
R. Joe Harris & Associates, Inc.
127 Ben Casey Drive
Fort Mill, SC 29708

Project Number	291
Project Name	Patterson Preserve Subdivision
Location	Barberville Road & Harrisburg Rc
Stage	Preliminary Plat
Parcel(s)	0003-00-049.00, 0003-00-049.13
Status	Approved

Dear: Patrick Murphy

This letter is to confirm APPROVAL of your Preliminary Plat plans by the Lancaster County Technical Review Committee (TRC). You may now contact the Lancaster County Zoning Department and the Lancaster County Building Department regarding the necessary permits for this project. If you have any questions or concerns please contact me at (803) 285-6005. We look forward to working with you and your associates on this project in Lancaster County.

Please note that project as-builts shall be submitted prior to issuance of final plat approval or a building certificate of occupancy. These required as-builts shall be completed as per the attached as-built checklist and instructions.

Sincerely,

Chanda Kirkland

Chanda Kirkland, Development Service Coordinator
Lancaster County Government
101 N Main St
Lancaster, SC 29720
P: (803) 416-9390

Lancaster County
South Carolina

October 27, 2021

Jeffrey Smerko
Exeter Development Company, LLC
3176 National Drive
Raleigh, NC 27612

RE: PATTERSON PRESERVE PRELIMINARY PLAT EXPIRATION

Dear Mr. Smerko,

This letter serves as official notification that your Preliminary Plat for the proposed Patterson Preserve using the Cluster Subdivision Overlay District (CSOD) including 177 homes has expired. This plat included Tax Map Numbers 0003-00-049.00, 0003-00-049.13, and 0003-00-049.17.

Lancaster County Unified Development Ordinance (UDO) Section 9.2.3 establishes the Planning Commission as the approving agency for Preliminary Plats. UDO Section 9.2.3 and Section 9.2.10 (B)(9) establish a two-year permit validity period, as is consistent with S.C. Code, § 6-29-1530. The Preliminary Plat for the development known as Patterson Preserve was approved by the Lancaster County Planning Commission June 18, 2019. Lancaster County did not receive a formal extension request pursuant to UDO Section 9.2.10(B)(10) on or before June 18, 2021, therefore the plat is now expired and is null and void.

Should you still wish to develop this property you will be required to submit a plan consistent with current regulations found in the Lancaster County Unified Development Ordinance beginning at the Sketch Plan stage.

Please feel free to contact me at 803.416.9433 or adavis@lancastercountysc.net if you have any questions.

Sincerely,
Ashley Davis
Senior Planner

C: Rox Burhans, Development Services Director
John Dubose, County Attorney
Mary Glace, Property Owner

Enc: UDO VIA URL:
https://cms9files.revize.com/lancastercountysc/Document_Center/Department/Development%20Service/Planning/Updated%20UDO%2012.22.20/UDO%20-%20Combined%202020%2012-22.pdf

SMITH ROBINSON
Forward thinking. Results driven.

Smith Robinson Holler DuBose and Morgan, LLC

COLUMBIA 2530 Devine Street, Columbia, SC 29205 P: 803.254.5445 F: 803.254.5007
SUMTER 2126 N. Main Street, Sumter, SC 29151 P: 803.778.2471 F: 803.778.1643
CAMDEN 935 Broad Street, Camden, SC 29020 P: 803.432.1992 F: 803.432.0784

Reply to Columbia Office
John K. DuBose, III

November 24, 2021

VIA E-MAIL AND U.S. MAIL
W. Chaplin Spencer, Jr., Esquire
Spencer & Spencer
PO Box 790
Rock Hill, South Carolina 29731-6790
chaplinspencer@spencerfirm.com

Re: Patterson Preserve – Confirmation of Vesting Date

Chaplin:

I write in response to your letter of November 4, 2021. Please allow this letter to serve as Lancaster County's confirmation that Exeter Development Company, LLC ("Developer") has a vested right to develop the Patterson Preserve for two years from final Preliminary Plat approval by the TRC on April 2, 2021. The prior letter from Lancaster County to Developer entitled "Patterson Preserve Preliminary Plat Expiration" and dated October 27, 2021, is withdrawn.

Very truly yours,

SMITH ROBINSON HOLLER DuBOSE
AND MORGAN, LLC

s/John K. DuBose, III
John K. DuBose, III
Lancaster County Attorney

JKDuB,III/urv
cc: Jeffrey Smerko (Via U.S. Mail)

serve in the capacity of a professional employee.

HISTORY: 2003 Act No. 39, Section 14, eff June 2, 2003.

ARTICLE 11

Vested Rights

SECTION 6-29-1510. Citation of article.

This article may be cited as the "Vested Rights Act".

HISTORY: 2004 Act No. 287, Section 2, eff July 1, 2005.

SECTION 6-29-1520. Definitions.

As used in this article:

(1) "Approved" or "approval" means a final action by the local governing body or an exhaustion of all administrative remedies that results in the authorization of a site specific development plan or a phased development plan.

(2) "Building permit" means a written warrant or license issued by a local building official that authorizes the construction or renovation of a building or structure at a specified location.

(3) "Conditionally approved" or "conditional approval" means an interim action taken by a local governing body that provides authorization for a site specific development plan or a phased development plan but is subject to approval.

(4) "Landowner" means an owner of a legal or equitable interest in real property including the heirs, devisees, successors, assigns, and personal representatives of the owner. "Landowner" may include a person holding a valid option to purchase real property pursuant to a contract with the owner to act as his agent or representative for purposes of submitting a proposed site specific development plan or a phased development plan pursuant to this article.

(5) "Local governing body" means: (a) the governing body of a county or municipality, or (b) a county or municipal body authorized by statute or by the governing body of the county or municipality to make land-use decisions.

(6) "Person" means an individual, corporation, business or land trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any legal entity as defined by South Carolina laws.

(7) "Phased development plan" means a development plan submitted to a local governing body by a landowner that shows the types and density or intensity of uses for a specific property or properties to be developed in phases, but which do not satisfy the requirements for a site specific development plan.

(8) "Real property" or "property" means all real property that is subject to the land use and development ordinances or regulations of a local governing body, and includes the earth, water, and air, above, below, or on the surface, and includes improvements or structures customarily regarded as a part of real property.

(9) "Site specific development plan" means a development plan submitted to a local governing body by a landowner describing with reasonable certainty the types and density or intensity of uses for a specific property or properties. The plan may be in the form of, but is not limited to, the following plans or approvals: planned unit development; subdivision plat; preliminary or general development plan; variance; conditional use or special use permit plan; conditional or special use district zoning plan; or other land-use approval designations as are used by a county or municipality.

(10) "Vested right" means the right to undertake and complete the development of property under the terms and conditions of a site specific development plan or a phased development plan as provided in this article and in the local land development ordinances or regulations adopted pursuant to this chapter.

HISTORY: 2004 Act No. 287, Section 2, eff July 1, 2005.

SECTION 6-29-1530. Two-year vested right established on approval of site specific development plan; conforming ordinances and regulations; renewal.

(A)(1) A vested right is established for two years upon the approval of a site specific development plan.

(2) On or before July 1, 2005, in the local land development ordinances or regulations adopted pursuant to this chapter, a local governing body must provide for:

(a) the establishment of a two-year vested right in an approved site specific development plan; and

(b) a process by which the landowner of real property with a vested right may apply at the end of the vesting period to the local governing body for an annual extension of the vested right. The local governing body must approve applications for at least five annual extensions of the vested right unless an amendment to the land development ordinances or regulations has been adopted that prohibits approval.

(B) A local governing body may provide in its local land development ordinances or regulations adopted pursuant to this chapter for the establishment of a two-year vested right in a conditionally approved site specific development plan.

(C) A local governing body may provide in its local land development ordinances or regulations adopted pursuant to this chapter for the establishment of a vested right in an approved or conditionally approved phased development plan not to exceed five years.

HISTORY: 2004 Act No. 287, Section 2, eff July 1, 2005.

SECTION 6-29-1540. Conditions and limitations.

A vested right established by this article and in accordance with the standards and procedures in the land development ordinances or regulations adopted pursuant to this chapter is subject to the following conditions and limitations:

(1) the form and contents of a site specific development plan must be prescribed in the land development ordinances or regulations;

(2) the factors that constitute a site specific development plan sufficient to trigger a vested right must be included in the land development ordinances or regulations;

(3) if a local governing body establishes a vested right for a phased development plan, a site specific development plan may be required for approval with respect to each phase in accordance with regulations in effect at the time of vesting;

(4) a vested right established under a conditionally approved site specific development plan or conditionally approved phased development plan may be terminated by the local governing body upon its determination, following notice and public hearing, that the landowner has failed to meet the terms of the conditional approval;

(5) the land development ordinances or regulations amended pursuant to this article must designate a vesting point earlier than the issuance of a building permit but not later than the approval by the local governing body of the site specific development plan or phased development plan that authorizes the developer or landowner to proceed with investment in grading, installation of utilities, streets, and other infrastructure, and to undertake other significant expenditures necessary to prepare for application for a building permit;

(6) a site specific development plan or phased development plan for which a variance, regulation, or special exception is necessary does not confer a vested right until the variance, regulation, or special exception is obtained;

(7) a vested right for a site specific development plan expires two years after vesting. The land development ordinances or regulations must authorize a process by which the landowner of real property with a vested right may apply at the end of the vesting period to the local governing body for an annual extension of the vested right. The local governing body must approve applications for at least five annual extensions of the vested right unless an amendment to the land development ordinances or regulations has been adopted that prohibits approval. The land development ordinances or regulations may authorize the local governing body to:

(a) set a time of vesting for a phased development plan not to exceed five years; and

(b) extend the time for a vested site specific development plan to a total of five years upon a determination that there is just cause for extension and that the public interest is not adversely affected. Upon expiration of a vested right, a building permit may be issued for development only in accordance with applicable land development ordinances or regulations;

(8) a vested site specific development plan or vested phased development plan may be amended if approved by the local governing body pursuant to the provisions of the land development ordinances or regulations;

(9) a validly issued building permit does not expire or is not revoked upon expiration of a vested right, except for public safety reasons or as prescribed by the applicable building code;

(10) a vested right to a site specific development plan or phased development plan is subject to revocation by the local governing body upon its determination, after notice and public hearing, that there was a material misrepresentation by the landowner or substantial noncompliance with the terms and conditions of the original or amended approval;

(11) a vested site specific development plan or vested phased development plan is subject to later enacted federal, state, or local laws adopted to protect public health, safety, and welfare including, but not limited to, building, fire, plumbing, electrical, and mechanical codes and nonconforming structure and use regulations which do not provide for the grandfathering of the vested right. The issuance of a building permit vests the specific construction project authorized by the building permit to the building, fire, plumbing, electrical, and mechanical codes in force at the time of the issuance of the building permit;

(12) a vested site specific development plan or vested phased development plan is subject to later local governmental overlay zoning that imposes site plan-related requirements but does not affect allowable types, height as it affects density or intensity of uses, or density or intensity of uses;

(13) a change in the zoning district designation or land-use regulations made subsequent to vesting that affect real property does not operate to affect, prevent, or delay development of the real property under a vested site specific development plan or vested phased development plan without consent of the landowner;

(14) if real property having a vested site specific development plan or vested phased development plan is annexed, the governing body of the municipality to which the real property has been annexed must determine, after notice and public hearing in which the landowner is allowed to present evidence, if the vested right is effective after the annexation;

(15) a local governing body must not require a landowner to waive his vested rights as a condition of approval or conditional approval of a site specific development plan or a phased development plan; and

(16) the land development ordinances or regulations adopted pursuant to this article may provide additional terms or phrases, consistent with the conditions and limitations of this section, that are necessary for the implementation or determination of vested rights.

HISTORY: 2004 Act No. 287, Section 2, eff July 1, 2005.

SECTION 6-29-1550. Vested right attaches to real property; applicability of laws relating to public health, safety and welfare.

A vested right pursuant to this section is not a personal right, but attaches to and runs with the applicable real property. The landowner and all successors to the landowner who secure a vested right pursuant to this article may rely upon and exercise the vested right for its duration subject to applicable federal, state, and local laws adopted to protect public health, safety, and welfare including, but not limited to, building, fire, plumbing, electrical, and mechanical codes and nonconforming structure and use regulations which do not provide for the grandfathering of the vested right. This article does not preclude judicial determination that a vested right exists pursuant to other statutory provisions. This article does not affect the provisions of a development agreement executed pursuant to the South Carolina Local Government Development Agreement Act in Chapter 31 of Title 6.

HISTORY: 2004 Act No. 287, Section 2, eff July 1, 2005.

SECTION 6-29-1560. Establishing vested right in absence of local ordinances providing therefor; significant affirmative government acts.

(A) If a local governing body does not have land development ordinances or regulations or fails to adopt an amendment to its land development ordinances or regulations as required by this section, a landowner has a vested right to proceed in accordance with an approved site specific development plan for a period of two years from the approval. The landowner of real property with a vested right may apply at the end of the vesting period to the local governing body for an annual extension of the vested right. The local governing body must approve applications for at least five annual extensions of the vested right unless an amendment to the land development ordinances or regulations has been adopted that prohibits approval. For purposes of this section, the landowner's rights are considered vested in the types of land use and density or intensity of uses defined in the development plan and the vesting is not affected by later amendment to a zoning ordinance or land-use or development regulation if the landowner:

(1) obtains, or is the beneficiary of, a significant affirmative government act that remains in effect allowing development of a specific project;

(2) relies in good faith on the significant affirmative government act; and

(3) incurs significant obligations and expenses in diligent pursuit of the specific project in reliance on the significant affirmative government act.

(B) For the purposes of this section, the following are significant affirmative governmental acts allowing development of a specific project:

(1) the local governing body has accepted exactions or issued conditions that specify a use related to a zoning amendment;

(2) the local governing body has approved an application for a rezoning for a specific use;

(3) the local governing body has approved an application for a density or intensity of use;

(4) the local governing body or board of appeals has granted a special exception or use permit with conditions;

(5) the local governing body has approved a variance;

(6) the local governing body or its designated agent has approved a preliminary subdivision plat, site plan, or plan of phased development for the landowner's property and the applicant diligently pursues approval of the final plat or plan within a reasonable period of time under the circumstances; or

(7) the local governing body or its designated agent has approved a final subdivision plat, site plan, or plan of phased development for the landowner's property.

3. **Consideration by Planning Commission:** The Planning Commission shall conduct a public hearing and receive public input on the proposed use and shall provide a written recommendation to the County Council regarding whether to approve or deny the proposed use within 35 days of its first consideration on the matter. The recommendation shall address consistency with Chapter 5 and the surrounding neighborhood and other matters deemed appropriate by the Commission. A recommendation for denial of the petition shall not preclude consideration or approval of the proposed use by the County Council.

C. CONSIDERATION BY COUNTY COUNCIL

1. **Public Notification (Prior to Planning Commission):** Level 1 and 2 are required for all conditional uses to the UDO. Level 3 is required for all amendments to the UDO that involve a specific parcel of land. Such actions include, but are not limited to Conditional Use.

2. **Consideration by the County Council:** Following receipt of a recommendation of a proposed amendment, the County Council may:

   a. Approve the proposed use.

   b. Approve the proposed use with restrictions.

   c. Reject the proposed use.

   d. Refer the proposed use back to the Planning Commission for further consideration.

   (Ord. No. 2018-1521, 7.16.18)

D. WAITING PERIOD FOR SUBSEQUENT APPLICATIONS

When an application for a use has been approved or denied by the County Council, no application shall be considered on the same issue within the next 12 months after approval or denial.

9.2.17 VESTED RIGHTS

A. ESTABLISHMENT OF VESTED RIGHTS

1. A vested right is established for two years upon the approval of a Site Specific Development Plan.

2. The landowner of real property with a vested right may apply in writing before the end of the vesting period or within 30 days after the expiration of the vesting period or any extension thereof but not thereafter to the Lancaster County Planning Commission for an annual one-year extension of the vested right. The Planning Commission must approve applications for at least five annual extensions of the vested right if a timely and proper application has been filed with the Planning Commission unless an amendment to the UDO has been adopted that prohibits approval. If no timely and proper written application is made by the landowner to the Planning Commission for an annual extension, the vesting period or annual extension applicable to such real property shall expire at the end of the vesting period or the annual extension thereof.

3. The Planning Commission shall not provide for or approve the establishment of a two-year vested right in a conditionally approved site specific development plan. No two-year vested right is established in a conditionally approved site specific development plan until such vested right is specifically and expressly approved by the Planning Commission in writing when a site specific development plan is approved without conditions.

4. The Planning Commission shall not approve the establishment of a vested right in an approved phased development plan but may approve and establish a vested right in any

phase of a phased development plan which conforms to, complies with, and satisfies all state statutes and county codes and ordinances including, but not limited to, planning, zoning, subdivisions, stormwater management and control, building, fire, water and sewer, road, and other state and county codes applicable to such development.

5. No vested right in a site specific development plan shall attach or be established until plan applications and required documents have been received, all required approvals have been given or granted, and all fees have been paid in accordance with the procedures outlined in this code. No vested right attaches or is established until a final decision has been rendered favorable to the applicant on all administrative appeals.

6. The Lancaster County Board of Zoning Appeals is not authorized to grant or approve a vested right and no vested right shall be established, created, or accrue as a result of any decision of the Board of Zoning Appeals.

B. CONDITIONS AND LIMITATIONS

1. A vested right established in Chapter 9-and in accordance with the UDO is subject to the following conditions and limitations:

a. The form and content of a site specific development plan submitted by a landowner must conform and comply with county planning, zoning, subdivision, stormwater management and sediment control, building, electrical, mechanical, life safety, fire, water and sewer, road, and other codes, ordinances, and regulations applicable to such development or development plan;

b. No vested right in a site specific development plan shall be established except in conformity with county planning, zoning, subdivision, stormwater management and sediment control, building, electrical, mechanical, life safety, fire, water and sewer, road, and other land use codes, ordinances, and regulations;

c. If the Planning Commission approves a vested right for one or more phases of a phased development plan, a site specific development plan shall be required for approval with respect to each phase in accordance with regulations in effect at the time of vesting;

d. No vested right is established under a conditionally approved site specific development plan or conditionally approved phased development plan. Any approved site specific development plan or approved phased development plan or phase thereof may be terminated by the Planning Commission upon its determination, following notice and a public hearing, that the landowner has failed to meet the terms of the approval; and

e. A vested right established in accordance with the provisions of Chapter 9 shall be vested upon approval by the Planning Commission of the site specific development plan or specific phase of a phased development plan that authorizes the developer or landowner to proceed with investment in grading, installation of utilities, streets, and other infrastructure and to undertake other specific expenditures necessary to prepare for application for a building permit. No developer or landowner shall proceed with investment in grading, installation of utilities, streets or other infrastructure, or shall undertake other significant expenditures necessary to prepare for application for a building permit before a site specific development plan or phased development plan or phase thereof authorizing such improvements and expenditures has been approved by the Planning Commission. No investment in grading, installation of utilities, streets or other infrastructure, or other significant expenditures shall give rise to or establish a vested right until the Planning Commission has approved the site specific development plan or phased development plan or phase thereof that authorizes the developer or landowner to proceed with

improvements or undertake other significant expenditures on the real property which is proposed for development.

2. A site specific development plan for which a variance, regulation, or special exception is necessary, does not qualify and may not claim or receive vested right status unless and until the variance, regulation, or special exception is obtained and the site specific development plan has been approved without conditions or exceptions. A phased development plan for which a variance, regulation, or special exception is necessary does not qualify and may not obtain a vested right until the variance, regulation, or special exception is obtained and the phase of the phased development plan has been approved without condition or exception.

3. A vested right for a site specific development plan expires two years after vesting; provided, however, that the landowner of real property with a vested right may apply to the Planning Commission before the end of the vesting period or within 30 days after the expiration of the vesting period or any extension thereof, but not thereafter, for an annual extension of the vested right for a period of one year. If a timely and proper written application is made, the Planning Commission must approve applications for no more than five successive annual extensions unless an amendment to the UDO has been adopted that prohibits approval of such annual extension applications. The Planning Commission shall designate the vesting point for a phased development plan as the date of approval of each phase of the phased development plan. The Planning Commission may extend the time for a vested site specific development plan to a total of five years upon a determination that there is just cause for the extension and that the public interest is not adversely affected. Upon expiration of a vested right, a building permit may be issued for development only in accordance with the applicable UDO regulations.

4. A vested site specific development plan or a vested phased development plan which has been approved by the Planning Commission may be amended if the amendments are approved by the Planning Commission pursuant to the provisions of the applicable UDO.

5. A validly issued building permit does not expire or is not revoked upon expiration or termination of a vested right, except for public safety reasons or as prescribed by the applicable building code. Vested right to a site specific development plan or a phase of a phased development plan may be revoked by the Planning Commission upon its determination, after notice and a public hearing, that there was a material misrepresentation by the landowner or substantial non-compliance with the terms and conditions of the original or amended approval.

6. A vested site specific development plan or a vested phase of a phased development plan is subject to later enacted Federal, State, or local laws or ordinances adopted to protect public health, safety, and welfare, including, but not limited to, building, fire, plumbing, electrical and mechanical codes, and non-conforming structure and use regulations which do not provide for the grandfathering of the vested right. The issuance of a building permit vests the specific construction project authorized by the building permit to the building, fire, plumbing, electrical and mechanical codes in force at the time of the issuance of the building permit.

7. A vested site specific development plan or vested phased development plan or phase thereof is subject to later local governmental overlay zoning that imposes site plan-related requirements but does not affect allowable types, height as it affects density or intensity of uses, or density or intensity of uses.

8. A change in the zoning district designation or land use regulations made subsequent to vesting that affects real property does not operate to affect, prevent, or delay development of the real property under a vested site specific development plan or

vested phase of a phased development plan without the consent of the landowner.

9. The Lancaster County Council; the Planning Commission; and local zoning, planning, and codes officials must not require a landowner to waive his or her vested rights as a condition of approval or conditional approval of a site specific development plan or phased development plan or phase thereof.

C. NATURE OF VESTED RIGHT

A vested right pursuant to this subchapter or the Vested Rights Act, being S.C. Code § 6-29-1520 *et seq.*, is not a personal right but attaches to and runs with the applicable real property. The landowner and all successors to the landowner who secure a vested right pursuant to the Vested Rights Act or this subchapter may rely upon and exercise the vested right for its duration, subject, however, to applicable Federal, State, and local laws adopted to protect public health, safety, and welfare, including, but not limited to, building, fire, plumbing, electrical and mechanical codes, and non-conforming structure and use regulations which do not provide for grandfathering of the vested right. Nothing contained herein shall preclude judicial determination that a vested right exists or does not exist pursuant to other statutory provisions.

D. LANDOWNER RIGHTS DEEMED VESTED

1. The landowner's rights are considered vested in the types of land use and density or intensity of uses defined in the development plan, and the vesting is not affected by later amendments to the UDO if the landowner:

a. Obtains or is the beneficiary of a significant affirmative government act that remains in effect allowing development of a specific project;

b. Relies in good faith on the significant affirmative government act; and

c. Incurs significant obligations and expenses in the diligent pursuit of the specific project in reliance on the significant affirmative government act.

2. For purposes of this section, the following are significant affirmative governmental acts allowing development of a specific project:

a. The Lancaster County Council has accepted exactions or issued conditions that specify a use related to a zoning amendment;

b. The Lancaster County Council has approved an application for a rezoning for a specific use;

c. The Lancaster County Council or Planning Commission has approved an application for a density or intensity of use;

d. The Lancaster County Council or Planning Commission has granted a use permit with conditions;

e. The Lancaster County Council or Planning Commission has approved a variance;

f. The Planning Commission has approved a preliminary subdivision plat, site plan, or plan of phased development for the landowner's property and the applicant diligently pursued approval of the final plat or plan within a reasonable period of time under the circumstances; or

g. The Planning Commission has approved a final subdivision plat, site plan, or plan of phased development or phase thereof for the landowner's property.

Agenda Item Summary

Ordinance # / Resolution #: RN-2023-1119 New Road Name Approvals
Contact Person / Sponsor: A. Hardin
Department: Planning
Date Requested to be on Agenda: 6/20/2023

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	6/13/2023	Exhibit
Application	6/13/2023	Exhibit
List of Road Names	6/14/2023	Exhibit

PROPOSAL: Approve road/street names in Lancaster County

APPLICABLE LAWS: Chapter 6 of Lancaster County Unified Development Ordinance (UDO); SC Code of Laws 6-29-1200

APPLICANT: Lancaster County

PROJECT SUMMARY & PROPOSAL:
Proposal to approve street names in Lancaster County

BACKGROUND:
The South Carolina Code of Laws, Section 6-29-1200 (A), states the following:

> *(A) A local planning commission created under the provisions of this chapter [the South Carolina Local Government Comprehensive Planning Enabling Act of 1994] shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction. It is unlawful for a person in laying out a new street or road to name the street or road on a plat, by a marking or in a deed or instrument without first getting the approval of the planning commission.*

In April 2023, the Planning Commission approved the road names that were include in the Master Street Address Guide (MSAG) to date. Since that time, there have been 58 additional road names sorted and prepared for Planning Commission review.

The attached list will be on your agenda for approval in June.

STAFF RECOMMENDATION:
Staff will recommend **approval** of the street names listed, to be included in the County's master street address guide.

ATTACHMENTS:
1. List of road & street names, May 2023

STAFF CONTACT:
Allison Hardin,
Interim Planning Director
ahardin@lancastersc.net

PLANNING DEPARTMENT
PO BOX 1809
Lancaster, SC 29721
Phone: (803) 285-6005

****NEW ROAD NAME/CHANGE APPLICATION****

Please note: A fee of $250.00 must be submitted with this application before it will be processed. Incomplete applications will be returned. The $250.00 fee includes the cost of one road sign. New roads requiring more than one sign will require the $250.00 fee plus $50.00 for each additional sign.

Please provide the following **applicant** information as completely and accurately as possible.

Date of Application: 6/01/2023

Name: Planning Department **Address:** 101 N. Main St

City, State, Zip Code: Lancaster SC 29720

Telephone (H): 803-285-6005 **Telephone (W) or (Cell):**

Please provide the following **new road name** information as completely and accurately as possible.

Location of new road: See attached list

Road name as it exists now (if applicable):

Proposed new road name (1st choice):

Proposed new road name (2nd choice):

Will this be a private road? Yes_____ NO X

If applicable, do you plan on deeding this new road to the county in the future?
Yes____NO N/A

Please attach the following items to this application:

*A map to approximate scale depicting the location of the new road.
*A petition signed by at least 75% of the property owners with parcels having **frontage** on the affected road.

Signature of Applicant:

ROAD NAME	SUBDIVISION	LAST PHASE APPROVED
FORMATION CT	KINSDALE	CIVIL PLAN-BIB-SUB 0R SUBDIVISION, < 150 LOTS PHASE 1
KINSHIP DR (Phase 1 & 2)	KINSDALE	
MILLENIUM DR	KINSDALE	
RAPPORT CT	KINSDALE	
PEDIGREE CIR	KINSDALE	CIVIL CONSTRUCTION PLAN, > 150 LOTS PHASE 2
INTEGRITY LN	KINSDALE	
PARTNER CT	KINSDALE	
UNISON LN	KINSDALE	
ACCORD CT	KINSDALE	
ROYAL CT	KINSDALE	
DANNY DR (VAN WYCK)	PRIVATE DRIVE	
AMARILLO CT	Roselyn	Preliminary Plat
BARN BEN TER	Roselyn	Preliminary Plat
BEACHWOOD AV	Roselyn	Preliminary Plat
BEACON RIDGE RD	Roselyn	Preliminary Plat
BEAR BLUFF RD	Roselyn	Preliminary Plat
BEAVER TRACK CT	Roselyn	Preliminary Plat
BENTWIND RD	Roselyn	Preliminary Plat
BOAR TUSK TER	Roselyn	Preliminary Plat
BOWFIN RD	Roselyn	Preliminary Plat
BRIGHT SKY RD	Roselyn	Preliminary Plat
CAMDEN GLEN RD	Roselyn	Preliminary Plat
CANYON GATE ST	Roselyn	Preliminary Plat
CHAPEL RIDGE RD	Roselyn	Preliminary Plat
COTTON CREST LN	Roselyn	Preliminary Plat
COYOTE GLEN DR	Roselyn	Preliminary Plat
CREEK RUN LN	Roselyn	Preliminary Plat
CROOKED BRANCH RD	Roselyn	Preliminary Plat
DEER JUMP DR	Roselyn	Preliminary Plat
EASY CROSS CT	Roselyn	Preliminary Plat
FAWN CHASE DR	Roselyn	Preliminary Plat
FIELD BEND DR	Roselyn	Preliminary Plat
FOGGY CREEK CT	Roselyn	Preliminary Plat
FOREST FLOOR RD	Roselyn	Preliminary Plat
FRANKLIN OAK DR	Roselyn	Preliminary Plat
GATE TRAIL TER	Roselyn	Preliminary Plat
GOLDEN FALLS RD	Roselyn	Preliminary Plat
GOODDAY DR	Roselyn	Preliminary Plat
HAWKS LANDING PL	Roselyn	Preliminary Plat
HAZY HILL WAY	Roselyn	Preliminary Plat
HIDDEN NEST CT	Roselyn	Preliminary Plat
LOCUST LN	RIVERCHASE	Currently on Section 3 preliminary plat
CEDAR RIDGE WAY	RIVERCHASE	Currently on Section 3 preliminary plat
Ashdown Grove Pl	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Albany Mews Pl	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Barberry Dr	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2

Ravenscroft Close Way	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Lindores Rd	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Tenter Hill Way	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Charter Way	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Granby Pl	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Grosbeak Ter	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Parrot Way	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Parakeet Ct	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Kite Dr	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Flicker Rd	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Goshawk Pl	Creek Water	CIVIL CONSTRUCTION PLAN, > 150 LOTS - R2
Badey Hill Dr	Arbor Hills	To be placed on Civil Plans
Kathleen Ct	Old Bailes Business Park	Civil Plans
OHANA DR	PRIVATE	NEW ROAD
SAILFISH DR	EDGEWATER	FINAL PLAT PH 4 MAP 2
ACORN BANK TER	CREEK WATER	CIVIL CONSTRUCTION PLAN > 150 LOTS -R2
WOODPECKER PL	CREEK WATER	CIVIL CONSTRUCTION PLAN > 150 LOTS -R2
PEREGRINE DR	EDGEWATER	FINAL PLAT PH 5 MAP 2