

Council Members

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



County Attorney
John K. DuBose III

Clerk to Council
Sherrie Simpson

April 12, 2021

6:00 PM

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

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

AGENDA

1. **Call to Order Regular Meeting - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance and Invocation - Council Member Larry Honeycutt**
4. **Approval of the Agenda**
[deletion and additions of non-substantive matter]
5. **Citizens Comments**

[While in-person Citizens Comments are not currently suspended, due to public health and safety considerations and the need for continued social distancing, the County is strongly encouraging citizen input and comments be submitted in writing prior to the meeting. Comments may be submitted via mail to ATTN: Sherrie Simpson, Post Office Box 1809, Lancaster, SC, 29721, by email to Sherrie Simpson at ssimpson@lancastersc.net or by online submission by selecting the "Citizens Comments" quick link located on the County website homepage at <https://www.mylancastersc.org/> Comments must be no longer than approximately 3 minutes when read aloud. Comments received will be acknowledged during the Citizens Comments portion of the meeting. Comments will need to be received prior to 4:00 p.m. on the day of the meeting. Please use the same link above in order to submit input/comments for Public Hearings.]

6. **Consent Agenda**

[Items listed under the Consent Agenda have previously been discussed by Council and approved unanimously. As such, these items are normally voted on as a group through a single vote rather than with a Council vote for each individual item. However, any Council member may remove any item on the Consent Agenda for individual discussion and vote]

- a. Approval of Minutes from the March 17, 2021 County Council Special Meeting
- b. Approval of Minutes from the March 22, 2021 County Council Regular Meeting
- c. 3rd Reading of Ordinance 2021-1708 regarding Amending the Unified Development Ordinance (UDO) to Create and Allow for the Landfill - Class One Composting Facility Use in the Heavy Industrial District As a Special Exception

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Section 2.5.3, Use Table, Section 5.9, Industry/Wholesale/Storage Uses, And 10.3, Definitions, Use Type, To Create And Allow For The Landfill – Class One Composting Facility Use In The Heavy Industrial (HI) District As A Special Exception And Provide For Use Specific Standards. - ***Planning Department Case Number: UDO-TA-020-2578. Planning Commission recommended approval by unanimous vote. Passed 7-0 at the March 8, 2021 County Council Meeting. Passed 7-0 at the March 22, 2021 County Council Meeting. - Rox Burhans***

7. **Non-Consent Agenda**

- a. Resolution 1142-R2021 regarding Accutrex Expansion Fee In Lieu Of Tax and Special Source Revenue Credits

Resolution Title: A Resolution To State The Commitment Of Lancaster County To Enter Into A Fee Agreement With Accutrex Products, Inc. Precision Parts Division; To Provide The General Terms Of The Fee Agreement Including The Provision Of Special Source Revenue Credits; To Provide That This Resolution Is An Inducement Resolution For Purposes Of The Fee In Lieu Of Tax Simplification Act; And To State The Commitment Of Lancaster County To Place Accutrex Products, Inc. Precision Parts Division, Property In A Multi-County Park. - ***Jamie Gilbert***

- b. 1st Reading of Ordinance 2021-1719 regarding Accutrex Expansion Fee In Lieu Of Tax and Special Source Revenue Credits

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Fee Agreement By And Between Lancaster County And Accutrex Products, Inc. Precision Parts Division Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund. - ***Jamie Gilbert***

- c. Resolution 1147-R2021 regarding Approval and Acceptance of Easements Associated with the Improvements on Old Bales Road

Resolution Title: A Resolution Approving Acceptance Of Right Of Way Easements Necessary For Lancaster County To Accomplish Its Plan To Construct, Improve, and Maintain A Box Culvert And To Better Manage Stormwater Runoff At A Bridge Located Along Old Bales Road. - ***John DuBose***

- d. 3rd Reading of Ordinance 2021-1709 regarding Amending the Unified Development Ordinance (UDO) in regards to Three Family and Four Family Dwellings

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance (“UDO”) Section 5.2.3., Dwelling – Three Family (Triplex) And Four Family (Quadraplex); Section 7.2.3., Permitted Parking Locations; And Section 7.2.4., Off-Street Parking And Loading Requirements, To Modify How Three Family (Triplex) And Four Family (Quadraplex) Dwellings May Be Developed. - ***Planning Department Case Number: UDO-TA-020-2648. Planning Commission recommended approval by unanimous vote. Passed 7-0 at the March 8, 2021 County Council Meeting. Passed 7-0 at the March 22, 2021 County Council Meeting. - Rox Burhans***

- e. 3rd Reading of Ordinance 2021-1710 regarding Rezoning Property from LDR to PB (Applicant Redwood USA, LLC)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 37.45 Acres Of Property (TMS # 0003-00-040.01, 0003-00-040.07 And 0003-00-040.14), Located On The East Side Of Harrisburg Road, Approximately 500 Feet West Of Barberville Road, Lancaster, South Carolina, From LDR, Low Density Residential District, To PB, Professional Business District. - ***Planning Department Case Number: RZ-020-2650. Planning Commission recommended approval by a vote of 6-1. Passed 7-0 at the March 8, 2021 County Council Meeting. Passed 7-0 at the March 22, 2021 County Council Meeting. - Rox Burhans***

- f. 3rd Reading of Ordinance 2021-1711 regarding Approval of a Development Agreement with Redwood USA, LLC

Ordinance Title: An Ordinance To Approve A Development Agreement With Redwood, USA, LLC, For A Development Project Located On Harrisburg Road Near The Intersection Of Barberville Road,

Lancaster, South Carolina, Establishing The Regulations For The Development Of The Property And Other Matters Related Thereto. - ***Planning Department Case Number: DA-020-2650. Planning Commission recommended approval by a vote of 6-1. Passed 6-1 at the March 8, 2021 County Council Meeting (Larry Honeycutt Opposed). Passed 7-0 at the March 22, 2021 County Council Meeting. - Rox Burhans***

- g.** 3rd Reading of Ordinance 2021-1718 regarding Approving a Reciprocal Easement Agreement Between Lancaster County And E&B Of Indian Land, LLC

Ordinance Title: An Ordinance Approving A Reciprocal Easement Agreement Between Lancaster County And E&B Of Indian Land, LLC - ***Passed 7-0 at the March 8, 2021 County Council Meeting. Public Hearing held at the March 17, 2021 County Council Meeting but the 2nd Reading was delayed. 2nd Reading Passed 7-0 at the March 22, 2021 County Council Meeting. - John DuBose***
- h.** 2nd Reading of Ordinance 2021-1726 regarding Adoption of the Capital Improvement Plan

Ordinance Title: An Ordinance To Adopt The Lancaster County Capital Improvements Plan 2021 Through 2031 As Recommended By The Lancaster County Planning Commission. - ***Passed 6-1 at the March 22, 2021 County Council Meeting (Allen Blackmon Opposed). - Kim Belk***
- i.** 2nd Reading of Ordinance 2021-1705 Regarding Adoption of Procedures for the Imposition, Calculation, Collection, Expenditure and Administration of Impact Fees

Ordinance Title: An Ordinance Adopting Procedures For The Imposition, Calculation, Collection, Expenditure And Administration Of Impact Fees To Be Imposed On New Development; Providing A Purpose And Intent; Providing Definitions; Providing General Provisions And Applicability; Providing For The Establishment Of Impact Fee Accounts; Providing For The Appropriation Of Impact Fee Funds; Providing For Refunds; Providing For Appeals; Providing For Conflict; Providing For Severability; And Providing An Effective Date. - ***Passed 7-0 at the February 8, 2021 County Council Meeting. - Steve Willis/John DuBose/Kim Belk***
- j.** 2nd Reading of Ordinance 2021-1722 regarding Adopting a Fire Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting A Fire Development Impact Fee ("Impact Fee") To Be Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That Fire Facilities (Fire Stations And Fire Vehicles) Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For Fire Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such Fire Facilities On A Proportionate Share Basis To New Development. - ***Passed 5-2 at the March 22, 2021 County Council Meeting (Steve Harper and Billy Mosteller Opposed). - Steve Willis/John DuBose***
- k.** 2nd Reading of Ordinance 2021-1723 regarding Adopting An Emergency Medical Services (EMS) Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting An Emergency Medical Services ("EMS") Development Impact Fee ("Impact Fee") To Be Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That EMS Facilities (EMS Stations And Emergency Vehicles) Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For EMS Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such EMS Facilities On A Proportionate Share Basis To New Development - ***Passed 5-2 at the March 22, 2021 County Council Meeting (Steve Harper and Billy Mosteller Opposed). - Steve Willis/John DuBose***
- l.** 2nd Reading of Ordinance 2021-1724 regarding Adopting a Sheriff Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting A Sheriff Development Impact Fee ("Impact Fee") To Be

Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That Sheriff Facilities Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For Sheriff Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such Sheriff Facilities On A Proportionate Share Basis To New Development - ***Passed 5-2 at the March 22, 2021 County Council Meeting (Steve Harper and Billy Mosteller Opposed). - Steve Willis/John DuBose***

- m. 2nd Reading of Ordinance 2021-1725 regarding Adopting a Parks & Recreation Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting A Parks & Recreation Development Impact Fee ("Impact Fee") To Be Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That Parks & Recreation Facilities Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For Parks & Recreation Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such Parks & Recreation Facilities On A Proportionate Share Basis To New Development. - ***Passed 5-2 at the March 22, 2021 County Council Meeting (Steve Harper and Billy Mosteller Opposed). - Steve Willis/John DuBose***

- n. Public Hearing and 2nd Reading of Ordinance 2021-1727 regarding Adopting the Pilot Traffic Calming Program Guidebook

Ordinance Title: An Ordinance To Adopt The Lancaster County South Carolina Pilot Traffic Calming Program Guidebook, Dated December 2020. - ***Passed 7-0 at the March 22, 2021 County Council Meeting. - Steve Willis/Jeff Catoe/Darren Player***

- o. Public Hearing and 1st Reading of Ordinance 2021-1728 regarding Amending the Unified Development Ordinance (UDO) for Outdoor Shooting Ranges/Turkey Shoots

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Section 2.5.3, Use Table; Section 5.5.12, Shooting Range, Outdoor; Section 5.12.3, Temporary Uses Limited To Specific Districts; And Section 5.12.4, Temporary Uses With Specific Requirements; To Modify Those Zoning Districts In Which An Outdoor Shooting Range Is A Permissible Use And To Modify Those Regulations Concerning How An Outdoor Shooting Range May Be Permitted, As Well As Providing For Turkey Shoots As A Temporary Use In Certain Zoning Districts And The Standards By Which Turkey Shoots May Be Approved. - ***Planning Department Case Number: UDO-TA-2020-2957. Planning Commission recommended approval by a vote of 5-2. - Rox Burhans***

- p. Public Hearing and 1st Reading of Ordinance 2021-1729 regarding Rezoning Property of Matthew & Heather Ellis from Rural Business (RUB) to Rural Residential (RR)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A Portion Of 6815 Shiloh Unity Road (TMS # 0054-00-029.04) From RUB, Rural Business District, To RR, Rural Residential District - ***Planning Department Case Number: RZ-2021-0114. Planning Commission recommended approval by a unanimous vote. - Rox Burhans***

- q. Public Hearing and 1st Reading of Ordinance 2021-1730 regarding Rezoning Property of Matthew & Heather Ellis from Rural Residential (RR) to Rural Business (RUB)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A Portion Of Old Camden Monroe Highway (TM # 0054-00-029.05) From RR, Rural Residential, To RUB, Rural Business District. - ***Planning Department Case Number: RZ-2021-0261. The Planning Commission recommended approval by a unanimous vote. - Rox Burhans***

- r. 1st Reading of Ordinance 2021-1731 regarding a Quit Claim Title to Real Property for an Unnamed Road that Extends From Norfolk Drive to Lynwood Drive

Ordinance Title: An Ordinance Authorizing Lancaster County To Quit Claim Title To Real Property For An Unnamed Road That Extends From Norfolk Drive To Lynwood Drive. - ***Steve Willis/John DuBose***

8. Discussion and Action Items

- a. Approval of Appointments to various Boards or Commissions
 - Mark Strickland to the Keep Lancaster County Beautiful Advisory Board as one of the District 6 representatives and whose two year term will expire on 06/30/2023 (1st Term)
 - Clare McConaughay to the Keep Lancaster County Beautiful Advisory Board as one of the District 1 representatives and whose four year term will expire on 06/30/2025 (1st Term)
 - Mark Kahn to the Community Relations Commission as the District 4 representative and who will fill an unexpired term that will end on 06/30/2023
 - MaryEtta Taylor to the Library Board as the District 3 representative and who will complete an unexpired term that will end on 06/30/2021 and will serve her first four year term that will expire on 06/30/2025 (1st Term)
 - Jason Truesdale to the Keep Lancaster County Beautiful Advisory Board as one of the District 6 representatives and whose two year term will expire on 06/30/2023 (1st term)
- b. EMS Training Grant - Steve Willis/Clay Catoe
- c. School Fee for Development Agreements - Steve Willis
- d. Use of Funds from Sale of Property on Happy Trail - Steve Willis/Jeff Catoe

9. Status of items tabled, recommitted, deferred or held

10. Miscellaneous Reports and Correspondence

- a. Information Only Regarding Parks and Recreation Grant Application
- b. Update on the Lancaster Area Ride Service (LARS)

11. Citizens Comments

[If Council delays until end of meeting]

12. Executive Session

[motions from Members may follow]

- a. Two Items (AFTER EXECUTIVE SESSION, COUNCIL MEMBERS MAY MAKE MOTIONS IN OPEN SESSION):
 - 1. *Economic Development Discussions: Project Juice, Project Pear, Project Taffy and Project Rotisserie. SC Code 30-4-70(a)(5).*
 - 2. *One Legal Briefing regarding a Pending or Threatened Litigation Matter. SC Code 30-4-70(a)(2).*

13. Adjournment

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

*Meetings are live streamed and can be found by using the following link:
<https://www.youtube.com/channel/UCgSImrcYjcYcu1m-e6TV54w>*

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson / Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Approve or amend the minutes from the March 17, 2021 County Council Special Meeting.

Points to Consider:

The draft minutes from the March 17, 2021 County Council Special Meeting are attached for Council's review and consideration.

Funding and Liability Factors:

N/A

Council Options:

Council can approve or amend the minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 3-17-2021 County Council Special Meeting	4/7/2021	Backup Material

Council Members

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



County Attorney
John K. DuBose III

Clerk to Council
Sherrie Simpson

March 17, 2021

12:00 PM

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

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

SPECIAL MEETING MINUTES

Council Members present: Allen Blackmon, Brian Carnes, Steve Harper, Larry Honeycutt, Charlene McGriff and Billy Mosteller.

Council Members absent: Terry Graham.

Staff Members/Others present: Steve Willis, County Administrator; Kim Belk, Interim Deputy County Administrator/Budget Director; John DuBose, County Attorney, via Conference Call; Sherrie Simpson, Clerk to Council; Rox Burhans, Development Services Director; and the press.

A quorum of Lancaster County Council was present for the meeting. The following press were notified of the meeting by e-mail in accordance with the Freedom of Information Act: *The Lancaster News*, *Kershaw News Era*, *The Rock Hill Herald*, Cable News 2, Channel 9 and the local government channel. The agenda was posted in the lobby of the County Administration Building and also on the County website the required length of time. The power point presentation utilized during the meeting is attached to the written minutes in the Clerk to Council's office.

Call to Order - Chairman Steve Harper

Chairman Steve Harper called the County Council Special Meeting to order at approximately 12:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting.

Pledge of Allegiance and Invocation - Council Member Terry Graham

Since Terry Graham was absent, Billy Mosteller led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Charlene McGriff moved to approve the agenda. Seconded by Brian Carnes.

Steve Willis requested to amend the agenda because the exhibits for Item **6c. (2nd Reading of Ordinance 2021-1718)** were not available and finalized for Council's review. He requested that the Public Hearing be held, since it had already been advertised, but that the 2nd Reading of the Ordinance be deferred until the March 22, 2021 Council meeting. Allen Blackmon moved to amend the agenda to defer Item **6c. (2nd Reading of Ordinance 2021-1718)**. Seconded by Larry Honeycutt. John DuBose made a point of order and asked that the agenda be kept as is and that Council convene the Public Hearing for Ordinance 2021-1718 and that then a Council Member could make a motion to defer the vote on the 2nd Reading of Ordinance 2021-1718 to the March 22, 2021 Council meeting. Allen Blackmon withdrew his motion to amend and Larry Honeycutt withdrew his second.

The motion to approve the agenda Passed 6-0.

Citizens Comments

The following citizens signed up to speak during Citizens Comments: None.

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

Non-Consent Agenda

Public Hearing and 3rd Reading of Ordinance 2021-1717 regarding Amending the Unified Development Ordinance regarding the Minimum Lot Size for the Institutional (INS) District

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance To Modify The Minimum Lot Size For The Institutional (INS) District

Steve Harper opened the Public Hearing for Ordinance 2021-1717 at approximately 12:04 p.m.

There was approximately 1 citizen in attendance during the Public Hearing for this Ordinance.

The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for this Ordinance: None.

Steve Harper closed the Public Hearing at approximately 12:04 p.m.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2021-1717. Seconded by Charlene McGriff.
Motion Passed 6-0.; Absent: Graham

3rd Reading of Ordinance 2021-1707 regarding Rezoning Property Owned by Tracey Griffin From RN to INS

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 0.46 Acre Tract Of Property (TMS # 0026-00-026.00), Owned By Tracey Griffin, And Located At 4889 Charlotte Highway, Lancaster, South Carolina, From RN, Rural Neighborhood District, To INS, Institutional District.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2021-1707. Seconded by Billy Mosteller.
Motion Passed 6-0.; Absent: Graham

Public Hearing and 2nd Reading of Ordinance 2021-1718 regarding Approving a Reciprocal Easement Agreement Between Lancaster County And E&B Of Indian Land, LLC

Ordinance Title: An Ordinance Approving A Reciprocal Easement Agreement Between Lancaster County And E&B Of Indian Land, LLC

Steve Harper opened the Public Hearing for Ordinance 2021-1718 at approximately 12:08 p.m.

There was approximately 1 citizen in attendance during the Public Hearing for this Ordinance.

The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for this Ordinance: None.

Steve Harper closed the Public Hearing at approximately 12:08 p.m.

Allen Blackmon moved to delay voting on the 2nd Reading of Ordinance 2021-1718 until the next formal Council meeting. Seconded by Brian Carnes. Motion Passed 6-0.; Absent: Graham

Status of items tabled, recommitted, deferred or held

- a. HELD - Public Hearing and 3rd Reading of Ordinance 2021-1713 regarding Authorizing the Execution and Delivery of a Special Source Revenue Credit Agreement with Project Smith
Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Among Lancaster County, ####, Inc., And @@@@, LLC, (Project Smith) Providing For Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund. - ***Passed 6-0 at the January 11, 2021 County Council Meeting (Larry Honeycutt absent). Passed 7-0 at the January 25, 2021 County Council Meeting. - Jamie Gilbert***

This item was not discussed during the meeting and was for information only for Council and citizens.

- b. HELD - 2nd Reading of Ordinance 2021-1705 Regarding Adoption of Procedures for the Imposition, Calculation, Collection, Expenditure and Administration of Impact Fees
Ordinance Title: An Ordinance Adopting Procedures For The Imposition, Calculation, Collection, Expenditure And Administration Of Impact Fees To Be Imposed On New Development; Providing A Purpose And Intent; Providing Definitions; Providing General Provisions And Applicability; Providing For The Establishment Of Impact Fee Accounts; Providing For The Appropriation Of Impact Fee Funds; Providing For Refunds; Providing For Appeals; Providing For Conflict; Providing For Severability; And Providing An Effective Date. - ***Passed 7-0 at the February 8, 2021 County Council Meeting. - Steve Willis/John DuBose/Kim Belk***

This item was not discussed during the meeting and was for information only for Council and citizens.

Miscellaneous Reports and Correspondence

There were no Miscellaneous Reports and Correspondence to discuss during the meeting.

Citizens Comments

No citizens submitted written comments and no citizens signed up to speak for Citizens Comments.

Adjournment

Larry Honeycutt moved to adjourn the Special meeting of Council. Seconded by Brian Carnes. Motion to adjourn Passed 6-0. There being no further business, the County Council Special meeting adjourned at approximately 12:11 p.m.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson / Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Approve or amend the minutes from the March 22, 2021 County Council regular meeting.

Points to Consider:

The draft minutes from the March 22, 2021 County Council regular meeting are attached for Council's review and consideration.

Funding and Liability Factors:

N/A

Council Options:

Council can approve or amend the minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 3-22-2021 County Council Regular Meeting	4/8/2021	Backup Material

Council Members

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



County Attorney
John K. DuBose III

Clerk to Council
Sherrie Simpson

March 22, 2021

6:00 PM

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

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

MINUTES

Council Members present: Allen Blackmon, Brian Carnes, Terry Graham, Steve Harper, Larry Honeycutt, Charlene McGriff and Billy Mosteller.

Council Members absent: None.

Staff Members/Others present: Steve Willis, County Administrator; Kim Belk, Interim Deputy County Administrator/Budget Director; John DuBose, County Attorney; Sherrie Simpson, Clerk to Council; Veronica Thompson, Chief Financial Officer; Rox Burhans, Development Services Director; Jamie Gilbert, Economic Development Director; various Elected Officials; various Department Heads; various staff; the press; and citizens.

A quorum of Lancaster County Council was present for the meeting. The following press were notified of the meeting by e-mail in accordance with the Freedom of Information Act: *The Lancaster News*, *Kershaw News Era*, *The Rock Hill Herald*, Cable News 2, Channel 9 and the local government channel. The agenda was posted in the lobby of the County Administration Building and also on the County website the required length of time. The power point presentation utilized during the meeting is attached to the written minutes in the Clerk to Council's office.

Call to Order Regular Meeting - Chairman Steve Harper

Chairman Steve Harper called the regular meeting of County Council to order at approximately 6:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting.

Pledge of Allegiance and Invocation - Council Member Terry Graham

Terry Graham led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of the Agenda

Charlene McGriff moved to approve the agenda. Seconded by Brian Carnes. Motion Passed 7-0.

Special Presentations

Chairman Steve Harper and Steve Willis recognized the Building Department with a Thumbs Up Award for their hard work and for the excellent rating they received during their evaluation by the Insurance Services Office (ISO).

Chairman Steve Harper recognized April as Fair Housing month in Lancaster County and explained that the Proclamation noting Fair Housing month would be posted in the lobby of the County Administration Building.

Citizens Comments

The following citizens signed up to speak during Citizens Comments: None.

Steve Willis acknowledged the following written comment submitted for Citizens Comments:

1. Dr. Charmaine W. Stradford, Lancaster, SC, wrote requesting additional monies for the Lancaster County Community Center, which is a non-profit organization that received an ATAX grant from the County in 2020. Her written comments are attached as Schedule A to the written minutes in the Clerk to Council's office.

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Items **7a.** and **7b.** [as listed in the Agenda packet, which are the same as Item **a.** and Item **b.** listed below]. Seconded by Charlene McGriff. Motion Passed 7-0.

- a. **Approval of Minutes from the March 8, 2021 County Council Regular Meeting**
- b. **Approval of Minutes from the March 9, 2021 County Council Committee Of The Whole Meeting**

Non-Consent Agenda

Resolution 1144-R2021 regarding Amending the Prioritized Community Needs List

Resolution Title: A Resolution To Amend The Lancaster County Prioritized Community Needs List.

Steve Willis provided Council a three page handout entitled, "Intergovernmental Agreement for Community Development Block Grant Project," and that handout is attached as Schedule B to the written minutes in the Clerk to Council's office. He explained that the Intergovernmental Agreement would be used for Item 1. on the Prioritized Community Needs list, which is the "Upgrade and extension of water and sewer services for low and moderate income areas,... This also includes the replacement of the water meter valve vault for the City of Lancaster's water system."

Charlene McGriff moved to approve Resolution 1144-R2021. Seconded by Allen Blackmon. Motion Passed 7-0.

Resolution 1145-R2021 regarding Approving Additional Funding for the Department of Social Services Building

Resolution Title: A Resolution To Approve Additional Funding For The Community Development Block Grant

Project Related To Renovations At The South Carolina Department Of Social Services Building.

Brian Carnes moved to approve Resolution 1145-R2021. Seconded by Larry Honeycutt. Motion Passed 6-1. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller; Nays: Blackmon

Resolution 1146-R2021 regarding Providing Premium Pay to Essential Workers in the Form of a One Time Bonus

Resolution Title: A Resolution To Direct The Appropriate County Staff To Prepare The Necessary Budget Amendment To Provide Premium Pay To Essential Workers In The Form Of A One Time Bonus, To Execute Such Other Documents As May Be Necessary And Convenient, And To Take Any Other Action As May Be Needed To Carry Into Effect This Resolution.

Larry Honeycutt moved to approve Resolution 1146-R2021. Seconded by Billy Mosteller.

Council and staff discussed when the County would receive the COVID relief money from the federal government.

Allen Blackmon moved that a clause should be added that specifically says that the money will not be disbursed until the federal funds have been received and deposited. Seconded by Charlene McGriff. The motion to amend Passed 7-0.

The motion to approve Resolution 1146-R2021 as amended Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2021-1713 regarding Authorizing the Execution and Delivery of a Special Source Revenue Credit Agreement with Studio Displays, Inc. (Project Smith)

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between Lancaster County And Studio Displays, Inc. (Project Smith) Providing For Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund.

Steve Harper opened the Public Hearing for Ordinance 2021-1713 at approximately 6:27 p.m.

There were approximately six (6) citizens in attendance during the Public Hearing for this Ordinance.

The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for this Ordinance: None.

Steve Harper closed the Public Hearing at approximately 6:27 p.m.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2021-1713. Seconded by Brian Carnes. Motion Passed 7-0.

Public Hearing and 3rd Reading of Ordinance 2021-1716 regarding Authorization for Lancaster County to Quit Claim Title to Real Property within an Unopened Portion of Culp Landsford Road to Adjacent Landowners

Ordinance Title: An Ordinance Authorizing Lancaster County To Quit Claim Title To Real Property Within An Unopened Portion Of Culp Landsford Road To Adjacent Landowners.

Steve Harper opened the Public Hearing for Ordinance 2021-1716 at approximately 6:29 p.m.

There were approximately six (6) citizens in attendance during the Public Hearing for this Ordinance.

The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for this Ordinance: None.

Steve Harper closed the Public Hearing at approximately 6:29 p.m.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2021-1716. Seconded by Charlene McGriff. Motion Passed 7-0.

Public Hearing and 2nd Reading of Ordinance 2021-1708 regarding Amending the Unified

Development Ordinance (UDO) to Create and Allow for the Landfill - Class One Composting Facility Use in the Heavy Industrial District As a Special Exception

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Section 2.5.3, Use Table, Section 5.9, Industry/Wholesale/Storage Uses, And 10.3, Definitions, Use Type, To Create And Allow For The Landfill – Class One Composting Facility Use In The Heavy Industrial (HI) District As A Special Exception And Provide For Use Specific Standards.

Steve Harper opened the Public Hearing for Ordinance 2021-1708 at approximately 6:33 p.m.

There were approximately six (6) citizens in attendance during the Public Hearing for this Ordinance.

The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for this Ordinance: None.

Steve Harper closed the Public Hearing at approximately 6:34 p.m.

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2021-1708. Seconded by Allen Blackmon.
Motion Passed 7-0.

Public Hearing and 2nd Reading of Ordinance 2021-1709 regarding Amending the Unified Development Ordinance (UDO) in regards to Three Family and Four Family Dwellings

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Section 5.2.3., Dwelling – Three Family (Triplex) And Four Family (Quadraplex); Section 7.2.3., Permitted Parking Locations; And Section 7.2.4., Off-Street Parking And Loading Requirements, To Modify How Three Family (Triplex) And Four Family (Quadraplex) Dwellings May Be Developed.

Rox Burhans explained that the applicant had agreed to use the single family attached rate of \$1711.00 per unit roof top fee in the Redwood Development Agreement. He further explained that, because they did not feel like they would have many school age children in the development, they proposed a \$500.00 per unit roof top fee for the school fee.

Council, staff and Bob Dyer, the applicant, discussed the wording in the exhibits regarding the changes to the Unified Development Ordinance and discussed buffering of the project.

Steve Harper opened the Public Hearing for Ordinance 2021-1709 at approximately 6:49 p.m.

There were approximately four (4) citizens in attendance during the Public Hearing for this Ordinance.

The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for this Ordinance: None.

Steve Harper closed the Public Hearing at approximately 6:49 p.m.

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2021-1709. Seconded by Brian Carnes.
Motion Passed 7-0.

Public Hearing and 2nd Reading of Ordinance 2021-1710 regarding Rezoning Property from LDR to PB (Applicant Redwood USA, LLC)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone 37.45 Acres Of Property (TMS # 0003-00-040.01, 0003-00-040.07 And 0003-00-040.14), Located On The East Side Of Harrisburg Road, Approximately 500 Feet West Of Barberville Road, Lancaster, South Carolina, From LDR, Low Density Residential District, To PB, Professional Business District.

Steve Harper opened the Public Hearing for Ordinance 2021-1710 at approximately 6:51 p.m.

There were approximately four (4) citizens in attendance during the Public Hearing for this Ordinance.

The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for this Ordinance:

1. Mandy Patterson, Indian Land, South Carolina, spoke regarding the high quality of the Redwood Development.

Steve Harper closed the Public Hearing at approximately 6:52 p.m.

Billy Mosteller moved to approve the 2nd Reading of Ordinance 2021-1710. Seconded by Charlene McGriff.
Motion Passed 7-0.

Public Hearing and 2nd Reading of Ordinance 2021-1711 regarding Approval of a Development Agreement with Redwood USA, LLC

Ordinance Title: An Ordinance To Approve A Development Agreement With Redwood, USA, LLC, For A Development Project Located On Harrisburg Road Near The Intersection Of Barberville Road, Lancaster, South Carolina, Establishing The Regulations For The Development Of The Property And Other Matters Related Thereto.

John DuBose explained that the 2nd Reading of Ordinance 2021-1711 proposed a new Exhibit A or Development Agreement (DA) that incorporated the following: (1) the multi-family roof top fee, which he noted was different than the fee Rox Burhans had given Council earlier in the meeting; (2) a blank for the school fee; and (3) the annual inflationary clause. He explained that if Council approved of the changes, then they would need to make a motion to amend Ordinance 2021-1711 to incorporate the new Development Agreement.

Steve Harper opened the Public Hearing for Ordinance 2021-1711 at approximately 6:54 p.m.
There were approximately four (4) citizens in attendance during the Public Hearing for this Ordinance.
The following speakers came forward to make comments or sent in written comments regarding the Public Hearing for this Ordinance: None.
Steve Harper closed the Public Hearing at approximately 6:54 p.m.

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2021-1711. Seconded by Terry Graham.

John DuBose explained that Council needed to make a motion to amend Ordinance 2021-1711 to replace the current DA with the proposed DA contained in the agenda packet. Allen Blackmon stated that he made the motion [as detailed by John DuBose]. Seconded by Brian Carnes. The motion to amend Passed 7-0.

Council and staff discussed the proposed school roof top fee.

Terry Graham moved to amend the DA to include a public safety fee of \$1711.00 per unit for the County and a school roof top fee of \$500.00 per unit. Seconded by Brian Carnes. The motion to amend Passed 7-0.

Council and staff discussed the scrivener's errors contained in the DA, including the incorrect name of the Council Secretary, which needs to be corrected. Council and staff also discussed the need for a more concrete development schedule for future Development Agreements.

The motion to approve the 2nd Reading of Ordinance 2021-1711 as amended Passed 7-0.

2nd Reading of Ordinance 2021-1718 regarding Approving a Reciprocal Easement Agreement Between Lancaster County And E&B Of Indian Land, LLC

Ordinance Title: An Ordinance Approving A Reciprocal Easement Agreement Between Lancaster County And E&B Of Indian Land, LLC

Charlene McGriff moved to approve the 2nd Reading of Ordinance 2021-1718. Seconded by Brian Carnes.

John DuBose explained that the exhibits to the Ordinance were nearing finalization and he provided Council with a four page handout entitled, "Exhibits A, B, C for Ordinance 2021-1718," and that four page handout is attached as Schedule C to the written minutes in the Clerk to Council's office.

John DuBose further explained that clause J of the Reciprocal Easement Agreement (REA), or the Exculpation clause, needed to be removed from the Agreement and he noted that if Council agreed with its removal, then it

would be appropriate to have a motion to amend the REA to remove Clause J. Allen Blackmon stated that he made that motion *[as detailed by John DuBose]*. Seconded by Brian Carnes. The motion to amend Passed 7-0.

Allen Blackmon requested that the plat be included in the next agenda packet.

The motion to approve the 2nd Reading of Ordinance 2021-1718 as amended Passed 7-0.

1st Reading of Ordinance 2021-1726 regarding Adoption of the Capital Improvement Plan

Ordinance Title: An Ordinance To Adopt The Lancaster County Capital Improvements Plan 2021 Through 2031 As Recommended By The Lancaster County Planning Commission.

Charlene McGriff moved to approve the 1st Reading of Ordinance 2021-1726. Seconded by Terry Graham.

Council asked for paper copies of the Capital Improvements Plan (CIP) and the Space Needs Study. Allen Blackmon explained that he would need to review the paper copies before he could make an informed decision on the CIP.

The motion to approve the 1st Reading of Ordinance 2021-1726 Passed 6-1. Ayes: Carnes, Graham, Harper, Honeycutt, McGriff, Mosteller; Nays: Blackmon

1st Reading of Ordinance 2021-1722 regarding Adopting a Fire Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting A Fire Development Impact Fee ("Impact Fee") To Be Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That Fire Facilities (Fire Stations And Fire Vehicles) Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For Fire Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such Fire Facilities On A Proportionate Share Basis To New Development.

Brian Carnes moved to approve the 1st Reading of Ordinance 2021-1722. Seconded by Larry Honeycutt. Motion Passed 5-2. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff; Nays: Harper, Mosteller

1st Reading of Ordinance 2021-1723 regarding Adopting An Emergency Medical Services (EMS) Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting An Emergency Medical Services ("EMS") Development Impact Fee ("Impact Fee") To Be Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That EMS Facilities (EMS Stations And Emergency Vehicles) Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For EMS Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such EMS Facilities On A Proportionate Share Basis To New Development

Brian Carnes moved to approve the 1st Reading of Ordinance 2021-1723. Seconded by Charlene McGriff. Motion Passed 5-2. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff; Nays: Harper, Mosteller

1st Reading of Ordinance 2021-1724 regarding Adopting a Sheriff Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting A Sheriff Development Impact Fee ("Impact Fee") To Be Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That Sheriff Facilities Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For Sheriff Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such Sheriff Facilities On A Proportionate Share Basis To New Development

Charlene McGriff moved to approve the 1st Reading of Ordinance 2021-1724. Seconded by Terry Graham.

Motion Passed 5-2. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff; Nays: Harper, Mosteller

1st Reading of Ordinance 2021-1725 regarding Adopting a Parks & Recreation Development Impact Fee

Ordinance Title: An Ordinance Of The County Council Of Lancaster County, South Carolina ("Council") Establishing And Adopting A Parks & Recreation Development Impact Fee ("Impact Fee") To Be Imposed On All New Development In The Greater Panhandle Region Of Lancaster County; To Ensure That Parks & Recreation Facilities Will Be Available And Adequate To Accommodate The Need Expected To Be Generated From New Development In The Greater Panhandle Region Of Lancaster County Based On The County's Level Of Service Standards For Parks & Recreation Facilities And Capital Improvements Plan (CIP), And To Assign The Costs Of Such Parks & Recreation Facilities On A Proportionate Share Basis To New Development.

Larry Honeycutt moved to approve the 1st Reading of Ordinance 2021-1725. Seconded by Brian Carnes.
Motion Passed 5-2. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff; Nays: Harper, Mosteller

1st Reading of Ordinance 2021-1727 regarding Adopting the Pilot Traffic Calming Program Guidebook

Ordinance Title: An Ordinance To Adopt The Lancaster County South Carolina Pilot Traffic Calming Program Guidebook, Dated December 2020.

Terry Graham moved to approve the 1st Reading of Ordinance 2021-1727. Seconded by Charlene McGriff.
Motion Passed 7-0.

Discussion and Action Items

Approval of Appointments to various Boards or Commissions

- Carla Hunter to fill an unexpired term as the Lancaster business member on the Catawba Regional Council of Government's Workforce Development Board (the term will expire on 12/31/2021)
- Revery Johnson to fill a 1st, four year term on the Pleasant Valley Fire Fee Board (the term will expire on 06/30/2025)
- Jonathan C. Payne to fill an unexpired term as the Heath Springs Fire District Representative on the Lancaster County Fire Commission (the term will expire on 06/30/2023)
- Steven Fleming to fill a 1st, four year term on the Keep Lancaster County Beautiful Board as one of the District 3 representatives (the term will expire on 06/30/2025)
- Keye Jones to fill the end of an unexpired term until 06/30/2021 and a 1st, four year term that will expire on 06/30/2025 for the Board of Zoning Appeals for District 3

Larry Honeycutt moved to approve all of the appointments to the Boards and Commissions. Seconded by Billy Mosteller.

Council discussed the fact that there was not an application for Carla Hunter, but that there were applications from all other applicants.

Brian Carnes moved to remove Carla Hunter's name from the list of approved appointments to various Boards and Commissions until an application has been submitted. Seconded by Larry Honeycutt. The motion to amend the approval of the appointments Passed 7-0.

The motion to approve the appointments as amended Passed 7-0.

Plan for General Obligation Bond Referendum in November - Steve Willis

Steve Willis explained that he would like to proceed with engaging bond counsel and Fire Rescue staff in preparation of an Ordinance being brought to Council that would call for a General Obligation bond referendum in November 2021 to pay for fire apparatus. He explained that the County routinely asks for a General Obligation bond referendum every seven (7) years to pay for one third of the fleet of pumpers, tankers and rescue trucks. He explained that this item would come back before Council in the form of an Ordinance.

Update to County Organization Chart - Steve Willis

Allen Blackmon moved adopt the updated Organization Chart [dated March 2021]. Seconded by Brian Carnes. Motion Passed 6-1. Ayes: Blackmon, Carnes, Graham, Harper, Honeycutt, McGriff; Nays: Mosteller

Status of items tabled, recommitted, deferred or held

- a. HELD - 2nd Reading of Ordinance 2021-1705 Regarding Adoption of Procedures for the Imposition, Calculation, Collection, Expenditure and Administration of Impact Fees
Ordinance Title: An Ordinance Adopting Procedures For The Imposition, Calculation, Collection, Expenditure And Administration Of Impact Fees To Be Imposed On New Development; Providing A Purpose And Intent; Providing Definitions; Providing General Provisions And Applicability; Providing For The Establishment Of Impact Fee Accounts; Providing For The Appropriation Of Impact Fee Funds; Providing For Refunds; Providing For Appeals; Providing For Conflict; Providing For Severability; And Providing An Effective Date. - *Passed 7-0 at the February 8, 2021 County Council Meeting. - Steve Willis/John DuBose/Kim Belk*

This item was not discussed during the Council meeting and was for information only for Council and citizens.

Miscellaneous Reports and Correspondence

- a. Information Only on Parks and Recreation Grant Application

Steve Willis noted that the Parks and Recreation Department received notification that they will receive the \$500.00 grant.

Citizens Comments

All citizens were heard during Citizens Comments held at the beginning of the Council meeting.

Executive Session

Two Items (AFTER EXECUTIVE SESSION, COUNCIL MEMBERS MAY MAKE MOTIONS IN OPEN SESSION):

1. *Two Legal Briefings regarding Pending or Threatened Litigation Matters. SC Code 30-4-70(a)(2).*

2. *One Legal Briefing on a Contractual Matter. SC Code 30-4-70(a)(2).*

Charlene McGriff moved to go into Executive Session. Seconded by Terry Graham. Motion Passed 7-0. At approximately 8:22 p.m., Council went into Executive Session to discuss the following items: (1) two legal briefings regarding pending or threatened litigation matters, pursuant to SC Code 30-4-70(a)(2); and (2) one legal briefing on a contractual matter, pursuant to SC Code 30-4-70(a)(2).

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 9:21 p.m. Brian Carnes moved to come out of Executive Session. Seconded by Allen Blackmon. Motion Passed 7-0.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council had two legal briefings regarding pending or threatened litigation matters and had one legal briefing on a contractual matter. He explained that, during Executive Session, no votes were taken and no decisions were made.

Adjournment

Larry Honeycutt moved to adjourn the regular meeting of Council. Seconded by Charlene McGriff. Motion to adjourn Passed 7-0. There being no further business, the regular meeting of Council adjourned at approximately 9:21 p.m.

DRAFT

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1708 / Planning Case Number: UDO-TA-020-2578

Contact Person / Sponsor: Robert G. Tefft / Planning

Department: Planning

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

A request to amend Unified Development Ordinance Section 2.5.3, Section 5.9 and Section 10.3 to create and allow for the Landfill – Class One Composting Facility use in the Heavy Industrial (HI) District as a Special Exception and to provide for use specific standards.

Points to Consider:

The following sections of the UDO are proposed to be amended:

Section 2.5.3, Use Table: Amend to allow Landfill – Class One Composting Facility as a use in the HI District, subject to the approval of a Special Exception.

Section 5.9, Industry/Wholesale/Storage Uses: Amend to provide for development standards specific to the proposed Landfill – Class One Composting Facility use.

Section 10.3, Definitions, Use Type: Amend to provide a definition for Landfill – Class One Composting Facility.

Funding and Liability Factors:

N/A

Council Options:

To approve or deny the proposed text amendment.

Recommendation:

At its meeting of February 16, 2021, the Planning Commission voted unanimously to recommend **approval** of the proposed text amendment. There was a suggestion from a Commissioner that County Council explore and include provisions addressing noise decibel limitations associated with grinding operations. No one from the public spoke in favor or opposition to the text amendment.

Staff recommends approval of the text amendment.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1708	3/1/2021	Ordinance
Exhibit A, Exhibit B, and Exhibit C to Ordinance 2021-1708	3/1/2021	Exhibit
Staff Report	1/11/2021	Planning Staff Report
Ex 1: Application	1/11/2021	Exhibit
Ex 2: Proposed Text Amendment	1/11/2021	Exhibit

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2021-1708

COUNTY OF LANCASTER

)

)

AN ORDINANCE

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”) SECTION 2.5.3, USE TABLE, SECTION 5.9, INDUSTRY/WHOLESALE/STORAGE USES, AND 10.3, DEFINITIONS, USE TYPE, TO CREATE AND ALLOW FOR THE LANDFILL – CLASS ONE COMPOSTING FACILITY USE IN THE HEAVY INDUSTRIAL (HI) DISTRICT AS A SPECIAL EXCEPTION AND PROVIDE FOR USE SPECIFIC STANDARDS.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) Michael D. Wright, Savage, Royall & Sheheen, LLP, has submitted a request on behalf of Stacy Faile, S.M. Smith & Sons, Inc. to amend Section 2.5.3, Use Table, Section 5.9, Industry/Wholesale/Storage Uses, and Section 10.3, Definitions, Use Type, of the Unified Development Ordinance (UDO) concerning the creation and allowance of the Landfill – Class One Composting Facility use in the Heavy Industrial (HI) District as a Special Exception along with the provision of use specific standards.
- (b) The proposed text amendment has been found to be consistent with all applicable provisions of the Comprehensive Plan as required by Chapter 9.2.15.B.3. Further, the proposed text amendment has been reviewed for compliance with applicable provisions of SC Code Title VI and has been found to be consistent with those provisions.
- (c) The proposed amendment will provide a mechanism for this common industrial property use may be allowed in Lancaster County.
- (d) Lancaster County Planning Commission considered the proposed text amendment at its meeting on February 16, 2021, and by a unanimous vote recommended approval of the text amendment.

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

Ordinance 2016-1442 (Unified Development Ordinance) Section 2.5.3., Use Table, Section 5.9, Industry/Wholesale/Storage Uses, and Section 10.3, Definitions, Use Type, is amended as set forth in “Exhibits A, B, and C” attached hereto and incorporated herein by reference.

The amendments are generally described as follows:

- a) Section 2.5.3, Use Table; Amend to allow Landfill – Class One Composting Facility as a use in the HI District, subject to the approval of a Special Exception.
- b) Section 5.9, Industry/Wholesale/Storage Uses: Amend to provide for development standards specific to the proposed Landfill – Class One Composting Facility use.
- c) Section 10.3, Definitions, Use Type: Amend to provide a definition for Landfill – Class One Composting Facility.

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 _____, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: March 8, 2021
Public Hearing: March 22, 2021
Second Reading: March 22, 2021
Third Reading: April 12, 2021

Approved as to form:

John DuBose, County Attorney

EXHIBIT A

Section 2.5.3 Use Table (For detailed Use Definitions see Chapter 10.)

USE TYPES		RURAL					TRANSITIONAL					SPECIAL					NEIGHBORHOOD						
		AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
H. INDUSTRY/WHOLESALE/STORAGE																							
Artist Studio/Light Manufacturing Workshops		-	-	-	P	-	-	-	-	-	P	P	-	-	P	P	-	-	-	-	P	P	
Industry, Light		-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Industry, Heavy		-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	
Industry, Restricted		-	-	-	-	-	-	-	-	-	-	-	-	-	-	PR	-	-	-	-	-	-	5.9.1
Junkyard		-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.9.2
Landfill-Class One		-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.9.16
Landfill – Class Two		-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	-	-	-	-	-	-	5.9.3
Landfill – Class Three		-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.9.4
Mining - Major In-Depth Resource Extraction		-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	P	-	-	-	-	-	5.9.5/6
Mining - Minor Surface Resource Extraction		PR	PR	PR	PR	-	-	-	-	-	PR	PR	PR	-	PR	PR	P	-	-	PR	PR	PR	5.9.6/7
Private Recycling Collection Stations		-	-	-	-	-	-	-	-	-	-	-	PR	-	PR	PR	-	-	-	-	-	-	5.9.8
Public Recycling and Waste Collection Facilities		-	-	-	PR	-	-	-	-	-	-	-	PR	-	PR	PR	-	-	-	-	-	-	5.9.9
Research and Development Facilities		-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	-	-	-	-	-	P	
Storage – Outdoor Storage Yard		-	-	-	-	-	-	-	-	-	PR	PR	-	-	PR	PR	-	-	-	-	-	-	5.9.10
Storage – Self Service (Mini)		-	-	-	-	-	-	-	-	-	PR	PR	-	-	PR	PR	-	-	-	-	-	-	5.9.11
Storage – Warehouse Indoor		-	-	-	-	-	-	-	-	-	CU	PR	-	-	PR	PR	-	-	-	-	-	PR	5.9.12
Storage – Warehouse Indoor, Restricted		-	-	-	-	-	-	-	-	-	-	-	-	-	PR	PR	-	-	-	-	-	-	5.9.13
Wholesaling and Distribution		-	-	-	-	-	-	-	-	-	-	PR	-	-	P	P	-	-	-	-	-	P	5.9.14
Wholesaling and Distribution, Restricted		-	-	-	-	-	-	-	-	-	-	-	-	-	PR	PR	-	-	-	-	-	-	5.9.15

EXHIBIT B

10.3 DEFINITIONS, USE TYPE

LANDFILL – CLASS ONE – COMPOSTING FACILITY A Composting Facility, as defined in South Carolina Code of Laws, Title 44, as amended, is a facility used to provide aerobic, thermophilic decomposition of the solid organic constituents of solid waste to produce a stable, humus-like material. Such a facility shall consist of the grinding or composting of source separated organic residual wastes. These wastes shall include only yard trimmings, leaves, grass clippings, woodchips, trees, stumps, and other land-clearing debris, but shall under no circumstances include food waste, masonry materials, road spoils, paving material, solid waste from agricultural or silvicultural operations, scrap metal, vehicles, or other scrap materials.

EXHIBIT C

5.9.16 LANDFILL – CLASS ONE – COMPOSTING FACILITY [HI]

- A. Minimum Lot Area.** The minimum lot area for Class One Composting Facilities shall be 15 acres.
- B. Separation Requirement.** The subject property shall not be adjacent to any residential zoning district or property which contains a conforming residential use.
- C. Location.** No such facilities shall be located within a designated water supply watershed, special flood hazard area or wetland area, or block a natural drainage-way so that water is impounded.
- D. Setbacks.**
- 1.** A 100-foot setback shall apply along all property lines and public or private rights-of-way for all facilities, including parking, buildings, or disposal.
 - 2.** Roads for access to the site may cross the 100-foot area, and monitoring wells may be located within the 100-foot area.
- E. Screening.**
- 1.** A Type B buffer shall be required along all property lines and public or private rights-of-way regardless of the adjacent zoning. Existing plant material may be included in the computation of the required plantings, with approval of the Administrator.
 - 2.** A chain link security fence, a minimum of 6 feet in height, shall enclose the entire site. The fence must be placed inside the required Type B buffer and may be placed inside the buffer area.
 - 3.** All existing trees within the buffer area shall be preserved, except to allow for construction of road crossings and monitoring of wells determined to be necessary by the Administrator.
- F. Vehicular Access.** Vehicular access to the site shall be provided on a major or minor thoroughfare or on a road improved to necessary industrial capacity as determined by the Administrator.
- G. Burning Prohibited.** No burning shall be permitted on the premises.
- H. SCDHEC Permit.** All applicable permits shall be obtained from the South Carolina Department of Health and Environmental Control pursuant to Title 44 of the South Carolina Code of Laws.
- I. Hours of Operation.** Class One Composting Facilities may only operate between the hours of 7:00am and 7:00pm; however any grinding operations shall not occur after 5:00pm.

PROPOSAL: Amend Unified Development Ordinance Section 2.5.3, Use Table, Section 5.9, Industry/Wholesale/Storage Uses, and 10.3, Definitions, Use Type, to create and allow for the Landfill – Class One Composting Facility use in the Heavy Industrial (HI) District as a Special Exception and provide for use specific standards.

APPLICABLE CHAPTER(S): Chapters 2, 5 and 10

APPLICANT: Michael D. Wright, Savage, Royall & Sheheen, LLP on behalf of Stacy Faile, S.M. Smith & Sons, Inc.

PROJECT SUMMARY & PROPOSAL:

Michael D. Wright, Savage, Royall & Sheheen, LLP, has submitted a request on behalf of Stacy Faile, S.M. Smith & Sons, Inc. to amend Chapters 2, 5 and 10 of the Unified Development Ordinance (UDO) concerning the creation and allowance of the Landfill – Class One Composting Facility use in the Heavy Industrial (HI) District as a Special Exception along with the provision of use specific standards.

OUTLINE OF TEXT AMENDMENT:

The proposed text amendment would create and allow for Landfill - Class One Composting Facility uses in the HI District as a Special Exception, and establish specific development standards for the use.

The following sections of the UDO are proposed to be amended:

Section 2.5.3, Use Table: Amend to allow Landfill – Class One Composting Facility as a use in the HI District, subject to the approval of a Special Exception.

Section 5.9, Industry/Wholesale/Storage Uses: Amend to provide for development standards specific to the proposed Landfill – Class One Composting Facility use.

Section 10.3, Definitions, Use Type: Amend to provide a definition for Landfill – Class One Composting Facility.

Based on staff's findings, we offer the modifications attached to the Draft Ordinance for the Commission's consideration. For ease of reference, new text is referenced in red/underlined font and deletions are referenced in ~~striketrough~~ font. The proposed language is found in Attachment 1.

FINDINGS AND CONCLUSIONS:

The proposed text amendment has been found to be consistent with the applicable provisions of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as with the applicable provisions of SC Code Title VI. The proposed text amendment will provide for a use in the County that would otherwise not be permissible and would provide specific regulations for that use.

It is noted that the provisions proposed by the applicant are consistent with those which exist for the Landfill – Class Two and Landfill – Class Three uses; however the provisions have been adjusted to account the lesser impact of the Class One use in comparison to the Class Two and Three uses.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed text amendment.

ATTACHMENTS:

1. Application
2. Proposed Text Amendment

STAFF CONTACT:

Robert G. Tefft, Senior Planner
rtefft@lancastersc.net

SAVAGE ROYALL & SHEHEEN L.L.P.
ATTORNEYS AND COUNSELORS AT LAW

EDWARD M. ROYALL
ROBERT J. SHEHEEN
MOULTRIE B. BURNS, JR.
WILLIAM B. COX, JR.
VINCENT A. SHEHEEN*
STEPHEN R. SMOAK
MICHAEL D. WRIGHT

GREG B. COLLINS

HENRY SAVAGE, JR.
1903-1990

1111 CHURCH STREET
CAMDEN S.C. 29020

P.O. DRAWER 10
CAMDEN S.C. 29021

TELEPHONE: (803) 432-4391
FACSIMILE: (803) 425-4816
FACSIMILE: (803) 425-4812

*CERTIFIED MEDIATOR & ARBITRATOR

October 21, 2020

Lancaster County
Attention: Planning Department
PO Box 1809
Lancaster, SC 29721

RE: Text Amendment Application

To Whom it May Concern:

I hope this correspondence finds you doing well.

Enclosed please find a Text Amendment Application filed on behalf of Stacy Faile of S.M. Smith and Sons, Inc. In addition to enclosing the proposed applicable text amendment application, supporting documentation, and my law firm's check in the amount of \$435.00 for the application fee, I have also enclosed a notarized letter of support from the property owner of 7472 Van Wyck Road, Hickory Hills Smoked Products, LLC.

I would appreciate a reply confirming the receipt of the application and that it has been properly submitted. I am happy to answer any inquires the Planning Department might have regarding this request. Last, please kindly notify me of the Planning Commission's recommendation to Lancaster County Council

If you have any questions or concerns, please do not hesitate to contact me. Thank you, in advance, for your help in this matter.

Very Truly,


Michael Wright

Enclosures as Stated

cc: Stacy M. Faile (via electronic mail)
Kyle Starnes (via electronic mail)

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

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

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended To add Landfill--Class One to Heavy Industrial District

Current Text Not Applicable.

Proposed Text Please see attached.

Description of Need for Proposed Text

Lancaster County does not have a designed for a class one composting facility as currently
authorized pursuant to South Carolina law to allow for the grinding or composting source seperated
organic residual wastes.

☐ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name Stacy Faile, S.M. Smith & Sons, Inc.

Address c/o Savage, Royall, & Sheheen, LLP, Attention: Michael D. Wright, PO Drawer 10

City Camden State SC Zip 29021 Phone 803-432-4391

Fax 803-425-4812 Email mwright@thesavagefirm.com

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.

Stacy Paile
Applicant Stacy Paile

Oct. 12, 2020
Date

Kyle Starnes
Property Owner(s) Kyle Starnes

Oct 12, 2020
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

January, 2020

10/15/2020

Lancaster County Planning Department
PO Box 1809
Lancaster, SC 29721

Re: 7472 Van Wyck Road, Text Amendment Application

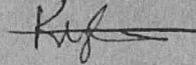
To Whom it May Concern:

I hope this correspondence finds you doing well.

I am the writing in support of Stacy Faile and S.M. Smith and Son's Text Amendment application being submitted to the Lancaster County Planning Department. I am the sole member of Hickory Hills Smoked Products, LLC, the owner of the property located at 7472 Van Wyck Road, TMS# 0025-00-010.02. Mr. Faile has discussed the submission of the text amendment with me and I support his request to Lancaster County.

If you have any questions, please do not hesitate to contact me.

Sincerely,

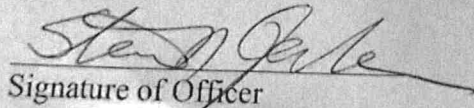


Kyle Starnes
Hickory Hills Smoked Products, LLC

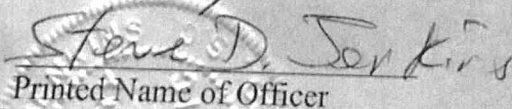
STATE OF SOUTH CAROLINA)
COUNTY OF LANCASTER)

I Steve Jenkins Notary Public for the State of South Carolina, do hereby certify that the above-referenced individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 20th day of Oct, 2020.



Signature of Officer



Printed Name of Officer

My commission expires: Notary Public, State of South Carolina
(AFFIX NOTARY SEAL) My Commission Expires 4/28/2021

EXHIBIT A

Section 2.5.3 Use Table (For detailed Use Definitions see Chapter 10.)

USE TYPES	RURAL					TRANSITIONAL						SPECIAL					NEIGHBORHOOD					REF
H. INDUSTRY/WHOLESALE/STORAGE	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	
Artist Studio/Light Manufacturing Workshops	-	-	-	P	-	-	-	-	-	P	P	-	-	P	P	-	-	-	-	P	P	
Industry, Light	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Industry, Heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	
Industry, Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PR	-	-	-	-	-	-	5.9.1
Junkyard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.9.2
<u>Landfill-Class One</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>SE</u>	-	-	-	-	-	-	<u>5.9.16</u>
Landfill – Class Two	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	-	-	-	-	-	-	5.9.3
Landfill – Class Three	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.9.4
Mining - Major In-Depth Resource Extraction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	P	-	-	-	-	-	5.9.5/6
Mining - Minor Surface Resource Extraction	PR	PR	PR	PR	-	-	-	-	-	PR	PR	PR	-	PR	PR	P	-	-	PR	PR	PR	5.9.6/7
Private Recycling Collection Stations	-	-	-	-	-	-	-	-	-	-	-	PR	-	PR	PR	-	-	-	-	-	-	5.9.8
Public Recycling and Waste Collection Facilities	-	-	-	PR	-	-	-	-	-	-	-	PR	-	PR	PR	-	-	-	-	-	-	5.9.9
Research and Development Facilities	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	-	-	-	-	-	P	
Storage – Outdoor Storage Yard	-	-	-	-	-	-	-	-	-	PR	PR	-	-	PR	PR	-	-	-	-	-	-	5.9.10
Storage – Self Service (Mini)	-	-	-	-	-	-	-	-	-	PR	PR	-	-	PR	PR	-	-	-	-	-	-	5.9.11
Storage – Warehouse Indoor	-	-	-	-	-	-	-	-	-	CU	PR	-	-	PR	PR	-	-	-	-	-	PR	5.9.12
Storage – Warehouse Indoor, Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	PR	PR	-	-	-	-	-	-	5.9.13
Wholesaling and Distribution	-	-	-	-	-	-	-	-	-	-	PR	-	-	P	P	-	-	-	-	-	P	5.9.14
Wholesaling and Distribution, Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	PR	PR	-	-	-	-	-	-	5.9.15

EXHIBIT B

10.3 DEFINITIONS, USE TYPE

LANDFILL – CLASS ONE – COMPOSTING FACILITY A Composting Facility, as defined in South Carolina Code of Laws, Title 44, as amended, is a facility used to provide aerobic, thermophilic decomposition of the solid organic constituents of solid waste to produce a stable, humus-like material. Such a facility shall consist of the grinding or composting of source separated organic residual wastes. These wastes shall include only yard trimmings, leaves, grass clippings, woodchips, trees, stumps, and other land-clearing debris, but shall under no circumstances include food waste, masonry materials, road spoils, paving material, solid waste from agricultural or silvicultural operations, scrap metal, vehicles, or other scrap materials.

EXHIBIT C

5.9.16 LANDFILL – CLASS ONE – COMPOSTING FACILITY [HI]

- A. Minimum Lot Area.** The minimum lot area for Class One Composting Facilities shall be 15 acres.
- B. Separation Requirement.** The subject property shall not be adjacent to any residential zoning district or property which contains a conforming residential use.
- C. Location.** No such facilities shall be located within a designated water supply watershed, special flood hazard area or wetland area, or block a natural drainage-way so that water is impounded.
- D. Setbacks.**
- 1.** A 100-foot setback shall apply along all property lines and public or private rights-of-way for all facilities, including parking, buildings, or disposal.
 - 2.** Roads for access to the site may cross the 100-foot area, and monitoring wells may be located within the 100-foot area.
- E. Screening.**
- 1.** A Type B buffer shall be required along all property lines and public or private rights-of-way regardless of the adjacent zoning. Existing plant material may be included in the computation of the required plantings, with approval of the Administrator.
 - 2.** A chain link security fence, a minimum of 6 feet in height, shall enclose the entire site. The fence must be placed inside the required Type B buffer and may be placed inside the buffer area.
 - 3.** All existing trees within the buffer area shall be preserved, except to allow for construction of road crossings and monitoring of wells determined to be necessary by the Administrator.
- F. Vehicular Access.** Vehicular access to the site shall be provided on a major or minor thoroughfare or on a road improved to necessary industrial capacity as determined by the Administrator.
- G. Burning Prohibited.** No burning shall be permitted on the premises.
- H. SCDHEC Permit.** All applicable permits shall be obtained from the South Carolina Department of Health and Environmental Control pursuant to Title 44 of the South Carolina Code of Laws.
- I. Hours of Operation.** Class One Composting Facilities may only operate between the hours of 7:00am and 7:00pm; however any grinding operations shall not occur after 5:00pm.

Agenda Item Summary

Ordinance # / Resolution #: Resolution 1142-R2021

Contact Person / Sponsor: Jamie Gilbert/Economic Development

Department: Economic Development

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Accutrex Products is a Pennsylvania based metal fabrication and machining operation, that has been in Lancaster since 2006. In October 2020, the company approached the Lancaster County Department of Economic Development regarding a potential expansion of its 2077 Pageland Highway facility. The expansion requires a 15,000 square foot addition to the north side of the building and the placement of new production equipment into the facility. The expansion is expected to result in an investment of of \$3,316,000 and 5 new full-time jobs.

The company has requested property tax relief assistance with this new investment in Lancaster, LCDED recently developed new property tax incentive guidelines for existing industry to assist companies with expansions that will strengthen their operation and maintain employment. Using these guidelines, LCDED is proposing for a Accutrex a fee-in-lieu-of-taxes (FILOT) agreement with a special source revenue credit (SSRC) that will offset a portion of the expansion's new property taxes. Under LCDED's existing industry incentive guidelines the expansion qualifies for the following:

- 20-year FILOT that reduces the assessment rate to 6% on the new real and personal property with a fixed millage rate of 338.5 mills and five year investment period.
- A 5-year SSRC at 58% to be applied against the annual FILOT payments.

In order to receive the FILOT annually, Accutrex will need to maintain an investment of \$2.5 million and 10 full-time jobs at the facility. The SSRC requires the company to maintain an annual average of 30 full-time jobs at a wage rate of at least \$14/hour to receive the credit each year. If the company does not maintain that number they will not receive the credit.

Points to Consider:

- Accutrex has been a strong and desirable employer in Lancaster for over a decade.
- The proposed expansion is one of two phases the company is considering for its Lancaster location.
- The recommended FILOT and SSRC are consistent with existing industry incentive guidelines.

Funding and Liability Factors:

There are no funding or liability factors.

Council Options:

Council can vote to approve, deny, amend or table the resolution as presented.

Recommendation:

LCDED recommends County Council approve the resolution.

ATTACHMENTS:

Description	Upload Date	Type
Accutrex Expansion Resolution	4/2/2021	Resolution

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

RESOLUTION NO. 1142-R2021

A RESOLUTION

TO STATE THE COMMITMENT OF LANCASTER COUNTY TO ENTER INTO A FEE AGREEMENT WITH ACCUTREX PRODUCTS, INC. PRECISION PARTS DIVISION; TO PROVIDE THE GENERAL TERMS OF THE FEE AGREEMENT INCLUDING THE PROVISION OF SPECIAL SOURCE REVENUE CREDITS; TO PROVIDE THAT THIS RESOLUTION IS AN INDUCEMENT RESOLUTION FOR PURPOSES OF THE FEE IN LIEU OF TAX SIMPLIFICATION ACT; AND TO STATE THE COMMITMENT OF LANCASTER COUNTY TO PLACE ACCUTREX PRODUCTS, INC. PRECISION PARTS DIVISION, PROPERTY IN A MULTI-COUNTY PARK.

WHEREAS, Lancaster County, South Carolina (the "County"), acting by and through its County Council (the "Council") is empowered under and pursuant to the provisions of the Fee in Lieu of Tax Simplification Act, codified as Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended (the "Act"), to enter into fee agreements with businesses and industries in connection with the acquisition, construction, enlargement or improvement of industrial and commercial enterprises within South Carolina (the "State"); and

WHEREAS, the County, acting by and through its Council, is authorized and empowered to establish multicounty parks (an "MCP") pursuant to Article VIII, Section 13(D) of the Constitution of South Carolina, and Sections 4-1-170, 4-1-172, and 4-1-175 of the Code of Laws of South Carolina 1976, as amended (the "MCP Act") to further the investment of capital and the creation of jobs in the County; and

WHEREAS, Section 12-44-70 of the Act, Section 4-1-175 of the MCP Act and Section 4-29-68 of the Code of Laws of South Carolina 1976, as amended, authorizes the Council to provide special source revenue credits ("SSRCs") that are applied against fee-in-lieu of tax ("FILOT") payments ("FILOT Payments") made pursuant to the Act and MCP Act to reimburse a project for the costs of designing, acquiring, constructing, improving, or expanding, among other things, (i) infrastructure serving the project, or (ii) improved or unimproved real estate and personal property, including machinery and equipment used in the operation of a manufacturing or commercial enterprise; and

WHEREAS, Accutrex Products, Inc. Precision Parts Division, and one or more affiliates (collectively, the "Company"), is considering the acquisition, construction and installation of a project, known by the Company as "Project Tattoo," upon property located in the County (the "Project"), *provided, that*, the County enters into certain incentive arrangements with the Company, as set forth herein; and

WHEREAS, the Company's Project is anticipated to result in additional investment of approximately \$3,316,000 in real and personal property and the creation of five new full-time jobs; and

WHEREAS, the County intends by this Resolution to commit itself to (i) enter into a FILOT arrangement with the Company under the Act for investments in qualifying economic development property and provide for SSRCs against those negotiated FILOT Payments to be made pursuant to the FILOT arrangement ("Negotiated FILOT Payments"), and (ii) locate and maintain the Company's property and the Project in an MCP.

NOW, THEREFORE, BE IT RESOLVED by the Council of Lancaster County, South Carolina:

1. The adoption of this Resolution is an official action by the Council to identify, reflect and induce the Project under the Act. For purposes of the Act, this Resolution is an "Inducement Resolution." For purposes of Section 12-44-110 of the Act, and for such other similar statutory provisions, this Resolution constitutes preliminary approval by the County prior to the execution of a fee agreement.

2. The County commits to enter into a negotiated FILOT arrangement with the Company that would be applicable to the Project's qualifying economic development property, the terms of which shall be set forth in a fee agreement in form and manner satisfactory to the County and the Company containing substantially the following terms (the "Fee Agreement"):

- a. an Investment Period, as defined in the Act, of five (5) years;
- b. the Company's commitment to create and maintain full-time jobs (*i.e.*, at least thirty (30) hours per week), all with health care benefits ("Full-Time Jobs") paying an hourly wage rate not less the Wage Requirement at the following employment levels and in the designated timeframes: to have employed not less than thirty (30) in Full-Time Jobs meeting the Wage Requirement at the end of calendar year 2022 (applicable to the Negotiated FILOT Payment due without penalty by January 15, 2024), and an average not less than thirty (30) Full-Time Jobs meeting the Wage Requirement in each calendar year thereafter in which the Company receives an SSRC pursuant to Section 2.e below.

As used in this Section 2.b., "Wage Requirement" means an hourly wage rate not less than fourteen dollars and zero cents (\$14.00). The Wage Requirement shall be adjusted for calendar year 2026, and applied to calendar year 2026 and to each calendar year thereafter, to the lower of either fourteen dollars and eighty-six cents (\$14.86) or the then current per capita hourly wage rate for the County as published by the South Carolina Department of Revenue.

The Company may include jobs relocated from other states to the Project to determine if the Company has fulfilled its commitment to create full-time jobs if the relocated jobs meet the Wage Requirement. The Company's commitment to create and maintain Full-Time Jobs paying an hourly wage rate meeting the Wage Requirement, as described in this Section 2.b., is referred to as the "Jobs Commitment";

- c. calculation of Negotiated FILOT Payments using an assessment ratio of six percent (6%) and a millage rate fixed for the life of the Negotiated FILOT Payments at 338.15 mills, *provided, however, that*, in any year during the term of the Fee Agreement, beginning after December 31, 2022, in which the Company fails to have employed in Full-Time Jobs an average of not less than ten (10), the Company shall pay an additional fee equal to the difference between a Negotiated FILOT Payment that uses the then current millage rate and the assessment ratios that would have been used if the qualifying economic development property was not subject to a Negotiated FILOT Payment and the total amount of Negotiated FILOT Payments actually made by the Company;
- d. a term of twenty (20) years for the Fee Agreement;

- e. an SSRC equal to 58% of the Negotiated FILOT Payments for seven (7) consecutive years beginning with the Negotiated FILOT Payment due without penalty by January 15, 2023 and ending with the Negotiated FILOT Payment due without penalty by January 15, 2029, *provided, however, that*, in any year in which the Company fails to meet the Jobs Commitment as set forth in Section 2.b. above, the Company is ineligible for, and shall not receive, the SSRC for the applicable period. In any year in which the Company must pay an additional fee as required in Section 2.c. above, the Company is ineligible for, and shall not receive, the SSRC provided for in this Section 2.e.;
 - f. provisions requiring the Company to provide documentation to the County Economic Development Director to prove compliance by the Company with the Jobs Commitment. The documentation may include providing completed South Carolina Department of Revenue job tax credit forms, such as form TC-4, and completed South Carolina Department of Employment and Workforce quarterly contribution and wage reports, such as form UCE 120. In lieu of providing any of the forms specifically identified in this Section 2.f., the Company and the County Economic Development Director may agree on an alternative method for the Company to demonstrate compliance with the Jobs Commitment;
 - g. the Company's commitment to reimburse the County for its administrative expenses, including attorneys' fees, associated with (i) the preparation, review, approval and execution of the Fee Agreement, (ii) the preparation, review, approval and execution of other documents related to the Fee Agreement and any multi-county park documents, and (iii) the annual computation of the Negotiated FILOT Payments and SSRCs; and
 - h. the Company's commitment to maintain a membership in the Lancaster County Chamber of Commerce for the term of the Fee Agreement.
3. Council shall use its best efforts to include and maintain the land on which the Project is located in an MCP, to the extent the land is not already in an MCP. The period of time for inclusion of the land in an MCP shall be for a period at least as long as the period the Fee Agreement is effective.
4. A. The County shall use its best efforts to (i) assist the Company in locating potential grants from the state and utilities for any public infrastructure costs associated with the Project, (ii) assist the Company in applying for state economic development incentives that flow through the County, and (iii) assist the Company in securing job training through the ReadySC program.
- B. As used in this Section 4, "best efforts" include, without limitation, filing all required and necessary documents and applications relating to the grants or assistance, formally recommending approval of the grants or assistance and making the grants or assistance available at the commencement of the construction of the Project if provided by the granting or assisting entity and giving the Company written evidence of the grants or assistance when approved.
5. Council's commitments and agreements contained in Sections 3 and 4 above are subject to the exercise of discretion by granting or approving entities other than the County and the exercise of that discretion is not controlled by the County.
6. Council shall approve the Fee Agreement and any other agreement or document contemplated by this Resolution, in accordance with South Carolina law and the rules and procedures of the Council.

7. County Council finds that (i) the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise adequately provided locally, (ii) the Project gives rise to no pecuniary liability of the County or incorporated municipality and to no charge against the general credit or taxing power of either the County or any incorporated municipality, (iii) the purposes to be accomplished by the Project are proper governmental and public purposes, and (iv) the benefits of the Project to the public are greater than the costs to the public.

8. To the extent this Resolution contains provisions that conflict with other orders, resolutions, and parts thereof, the provisions contained in this Resolution supersede all other orders, resolutions and parts thereof and this Resolution is controlling.

9. This Resolution takes effect upon its adoption.

AND IT IS SO RESOLVED

Dated this __ day of _____, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

[SEAL]

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

Attest:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose III, County Attorney

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1719

Contact Person / Sponsor: Jamie Gilbert/Economic Development

Department: Economic Development

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Accutrex Products is a Pennsylvania based metal fabrication and machining operation, that has been in Lancaster since 2006. In October 2020, the company approached the Lancaster County Department of Economic Development regarding a potential expansion of its 2077 Pageland Highway facility. The expansion would require a 15,000 square foot addition to the north side of the building and the placement of new production equipment into the facility. The expansion is expected to result in an investment of of \$3,316,000 and 5 new full-time jobs.

The company has requested property tax relief assistance with this new investment in Lancaster, LCDED recently developed new property tax incentive guidelines for existing industry to assist companies with expansions that will strengthen their operation and maintain employment. Using these guidelines, LCDED is proposing for a Accutrex a fee-in-lieu-of-taxes (FILOT) agreement with a special source revenue credit (SSRC) that will offset a portion of the expansion's new property taxes. Under LCDED's existing industry incentive guidelines the expansion qualifies for the following:

- 20-year FILOT that reduces the assessment rate to 6% on the new real and personal property with a fixed millage rate of 338.5 mills and five year investment period.
- A 5-year SSRC at 58% to be applied against the annual FILOT payments.

In order to receive the FILOT annually, Accutrex will need to maintain an investment of \$2.5 million and 10 full-time jobs at the facility. The SSRC requires the company to maintain an annual average of 30 full-time jobs at a wage rate of at least \$14/hour to receive the credit each year. If the company does not maintain that number they will not receive the credit.

Points to Consider:

- Accutrex has been a strong and desirable employer in Lancaster for over a decade.
- The proposed expansion is one of two phases the company is considering for its Lancaster location.
- The recommended FILOT and SSRC are consistent with existing industry incentive guidelines.

Funding and Liability Factors:

There are no funding or liability factors.

Council Options:

Council can vote to approve, deny, amend or table the ordinance as presented.

Recommendation:

LCDED recommends County Council approve the ordinance.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1719	4/2/2021	Ordinance
Fee Agreement	4/2/2021	Exhibit

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2021-1719

COUNTY OF LANCASTER

)

)

AN ORDINANCE

TO AUTHORIZE THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN LANCASTER COUNTY AND ACCUTREX PRODUCTS, INC. PRECISION PARTS DIVISION PROVIDING FOR THE PAYMENT OF A FEE-IN-LIEU OF TAXES AND THE PROVISION OF SPECIAL SOURCE REVENUE CREDITS; AND TO EXPRESS THE INTENTION OF COUNCIL TO PROVIDE MONIES TO THE ECONOMIC DEVELOPMENT FUND.

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

Section 1. Findings.

The Lancaster County Council finds that:

(a) Lancaster County, South Carolina (the “County”) acting by and through its County Council (the “Council”) is authorized and empowered pursuant to the provisions of Title 12, Chapter 44 of the Code of Laws of South Carolina 1976 (the “Code”), as amended (the “Act”), to enter into fee-in-lieu of tax (“FILOT”) agreements with any industry, with said agreements identifying certain properties of such industries as economic development property, through which powers the industrial development of the State of South Carolina (the “State”) and the County will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate, remain, and expand in the State and the County and thus utilize and employ the workforce, products, and natural resources and benefit the general public welfare of the State and County by providing services, employment, or other public benefits not otherwise adequately provided locally;

(b) the County is authorized and empowered to establish, in conjunction with one or more other counties, a joint county industrial or business park (each a “Park”) pursuant to Article VIII, Section 13(D) of the Constitution of South Carolina, and Sections 4-1-170, 4-1-172, and 4-1-175 of the Code, as amended (the “MCP Act”) to further the investment of capital and the creation of jobs in the County, and to facilitate the provision of special source revenue credits;

(c) the County is authorized by Section 4-1-175 of the MCP Act, Section 4-29-68 of the Code, as amended, and Section 12-44-70 of the Act to provide special source revenue credits for the purpose of defraying the cost of designing, acquiring, constructing, improving, or expanding the infrastructure serving the County and for improved and unimproved real estate and personal property, including machinery and equipment, used in the operation of a manufacturing facility or commercial enterprise in order to enhance the economic development of the County (“Special Source Improvements”);

(d) Accutrex Products, Inc. Precision Parts Division, a corporation organized and existing under the laws of the State (the “Sponsor”), is considering investing, through itself and/or one or more existing or to be formed affiliated entities, in personal property and certain real estate improvements located in the County, which would constitute a project, known by the Sponsor as “Project Tattoo”, within the meaning of the Act and which are eligible for inclusion as economic development property, the cost of which is estimated to be approximately \$3,316,000 (the “Project”) and create a minimum number of new jobs as detailed in the Fee Agreement; and

(e) pursuant to Resolution No. 1142-R2021, adopted April 12, 2021, the Council approved an Inducement Resolution providing for, among other things, the commitment of the County to enter into a fee-in-lieu of tax incentive with the Sponsor and the provision of special source revenue credits.

Section 2. Statutory Findings.

Council makes the following additional findings:

(a) The Project will constitute a “project” as the term is referred to and defined in the Act, and the County’s actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the Act.

(b) The Project and the payments in lieu of taxes set forth herein are beneficial to the County, and the County has evaluated the Project based upon all criteria prescribed by law, including the anticipated dollar amount and nature of the investment to be made.

(c) The Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally.

(d) The Project gives rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either.

(e) The purposes to be accomplished by the Project, *i.e.*, economic development and addition to the tax base of the County, are proper governmental and public purposes.

(f) The inducement of the location or expansion of the Project within the County and State is of paramount importance.

(g) The benefits of the Project to the public will be greater than the costs to the public.

Section 3. Approval of Fee Agreement.

The form, terms, and provisions of the Fee Agreement, attached hereto as **EXHIBIT A**, is approved, and all of the terms, provisions, and conditions thereof are incorporated herein by reference as if the Fee Agreement was set out in this ordinance in its entirety. The Council Chair and Council Secretary are authorized, empowered, and directed to execute and acknowledge the Fee Agreement in the name of and on behalf of the County, and thereupon to cause the Fee Agreement to be delivered to the Sponsor. The Fee Agreement is to be in substantially the form as attached to this ordinance and hereby approved, with such changes therein as shall not be materially adverse to the County and as shall be approved by the officials of the County executing the same, upon the advice of counsel to the County, such officer’s execution thereof to constitute conclusive evidence of such officer’s approval of any and all changes or revisions therein from the form of the Fee Agreement attached to this ordinance.

Section 4. Economic Development Fund.

(a) Council finds that (i) by passage of Ordinance No. 2014-1260, Council created an Economic Development Fund with the intent to make monies available to the fund from new revenues to the County derived from new and expanded businesses and industry, and (ii) the ability to make monies available to the Economic Development Fund can be difficult because of complexities and legalities applicable to fee-in-lieu of tax arrangements and multi-county parks.

(b) It is the intent of Council, in the annual County budget, to appropriate monies to the Economic Development Fund based on the new revenue that the County receives pursuant to the Fee Agreement. Specifically, it is Council's intent to appropriate from the General Fund of the County an amount based on the following formula: Seven percent (7%) times the amount of money received pursuant to the Fee Agreement by the County after distribution to other taxing entities in the most recently completed tax year.

Section 5. Authority to Act.

The Council Chair, Council Secretary, Clerk to Council, County Administrator, County Attorney and all other appropriate officials of the County are authorized and directed to do any and all things necessary to effect the execution and delivery of the Fee Agreement and the performance of all obligations of the County under and pursuant to the Fee Agreement.

Section 6. 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 7. Controlling Provisions.

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

Section 8. Effective Date.

This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.

AND IT IS SO ORDAINED

Dated this ____ day of _____, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: April 12, 2021
Second Reading: April 26, 2021
Public Hearing: May 10, 2021
Third Reading: May 10, 2021

Approved as to form:

John K. DuBose III, County Attorney

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Exhibit A to Ordinance No. 2021-1719

Fee Agreement

See attached.

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FEE AGREEMENT

by and between

LANCASTER COUNTY, SOUTH CAROLINA,

and

ACCUTREX PRODUCTS, INC. PRECISION PARTS DIVISION

Dated as of May 10, 2021

FEE AGREEMENT

This FEE AGREEMENT (this “Agreement”) is dated as of May 10, 2021, by and between LANCASTER COUNTY, SOUTH CAROLINA, a body politic and corporate and a political subdivision of the State of South Carolina (the “County”) and ACCUTREX PRODUCTS, INC. PRECISION PARTS DIVISION, a corporation organized and existing under the laws of the State of South Carolina (“Sponsor” and “Company” and, together with any subsequently joined Sponsor Affiliate(s), the “Companies”).

WITNESSETH:

WHEREAS, the County, acting by and through its County Council, is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 (the “Act”) of the Code of Laws of South Carolina 1976, as amended (the “Code”) and Sections 4-1-170, 4-1-172, and 4-1-175 of the Code and Article VIII, Section 13(D) of the South Carolina Constitution (the “Multi-County Park Act”): (i) to enter into agreements with certain investors to construct, operate, maintain, and improve certain industrial and commercial properties through which the economic development of the State of South Carolina (the “State”) will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the workforce, agricultural products, and natural resources of the State; (ii) to covenant with such investors to accept certain payments in lieu of *ad valorem* taxes with respect to the project (a “FILOT”); and (iii) to maintain, create or expand, in conjunction with one or more other counties, a multi-county industrial park; and

WHEREAS, the Company proposes to renovate and expand the Company’s existing manufacturing facility in the County (the “Project”); and

WHEREAS, the Company anticipates that the Project will result in the creation of at least five (5) new, full-time jobs and an investment of at least \$3,316,000 in the County; and

WHEREAS, the County Council approved on April 12, 2021, Resolution No. 1142-R2021 (the “Inducement Resolution”) to identify, reflect and induce the Project under the Act and to state the commitment of the County to, among other things, enter into this Agreement; and

WHEREAS, as a result of the Company locating the Project in the County, the Company requested that the County complete the FILOT arrangement referred to in the Inducement Resolution by entering into this Agreement with the Company pursuant to the Act, and the Company elects to enter into such FILOT arrangement with the County in an effort to implement the terms of the Project and allow the Company to make FILOT payments pursuant to the Act; and

WHEREAS, it is presently anticipated, but not required, that Sponsor will initially own that portion of the Project comprised of the Land (as defined herein), certain real property improvements, and personal property now or hereafter constructed thereon; and

WHEREAS, for the Project, the parties have also determined that Sponsor is a Project Sponsor, and that the Project constitutes Economic Development Property within the meaning of the Act; and

WHEREAS, for the purposes set forth above, the County has determined that it is in the best interests of the County to enter into this Agreement with the Company, subject to the terms and conditions herein set forth.

NOW, THEREFORE, in consideration of the respective representations and agreements hereinafter contained, and the sum of \$1.00 in hand, duly paid by the Company to the County, the receipt and sufficiency of which are hereby acknowledged, the County and the Company agree as follows:

ARTICLE I

DEFINITIONS AND RECAPITULATION

Section 1.01. Statutorily Required Recapitulation.

(a) Pursuant to Section 12-44-55(B) of the Act, the County and the Company agree to waive the recapitulation requirements of Section 12-44-55 of the Act. Subsection (b) of this section is inserted for convenience only and does not constitute a part of this Agreement or a summary compliant with Section 12-44-55 of the Act.

(b) Summary of Agreement.

1. Legal name of each initial party to this Agreement: Accutrex Products, Inc. Precision Parts Division and Lancaster County, South Carolina.
2. County, street address, parcel number or other location identifier of the Project and property to be subject to this Agreement:

Lancaster County, South Carolina
2077 Pageland Highway, Parcel Id. No. 0069-00-094.00
2145 Pageland Highway, Parcel Id. No. 0069-00-095.00
Pageland Highway, Parcel Id. No. 0069-00-095.02
1968 Sunshine Road, Parcel Id. No. 0069-00-107.00
3. Minimum investment agreed upon: \$3,316,000.
4. Length and term of this Agreement: 20 years for each annual increment of investment in the Project during the Investment Period.
5. Assessment ratio applicable for each year of this Agreement: 6%, except as otherwise provided in the Agreement.
6. Millage rate applicable for each year of this Agreement: 338.15 mills, except as otherwise provided in the Agreement.

7. Statements

- (a) The Project is to be located in a multi-county park;
- (b) Disposal of property subject to payments-in-lieu-of-taxes is allowed;
- (c) Special Source Revenue Credits shall be given to the Economic Development Property in amounts equal to 58% of Negotiated FILOT Payments for seven (7) consecutive years beginning with the Negotiated FILOT Payment due without penalty by January 15, 2023 and ending with the Negotiated FILOT Payment due without penalty by January 15, 2029;
- (d) Payment will not be modified using a net present value calculation; and
- (e) Replacement property provisions will apply.

Section 1.02. Definitions. In addition to the words and terms elsewhere defined in this Agreement, the following words and terms as used herein and in the preambles hereto shall have the following meanings, unless the context or use indicates another or different meaning or intent.

“*Act*” or “*Simplified FILOT Act*” shall mean Title 12, Chapter 44 of the Code, as amended through the date hereof.

“*Administration Expense*” shall mean the reasonable and necessary out-of-pocket expenses, including attorneys’ fees, incurred by the County with respect to: (i) the preparation, review, approval and execution of this Agreement, (ii) the preparation, review, approval and execution of other documents related to this Agreement and any multi-county park documents; and (iii) the fulfillment of its obligations under this Agreement and any multi-county park documents.

“*Affiliate*” shall mean any person or entity directly or indirectly controlling, controlled by, or under common control with such other person or entity. For purposes of this definition, “control” means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of the person or entity, whether through the ownership of voting securities, by contract, or otherwise.

“*Agreement*” shall mean this Fee Agreement by and between the County and the Company, as originally executed and from time to time supplemented or amended as permitted herein, and dated as of May 10, 2021.

“*Code*” shall mean the Code of Laws of South Carolina 1976, as amended through the date hereof, unless the context clearly requires otherwise.

“*Company*” shall mean the Sponsor.

“*Companies*” shall mean the Sponsor together with any subsequently joined Sponsor Affiliate(s).

“*County*” shall mean Lancaster County, South Carolina, a body politic and corporate and a political subdivision of the State, and its successors and assigns.

“*County Council*” shall mean the governing body of the County and its successors.

“*Department of Revenue*” shall mean the South Carolina Department of Revenue.

“*Economic Development Property*” shall mean each item of real and tangible personal property comprising the Project, except Non-Qualifying Property, within the meaning of that term as defined and used in Sections 12-44-30(6) and 12-44-40(C) of the Code and in this Agreement.

“*Equipment*” shall mean all machinery, equipment, furnishings, and other personal property acquired by Sponsor and installed as part of the Project during the Investment Period in accordance with this Agreement.

“*Event of Default*” shall mean an Event of Default as defined in Section 11.01 hereof.

“*Existing Property*” shall mean property proscribed from becoming Economic Development Property pursuant to Section 12-44-110 of the Code, including, without limitation, property which has been subject to *ad valorem* taxes in the State prior to the execution and delivery of this Agreement and property included in the Project as part of the repair, alteration, or modification of such previously taxed property; provided, however, that Existing Property shall not include: (a) the Land; (b) property acquired or constructed by Sponsor during the Investment Period which has not been placed in service in this State prior to the Investment Period notwithstanding that *ad valorem* taxes have heretofore been paid with respect to such property; or (c) modifications which constitute an expansion of Existing Property.

“*FILOT*” shall mean the fee-in-lieu of taxes, which Sponsor is obligated to pay to the County pursuant to Section 5.01 hereof.

“*FILOT Payments*” shall mean the payments to be made by Sponsor pursuant to Section 5.01 hereof.

“*FILOT Revenues*” shall mean the revenues received by the County from the payment of the FILOT.

“*Full-Time Job*” means a full-time job (*i.e.*, at least thirty (30) hours per week), with health care benefits. As used in this definition and as applicable to the Project, “Full-Time Job” includes those jobs created for the Project. Jobs relocated from other states to the Project shall be counted as Full-Time Jobs. All persons filling the Full-Time Job positions must be authorized pursuant to state and federal law to be employed in the United States and not less than ninety percent (90%) of the persons filling the Full-Time Job positions must be U.S. citizens.

“*Investment Commitment*” shall mean the agreement of the Company to make investments with respect to the Project as set forth in Section 4.01(a) of this Agreement.

“*Investment Period*” shall mean the period beginning with the first day that Economic Development Property is purchased or acquired and ending on the date that is five (5) years from the end of the property tax year in which this Agreement is executed by the Company and the County, unless extended by agreement of the County and the Company pursuant to Section 12-44-30(13) of the Code.

“*Jobs Commitment*” shall mean the commitment of Sponsor to create jobs with respect to the Project as set forth in Section 4.01(b) of this Agreement.

“*Land*” shall mean the real estate upon which the Project is to be located, more specifically identified as Parcel Identification Nos. 0069-00-094.00 (2077 Pageland Highway), 0069-00-095.00 (2145 Pageland Highway), 0069-00-095.02 (Pageland Highway), and 0069-00-107.00 (1968 Sunshine Road). Additional real estate may be included by amendment as provided in the Section 12.12 of this Agreement.

“*Multi-County Park*” means the multi-county park established pursuant to the Agreement for the Development of a Joint Industrial and Business Park (Accutrex Products, Inc. Precision Parts Division), dated November 7, 2012, by and between the County and Chesterfield County, South Carolina. Multi-County Park includes any subsequent park or any subsequent park agreement that includes the Land, including, but not limited to, the Amended and Restated Master Multi-County Park Agreement, Amended and Restated as of November 9, 2015, between the County and Chesterfield County, South Carolina, as from time to time amended and updated, and as authorized by the Multi-County Park Act.

“*Multi-County Park Act*” shall mean Sections 4-1-170, 4-1-172, and 4-1-175 of the Code and Article VIII, Section 13(D) of the South Carolina Constitution, as amended through the date hereof.

“*Negotiated FILOT Payment*” shall mean the FILOT due pursuant to Section 5.01(b) hereof with respect to that portion of the Project consisting of Economic Development Property.

“*Non-Qualifying Property*” shall mean that portion of the Project consisting of: (i) property as to which Sponsor incurred expenditures prior to the Investment Period or, except as to Replacement Property, after the end of the Investment Period; (ii) Existing Property; and (iii) any Released Property or other property which fails or ceases to qualify for Negotiated FILOT Payments, including without limitation property as to which the Company has terminated the Negotiated FILOT pursuant to Section 4.03(iii) hereof.

“*Person*” shall mean and include any individual, association, unincorporated organization, corporation, partnership, limited liability company, joint venture, or government or agency or political subdivision thereof.

“*Project*” shall mean, collectively herein, the Project, and shall include the buildings and other improvements on the Land to the extent placed thereon by or on behalf of the Company, including water, sewer treatment and disposal facilities, and other machinery, apparatus, equipment, office facilities, and furnishings which are necessary, suitable, or useful, including the Equipment, and any Replacement Property.

“*Project Commitment*” shall mean the (i) Investment Commitment, and (ii) Jobs Commitment.

“*Released Property*” shall mean any portion of the Project removed, scrapped, traded in, sold, or otherwise disposed of pursuant to Section 4.03 hereof, any portion of the Project stolen, damaged, destroyed, or taken by condemnation or eminent domain proceedings as described in Article VII hereof, and any infrastructure which any Company dedicates to the public use (within the meaning of that phrase as used in Section 12-6-3420(C) of the Code).

“*Replacement Property*” shall mean all property installed in or on the Land in substitution of, or as replacement for, any portion of the Project, but only to the extent that such property may be included in the calculation of the Negotiated FILOT pursuant to Section 5.01(g) hereof and Section 12-44-60 of the Code.

“*Special Source Revenue Credits*” shall mean the Special Source Revenue Credits described in Section 5.01 hereof.

“*Sponsor Affiliate*” shall mean any entity who agrees to be bound by the terms and provisions of this Agreement and is approved by the County in writing pursuant to the provisions of Section 8.04 of this Agreement.

“*State*” shall mean the State of South Carolina.

“*Term*” shall mean the term of this Agreement, as set forth in Section 10.01 hereof.

“*Transfer Provisions*” shall mean the provisions of Section 12-44-120 of the Code, as amended through the date hereof.

“*Wage Requirement*” means an hourly wage rate not less than fourteen dollars and zero cents (\$14.00). The Wage Requirement shall be adjusted for calendar year 2026, and applied to calendar year 2026 and to each calendar year thereafter in which the Company receives a Special Source Revenue Credit, to the lower of either fourteen dollars and eighty-six cents (\$14.86) or the then current per capita hourly wage rate for the County as published by the South Carolina Department of Revenue.

Section 1.03. References to Agreement. The words “hereof”, “herein”, “hereunder”, and other words of similar import refer to this Agreement as a whole.

ARTICLE II

REPRESENTATIONS AND WARRANTIES

Section 2.01. Representations and Warranties by County. The County represents and warrants that: (i) it is a body politic and corporate and a political subdivision of the State; (ii) it is authorized by the Act to enter into this Agreement; (iii) it has approved this Agreement in accordance with the procedural requirements of the Act and any other applicable state law; and (iv) it has authorized its officials to execute and deliver this Agreement.

Section 2.02. Representations and Warranties by Sponsor. The Sponsor makes the following representations and warranties as the basis for the undertakings on its part herein contained:

(a) Sponsor is a corporation, validly existing and in good standing under the laws of South Carolina and authorized to do business in the State; has all requisite power to enter into this Agreement; and by proper action has been duly authorized to execute and deliver this Agreement.

(b) The agreements with the County with respect to the FILOT have been instrumental in inducing Sponsor to locate the Project within Lancaster County and the State.

(c) Except as otherwise disclosed to the County, no actions, suits, proceedings, inquiries, or investigations known to the undersigned representatives of Sponsor are pending or threatened against or affecting Sponsor in any court or before any governmental authority or arbitration board or tribunal, which could materially adversely affect the transactions contemplated by this Agreement or which could, in any way, adversely affect the validity or enforceability of this Agreement.

(d) The income tax year of Sponsor for federal and state income tax purposes ends December 31.

(e) No event has occurred and no condition currently exists with respect to Sponsor, which would constitute a Default or an “Event of Default” as defined herein.

(f) Sponsor intends to operate the Project for the purpose of manufacturing a wide range of custom metal products for the aerospace, gun, defense, motorsports, steel, material handling, mining and public art industries. The Project constitutes a “project” and “economic development property” as provided under the Act.

ARTICLE III

UNDERTAKINGS OF THE COUNTY

Section 3.01. Agreement to Accept FILOT Payments. The County hereby agrees to accept FILOT Payments made by the Company in accordance with Section 5.01 hereof in lieu of *ad valorem* taxes with respect to the Project until this Agreement expires or is sooner terminated.

Section 3.02. No Warranties by County. The Company acknowledges that the County has made no warranties or representations, either express or implied, as to the condition or state of the Project or as to the design or capabilities of the Project or that it will be suitable for such Company's purposes or needs. No representation of the County is hereby made with regard to compliance by the Project or any Person with laws regulating: (i) the construction or acquisition of the Project; (ii) environmental matters pertaining to the Project; (iii) the offer or sale of any securities; or (iv) the marketability of title to any property.

Section 3.03. Invalidity. The parties acknowledge that the intent of this Agreement is to afford the Company the benefits of the Negotiated FILOT Payments in consideration of the Company's decision to locate the Project within Lancaster County and that this Agreement has been entered into in reliance upon the enactment of the Simplified FILOT Act. In the event that, for any reason, the Act and/or the Negotiated FILOT or any portion thereof is, by a court of competent jurisdiction following allowable appeals, declared invalid or unenforceable in whole or in part, or the portion of the Project consisting of Economic Development Property is deemed not to be eligible for a Negotiated FILOT pursuant to the Act in whole or in part, the Company and the County express their intentions that such payments be reformed so as to afford the Company benefits commensurate with those intended under this Agreement as then permitted by law, including without limitation any benefits afforded under the Code, to the extent allowed by law. Absent the legal authorization to effect such reformation, the Company and the County agree that there shall be due hereunder, with respect to the portion of the Economic Development Property affected by such circumstances, *ad valorem* taxes and that, to the extent permitted by law, the Company shall be entitled: (1) to enjoy the five-year exemption from *ad valorem* taxes (or fees in lieu of taxes) provided by Article X, Section 3 of the Constitution of the State, and any other exemption allowed by law; (2) to enjoy all allowable depreciation; and (3) to receive other tax credits which would be due if such Company were obligated to pay *ad valorem* taxes hereunder. To the extent that under such circumstances the Negotiated FILOT Payments hereunder are required by law to be subject to retroactive adjustment, then there shall be due and payable by such Company to the County with respect to the portion of the Economic Development Property in question an amount equal to the difference between the Negotiated FILOT Payments theretofore actually paid and the amount which the Company would have paid as *ad valorem* taxes, including all exemptions, credits, and depreciation for which the Company would have otherwise been eligible if it were obligated to pay *ad valorem* taxes, together with, but only if required by law, interest on such deficiency as provided in Section 12-54-25(D) of the Code. The Company agrees that if this Agreement is reformed as provided in this Section or if retroactive adjustments are made, then under no circumstances shall the County be required to refund or pay any monies to the Company.

In addition to and notwithstanding the foregoing paragraph, the County shall not be obligated to perform any of its obligations or promises under this Section 3.03 unless the Company has otherwise complied with or provided satisfactory evidence to the County that it intends to comply with its obligations and responsibilities under this Agreement.

Section 3.04. Multi-County Park Status. A. The County agrees to take action to place the Land in the Multi-County Park until the date this Agreement is terminated. If it becomes necessary to move the Land from one multi-county park to another prior to the termination of this Agreement, the County agrees to use its best efforts to place the Land in a multi-county park established pursuant to the Multi-County Park Act and to maintain the multi-county park designation until the date this Agreement is terminated. The parties acknowledge and agree that the County's agreement to place and maintain the Land in a multi-county park may be subject to the exercise of discretion by a governmental entity other than the County and the exercise of that discretion is not controlled by the County.

B. Company acknowledges that the County intends to place all of the Land in the Amended and Restated Master Multi-County Park Agreement, Amended and Restated as of November 9, 2015, between the County and Chesterfield County, South Carolina. Company agrees to cooperate with the County in terminating the Agreement for the Development of a Joint Industrial and Business Park (Accutrex Products, Inc. Precision Parts Division), dated November 7, 2012, by and between the County and Chesterfield County, South Carolina. Company consents to the termination of the November 7, 2012 Multi-County Park and waives its right to receive notices of termination or notice of the diminution of the boundaries of the November 7, 2012 Multi-County Park.

ARTICLE IV

INVESTMENT BY COMPANIES IN PROJECT; MAINTENANCE AND MODIFICATION OF PROJECT

Section 4.01. Investment by Companies in Project.

(a) For the Project, the Company agrees and commits to invest at least \$3,316,000 in Economic Development Property by the end of the Investment Period. The investment amount shall not include any amount paid by any Company for real estate improvements on the Land existing as of the date of this Agreement. Investments made by Sponsor and Sponsor Affiliates in Economic Development Property shall be included in any determination of whether the Company has fulfilled its commitment made in this Section to invest in the Project.

(b) For the Project, together with any Sponsor Affiliates, the Sponsor agrees and commits to the creation and maintenance of the number of Full-Time Jobs, paying an hourly wage rate not less than the Wage Requirement, at the following employment levels and in the designated timeframes: to have employed not less than thirty (30) in Full-Time Jobs meeting the Wage Requirement at the end of calendar year 2022 (applicable to the Negotiated FILOT Payment due without penalty by January 15, 2024), and an average not less than thirty (30) Full-Time Jobs

meeting the Wage Requirement in each calendar year thereafter in which the Company receives an SSRC pursuant to Section 5.01(d) below. The number of Full-Time Jobs shall be based on the average number of Full-Time Jobs for each month during the year.

Section 4.02. Reporting and Filing.

(a) The Company agrees to provide a copy of Form PT-443 filed with the Department of Revenue no later than thirty (30) days after execution and delivery of this Agreement to the Auditor, Treasurer and Assessor of the County and any multi-county park partner county and the Economic Development Director of the County. Each year during the term of this Agreement, the Company shall deliver to the Auditor, Treasurer and Assessor of the County and any multi-county park partner county and the Economic Development Director of the County a copy of its most recent annual filings made with the Department of Revenue with respect to the Project, no later than thirty (30) days following delivery thereof to the Department of Revenue.

(b) (1) Sponsor agrees, as soon as reasonably practicable following the end of each tax year of the Sponsor, to submit to the County Economic Development Director a certification on Sponsor letterhead listing the amount of capital investment and aggregate Full-Time Jobs maintained by the Company at the end of such tax year.

(2) For purposes of determining compliance with the Jobs Commitment, Sponsor agrees to provide to the County Economic Development Director, by January 30 of each year, a copy of all of Sponsor's filings with the State (if required to file by the State) for the preceding calendar year including: (i) reports submitted to the South Carolina Coordinating Council for Economic Development with respect to any Job Development Credits awarded in connection with the Project; (ii) Department of Revenue Form SC SCH. TC 4 (New Jobs Credit); and (iii) South Carolina Department of Employment and Workforce quarterly contribution and wage reports (such as Form UCE 120). The Company agrees to redact any personally identifying information and proprietary and confidential information prior to submitting any form to the County Economic Development Director. In lieu of providing any of the forms specifically identified in this subsection, the Company and the County Economic Development Director may agree on an alternative method for the Company to demonstrate compliance with the Jobs Commitment.

(c) (1) The Company agrees to maintain such books and records with respect to the Project as will permit the identification of those portions of the Project placed in service in each property tax year during the Investment Period, the amount of investment with respect thereto and its computations of all FILOT Payments made hereunder and will comply with all reporting requirements of the State and the County applicable to property subject to FILOT Payments under the Act, including the reports described in subsection (a) and (b) of this section (collectively, "Filings").

(2) The Company agrees that the County and its authorized agents have the right at all reasonable times and upon prior reasonable notice to enter upon and examine and inspect the Project and to have access to and examine and inspect all of the Company's books and records pertaining to the Project and the Filings. The right of examination and inspection shall be exercised

only upon reasonable and necessary terms and conditions prescribed by the Company to protect such Company's confidentiality and proprietary rights. Any such entrance upon and examination and inspection of the Project and Filings shall be at the County's expense.

(d) The County acknowledges and understands that the Company may have and maintain at the Project certain confidential and proprietary information, including, but not limited to, trade secrets, financial, sales or other information concerning the Company's operations and processes ("Confidential Information") and that any disclosure of the Confidential Information could result in substantial harm to the Company and could have a significant detrimental impact on the Company's employees and also upon the County. Except as required by law, including, without limitation, court orders, the County agrees to use its best reasonable efforts to keep confidential, and to cause employees, agents and representatives of the County to keep confidential, the Confidential Information which may be obtained from the Company, its agents or representatives, when the Confidential Information is clearly marked and identified as Confidential Information and known to the County to be Confidential Information. The County shall not knowingly and willfully disclose and shall cause all employees, agents and representatives of the County not to knowingly and willfully disclose the marked and identified Confidential Information to any person or entity other than in accordance with the terms of this Agreement. If a demand is made for the release, under color of law, to a third party of any Confidential Information, the County shall notify the Company and give the Company the opportunity to contest the release.

Section 4.03 Modification of Project.

As long as no event of default exists hereunder, the Company shall have the right at any time and from time to time during the Term hereof to undertake any of the following:

(i) The Company may, at its own expense, add to the Project any real and personal property as the Company in its discretion deems useful or desirable.

(ii) In any instance where the Company, in its discretion, determines that any items included in the Project have become inadequate, obsolete, worn out, unsuitable, undesirable, or unnecessary for operations at the Project, the Company may remove such items or portions from the Project and sell, trade in, exchange, or otherwise dispose of them (as a whole or in part) without the consent of the County; as such may be permitted under the Simplified FILOT Act.

(iii) The Company may, at any time in its discretion by written notice to the County, remove any real or personal property from the Negotiated FILOT (as defined in Section 5.01) set forth in this Agreement, and thereafter such property will be considered Non-Qualifying Property and will be subject to FILOT Payments as set forth in Section 5.01(b)(i) hereof.

ARTICLE V

PAYMENTS IN LIEU OF TAXES

Section 5.01. Payments in Lieu of *Ad Valorem* Taxes.

(a) In accordance with the Act, the parties hereby agree that, during the Term of the Agreement, the Company shall pay annually, with respect to the Project, a FILOT in the amount calculated as set forth in this Section, to be collected and enforced in accordance with Section 12-44-90 of the Act.

(b) The FILOT Payment due with respect to each property tax year shall equal:

(i) With respect to any portion of the Project consisting of undeveloped land, land under development, other property not yet placed in service or Non-Qualifying Property, as long as such property is located in the Multi-County Park, a payment equal to the *ad valorem* taxes that would otherwise be due on such undeveloped land, land under development, other property not yet placed in service or Non-Qualifying Property if it were taxable giving effect to all credits, exemptions, depreciation, rebates and abatement that would be available if such undeveloped land, land under development, other property not yet placed in service or Non-Qualifying Property were taxable; and

(ii) With respect to those portions of the Project consisting of Economic Development Property, for each of the twenty (20) consecutive years following the year in which such portion of the Project is placed in service, a payment calculated each year as set forth in paragraphs (c) and (d) of this Section 5.01 (a “Negotiated FILOT”).

(c) The Negotiated FILOT Payments shall be calculated with respect to each property tax year based on: (1) the fair market value (determined in accordance with Section 12-44-50(A)(1)(c) of the Code) of the improvements to real property and Equipment included within the Project theretofore placed in service (less, for Equipment, depreciation allowable for property tax purposes as provided in Section 12-44-50(A)(1)(c) of the Code), (2) a fixed millage rate equal to 338.15 mills, for the Term, and (3) an assessment ratio of six percent (6%). All such calculations shall take into account all deductions for depreciation or diminution in value allowed by the Code or by the tax laws generally, as well as tax exemptions which would have been applicable if such property were subject to *ad valorem* taxes, except the exemption allowed pursuant to Section 3(g) of Article X of the Constitution of the State of South Carolina and the exemptions allowed pursuant to Sections 12-37-220(B)(32) and (34) of the Code.

(d) Special Source Revenue Credits shall be granted to the Economic Development Property in amounts equal to fifty-eight (58%) of Negotiated FILOT Payments for seven (7) consecutive years beginning with the Negotiated FILOT Payment due without penalty by January 15, 2023 and ending with the Negotiated FILOT Payment due without penalty by January 15, 2029.

(e) The FILOT Payments are to be recalculated:

(i) to reduce such payments in the event the Company disposes of any part of the Project within the meaning of Section 12-44-50(B) of the Code and as provided in Section 4.03 hereof, by the amount applicable to the Released Property;

(ii) to increase such payments, based on the methodology set forth in Section 5.01(c) hereof, in the event the Company adds property (other than Replacement Property) to the Project; or

(iii) to adjust such payments if the Company elects to convert any portion of the Project from the Negotiated FILOT to the FILOT required by Section 5.01(b)(i) above, as permitted by Section 4.03(iii).

(f) To the extent permitted by law, because the FILOT Payments agreed to herein are intended to be paid by the Company to the County in lieu of taxes, it is agreed that said FILOT Payments shall not, as to any year, be in any amount greater than what would otherwise be payable by the Company to the County in property taxes if the Company had not entered into a fee-in-lieu of taxes arrangement with the County (except it is not intended that said FILOT Payments would necessarily be less than such property taxes to the extent that the constitutional abatement of property taxes set forth in Section 3(g) of Article X of the Constitution of the State of South Carolina would otherwise apply).

(g) Upon the Company's installation of any Replacement Property for any portion of the Project removed under Section 4.03 hereof and sold, scrapped, or disposed of by the Company, such Replacement Property shall become subject to Negotiated FILOT Payments to the fullest extent allowed by law, subject to the following rules:

(i) Replacement Property does not have to serve the same function as the Economic Development Property it is replacing. Replacement Property is deemed to replace the oldest property subject to the FILOT, whether real or personal, which is disposed of in the same property tax year as the Replacement Property is placed in service. Replacement Property qualifies for Negotiated FILOT Payments up to the original income tax basis of the Economic Development Property which it is replacing. More than one piece of property can replace a single piece of property. To the extent that the income tax basis of the Replacement Property exceeds the original income tax basis of the Economic Development Property which it is replacing, the excess amount is subject to payments equal to the *ad valorem* taxes which would have been paid on such property but for this Agreement. Replacement property is entitled to the FILOT Payment for the period of time remaining on the FILOT period for the property which it is replacing.

(ii) The new Replacement Property which qualifies for the Negotiated FILOT Payment shall be recorded using its income tax basis, and the Negotiated FILOT Payment shall be calculated using the millage rate and assessment ratio provided on the original property subject to FILOT Payment.

(h) In the event that the Act or the FILOT or any portion thereof, are declared, by a court of competent jurisdiction following allowable appeals, invalid or unenforceable, in whole or in part, for any reason, the Company and the County express their intentions that such payments be reformed so as to afford the Company the maximum benefit then permitted by law, including, without limitation, the benefits afforded under Section 12-44-50 of the Code and, specifically, that the Company may, at the Company's expense, exercise the rights granted by Section 12-44-160 of

the Code. If the Project is deemed not to be eligible for a Negotiated FILOT pursuant to the Act in whole or in part, the Company and the County agree that the Company shall pay an alternate fee-in-lieu of tax calculated in the manner set forth in Section 5.01(b)(i) hereof. In such event, the Company shall be entitled, to the extent permitted by law: (1) to enjoy the five-year exemption from *ad valorem* taxes (or fees in lieu of taxes) provided by Section 3(g) of Article X of the Constitution of the State of South Carolina, and any other exemptions or credits allowed by law; and (2) to enjoy all allowable depreciation. The Company agrees that if the FILOT Payments or this Agreement are reformed pursuant to this subsection (h), that under no circumstance shall the County be required to refund or pay any monies to the Company.

(i) For the Project, this Agreement is automatically terminated in the event that the investment in the Project in land, buildings, and personal property, including machinery and equipment, by Sponsor does not exceed Two Million Five Hundred Thousand Dollars (\$2,500,000.00) by the end of the Investment Period ("Act Minimum Investment Requirement"). If terminated pursuant to this subsection (i), the Negotiated FILOT Payments shall revert retroactively to payments equivalent to what the *ad valorem* taxes would have been with respect to the property absent this Agreement. At the time of termination, the Company shall pay to the County an additional fee equal to the difference between the total amount of property taxes that would have been paid by the Company had the project been taxable, taking into account exemptions from property taxes and depreciation that would have been available to the Company, and the total amount of fee payments actually made by the Company. This additional amount is subject to interest as provided in Section 12-54-25. The Company agrees, if the Negotiated FILOT Payments revert to payments equivalent to what the *ad valorem* taxes would be pursuant to this subsection (i), that under no circumstance shall the County be required to refund or pay any monies to the Company.

(j) The Company agrees that in any year in which the Company fails to meet the Jobs Commitment as set forth in Section 4.01(b) above, the Company is ineligible for, and shall not receive, the Special Source Revenue Credit for the applicable period. In any year in which the Company must pay an additional fee as required in Section 5.01(k) below, the Company is ineligible for, and shall not receive, the Special Source Revenue Credit provided for in Section 5.01(d) above.

(k) In any year after December 31, 2022 in which the Company fails to have employed in Full-Time Jobs an average of not less than ten (10) the Company shall pay to the County an additional fee equal to the difference between the Negotiated FILOT Payments made by the Company and the FILOT Payment that would be due for the Economic Development Property if calculated, notwithstanding the provisions of Section 5.01(c), using the then current millage rate and the assessment ratios that would be applicable to the Economic Development Property if it were subject to *ad valorem* taxes (the "Hypothetical FILOT Payment").

As an example of the calculation set forth in this subsection (k), and by way of example only, assume Economic Development Property is first placed in service with respect to the Project in 2021, and that in the tax year ending December 31, 2023, that the maintained number of Full-Time Jobs was 8, that the millage rate applicable for tax bills to be sent in the following year is 375.0, and all of the Economic Development Property classified as personal property would have a 10.5%

assessment ratio applied if such property were subject to *ad valorem* taxation, then, the Hypothetical FILOT Payment for the tax year ending December 31, 2023, would be computed using the millage rate of 375.0 (instead of 338.15) and the 10.5% assessment ratio for the Economic Development Property classified as personal property (instead of 6%).

(l) Unless otherwise provided by the Act, any amounts due to the County under this Section 5.01 by virtue of the application of subsections (h) through (k) shall be paid within 90 days, following written notice thereof from the County to the Company.

(m) Notwithstanding any other provision of this Agreement, the Company acknowledges and agrees that County's obligation to provide the FILOT incentive and the Special Source Revenue Credits ends, and this Agreement is terminated, if the Company ceases operations. For purposes of this Section 5.01(m), "**cease operations**" means permanent closure of the facility. The Company agrees that if this Agreement is terminated pursuant to this Section 5.01(m), that under no circumstance shall the County be required to refund or pay any monies to the Company.

ARTICLE VI

PAYMENTS BY COMPANIES

Section 6.01. Defaulted Payments. In the event the Company should fail to make any of the payments required under this Agreement, the item or installment so in default shall continue as an obligation of the Company until the amount in default shall have been fully paid. The Company agrees that the collection and enforcement of the defaulted payment shall be as provided in Section 12-44-90 of the Code.

ARTICLE VII

CASUALTY AND CONDEMNATION

Section 7.01. Adjustments in the Event of Damage and Destruction or Condemnation. In the event that the Project or any portion thereof is damaged or destroyed, lost or stolen, or the subject of condemnation proceedings, the Company, in its sole discretion, may determine whether or not to repair or replace the same. The parties hereto agree that if the Company decides not to repair or replace all or any portion of the Project pursuant to this Section, the FILOT required pursuant to Section 5.01 hereof shall be abated in the same manner and in the same proportion as if *ad valorem* taxes were payable with respect to the Project.

ARTICLE VIII

PARTICULAR COVENANTS AND AGREEMENTS

Section 8.01. Use of Project for Lawful Activities. During the Term of this Agreement, the Company shall use the Project for the purposes identified in Section 2.02(f) of this Agreement and for any lawful purpose that is authorized pursuant to the Act.

Section 8.02. Assignment. The County agrees that, to the maximum extent allowable under the Act (or any amendments thereto), the Company may assign (including, without limitation, absolute, collateral, and other assignments) all or a part of its rights or obligations under this Agreement, and any lease agreement, lease purchase agreement, or fee agreement, as the case may be, or any other agreement related hereto or thereto, or transfer any and all assets of the Company, to one or more Related Entities (as defined in Section 9.01 below) without adversely affecting the benefits of the Company or its assignees pursuant to any such agreement or the Act. The Company shall provide the County and the Department of Revenue with notice of any such assignment, transfer, or investment in accordance with the Act, and the County agrees, upon the request of the Company, to take all further action necessary to implement such assignment, transfer, or investment in accordance with the provisions of the Act. To the extent that the Act may require the consent, approval or ratification of or by the County for the assignment of this Agreement, in whole or in part, the County agrees to not unreasonably withhold its consent, approval or ratification.

Section 8.03. Indemnification. Sponsor releases the County, including the members of the governing body of the County, and the employees, officers, attorneys and agents of the County (herein collectively referred to as the “Indemnified Parties”) from, agrees that the Indemnified Parties shall not be liable for, and agrees to hold the Indemnified Parties harmless against, any loss or damage to property or any injury to or death of any person that may be occasioned by any cause whatsoever pertaining to this Agreement, the Project or the use thereof, except for that occasioned by grossly negligent or intentional acts of an Indemnified Party. Sponsor further agrees to indemnify and save harmless Indemnified Parties against and from any and all costs, liabilities, expenses, and claims arising from any breach or default on the part of the Company in the performance of any covenant or agreement on the part of the Company to be performed pursuant to the terms of this Agreement or arising from any act or negligence of, or negligent failure to act where there is a duty to do so by the Company, or any of its agents, attorneys, contractors, servants, employees, or licensees, and from and against all cost, liability, and expenses incurred in or in connection with any such claim or action or proceeding brought thereon.

All covenants, stipulations, promises, agreements, and obligations of the County contained herein shall be deemed to be covenants, stipulations, promises, agreements, and obligations of the County and not of any member of the County Council or any officer, agent, attorney, servant, or employee of the County in his or her individual capacity, and, no recourse shall be had for the payment of any moneys hereunder or the performance of any of the covenants and agreements of the County herein contained or for any claims based thereon against any member of the governing body of the County or any officer, attorney, agent, servant, or employee of the County.

Notwithstanding the fact that it is the intention of the Indemnified Parties hereto that none of them shall incur any pecuniary liability by reason of the terms of this Agreement, any related agreements or the undertakings required of the County hereunder by reason of the performance of any act requested of the County by the Company, including all claims, liabilities, or losses arising in connection with the violation of any statutes or regulations pertaining to the foregoing, nevertheless, if any Indemnified Party shall incur any such pecuniary liability, then in such event

the Sponsor shall indemnify and hold them harmless against all claims by or on behalf of any Person, firm, or corporation or other legal entity arising out of the same and all costs and expenses incurred in connection with any such claim or in connection with any action or proceeding brought thereon, provided, however, that nothing herein shall absolve the Indemnified Parties from, or entitle the Indemnified Parties to indemnification from, any obligation such Indemnified Party has specifically agreed to undertake (including, without limitation, the obligation to place and maintain the Land within a multi-county park). If any action, suit, or proceeding is brought against any Indemnified Party to which such Indemnified Party is entitled to indemnification, such Indemnified Party shall promptly notify the Company, and the Company shall have the sole right and duty to assume, and shall assume, the defense thereof, at its expense, with full power to litigate, compromise, or settle the same in its sole discretion; provided the Company shall obtain the prior written consent of the County to settle any such claim unless such claim is for monetary damages for which the Company has the ability to, and does, pay. Notwithstanding the foregoing, if the Indemnified Party is the County, in the event the County reasonably believes there are defenses available to it that are not being pursued or that the counsel engaged by the Company reasonably determines that a conflict of interest exists between the County and the Company, the County may, in its sole discretion, hire independent counsel to pursue its own defense, and the Company shall be liable for the reasonable cost of such counsel.

The indemnity specified in this Section shall be in addition to any heretofore extended by the Company to any Indemnified Party and shall survive the termination of this Agreement with respect to liability arising out of any event or act occurring prior to such termination.

Section 8.04. Sponsors and Sponsor Affiliates. Sponsor may designate from time to time other Sponsors or Sponsor Affiliates pursuant to the provisions of Sections 12-44-30(19) or (20), respectively, and Section 12-44-130 of the Simplified FILOT Act, which Sponsors or Sponsor Affiliates shall be Persons who join with the Company and make investments with respect to the Project, or who participate in the financing of such investments, who agree to be bound by the terms and provisions of this Agreement and who shall be Affiliates of Sponsor, Sponsor Affiliate or other Sponsors or Sponsor Affiliates, or other Persons described in Section 8.02 hereof. All other Sponsors or Sponsor Affiliates who otherwise meet the requirements of Section 12-44-30(19) or (20) and Section 12-44-130 of the Simplified FILOT Act must be approved by the County in writing. To the extent that the aggregate investment in the Project by the end of the Investment Period by all Sponsors and Sponsor Affiliates exceeds \$5,000,000, to the extent permitted by Section 12-44-30(19) of the Simplified FILOT Act, all investment by such Sponsors and Sponsor Affiliates during the Investment Period shall qualify for the FILOT pursuant to Section 5.01 of this Agreement (subject to the other conditions set forth therein) regardless of whether each such entity invested amounts equal to the Act Minimum Investment Requirement by the end of the Investment Period. Sponsor shall provide the County and the Department of Revenue with written notice of any other Sponsor or Sponsor Affiliate designated pursuant to this Section 8.04 within ninety (90) days after the end of the calendar year during which any such Sponsor or Sponsor Affiliate has placed in service property to be used in connection with the Project and subject to the Negotiated FILOT Payment, all in accordance with Section 12-44-130(B) of the Simplified FILOT Act.

ARTICLE IX

FINANCING ARRANGEMENTS; CONVEYANCES; ASSIGNMENTS

Section 9.01. Conveyance of Liens and Interests; Assignment. The Company may at any time: (a) transfer all or any of its rights and interests hereunder or with respect to the Project to any Person; or (b) enter into any lending, financing, security, or similar arrangement or succession of such arrangements with any financing entity with respect to the Agreement or the Project, including without limitation any sale, leaseback, or other financing lease arrangement; provided that, in connection with any of the foregoing transfers: (i) except in connection with any transfer to Sponsor or Sponsor Affiliate (collectively, the “Related Entities”), or transfers pursuant to clause (b) above (as to which such transfers the County hereby consents), the Company shall first obtain the prior written consent or subsequent ratification of the County; (ii) except where a financing entity, which is the income tax owner of all or part of the Project, is the transferee pursuant to clause (b) above and such transferee or financing entity assumes in writing the obligations of the Company hereunder, or where the County consents in writing, no such transfer shall affect or reduce any of the obligations of the Company hereunder, but all obligations of the Company hereunder shall continue in full force and effect as the obligations of a principal and not of a guarantor or surety; (iii) the Company, transferee, or financing entity shall, within 60 days thereof, furnish or cause to be furnished to the County and the Department of Revenue a true and complete copy of any such transfer agreement; and (iv) the Company and the transferee shall comply with all other requirements of the Transfer Provisions.

The Company acknowledges that such a transfer of an interest under this Agreement or in the Project may cause the Project to become ineligible for a Negotiated FILOT Payment or result in penalties under the Act absent compliance by the Company with the Transfer Provisions.

Section 9.02. Relative Rights of County and Financing Entities as Secured Parties. The parties acknowledge the application of the provisions of Section 12-44-90 of the Act, and that the County’s right to receive FILOT Payments hereunder shall be the same as its rights conferred under Title 12, Chapter 49 and 54, among others, of the Code relating to the collection and enforcement of *ad valorem* property taxes. The County’s rights under this Agreement, except for its rights to receive FILOT Revenues, shall be subordinate to the rights of any secured party or parties under any financing arrangements undertaken by the Company with respect to the Project pursuant to Section 9.01 hereof, such subordination to be effective without any additional action on the part of the County; provided, however, that the County hereby agrees, at the Company’s expense, to execute such agreements, documents, and instruments as may be reasonably required by such secured party or parties to effectuate or document such subordination.

ARTICLE X

TERM; TERMINATION

Section 10.01. Term. Unless sooner terminated pursuant to the terms and provisions herein contained, this Agreement shall be and remain in full force and effect for a term

commencing on the date on which the Company executes this Agreement, and ending at midnight on the last day of the property tax year in which the last Negotiated FILOT Payment is due hereunder. The Project has a term of twenty (20) years, as calculated pursuant to the respective dates when the relevant portions of the Project are placed in service, and as discussed in greater detail in this Agreement. The County's rights to receive indemnification and payment of Administration Expenses pursuant hereto shall survive the expiration or termination of this Agreement.

Section 10.02. Termination. The County and the Company may agree to terminate this Agreement at any time, or the Sponsor may, at its option, terminate this Agreement at any time upon providing the County 30 days' notice of such termination, in which event the Project shall be subject to *ad valorem* taxes from the date of termination. In the event that this Agreement is terminated by the operation of this Section 10.02 at any time during the initial Investment Period prior to the Company meeting the Project Commitment, amounts due to the County as a result thereof, if any, shall be calculated as provided in Section 5.01(i) hereof. The County's rights to receive payment for such *ad valorem* taxes and its rights to enforce the terms of this Agreement shall survive termination of this Agreement.

ARTICLE XI

EVENTS OF DEFAULT AND REMEDIES

Section 11.01. Events of Default by Companies.

(a) Any one or more of the following events (herein called an "Event of Default", or collectively "Events of Default") shall constitute an Event of Default by the Company:

(1) if default shall be made in the due and punctual payment of any FILOT Payments, indemnification payments, or Administration Expenses, which default shall not have been cured within 30 days following receipt of written notice thereof from the County; or

(2) if default shall be made by the Company in the due performance of or compliance with any of the terms hereof, including payment, other than those referred to in the foregoing paragraph (1), and such default shall continue for 90 days after the County shall have given the Company written notice of such default, provided, the Company shall have such longer period of time as necessary to cure such default if the Company proceeds promptly to cure such default and thereafter to prosecute the curing of such default with due diligence; and provided further, that no Event of Default shall exist under this paragraph (2) during any period when there is pending, before any judicial or administrative tribunal having jurisdiction, any proceeding in which the Company has contested the occurrence of such default.

(b) The failure of the Company to meet any Project Commitment set forth herein shall not be deemed to be an Event of Default under this Agreement.

Section 11.02. Remedies on Event of Default by Company. Upon the occurrence of any Event of Default, the County may exercise any of the following remedies, any of which may be exercised at any time during the periods permitted under the following clauses:

- (a) terminate this Agreement by delivery of written notice to the Company not less than 30 days prior to the termination date specified therein;
- (b) have access to and inspect, examine, and make copies of the books, records, and accounts of the Company pursuant to Section 4.02(c); or
- (c) take whatever action at law or in equity as may appear necessary or desirable to collect the amounts then due and thereafter to become due or to enforce observance or performance of any covenant, condition, or agreement of the Company under this Agreement.

Section 11.03. Default by County. Upon the default of the County in the performance of any of its obligations hereunder, the Company may take whatever action at law or in equity as may appear necessary or desirable to enforce its rights under this Agreement, including without limitation, a suit for mandamus or specific performance. Provided, however, that anything herein to the contrary notwithstanding, any financial obligation the County may incur hereunder, including for the payment of money, shall not be deemed to constitute a pecuniary liability or a debt or general obligation of the County.

ARTICLE XII

MISCELLANEOUS

Section 12.01. Rights and Remedies Cumulative. Each right, power, and remedy of the County or of the Company provided for in this Agreement shall be cumulative and concurrent and shall be in addition to every other right, power or remedy provided for in this Agreement or now or hereafter existing at law or in equity, in any jurisdiction where such rights, powers and remedies are sought to be enforced; and the exercise by the County or by the Company of any one or more of the rights, powers or remedies provided for in this Agreement or now or hereafter existing at law or in equity or by statute or otherwise shall not preclude the simultaneous or later exercise by the County or by the Company of any or all such other rights, powers or remedies.

Section 12.02. Successors and Assigns. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns as permitted hereunder.

Section 12.03. Intentionally Omitted.

Section 12.04. Administration Expenses.

- (a) The Company agrees to reimburse the County from time to time for its Administration Expenses promptly upon written request therefore, but in no event later than thirty

(30) days after receiving the written request from the County, *provided, however*, the total reimbursement pursuant to this subsection is capped at Five Thousand and No/100 dollars (\$5000.00). The written request shall include a description of the nature of the Administration Expenses.

(b) The Company agrees to reimburse the County for expenses incurred by the County for accountants and similar experts used by the County in the computation, preparation and verification of the annual FILOT Payments and any special source revenue credits, *provided, however*, the maximum annual reimbursement pursuant to this subsection is capped at Five Hundred and No/100 dollars (\$500.00).

Section 12.05. Rules of Construction. The County and the Company acknowledge and agree that each has been represented by legal counsel of its choice throughout the negotiation and drafting of this Agreement, that each has participated in the drafting hereof and that this Agreement will not be construed in favor of or against either party solely on the basis of such party's drafting or participation in the drafting of any portion of this Agreement.

Section 12.06. Notices; Demands; Requests. All notices, demands and requests to be given or made hereunder to or by the County or the Company shall be in writing and shall be deemed to be properly given or made if sent by United States first class mail, postage prepaid or via facsimile or other commonly-used electronic transmission or reputable courier service, addressed as follows or to such other persons and places as may be designated in writing by such party.

(a) As to the County:

County of Lancaster, South Carolina
ATTN: Steve Willis, County Administrator
101 N. Main St. (29720)
P.O. Box 1809 (29721-1809)
Lancaster, South Carolina
Phone: (803) 416-9300
Email: swillis@lancastercountysc.net

With a copy to (which shall not constitute notice):

Mr. Jamie Gilbert
Economic Development Director, Lancaster County
P.O. Box 1809
Lancaster, South Carolina 29721
Telephone: (803) 286-3633
Fax: (803) 416-9497
Email: jgilbert@lancastercountysc.net

(b) As to the Sponsor:

Accutrex Products, Inc. Precision Parts Division
ATTN: _____
1968 Sunshine Road
Lancaster, South Carolina 29720
Telephone: (803) 286-4474
Fax: (803) 253-8277
Email: _____

With a copy, in each case, to (which shall not constitute notice):

Burnet R. Maybank, III, Esq.
Andrew W. Saleeby, Esq.
Nexsen Pruet, LLC
1230 Main Street, Suite 700
Columbia, South Carolina 29201
Phone: (803) 540-2048
Email: bmaybank@nexsenpruet.com
Email: asaleeby@nexsenpruet.com

Section 12.07. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina.

Section 12.08. Entire Understanding. This Agreement expresses the entire understanding and all agreements of the parties hereto with each other, and neither party hereto has made or shall be bound by any agreement or any representation to the other party which is not expressly set forth in this Agreement or in certificates delivered in connection with the execution and delivery hereof.

Section 12.09. Severability. In the event that any clause or provision of this Agreement shall be held to be invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not affect any of the remaining provisions hereof.

Section 12.10. Headings and Table of Contents; References. The headings of the Agreement and any Table of Contents annexed hereto are for convenience of reference only and shall not define or limit the provisions hereof or affect the meaning or interpretation hereof. All references in this Agreement to particular articles or Sections or paragraphs of this Agreement are references to the designated articles or Sections or paragraphs of this Agreement.

Section 12.11. Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute one and the same instrument.

Section 12.12. Amendments. Subject to the limitations set forth in the Act, this Agreement may be amended, or the rights and interest of the parties hereunder surrendered, only by a writing signed by both parties.

Section 12.13. Waiver. Either party may waive compliance by the other party with any term or condition of this Agreement only in a writing signed by the waiving party.

Section 12.14. Force Majeure. The Company shall not be responsible for any delays or non-performance caused in whole or in part, directly or indirectly, by strikes, accidents, freight embargoes, labor shortages, fire, floods, inability to obtain materials, conditions arising from government orders or regulations, war or national emergency, acts of God, and any other cause, similar or dissimilar, beyond the Company's reasonable control.

IN WITNESS THEREOF, the County, acting by and through the County Council, has caused this Fee Agreement to be executed in its name and behalf by the Council Chair and Council Secretary and to be attested by the Clerk to Council; and the Company has caused this Fee Agreement to be executed by its duly authorized officer, all as of the day and year first above written.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

COMPANY SIGNATURES FOLLOW ON NEXT PAGE.

ACCUTREX PRODUCTS, INC.
PRECISION PARTS DIVISION

[Name, Title]

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Agenda Item Summary

Ordinance # / Resolution #: Resolution 1147-R2021

Contact Person / Sponsor: Steve Willis/Administration and John DuBose/County Attorney

Department: Attorney

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Whether to accept easements that allow for storm water system improvements at a bridge on Old Bailes Road.

Points to Consider:

Lancaster County needs to install a box culvert on Old Bailes Road and these easements are necessary for the project.

Funding and Liability Factors:

Not applicable.

Council Options:

To accept or reject the easements required for the County to proceed with the stormwater system improvement project.

Recommendation:

Approve the Resolution.

ATTACHMENTS:

Description	Upload Date	Type
Resolution 1147-R2021	4/5/2021	Resolution
Exhibit 1 to Resolution 1147-R2021 - Right of Way Easements	4/7/2021	Exhibit

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

RESOLUTION NO. 1147-R2021

A RESOLUTION

APPROVING ACCEPTANCE OF RIGHT OF WAY EASEMENTS NECESSARY FOR LANCASTER COUNTY TO ACCOMPLISH ITS PLAN TO CONSTRUCT, IMPORVE, AND MAINTAIN A BOX CULVERT AND TO BETTER MANAGE STORMWATER RUNOFF AT A BRIDGE LOCATED ALONG OLD BAILES ROAD.

WHEREAS, Lancaster County (the “County”) is responsible for the upkeep and maintenance of a box culvert underneath a bridge located along Old Bailes Road in Lancaster County, South Carolina; and

WHEREAS, the box culvert needs to be replaced to address stormwater runoff management concerns; and

WHEREAS, the County has devised a plan for the construction, improvement, operation, and maintenance of this box culvert and to better manage stormwater runoff in this area; and

WHEREAS, to allow the County to effectuate its plan, it will be necessary for the County to obtain easements form adjacent properties and temporary divert water to adjacent properties not owned by the County; and

WHEREAS, the County seeks approval from the Lancaster County Council, pursuant to Section 2-300.4 of the Lancaster County Code, obtain necessary Right of Way Easements with the impacted property owners in substantial conformity to the Right of Way Easements attached collectively hereto as Exhibit 1.

NOW, THEREFORE, upon review and consideration of the project plans and proposed Right of Way Easements, it is resolved that Lancaster County Council approves the County acquiring these Right of Way Easements. The Right of Way Easements are to be in substantially the form as attached to this Resolution and hereby approved, or with such minor changes therein as shall be approved by the officials of the County accepting and recording the Easements, their acceptance and recordation of thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Easements attached to this Resolution.

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AND IT IS SO RESOLVED

Dated this _____ day of _____, 2021.

LANCASTER, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John DuBose, County Attorney

EXHIBIT 1

RIGHT OF WAY EASEMENTS

RIGHT OF WAY EASEMENT

replacement, alteration, maintenance, inspection, operation or repair, and then only to the minimum extent necessary for such work. It is specifically contemplated by the parties that the future use of adjoining land may be to the extent, if necessary, of the Temporary Easement area(s) and appurtenances shown on **Exhibits E.1, E.2, and E.3.**

It is agreed that buildings, fences, signs or other obstructions will not be erected by me, my heirs, assigns or administrators within the limits of the right of way herein conveyed and that such buildings and fences that are now within the right of way herein conveyed will be moved from the right of way and restored in as good condition as before moving at the expense of Lancaster County.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____, in the year of our Lord, Two Thousand and Twenty-One.

WITNESS: Signed, sealed and delivered in
The presence of:

Bailes Investment Associates, Inc.
By: _____

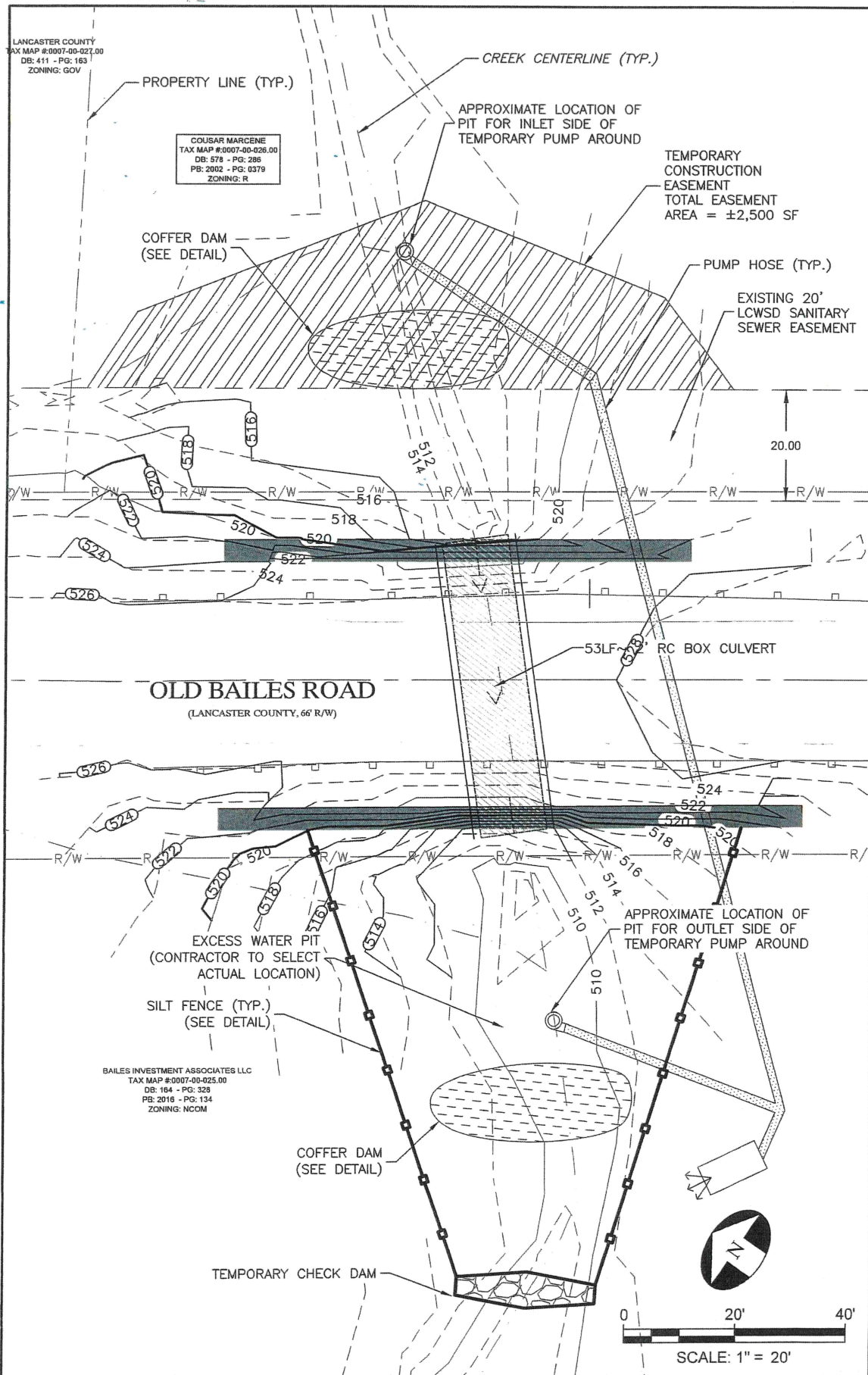
STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ACKNOWLEDGMENT

I, _____, a Notary Public for the State of South Carolina, do hereby certify that the within named personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my Hand and Seal this _____ day of _____, 2021.

_____(SEAL)
Notary Public for South Carolina
My Commission Expires: _____



SCALE: 1" = 20'

CHECKED BY: SDW

DRAWN BY: SDG

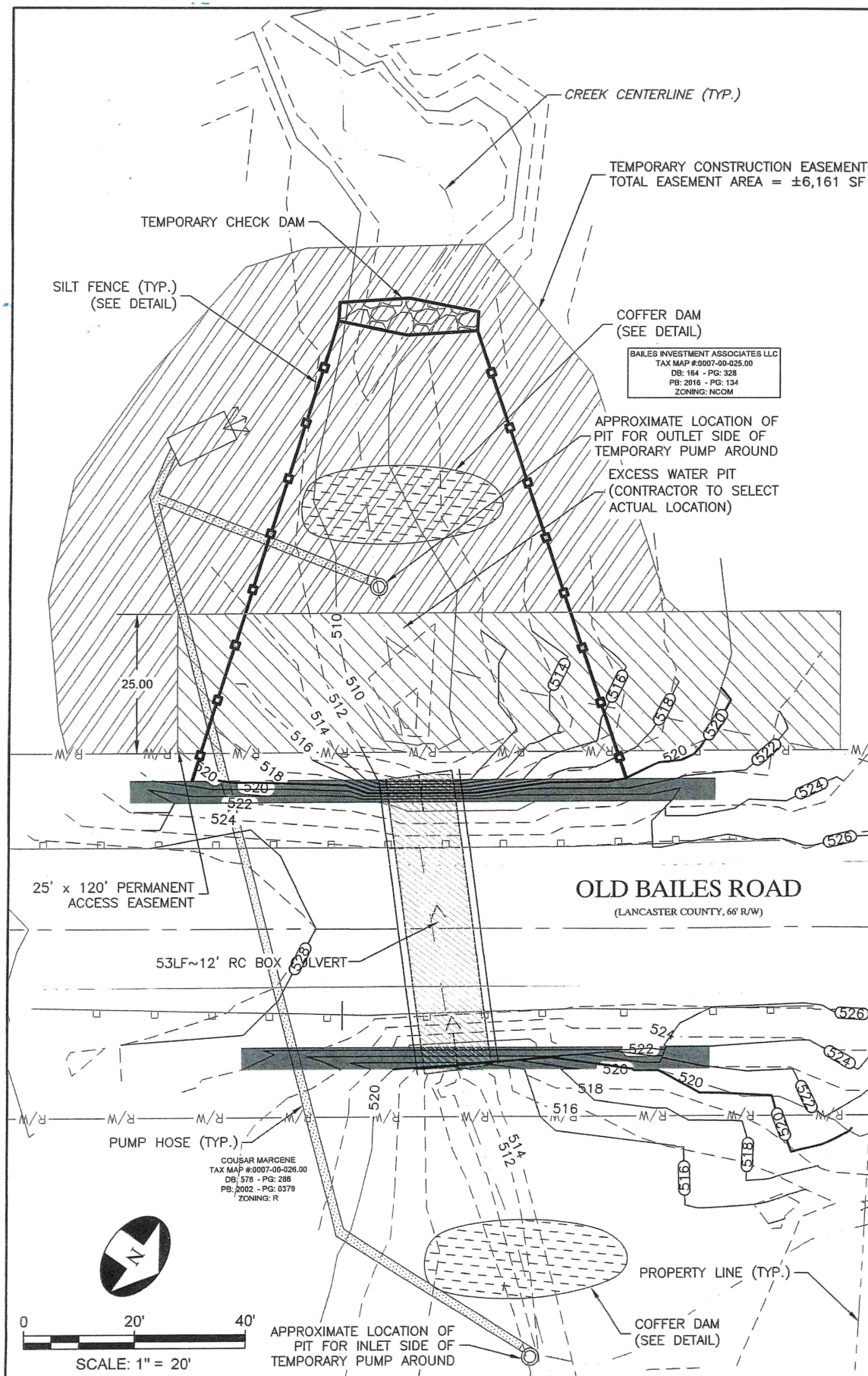
DATE: 01/08/2021

Keck+Wood
COLLABORATION BY DESIGN
keckwood.com

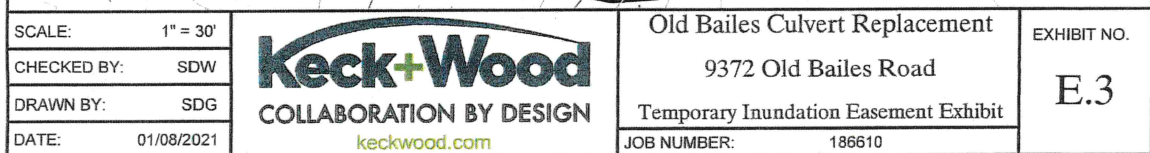
Old Bales Culvert Replacement
9372 Old Bales Road
Easement Exhibit

JOB NUMBER: 186610

EXHIBIT NO.
E.1



SCALE: 1" = 20'	 COLLABORATION BY DESIGN keckwood.com	Old Bails Culvert Replacement	EXHIBIT NO. E.2
CHECKED BY: SDW		Tax Map # 0007-00-025.00	
DRAWN BY: SDG		Easement Exhibit	
DATE: 01/08/2021		JOB NUMBER: 186610	



STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That I, _____, of Southpoint Management Group, LLC, in consideration of the sum of One Dollar, to me in hand paid, and other valuable consideration at and before the sealing and delivering thereof, by Lancaster County, receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release, unto the said Lancaster County, its successors and assigns, an easement or right of way for the construction, improvement, operation and maintenance of a box culvert and stormwater runoff project in the aforesaid County, as shown on plans prepared by Keck & Wood, upon and across all lands which I may own in whole or in part, as depicted and described on Exhibits E.1, E.2, and E.3, together with, all and singular, the rights, members, hereditaments, and appurtenances thereunto belonging, or in any way incident or appertaining. Said easement shall be of a Temporary Nature during the construction of the box culvert and stormwater runoff system shown on the referenced plans attached as Exhibits E.1, E.2, and E.3. Further, said easement shall include the right to inundate the property herein in a manner shown on the referenced plans attached as Exhibits E.1, E.2, and E.3. The easement shall be of a Permanent Nature in the manner shown on the plans attached as Exhibits E.1, E.2, and E.3. The grantor expressly recognizes the possibility that the property herein may be used in the future by public utility or others granted the statutory right to use the right of way.

SPECIAL PROVISIONS: None

TAX MAP NUMBER: 0007-00-026.00

PROPERTY ADDRESS: 9372 Old Bailes Road, Indian Land, 29707

TO HAVE AND TO HOLD, all and singular, the said Temporary and Permanent Easement or right of way and the said Inundation Easement or right of way and the rights hereinabove granted, unto the said Lancaster County, its successors and assigns forever for the installing, constructing, operating, maintaining, inspecting, repairing, replacing, adding to or altering, changing the size of inundation of approximately 210' x 10' where the creek on the property will be backed up by a coffer dam for the collection, distribution, and transmission of stormwater through the Property, or other public uses as are permitted with and in conjunction with the right of way area, and the grantor hereby dedicates his respective interest in said strip of land to public use for such purposes. Lancaster County, and its employees and any expressly authorized parties, shall have full and free use of the Easement for the purposes named, and shall have all rights and privileges reasonably necessary to the exercise of the Easement, including the right of access to and from the Easement and the right to use adjoining land of the Landowner to the extent necessary to facilitate installation, construction, replacement, alteration, maintenance, inspection, operation, and any necessary repairs; provided, however, that this right to use adjoining land shall be exercised only during periods of actual installation, construction, replacement, alteration, maintenance, inspection, operation, or repair, and then only to the minimum extent necessary for

such work. It is specifically contemplated by the parties that the future use of adjoining land may be to the extent, if necessary, of the Temporary Easement area(s) and appurtenances shown on **Exhibits E.1, E.2, And E.3.**

It is agreed that buildings, fences, signs, or other obstructions will not be erected by me, my heirs, assigns, or administrators within the limits of the right of way herein conveyed and that such buildings and fences that are now within the right of way herein conveyed will be moved from the right of way and restored in as good condition as before moving at the expense of Lancaster County.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____, in the year of our Lord, Two Thousand and Twenty-One.

WITNESS: Signed, sealed and delivered in
The presence of:

Southpoint Management Group, LLC
By: _____

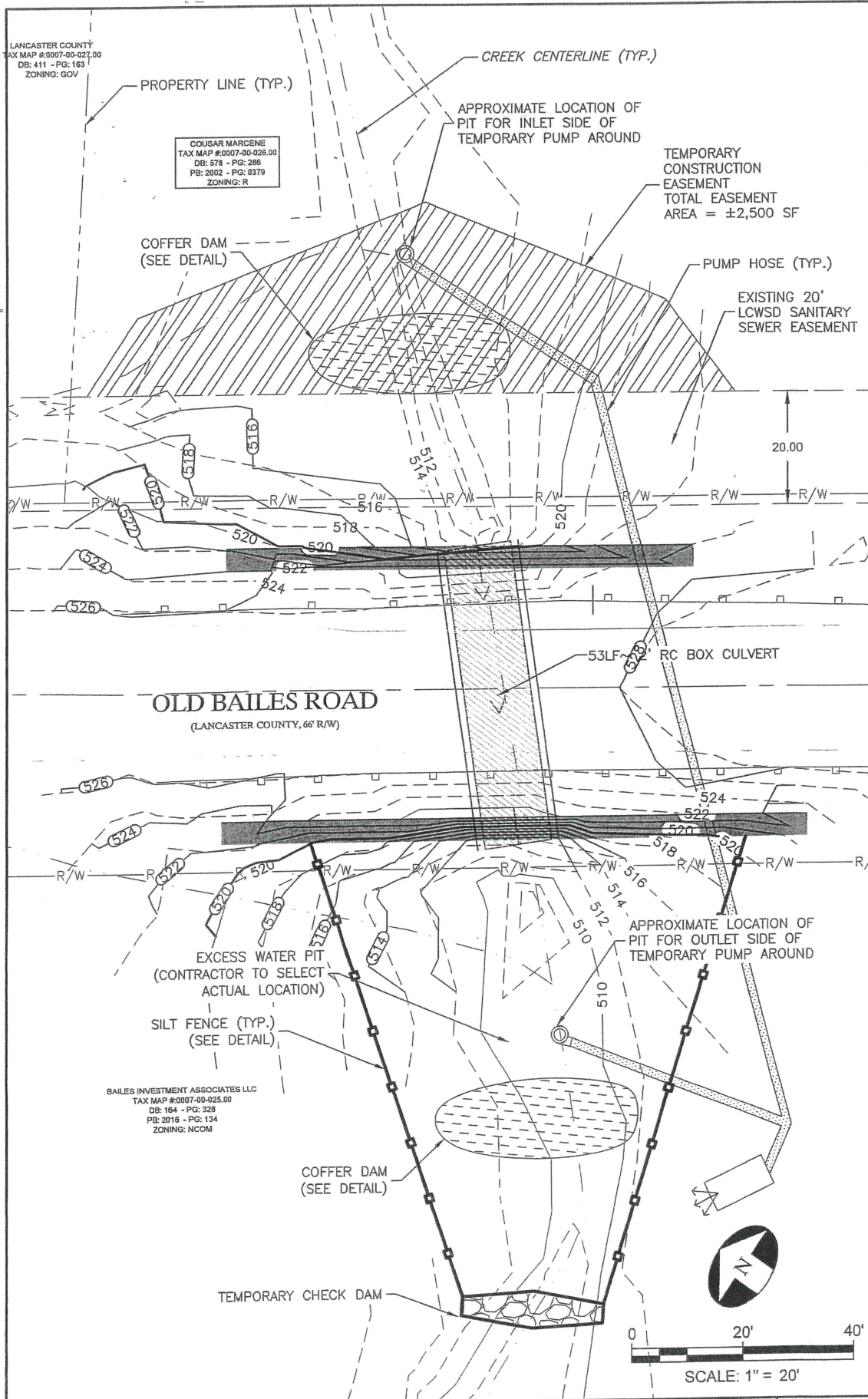
STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ACKNOWLEDGMENT

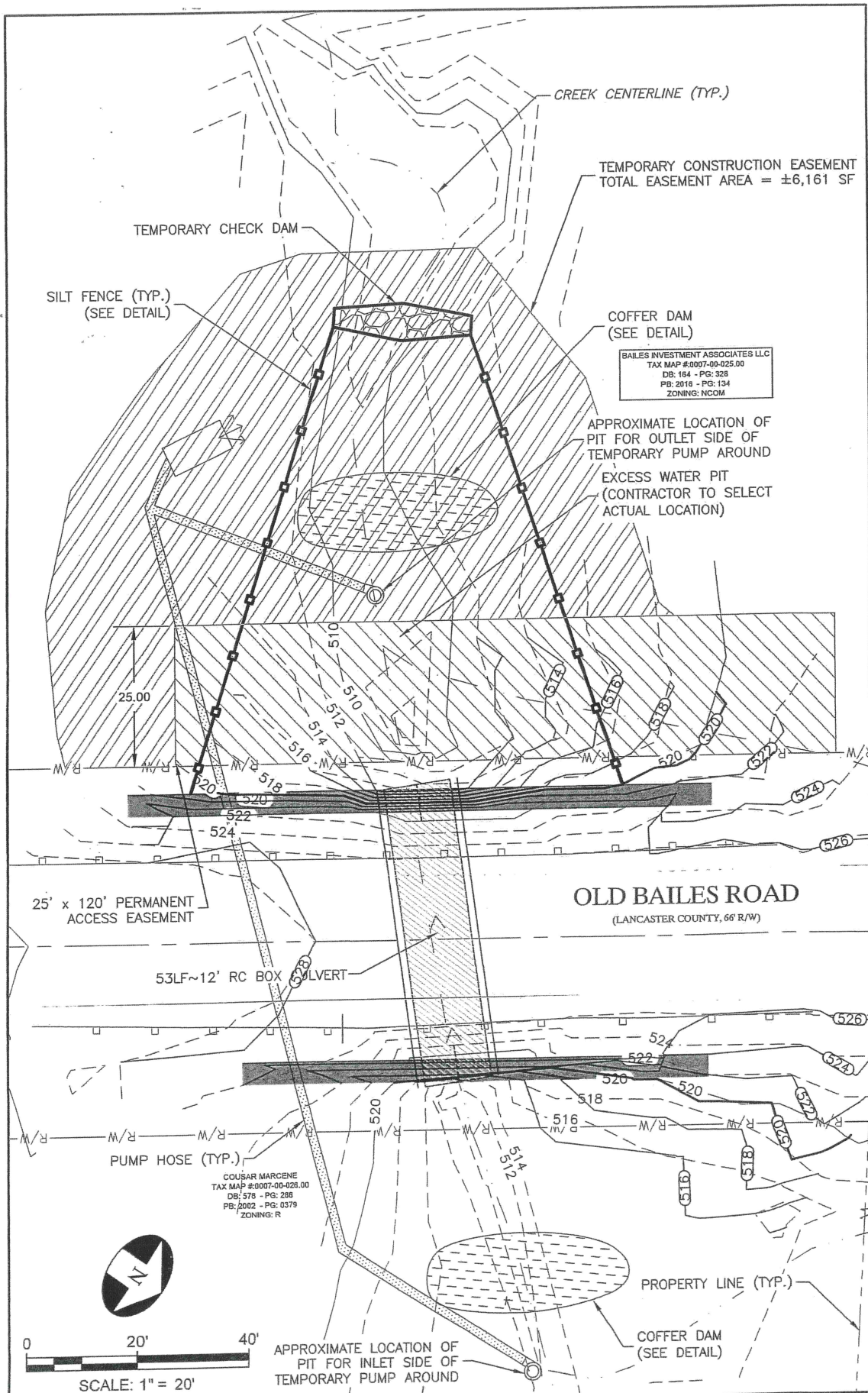
I, _____, a Notary Public for the State of South Carolina, do hereby certify that the within named personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my Hand and Seal this _____ day of _____, 2021.

_____(SEAL)
Notary Public for South Carolina
My Commission Expires: _____



SCALE: 1" = 20'	 COLLABORATION BY DESIGN keckwood.com	Old Bales Culvert Replacement 9372 Old Bales Road Easement Exhibit JOB NUMBER: 186610	EXHIBIT NO. E.1
CHECKED BY: SDW			
DRAWN BY: SDG			
DATE: 01/08/2021			





Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1709 / Planning Case Number: UDO-TA-020-2648

Contact Person / Sponsor: Robert G. Tefft / Planning

Department: Planning

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Request to amend Unified Development Ordinance Section 5.2.3, Section 7.2.3 and Section 7.2.4 to modify how triplex and quadraplex dwellings may be developed.

This application is associated with the companion Development Agreement DA-020-2650 and Zoning Map Amendment RZ-020-2650.

Points to Consider:

The following sections of the UDO are proposed to be amended:

Section 5.2.3, Dwelling – Three Family (Triplex) and Four Family (Quadraplex): Amend to modify the Lot Standards, Exterior Appearance and Density development standards specific to the use.

Section 7.2.3, Permitted Parking Locations: Amend to add 3 and 4 Family as “unrestricted” in the PB District.

Section 7.2.4, Off-Street Parking and Loading Requirements: Amend to add Dwelling-Three Family and Dwelling-Four Family as an excepted use from the maximum parking requirement.

Funding and Liability Factors:

N/A

Council Options:

To approve or deny the proposed text amendment.

Recommendation:

At its meeting of December 15, 2020, the Planning Commission voted unanimously to recommend approval of the proposed text amendment. No one from the public spoke in support or opposition.

Staff recommends approval of the proposed text amendment.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1709	3/1/2021	Ordinance
Exhibit 1 to Ordinance 2021-1709	3/1/2021	Exhibit
Staff Report	12/2/2020	Planning Staff Report
Ex 1: Application	12/2/2020	Exhibit
Ex 2: Proposed Text Amendment	12/4/2020	Exhibit

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2021-1709

COUNTY OF LANCASTER

)

)

AN ORDINANCE

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”) SECTION 5.2.3., DWELLING – THREE FAMILY (TRIPLEX) AND FOUR FAMILY (QUADRAPLEX); SECTION 7.2.3., PERMITTED PARKING LOCATIONS; AND SECTION 7.2.4., OFF-STREET PARKING AND LOADING REQUIREMENTS, TO MODIFY HOW THREE FAMILY (TRIPLEX) AND FOUR FAMILY (QUADRAPLEX) DWELLINGS MAY BE DEVELOPED.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) Bob Dyer, Redwood USA, made application on behalf of Amanda J. Patterson, Karen Lynn Patterson, and Susan P. Patterson to amend Chapters 5 and 7 of the Unified Development Ordinance (UDO) concerning how Three Family (Triplex) and Four Family (Quadrplex) Dwellings may be developed.
- (b) This text amendment is proposed along with a companion Zoning Map Amendment (RZ-020-000) that proposes to rezone a certain 37.45-acre portion of real property owned by the said Patterson’s from LDR to PB, and a Development Agreement (DA-020-0000) that would set forth the parameters of the future development of that same land as a 155-unit, single story, triplex/quadrplex apartment project.
- (c) The proposed text amendment has been found to be consistent with all applicable provisions of the Comprehensive Plan as required by Section 9.2.15.B.3. Further, the proposed text amendment has been reviewed for compliance with applicable provisions of SC Code Title VI and has been found to be consistent with those provisions.
- (d) The proposed amendment will provide for this common use type to be allowed the Rural Neighborhood (RN) District in Lancaster County.
- (e) Lancaster County Planning Commission considered the proposed text amendment at its meeting on December 15, 2020, and by a unanimous vote recommended approval of the text amendment.

Section 2. Amendment of Ordinance 2016-11442 (Unified Development Ordinance)

Ordinance 2016-1442 (Unified Development Ordinance) Section 5.2.3., Dwelling – Three Family (Triplex) and Four Family (Quadrplex); Section 7.2.3., Permitted Parking Locations; and Section 7.2.4., Off-Street Parking and Loading Requirements, are amended as set forth in “Exhibit 1” attached hereto and incorporated herein by reference.

The amendments are generally described as follows:

- a) Section 5.2.3., Dwelling – Three Family (Triplex) and Four Family (Quadraplex): Amend to modify the Lot Standards, Exterior Appearance and Density development standards specific to the use.
- b) Section 7.2.3, Permitted Parking Locations: Amend to add 3 and 4 Family as “unrestricted” in the PD District.
- c) Section 7.2.4., Off-Street Parking and Loading Requirements: Amend to add Dwelling-Three Family and Dwelling-Four Family as an excepted use from the maximum parking requirement.

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 _____, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: March 8, 2021
Public Hearing: March 22, 2021
Second Reading: March 22, 2021
Third Reading: April 12, 2021

Approved as to form:

John DuBose, County Attorney

Three/Four Family Dwelling Text Amendment

5.2.3 DWELLING – THREE FAMILY (TRIPLEX) AND FOUR FAMILY (QUADRAPLEX) [PB]

~~A. **Building Location:** three family and four family dwellings shall be limited to two per block face unless dwellings are single story in which case they shall be limited to up to six per block face.~~

BA. Lot Standards:

- ~~1. May only be located on pre-existing lots in existence as of the date of this ordinance (February 24, 2020).~~
- ~~2. May not exceed a development size of five acres unless accompanied by a Development Agreement.~~

CB. Exterior Appearance:

1. Three family dwellings shall be designed such that a maximum of three main entrances are on the fronting façade. Additional building entrances may be provided on the side and rear of the building.
2. Four family dwellings ~~shall~~ may be designed such that ~~a all maximum of four three~~ main entrances ~~are~~ may be on the fronting ~~façade unless the building is two stories or greater. Buildings two stories or greater shall be designed such that a maximum of three main entrances are on the fronting facade.~~ Additional building entrances may be provided on the side and rear of the building.
3. Dwelling units on corner lots ~~must~~ may be designed such that a building entrance is on each façade fronting a street.

DC. Buffer: Type A buffer shall be installed as required in Section 7.1.5, Buffers and Screening of this Ordinance.

ED. Density: Developments encompassing 5 acres or less shall be limited to a density of eight dwelling units per acre, and developments encompassing more than 5 acres shall be limited to a density of five dwelling units per acre.

7.2.3 PERMITTED PARKING LOCATIONS

The following table details the permitted parking locations for each district according to the building types detailed in Chapter 3 of this ordinance. Additional locational requirements may apply to parking areas for specific uses. Such requirements are outlined in Chapter 5, Use Regulations.

		Civic	Detached House	<u>3 and 4-Family</u>	Townhouse	Apartment	General	Mixed-Use	Industrial	All Other Bldgs	
Rural	AR	U	U	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a	U	Permitted Parking Configurations (Also see diagrams on next page) Location A – Parking permitted in 3rd Layer only Location B – Parking permitted in 2nd and 3rd Layers only Location C – Parking permitted in 2nd and 3rd Layers. Parking in 1st Layer restricted to one drive aisle with two bays. U - Unrestricted
	RR	U	U	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a	U	
	RN	U	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a	U	
	RUB	U	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a	U	
	MH	U	U	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a	U	
Transitional	LDR	U	U	<u>n/a</u>	-	-	-	-	-	-	
	MDR	U	U	<u>n/a</u>	-	-	-	-	-	-	
	HDR	C	U	<u>n/a</u>	-	-	-	-	-	-	
	PB	U	-	<u>U</u>	A	A	A	-	-	-	
	NB	U	-	<u>n/a</u>	B	B	C	-	-	-	
	GB	U	-	<u>n/a</u>	B	B	U	U	-	-	
	RB	U	-	<u>n/a</u>	B	B	U	U	-	-	
Special	INS	B	U	<u>n/a</u>	B	B	B	B	-	-	
	OSP	-	-	<u>n/a</u>	-	-	-	-	-	-	
	LI	U	-	<u>n/a</u>	-	-	U	U	U	U	
	HI	U	-	<u>n/a</u>	-	-	U	U	U	U	
	M	U	-	<u>n/a</u>	-	-	U	U	U	U	
Neighborhood	UR	C	U	<u>n/a</u>	B	B	-	B	-	-	
	RMX	B	U	<u>n/a</u>	B	B	C	B	-	-	
	MX	B	-	<u>n/a</u>	B	B	B	B	-	-	
	IMX	B	-	<u>n/a</u>	B	B	B	B	B	-	

7.2.4 OFF-STREET PARKING AND LOADING REQUIREMENTS

B. MAXIMUM PARKING

The minimum parking requirements above have intentionally been set well below general market expectations as a means to mitigate the negative aspects of paved surfaces on the environment such as excessive water runoff, water pollution, and urban heat island effect. To this end, there shall also be a maximum parking standard set as follows:

1. Maximum Parking Standard:

- a. Twice the minimum number of spaces established for a use as outlined in Section 7.2.4A above,
- b. If there are no minimum parking requirements for the use given in Section 7.2.4A above, the maximum parking standard shall be 35 percent of the site area.

2. Exceptions

- a. **Residential Development:** Dwelling-Single Family, Dwelling-Two Family, Dwelling-Three Family, and Dwelling-Four Family uses are exempt from the maximum parking standard.
- b. **All Other Development:** In multifamily, commercial and mixed-use development, parking areas may be provided which exceed the maximum standard given above if stormwater control structures are installed, in accordance with Chapter 8, such that nitrogen runoff from any parking area above the maximum standard is reduced by at least 30 percent.

PROPOSAL: Amend Unified Development Ordinance Section 5.2.3, Dwelling – Three Family (Triplex) and Four Family (Quadraplex); Section 7.2.3, Permitted Parking Locations; and Section 7.2.4, Off-Street Parking and Loading Requirements, to modify how Three Family (Triplex) and Four Family (Quadraplex) Dwellings may be developed.

APPLICABLE CHAPTER(S): Chapters 5 and 7

APPLICANT: Bob Dyer, Redwood USA, on behalf of Amanda J. Patterson, Karen Lynn Patterson, and Susan P. Patterson

PROJECT SUMMARY & PROPOSAL:

Bob Dyer, Redwood USA, has submitted a request on behalf of Amanda J. Patterson, Karen Lynn Patterson, and Susan P. Patterson to amend Chapters 5 and 7 of the Unified Development Ordinance (UDO) concerning how Three Family (Triplex) and Four Family (Quadraplex) Dwellings may be developed.

This text amendment is proposed along with a companion Zoning Map Amendment (RZ-020-0000) that proposes to rezone a certain 37.45-acre portion of real property owned by the said Patterson's from LDR to PB, and a Development Agreement (DA-020-0000) that would set forth the parameters of the future development of that same land as a 155-unit, single-story, triplex/quadraplex apartment project.

OUTLINE OF TEXT AMENDMENT:

The proposed text amendment would modify the development standards specific to Three Family (Triplex) and Four Family (Quadraplex) Dwellings use, as well as the Permitted Parking Locations, and the exceptions to maximum parking requirements.

The following sections of the UDO are proposed to be amended:

Section 5.2.3, Dwelling – Three Family (Triplex) and Four Family (Quadraplex): Amend to modify the Lot Standards, Exterior Appearance and Density development standards specific to the use.

Section 7.2.3, Permitted Parking Locations: Amend to add 3 and 4 Family as “unrestricted” in the PB District.

Section 7.2.4, Off-Street Parking and Loading Requirements: Amend to add Dwelling-Three Family and Dwelling-Four Family as an excepted use from the maximum parking requirement.

For ease of reference, new text is referenced in red/underlined font and deletions are referenced in ~~strike through~~ font. The proposed text amendment may be found in Attachment 1.

FINDINGS AND CONCLUSIONS:

Staff has reviewed the proposed text amendment and finds that it is consistent with the applicable provisions of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as with the applicable provisions of SC Code Title VI.

The proposed text amendment will provide greater flexibility not only to this applicant as part of the associated development, but other future developments as well, in the development of properties with triplexes or quadraplexes within the PB District, while not diminishing the effectiveness of the existing ordinance.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed text amendment.

ATTACHMENTS:

1. Application

STAFF CONTACT:

Robert G. Tefft

Senior Planner

rtefft@lancastersc.net



Planning Department

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

Phone: 803.285.6005, planning@lanastercountysc.net

www.mylanastersc.org

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

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

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended 5.2.3 (A - D); 7.2.3; 7.2.4 (B) 1-2

Current Text See text amendment document provided in submittal package
explaining text amendment changes

Proposed Text See text amendment document provided in submittal package
explaining text amendment changes

Description of Need for Proposed Text _____

Proposing Multi-family use for single story apartment dwellings
at a density of >4 DUA.

☒ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name Bob Dyer with Redwood USA

Address 7007 East Pleasant Valley Road

City Independence State OH Zip 44131 Phone 330.819.3977

Fax _____ Email bdyer@byredwood.com

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.

Bob Dyer
Applicant

11/4/2020
Date

Property Owner(s)

Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS

1. Submit Application

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

**AFFIDAVIT OF
PROPERTY OWNERS**

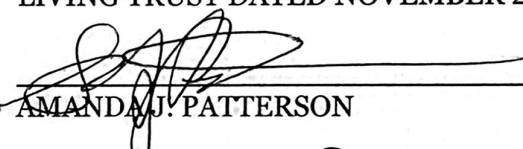
The undersigned, having been duly cautioned and sworn, hereby state:

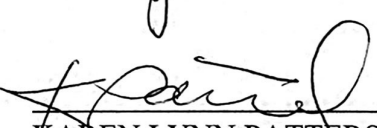
1. The undersigned (collectively, the "Owners") are all of the owners of that certain property located northeast of Harrisburg Road and northwest of Barberville Road in the City of Lancaster and State of South Carolina, known as Permanent Parcel Numbers 0003-00-040.01, 0003-00-040.07 and 0003-00-040.14, collectively consisting of approximately 52.6 acres (collectively, the "Property").

2. The Owners hereby confirm that Redwood has the consent of the Owners to act as the Owner's agent and enter into, and submit to the respective governmental office(s), such documentation as necessary in order to obtain the necessary approvals for Redwood's intended development of the Property.

FURTHER AFFIANTS SAYETH NAUGHT.


AMANDA JAYNE PATTERSON, TRUSTEE OF
THE WILLIAM S. PATTERSON REVOCABLE
LIVING TRUST DATED NOVEMBER 2, 2010


AMANDA J. PATTERSON

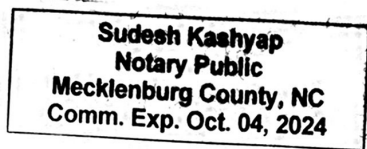

KAREN LYNN PATTERSON


SUSAN P. PATTERSON

STATE OF NC
COUNTY OF MecklenburgSS:

This is a jurat. An oath or affirmation was administered to the signer with regard to the notorial act.

SWORN to and subscribed before me, a Notary Public, by the aforesaid Amanda J. Patterson, both individually and as Trustee of the William S. Patterson Revocable Living Trust dated November 2, 2010, this 3^o day of October, 2020.

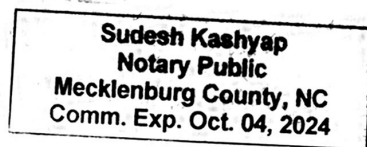


Sudesh Kashyap
Notary Public
My commission expires: 10/04/2024

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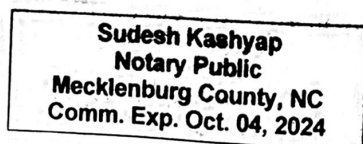


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Sudesh Kashyap
Notary Public
My commission expires: 10/04/2024

Three/Four Family Dwelling Text Amendment

5.2.3 DWELLING – THREE FAMILY (TRIPLEX) AND FOUR FAMILY (QUADRAPLEX) [PB]

~~A. **Building Location:** three family and four family dwellings shall be limited to two per block face unless dwellings are single story in which case they shall be limited to up to six per block face.~~

BA. Lot Standards:

- ~~1. May only be located on pre-existing lots in existence as of the date of this ordinance (February 24, 2020).~~
- ~~2. May not exceed a development size of five acres unless accompanied by a Development Agreement.~~

CB. Exterior Appearance:

1. Three family dwellings shall be designed such that a maximum of three main entrances are on the fronting façade. Additional building entrances may be provided on the side and rear of the building.
2. Four family dwellings ~~shall~~ may be designed such that ~~a all maximum of four three~~ main entrances ~~are~~ may be on the fronting ~~façade unless the building is two stories or greater. Buildings two stories or greater shall be designed such that a maximum of three main entrances are on the fronting facade.~~ Additional building entrances may be provided on the side and rear of the building.
3. Dwelling units on corner lots ~~must~~ may be designed such that a building entrance is on each façade fronting a street.

DC. Buffer: Type A buffer shall be installed as required in Section 7.1.5, Buffers and Screening of this Ordinance.

ED. Density: Developments encompassing 5 acres or less shall be limited to a density of eight dwelling units per acre, and developments encompassing more than 5 acres shall be limited to a density of five dwelling units per acre.

7.2.3 PERMITTED PARKING LOCATIONS

The following table details the permitted parking locations for each district according to the building types detailed in Chapter 3 of this ordinance. Additional locational requirements may apply to parking areas for specific uses. Such requirements are outlined in Chapter 5, Use Regulations.

		Civic	Detached House	<u>3 and 4-Family</u>	Townhouse	Apartment	General	Mixed-Use	Industrial	All Other Bldgs	
Rural	AR	U	U	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a	U	Permitted Parking Configurations (Also see diagrams on next page) Location A – Parking permitted in 3rd Layer only Location B – Parking permitted in 2nd and 3rd Layers only Location C – Parking permitted in 2nd and 3rd Layers. Parking in 1st Layer restricted to one drive aisle with two bays. U - Unrestricted
	RR	U	U	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a	U	
	RN	U	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a	U	
	RUB	U	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a	U	
	MH	U	U	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a	U	
Transitional	LDR	U	U	<u>n/a</u>	-	-	-	-	-	-	
	MDR	U	U	<u>n/a</u>	-	-	-	-	-	-	
	HDR	C	U	<u>n/a</u>	-	-	-	-	-	-	
	PB	U	-	<u>U</u>	A	A	A	-	-	-	
	NB	U	-	<u>n/a</u>	B	B	C	-	-	-	
	GB	U	-	<u>n/a</u>	B	B	U	U	-	-	
	RB	U	-	<u>n/a</u>	B	B	U	U	-	-	
Special	INS	B	U	<u>n/a</u>	B	B	B	B	-	-	
	OSP	-	-	<u>n/a</u>	-	-	-	-	-	-	
	LI	U	-	<u>n/a</u>	-	-	U	U	U	U	
	HI	U	-	<u>n/a</u>	-	-	U	U	U	U	
	M	U	-	<u>n/a</u>	-	-	U	U	U	U	
Neighborhood	UR	C	U	<u>n/a</u>	B	B	-	B	-	-	
	RMX	B	U	<u>n/a</u>	B	B	C	B	-	-	
	MX	B	-	<u>n/a</u>	B	B	B	B	-	-	
	IMX	B	-	<u>n/a</u>	B	B	B	B	B	-	

7.2.4 OFF-STREET PARKING AND LOADING REQUIREMENTS

B. MAXIMUM PARKING

The minimum parking requirements above have intentionally been set well below general market expectations as a means to mitigate the negative aspects of paved surfaces on the environment such as excessive water runoff, water pollution, and urban heat island effect. To this end, there shall also be a maximum parking standard set as follows:

1. Maximum Parking Standard:

- a. Twice the minimum number of spaces established for a use as outlined in Section 7.2.4A above,
- b. If there are no minimum parking requirements for the use given in Section 7.2.4A above, the maximum parking standard shall be 35 percent of the site area.

2. Exceptions

- a. **Residential Development:** Dwelling-Single Family, Dwelling-Two Family, Dwelling-Three Family, and Dwelling-Four Family uses are exempt from the maximum parking standard.
- b. **All Other Development:** In multifamily, commercial and mixed-use development, parking areas may be provided which exceed the maximum standard given above if stormwater control structures are installed, in accordance with Chapter 8, such that nitrogen runoff from any parking area above the maximum standard is reduced by at least 30 percent.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1710 / Planning Case Number: RZ-020-2650

Contact Person / Sponsor: Robert G. Tefft / Planning

Department: Planning

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Request to rezone approximately 37.45 acres of land on the east side of Harrisburg Road, approximately 500 feet west of Barberville Road from Low Density Residential (LDR) District to Professional Business (PB) District.

The intent of the rezoning is to facilitate the development of the land as a multi-family residential apartment project consisting of 155 Three Family (Triplex) and Four Family (Quadraplex) dwelling units, a leasing office/maintenance building and associated amenities.

This application is associated with the companion Development Agreement DA-020-2650 and Text Amendment UDO-TA-020-2648.

Points to Consider:

The subject properties are surrounded by other properties zoned LDR District with a single parcel zoned NB District. The proposed PB District is generally intended to be located next to neighborhoods so as to provide access to office and professional services to those neighborhoods. While this would not be the case with regard to this specific development proposal, the actual use of the land as 155-unit, single-story, triplex and quadraplex rental community would be compatible with the surrounding area.

Funding and Liability Factors:

N/A

Council Options:

Approve or deny the rezoning request.

Recommendation:

At its meeting of December 15, 2020, the Planning Commission voted 6-1 (Sansbury against) to recommend approval of the request. Two citizens spoke in opposition to the request indicating concerns as to buffers and impact on home values.

Staff recommends approval of the request to rezone.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1710	3/1/2021	Ordinance
Staff Report	12/2/2020	Planning Staff Report
Ex 1: Application	12/2/2020	Exhibit
Ex 2: Location Map / Zoning Map	12/2/2020	Exhibit
Ex 3: Concept Plan	12/2/2020	Exhibit
Ex 4: Community Meeting Notes	12/2/2020	Exhibit

STATE OF SOUTH CAROLINA

(

ORDINANCE NO. 2021-1710

COUNTY OF LANCASTER

(

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE 37.45 ACRES OF PROPERTY (TMS # 0003-00-040.01, 0003-00-040.07 AND 0003-00-040.14), LOCATED ON THE EAST SIDE OF HARRISBURG ROAD, APPROXIMATELY 500 FEET WEST OF BARBERVILLE ROAD, LANCASTER, SOUTH CAROLINA, FROM LDR, LOW DENSITY RESIDENTIAL DISTRICT, TO PB, PROFESSIONAL BUSINESS DISTRICT.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Redwood USA, LLC, applied to rezone 37.45 acres, more or less, located on the east side of Harrisburg Road, approximately 500 feet west of Barberville Road, Lancaster, South Carolina (TMS Nos. 0003-00-040.01, 0003-00-040.07 and 0003-00-040.14) from LDR, Low Density Residential District, to PB, Professional Business District.

(b) On December 15, 2020, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a 6-1 vote recommended approval of the rezoning request.

(c) The Future Land Use Category of the subject property is Neighborhood Mixed-Use, which corresponds to the Community Type of Walkable Neighborhood. The adopted Comprehensive Plan states that the Suburban Single-Family Neighborhood Community Type *“is synonymous with the Place Type “Mixed-Use Neighborhood.” This is due to its very specific characteristics that set it apart from most other Place Types by virtue of its deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value. This Place Type and Community Type has its roots in the traditional character of American communities during the early part of the 20th century and has been revived in recent decades as a relevant option for future development.”*

The requested Professional Business District is consistent with the Neighborhood Mixed-Use Future Land Use category.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from LDR, Low Density Residential District, to PB, Professional Business District, for the following property as identified by tax map number or other appropriate identifier:

Tax Map Nos. 0003-00-040.01, 0003-00-040.07 and 0003-00-040.14 (37.45 acres, more or less)

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 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 _____, 2021.

LANCASTER, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: March 8, 2021
Public Hearing: March 22, 2021
Second Reading: March 22, 2021
Third Reading: April 12, 2021

Approved as to form:

John DuBose, County Attorney

PROPOSAL:	Request to rezone approximately 37.45 acres of land on the east side of Harrisburg Road, approximately 500 feet west of Barberville Road (TM #'s 0003-00-040.01, 0003-00-040.07 and 0003-00-040.14) from Low Density Residential (LDR) to Professional Business (PB). This application is associated with the companion Development Agreement DA-020-2650 and Text Amendment UDO-TA-020-2648.
PROPERTY LOCATION:	East side of Harrisburg Road, approximately 500' west of Barberville Road
CURRENT ZONING:	Low Density Residential (LDR) District
PROPOSED ZONING:	Professional Business (PB) District
APPLICANT:	Redwood USA, LLC
COUNCIL DISTRICT:	District 7, Brian Carnes

OVERVIEW:

Site Information / Proposal

The applicant has requested to rezone approximately 37.45 acres of land on the east side of Harrisburg Road, approximately 500 feet west of Barberville Road, from Low Density Residential (LDR) District to Professional Business (PB) District. Currently, the land is predominantly used for agricultural purposes; however there are two single-family detached dwellings on the properties.

The intent is to develop the land as a multi-family residential apartment project consisting of 155 Three Family (Triplex) and Four Family (Quadraplex) dwelling units, a leasing office/maintenance building and associated amenities.

Although not required by the Unified Development Ordinance (UDO), the applicant has proposed a Development Agreement between themselves (Redwood USA, LLC) and Lancaster County in order to assist in the facilitation of the rezoning. This companion Development Agreement (DA-020-2650) has been submitted for consideration and is on this same agenda of the Planning Commission.

It should be noted that the southeastern 14.5 acres of parcel 0003-00-040.07 associated with this rezoning application will be subdivided from the parcel and is not proposed to be rezoned.

Summary of Adjacent Zoning and Uses

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	LDR	Single-Family
South	Lancaster County	LDR / NB	Single-Family / Landscape Contractor
East	Lancaster County	LDR	Vacant
West	Lancaster County	LDR	Single-Family

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject properties are currently zoned LDR District. Pursuant to UDO Chapter 2.3, the LDR District *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 1.5 dwelling units per acre. Intended to act as a transitional zoning district between rural living 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.*

The proposed PB District is *generally located adjacent to neighborhoods and provides opportunities for the provision of office and professional services that do not adversely impact the surrounding communities.*

Compatibility with Surrounding Area

The subject properties are surrounded by other properties zoned LDR District with a single parcel zoned NB District. The proposed PB District is generally intended to be located next to neighborhood so as to provide access to office and professional services to those neighborhoods. While this would not be the case with regard to this specific development proposal, the actual use of the land as 155-unit, single-story, triplex and quadraplex rental community would be compatible with the surrounding area. Staff finds that the proposed rezoning of the property to PB District is generally compatible with the surrounding area and consistent with UDO Section 2.3.

Should the development proposal not come to pass, however, and the Development Agreement that is a companion to this rezoning expire, then there does exist a concern that due to the size of the property (37.45 acres) the scale of office and professional services development that could occur on the property would be incompatible with the surrounding area. Accordingly, staff would recommend that any ordinance rezoning the subject properties to PB District, as well as the companion Development Agreement, include within it language that would declare the rezoning to be null and void and restore the current LDR District zoning designation to the properties should the project associated with the Development Agreement not be built and the Development Agreement expire.

RELATIONSHIP TO PUBLIC PLANS

Lancaster County Comprehensive Plan Consistency

The Future Land Use Category of the subject properties is Neighborhood Mixed-Use, which corresponds to the Community Type of Walkable Neighborhood. The adopted Comprehensive Plan states that the Suburban Single-Family Neighborhood Community Type *“is synonymous with the Place Type “Mixed-Use Neighborhood.” This is due to its very specific characteristics that set it apart from most other Place Types by virtue of its deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value. This Place Type and Community Type has its roots in the traditional character of American communities during the early part of the 20th century, and has been revived in recent decades as a relevant option for future development.”* The Comprehensive Plan further establishes several possible land use considerations representing typical development in this category which are depicted in the table below.

The Neighborhood Mixed-Use Future Land Use Category extends across the northern half of the panhandle, beginning at Highway 75/Waxhaw Highway. The Neighborhood Mixed-Use Future Land Use Category and Walkable Neighborhood Community Type are, by default, intended to be compatible with the existing suburban character of the area.

The requested PB District is consistent with the Neighborhood Mixed-Use Future Land Use Category.

Walkable Neighborhood: Land Use Considerations		
Church	Condominium/Apartment	Community Park / Pocket Park
Government Building	Natural Area	Neighborhood Commercial
Professional Office	Restaurant	School
Single-Family Attached Home (Townhome/Duplex)	Single-Family Detached Home	

INFRASTRUCTURE CONSIDERATIONS

Traffic Impact Analysis (TIA)

Pursuant to UDO Section 9.2.18.C.24, a TIA is required to be submitted as part of the Development Agreement associated with this rezoning request. A TIA was prepared and submitted in conjunction with these applications. The TIA will be reviewed by staff, in coordination with the County traffic engineering consultant prior to approval by County Council.

Transportation

The subject properties are generally located 500 feet northwest of the intersection of Harrisburg Road and Barberville Road. Both Harrisburg Road and Barberville Road are maintained by the South Carolina Department of Transportation (SCDOT). The Average Annual Daily Traffic (AADT) volumes on Harrisburg and Barberville Roads are shown below:

AVERAGE ANNUAL DAILY TRAFFIC (AADT)				
Right-of-Way	2016	2017	2018	2019
Harrisburg Road	6,500	7,000	7,100	7,600
Barberville Road	6,300	7,400	7,500	6,300

Source: SCDOT

Public Utilities

Lancaster County Water and Sewer District (LCWSD) has indicated that they have no issue with the proposed rezoning; however they have indicated that the developer will need to connect to the sewer infrastructure that will be installed for the Patterson Preserve development, across Harrisburg Road (once installed), or install sewer to the Sugar Creek offsite sewer line, in the event the Patterson Preserve development does not occur in a timely manner for this development. Additionally, water service is available to the subject properties.

Public Schools

The subject properties are in the attendance zones of Indian Land Elementary, Indian Land Middle and Indian Land High Schools. Capacity should be improved with the opening of the Indian Land Intermediate and High Schools within the next year.

COMMUNITY MEETING

A virtual community meeting was held online by the applicant on November 17, 2002 (*see attached Community Meeting notes*). While only two members of the public attended the meeting, neither had any comments.

PHOTOS OF PROJECT AREA:



*Looking northeast from Harrisburg Road
toward subject property*



*Looking northeast from Harrisburg Road
toward subject property*



*Looking north from Harrisburg Road
toward subject property*



*Looking southwest across Harrisburg Road
from subject property*

STAFF RECOMMENDATION:

Staff recommends approval of the request to rezone approximately 14.6 acres of land along Harrisburg Road (TM# 0002-00-008.00) from Low Density Residential (LDR) District to Medium Density Residential (MDR) District pursuant to the following findings of fact:

1. That the Zoning Map Amendment consists of 37.45 acres of land located on the east side of Harrisburg Road, approximately 500 feet west of Barberville Road, and consists of parcels 0003-00-040.01, 0003-00-040.07 and 0003-00-040.14;
2. That the Zoning Map Amendment would rezone properties currently zoned LDR District to PB District;
3. That the Future Land Use Category for the 37.45 acres of land is Neighborhood Mixed Use, and the Community Type is Walkable Neighborhood; and
4. That the proposed PB District, as intended to be developed per the companion Development Agreement (DA-020-2650), will result in a project that is generally consistent with the surrounding area which is comprised of LDR, MDR and NB Districts.

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map
3. Concept Plan
4. Community Meeting Notes

STAFF CONTACT:

Robert G. Tefft, Senior Planner
rtefft@lancastersc.net | 803-416-9394



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylanastersc.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 10956 Harrisburg Road
City Indian Land State SC Zip 29707 Tax Parcel ID 003-00-040.07, 003-00-040.01, 003-00-040.14
Current Zoning LDR Current Use Single Family/Vacant
Proposed Zoning PB (multi family attached) Total Acres 37.45
Project Description Single story low density attached apartment neighborhood. Each dwelling will contain 2 bedrooms and a private two car attached garage with direct entry. Each building will be limited to no more than 4 dwellings. All dwellings will benefit from zero clearance thresholds, vaulted ceilings and outdoor patios or decks.
Surrounding Property Description Properties to the north, east and west are zoned LDR and contain single family and property to be retained by landowner to the south is vacant.

CONTACT INFORMATION

Applicant Name Bob Dyer
Address 7007 East Pleasant Valley Road
City Independence State OH Zip 44236 Phone 330 819 3977
Fax _____ Email bdyer@byredwood.com
Property Owner Name Amanda Jayne Patterson, Trustee, Karen Lynn Patterson, Susan P Patterson
Address 940 Thorn Ridge Lane
City Lake Wylie State SC Zip 29710 Phone 704 200 8167
Fax _____ Email mpatterson@paraclerealty.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.

Bob Dyer
Applicant

10/29/20
Date

Property Owner(s) Date
Attach owner's notarized written authorization with property information if the applicant is not the owner.

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____
Amount Paid _____ Check Number _____ Cash Amount _____
Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Rezoning Application Fee – single parcel \$325.00
- Rezoning Application Fee – multi parcel \$500.00

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.

**AFFIDAVIT OF
PROPERTY OWNERS**

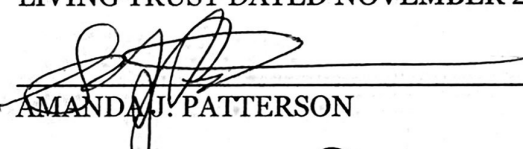
The undersigned, having been duly cautioned and sworn, hereby state:

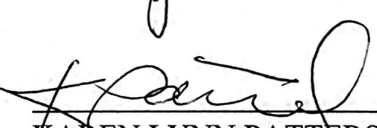
1. The undersigned (collectively, the "Owners") are all of the owners of that certain property located northeast of Harrisburg Road and northwest of Barberville Road in the City of Lancaster and State of South Carolina, known as Permanent Parcel Numbers 0003-00-040.01, 0003-00-040.07 and 0003-00-040.14, collectively consisting of approximately 52.6 acres (collectively, the "Property").

2. The Owners hereby confirm that Redwood has the consent of the Owners to act as the Owner's agent and enter into, and submit to the respective governmental office(s), such documentation as necessary in order to obtain the necessary approvals for Redwood's intended development of the Property.

FURTHER AFFIANTS SAYETH NAUGHT.


AMANDA JAYNE PATTERSON, TRUSTEE OF
THE WILLIAM S. PATTERSON REVOCABLE
LIVING TRUST DATED NOVEMBER 2, 2010


AMANDA J. PATTERSON

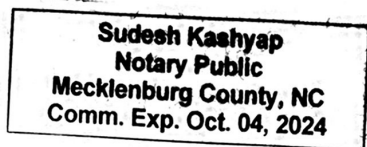

KAREN LYNN PATTERSON


SUSAN P. PATTERSON

STATE OF NC
COUNTY OF MecklenburgSS:

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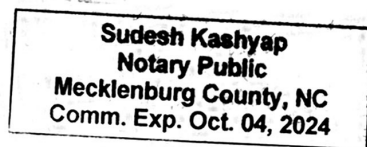


Sudesh Kashyap
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My commission expires: 10/04/2024

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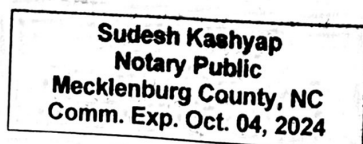


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My commission expires: 10/04/2024

Location Map

Map Date: November 24, 2020

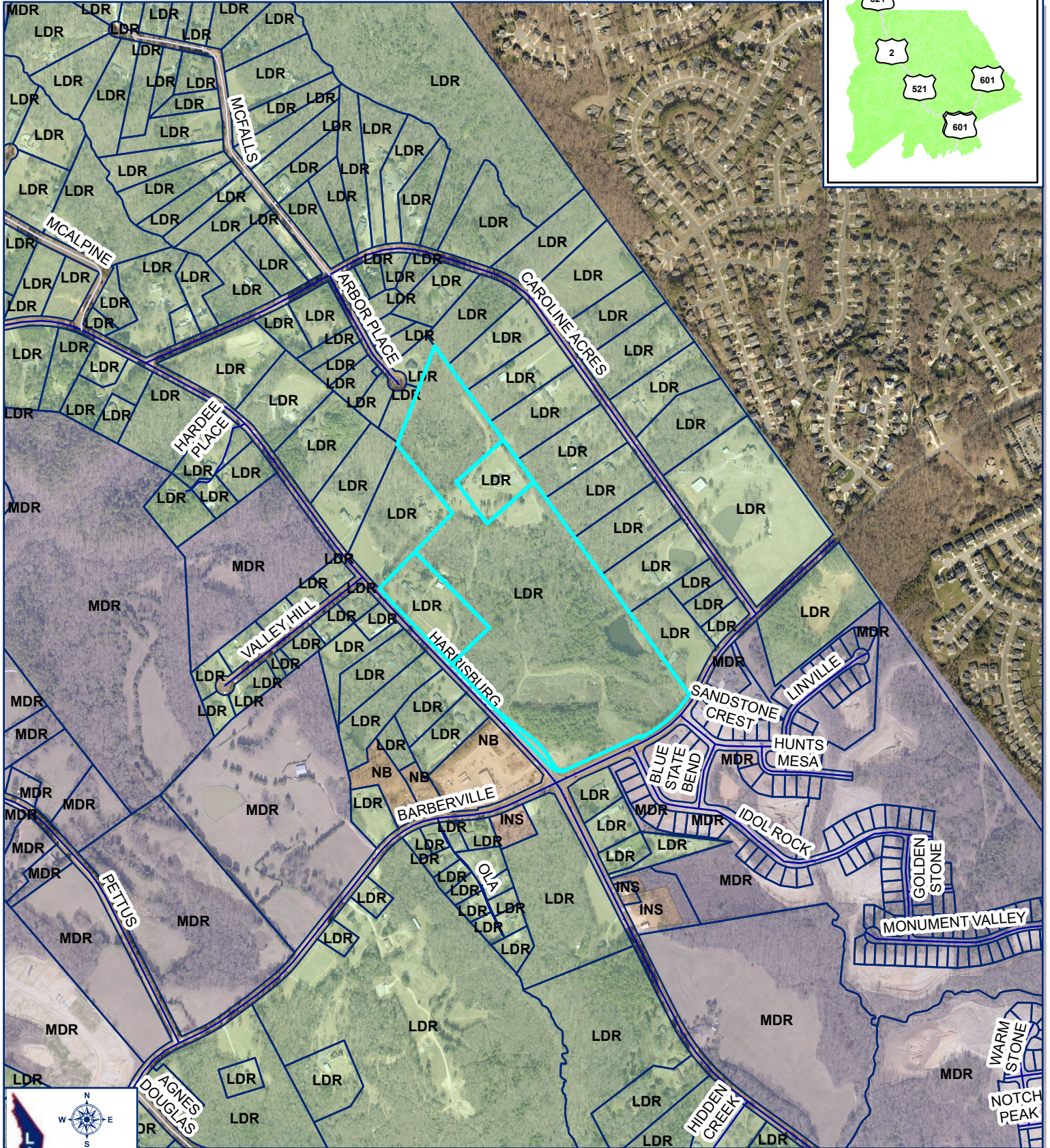
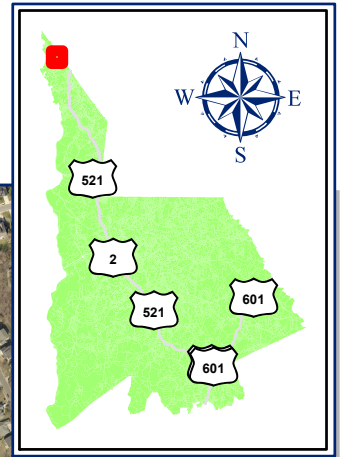
Map Created by: RT

Case Numbers: RZ-020-2650 and DA-020-2650

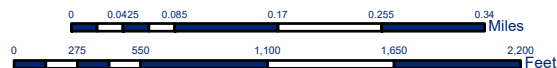
Proposal: Rezone approximately 37.45 acres of land from Low Density Residential (LDR) to Professional Business (PB)

Tax Map #'s: 0003-00-040.01, 0003-00-040.07 and 0003-00-040.14)

Applicant: Redwood USA, LLC



The County of Lancaster provides this data for reference only. All data must be field verified before the information is used for design/project work. The County of Lancaster is not responsible or liable for any inaccuracies. Any design using this data is at users' sole risk. Also note that information is subject to change at any time.



MATCHLINE - SHEET RZ1.2

PRIVATE LOCAL STREET A

DELINATED PERENNIAL STREAM/WETLAND SAC-2020-00384

DELINATED INTERMITTENT STREAM SAC-2020-00384

DELINATED WETLAND SAC-2020-00384

PEDESTRIAN TRAIL (WIDTH AND MATERIAL CHOSEN AT DEVELOPER'S DISCRETION)

PROP. ROAD IMPROVEMENT TO EXISTING GRAVEL DRIVEWAY. REDWOOD SHALL OBTAIN NECESSARY PERMITS FOR ANY STREAM/WETLAND IMPACTS.

30' STREAM/WETLAND BUFFER PER COUNTY UDO SEC. 8.6.3.A

20' CLASS A BUFFER / 10' BUILDING SETBACK

WET POND SCM #1

PROPOSED POND FOUNTAIN

20' CLASS A BUFFER / 10' BUILDING SETBACK

EXISTING POND (NON JURISDICTIONAL WATERS) SAC-2020-00384

PROPOSED PROPERTY SUBDIVISION LINE

PEDESTRIAN TRAIL CONNECTION TO SIDEWALK/ADJACENT PROPERTY

FIRE APPARATUS TURNAROUND (CONSTRUCTED PER LANCASTER COUNTY REQUIREMENTS, TYP.)

20' CLASS A BUFFER / 10' BUILDING SETBACK

±14.5 ACRES OF PARCEL ID: 003-00-040.07 TO BE SUBDIVIDED OUT. (NOT CONSIDERED PART OF THIS REZONING PETITION)

PRIVATE LOCAL STREET C

PRIVATE LOCAL STREET B

23.5' TYP.

BUILDING W 4 UNITS

BUILDING V 4 UNITS

BUILDING U 4 UNITS

BUILDING S 3 UNITS

BUILDING Q 3 UNITS

BUILDING R 4 UNITS

BUILDING T 3 UNITS

BUILDING P 4 UNITS

BUILDING N 4 UNITS

BUILDING Y 3 UNITS

BUILDING Z 4 UNITS

BUILDING AA 4 UNITS

BUILDING BB 4 UNITS

BUILDING CC 4 UNITS

BUILDING DD 4 UNITS

20' CLASS A BUFFER / 10' BUILDING SETBACK

PARCEL ID: 003-00-019 - 35 ZONING: LDR

BOHLER ENGINEERING NC, PLLC

SITE CIVIL AND CONSULTING ENGINEERING

PROGRAM MANAGEMENT

LANDSCAPE ARCHITECTURE

SUSTAINABLE DESIGN

PERMITTING SERVICES

TRANSPORTATION SERVICES

BOHLER ENGINEERING NC, PLLC

1927 S. TRYON STREET, SUITE 310

CHARLOTTE, NC 28203

Phone: (980) 272-3400

Fax: (980) 272-3401

NC@BohlerEng.com

REZONING: CONCEPTUAL SITE PLAN

SHEET NUMBER: RZ-1.1

ORG. DATE - 05/20/2020

REVISIONS

REV DATE COMMENT DRAWN BY CHECKED BY

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PROJECT No.: NCC192101

DRAWN BY: TAM

CHECKED BY: DR

DATE: 05/20/2020

CAD ID: REZONING

PROJECT: REZONING PLANS

FOR

Redwood

APARTMENT NEIGHBORHOODS

REDWOOD INDIAN LAND

10962 HARRISBURG RD. INDIAN LAND, SC 29707

BOHLER ENGINEERING NC, PLLC

NCBELS P-1132

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Phone: (980) 272-3400

MPG

MAHONY-PARSONS-GRAY ARCHITECTS

3660 EMBASSY PARKWAY AKRON, OH 44333

Phone: (330) 666-5770

1"=50'

50 25 12.5 0 50

LOCAL STREET (URBAN) (MODIFIED)

DETAIL No. R1

SHEET 1 OF 1

PAVEMENT DESIGN

1.5" TYPE C SURFACE COURSE

1.5" TYPE C INTERMEDIATE COURSE

8.0" A.B.C.

25' PRIVATE ROADWAY (B-B')

5' (TYP.) SIDEWALK

5' (TYP.) UTILITY STRIP

1.5' 11' 11' 1.5'

2% 4% 2% 2% 4%

SEE STANDARD DETAIL R9 FOR CURB & GUTTER (TYPICAL)

25' ROADWAY SECTION SECTION VIEW

NOTES:

1. NORMAL CROWN OF 2% UNLESS OTHERWISE DIRECTED BY DIRECTOR OF ENGINEERING.

2. PAVEMENT DESIGN SHALL BE THE GREATER AS SHOWN OR AS DETERMINED BY A CBR ANALYSIS.

3. WHEN THE SIDEWALK ADJUTS CURB, THE SIDEWALK SHALL BE 6" WIDTH MIN.

FHA COMPLIANT GUTTER

VALLEY GUTTER

5' TRANSITION

VALLEY GUTTER TO FHA COMPLIANT GUTTER PROFILE

DEVELOPMENT DATA TABLE:

PARCEL INFORMATION

ADDRESS 10962 HARRISBURG RD

TAX PARCEL ID 003-00-040.07

003-00-040.01

003-00-040.14

CURRENT ZONING USE LDR (LOW DENSITY RESIDENTIAL)

PROPOSED ZONING USE PB (PROFESSIONAL BUSINESS) / MULTI-FAMILY RESIDENTIAL APARTMENTS

SITE DATA

TOTAL DEVELOPMENT AREA TO BE REZONED: 37.45 AC

TOTAL OVERALL PROPERTY AREA 51.55 AC

RESIDENTIAL DWELLINGS 155

PROPOSED MAXIMUM DENSITY 155 UNITS/37.45 ACRES = 4.14 DU/AC

BUILDING SEPARATION PROVIDED - 20'

MAXIMUM BUILDING HEIGHT ALLOWED - 35'; PROVIDED - 20' (1-STORY)

MINIMUM PERVIOUS AREA REQUIRED = 24% (9 AC) PROVIDED = 24% (9 AC)

PARKING DATA

AUTO PARKING REQUIRED 240 MINIMUM (1.5 SPACES PER UNIT) NO MAXIMUM

AUTO PARKING PROVIDED

GARAGE 310

DRIVEWAY 310

GUEST 33

SETBACKS & BUFFERS

PERIMETER BUILDING SETBACKS FRONT SETBACK: 10' SIDE SETBACK: 10' REAR SETBACK: 10'

PERIMETER BUFFERS/YARDS BUFFER, CLASS A - 20' BETWEEN ADJACENT PARCELS ZONED LDR

PURPOSE

THE REZONING OF (B) PARCELS TOTALING 37.45 ACRES FOR THE PURPOSES OF MULTI-FAMILY HOUSING.

WORK TO INCLUDE 155 SINGLE-STORY MULTI-FAMILY APARTMENT DWELLINGS.

NOTES

SITE PLAN IS SCHEMATIC IN NATURE. SOME VARIATIONS TO PLAN MAY OCCUR IN FINAL DESIGN BUT SHALL MEET THE OVERALL INTENT OF THIS PLAN AND SHALL COMPLY WITH THE APPLICABLE ORDINANCE REQUIREMENTS.

NOTES

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2. ENTRANCES AND PARKING AREAS WITHIN THE DEVELOPMENT WILL BE ADEQUATELY LIGHTED TO ENSURE THE SAFETY OF PERSONS AND THE SECURITY OF BUILDINGS.

3. INTERNAL ROAD DESIGN BASED ON LANCASTER COUNTY RESIDENTIAL STREET STANDARDS

4. EXISTING PROPERTIES (PIN #003-00-040.7, 003-00-040.01, 003-00-040.14) TO BE RECOMBINED INTO (1) LOT. A PORTION (±14.5 AC) OF 003-00-040.07 IS TO BE SUBDIVIDED OUT. PORTION IS NOT TO BE CONSIDERED AS PART OF THIS REZONING PETITION.

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6. TREE PRESERVATION AREAS SHALL BE PROVIDED WHEREVER POSSIBLE ON SITE, AT THE DEVELOPER'S DISCRETION. TSAs SHALL MEET THE GUIDELINES OF COUNTY UDO SECTION 7.1.2

7. STREET TREES SHALL BE PROVIDED AT THE DEVELOPER'S DISCRETION, ALONG ALL PRIVATE RESIDENTIAL DRIVEWAY/ALLEYS ON SITE. DEVELOPER SHALL ADHERE TO COUNTY SPECIFICATIONS FOR SPECIES, SPACING AND STREET SEPARATION.

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10. PROPOSED LANDSCAPING SHALL BE MAINTAINED BY REDWOOD DEVELOPMENT.

11. SITE AMENITIES TO INCLUDE WALKING TRAIL ALONG EXISTING STREAM AND FOUNTAINS FOR PROPOSED PONDS.

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Fax: (980) 272-3401

NC@BohlerEng.com

REZONING: CONCEPTUAL SITE PLAN

SHEET NUMBER: RZ-1.1

ORG. DATE - 05/20/2020

REVISIONS

REV DATE COMMENT DRAWN BY CHECKED BY

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PROJECT No.: NCC192101

DRAWN BY: TAM

CHECKED BY: DR

DATE: 05/20/2020

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PROJECT: REZONING PLANS

FOR

Redwood

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5' (TYP.) SIDEWALK

5' (TYP.) UTILITY STRIP

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2% 4% 2% 2% 4%

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FHA COMPLIANT GUTTER

VALLEY GUTTER

5' TRANSITION

VALLEY GUTTER TO FHA COMPLIANT GUTTER PROFILE

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DRIVEWAY 310

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THE REZONING OF (B) PARCELS TOTALING 37.45 ACRES FOR THE PURPOSES OF MULTI-FAMILY HOUSING.

WORK TO INCLUDE 155 SINGLE-STORY MULTI-FAMILY APARTMENT DWELLINGS.

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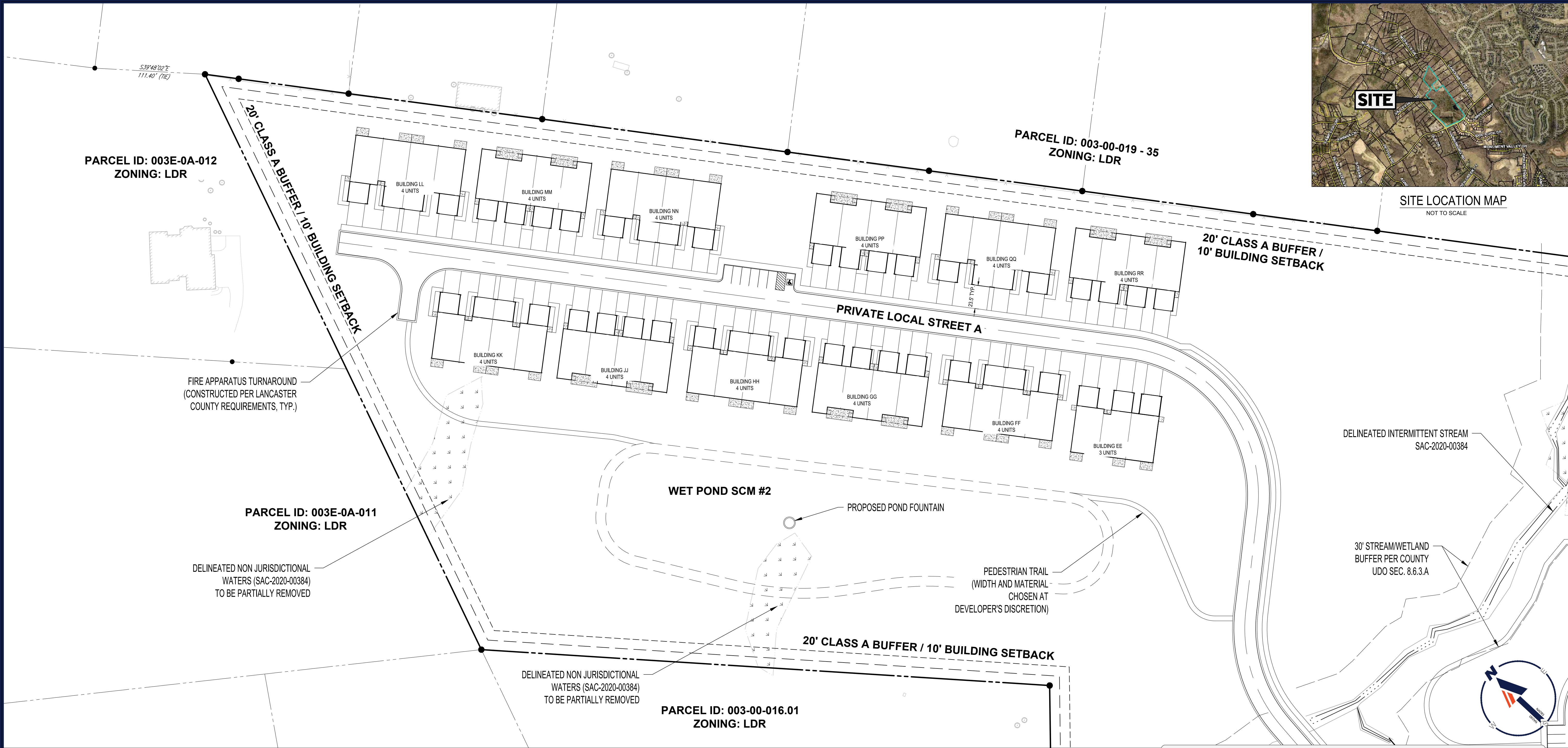
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11. SITE AMENITIES TO INCLUDE WALKING TR



SITE LOCATION MAP
NOT TO SCALE

BOHLER

BOHLER ENGINEERING NC, PLLC

SITE CIVIL AND CONSULTING ENGINEERING

PROGRAM MANAGEMENT

LANDSCAPE ARCHITECTURE

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PROJECT No.: NCC192101
DRAWN BY: TAM
CHECKED BY: DR
DATE: 05/20/2020
CAD ID: REZONING

REZONING PLANS

FOR

Redwood

APARTMENT NEIGHBORHOODS

REDWOOD INDIAN LAND
10962 HARRISBURG RD.
INDIAN LAND, SC 29707

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BOHLER ENGINEERING NC, PLLC

1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

SOUTH CAROLINA

PROFESSIONAL ENGINEER

10/29/20

No. 33864

MICHAEL A. THREIN

1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
Phone: (980) 272-3400

SHEET TITLE:

REZONING: CONCEPTUAL SITE PLAN

SHEET NUMBER:

RZ-1.2

ORG. DATE - 05/20/2020

DEVELOPMENT DATA TABLE:	
PARCEL INFORMATION	
ADDRESS	10962 HARRISBURG RD
TAX PARCEL ID	003-00-040.07 003-00-040.01 003-00-040.14
CURRENT ZONING USE	LDR (LOW DENSITY RESIDENTIAL)
PROPOSED ZONING USE	PB (PROFESSIONAL BUSINESS) / MULTI-FAMILY RESIDENTIAL APARTMENTS
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TOTAL OVERALL PROPERTY AREA	51.55 AC
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PROPOSED MAXIMUM DENSITY	155 UNITS/37.45 ACRES = 4.14 DU/AC
BUILDING SEPARATION	PROVIDED - 20'
MAXIMUM BUILDING HEIGHT	ALLOWED - 35'; PROVIDED - 20' (1-STORY)
MINIMUM PERVIOUS AREA	REQUIRED = 24% (9 AC) PROVIDED = 24% (9 AC)
PARKING DATA	
AUTO PARKING REQUIRED 240 MINIMUM (1.5 SPACES PER UNIT) NO MAXIMUM	
AUTO PARKING PROVIDED	
GARAGE	310
DRIVEWAY	310
GUEST	33
SETBACKS & BUFFERS	
PERIMETER BUILDING SETBACKS	FRONT SETBACK: 10' SIDE SETBACK: 10' REAR SETBACK: 10'
PERIMETER BUFFERS/YARDS	BUFFER, CLASS A - 20' BETWEEN ADJACENT PARCELS ZONED LDR

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WORK TO INCLUDE 155 SINGLE-STORY MULTI-FAMILY APARTMENT DWELLINGS.
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OWNER:
PATTERSON, AMANDA JAYNE TRUSTEE
10962 HARRISBURG RD
INDIAN LAND, SC 29707

DEVELOPER:
REDWOOD LIVING
ADDRESS: 7510 EAST PLEASANT VALLEY ROAD
INDEPENDENCE, OH 44131
EMAIL: BOYER@BYREDWOOD.COM
PHONE: (330) 819-3977

PROJECT TEAM:

Redwood

APARTMENT NEIGHBORHOODS

7510 EAST PLEASANT VALLEY ROAD
INDEPENDENCE, OH 44131
Phone: (330) 819-3977

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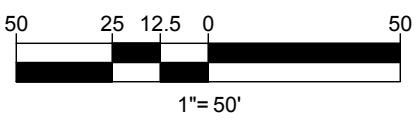
BOHLER ENGINEERING NC, PLLC

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MAHONY-PARSONS-GRAFF ARCHITECTS

3660 EMBASSY PARKWAY
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Phone: (330) 666-5770



PAVEMENT DESIGN
1.5" TYPE C SURFACE COURSE
1.5" TYPE C INTERMEDIATE COURSE
8.0" A.B.C.

25' PRIVATE ROADWAY (B-B')

SEE STANDARD DETAIL R9 FOR CURB & GUTTER (TYPICAL)

25' ROADWAY SECTION
SECTION VIEW

ROAD SECTION

2% SLOPE 5% SLOPE "VARIABLE"

9" 9" 0.65'

FHA COMPLIANT GUTTER

VALLEY GUTTER

9' TRANSITION

0.65'

FHA COMPLIANT GUTTER

VALLEY GUTTER TO FHA COMPLIANT GUTTER PROFILE

NOTES:

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LOCAL STREET (URBAN) (MODIFIED)

DETAIL No.
R1
SHEET 1 OF 1

Oct 29, 2020 C:\PROGRAMDATA\BOHLER\2020\01\TEMP\AC\PUBLISH_1188\REDWOOD INDIAN LAND - REZONING PLANS - 201022 - LAYOUT: REZONING PLAN RZ1.2

116

Redwood Community Meeting

November 17, 2020

Participants: Bob Dyer (Redwood USA), Daniel Renckens (Bohler Engineering), Tony Zook (Bolher Engineering), Ronald J. Ledford, Rad Schneider,

Presentation:

1. *Introduction to Redwood (Dyer)*
 - a. Where Redwood is developing: Monroe, Lake Wylie, Kannapolis, Concord, Greenville...
 - b. Who lives in a Redwood community: not kids
 - c. What does Redwood build: single-story, attached garage, 2-bed/2-bath, outdoor patio, private low-speed streets
2. *The Site (Dyer)*
 - a. 37.45 acres, vacant/undeveloped
 - b. Site analysis – good drainage, stream corridor, existing vegetation to be preserved for buffering
3. *Proposed Site Plan (Dyer)*
 - a. Zoning: pb; 155 dwellings (4.14 du/ac); multiple dwelling types, leasing office, generous trail network, trailhead and overlook; significant tree save
4. *Architecture – Exterior (Dyer)*
 - a. Photos from Spartanburg, SC
 - b. Various renderings
5. *Architecture – Interior (Dyer)*
6. *Peace, Quiet, Comfort:* No hassles of home ownership, older folks find this type of development to be enjoyable. Largest portion of people living in neighborhood come from 3miles away from that community.
7. *End of Presentation*
8. *Comments:* None.
9. *Questions on the site plan in relation to where you live?* None.
10. Dyer offered for folks to call him with questions, to speak with them directly about any concerns they may have.
11. Affirmed that they will be the long term neighbors and that this will not be sold.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1711 / Planning Case Number: DA-020-2650

Contact Person / Sponsor: Robert G. Tefft / Planning

Department: Attorney

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

The applicant has requested to rezone approximately 37.45 acres from Low Density Residential (LDR) District to Professional Business (PB) District. The intent is to develop a 155-unit three-family and four-family apartment project. Development Agreement also corresponds with RZ-2020-2650 for TM #'s 0003-00-040.01, 0003-00-040.07 and 0003-00-040.14.

Points to Consider:

Although not required by the UDO, the applicant has proposed a Development Agreement between themselves and Lancaster County in order to assist in the facilitation of the rezoning and voluntarily commit to any necessary mitigation.

The Final Form of the Development Agreement incorporates the changes to the Development Agreement that were made by County Council at 2nd reading and also incorporates the Buffer Exhibit that was requested by County Council (see Exhibit B-2). The Final Form of the Development Agreement also makes it clear that the Public Safety Payments and School Payments will be credits toward any impact fees that may be enacted for those same service areas if impact fees are applicable to this development project.

Funding and Liability Factors:

N/A

Council Options:

To approve or disapprove the proposed Development Agreement.

Recommendation:

Staff recommended **Approval** of the Development Agreement.

The Ordinance passed by a vote of 6-1 at the March 8, 2021 County Council Meeting (Larry Honeycutt opposed). The Ordinance passed by a vote of 7-0 at the March 22, 2021 County Council Meeting.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1711	3/1/2021	Ordinance
Final Form of Development Agreement	4/5/2021	Exhibit
Memo for County Council	2/26/2021	Planning Staff Report
Staff Report	12/2/2020	Planning Staff Report
Ex 3: Traffic Impact Analysis	12/7/2020	Exhibit
Ex 4: Redwood Presentation	12/8/2020	Exhibit

STATE OF SOUTH CAROLINA

(

ORDINANCE NO. 2021-1711

COUNTY OF LANCASTER

(

AN ORDINANCE

TO APPROVE A DEVELOPMENT AGREEMENT WITH REDWOOD, USA, LLC, FOR A DEVELOPMENT PROJECT LOCATED ON HARRISBURG ROAD NEAR THE INTERSECTION OF BARBERVILLE ROAD, LANCASTER, SOUTH CAROLINA, ESTABLISHING THE REGULATIONS FOR THE DEVELOPMENT OF THE PROPERTY AND OTHER MATTERS RELATED THERETO.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) Redwood, USA, LLC, (“Redwood”) has applied to rezone a total of approximately 37.45 acres for its development project. The intent is to build 15 Three Family (triplex) and Four Family (quadraplex) dwelling units, a leasing office/maintenance building, and associated amenities.
- (b) The Development Agreement has been submitted and requested by Redwood so that it will have ongoing certainty of the development standards applicable to the property and to make provisions to offset the impacts of the development on public services.
- (c) Proposed Ordinance 2021-1710 would rezone approximately 37.45 acres from Low Density Residential (LDR) District to the Professional Business (PB) District. Proposed Ordinance 2021-1709 would amend the text of the Unified Development Ordinance (“UDO”) to amend how triplex and quadraplex dwellings may be developed and modify parking requirements for same.
- (d) The Development Agreement attached hereto and incorporated herein as **Exhibit “A”** is authorized by the South Carolina Local Government Development Agreement Act (the “Act”), S.C. Code Ann. § 6-1-30 *et. seq.* and satisfies the terms and conditions of the Act.
- (e) It is in the best interests of the County and Developer to enter the Development Agreement to set forth the terms and conditions of the development to achieve a well-coordinated, master planned development, to reasonably mitigate any project impacts to the community, and to achieve predictability to the County and the Developer on the scope and terms of the development.
- (f) The scope and terms of the planned development, as set forth in the Development Agreement, accomplish the statutory aims of the Act by providing for comprehensive, orderly planning and development within the County, thus providing benefits to the citizens of the County and providing public benefits through, among other things, the donation of funds and real property for the provision of public facilities and services described and identified in the Development Agreement.

- (g) On December 15, 2020, the Lancaster County Planning Commission held a public hearing on the proposed Development Agreement and, by a 6-1 vote recommended approval of the Development Agreement for this project.

Section 2. Approval of Development Agreement.

The Development Agreement attached as **Exhibit “A”** is approved by the Council of Lancaster County.

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 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 _____, 2021.

LANCASTER, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: March 8, 2021
Public Hearing: March 22, 2021
Second Reading: March 22, 2021
Third Reading: April 12, 2021

Approved as to form:

John DuBose, County Attorney

------(Space above this line for recording use)-----

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER) _____

This **DEVELOPMENT AGREEMENT** (the “Agreement”) is made and entered into as of the 12th day of April, 2021 (“Agreement Date”), by and among **REDWOOD USA, LLC**, a Ohio Limited Liability Company (“Developer”), and the **COUNTY OF LANCASTER** (the “County”), a body politic and corporate, a political subdivision of the State of South Carolina.

RECITALS

WHEREAS, Developer has obtained the contractual right to acquire certain real property consisting of approximately 37.45 acres, more or less, located in the County and known as Redwood Indian Land development and more fully described in Section 1.04 of this Agreement (“Property”) and thus has an equitable interest therein;

WHEREAS, Developer has submitted an application to the County requesting that the Property be rezoned to Professional Business (PB) District;

WHEREAS, Developer and County have determined that it is in the best interests of the County and Developer to enter into this Agreement to set forth the terms and conditions of the development in order to achieve a well-coordinated, master planned development, reasonably mitigate any project impacts to the community and achieve predictability to the County and Developer on the scope and terms of the development;

WHEREAS, the Developer desires to obtain from the County in connection with the development, and the County is willing to provide, assurances: (1) that the Property will be zoned Professional Business (PB) District for the duration of this Agreement; (2) that upon receipt of its development and construction permits it may proceed with the planned development and construction; and (3) that the development rights will be vested for the duration of this Agreement;

WHEREAS, in connection with the proposed development, Developer and County recognize that the scope and term of the planned development under this Agreement accomplish the statutory aims of comprehensive, orderly planning and development within the County, thus providing benefits to the citizens of the County and providing public benefits through, among other things, the donation of funds or financing of those public facilities and services described and identified in this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the terms and conditions set forth in this Agreement, the receipt and sufficiency of such consideration being acknowledged by the parties, and pursuant to the South Carolina Local Government Development Agreement Act, codified as Sections 6-31-10 to -160, Code of Laws of South Carolina 1976, as amended (the “Act”) and the Development Agreement Ordinance for Lancaster County, South Carolina (“Ordinance No. 663”), the parties to this Agreement, intending to be legally bound to a development agreement in accordance with the Act and Ordinance No. 663, agree as follows:

ARTICLE I

GENERAL

Section 1.01. Incorporation. The above recitals are incorporated in this Agreement as if the recitals were set out in this Agreement in its entirety. The findings contained in the Act are incorporated into this Agreement as if it were set out in this Agreement in its entirety.

Section 1.02. Definitions. (A) As used in this Agreement:

(1) “Act” means the South Carolina Local Government Development Agreement Act, codified as Sections 6-31-10 to -160, Code of Laws of South Carolina 1976, as amended.

(2) “Agreement” means this Development Agreement.

(2A) “Agreement Date” means April 12, 2021.

(3) “Comprehensive Plan” means the master plan for the County and the official map adopted pursuant to S.C: Code §§ 6-29-510 through 6-29-530, inclusive, as amended from time to time, including the Lancaster County Comprehensive Plan adopted December 14, 2014 and updated and amended on July 20, 2020.

(4) “County” means the County of Lancaster, a body politic and corporate, a political subdivision of the State of South Carolina.

(5) “County Council” means the governing body of the County.

(6) “Developer” means the Redwood USA, LLC, and its successors in title to the Property who undertake Development of the Property or who are transferred Development Rights.

(7) “Development Rights” means the right of the Developer to develop all or part of the Property in accordance with this Agreement.

(8) “Laws and Land Development Regulations” means the County’s current applicable rules and regulations governing development of real property in force as of the

Agreement Date, including the UDO as amended through the Agreement Date, as evidenced by Exhibits E and E-1 through E-5 attached hereto and incorporated herein by reference.

(9) “Ordinance No. 663” means Ordinance No. 663 of the County which is cited as the Development Agreement Ordinance for Lancaster County, South Carolina.

(10) “Ordinance No. 2020-1710” means Ordinance No. 2020-1710 of the County, zoning the Property PB, Professional Business District, a copy of which is attached hereto as Exhibit E-1.

(11) “Ordinance No. 2020 – 1711” means Ordinance No. 2020- 1711 of the County approving this Agreement, a copy of which is attached hereto as Exhibit E-2.

(12) “Parties” means County and Developer.

(13) “Property” means the land and any improvements thereon, described in Section 1.04.

(14) “UDO” means the Lancaster County Unified Development Ordinance adopted by the County Council of Lancaster County, as amended through the Agreement Date, a copy of which is attached hereto as Exhibit E-3.

(B) Unless the context clearly indicates otherwise, terms not otherwise defined in this Agreement have the meanings set forth in the Act and Ordinance No. 663 or the UDO.

Section 1.03. Parties. The parties to this Agreement are County and Developer.

Section 1.04. Property. This Agreement applies to 3 parcels of land identified as Tax Map Nos. 003-00-040.07 (portion), 003-00-040.01, and 0003-00-040.14 and is reflected in Exhibits A-1 (legal description) and A-2 (plats) attached hereto and incorporated herein by reference as of the exhibits were set out in this Agreement in their entirety.

Section 1.05. Zoning. The Property was previously zoned Low Density Residential (LDR) but pursuant to Ordinance No. 2020-1710, the Property has been rezoned to Professional Business District (PB).

Section 1.06. Development Program.

(A) The UDO provides for the development uses on the Property, including population densities, building intensities and height.

(B) The development of the Property must meet all applicable standards contained in the UDO as of the Agreement Date. In the event of conflict between the standards contained in the UDO as of the Agreement Date and this Agreement, the terms of the UDO control. The Development Program for the Property is set forth in Exhibit B.

Section 1.07 Development Schedule.

(A) The estimated development schedule for the Property is set forth on Exhibit C, attached hereto and incorporated herein by reference as if the exhibit were set out in this Agreement in its entirety.

(B) County and Developer acknowledge that the development schedule is an estimate. The failure of the Developer to meet a commencement or completion date does not, in and of itself, constitute a material breach of this Agreement, but must be judged based on the totality of the circumstances. The development schedule is a planning and forecasting tool only. County and Developer acknowledge that actual development is likely to take place at a different pace than set forth in the development schedule because of future market forces.

(C) County agrees that if Developer requests an adjustment to the development schedule, including commencement dates and interim completion dates, then the dates must be modified if the Developer is able to demonstrate and establish that there is good cause to modify those dates. “Good cause” includes, but is not limited to, changes in market conditions.

(D) Periodic adjustments to the development schedule do not require a formal amendment to this Agreement and are not considered a major modification. To adjust the development schedule, the Developer shall submit a proposed adjustment to the Clerk to Council who shall forward copies of the proposed adjustment to each member of County Council. The proposed adjustment must be accompanied by an explanation and justification. The proposed adjustment is effective sixty (60) days from receipt by the Clerk to Council unless the County Council has disapproved the proposed adjustment by passage of a resolution to that effect within the sixty (60) day period.

Section 1.08. Relationship of Parties. This Agreement creates a contractual relationship among the Parties. This Agreement is not intended to create, and does not create, the relationship of partnership, joint venture, or any other relationship wherein any one of the parties may be held responsible for the acts of any other party. This Agreement is not intended to create, and does not create, a relationship whereby any one of the parties may be rendered liable in any manner for the debts or obligations of any other party, to any person or entity whatsoever, whether the debt or obligation arises under this Agreement or outside of this Agreement.

Section 1.09. Benefits and Burdens.

(A) The Parties agree that the burdens of this Agreement are binding upon, and the benefits of this Agreement shall inure to, all successors in interests to the Parties to this Agreement.

(B) Except for the owners and lessees of completed residences on individual lots who are the end users and not developers thereof and the owners and lessees of individual lots, who are not developers and who intend to build a residence on the lot for the owner or lessee to

occupy, any purchaser or other successor in title is responsible for performance of Developer's obligations pursuant to this Agreement as to the portion of the Property so transferred. Developer must give notice to the County of the transfer of property to a developer in the manner prescribed in Section 3.05.

(C) Developer acknowledges and agrees that it and its successors and assigns (i) are responsible for the development of the Property if and when Developer acquires title to or Development Rights for the Property, and (ii) if Developer develops the Property, Developer will develop the Property in accordance with the terms and conditions of this Agreement.

Section 1.10. Term. The term of this Agreement commences on the Agreement Date and terminates five (5) years thereafter.

Section 1.11. Required Information. Ordinance No. 663 requires a development agreement to include certain information. Exhibit D contains the required information or identifies where the information may be found in this Agreement. Exhibit D is incorporated herein by reference as if the exhibit were set out in this Agreement in its entirety.

ARTICLE II

REPRESENTATIONS AND WARRANTIES

Section 2.01. Representations and Warranties of County.

(A) The County has found that the development permitted by this Agreement is consistent with the County's Comprehensive Plan and UDO.

(B) The County has approved this Agreement by adoption of Ordinance No. 2020-1711 in accordance with the procedural requirements of the Act, Ordinance No. 663, and any other applicable state law.

(C) The County represents that prior to the final reading of Ordinance No. 2020-1711 that at least two public hearings were held after publication of the required notice and the publication of a notice of intent to consider a proposed development agreement.

Section 2.02. Representations and Warranties of Developer.

(A) Developer represents that the number of acres of highland contained in the Property is greater than twenty-five and that the highlands equal approximately thirty-five and 71/100 acres (35.71).

(B) Developer represents that, as of the Agreement Date, it has contractual rights to acquire the Property and thus has an equitable interest therein.

(C) Developer represents and warrants that the execution, delivery and performance by the respective individual or entity signing this Agreement on behalf of the party has been duly authorized and approved by all requisite action on the part of Developer.

ARTICLE III

DEVELOPMENT RIGHTS

Section 3.01. Vested Right to Develop.

(A) County agrees that the Developer, upon receipt of its development permits as identified in Section 3.04, may proceed to develop the Property according to the terms and conditions of this Agreement, the UDO, and the other Laws and Land Development Regulations. The right of Developer to develop the Property as set forth in this Agreement is deemed vested with Developer for the term of this Agreement when the Developer has complied with all of the requirements of Section 5.19 of this Agreement.

(B) County agrees that the specific Laws and Land Development Regulations in force as of the Agreement Date, including the UDO, as set forth in Exhibits E and E-1 through E-5 to this Agreement, attached hereto and incorporated herein by reference as if the exhibit were set out in this Agreement in its entirety, shall govern all aspects of the development of the Property, according to the terms and standards as stated in this Agreement, for the term of this Agreement.

(C) Developer has a vested right to proceed with the development of the Property in accordance with the zoning classification set forth in Ordinance No. 2020-1710, the UDO, the other Laws and Land Development Regulations, and the terms of this Agreement, including without limitation the Development Program set forth on Exhibit B to this Agreement, when the Developer has complied with all of the requirements of Section 5.19 of this Agreement.

(D) Developer has a vested right such that, for purposes of the Property's and its development's classification with respect to the implementation, assessment, or incurrence of any Future Impact Fees (hereafter defined), its construction of townhomes or townhouses on the Property substantially in accordance with Exhibit B and in accordance with the zoning classification set forth in Ordinance No. 2020-1710, the UDO, the other Laws and Land Development Regulations, and the terms of this Agreement, shall be considered "single-family attached" or other similar designation or words of similar import used in the Future Impact Fee Ordinance(s) (hereafter defined) or with respect to the imposition or application of Future Impact Fees, and not "multifamily" or other similar designation or words of similar import.

(E) Developer acknowledges that financial guarantees will not be accepted for water, sewer, and storm water infrastructure and the water, sewer, and storm water infrastructure must be installed, tested, and in acceptable condition before final plat approval.

Section 3.02 Effect on Vested Rights Act and County Ordinance No. 673. The Parties agreed the vested rights conferred upon Developer in this Agreement are not affected by the

provisions of the Vested Rights Act, codified as Sections S.C. Code §§ 6-29-1510 to -1560, Code of Laws of South Carolina 1976, as amended, or the provisions of Ordinance No. 673, the County's ordinance relating to the Vested Rights Act. In addition, subject to the provisions of Section 3.03(A) of this Agreement, all rights and prerogatives accorded Developer by this Agreement shall immediately also constitute vested rights for the development of the Property including vested rights pursuant to the Vested Rights Act and the provisions of Ordinance No. 673, for the term of this Agreement and the maximum period for vesting rights under the Vesting Rights Act. Section 3.03(A) of this Agreement does not abrogate any rights either preserved by S.C. Code § 6-31-140, Ordinance No. 663, Ordinance No. 673, the UDO, or that may have vested pursuant to common law and otherwise in the absence of a development agreement.

Section 3.03 Applicability of Subsequently Adopted Laws and Land Development Regulations.

(A) It is recognized that laws and regulations will periodically changes. However, the laws applicable to the development of the Property during the Term of this Agreement shall be the Laws and Land Development Regulations in effect on the Agreement Date as set forth on Exhibits E and E1 – E5, except as expressly provided otherwise in this Agreement.

Subject to the provisions of S.C. Code § 6-31-140, the County shall not apply subsequently adopted laws or regulations to the Property or the Project unless the County has held a public hearing and has determined: (1) the proposed subsequent laws or regulations are not in conflict with the Laws and Land Development Regulations governing the Agreement and do not prevent the development of the Property set forth in this Agreement; (2) the proposed subsequent laws or land development regulations are essential to the public health, safety, or welfare and the proposed subsequent laws or land development regulations expressly state that they apply to a development that is subject to a development agreement; (3) the proposed subsequent laws or land development regulations are specifically anticipated and provided for in this Agreement; (4) substantial changes have occurred in pertinent conditions existing at the time of approval of this Agreement which changes, if not addressed by the County, would pose a serious threat to the public health, safety, or welfare; or (5) this Agreement is based on substantially and materially inaccurate information supplied by Developer.

(B) Notwithstanding the provisions of subsection (A) of this section, the County agrees that if County Council imposes a moratorium or other similar restriction that would curtail or hinder the rate at which development can occur, then the moratorium or other similar restriction shall not apply to the Development of the Property.

(C) Developer agrees to comply with any county-wide storm water regulations, building, housing, electrical, plumbing, and gas codes adopted by County Council after the Agreement Date and in force at the time plans for buildings are submitted to the County for review. Nothing in this Agreement is intended to supersede or contravene the requirements of any storm water, building, housing, electrical, plumbing, or gas code adopted by County Council.

Section 3.04. Development Permits.

(A) Developer agrees to obtain all local development permits for the development of the Property. Local development permits, approvals and processes, some of which may have been obtained or complied with as of the Agreement Date include but are not limited to:

- (1) Site Plan approval;
- (2) Preliminary plan approval;
- (3) Final plat approval;
- (4) Zoning permits;
- (5) Building permits; and
- (6) Sign permits.

(B) The failure of this Agreement to address a particular permit, condition, term, or restriction does not relieve the Developer of the necessity of complying with the laws governing the permitting requirements, conditions, terms or restrictions.

Section 3.05. Transfer of Development Rights.

(A) Developer may, at its sole discretion, transfer its Development Rights to other developers. The transferring Developer must give notice to the County of the transfer of any Development Rights. The notice to the County must include the identity and address of the transferring Developer, the identity and address of the acquiring Developer, the acquiring Developer's contact person, the location and number of acres of the Property associated with the transfer and the number of residential units or commercial acreage subject to the transfer. Any Developer acquiring Development Rights is required to file with the County an acknowledgment of this Agreement, and the transfer of Development Rights is effective only when the County receives a commitment from the acquiring Developer to be bound by it. In the event of the sale, transfer, or other conveyance of all or a portion of the Property and compliance with the conditions set forth herein, Developer shall be released from any further obligations with respect to this Agreement as to the portion of the Property so transferred, and the transferee shall be considered as substituted as Developer under the Agreement as to the portion of the Property so transferred.

(B) This provision does not apply: (i) to the purchaser or other successor in title to Developer who is the owner or lessee of a completed residence and is the end user and not the developer thereof or who is the owner or lessee of an individual lot, who is not a developer and who intends to build a residence on the lot for the owner or lessee to occupy; (ii) to any mortgage lender either as the result of foreclosure of any mortgage secured by any portion of the Property or any other transfer in lieu of foreclosure; (iii) to any third party purchaser at such a foreclosure; or (iv) to any third party purchaser of such mortgage lender's interest subsequent to the mortgage lender's acquiring ownership of any portion of the Property as set forth above. Furthermore, nothing contained herein shall prevent, hinder or delay any transfer of any portion of the Property to any such mortgage lender or subsequent purchaser. Except as set forth herein, any

such mortgage lender or subsequent purchaser shall be bound by and shall receive the benefits from this Agreement as the successor in title to Developer.

ARTICLE IV

DEDICATIONS AND FEES AND RELATED AGREEMENTS

Section 4.01. Purpose of Article. The Parties understand and agree that Development of the Property imposes certain burdens and costs on the County, including those for certain services and infrastructure improvements. Eventually, ad valorem taxes collected from the property may meet or exceed the burdens and costs placed upon the County, but certain initial costs and capital expenditures are now required that are not to be funded by any increase in taxes paid by existing residents of the County. The purpose of this article is to identify the matters agreed upon to be provided by the Developer to mitigate such burdens and costs.

Section 4.01A. Facilities for Development. Subject to compliance with applicable laws, all provisions of this Agreement and prior approval of construction plans by the County or other applicable governmental entity, Developer, at its cost and expense, shall install the requisite infrastructure, including transportation, water, and sanitary sewer infrastructure, for its Development of the Property, pursuant to Section 4.04 below and the Development Program set forth on Exhibit B as such Development proceeds in phases pursuant to Exhibit C. Notwithstanding any provision herein to the contrary, Developer hereby assures the County that adequate infrastructure shall be available concurrent with the impacts of Development of the Property.

Section 4.01B. Payment for School District. Developer will pay Lancaster County Five Hundred and No/100 Dollars (\$500.00) per housing unit to offset the impact of the development upon the Lancaster County School District. The school district payment shall be made when a building permit is issued.

Section 4.01C. Funds for Public Safety. Developer agrees to pay Lancaster County One Thousand Seven Hundred Fifty-Six (\$1,756.00) Dollars per housing unit which shall be paid when a building permit is issued (the “Public Safety Payment”). Upon receipt of the Public Safety Fund Payment, those monies must be accounted for separate and distinct from other monies of the County. The Public Safety Payment must be used for non-recurring purposes for law enforcement, fire, and emergency medical services in the panhandle area of Lancaster County. The determination of the specific use of the Public Safety Payment is at the discretion of County Council.

Section 4.01D. Fee Schedule Annual Update. The developer fees set forth in Section 4.01B and Section 4.01C (collectively “Developer Fees”) shall be adjusted annually to reflect the effects of inflation on the costs for facilities and services set forth herein. The fee amounts shall be adjusted using the Construction Cost Index calculated by the publication, Engineering News-Record (ENR). For each such adjustment, each of the Development Fees shall be multiplied by a

fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The fee adjustment become effective on July 1 of each year. If July 1 falls on a weekend, the fee adjustment will become effective on the next business day thereafter.

Section 4.01E Credit for Fees. In the event that the County approves or passes any future ordinance(s) (collectively, “Future Impact Fee Ordinance(s)”) imposing or assessing impact fees of generally applicability to property development within the County and which Future Impact Fees are to be used or applied for the same purpose(s) for which the Developer Fees have been designated (collectively, “Future Impact Fees”), the Developer shall receive a credit toward such Future Impact Fees in the amount(s) equal to the Developer Fees which the Developer has paid or is obligated to pay pursuant to Sections 4.01B and 4.01C.

Section 4.02. Payment of Costs. Upon submission of appropriate documentation of the expenditure, Developer agrees to reimburse the County, not later than March 31, 2022 for the County’s reasonable unreimbursed actual costs related to this Agreement. The foregoing cost reimbursement is capped at ten thousand dollars (\$10,000.00) and is limited to County payments to third-party vendors and service providers that have not been otherwise reimbursed from the fee paid by Developer pursuant to Section 10 of Ordinance No. 663.

Section 4.03. Other Charges or Fees.

(A) Nothing in this Agreement shall be construed as relieving Developer from the payment of any fees or charges in effect at the time of collection as may be assessed by entities other than the County.

(B) Developer is subject to the payment of any and all present or future fees enacted by the County that are of County-wide application and that relate to the County’s costs of processing applications, issuing development permits, reviewing plans, conducting inspections or similar type processing costs.

Section 4.04. Infrastructure and Services.

The Parties recognize that the majority of the direct costs associated with the Development of the Property will be borne by Developer, and many necessary infrastructure improvements and services will be provided by Developer or other governmental or quasi-governmental entities, and not by the County. For clarification, the Parties make specific note of and acknowledge the following:

(A) Roads. (1)(a) Developer is responsible for the construction and costs of all roads, whether for public or private use, within the Property including but not limited to any necessary entrance and intersection improvements as required by the South Carolina Department of Transportation related to the development of the Property. All roads must be constructed in accordance with the County’s road standards. The road improvements are expected to be

implemented on a schedule consistent with the development of the Property as contained in the development schedule and as necessary to serve the development. Developer is also responsible for maintenance of all roads that are not public roads. Pursuant to Ordinance 2014-1299, Developer acknowledges that County will only accept as public roads those roads constructed in full compliance with the UDO and providing connectivity to the county road system or serving as a necessary component for the proper development of the county road system. County will not accept the roads within the Property into the County road system for any other purpose, including, but not limited to, maintenance. Developer may transfer the ownership of the roads and its obligations for the roads to a homeowners' or property owners' association or similar organization.

(b) Developer shall cause to be prepared a traffic impact analysis conducted and sealed by a licensed South Carolina professional engineer (if not already prepared at time of Agreement). Any road improvements, which are determined to be necessary, based on the results of the traffic impact analysis, shall be incorporated into the final site plan prior to County approval and the Developer is responsible for all costs of the road improvements. The traffic impact analysis shall be reviewed by the County and in conjunction with the South Carolina Department of Transportation. If a County-level traffic planner is not available to review the traffic impact analysis at the time of submittal, the County may choose to hire a third-party consultant to assist in this review. The cost of the traffic impact analysis, including any additional reviews requested by the County, shall be paid by the Developer. Improvements set forth in the traffic impact analysis may be installed based on a phasing study prepared by a licensed South Carolina professional engineer at the expense of Developer. The installation of new traffic signals or improvements to existing traffic signals shall be based on warrant studies conducted by a licensed South Carolina professional engineer at established specific times and at the expense of Developer.

(B) Potable Water, Sewage Treatment and Disposal. Potable water, sewage treatment and disposal will all be supplied to the Property by the Lancaster County Water and Sewer District. Developer will construct, or cause to be constructed, all necessary water and sewer service infrastructure within the Property and the water and sewer service infrastructure will be maintained by the provider. County is not responsible for any construction, treatment, maintenance, or costs associated with water or sewer service or water and sewer service infrastructure to or within the Property. The water and sewer service infrastructure is expected to be implemented on a schedule consistent with the development of the Property as contained in the development schedule and as necessary to serve the development. Developer acknowledges that County has no authority or responsibility for providing potable water services or sewer services in the County and that the Lancaster County Water and Sewer District is a governmental entity separate and distinct from the County.

(C) Storm Water Management. Developer will construct or cause to be constructed all storm water runoff and drainage improvements within the Property required by the development of the Property and such infrastructure will be maintained by Developer or a homeowners' association. County is not responsible for any construction, maintenance or costs associated with the storm water runoff and drainage for the Property. Storm water management

improvements are expected to be implemented on a schedule consistent with the development of the Property as contained in the development schedule and as necessary to serve the development.

(D) Solid Waste Collection. The County shall provide solid waste collection to the Property on the same basis as is provided to other residents and businesses within the County. It is understood and acknowledged that the County does not presently provide solid waste disposal for single, multi-family or commercial developments. Residential units shall be served by a private waste hauling company.

(E) Fire Services. The Property is in the Pleasant Valley Fire Department service area and fire services will be provided by the Pleasant Valley Fire Department, or its successor entities. Developer acknowledges that the Pleasant Valley Fire Department provides services using volunteers.

(F) School Services. Public school services are now provided by the Lancaster County School District. Developer acknowledges that County has no authority or responsibility for providing public school services in the County.

ARTICLE V

MISCELLANEOUS

Section 5.01. Notices. Any notice, election, demand, request or other communication to be provided under this Agreement shall be in writing and shall be effective (i) when delivered to the party named below, (ii) when deposited with the United States Postal Service, certified mail, return receipt requested, postage prepaid, or (iii) when deposited in Federal Express (or any other reputable national “next day” delivery service) addressed as follows (or addressed to such other address as any party shall have previously furnished in writing to the other party), except where the terms hereof require receipt rather than sending of any notice, in which case such provision shall control:

To the County: County of Lancaster
Attn: County Administrator
101 N. Main St.
P.O. Box 1809
Lancaster, SC 29721

With a Copy to: County of Lancaster
Attn: County Attorney
101 N. Main St. (29720)
P.O. Box 1809 (29721)
Lancaster, SC

And to Developer: [Redwood entity]
c/o Redwood USA LLC
Attn: Bob Dyer
7007 E. Pleasant Valley Road
Independence, OH 44131
Bdyer@byRedwood.com

With a Copy to: Chief Legal Officer
Redwood USA LLC
7007 E. Pleasant Valley Road
Independence, OH 44131
E-mail: legal@byRedwood.com

Section 5.02. Amendments.

(A) This Agreement may be amended or cancelled by mutual consent of the Parties to the Agreement or by their successors in interest. An amendment to this Agreement must be in writing. No statement, action or agreement made after the Agreement Date shall be effective to change, amend, waive, modify, discharge, terminate or effect an abandonment of this Agreement in whole or in part unless such statement, action or agreement is in writing and signed by the party against whom the change, amendment, waiver, modification, discharge, termination or abandonment is sought to be enforced.

(B) An amendment to this Agreement with the exceptions identified on Exhibit B must be processed and considered in the same manner as set forth in Ordinance No. 663 for a proposed development agreement. Any amendment to this Agreement other than as set forth on Exhibit B constitutes a major modification and the major modification may occur only after public notice and a public hearing by the County Council.

(C) This Agreement must be modified or suspended as may be necessary to comply with any state or federal laws or regulations enacted after the Agreement Date which prevents or precludes compliance with one or more of the provisions of this Agreement but only to the extent necessary to effectuate compliance with the state or federal law.

(D) Anything to the contrary contained herein notwithstanding, in the event Developer or its successors or assigns elects not to or otherwise does not acquire the Property at any time, Developer may so notify the County in writing and upon such notification and written request by Developer to terminate this Agreement, this Agreement shall terminate and Developer shall not be considered in breach of this Agreement and the parties shall have no further obligations to one another.

Section 5.03. Periodic Review. At least every twelve (12) months, the Development Services Director for the County or the designee of the Development Services Director for the County must review compliance with this Agreement by the Developer. At the time of review the Developer must demonstrate good faith compliance with the terms of the Agreement.

Section 5.04 Breach of Agreement. (A) If, as a result of the periodic review provided in Section 5.03 of this Agreement or at any other time, the Development Services Director for the County, or their designee, finds and determines that the Developer has committed a material breach of the terms or conditions of this Agreement, the Development Services Director for the County shall serve notice in writing, within a reasonable time after the periodic review, upon the Developer setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and providing the Developer a reasonable time in which to cure the material breach. (B) If the Developer fails to cure the material breach within a reasonable time and is not proceeding expeditiously and with diligence to cure the breach, then the County Council may unilaterally terminate or modify this Agreement. Prior to terminating or modifying this Agreement as provided in this section, the County Council must first give the Developer the opportunity: (i) to rebut the finding and determination, or (ii) to consent to amend the Agreement to meet the concerns of the County Council with respect to the findings and determinations.

Section 5.05. Enforcement. The Parties shall each have the right to enforce the terms, provisions and conditions of this Agreement, if not cured within the applicable cure period, by any remedy available at law or in equity, including specific performance, and the right to recover attorney's fees and costs associated with enforcement.

Section 5.06. No Third Party Beneficiary. The provisions of this Agreement may be enforced only by the Parties. No other persons shall have any rights hereunder.

Section 5.07. Recording of Agreement. The Parties agree that Developer shall record this Agreement with the County Register of Deeds within fourteen (14) days of the date of execution of this Agreement.

Section 5.08 Administration of Agreement. County is the only local government that is a party to this Agreement and the County is responsible for the Agreement's administration.

Section 5.09. Effect of Annexation and Incorporation. The Parties agree that this Agreement remains in effect if the Property is, in whole or in part, included in a newly-incorporated municipality or is annexed into a municipality. The Parties acknowledge that upon incorporation or annexation the application and duration of this Agreement is controlled by Section 6-31-110 of the Act. County reserves the right to enter into an agreement with the newly-incorporated municipality or the annexing municipality for the administration and enforcement of this Agreement after the date of incorporation or annexation.

Section 5.10. Estoppel Certificate. Any of the Parties may, at any time, and from time to time, deliver written notice to the other party requesting the party to certify in writing (i) that this Agreement is in full force and effect, (ii) that this Agreement has not been amended or modified, or if so amended, identifying the amendments, and (iii) whether, to the knowledge of the party, the requesting party is in default or claimed default in the performance of its obligations under this Agreement and if so, describing the nature and amount, if any, of any such default or

claimed default, and (iv) whether, to the knowledge of the party, any event has occurred or failed to occur which, with the passage of time or the giving of notice, or both, would constitute a default and, if so, specifying each such event.

Section 5.11. Entire Agreement. This Agreement sets forth, and incorporates by reference all of the agreements, conditions, and understandings among the Parties relative to the Property and its Development and there are no promises, agreements, conditions or understandings, oral or written, expressed or implied, among the Parties relative to the matters addressed in this Agreement other than as set forth or as referred to in this Agreement.

Section 5.12. Covenant to Sign other Documents. County and Developer acknowledge that consummation of the transactions contemplated by this Agreement may require the execution contemporaneously with the execution of this Agreement and thereafter of certain documents in addition to this Agreement and County and Developer agree to cooperate with the execution thereof.

Section 5.13. Construction of Agreement. The Parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits to this Agreement.

Section 5.14. Assignment. The rights, obligations, duties and responsibilities devolved by this Agreement on or to the Developer are assignable to any other person, firm, corporation, or entity except that the assignment must conform to the requirements of Section 1.09 and Section 3.05. This Agreement shall also be binding on the County and all future County Councils for the duration of this Agreement, even if the County Council members change.

Section 5.15. Governing Law; Jurisdiction; and Venue.

(A) This Agreement is governed by the laws of the State of South Carolina.

(B) The Parties agree that jurisdiction and venue for disputes relating to this Agreement is the Sixth (6th) Judicial Circuit of the State of South Carolina.

Section 5.16. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and such counterparts shall constitute but one and the same instrument.

Section 5.17. Eminent Domain. Nothing contained in this Agreement shall limit, impair or restrict the County's right and power of eminent domain under the laws of the State of South Carolina.

Section 5.18. Severability. If any provision in this Agreement or the application of any provision of this Agreement is held invalid, the invalidity shall apply only to the invalid provision, and the remaining provisions of this Agreement, and the application of this Agreement

or any other provision of this Agreement, shall remain in full force and effect. However, if the invalid provision would prevent or materially impair Developer's right or ability to complete performance of this Agreement, the Parties agree to use their best efforts to renegotiate that provision in order for Developer to complete performance of this Agreement.

Section 5.19 When Agreement takes Effect. This Agreement is dated as of the Agreement Date and takes effect when the County and Developer have each executed the Agreement. The obligation of Developer pursuant to Section 4.02 is effective on the date the last Party to sign this Agreement executes this Agreement and the obligations imposed on Developer pursuant to Section 4.02 survives the termination of this Agreement pursuant to this Section.

Section 5.20. General Terms and Conditions.

(A) Agreements to Run with the Land. This Agreement shall be recorded against the Property as described in Exhibit A-1 and shown on Exhibit A-2. The agreements contained herein shall be deemed to run with the land.

(B) No Waiver. Failure of a Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such Party to exercise at some future time said right or any other right it may have hereunder.

(C) Merger. This Agreement, coupled with its Exhibits which are incorporated herein by reference, shall state the final and complete expression of the Parties' intentions with respect to the matters set forth herein. All prior negotiations and representations are superseded and merged herein.

[SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date below found.

DEVELOPER:

WITNESSES:

REDWOOD USA, LLC, a _____

By: _____

Name: _____

Title: _____

COUNTY:

WITNESSES:

COUNTY OF LANCASTER,
SOUTH CAROLINA

By: _____
Steve Harper, Chair, County Council

Date: _____

By: _____
Billy Mosteller, Secretary, County Council

Date: _____

STATE OF _____)
_____))
COUNTY OF _____)

ACKNOWLEDGMENT

I, _____, Notary of the Public of the State of _____,
do hereby certify that Redwood USA, LLC, by _____, its _____
personally appeared before me this ____ day of _____, 2021, and acknowledged the
execution of the foregoing instrument.

Notary Public for _____
Print Name: _____
My Commission Expires: _____

STATE OF SOUTH CAROLINA)
_____))
COUNTY OF LANCASTER)

ACKNOWLEDGMENT

I, _____, Notary of the Public of the State of South Carolina, do
hereby certify that the County of Lancaster, South Carolina, by Steve Harper, Chair, County
Council, and Billy Mosteller, Secretary, County Council, personally appeared before me this
____ day of _____, 2021, and acknowledged the execution of the
foregoing instrument.

Notary Public for South Carolina
Print Name: _____
My Commission Expires: _____

Exhibit A-1

Legal Description

TRACT ONE

BEGINNING AT AN EXISTING #5 IRON REBAR FOUND ALONG THE SOUTHWESTERN BOUNDARY OF BOBBY AND KATHERINE FURR AS RECORDED IN DEED BOOK A006, PAGE 971 IN THE LANCASTER COUNTY REGISTER DEEDS, A COMMON CORNER WITH WILLIAM S. PATTERSON AS RECORDED IN DEED BOOK 1013, PAGE 256, SAID REBAR LYING N 35°18'06" W, 126.35' FROM AN EXISTING #5 REBAR, THE SOUTHEASTERNMOST CORNER OF FURR AND BEING THE **POINT OF BEGINNING** OF THE TRACT HEREIN DESCRIBED; THENCE, ALONG AND WITH THE COMMON BOUNDARIES OF PATTERSON THE FOLLOWING THREE (3) COURSES AND DISTANCES; (1) S 49°08'21" W, 399.89' TO A NEW #4 REBAR SET; THENCE, (2) N 35°23'48" W, 330.01' TO A NEW #4 REBAR SET; THENCE, (3) N 49°07'09" E, 400.04' TO AN EXISTING #5 REBAR FOUND ALONG THE SOUTHWESTERN BOUNDARY OF VAN L. STORIE AS RECORDED IN DEED BOOK 810, PAGE 238, THENCE WITH THE SOUTHWESTERN BOUNDARY OF STORIE S 35°27'11" E, 156.06' TO AN EXISTING #5 REBAR, THE SOUTHWESTERN MOST CORNER OF FURR; THENCE, S 35°18'11" E, 174.11' TO THE **POINT OF BEGINNING**, CONTAINING 3.018 ACRES.

TRACT TWO

BEGINNING AT AN EXISTING REBAR W/ CAP FOUND ALONG THE NORTHEASTERLY MARGIN OF THE 66' PUBLIC RIGHT-OF-WAY OF HARRISBURG ROAD (S-29-64), A COMMON CORNER WITH CYRYL JOHN ASH AND ELIZABETH K. ASH AS RECORDED IN DEED BOOK J008, PAGE 80 IN THE LANCASTER COUNTY REGISTER DEEDS AND BEING THE **POINT OF BEGINNING** OF THE TRACT HEREIN DESCRIBED; THENCE, ALONG AND WITH THE COMMON BOUNDARY OF ASH; N 46°13'22" E, 328.26' TO AN EXISTING 1" IRON PIPE FOUND, A COMMON CORNER WITH WILLIAM S. PATTERSON AS RECORDED IN DEED BOOK 1013, PAGE 256; THENCE, ALONG AND WITH THE COMMON BOUNDARIES OF PATTERSON THE FOLLOWING TWO (2) COURSES AND DISTANCES; (1) S 43°45'18" E, 660.47' TO A REBAR W/ CAP; THENCE, (2) N 46°12'09" E, 327.97' TO AN EXISTING #5 REBAR (BENT) FOUND ALONG THE NORTHEASTERLY MARGIN OF HARRISBURG ROAD; THENCE, ALONG AND WITH HARRISBURG ROAD N 44°18'12" W, 380.62' TO A NEW #4 REBAR SET; THENCE, N 43°04'08" W, 280.00' TO THE **POINT OF BEGINNING**, CONTAINING 5.002 ACRES.

Exhibit A-2

Boundary Plats

[Attached]



Exhibit B
Development Program

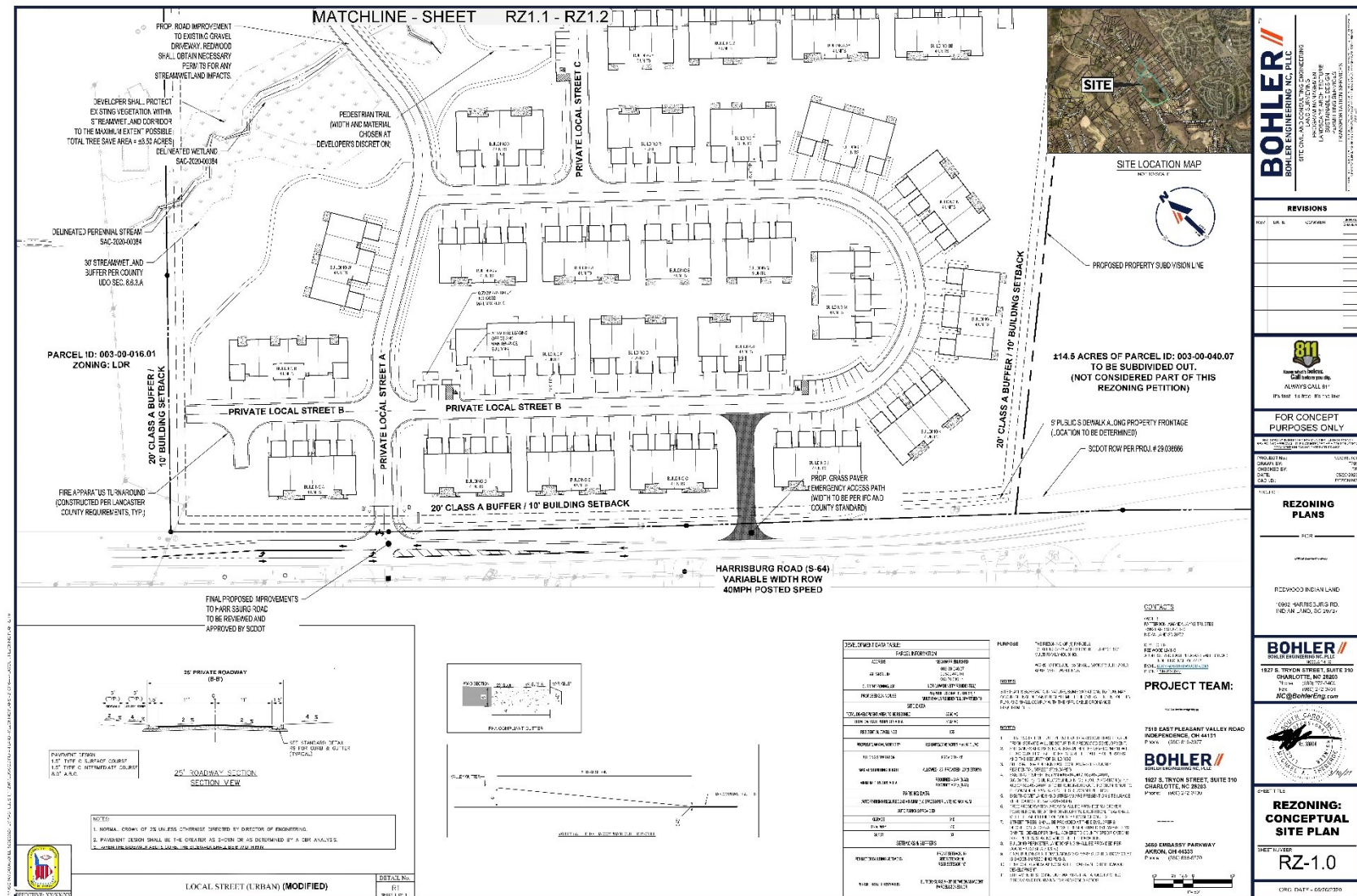
1. *Conceptual Site Plan*: The Conceptual Site Plan attached hereto as Exhibit B-1 shall serve as the general guide for the location of roads, buildings, and other development features. The Property shall be generally developed consistent with the approved Conceptual Site Plan located on Exhibit B-1 and Buffer Exhibit located on Exhibit B-2 unless otherwise modified consistent with the terms of the Agreement.
2. *Zoning District*: The Property, once rezoned, will be located in the Professional Business (PB) zoning districts and shall be developed consistent with the provisions of the UDO as applicable for this district.
3. *Permitted Uses*: The Property shall be permitted to be developed with all uses permitted within the Professional Business (PB) District as set forth in the UDO and not identified as being prohibited.
4. *Dimensional Requirements*: The Property shall be permitted to be developed in accordance with the criteria with respect to minimum parcel sizes, open space, population densities, building intensities, setbacks, height, parking, buffers, fencing, signage, impervious coverage, and other dimensional requirements or building development standards as applicable to the Professional Business (PB) District as set forth in the UDO.
5. *Design Review and Approval*. Development of the Property shall be subject to review by the County's Zoning Administrator and the Technical Review Committee, as applicable, as set forth in the UDO.
6. *Transportation*:
 - a. Offsite Improvements:
 - i. Traffic Impact Analysis (TIA): Provided by Developer dated August 2020.
 - ii. Developer shall construct a left turn lane on Harrisburg Road at the main entrance to the Property and an emergency access path as a secondary point of entry onto the Property from Harrisburg Road, both as shown on Exhibit B-1.
 - b. Onsite Improvements:
 - i. *Internal Streets/ROW*: All internal streets shall be privately maintained by Developer or his/her assigns. All streets shall be constructed in accordance with County standards and inspected by the County throughout the development process. Construction testing results and As built surveys of all constructed roads shall also be required.
 - ii. *Traffic Calming*: None required
 - iii. *Walkway Connections*: Developer shall install a pedestrian walkway along the frontage of the Property and Harrisburg Road as shown on Exhibit B-1.
 - iv. *Overflow Neighborhood Parking*: None required.

7. *Sewer*: Developer will bring sanitary sewer lines to the Property through adjacent properties and will install a sanitary sewer trunk line on the Property to connect to serve the Property and the adjacent property to the north of the Property, which trunk line will be dedicated to the Lancaster County Water and Sewer District.
8. *Modification of Development Program*: It is recognized that periodic modifications to the Development Program may be needed to address market conditions, environmental challenges, and other elements. The following will outline the processes for Minor, Moderate, and Major Modifications to Exhibit B. Modifications to other sections of the Agreement will be processed in accordance with those provisions.
 - a. Minor Modifications: “Minor Modifications” are defined as those modifications that reflect minor adjustments to the site layout caused by environmental features, adaptations to comply with regulatory requirements, and other changes considered incidental by County staff. Generally, Minor Modifications shall only be to the Conceptual Site Plan and not to a specific development standard set forth within Exhibit B. The Planning Director shall determine what shall constitute a Minor Modification and have the authority to administratively approve such.
 - b. Moderate Modifications: “Moderate Modifications” are those modifications to the Conceptual Site Plan that are not caused by environmental features, adaptations to comply with regulatory requirements, and are not considered by County staff to be incidental changes. Moderate Modifications may be approved by the Infrastructure and Regulation Committee after a review and recommendation is provided by County Staff. Approved Moderate Modifications shall be recorded by the Developer and made an amendment to Exhibit B.
 - c. Major Modifications: “Major Modifications” are those that do not qualify as either a Minor or Moderate Modification, such as the addition of new external access point to the public road system. Major Modifications must be processed and considered in the same manner as set forth in Ordinance No. 663 for a proposed development agreement.

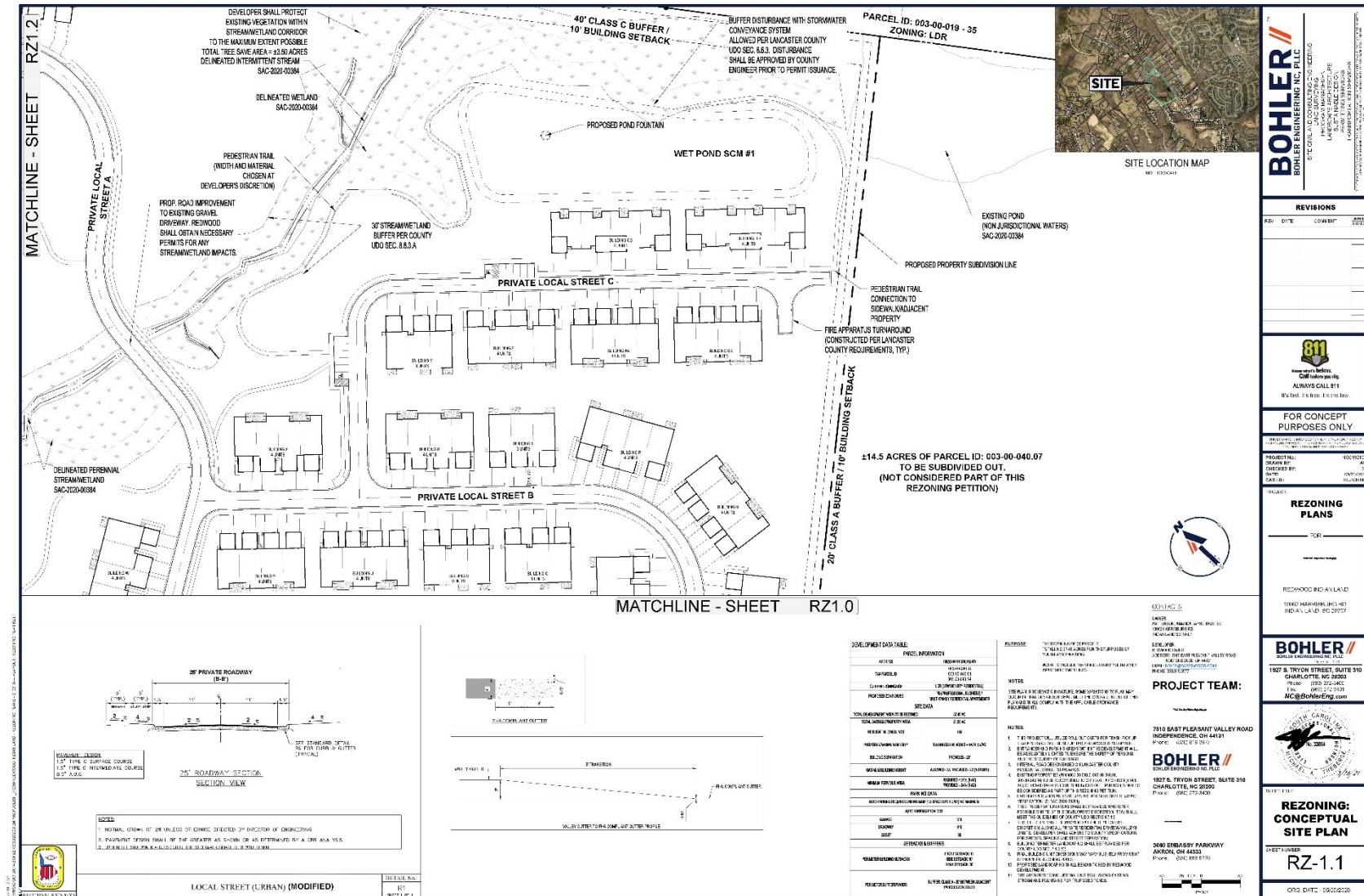
Exhibit B-1

Conceptual Site Plan

[Attached]



146



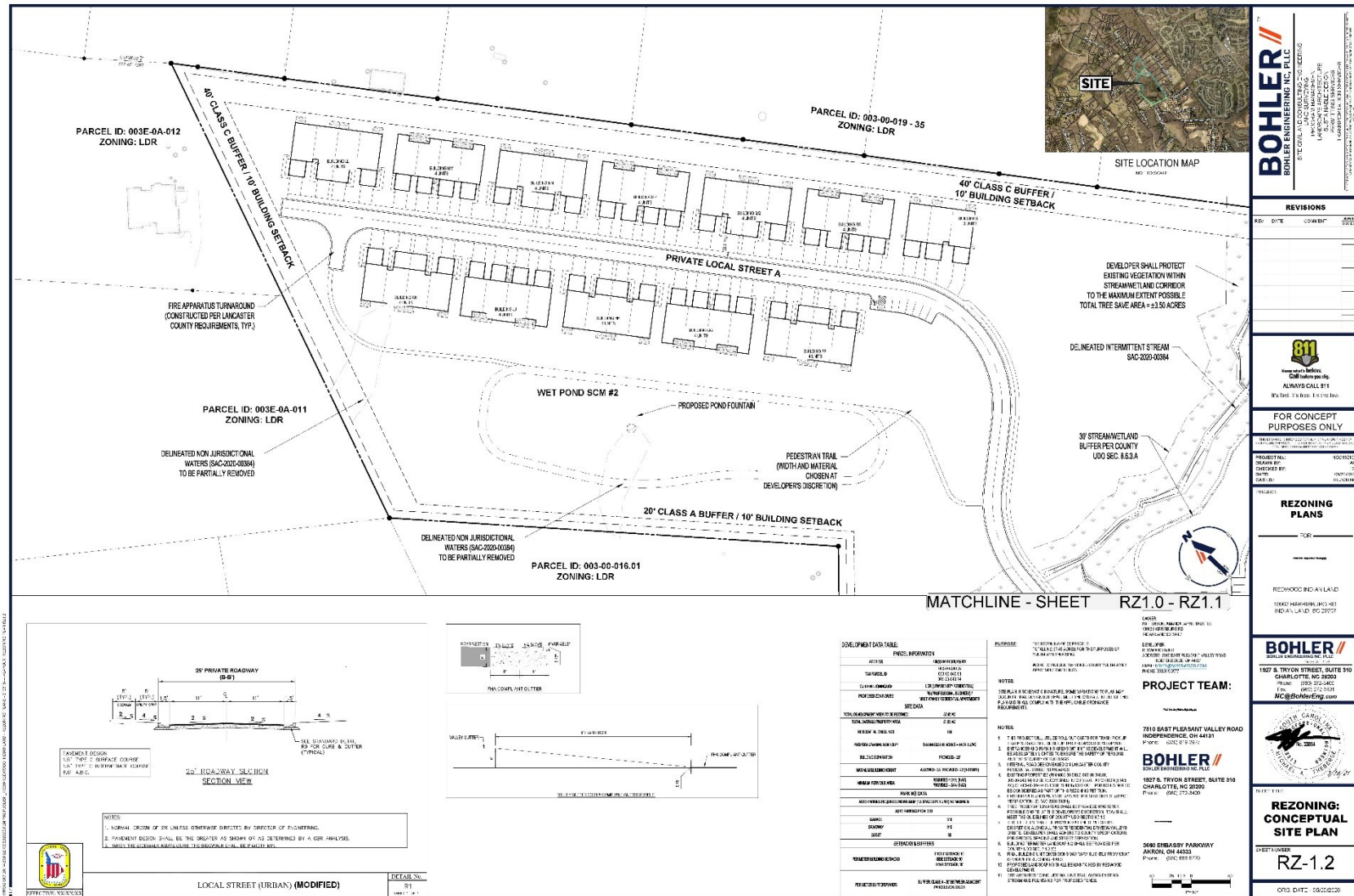


Exhibit B-2

Buffer Exhibit

[Attached]

Draft Development Agreement – Redwood Indian Land
Lancaster County – Redwood USA, LLC

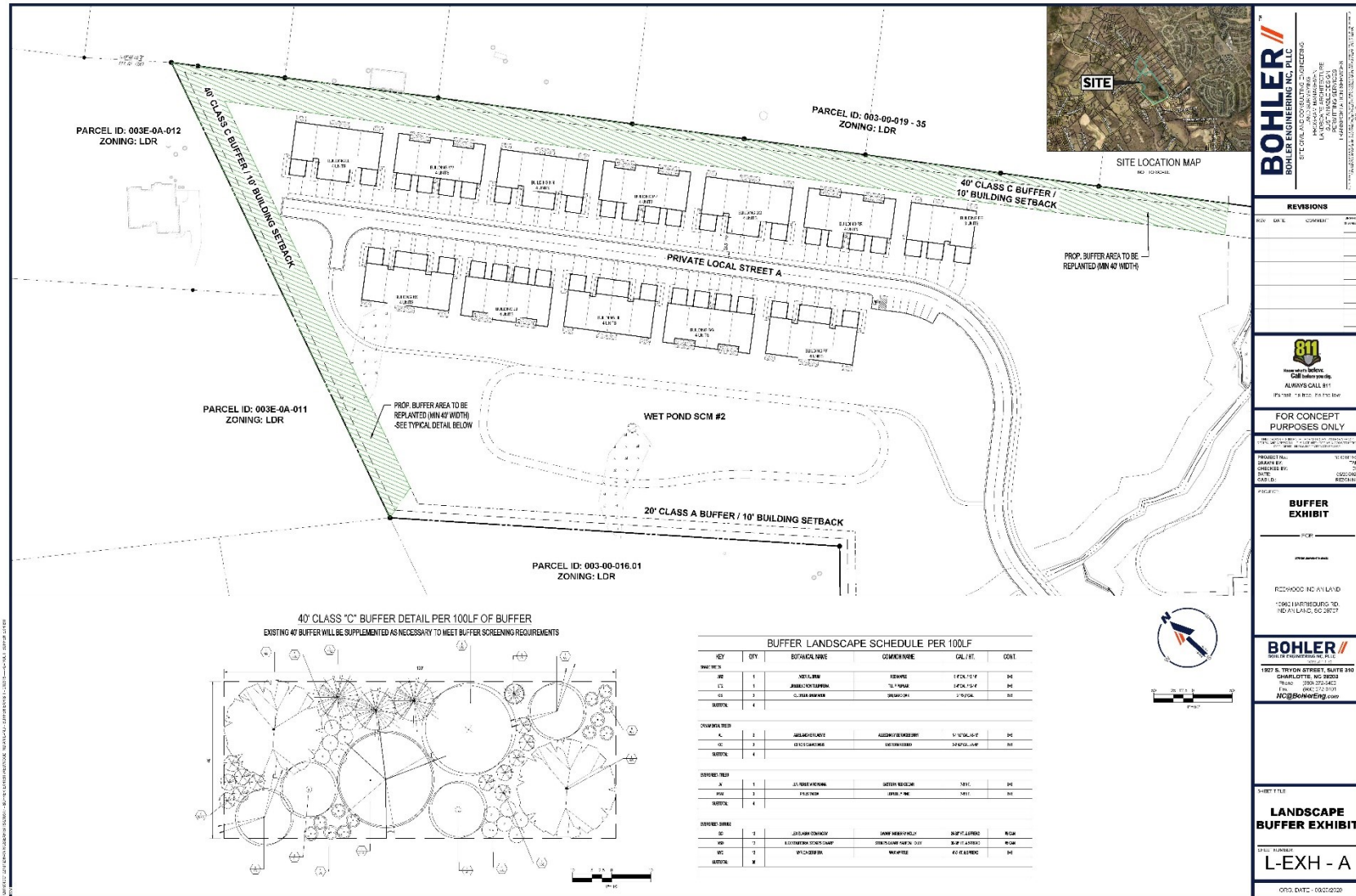


Exhibit C

Development Schedule

Years	Residential
1	0 units
2	0 units
3	0 units
4	84 units
5	71 units
Total	155 units

This Development Schedule is an estimate. The provisions of Section 1.07 of this Agreement apply to this exhibit.

NOTE: County and Developer acknowledge that development of the Property is limited to 155 residential units.

Exhibit D

Required Information

The Act and the Ordinance No. 663 require a development agreement to include certain information. The following information is provided in conformance with the Act and Ordinance No. 663.

(A) *a legal description of the property subject to the agreement and the names of the property's legal and equitable owners.* The legal description of the Property is set forth in Exhibit A. As of the Agreement Date, Karen Lynn Patterson, Amanda J. Patterson, Susan P. Patterson, and Amanda Jayne Patterson, As Trustee of the William S. Patterson Revocable Living Trust Under Agreement Dated November 2, 2010 are the legal owner(s) of the Properties, either individually or collectively; provided, however, that Developer has contractual rights to acquire the Property and thus has an equitable interest in the Property.

(B) *the duration of the agreement which must comply with Code Section 6-31-40.* See Section 1.10.

(C) *a representation by the developer of the number of acres of highland contained in the property subject to the agreement.* See Section 2.02.

(D) *the then current zoning of the property and a statement, if applicable, of any proposed re-zoning of the property.* See Section 1.05.

(E) *the development uses that would be permitted on the property pursuant to the agreement, including population densities, building intensities and height.* See Section 1.06 and Exhibit B.

(F) *a description of the public facilities that will service the development, including who provides the facilities, the date any new facilities, if needed, will be constructed, and a schedule to assure public facilities are available concurrent with the impacts of the development construction timeline for those facilities. If the agreement provides that the County shall provide certain public facilities, the agreement shall provide that the delivery date of the public facilities will be tied to defined completion percentages or other defined performance standards to be met by the developer.* See Article IV.

(G) *a description, where appropriate, of any reservation or dedication of land for public purposes and any provisions to protect environmentally sensitive property as may be required or permitted pursuant to laws in effect at the time of entering into the agreement.* Developer agrees to comply with all applicable environmental laws, and Developer shall install a sanitary sewer trunk line

on the Property, which will serve the Property and adjacent property to the North of the Property and will be dedicated to the Lancaster County Water and Sewer District, as described on Exhibit B.

(H) *a description of all local development permits approved or needed to be approved for the development of the property together with a statement indicating that the failure of the agreement to address a particular permit, condition, term, or restriction does not relieve the developer of the necessity of complying with the law governing the permitting requirements, conditions, terms or restrictions.* See Section 3.04.

(I) *a finding that the development permitted or proposed is consistent, or will be consistent by the time of execution of the agreement, with the County's comprehensive plan and land development regulations.* See Section 2.01(A).

(J) *a description of any conditions, terms, restrictions, or other requirements determined to be necessary by the local government for the public health, safety, or welfare of its citizens.* See Article IV.

(K) *a description, where appropriate, of any provisions for the preservation and restoration of historic structures.* Developer agrees to comply with all laws applicable to the preservation and restoration of historic structures within the Property.

(L) *a development schedule including commencement dates and interim completion dates at no greater than five year intervals.* See Section 1.07 and Exhibit C.

(L) *if more than one local government is made party to the agreement, a provision stating which local government is responsible for the overall administration of the agreement.* See Section 5.08.

(M) *a listing of the laws and land development regulations that will apply to the development of the property subject to the agreement, including citation to specific ordinance numbers or portions of the County Code of Ordinances or both.* See Sections 3.01, 3.03 and Exhibits E and E-1 – E5.

(N) *a provision, consistent with Code Section 6-31-80, addressing the circumstances under which laws and land development regulations adopted subsequent to the execution of the agreement apply to the property subject to the agreement.* See Section 3.03.

(O) *a provision stating whether the agreement continues to apply to the property or portions of it that are annexed into a municipality or included in a newly-incorporated area and, if so, that the provisions of Code Section 6-31-110 apply.* See Section 5.09.

(P) *a provision that the agreement may be amended or cancelled by mutual consent of the parties to the agreement or their successors in interest. See Section 5.02.*

(Q) *a provision that if the amendment constitutes a major modification of the agreement, the major modification may occur only after public notice and a public hearing by the council, provided that, for purposes of this item, a “major modification” means: (i) significant changes to the development scheduled time-frames set forth in the agreement; (ii) density modifications; (iii) land use changes; (iv) any major miscalculations of infrastructure or facility needs which create demand deficiencies; or (v) any significant deviation from the development as contained in the agreement. See Section 5.02.*

(R) *a provision that if the developer requests an amendment to the development schedule, including commencement dates and interim completion dates, then the dates must be modified by the council if the developer is able to demonstrate and establish that there is good cause to modify those dates. See Sections 1.07 and 5.02.*

(S) *a provision that the agreement must be modified or suspended as may be necessary to comply with any state or federal laws or regulations enacted after the agreement is entered into which prevents or precludes compliance with one or more of the provisions of the agreement. See Section 5.02*

(T) *a provision for periodic review, consistent with the provisions of Section 8 of Ordinance No. 663. See Section 5.03.*

(U) *a provision addressing the effects of a material breach of the agreement, consistent with the provisions of Section 9 of Ordinance No. 663. See Section 5.04.*

(V) *a provision that the developer, within fourteen days after the County enters into the agreement, will record the agreement with the County Register of Deeds. See Section 5.07.*

(W) *a provision that the burdens of the agreement are binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement. See Section 1.09.*

(X) *a provision addressing the conditions and procedures by which the agreement may be assigned. See Section 1.09, Section 3.05, and Section 5.14.*

(Y) *a traffic impact analysis prepared in accordance with UDO Chapter 6.8 and SCDOT standards. See Section 4.04.*

EXHIBIT E

Laws and Land Development Regulations

1. Ordinance No. 2020- 1710 zoning the Property Professional Business (PB) District attached hereto as Exhibit E-1.
2. Ordinance No. 2020- 1711 approving this Development Agreement attached hereto as Exhibit E-2.
3. The Development Agreement Ordinance for Lancaster County, South Carolina: Ordinance No. 663, a copy of which is attached hereto as Exhibit E-3
4. Unified Development Ordinance of Lancaster County (UDO): Ordinance No. 309, as amended as of the Agreement Date. The UDO includes Ordinance No. 328, as amended, as of the Agreement Date and which is cited as the Land Development Regulations of Lancaster County, a copy of which attached hereto as Exhibit E-4.
5. Land Development Regulations of Lancaster County: See Unified Development Ordinance of Lancaster County.
6. Article V, Chapter 26, Lancaster County Code of Ordinances, Road Construction Standards attached hereto as Exhibit E-5.

EXHIBIT E-1

Ordinance No. 2020- 1710

[Attached]

EXHIBIT E-2

Ordinance No. 2020- 1711

[Attached]

EXHIBIT E-3

The Development Agreement Ordinance

[Attached]

EXHIBIT E-4

The UDO

EXHIBIT E-5

Article V, Chapter 26, Lancaster County Code of Ordinances, Road Construction Standards

PROPOSAL: Request to approve a Development Agreement between Redwood USA, LLC, and Lancaster County in accordance with Unified Development Ordinance Section 9.2.18 for a proposed 155-unit (4.14 dwelling units per acre), single-story, three-family (triplex) and four-family (quadraplex) apartment development located on approximately 37.45 acres of land on the east side of Harrisburg Road, approximately 500 feet west of Barberville Road (TM #'s 0003-00-040.01, 0003-00-040.07 and 0003-00-040.14).

COUNCIL DISTRICT: District 7, Brian Carnes

OVERVIEW:

Although not required by the Unified Development Ordinance (UDO), the applicant is proposing to enter into a Development Agreement with the County in order to facilitate the rezoning of approximately 37.45 acres of land on the east side of Harrisburg Road, approximately 500 feet west of Barberville Road, from Low Density Residential (LDR) District to Professional Business (PB) District. The intent is to develop the land as a multi-family residential apartment project consisting of 155 Three Family (Triplex) and Four Family (Quadraplex) dwelling units, a leasing office/maintenance building and associated amenities.

It should be noted that the southeastern 14.5 acres of parcel 0003-00-040.07 will be subdivided from the parcel and is not proposed to be rezoned and is not a part of the Development Agreement.

The intent of this request is to secure the rezoning of the subject properties to PB District while guaranteeing how the property will ultimately be developed.

The applicant submitted the proposed Development Agreement enclosed with this staff report. The Development Agreement reflects the requirements of UDO Section 9.2.18 including, but not limited to: legal description, description of uses, and traffic impact analysis (TIA).

COMMUNITY FACILITY NEEDS:

As part of the review of this Development Agreement, the various Lancaster County Division Heads identified that there were no community facility needs with regard to this project. This decision was arrived at in light of the recent development of the EMS Station #4 at 9576 Old Bailes Road and the site being within the Pleasant Valley Fire District in near proximity to Station #14 (9370 Possum Hollow Road).

PRIOR ACTIONS:

The Development Agreement was reviewed by the Planning Commission at their meeting of December 15, 2020, where the Commission recommended approval by a vote of 6-1.

The Development Agreement was presented at the Committee of the Whole (COW) meeting of February 9, 2021. The COW received the information, but had no specific questions regarding the Development Agreement.

PROPOSAL:	Request to approve a Development Agreement between Redwood USA, LLC, and Lancaster County in accordance with Unified Development Ordinance Section 9.2.18 for a proposed 155-unit (4.14 dwelling units per acre), single-story, three-family (triplex) and four-family (quadraplex) apartment development located on approximately 37.45 acres of land on the east side of Harrisburg Road, approximately 500 feet west of Barberville Road (TM #'s 0003-00-040.01, 0003-00-040.07 and 0003-00-040.14).
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Although not required by the Unified Development Ordinance (UDO), the applicant is proposing to enter into a Development Agreement with the County in order to facilitate the rezoning of approximately 37.45 acres of land on the east side of Harrisburg Road, approximately 500 feet west of Barberville Road, from Low Density Residential (LDR) District to Professional Business (PB) District. The intent is to develop the land as a multi-family residential apartment project consisting of 155 Three Family (Triplex) and Four Family (Quadraplex) dwelling units, a leasing office/maintenance building and associated amenities.

It should be noted that the southeastern 14.5 acres of parcel 0003-00-040.07 will be subdivided from the parcel and is not proposed to be rezoned and is not a part of the Development Agreement.

The intent of this request is to secure the rezoning of the subject properties to PB District while guaranteeing how the property will ultimately be developed.

The applicant submitted the proposed Development Agreement enclosed with this memo. The Development Agreement reflects the requirements of UDO Section 9.2.18 including, but not limited to: legal description, description of uses, and traffic impact analysis (TIA).

The Development Agreement must first be reviewed by the Planning Commission who is required to hold one public hearing. It is anticipated that the Development Agreement will be reviewed by a County Council subcommittee in January 2021. The second and final public hearing is tentatively scheduled to occur before County Council on January 25, 2021 (first reading of the ordinance).

A copy of the Development Agreement template is also enclosed with this memo. It does not include any proposed fees, which will be discussed with a County Council subcommittee and County Council.



August 2020

Traffic Impact Study

REDWOOD APARTMENT NEIGHBORHOODS

Indian Land, South Carolina



Submitted to:

South Carolina Department of Transportation

Lancaster County

Prepared by:

JMT
952 Houston Northcutt Blvd.
Mount Pleasant, SC 29464





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EXECUTIVE SUMMARY

The purpose of this Traffic Impact Analysis (TIA) is to analyze the traffic impacts from the proposed Redwood Apartment Neighborhoods development. The Redwood Apartment Neighborhoods development is located on the east side of Harrisburg Road just north of Barberville Road in Lancaster County, South Carolina. The development contains 157 two-bedroom apartments (34 buildings) on approximately 39 acres and has an anticipated build-out in the fourth quarter of 2024. The expected trips generated by the proposed development is 73 AM trips and 88 PM trips. Access to the site is proposed as one full access drive. It is also recommended that an emergency access point be established on Harrisburg Road but not used for normal site ingress/egress.

The TIA is necessary according to the standards of the SCDOT and Lancaster County since the development contains over 75 apartments and generates more than 50 trips per hour at full occupancy. To comply with section 6.8.2 of the Lancaster County Unified Development Ordinance adopted November 28, 2016 the traffic impacts were analyzed for 2025 which is one year after the development is expected to be at full occupancy. The primary objectives of this study are:

- To estimate the trip generation and the distribution of the traffic for the development.
- To analyze the impacted intersections within the study area.
- To develop recommendations for potential roadway and operational improvements to mitigate the development's impact to traffic.

Through coordination with Lancaster County Planning Office and the SCDOT District 4 office, the following intersections were analyzed for the AM and PM peak hours for the existing conditions, the 2025 No Build conditions, and the 2025 Build-Out conditions.

1. Harrisburg Road (S-64) and Barberville Road (S-42)
2. Harrisburg Road (S-64) and Caroline Acres Road (S-574)
3. Barberville Road (S-42) and Caroline Acres Road (S-574)
4. SC-160 and Barberville Road (S-42)
5. Harrisburg Road (S-64) and Regent Parkway
6. Harrisburg Road and Redwood Apartment Neighborhoods/Site Access

Each intersection was analyzed under the guidelines/standards contained in the SCDOT Access and Roadside Management Standards manual and the Lancaster County Unified Development Ordinance. The analyses used the methodology from the 2010 Highway Capacity Manual (HCM) and Synchro Version 10 software. A growth rate of 5% was used to determine the growth in the background traffic as directed by South Carolina Department of Transportation. The off-site development traffic for five proposed developments was also considered in the analysis. The off-site development traffic was obtained from previous TIA studies provided by Lancaster County.

The following information was gathered and developed to determine traffic impacts at the site:

- Traffic counts at the intersections listed above

- Roadway geometrics, traffic operations and traffic signal timings
- Background traffic for the major intersections
- Site traffic generated by the new developments and previously planned developments in proximity to the project site
- Capacity analysis for the intersections impacted by the proposed development
- Recommendations for the roadway network.

Based on the capacity analyses, the following is recommended:

Harrisburg Road and Site Access

- Construction of a left turn lane on southbound Harrisburg Road into the site access. The turn lane should provide 150 feet of storage. This access point is east of Caroline Acres Road.
- Construction of an emergency access point on Harrisburg Road for emergency vehicle access only. The emergency access is on Harrisburg Road east of the Site Access drive.

General

- In the future, the signal timings should be adjusted to reflect the changes in traffic flow. Since the SCDOT maintains the signal timings at the signalized study intersections, the timing adjustments would be the responsibility of the SCDOT.

All improvements on the state roadway network system are subject to approval by the SCDOT and Lancaster County. All improvements on the state system should be permitted, designed, and constructed in conformity with the standards of the SCDOT and Lancaster County.

INTRODUCTION

This study was prepared at the request of Redwood Apartment Neighborhoods to determine the traffic impacts associated with a proposed development on Harrisburg Road just north of Barberville Road. The Redwood Apartment Neighborhoods development is located on the east side of Harrisburg Road just north of Barberville Road in Lancaster County, South Carolina. The proposed development consists of 157 two-bedroom apartments (34 buildings) and has an anticipated build-out in the fourth quarter of 2024. The development contains approximately 39 acres. The 2018 AADT for Barberville Road was 7,500 vehicles per day. The 2018 AADT on Harrisburg Road was 6,400 vehicles per day south of Barberville Road and 7,100 vehicles per day north of Barberville Road.

Access to the proposed site is by one full access drive on Harrisburg Road. This TIA will evaluate the traffic conditions under the 2020 existing conditions, the 2025 No Build conditions, the 2025 Build-Out conditions, and the 2025 Build conditions with signal timing and intersection improvements. To comply with section 6.8.2 of the Lancaster County Unified Development Ordinance adopted November 28, 2016 the traffic impacts for the build-out conditions were analyzed for 2025 which is one year after the development is expected to be at full occupancy. The intersections included in the study are:

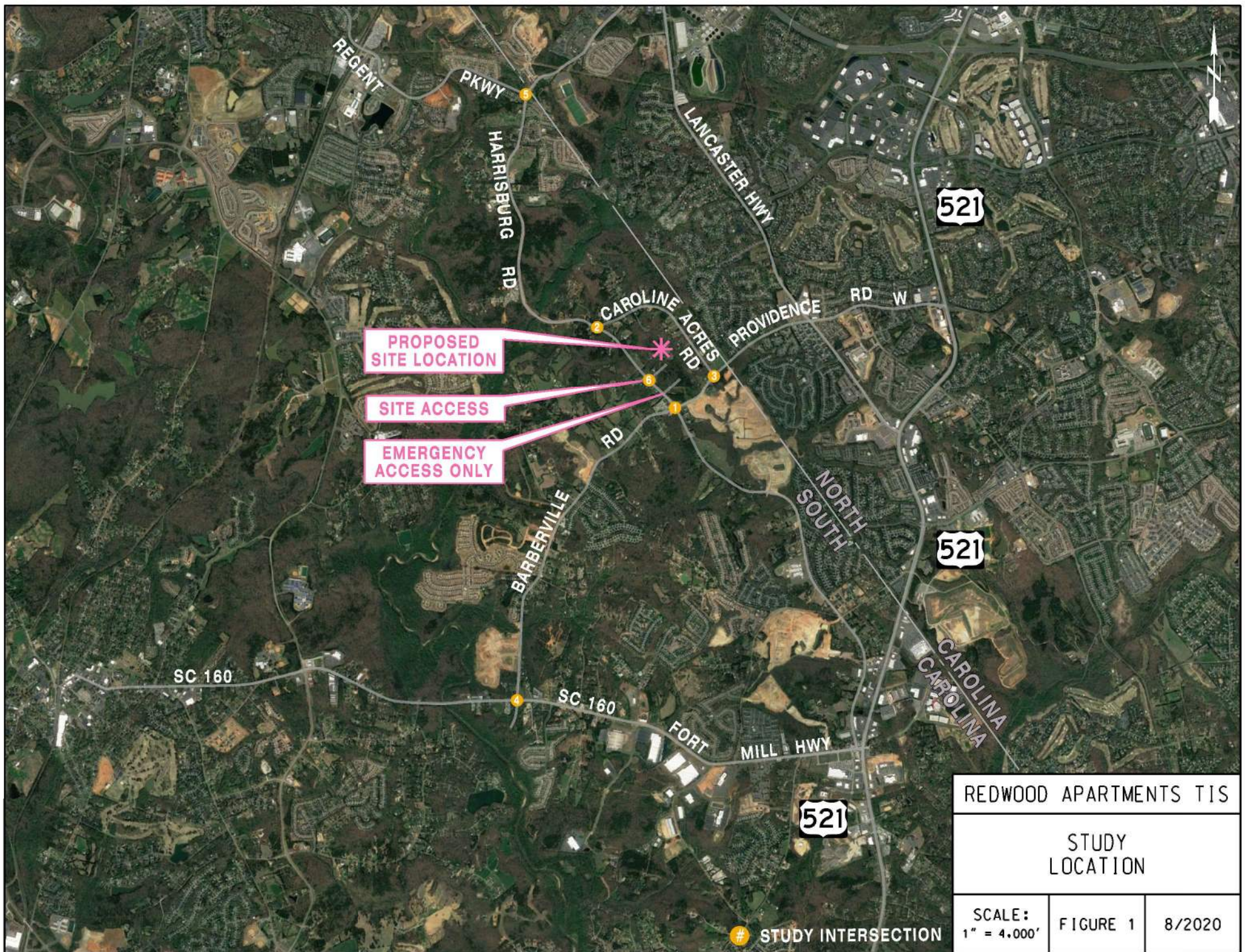
1. Harrisburg Road (S-64) and Barberville Road (S-42)
2. Harrisburg Road (S-64) and Caroline Acres Road (S-574)
3. Barberville Road (S-42) and Caroline Acres Road (S-574)
4. SC-160 and Barberville Road (S-42)
5. Harrisburg Road (S-64) and Regent Parkway
6. Harrisburg Road and Redwood Apartment Neighborhood/Site Access

The guidelines/standards used to prepare this TIA are found in the SCDOT Access and Roadside Management Standards manual and the Lancaster County Unified Development Ordinance.

The following information was gathered for this report and used to determine traffic impacts on the road network created by the proposed development:

- Normal weekday AM and PM peak hour traffic counts,
- Roadway geometrics, traffic operations and traffic signal timings
- Background traffic for the study intersections,
- Site traffic generated using the 10th Edition of the ITE Trip Generation Manual,
- Capacity analysis for the intersections impacted by the proposed development,
- Recommendations for improving the roadway network.

The project study area and site plan are shown in Figure 1 and Figure 2 respectively.



EXISTING CONDITIONS

STUDY AREA

The following is a description of the study area roadways:

Harrisburg Road (S-64): Harrisburg Road is a two lane, secondary road classified as a major collector with a posted speed limit of 40 mph in the area of the project. The 2018 AADT was 7,100 vehicles per day north of the project area.

Barberville Road (S-42): Barberville Road is a two lane, secondary road classified as a major collector. It starts at SC 160 at the southern end of the study area and continues into North Carolina as Providence Road (SR 3626). It has a posted speed limit of 40 mph near the intersection of Harrisburg Road. The 2018 AADT was 7,500 vehicles per day.

Caroline Acres (S-574): Caroline Acres is a two lane, secondary road which forms a loop between Harrisburg Road north of the project site to Barberville Road east of the project site. The speed limit is posted at 35 mph on this road. There is no proposed connection between Caroline Acres and the development. The AADT for this road was not available online.

SC-160 (Ft. Mill Highway): SC 160 is a classified as a principal arterial highway. It is a two-lane highway with a posted 45 mph speed limit at the intersection of Barberville Road. SC 160 begins at US 521 near Indian Land, SC in Lancaster County and continues through Fort Mill, SC in York County before entering North Carolina. The 2018 AADT of SC 160 was 22,000 vehicles per day just west of Barberville Road.

Regent Parkway: Regent Parkway is a two-lane local road intersecting with Harrisburg Road a few miles north of the development. The AADT of this road was not available online.

Table 1. Roadway Network Average Daily Traffic

Location	2018 ADT
Harrisburg Road	7,100
Barberville Road	7,500
SC 160	22,000

The following is a description of the intersections:

Harrisburg Road and Barberville Road: This is a signalized intersection just south of the development. Each of the four approaches have a left turn lane and a combination through/right turn lane. Each approach has a protected/permissive left turn phase.

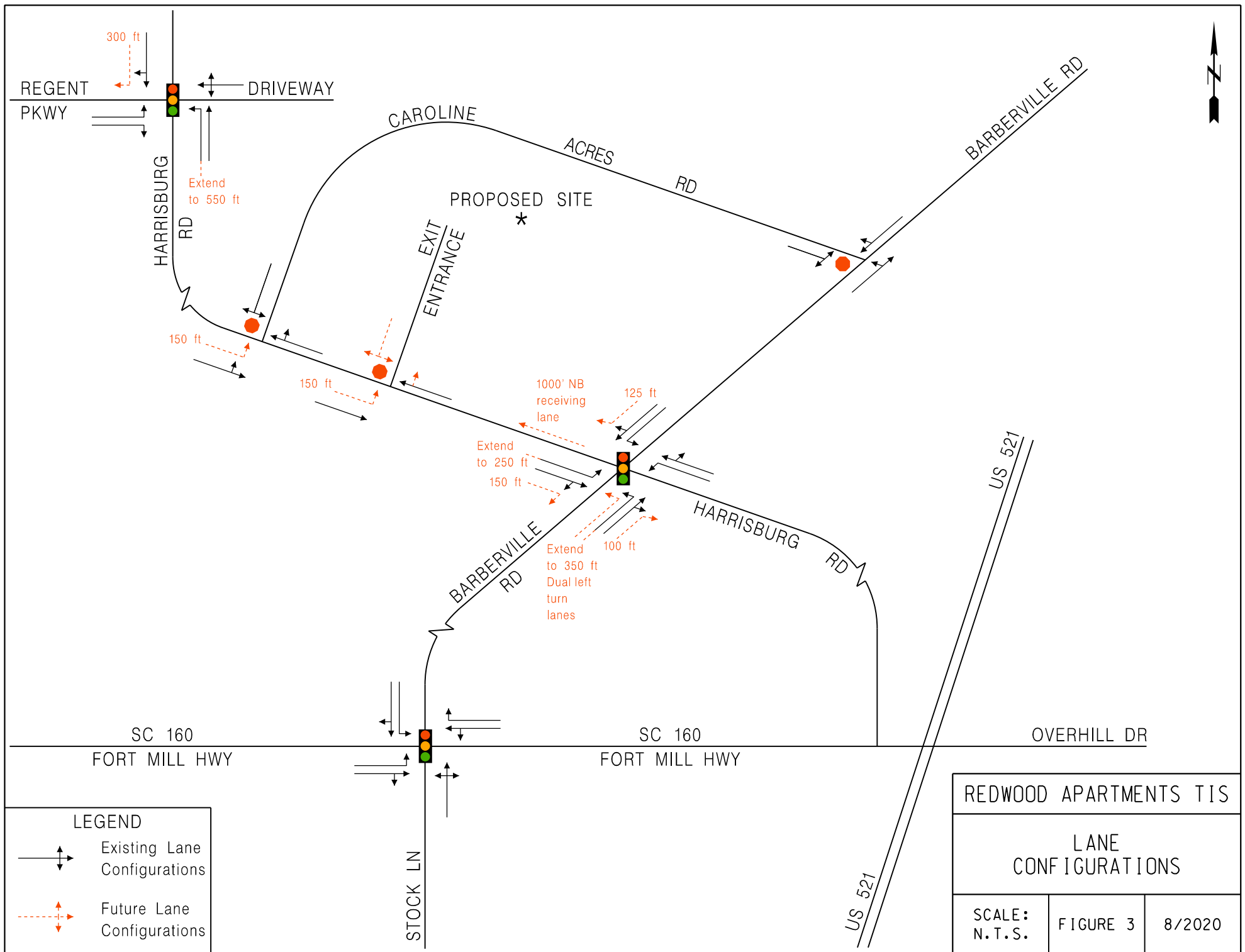
Harrisburg Road and Caroline Acres Road: This is a tee-type intersection just north of the development is formed by Caroline Acres Road intersecting Harrisburg Road from the east. Both roads are two lane roads and the intersection is controlled by a Stop sign on the Caroline Acres Road approach.

Barberville Road and Caroline Acres Road: This is a tee-type intersection just east of the development. It is formed by Caroline Acres Road intersecting Barberville Road from the north. Both roads are two lane roads and the intersection is controlled by a Stop sign on the Caroline Acres Road approach.

SC-160 and Barberville Road: This is a signalized intersection located a few miles west of the development. The eastbound SC 160 approach has a left turn lane and a combination through/right turn lane. The left turn on the eastbound approach is controlled by a protected/permissive left turn phase. SC 160 westbound has a through/left turn lane and an offset right turn lane. The right turn lane has a concurrent right turn phase. The Barberville Road approach has a left turn lane and a right turn lane. The northbound approach is a very minor approach serving basically as a driveway.

Harrisburg Road and Regent Parkway: This a signalized tee- intersection a few miles north of the development. Harrisburg Road northbound has a left turn lane and a through lane. The northbound left turn is controlled by a protected/permissive left turn phase. The Regent Parkway approach has a left turn lane and a right turn lane.

The existing and future lane configurations of the study intersections are shown in Figure 3.



TURNING MOVEMENT COUNTS

After consulting with the SCDOT District 4 office and the Lancaster County Planning Department, traffic counts were performed at the following intersections.

1. Harrisburg Road (S-64) and Barberville Road (S-42)
2. Harrisburg Road (S-64) and Caroline Acres Road (S-574)
3. Barberville Road (S-42) and Caroline Acres Road (S-574)
4. SC-160 and Barberville Road (S-42)
5. Harrisburg Road (S-64) and Regent Parkway

Turning movement traffic counts at Harrisburg Road and Barberville Road were conducted on Tuesday, January 14, 2020. The counts at the other intersections were performed on Wednesday, February 12, 2020. The counts included the peak hours from 7:00-9:00 AM and 4:00-6:00 PM.

The turning movement count data for each intersection is shown in the Appendix. From the existing traffic counts the AM and PM peak hour volumes were determined. The AM and PM peak hour volumes are shown in Figure 4.

EXISTING TRAFFIC SIGNAL TIMING and PHASES

The following intersections in the study area are controlled by a traffic signal.

1. Harrisburg Road and Barberville Road
2. SC 160 and Barberville Road
3. Harrisburg Road and Regent Parkway

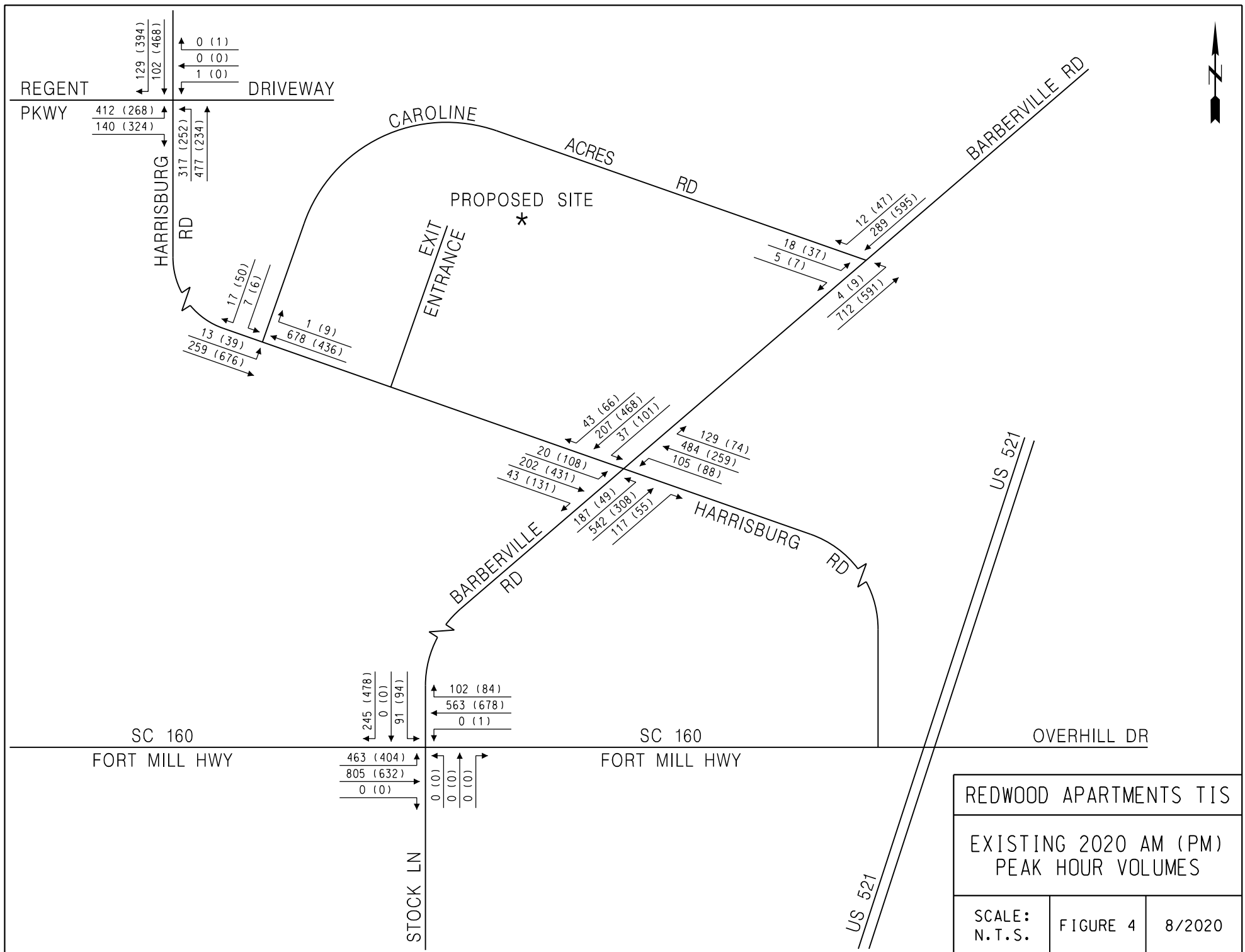
The existing traffic signal plans and signal timings are shown in the Appendix.

PLANNED IMPROVEMENT PROJECTS

There are two projects in the study area either planned or currently under construction.

Project ID 0031125RD01 is a widening project on SC 160 from the York County line to S-157 (Possum Hollow Road). Under this project SC 160 is being widened to three lanes from the York County Line to Rosemont Drive and to five lanes from Rosemont Drive to Possum Hollow Road.

Project ID P034704 is a rehabilitation and resurfacing project on Barberville Road from SC 160 to the North Carolina state line.

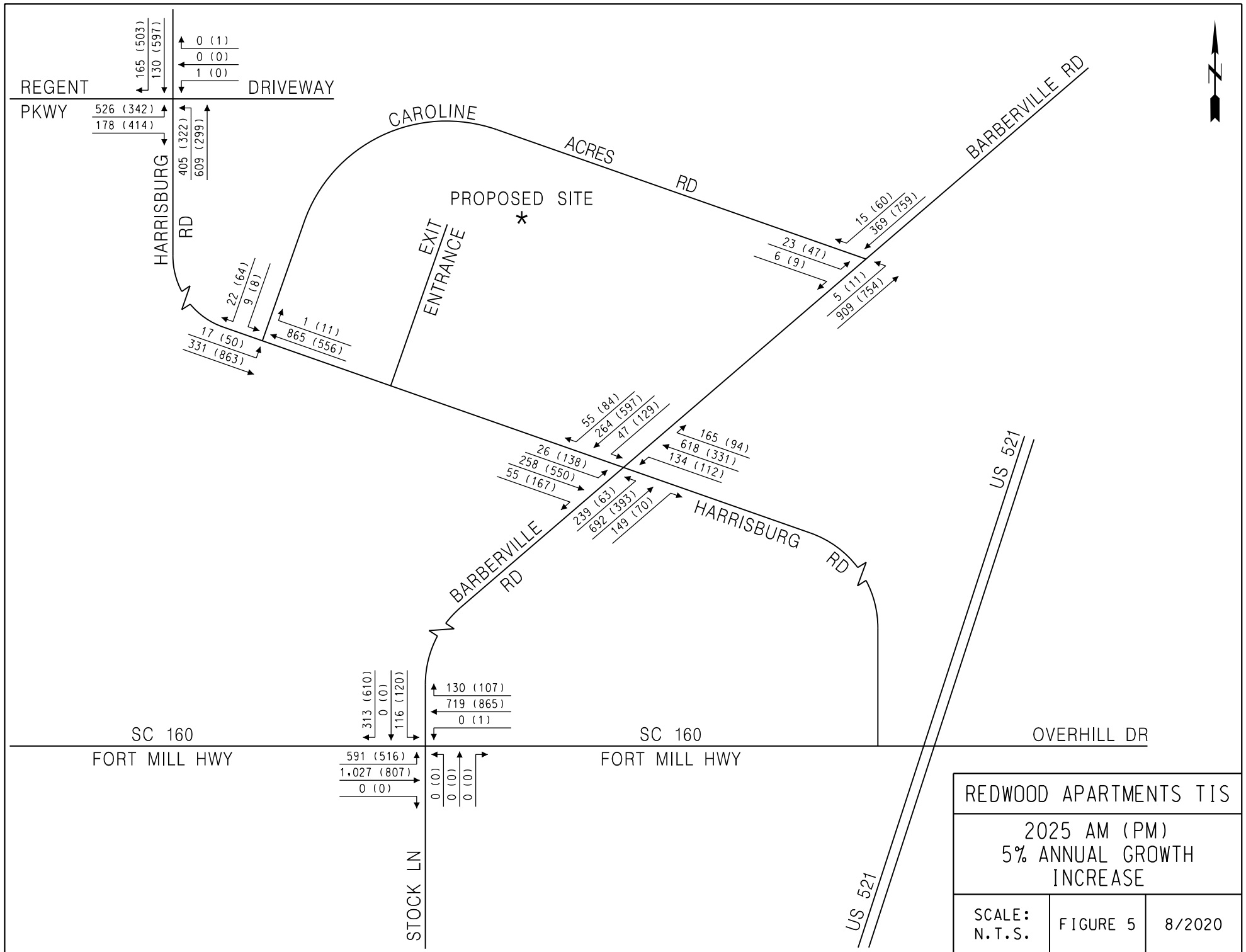


BACKGROUND CONDITIONS

HISTORICAL GROWTH TRAFFIC

The projected build-out year for Redwood Apartment Neighborhoods is the fourth quarter of 2024. This TIA includes the projected background traffic in the area. The projected background traffic is the expected change (historical growth) in the existing traffic volumes in the study area and any traffic generated by off-site developments anticipated between 2020 and the build-out year of the project. The background traffic does not include traffic generated by this project. It includes normal growth in traffic expected from year to year and growth resulting from other developments planned in or near the study area.

The SCDOT District 4 office requested a historical growth rate of 5% be used to determine the future traffic volumes in the build-out year of 2025. The 5% growth rate was applied to the existing volumes to determine the historical background growth from the existing traffic volumes to the traffic volumes in the build-out year of 2025. The 2025 traffic volumes resulting from the 5% historical growth rate used are shown in Figure 5.



OFF SITE DEVELOPMENT TRAFFIC

Five off-site approved developments were considered as part of this study at the recommendation of the Lancaster County Planning Office. The TIA's for these developments were provided by Lancaster County. These developments are the Patterson Property, Chateau Ridge, Harrisburg Road Residential, Patterson Reserve, and The Lodges.

Based on a TIA performed by Sprague and Sprague in October 2017, the Patterson Property development proposes 53 signal family homes located on the east side of Harrisburg Road ¼ mile south of Barberville Road. The projected build-out year is 2020. It is expected to generate 47 trips in the AM peak hour and 60 trips in the PM peak hour. The traffic generated by this development was taken directly from the Sprague and Sprague TIA and applied to the study area. No improvements to the roadway network were recommended in this study.

The Chateau Ridge development is proposed on Harrisburg Road south of Barberville Road. A TIA was completed by Kimley Horn and Associates in September 2018. It is a 131 single family home development with a build-out in 2023-2024. It is expected to generate 98 AM peak hour trips, 132 PM peak hour trips, and 1,333 weekday trips. Three proposed drives on Harrisburg Road will provide access to the site. One of these drives is a full access drive and the other two are right in/right out drives. The traffic generated by this development was taken directly from the Kimley Horn TIA and applied to the study area. Improvements recommended by this study which will affect traffic in the study area include the construction of an exclusive eastbound (100 feet) right turn lane on Barberville Road at Harrisburg Road.

Based on a TIA performed by Ramey Kemp and Associates in October 2018, the Harrisburg Road Residential development is proposed to consist of 540 single family homes and 235 town houses. The site is to be served by three full access driveways on Harrisburg Road north of the Redwood Apartment Neighborhoods proposed site with full build-out in 2023. It is expected to generate 495 AM peak hour trips, 639 PM peak hour trips, and 6,644 weekday trips. The traffic generated by this development was taken directly from the Ramey Kemp TIA and applied to the study area. Improvements recommended by this study which will affect traffic in the study area include the construction of a southbound right turn lane on Harrisburg Road at Regent Parkway, construction a southbound left turn lane (150 feet) on Harrisburg Road at Caroline Acres, extending the eastbound Barberville Road left turn lane at Harrisburg Road to provide 500 feet of storage, extending the southbound left turn lane on Harrisburg Road at Barberville Road to provide 250 feet of storage, construction of a southbound right turn lane (150 feet) on Harrisburg at Barberville Road, and modifying the southbound left turn phase on Harrisburg Road at Barberville Road from permitted to protected/permitted. However, based on a Technical Traffic Memorandum for the Harrisburg Road Residential TIA prepared in December 2018, additional improvements were recommended which included dual eastbound left turn lanes (350 feet of storage) on Barberville Road at Harrisburg Road and constructing a 1000 foot receiving lane on Harrisburg Road north of Barberville Road. Also, the northbound left turn lane on Harrisburg Road at Barberville Road was to be extended to 300 feet.

Another background development is Patterson Preserve which is a proposed for 180 signal family homes. According to the TIA performed by Kimley Horn in February 2019 a projected build-out is in 2024. It is

located in the northwest quadrant of the intersection of Harrisburg Road and Barberville Road. Two access points are proposed; one on Harrisburg Road north of Barberville Road and one on Barberville Road west of Harrisburg Road. This site is proposed to generate 1,786 weekday trips, 133 trips in the AM peak hour, and 179 PM peak hour trips. The traffic generated by this development was taken directly from the Kimley Horn report and applied to the study area. Improvements recommended by this study which will affect traffic in the study area include the construction of a westbound right turn lane (125 feet) on Barberville Road at Harrisburg Road.

The final TIA for a background development included in this study was performed by Kimley Horn in December 2019. The Lodges development is proposed to consist of 329 apartments and 124 townhomes with a projected build-out in 2022. It is located in the northeast quadrant of the intersection of SC 160 and Rosemont Drive. This site is proposed to generate 2,688 weekday trips, 169 trips in the AM peak hour, and 211 PM peak hour trips. The traffic generated by this development was taken directly from the Kimley Horn report and applied to the study area. No improvements were recommended as part of this study that will affect traffic in our study analysis. The off-site development traffic generated by these five developments can be seen in Figure 6.

2025 BACKGROUND TRAFFIC

The 2025 background traffic consists of the 2020 existing traffic plus the historical growth traffic, plus the traffic from the five approved offsite developments. The total background traffic is shown in Figure 7.

SITE TRAFFIC

The proposed Redwood Apartment Neighborhoods development will consist of 157 two-bedroom apartments located in 34 buildings. The proposed site is presently an unoccupied wooded area. One full movement and one right-in/right-out access point is proposed on Harrisburg Road. The trips generated by the construction of the proposed development were calculated using the 10th Edition of the ITE Trip Generation Manual and were based on Multifamily Housing – Low Rise (ITE Code 220). The calculations were based on the proposed 157 dwelling units and are shown below. The trips expected to be generated were added to the projected background traffic and distributed throughout the study area.

Multifamily Housing Low Rise (ITE Code 220)

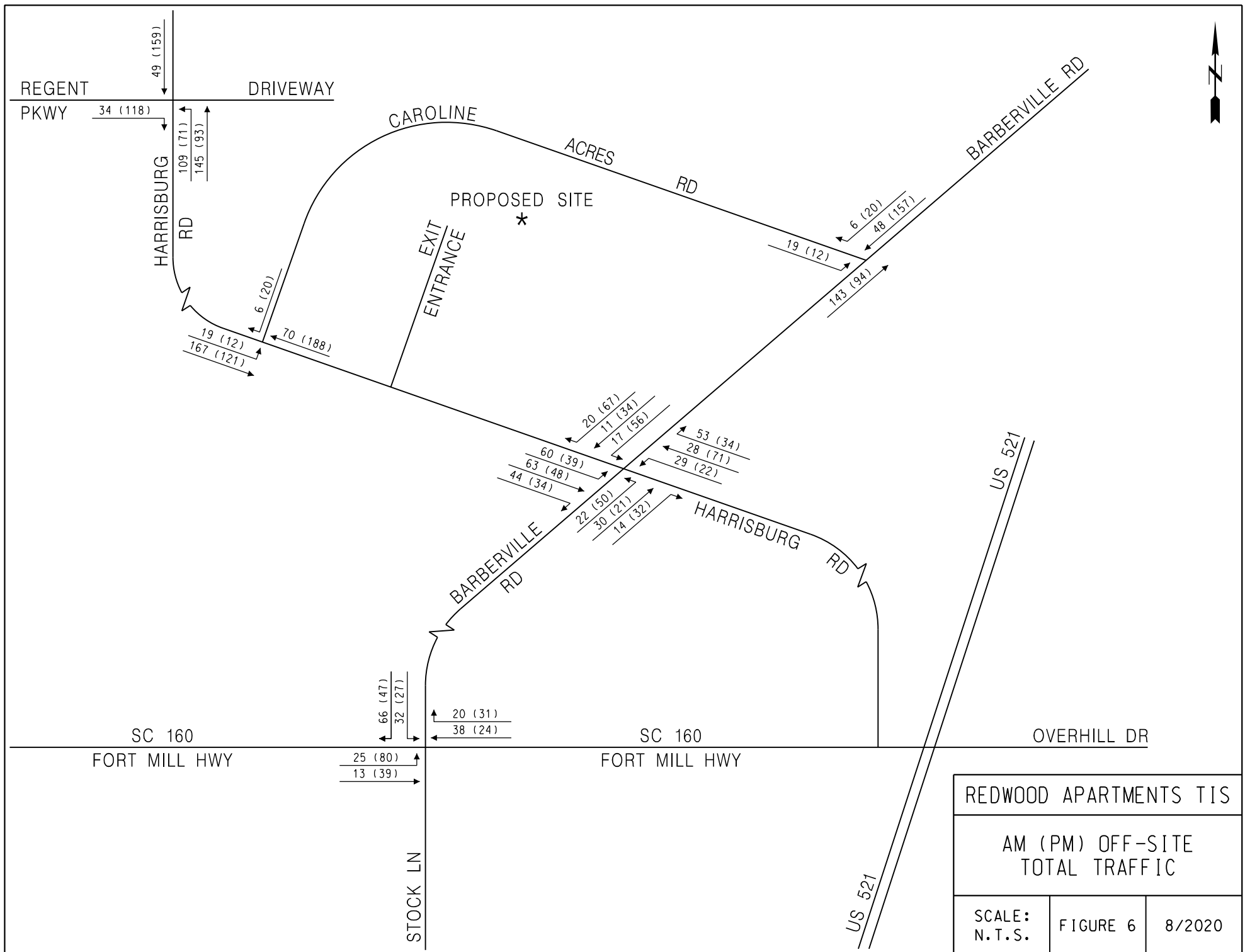
AM

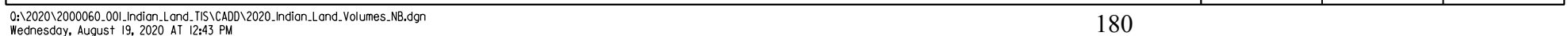
Average Rate = 0.46 per dwelling unit
 $\ln(T) = 0.95\ln(X) - 0.51$
 $T = 73$ trips
 23% In = 17 trips
 77% Out = 56 trips

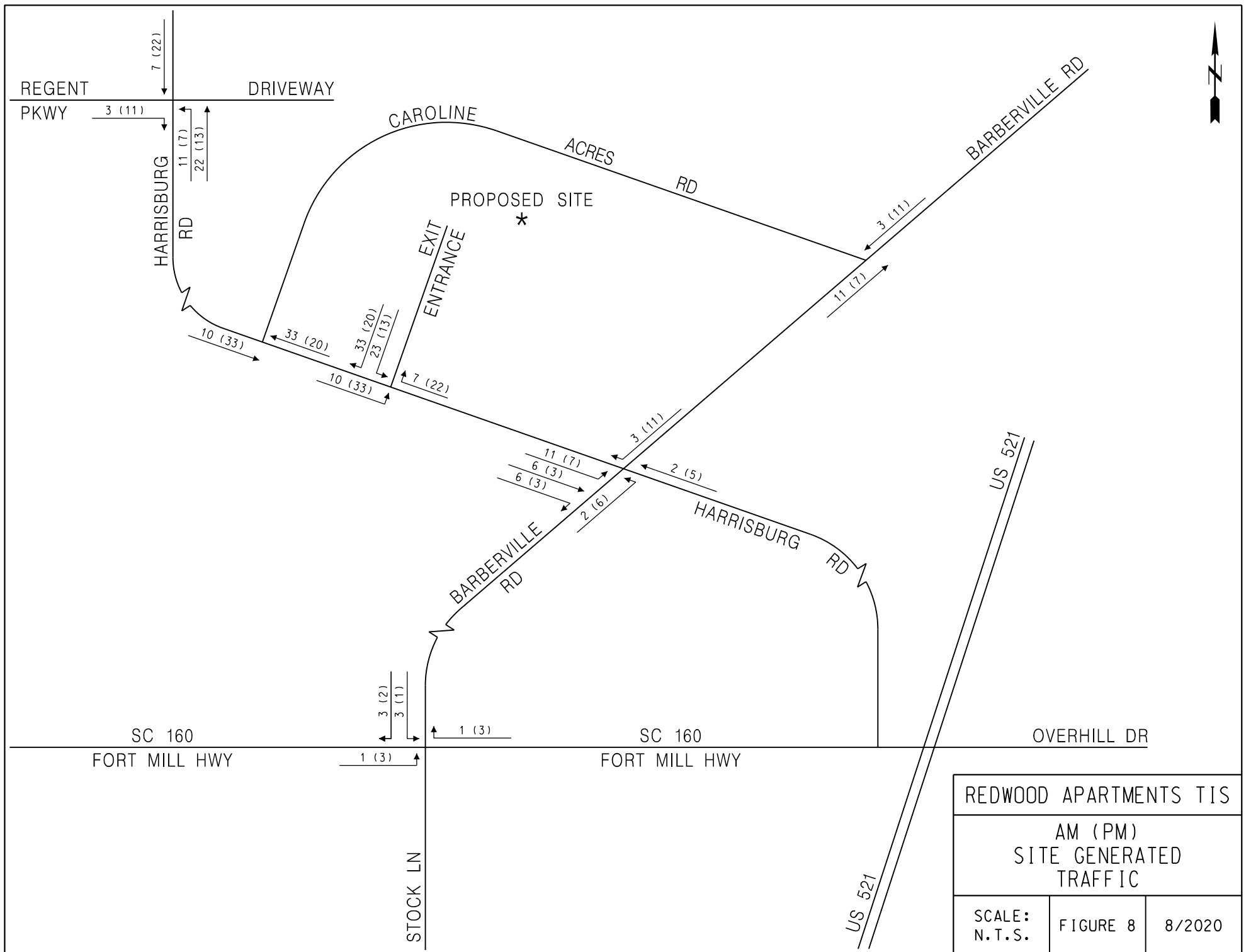
PM

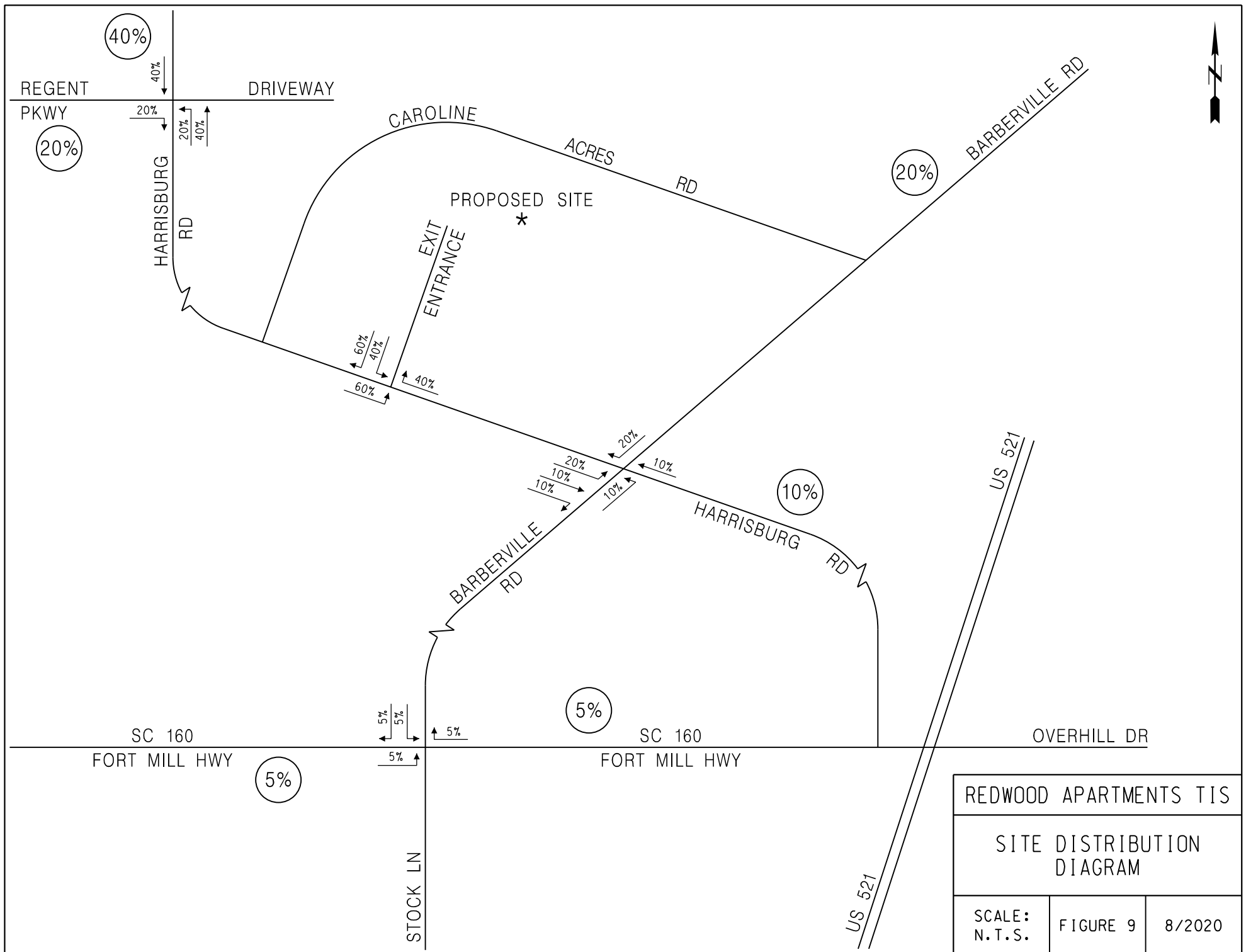
Average Rate = 0.56 per dwelling unit
 $\ln(T) = 0.89\ln(X) - 0.02$
 $T = 88$ trips
 63% In = 55 trips
 37% Out = 33 trips

The Site Generation Diagram showing how these trips were distributed is shown in Figure 8. The distribution of the trips generated by the proposed site is shown in Figure 9.



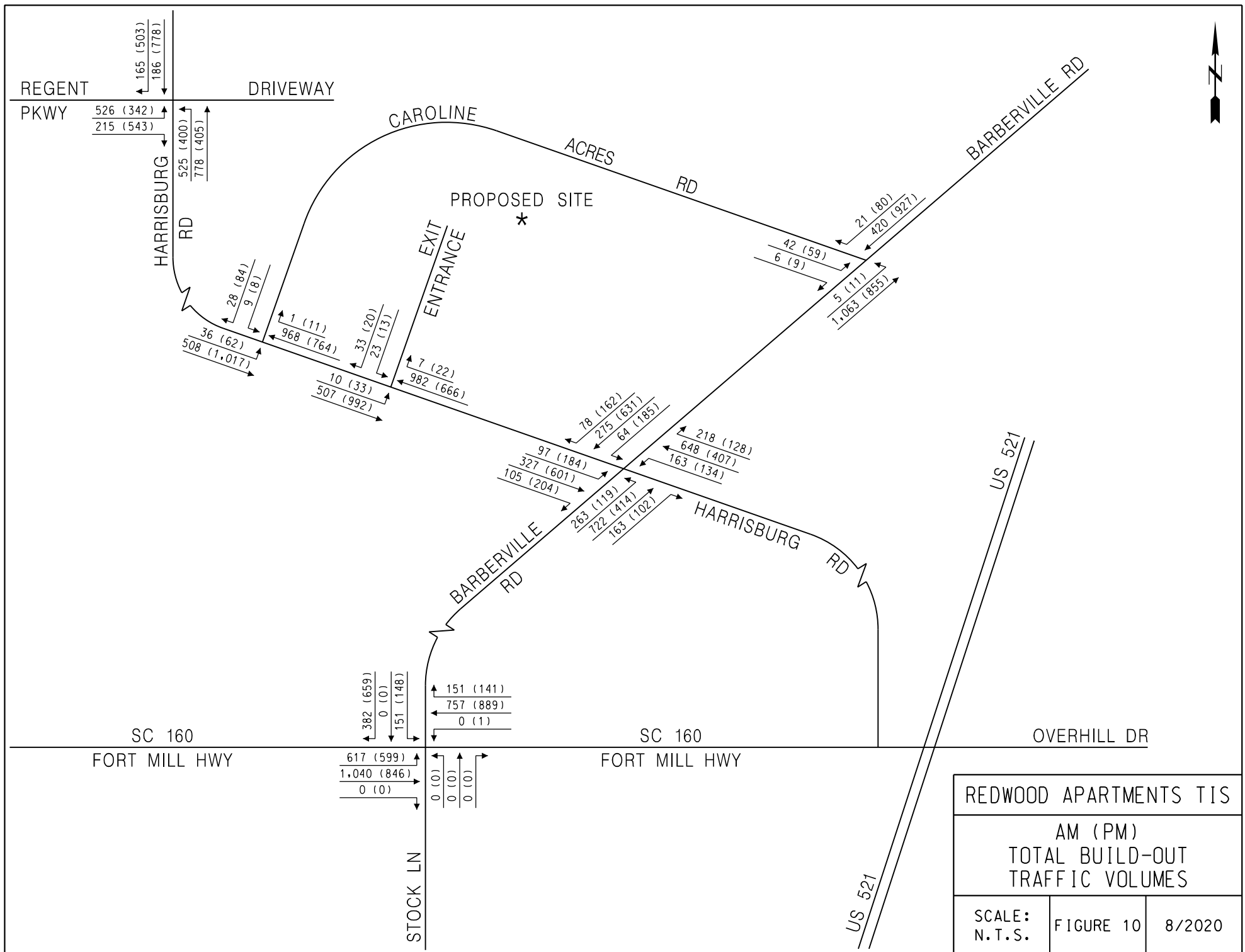






2025 TOTAL BUILD-OUT TRAFFIC

The 2025 total build-out traffic is the 2025 No Build (Background) traffic calculated using a 5% growth rate, plus the traffic generated by the build-out of the five proposed, approved off-site developments in the vicinity of the project, plus the traffic projected to be generated by the proposed Redwood Apartment Neighborhoods site at build-out added together. The total 2025 build-out traffic is shown in Figure 10.



CAPACITY ANALYSIS

Synchro 10 was used to analyze the study intersections during the AM and PM peak hour hours. The intersections were analyzed under the 2020 Existing traffic, the 2025 No Build condition, and the 2025 Build-Out traffic conditions to determine the LOS/delay and queues for each intersection. Synchro 10 determined the capacity analyses for each intersection using the methodology from the Highway Capacity Manual (HCM). The analysis of each intersection was used to quantify the impacts of the proposed development on the roadway network.

The analyses determined the LOS (Level of Service) and the delay for each intersection. LOS is a performance measure outlined in the HCM that is used to translate numerical results into a simple A-F system that is based on the average seconds of delay per vehicle entering the intersection. The HCM defines the LOS A through LOS F through the traveler's perspective with LOS A having the best operating conditions (least delay) and LOS F having the worst (most delay). LOS from A-D are usually considered acceptable with LOS of E-F considered unacceptable.

The LOS for a two way, stop controlled (TWSC) intersection is determined by the delay on the stop-controlled approaches during the peak periods of the day. It is typical for the stop-controlled approaches to experience long delays during peak hours. The long delays are more prevalent for left turn movements from the stop-controlled approaches. The higher volume traffic on the major highways usually experience little or no delay since they are not controlled by a stop sign or signal.

The LOS for signalized intersection is measured as the total delay on all the approaches during the peak traffic hours. One movement can experience high delays while the rest of the movements may have little delay resulting in a good overall LOS.

The standards from the Lancaster County UDO Section 6.8.1A requires that all collector and local streets operate at a LOS of C or above and all arterial or higher order streets operate at a LOS of D or above at the build-out of the new development. If these standards are not met, then mitigation improvements to the roadway network should be identified to improve the LOS.

The existing signal timings obtained from the SCDOT were used for all the signalized intersections for the existing conditions. These can be found in the appendix. The signal timings for the 2025 No Build and 2025 Build conditions were optimized by the Synchro software for the analysis.

2020 Existing Traffic Analysis

Tables 2 and 3 show the overall LOS/delay and approach LOS/delay for the 2020 Existing traffic in the AM and PM peak hour for each of the study intersections. In the AM peak hour, all the intersections operate at a LOS of C or better except the Harrisburg Road/Barberville Road intersection which operates at a LOS of E. Of the three signalized intersections during the PM peak hour, Harrisburg Road/Barberville Road and

Harrisburg Road/Regent Parkway operate at a LOS of D while SC 160/Barberville Road operates at a LOS of C. The stop-controlled intersection of Barberville Road/Caroline Acres Road operates at a LOS of D. The Synchro Version 10 Capacity Analysis reports are shown in the Appendix.

2025 NO BUILD AND 2025 BUILD-OUT TRAFFIC ANALYSIS

Tables 2 and 3 display the 2025 No Build and 2025 Build-Out LOS/delay. The Build-Out condition analysis includes improvements to be made by the developer for Redwood Apartment Neighborhoods, as well as improvements to meet LOS C/D.

For the 2025 No Build and Build-Out condition analyzes the following road improvements committed by others were included:

- An exclusive right turn lane (100 feet) for eastbound Barberville Road at Harrisburg Road
- An exclusive right turn lane (300 feet) for southbound Harrisburg Road at Regent Parkway
- An exclusive left turn lane (150 feet) for southbound Harrisburg Road at Caroline Acres Road
- Constructing dual eastbound lanes on the eastbound approach of Barberville Road to Harrisburg Road with 350 feet of storage
- Adding an additional northbound receiving lane (approximately 1000 feet) on Harrisburg Road north of Barberville Road
- Extending the northbound left turn lane on Harrisburg Road at Barberville Road to 300 feet of storage
- Extending the southbound left turn lane on Harrisburg Road at Barberville Road to provide 250 feet of storage
- An exclusive southbound right turn lane (150 feet) on Harrisburg Road at Barberville Road
- An exclusive westbound right turn lane (125 feet) on Barberville Road at Harrisburg Road
- Extend the northbound left turn lane on Harrisburg Road at Regent Parkway to provide 550 feet of storage

In both the 2025 No Build and the 2025 Build Out models the three signalized intersections were modeled with the signal timings optimized. Table 2 and 3 depicts the overall LOS/delay and approach LOS/delay for the projected 2025 No Build and the 2025 Build-Out conditions in the AM and PM peak hour respectively.

The Capacity Analysis reports generated by Synchro 10 software are shown in the Appendix.

Each intersection is discussed in more detail on the following pages.



Table 2. AM Peak Hour HCM Level of Service

Intersection	2020 Existing		2025 No Build		2025 Build-Out		2025 Build-Out Improved LOS C/D	
	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)
Harrisburg Road and Barberville Road	E	71.4	F	114.9	F	114.9	C	25.7
Harrisburg Road and Caroline Acres Road	C	19.9*	D	28.5*	D	30.5*	C	20.4*
Barberville Road and Caroline Acres Road	C	21.5*	F	58.5*	F	60.9*	A**	3.0**
SC 160 and Barberville Road	C	30.5	D	54.4	D	55.0	C	24.9
Harrisburg Road and Regent Parkway	C	24.1	C	32.4	C	34.0	B	18.6
Harrisburg Road and Site Access	N/A	N/A	N/A	N/A	E	41.5*	E	41.5*

*Worst approach delay reported

** - Traffic signal installed

2025 Build-Out Improved: Includes the proposed mitigation to be made by the developer.

2025 Build-Out Improved LOS C/D: Includes the identified mitigation to meet the LOS requirements.



Table 3. PM Peak Hour HCM Level of Service

Intersection	2020 Existing		2025 No Build		2025 Build-Out		2025 Build-Out Improved LOS C/D	
	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)
Harrisburg Road and Barberville Road	D	51.5	E	67.6	E	68.6	C	32.6
Harrisburg Road and Caoline Acres Road	B	19.5*	D	29.5*	D	32.0*	C	17.2*
Barberville Road and Caroline Acres Road	D	31.5*	F	255.1*	F	271.0*	B**	14.2**
SC 160 and Barberville Road	C	33.1	F	93.2	F	95.2	D	47.1
Harrisburg Road and Regent Parkway	D	54.1	D	50.2	D	54.4	C	22.7
Harrisburg Road and Site Access	N/A	N/A	N/A	N/A	E	39.3*	E	39.3*

* Worst approach delay reported

**Signal installed

2025 Build-Out Improved: Includes the proposed mitigation to be made by the developer.

2025 Build-Out Improved LOS C/D: Includes the identified mitigation to meet the LOS requirements.

HARRISBURG ROAD AND BARBERVILLE ROAD

As shown in Tables 2 and 3, this intersection currently operates at a LOS of E in the AM peak hour and D in the PM peak hour. Under the 2025 No Build condition the intersection is expected to operate at LOS of F in the AM and a LOS E in the PM peak hours. Under the 2025 Build-Out conditions the intersection is projected to continue to operate at a LOS F in the AM and a LOS E in the PM with only slight increases in the overall delay/queue lengths.

Most of the projected delay in the AM peak hour is on the eastbound through movement of Barberville Road and the northbound through movement of Harrisburg Road with both individual approaches operating as a LOS of F. Significant queues are projected along the eastbound and northbound through lanes.

During the PM peak hour period there are significant backups and delay projected on all approaches during both the 2025 No Build and the 2025 Build-Out conditions. Under both conditions, the intersection is projected to operate at a LOS E. With the 2025 Build-Out condition, there is a slight increase in overall delay of 1.0 sec/veh as compared to the 2025 No Build condition.

The guidelines from the Lancaster County UDO state that a major collector should operate at a LOS of C or better at build-out or improvements should be identified to improve the LOS to the standard LOS of a C.

To improve the overall operation to a LOS C the following improvements were identified:

- The construction of an exclusive right turn-turn lane on northbound Harrisburg Road (150 foot storage/100 foot taper).
- The construction of an additional through lane on the Barberville Road approaches.
- The construction of an additional through lane on the Harrisburg Road approaches.

The analysis of the intersection under these conditions yield a LOS/Delay in the AM and PM peak hours of C/25.7 and C/32.6. The construction of the additional through lanes would necessitate the construction of an additional receiving lane on each departure.

The Redwood Apartment Neighborhoods development is not projected to increase the number of right turn motorists on the northbound Harrisburg Road approach nor significantly increase the delay on the other approaches from the projected 2025 No Build traffic, therefore it is recommended that these improvements not be made by the developer. In the meantime, it is recommended that signal timing adjustments be made as the traffic volumes increase in the future.

The approach LOS, delay and queues for each movement can be found in the appendix.

HARRISBURG ROAD AND CAROLINE ACRES ROAD

This intersection operates as at a LOS C under the existing 2020 AM conditions and PM conditions peak hour conditions. Under the 2025 No Build conditions it is expected to operate at a LOS D under both the

AM and PM peak periods. For the 2025 Build-Out conditions it is expected to continue to operate at a LOS D with a 2.0 second increase in delay in the AM and a 2.5 second increase in the PM. The Redwood Apartment Neighborhoods development is not projected to add any traffic to the Caroline Acres approach and only projected to make up 2.8% of the 2025 AM Build-Out traffic and 2.7% of the 2025 PM Build-Out traffic on Harrisburg Road.

Based on the low projected increase in delay and the low impact the development has on this intersection, no mitigation improvements are recommended at this intersection to be constructed by the development.

To comply with the Lancaster County guidelines, mitigation improvements should be identified to bring this major collector to a LOS C or better. The installation of a right turn lane on northbound Harrisburg Road at this intersection does not improve the LOS since there are few right turn motorists on northbound Harrisburg Road. The installation of a stop and go traffic signal was considered but ultimately vetoed due to the relatively low volume of traffic on Caroline Acres Road. Furthermore, a traffic signal would likely decrease the delay for the Caroline Acres approach but would greatly increase the overall delay at the intersection.

To improve the LOS of the intersection to a C or better the following improvement was identified:

- Construct an additional through lane on both approaches of Harrisburg Road.

The analysis of the intersection under the conditions of adding an additional through lane on Harrisburg Road yielded a LOS/Delay of C/20.4 during the AM Peak Hour and C/17.2 during the PM peak hour. The addition of the through lane would require the addition of a receiving lane at the intersection. The approach LOS, delay and queues for each movement can be found in the appendix.

BARBERSVILLE ROAD AND CAROLINE ACRES ROAD

This intersection operates as at a LOS C under the existing 2020 AM conditions and a LOS D under the PM conditions. Under the 2025 No Build conditions it is expected to operate at a LOS F under both the AM and PM peak periods. The projected delay for the AM and PM periods is 58.5 seconds and 255.1 seconds. Under the 2025 Build-Out conditions the projected LOS remains at F but the increase in the projected delay in the AM and PM periods is only 2.4 seconds and 15.9 seconds respectively. The Redwood Apartment Neighborhoods development is not projected to add any traffic to the Caroline Acres approach and only projected to make up less than 1% of the 2025 AM Build-Out traffic and 2025 PM Build-Out traffic on Harrisburg Road.

Based on the low projected increase in delay and the low impact the development has on this intersection, no mitigation improvements are recommended at this intersection to be constructed by the development.

To comply with the Lancaster County guidelines, mitigation improvements should be identified to bring this major collector to a LOS C or better. The installation of a right turn lane on westbound Barberville Road at this intersection does not improve the LOS since there are few right turn motorists on westbound Barberville Road.

To improve the LOS of the intersection following improvement was identified:

- Construct an additional through lane on both approaches of Barberville Road.
- Construct a left turn lane on the eastbound approach of Barberville Road
- Install a traffic signal at this intersection

The additional through lanes and left turn lane on Barberville Road combined with the installation of a traffic signal improve the LOS/Delay at this intersection to A/3.0 in the AM peak hour and B/14.2 in the PM peak hour. Even though the traffic signal improves the LOS at the intersection, the signal may not be warranted since the volume on the Carolina Acres Road approach is 48 during the AM peak hour and 68 during the PM peak hour and that includes right turn motorists also.

The addition of the through lane would require the addition of a receiving lane at the intersection. The approach LOS, delay and queues for each movement can be found in the appendix.

SC 160 AND BARBERVILLE ROAD

Tables 2 and 3 show the LOS/Delay for the intersection of SC 160 and Barberville Road. As shown in the table, this intersection operates at a LOS C under the 2020 existing AM and PM peak hour conditions.

Under the 2025 No Build and 2025 Build-Out conditions, the intersection is expected to operate overall at LOS D in the AM peak hour and a LOS F in the PM peak hour. During the AM peak hour period the eastbound SC 160 approach lanes are projected to experience the most delay/queues. This is mainly because of the projected heavy volume of left turn motorists from eastbound SC 160 conflicting with the heavy volume of westbound SC 160 motorists. During the PM peak hour, all approaches are expected to experience significant delay/queues. The projected increase in the average delay at this intersection from the 2025 No Build condition to the 2025 Build-Out condition of the Redwood Apartment Neighborhoods during the AM peak hour is from 54.4 seconds to 55.0 second. During the PM period the increase is from 93.2 seconds to 95.2 seconds. Both increases attributed to the Redwood Apartment Neighborhoods site would be considered minimal.

According to the Lancaster County UDO guidelines, a major arterial highway should operate a LOS D or better at build-out of the proposed development or mitigation improvements should be identified to improve the roadway network operation.

To provide a LOS D to comply with the Lancaster County UDO guidelines, the following improvement was identified:

- Provide an additional through lane on the SC 160 approaches.

The construction of the additional through lanes improves the AM LOS/Delay to C/24.9 and in the PM to D/47.1. The additional through lanes would require the construction of additional receiving lanes on SC 160.

To further improve the LOS at this intersection, another additional improvement was identified but not modeled:

- Provide a double left turn from eastbound SC 160 onto Barberville Road.

Since the Redwood Apartment Neighborhood does not change the overall LOS of the intersection and only causes minor increases in the overall delay from the No Build condition, no mitigation improvements to be completed by this development are recommended at this intersection.

The approach LOS, delay and queues for each movement can be found in the appendix.

HARRISBURG ROAD AND REGENT PARKWAY

Table 2 and 3 show the LOS/Delay for the intersection of Harrisburg Road and Regent Parkway. This intersection operates at a LOS C under the 2020 existing AM period and LOS D during the 2020 existing PM period.

Under the 2025 No Build and 2025 Build-Out conditions, the intersection is expected to operate overall at LOS C during the AM peak hour. Under the 2025 No Build PM peak hour, the intersection is projected to operate under a LOS D and a LOS E for the 2025 Build-Out condition. During the PM peak hour for both the 2025 No Build and the 2025 Build-Out conditions, all approaches experience significant delay/queues, however the projected increase in the overall delay between the two conditions is minor. The increase in the projected delay between the 2025 AM No Build and the 2025 AM Build condition is only 1.6 seconds. The increase between the PM peak hour delay is only 4.2 seconds.

To comply with the Lancaster County UDO guidelines, mitigation improvements must be identified on major collector roads whose LOS is less than a C.

The following mitigation improvements were identified to bring the LOS of the intersection up to a C:

- Provide an additional southbound through lane on Harrisburg Road.
- Provide a double left turn from Regent Parkway onto northbound Harrisburg Road.

The construction of these lanes would require the addition of receiving lanes. These mitigation improvements improved the AM LOS/Delay to B/18.6 and the PM to C/22.7.

Since the Redwood Apartment Neighborhood does not change the overall LOS of the intersection and only causes minor increases in the overall delay from the 2025 No Build condition, no mitigation improvements to be completed by this development are recommended at this intersection.

The approach LOS, delay and queues for each movement can be found in the appendix.

HARRISBURG ROAD AND SITE ACCESS

The analysis of the intersection of Harrisburg Road and the Site Access drive was made assuming the construction of a left turn on southbound Harrisburg Road into the development. The Site Access drive is projected to operate at a LOS/Delay of E/41.5 in the AM Build-Out condition and E/39.3 in the PM Build-Out condition. The approach LOS, delay and queues for each movement can be found in the appendix.

AUXILLARY TURN LANE WARRANTS

To determine if left or right turn lanes were needed at the two site access points, the guidance provided in the SCDOT Access and Roadside Management Standard (ARMS) manual and the March 2017 edition of the SCDOT Roadway Design Manual was used. Chapter 9 of the Roadway Design Manual provides turn lane warrant analysis graphs to aid in the determination. The graphs use the roadway volumes, turn lane volume, and design speed of the roadway in the analysis.

Using these graphs in the warrant analyses, a left turn lane on Harrisburg Road is warranted on southbound Harrisburg Road at the site access point. The right turn lanes at the site access point is not warranted. The warrant analyses graphs and calculations are shown in the Appendix.

RECOMMENDATIONS AND CONCLUSIONS

This report analyzed the potential impacts to the roadway network caused by the traffic generated by the proposed Redwood Apartment Neighborhoods development located on Harrisburg Road just north of Barberville Road. Recommended improvements to be made by the developer are summarized below.

Harrisburg Road and Site Access

- Construct a left turn lane on southbound Harrisburg Road into the site access. The turn lane should provide 150 feet of storage.
- Construction of an emergency access point on Harrisburg Road for emergency vehicle access only. The emergency access would be on Harrisburg Road just east of the Site Access drive.

General

- Since the SCDOT maintains the signal timings at the intersections with traffic signals included in this report, timing adjustments should be considered as conditions change on the roadway network in the future.

All improvements on the state roadway network system are subject to approval by the SCDOT and Lancaster County. All improvements on the state system should be permitted, designed, and constructed in conformity with the standards of the SCDOT and Lancaster County.



Redwood
APARTMENT NEIGHBORHOODS

**Indian Land, SC
Lancaster County Planning Department
December 2020**

Who is Redwood?

- Single-story, low density apartment neighborhoods
- Over 13,000 dwellings owned & managed across footprint
- 98% leased portfolio
- Based in Independence, OH
- Resident focused
- Community oriented
- 24/7 on-site professional management



Where do we build?

THE CAROLINAS

- Charlotte
- Monroe
- Concord
- Kannapolis
- Lake Wylie
- Greenville \ Spartanburg



Who lives here?

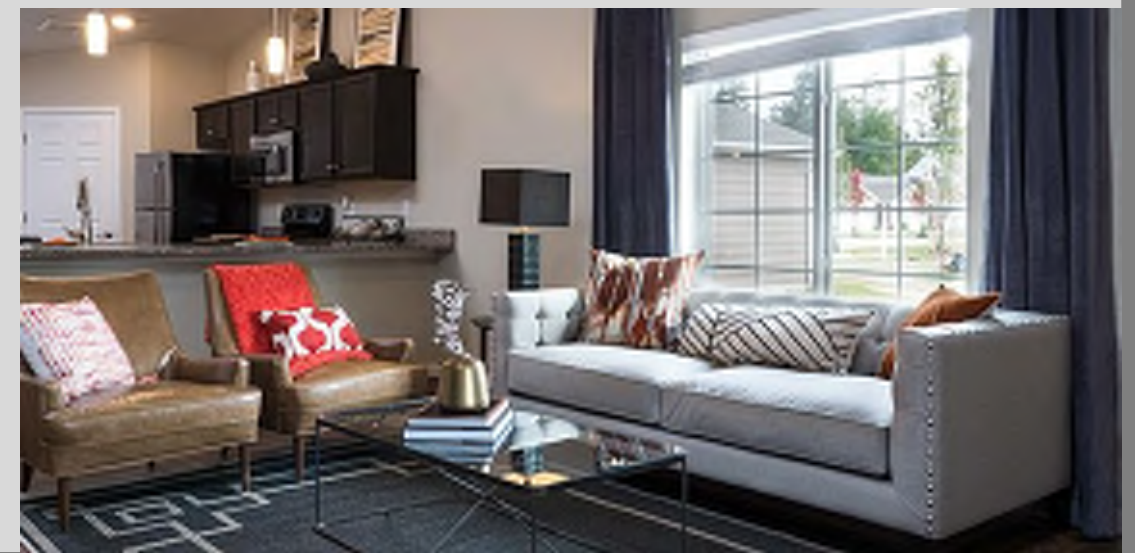
- Empty nesters
- Young professionals
- \$1,500 - \$2,000 range of rent
- Those desiring a maintenance free lifestyle
- Applicants required to submit credit and background checks



Redwood
APARTMENT NEIGHBORHOODS

What do we build?

- Distinctive, open floor plans: 2 bedroom/2 bath
- Private, attached, 2 car garages with direct entry
- Single story, no one lives above or below
- Extensive landscaping
- Stone & shake siding accents
- Zero clearance thresholds
- Vaulted ceilings
- Personal outdoor patio
- Eat-in kitchens with walk in pantry
- Full size washer and dryer connections
- Private, low-speed streets



The *Site*

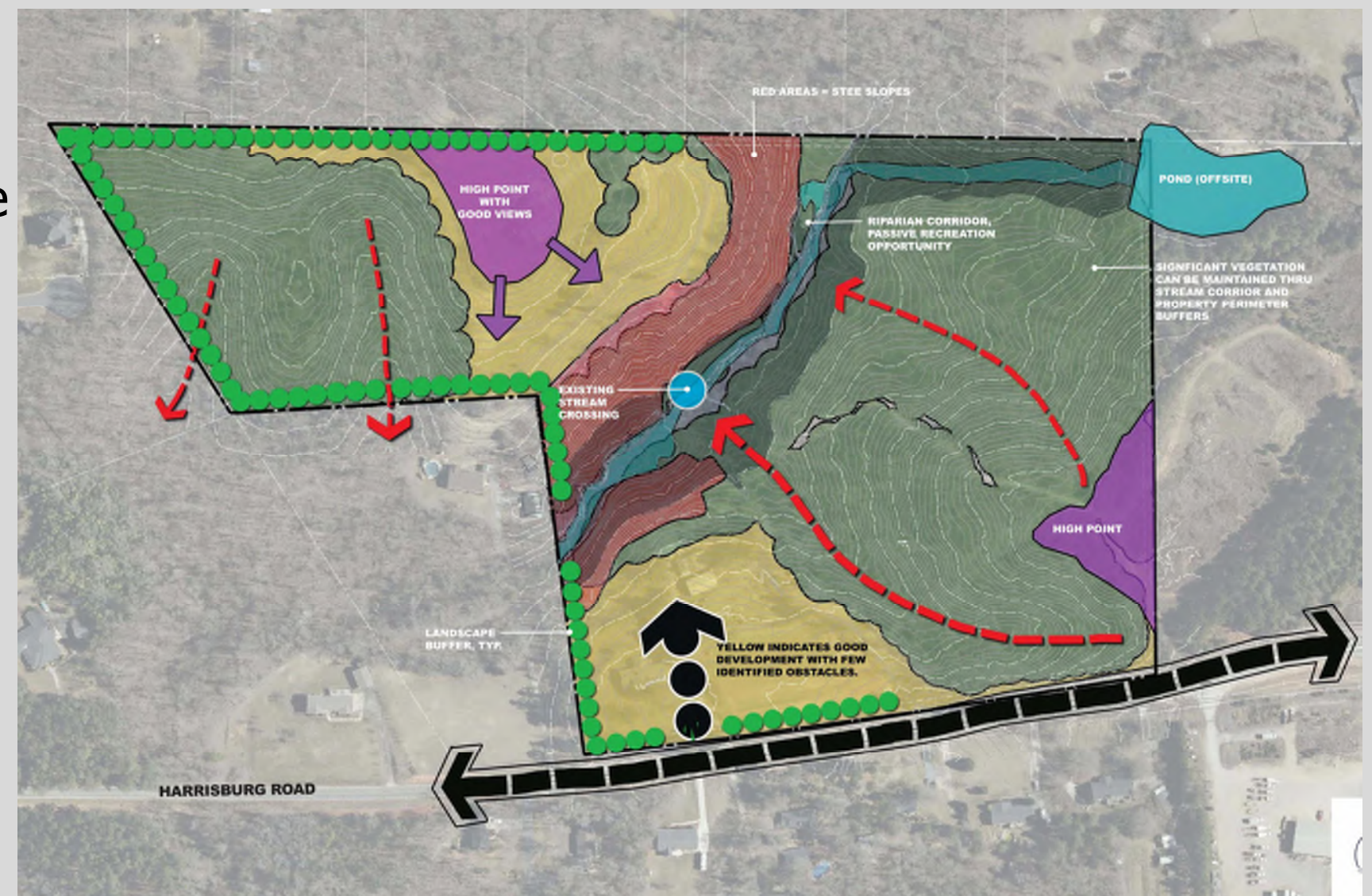
- 37.45 acres site total
- Presently vacant and undeveloped
- Current zoning: LDR
- Convenient access from both Harrisburg and Barberville Roads.



Site *Analysis*

OPPORTUNITIES

- A lot of topography = good drainage
- Stream corridor to provide good natural amenity for passive recreation.
- Existing vegetation to be preserved for site buffering.
- Good visibility and frontage at site access



Proposed *Site Plan*

- Proposed Zone: PB/MF
- 155 dwellings projected
- +/- 4.14 dwelling per acre density
- Multiple dwelling types proposed
- Leasing office | maintenance bldg.
- Generous trail network, trailhead, and overlook.
- Significant tree save



Architecture - *Exterior*

- Stone accents on buildings
- 2x6 exterior walls, filled with R-19 Batt insulation
- Varied color siding and shake accent panels
- Lifetime dimensional shingles
- Energy Star certified windows
- Individual driveway to garages, no ribbon parking lots
- Carriage style garage doors with windowed panels
- Personal outdoor patio spaces



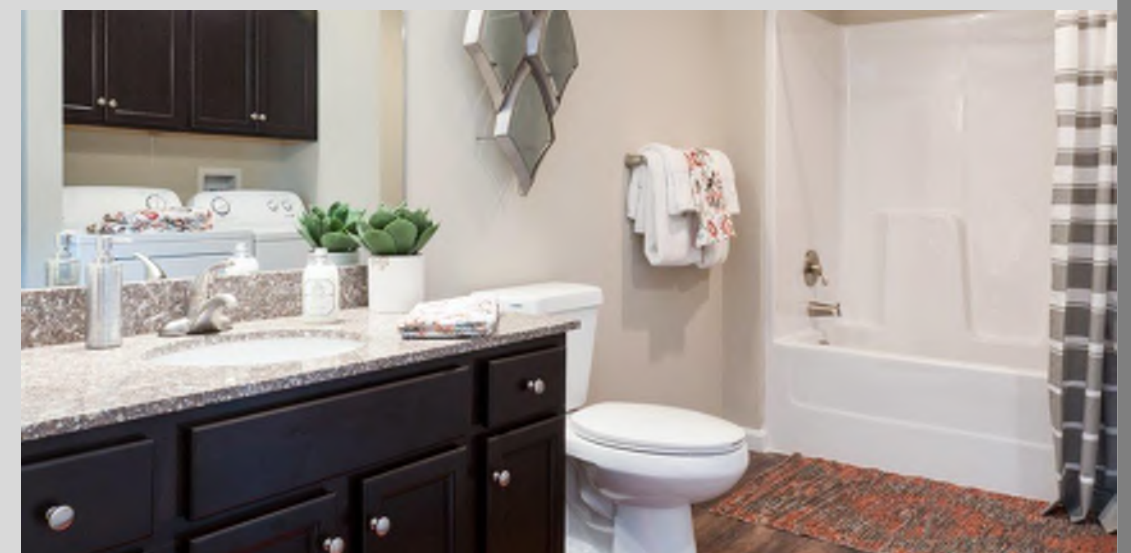
Redwood
APARTMENT NEIGHBORHOODS

Architecture - *Exterior*

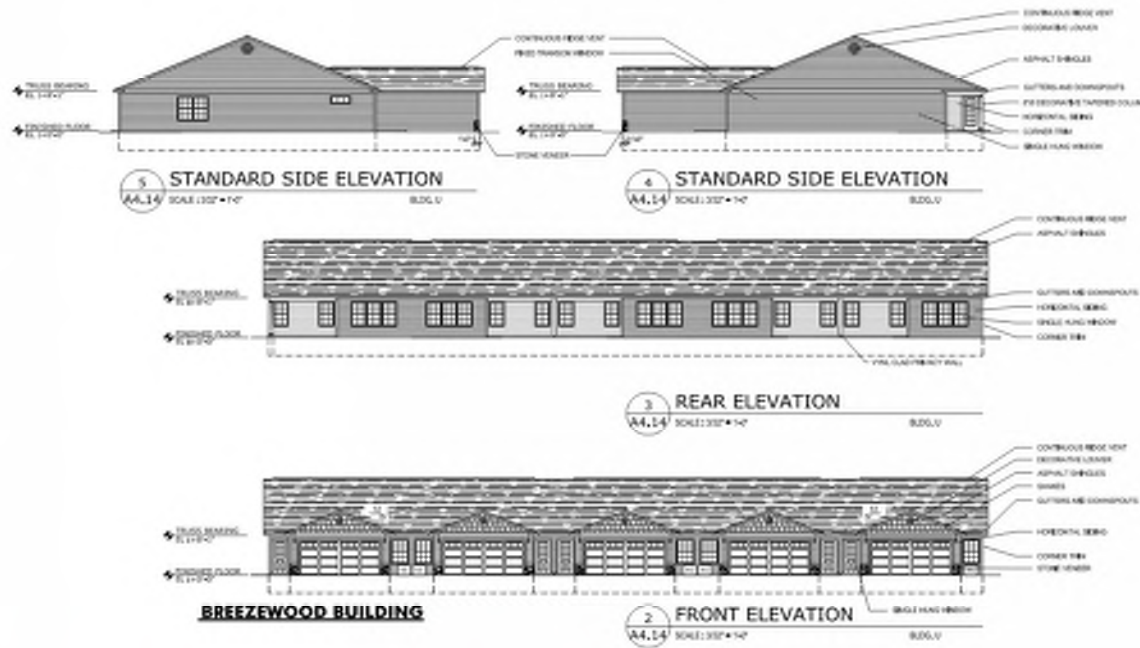
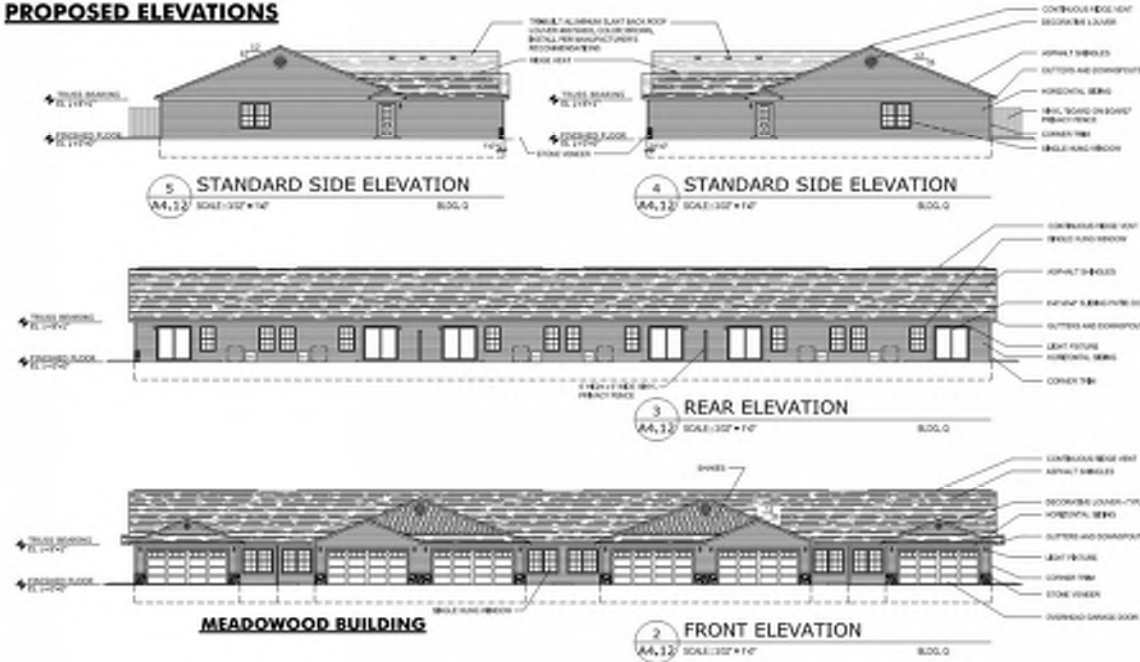


Architecture - *Interior*

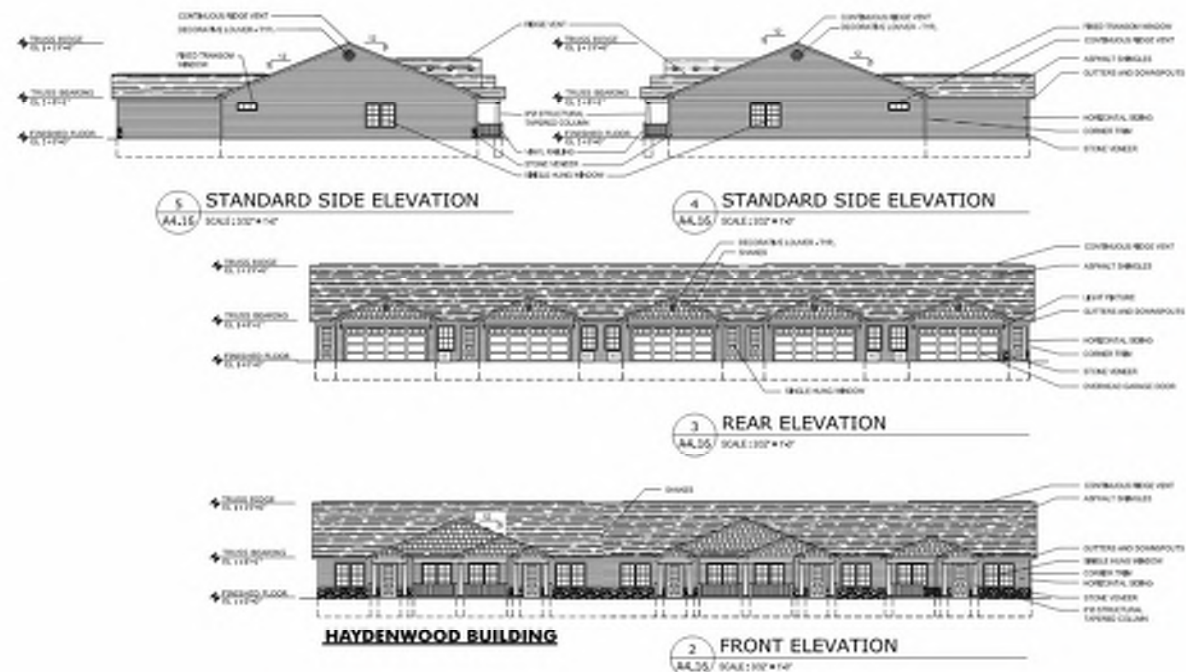
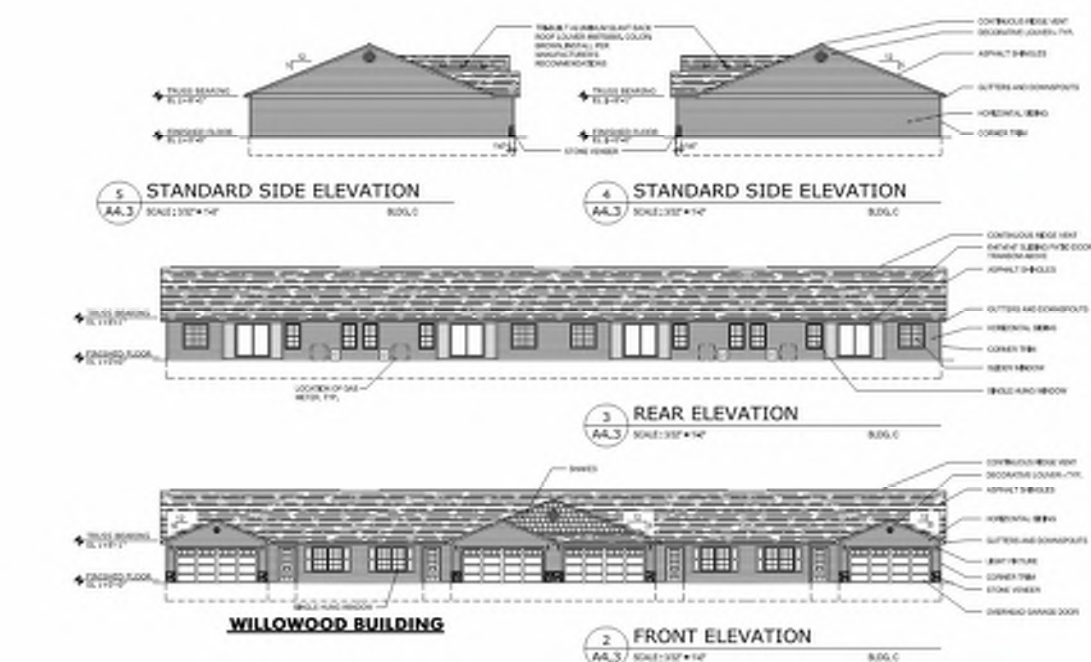
- 2 bedroom, 2 full bath, den area
- Vaulted ceilings, quality finishes, open floor plans with waterproof LVT (Luxury Vinyl Tile)
- Energy efficiency certified throughout dwelling including high efficiency furnace
- Walk-in closets and kitchen pantry
- Granite countertops in kitchen and baths
- Large eat-in kitchens with stainless steel appliances
- LED lighting throughout each dwelling
- Full size washer and dryer connections
- Smoke-free apartments



PROPOSED ELEVATIONS

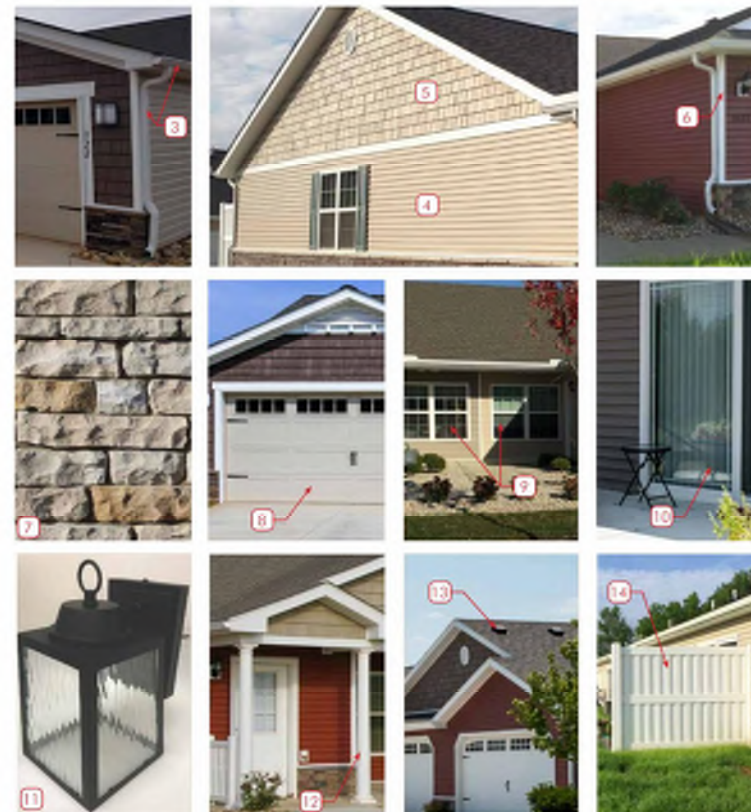


AS BUILT ARCHITECTURAL EXAMPLES

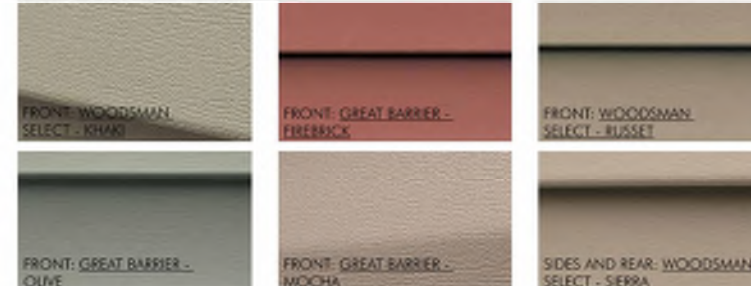


EXTERIOR FINISH MATERIAL SELECTIONS			
	ITEM	MATERIAL/STYLE	COLOR
1	DECORATIVE LOUVER	VINYL	WHITE
2	ASPHALT SHINGLES	DIMENSIONAL 30 YEAR LANDSCAPED	WEATHERED WOOD
3	GUTTERS AND DOWNSPOUTS	PREFINISHED ALUMINUM	WHITE
4	HORIZONTAL SIDING	VINYL	VARIES (SEE PAGE 18)
5	SHAKE SIDING	VINYL	VARIES (SEE PAGE 18)
6	CORNER TRIM	VINYL	WHITE
7	STONE VENEER	PRESTIGE	CHOCOLATE WHITE VENEER
8	OVERHEAD GARAGE DOOR	RAISED PANEL, RIV STEEL	WHITE
9	SINGLE HUNG WINDOW	VINYL	STANDARD WHITE
10	SLOPING RATIO DOOR	VINYL	WHITE
11	COACH LIGHT	METAL & GLASS	BLACK
12	COLUMN	VINYL	WHITE
13	LOUVER	ALUMINUM	BROWN
14	PRIVACY FENCE	VINYL	WHITE

ARCHITECTURAL MATERIALS



SIDING COLORS - BY NORANDEX



NOTES:
1. BUILDING FRONT SIDING COLORS WILL VARY BETWEEN THE ABOVE 3 OPTIONS
2. SHAKES BY FOUNDRY SPECIALTY SIDING - TO MATCH SIDING COLORS



Redwood
APARTMENT NEIGHBORHOODS

Peace, Quiet, Comfort



Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1718

Contact Person / Sponsor: John DuBose / County Attorney

Department: Attorney

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

The Indian Land Recreation Center and an adjacent parcel of real property owned by E&B of Indian Land, LLC ("E&B") are both being improved and certain easement grants are required by each party in favor of the other party in order to facilitate development of each parcel.

The Reciprocal Easement Agreement ("REA") is attached as an exhibit to the ordinance and details the proposed easement grants by the parties.

Exhibit A to the REA is incorporated in that document. Exhibits B and C to the REA are attached separately in the agenda package.

Points to Consider:

The REA sets forth the easement grants by each party. County staff has been substantively involved in reviewing the site plans for each property and staff has collaborated with the County design professionals and the E&B design professionals to minimize the impact of the encumbrances on each property.

E&B will be constructing a sewer upgrade to serve its property. E&B will also be constructing a water line extension to serve both properties with County reimbursing E&B 50% percent of the cost of the water line extension. The reimbursement is exempt from the procurement process.

Funding and Liability Factors:

N/A for the REA.

County will reimburse E&B 50% percent of the cost of the waterline extension. The reimbursement is exempt from the procurement process.

Council Options:

To approve or deny the grant of easements to E&B and receipt of easements from E&B that are necessary for the development of both the Indian Land Recreation Center and the adjacent parcel owned by E&B.

Recommendation:

Approval of the REA by passage of the Ordinance.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1718	3/17/2021	Ordinance
Exhibit A to Ordinance 2021-1718 - Reciprocal Easement Agreement	3/1/2021	Ordinance
Ordinance 2021-1718 REA Exhibit B	4/5/2021	Exhibit
Ordinance 2021-1718 REA Exhibit C	4/5/2021	Exhibit

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2021- 1718

**AN ORDINANCE APPROVING A RECIPROCAL EASEMENT AGREEMENT
BETWEEN LANCASTER COUNTY AND E&B OF INDIAN LAND, LLC**

WHEREAS, Lancaster County's Indian Land Recreation Center and an adjacent parcel of real property owned by E&B of Indian Land, LLC ("E&B") are both currently scheduled for improvement projects and certain easement grants are required by each party in favor of the other party to facilitate development of each parcel or real property.

WHEREAS, the easement grants required by each party were arrived at after careful consideration and planning by independent design professionals hired by Lancaster County and independent design professionals hired by E&B so that the impact of the easement grants upon each project was minimized.

WHEREAS, the easements are set forth in the Reciprocal Easement Agreement ("REA") attached as Exhibit A to this ordinance.

WHEREAS, without the reciprocal easements proposed in the REA both Lancaster County and E&B would be faced with great practical difficulty and expense, and possible impossibility, in completing the contemplated improvement projects.

WHEREAS, the easement grants contained in the REA are mutually beneficial to Lancaster County and E&B and sound land use planning principles advocate for approval of the REA.

WHEREAS, the action of approving the REA represents an important and necessary governmental function.

NOW, THEREFORE, BE IT ORDAINED, by the County Council, as follows:

Section 1. Approval of Reciprocal Easement Agreement.

Council authorizes and approves the easement grants contained in the REA. The form of the REA is attached to this ordinance as Exhibit A and all terms, provisions and conditions of the REA are incorporated herein by reference as if the REA were set out in this ordinance in its entirety. The County Administrator is authorized to execute and deliver the REA on behalf of the County. By adoption of this ordinance, Council approves the REA and all of its terms, provisions and conditions. The REA is to be in substantially the form as attached to this ordinance and hereby approved, or with such minor changes therein as shall be approved by the officials of the County executing the REA, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the REA attached to this ordinance.

Ordinance 2021- 1718
Page 1 of 2

Section 3. Authority to act.

The Council Chair, the Clerk to Council, the County Administrator, the Deputy County Administrator, and County Attorney each are authorized to take such actions and to execute such documents as may be necessary to effectuate the purposes of this ordinance.

Section 4. 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 5. Conflicting provisions.

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

Section 6. Effective date.

This ordinance is effective upon Third Reading.

LANCASTER COUNTY, SOUTH CAROLINA

By: _____
Steve Harper, Chairman
Lancaster County Council

By: _____
Billy Mosteller, Secretary
Lancaster County Council

(SEAL)
ATTEST:

Sherrie Simpson, Clerk to Council
Lancaster County Council

First Reading: March 8, 2021
Public Hearing: March 17, 2021
Second Reading: March 22, 2021
Third Reading: April 12, 2021

Approved as to form:

John K. DuBose, III, County Attorney

Drawn by and after recording mail to:
Brockmann Law (jtl)
17250 Lancaster Highway, Suite 608
Charlotte, NC 28277

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER

RECIPROCAL EASEMENT AGREEMENT

THIS RECIPROCAL EASEMENT AGREEMENT (this "**REA**") is made and entered into as of the ____ day of February 2021, by and between **E&B OF INDIAN LAND, LLC**, a South Carolina limited liability company ("**Developer**"), and **LANCASTER COUNTY, SOUTH CAROLINA**, a body corporate and politic and a subdivision of the State of South Carolina ("**County**").

RECITALS

A. **WHEREAS**, Developer is the owner of that certain +/- 1.77 acre parcel of land located off of U.S Highway 521, Indian Land, South Carolina, designated as TMS 0013-00-048.04 and more particularly described on **Exhibit A** attached hereto and incorporated herein by reference ("**Tract 1**").

B. **WHEREAS**, County is the owner of (i) that certain +/- 2.62 acre parcel of land located off of U.S Highway 521, Indian Land, South Carolina, designated as TMS 0013-00-047.01 ("**Tract 2**"), and (ii) that certain +/- 7.0 parcel of land located in Indian Land, South Carolina, designated as TMS 0013-00-048.01 ("**Tract 3**"), as the same are more particularly described on **Exhibit A**, attached hereto and incorporated herein by reference. Each owner of fee simple title to any portion of Tract 1, Tract 2 and Tract 3 is referred to in this REA as an "**Owner**". Tract 1, Tract 2 and Tract 3 are collectively referred to herein as the "**Tracts**".

C. **WHEREAS**, Developer has leased Tract 1 to Goodwill Industries of the Southern Piedmont, Inc. (together with its successors and assigns, "**Tenant**") under that certain Lease dated November 30, 2020 (the "**Tenant Lease**") in order for Tenant to operate a Goodwill Store and for other purposes permitted pursuant to such lease.

D. **WHEREAS**, conditions for development of Tract 1 include: (i) the design, construction, operation and maintenance of an engineered waterline extension from TMS 0013-00-047.03 (the "Quiktrip Parcel") across Tract 2 for the benefit of Tract 1 and Tract 2 (the "Water Line Extension"); (ii) the design, construction, operation and maintenance of a sewer line upgrade from EX-MH 2 to the north to EX-MH

(Grate 642.46/INV out 628.86) for the benefit of Tract 1 (the “Sewer Line Upgrade”); (iii) the design, and construction of a Stormwater conveyance pipe on Tract 3 property adjacent to the Northeast boundary of Tract 1 for the benefit of Tract 3 (the “Stormwater Control Measure”); (iv) an easement for the purpose of pedestrian access for the benefit of the Tracts; (v) the assumption by Developer and County of certain specified maintenance and repair responsibilities; and

E. **WHEREAS**, Developer and County desire to declare and establish certain easements and other declarations and agreements for the benefit of the Tracts.

NOW, THEREFORE, in consideration of the Recitals, the mutual grants and consents set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Developer and County hereby agree as follows:

1. Easement Grants by County. County, for itself, its successors and assigns, hereby grants, sells, conveys, assigns and transfers to Developer, its respective successors, assigns, the following easements (collectively, the “**County Easements**”):

a. Utility Easements. A perpetual, non-exclusive easement over, under, through and across the Tract 2 and Tract 3 for the purpose of access to the electrical, sanitary sewer, domestic-potable and fire hydrant water, gas and other like public and private utility systems, and the lines, swales, pipes, wires, conduits, poles, transformers, pads, tanks, cisterns, manholes and other related equipment and materials comprising said systems as more particularly shown on that certain Utility Plan C650 drawing dated February _____, 2021 and entitled “Indian Land Recreation Center Water and Sewer Extension” prepared by ADC Engineering, a copy of which is attached hereto as **Exhibit B** and incorporated herein (the “**Utility Plan**”).

b. Access Easement. A perpetual, non-exclusive easement for the benefit of the Owners of the Tracts, their respective Occupants (as hereafter defined) and Permittees (as hereafter defined), for the purpose of pedestrian access, ingress and egress, over, under, through and across the access ways, and other access improvements as more particularly shown on that certain Grading and Drainage Plan C400 drawing dated February _____, 2021 and entitled “Goodwill – Indian Land” prepared by Burton Engineering, a copy of which is attached hereto as **Exhibit C** and incorporated herein (the “**Grading and Drainage Plan**”). It is expressly understood that all Tracts must “self-park” (*i.e.*, no cross-parking easements are granted pursuant to this REA). For purposes of this REA, (i) the term “**Occupant**” means any tenant (including, without limitation, Tenant), occupant or permitted person occupying a Tract under a written lease or license with an Owner; and (ii) the term “**Permittee**” and “**Permittees**” means all Owners, Occupants and the partners, officers, directors, employees, agents, contractors, customers, vendors, suppliers, visitors, invitees and licensees of the Owners and Occupants.

c. Temporary Construction Easement. A temporary nonexclusive easement over, through, under, above and across Tract 2 and Tract 3 in all areas which are generally adjacent to Tract 1 and otherwise reasonably necessary for Developer’s development of Tract 1, including but not limited to, access purposes and for purposes of staging and otherwise conducting all construction and related work reasonably required to excavate, grade, construct and develop Tract 1 (the “Developer Temporary Construction Easement”). The Developer Temporary Construction Easement herein granted is temporary and shall terminate without need for action of either party hereto upon the earlier of (i) final acceptance of all improvements contemplated herein for maintenance by the applicable Governmental Authorities or utility authorities, or (ii) December 31, 2021. Developer agrees to store its construction materials and utilize the temporary construction easement in a manner that will not unreasonably interfere with or delay County’s development of Tract 2 and Tract 3.

2. Easement Grants by Developer. Developer, for itself, its successors and assigns, hereby grants, sells, conveys, assigns and transfers to County (and its successors, assigns, employees, agents, consultants and contractors, as the case may be), for its benefit and for the benefit of the Tracts and to facilitate development and utilization of the Tracts the following easements (collectively, the “**Developer Easements**”):

a. Utility Easements. A perpetual, non-exclusive easement over, under, through and across a limited portion of Tract 1 for the purpose of access to the electrical, sanitary sewer, domestic-potable and fire hydrant water, gas and other like public and private utility systems, and the lines, swales, pipes, wires, conduits, and other related equipment and materials comprising said systems as more particularly shown on the Utility Plan.

b. Temporary Construction Easement. Developer hereby grants, sells, bargains and conveys to County (and its successors, assigns, employees, agents, consultants and contractors, as the case may be), for its benefit and for the benefit of the Tracts and to facilitate development of Tract 1 and the installation of the Easements, a temporary nonexclusive easement over, through, under, above and across Tract 1 in all areas which are generally adjacent to Tracts 2 & 3 and otherwise reasonably necessary for the installation of the Easements, for access purposes and for purposes of staging and otherwise conducting all construction and related work reasonably required to excavate, grade, construct and install the Easements and otherwise in conjunction with work related to the installation of the Easements (the “County Temporary Construction Easement”). The County Temporary Construction Easement herein granted is temporary and shall terminate without need for action of either party hereto upon the earlier of (i) final acceptance of all improvements contemplated herein for maintenance by the applicable Governmental Authorities or utility authorities, or (ii) December 31, 2021. County agrees to store its construction materials and utilize the temporary construction easement in a manner that will not unreasonably interfere with or delay Developer’s development of Tract 1.

c. Access Easement. A perpetual, non-exclusive easement for the benefit of the Owners of the Tracts, their respective Occupants (as hereafter defined) and Permittees (as hereafter defined), for the purpose of pedestrian access, ingress and egress, over, under, through and across the access ways, and other access improvements as more particularly shown on the Grading and Drainage Plan. It is expressly understood that all Tracts must “self-park” (*i.e.*, no cross-parking easements are granted pursuant to this REA). For purposes of this REA, (i) the term “**Occupant**” means any tenant (including, without limitation, Tenant), occupant or permitted person occupying a Tract under a written lease or license with an Owner; and (ii) the term “**Permittee**” and “**Permittees**” means all Owners, Occupants and the partners, officers, directors, employees, agents, contractors, customers, vendors, suppliers, visitors, invitees and licensees of the Owners and Occupants.

3. Repair and Maintenance.

The Parties contemplate that the County Easements and Developer Easements will require periodic maintenance (County Easements and Developer Easements are collectively referred to as “**Easements**” herein). Except as set forth below, the Owner of each Tract from time to time shall be responsible for repairing, maintaining, and replacing the Easements, to the extent the same are located on that Owner’s Tract, at such Owner’s sole cost and expense, in good condition. Notwithstanding the foregoing, the Owner of Tract 3 shall be responsible for repairing, maintaining, and replacing the Stormwater Control Measure.

Notwithstanding the foregoing to the contrary:

a. In the event that the Owner of a Tract (the “**Responsible Owner**”), or Responsible Owner’s respective contractors, tenants, agents or invitees, causes any damage to any Easements located on any other Tract, then the Responsible Owner shall bear the responsibility for repairing and replacing

such damaged area as needed to bring the damaged area to the condition which existed prior to such damage, at the sole cost and expense of the Responsible Owner.

b. In the event that any of the Easements are dedicated to and accepted for public maintenance purposes by a public utility company and/or governmental authority having jurisdiction, the applicable foregoing repair, maintenance and replacement obligations of the applicable Owner shall cease from and after the date of such dedication.

c. In the event that any Owner fails or refuses to perform its obligations hereunder, as required herein, and such failure or refusal continues for a period of thirty (30) days after receipt by it of any notice from any other Owner, then such Owner as has given notice (the “**Complying Owner**”) may undertake such obligations on behalf of the other party (the “**Defaulting Owner**”). In such event, the Complying Owner shall be entitled: (i) to perform such obligations and incur the costs thereof; and (ii) to seek and collect reimbursement from the Defaulting Owner for the Complying Owner’s actual, out-of-pocket costs in connection with performing such obligations. The Defaulting Owner shall be responsible for any and all actual, out-of-pocket costs (including reasonable attorneys’ fees) incurred by the Complying Owner in seeking to collect amounts owed under this Section 3(c). Notwithstanding anything contained herein to the contrary, so long as the Tenant Lease is in full force and effect, Tenant shall be entitled to the same self-help rights and remedies as an Owner under this Section 3(c) as if it were the Complying Owner of Tract 1 and the Owner of Tract 2 and/or Tract 3 is the Defaulting Owner.

4. Relocation of Facilities. Any Owner shall have the right, at no cost to any other Owner, to relocate any Easements (including, without limitation, drainage, utility or access facilities or improvements) located on the relocating Owner’s Tract to another location within such Owner’s Tract which are subject to another Owner’s easement rights; provided, however, in each such case, (i) the quality, capacity and usefulness for their intended purpose of the replacement improvements or facilities shall be the same or greater than that of the existing improvements or facilities, (ii) the relocating party shall obtain all consents and approvals that are required under applicable laws in connection with any such relocation, (iii) the relocated improvements or facilities shall be constructed with materials and design standards which equal or exceed those used in connection with the existing improvements or facilities, (iv) the relocated improvements or facilities shall comply with all then-applicable legal requirements, (v) the relocation shall not interfere with the ongoing business operations of any other Owner or Occupant of the Tracts or the visibility of the signage of any other Owner or Occupant of the Tracts in any material respect, and (vi) the relocation does not interfere with the access or utility services to any other Owner or Occupant of the Tracts.

5. Insurance.

(a) Insurance. Developer shall maintain or cause to be maintained in full force and effect comprehensive public liability insurance with a financially responsible insurance company or companies licensed to do business in South Carolina insuring against claims on account of loss of life, bodily injury, or property damage that may arise from, or be occasioned by, the condition, use or occupancy of Developer’s Tract or the improvements located thereon. Such insurance shall provide for an aggregate limit of not less than One Million Dollars (\$1,000,000.00) for personal or bodily injury or death and an aggregate limit of not less than One Million Dollars (\$1,000,000.00) in respect of any instance of property damage.

(b) County maintains insurance coverage through the South Carolina Property and Liability Trust and the County’s liability is governed and limited by the South Carolina Tort Claims Act.

(c) Each Owner shall furnish to any other Owner requesting the same evidence that the insurance described above is in full force and effect. All policies of insurance carried by any Owner pursuant hereto may be obtained by an Occupant on such Owner's behalf.

7. Miscellaneous Provisions.

a. Governing Law; Severability. The laws of the State of South Carolina shall govern the interpretation, validity, performance and enforcement of this REA. If any provision of this REA shall be held to be invalid or unenforceable, the validity and enforceability of the remaining provisions hereof shall not be affected thereby.

b. Remedies Cumulative; Equitable Relief. The rights and remedies reserved in this REA shall be cumulative and may be pursued individually, collectively or successively by the parties entitled thereto. Tenant (and its successors and assigns) shall have the rights and remedies available to Developer under this Agreement, including the right to exercise self-help remedies in connection with any repair obligations and the right to receive reimbursements in connection therewith as set forth above. No right or remedy set forth herein shall be construed to limit, restrict, impair or impede any other rights available to any party at law or in equity. No right or remedy set forth herein shall be construed to abrogate, abridge, modify, impair or impede the rights at common law of any party subject to this REA. It is hereby declared that irreparable harm will result to any Owner, or its successors and assigns, by reason of any breach or default of the provisions or covenants herein and, therefore, the Owner harmed shall be entitled to relief by way of injunction or specific performance. Notwithstanding the foregoing to the contrary, no breach hereunder shall entitle any Owner to cancel, rescind, or otherwise terminate this REA. No breach hereunder shall defeat or render invalid the lien of any mortgage or deed of trust upon any Tract made in good faith for value, but the easements, covenants, conditions and restrictions hereof shall be binding upon and effective against any Owner of such Tract covered hereby whose title thereto is acquired by foreclosure, trustee's sale, or otherwise.

c. Successors and Assigns. The terms, provisions and covenants of this REA shall be binding upon the Owner(s) of any fee parcel described herein.

d. Amendment to REA. This REA may be amended only by a written agreement executed by (i) Developer (for so long as Developer is an Owner) and (ii) any Owner whose enjoyment of its parcel, or whose rights or obligations under this REA, would be materially, adversely affected by virtue of such amendment.

e. Binding Effect. The conditions, restrictions and easements contained in this REA are covenants running with the land; they shall be binding upon and inure to the benefit of Developer and County's respective successors and assigns in title to all or part of the Tracts, each tenant now or hereafter leasing any part of the Tracts, and each lender making a loan secured by a mortgage on all or any part of the Tracts. This REA and the rights granted and created hereby, including, but not limited to, the easements created hereunder, shall be superior to all leases, conveyances, transfers, assignments, contracts, mortgages, deeds of trust and other encumbrances and documents affecting all or any part of the Tracts that is recorded in the Lancaster County Public Registry. Any person or entity foreclosing any such mortgage, deed of trust, lien or encumbrance and any persons or entities acquiring title to, or an interest in, any part of the Tracts as a result thereof shall acquire and hold title expressly subject to the provisions of this REA.

f. Waivers. No delay or omission by any Owner in exercising any right or power accruing upon any default, non-compliance or failure of performance of any of the provisions of this REA by any other Owner shall be construed to be a waiver thereof. A waiver by any Owner of any obligation

of any other Owner shall not be construed to be a waiver of any subsequent breach of such obligation, or a waiver of any breach of any other terms, covenants or conditions of this REA.

g. Attorneys' Fees. If any action, suit, arbitration or other proceeding is instituted to remedy, prevent or obtain relief from any default in the performance by any Owner (or ground lessee) of its obligations under this REA, the prevailing party shall be reimbursed by the other party for all of its costs and expenses, including without limitation reasonable attorneys' fees, incurred in each such action, suit, arbitration or other proceeding. As used in this REA, the term "reasonable attorneys' fees" shall be deemed to mean the actual costs of any legal services actually performed in connection with the matters involved, calculated on the basis of the usual fee charged by such attorneys, as opposed to any statutory presumption that may then be in effect in the State of South Carolina.

h. Private Agreement. Except as set forth herein, nothing contained in this REA shall be deemed to be a gift or dedication of any portion of the Tracts to the general public or for any public use or purpose whatsoever.

i. No Partnership. The provisions of this REA are not intended to create, and shall not be interpreted to create, a joint venture, a partnership or any similar relationship between the Owners.

j. Exculpation. Notwithstanding any provision to the contrary contained in this REA, it is specifically understood and agreed that there shall be absolutely no personal liability on the part of any Owner, its shareholders, officers, directors, members, managers, or partners, with respect to the performance or non-performance of any of its obligations under this REA. Each Owner shall look solely to the portion of the Tracts owned by any Defaulting Owner, the improvements located thereon and any insurance or condemnation proceeds related thereto, for the satisfaction of any remedy of the Complying Owner resulting from the breach of any of the obligations or covenants of this REA by the Defaulting Owner; provided, however, that this provision shall be not deemed to affect the right of any Owner to seek injunctive relief or to bring suit for specific performance. If any Owner conveys its fee simple interest in its portion of the Tracts, that Owner shall be relieved from all obligations under this REA accruing after the date of the conveyance.

k. Counterparts. This REA may be executed in separate counterparts, which, taken together, shall be considered as one instrument.

l. Notices. Any notice, consent or other communication permitted or required by this REA shall be in writing, and shall be given to the applicable Owner(s), at the addresses set forth in then-current tax records of Lancaster County, South Carolina, in the following manner (a) personal delivery, (b) reputable overnight delivery service with proof of delivery, or (c) United States Mail, postage prepaid, registered or certified mail, return receipt requested. Each such notice shall be deemed to have been given upon receipt or refusal to accept delivery.

m. Non-Interference. Except as otherwise provided herein, in no event shall an Owner block, restrict, limit or otherwise materially interfere with any other Owner's use and enjoyment of the Easements or their respective Tract, without the prior consent of the affected Owner and Tenant (so long as the Tenant Lease is in full force and effect). Further notwithstanding anything set forth in this REA to the contrary, the Owners shall exercise their rights set forth in this REA in a manner which minimizes disruption to any uses, events or activities taking place upon any other Tract, and in no event may any Easements encroach upon any building improvements on a Tract without the consent of the affected Owner(s) and Tenant (so long as the Tenant Lease is in full force and effect).

n. Tenant Rights. Tenant (and its successors and assigns) shall have the rights and remedies available to Developer under this Agreement, including the right to exercise self-help remedies in connection with any repair obligations and the right to receive reimbursements in connection therewith as set forth above.

o. Force Majeure. Whenever performance is required of any Owner hereunder, such Owner shall use all due diligence to perform and take all necessary measures in good faith to perform; provided, however, that if completion of performance shall be delayed at any time by reason of acts of God, war, civil commotion, riots, strikes, picketing or other labor disputes, unavailability of labor or materials, damage to work in progress by reason of fire or other casualty, or any cause beyond the reasonable control of such Owner, then the time for performance as herein specified shall be appropriately extended by the amount of the delay actually so caused. The provisions of this Section shall not operate to excuse any Owner from the prompt payment of any monies required by this REA.

[Signature pages attached]

IN WITNESS WHEREOF, Developer has executed this REA by authority duly given, as of the date first written above.

_____ Witness 1 Print Name: _____ _____ Witness 2 Print Name: _____	E&B OF INDIAN LAND, LLC, a South Carolina limited liability company By: _____ Name: _____ Title: _____
---	---

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, _____, a Notary Public for State of North Carolina do hereby certify that Elton Braho personally came before me this day and acknowledged that (s)he is the Manager of **E&B OF INDIAN LAND, LLC**, the Grantor herein, (the “Company”) and that (s)he, being authorized to do so, executed the foregoing document on behalf of the Company.

Date: _____, 2021

(Official Seal)

Notary Public
Printed or Typed Name _____
My commission expires: _____

IN WITNESS WHEREOF, Developer has executed this REA by authority duly given, as of the date first written above.

_____ Witness 1 Print Name: _____ _____ Witness 2 Print Name: _____	LANCASTER COUNTY, a body corporate and politic and a subdivision of the State of South Carolina By: _____ Name: _____ Title: _____
---	--

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: _____.

Date: _____, 2021

(Official Seal)

Notary Public
Printed or Typed Name _____
My commission expires: _____

EXHIBIT A



EXHIBIT B

UTILITY PLAN

EXHIBIT C

GRADING AND DRAINAGE PLAN

LCWSD PLAN AND PROFILE GENERAL NOTES:

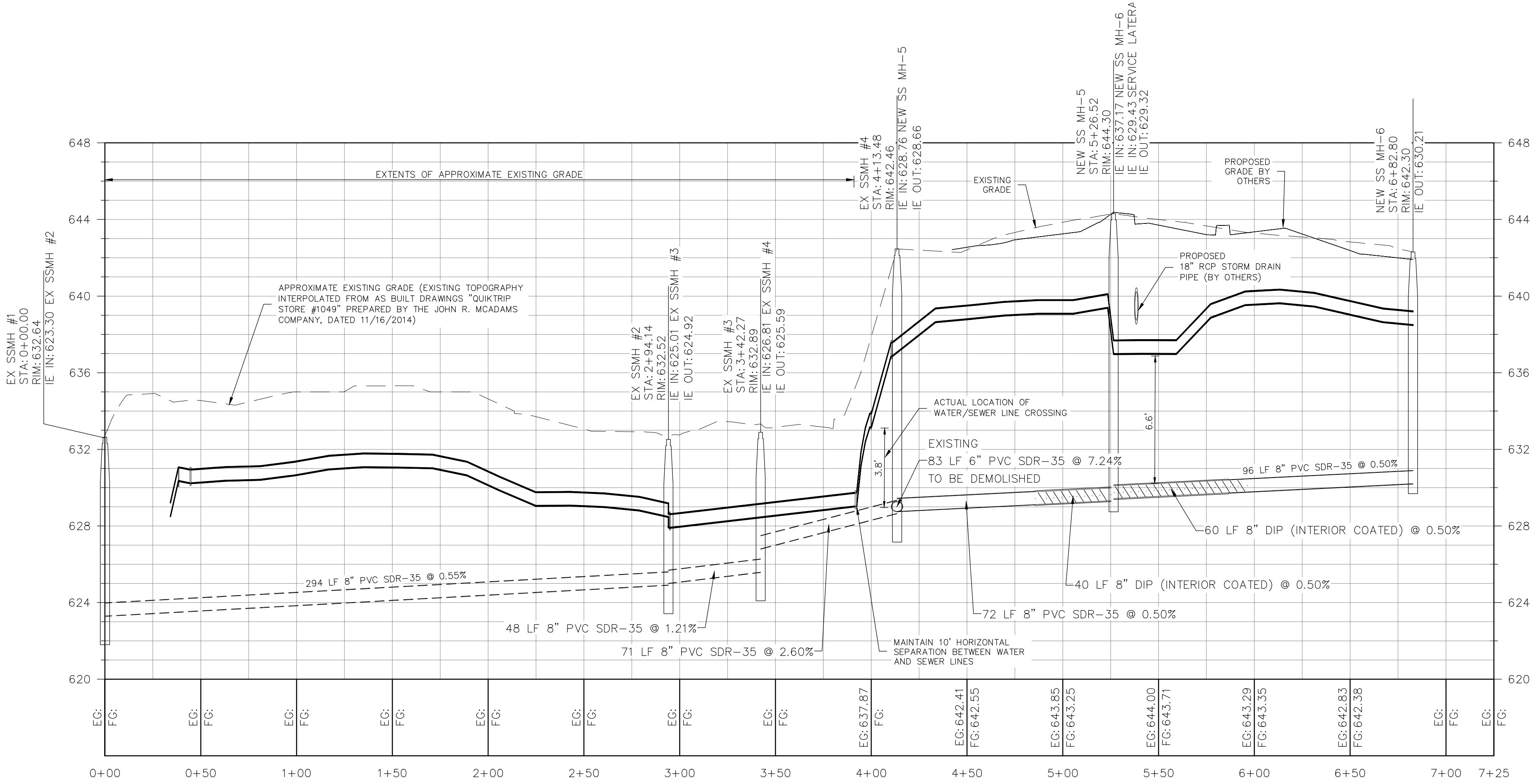
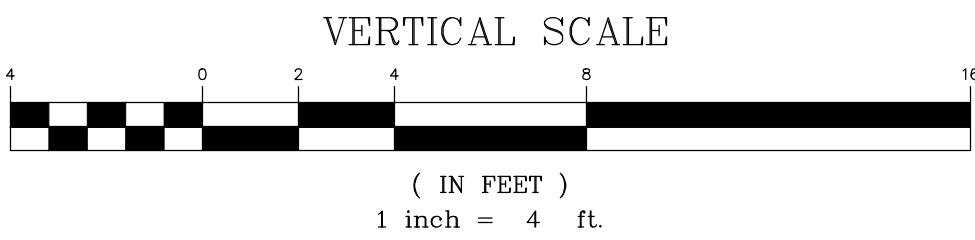
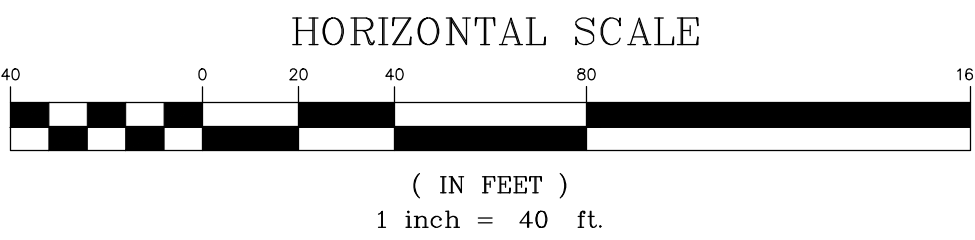
1. ALL CONSTRUCTION AND MATERIAL SHALL BE IN ACCORDANCE WITH APPLICABLE STATE, FEDERAL, AND LOCAL REGULATIONS, MOST RECENT LCWSD'S STANDARD SPECIFICATIONS FOR DEVELOPERS, AND SCDHEC REGULATIONS FOR WATER AND WASTEWATER FACILITY CONSTRUCTION.
2. SLOPES IN EASEMENT SHALL NED EXCEED 4:1 FROM EACH EDGE OF RIGHT-OF-WAY, AND SHALL BE GRADED IN SUCH A MANNER AS TO PROVIDE ACCESS TO LCSWD MAINTENANCE EQUIPMENT. WHEN EASEMENTS ARE LOCATED IN DITCHES/SWALES WITH VARYING DEPTHS, CONTRACTOR TO PROVIDE SUFFICIENT LINING FOR ADEQUATE ACCESS AS NEEDED.
3. EASEMENTS SHOWN BETWEEN LOTS SHALL BE A MINIMUM 30 FEET IN WIDTH.
4. ALL WATER AND WASTEWATER LINES LOCATED UNDER PAVEMENT AND BETWEEN LOTS MUST HAVE A STANDARD COMPACTION TEST FOR EACH LIFT EVERY 500 LF, WITH WRITTEN VERIFICATION SENT TO LCWSD. ALL LIFTS TO BE 1.0 FT OR LESS.

UTILITY PROFILE NOTES:

1. SEE SHEET C001 FOR CIVIL NOTES AND ABBREVIATIONS.

UTILITY PROFILE LEGEND:

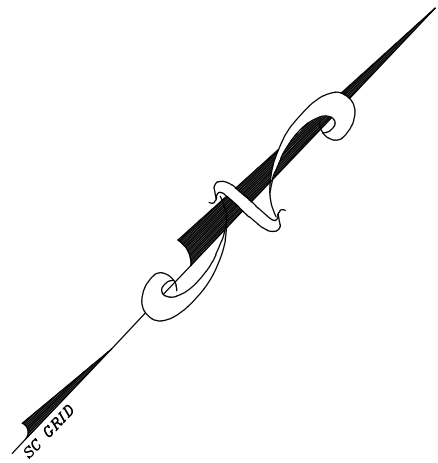
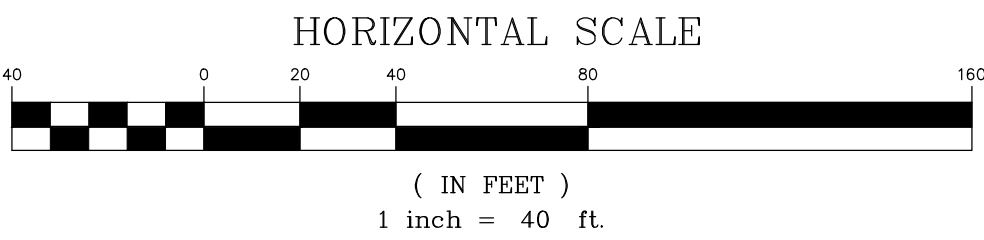
EXISTING GRADE



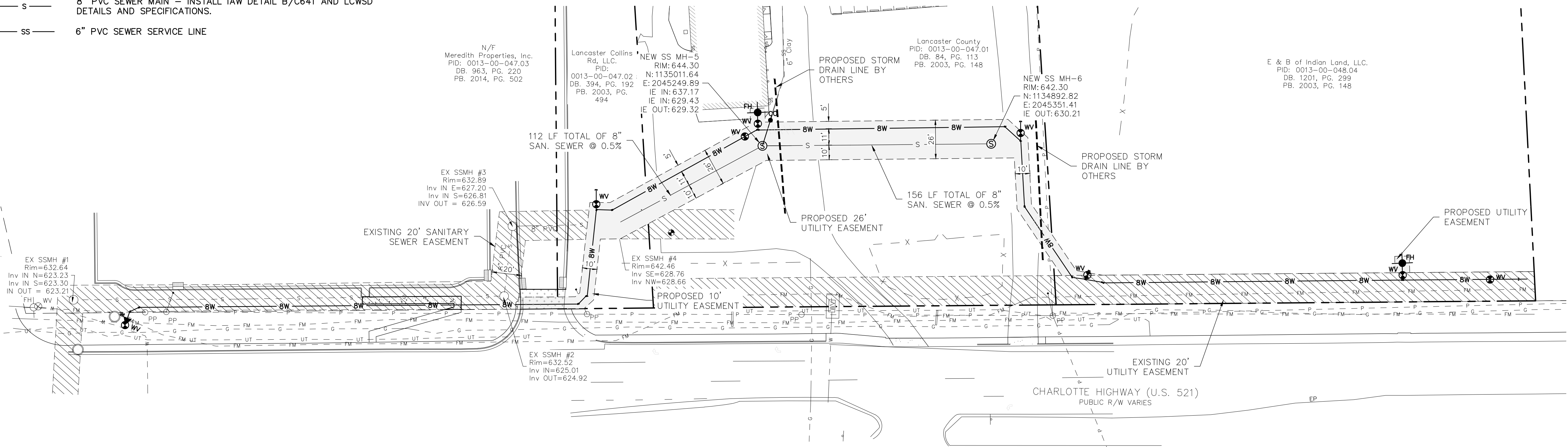
SS MAIN ALIGNMENT PROFILE

CIVIL LEGEND – WATER AND SEWER

- | | | | |
|--|--|--|--|
| | GATE VALVE (MATCH LINE SIZE) – INSTALL IAW DETAIL B/C640 & G/C640. | | PROPERTY LINE |
| | FIRE HYDRANT ASSEMBLY – INSTALL IAW DETAIL A/C641. | | LIMITS OF CONSTRUCTION/LIMITS OF DISTURBANCE |
| | WATER INCREASER VALVE – INSTALL IAW LCWSD SPECIFICATIONS. | | PROPOSED PERMANENT UTILITY EASEMENT |
| | SEWER MANHOLE – INSTALL IAW DETAIL C/C641. | | EXISTING PERMANENT UTILITY EASEMENT |
| | PVC WATER MAIN (SEE PLAN FOR SIZE) – INSTALL IAW DETAILS E/C640 & F/C640 AND LCWSD DETAILS AND SPECIFICATIONS. | | |
| | 8" PVC SEWER MAIN – INSTALL IAW DETAIL B/C641 AND LCWSD DETAILS AND SPECIFICATIONS. | | |
| | 6" PVC SEWER SERVICE LINE | | |

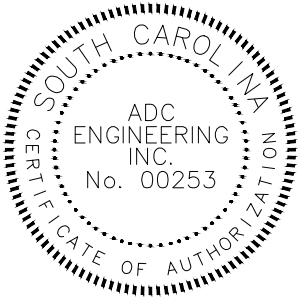


REVISION:
1 – WATERLINE ALIGNMENT CHANGE.



Craig Gauden Davis
19 Washington Park
Greenville, South Carolina

INDIAN LAND
RECREATION CENTER
WATER AND SEWER EXTENSION
8288 CHARLOTTE HIGHWAY,
INDIAN LAND, SC 29707



ADC
ENGINEERING
CHARLESTON\COLUMBIA\GREENVILLE
25 WOODS LAKE ROAD, SUITE 210
GREEVILLE, SC 29607
ph: 864-751-9121
WWW.ADCENGINEERING.COM

811
CONTRACTOR SHALL CONTACT 811 (1-888-721-7877) FOR LOCATIONS OF ALL UTILITIES AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION.
Know what's below. Call before you dig.

DATE: 03/16/2021
ADC PROJECT #: 19397
DESIGNED: ECS
CHECKED: LKB
DRAWN: LKB

REVISION:
2021 0325 – LCWSD REVISIONS

SEWER LINE PLAN
AND PROFILE

C650

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1726

Contact Person / Sponsor: Kimberly Belk/Administration and Steve Willis/Administration

Department: Administration

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Update to the County Capital Improvement Plan beginning July 2021-June 2031.

Points to Consider:

Historically the revised plan has included items over \$100,000 and been adopted every five years. The last one was adopted in 2017.

This will be an active CIP with budget staff planning to post it online and give bi-annual status updates. Budget staff also recommends revisiting the plan annually with Council.

We need to update the CIP to include impact fee items as well as Capital Project Sales Tax 3 items. This version does not include the airport any longer, as FAA regulations require us to pass an annual airport CIP that makes necessary changes. After talking with the County's airport consultant, the decision was made to remove it from the county-wide CIP and track it separately.

This document has been amended since the version previously presented to Council at the Jan. 19 Committee of the Whole Meeting to include: office space for the Coroner's office and the recreation bond projects which were approved by referendum and the majority of construction will take place in next fiscal year.

Funding and Liability Factors:

This document serves as a financial plan for capital expenditures.

Council Options:

After some discussion with Council members there have been a select number of edits made on pages 9, 40, and 59 in the proposed amended version which is attached. Those proposed changes are underlined and highlighted in red. These are clarifying points and a motion to amend would be appropriate.

Recommendation:

Planning Commission recommended approval.

Staff recommends approval.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1726	3/16/2021	Ordinance
FY2022-2031 Capital Improvement Plan	3/16/2021	Exhibit
Appendix: Facility Needs Study	3/15/2021	Exhibit
FY2022-2031 Capital Improvement Plan_Proposed Amendments	4/6/2021	Exhibit

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

)
)
)

ORDINANCE NO. 2021-1726

AN ORDINANCE

TO ADOPT THE LANCASTER COUNTY CAPITAL IMPROVEMENTS PLAN FISCAL YEAR 2021-2022 THROUGH 2030-2031 AS RECOMMENDED BY THE LANCASTER COUNTY PLANNING COMMISSION.

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

Section 1. Findings.

- A. The Lancaster County staff prepared the draft version of the Lancaster County Capital Improvements Plan Fiscal Years 2022 – 2031.
- B. The draft document was presented to the Lancaster County Planning Commission for review and comments.
- C. The Lancaster County Planning Commission has recommended approval to the Lancaster County Council.

Section 2. Adoption of Document; No Funding Authorized.

The Lancaster County Council hereby adopts the Lancaster County Capital Improvements Plan 2022 – 2031 document. Inasmuch as this is strictly a financial planning document, no funding for any project contained therein is authorized through the adoption of this ordinance.

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 in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance 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 _____, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading:	March 22, 2021
Second Reading:	April 12, 2021
Public Hearing:	April 26, 2021
Third Reading:	April 26, 2021

Fiscal Year 2022/31 Proposed Capital Improvement Plan

PREPARED BY LANCASTER COUNTY FINANCE DEPARTMENT

Lancaster County
South Carolina Council



Seated (L to R): Vice-Chairman, Brian Carnes; Chairman, Steve Harper; Secretary, Billy Mosteller. Standing (L to R): Councilman Allen Blackmon, Councilman Larry Honeycutt, Councilwoman Charlene McGriff, and Councilman Terry Graham.

Council Members	District	Term Expires	
Terry Graham	1	12/31/2024	
Charlene McGriff	2	12/31/2022	
Billy Mosteller	3	12/31/2024	
Larry Honeycutt	4	12/31/2022	
Steve Harper	5	12/31/2024	
Allen Blackmon	6	12/31/2022	
Brian Carnes	7	12/31/2024	

Administrator, Steve Willis
Clerk to Council, Sherrie Simpson



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March 4, 2021

Charles Deese, Chairman
Members, Lancaster County Planning Commission

Mr. Chair & Commission Members,

Please find the corresponding recommendations for the FY2021-31 Capital Improvement Plan (CIP). You will find this plan is based off of data and recommendations provided by the Impact Fee Study and the Facilities Needs Study balanced with available financial resources. The total for the 10 year plan as presented is \$204,695,155. This total encompasses an investment into the County's capital assets with funding sources including capital project sales tax, potential impact fee collections, strategic use of County fund balance, as well as debt issuance. While this plan will address many of the needs that have been identified by the studies already mentioned as well as those identified by your department heads, the majority of funding focuses in the area of public safety.

In total there is \$47,696,120 in allocations for a new detention center in public safety beginning in FY2021/22 which is a major expense facility as approved by the voters to be funded through debt issuance using capital project sales tax funds. In addition there are several stations planned for Emergency Medical Services (EMS) within the next 10 years totaling over \$11 million with funding sources varying. Fire Service also has 3 stations planned within the next 10 years per the impact fee study. As described in the study, the growth in development will lend itself towards new facility needs to maintain current service levels. In addition to facilities, public safety is also planned to have \$35 million in replacement equipment.

In terms of roads and infrastructure improvements, the public services division has the second largest capital expenses planned with over \$42 million. This includes the annual allocation from the road maintenance fee for preservation, but is largely related almost \$20 million in roads funding over the next 5 years. This includes over \$13 million from capital project sales tax 3 and approximately \$6.75 million remaining on capital project sales tax 2. Additionally, funding is included for a public works administrative office and fleet operations garage in the amount of \$4.9 million as well as recycling center upgrades. The remaining plans relate to replacement equipment.

Closely following public services would be general services which include plans for both Parks & Recreation and the Managed Information Systems (MIS) departments. Parks & Recreation has several new facilities which

planning has already begun for in the current year which will begin construction at the end of this current year into next year. Those projects include renovations at the Indian Land Recreation Center and soccer fields in Heath Springs and Indian Land. The total of those three projects is estimated at over \$14 million. In addition this plan reflects the intent to do a phased construction of the regional park beginning in fiscal year 2022/23. The park would be completed using a combination of funding from hospitality tax and impact fee revenue over the next 10 years.

The level of funding for the above projects displays an emphasis on updating outdated facilities as identified in the space needs assessment, includes the projects necessary to maintain levels of service as discussed in the impact fee study, and will allow for the County to invest in replacement assets which provide for efficiency gains in the future. Appreciation must be given to all of the department heads and elected officials who helped develop this plan as well as our evaluation team members who helped rank and prioritize these projects. Investments in capital are an important step to maintaining financial resiliency while providing Lancaster County citizens with the services they need.

Thank you for your consideration and taking this step to progress the County towards sustainable long term financial planning.

Kimberly Belk
Interim Deputy County Administrator

CIP Development

CIP Schedule

Budget staff modeled the process for development largely off of the County’s budget process. In July, forms were sent out and preliminary meetings were held with department heads to kick off the development. By the end of summer, the majority of submissions were received. Through the fall, those submissions were compiled and turned over to the evaluation team who reviewed and scored projects. The members of the evaluation team included the County Administrator, Deputy County Administrator, Public Services Division Director, Chief Financial Officer, and the Development Services Division Director. Following their scoring, budget staff ranked the projects and worked on revenue projections and estimates to identify funding sources as needed. This information rounded out project scheduling and the proposed document was prepared in January.

Project Evaluation and Scheduling

Once the evaluation team received submissions, they were asked to score projects based on the below matrix. If there was a project they completely disagreed with, they could also choose not to provide a score at all.

	Emergent Need	Highly Desired
Time Constraint Relevant	Extreme Necessity, Rushed Timeframe—Not optional, can’t be delayed 4	Desirable, Rushed Timeframe—Optional, can’t be delayed 2
Time Constraint Irrelevant	Extreme Necessity, Time Delay Possible—Not Optional, can be delayed 3	Desirable, Time Delay Possible—Optional, can be delayed 1

In addition to their scoring, budget staff worked with the County Administrator to create criteria to weight scores depending on project type. The highest weight was given to projects with public health or public safety implications, followed by infrastructure improvements, then economic development impacts, and finally projects that would relate directly to quality of life improvements such as recreational facilities. Beyond project types, budget staff weighted additionally projects that were the result of a mandate or compliance issue, projects that showed a partnership or collaborative effort, asset replacements, projects that resulted in gains in efficiency, and finally department identified priority projects.

Financial Planning

Lancaster County strives to follow best practices in financial management. To this end, the county recognizes the importance of the CIP for long-term financial planning. The document developed will assist the county in achieving goals and meeting the needs of our residents. The County continuously works to improve processes

so the funding of studies such as the facilities needs assessment in 2020 and the results of that analysis were incorporated within this plan as needed. In the future any refinement to this proposed document would be done in concert with recommendations from future studies and plans. For example, the County will be looking at updating the Solid Waste Master Plan and Comprehensive Plan within the next fiscal year. If necessary, as a result, the County will make improvements to the CIP as a result. Additionally, the CIP has been developed in coordination with the recommendations of various other County committees to ensure a coordinated effort in identifying needs and strategic growth opportunities the maximize benefits to citizens of the County.

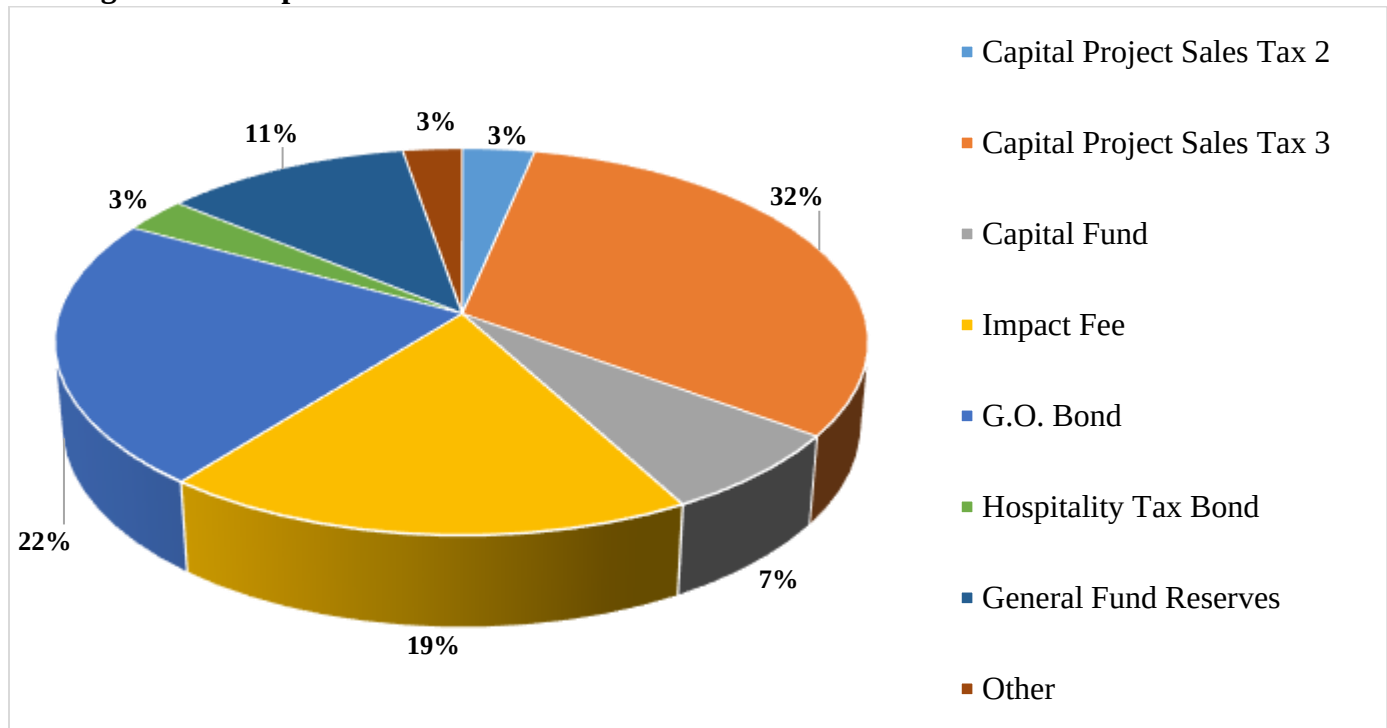
Funding Summaries

Revenue Summary

The revenue summary by sources which will be utilized to fulfill the capital needs outlined in this plan are included below. Capital Project Sales Tax is the largest making up 32% of proposed funding. Sales tax three, which was approved by voters in November 2020, includes \$47 million for a detention center and is the largest item included in the plan. This is followed by general obligation bonds which are planned to be utilized on several projects which makes up 22% of the funding strategy. There is also planned to be a much less significant issuance of special revenue source bond using the hospitality tax fund. The potential impact fee revenue is also proposed at nearly 20% of the proposed plan to be directly correlated to the impact fee study. And finally, the last significant revenue sources is the general fund reserves which is proposed to fund approximately \$23 million of projects in the next 10 years.

Revenues by Source						
	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Capital Project Sales Tax 2	6,750,000					
Capital Project Sales Tax 3	47,246,120		2,900,000	5,425,000	4,904,719	4,600,000
Capital Fund	1,300,000	1,210,000	1,460,000	1,300,335	1,340,000	7,690,435
Impact Fee		335,000	4,340,000	3,573,065	5,362,000	24,266,222
G.O. Bond	21,311,025	9,000,000	8,100,000	7,600,000		
Hospitality Tax Bond		6,000,000				
General Fund Reserves	2,920,000	1,780,000	4,220,000	220,000	4,220,000	9,775,214
Other	400,000	797,500	420,000	425,000	1,285,000	2,218,500

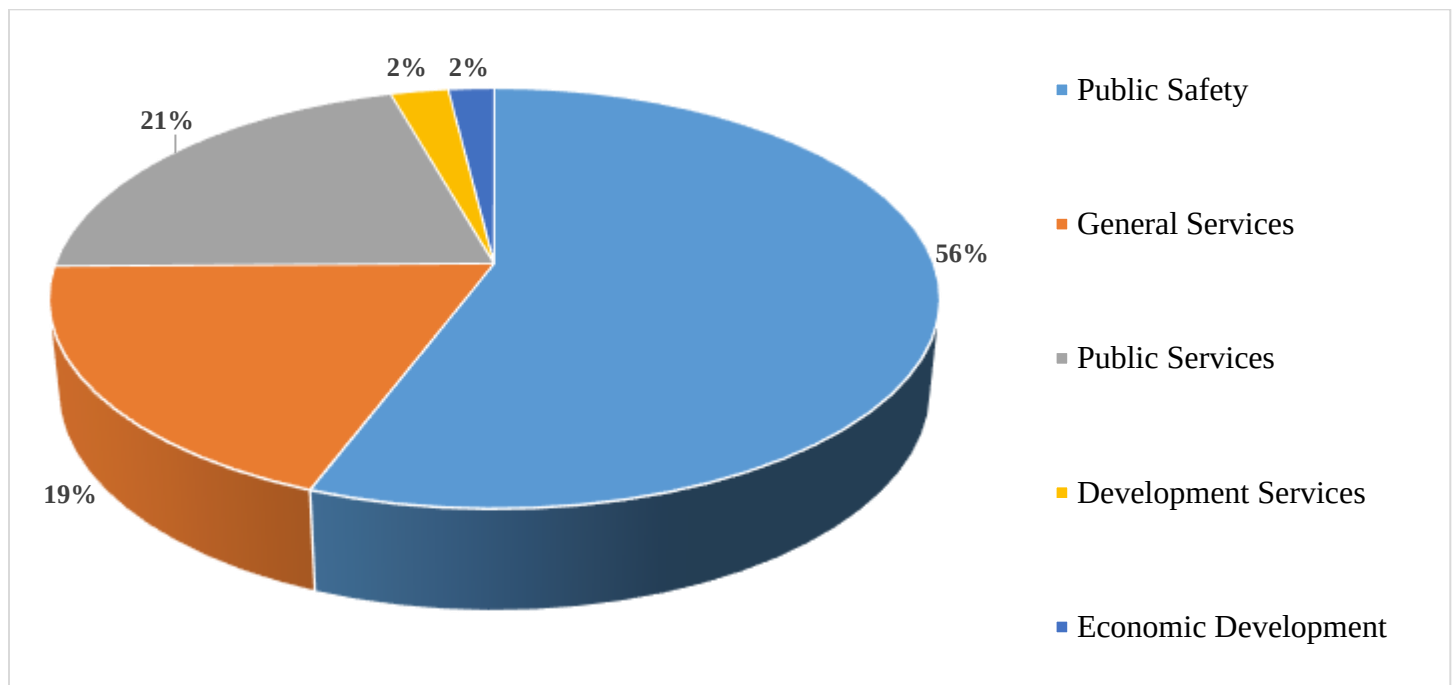
Funding Source Graph



Expenditures Summary

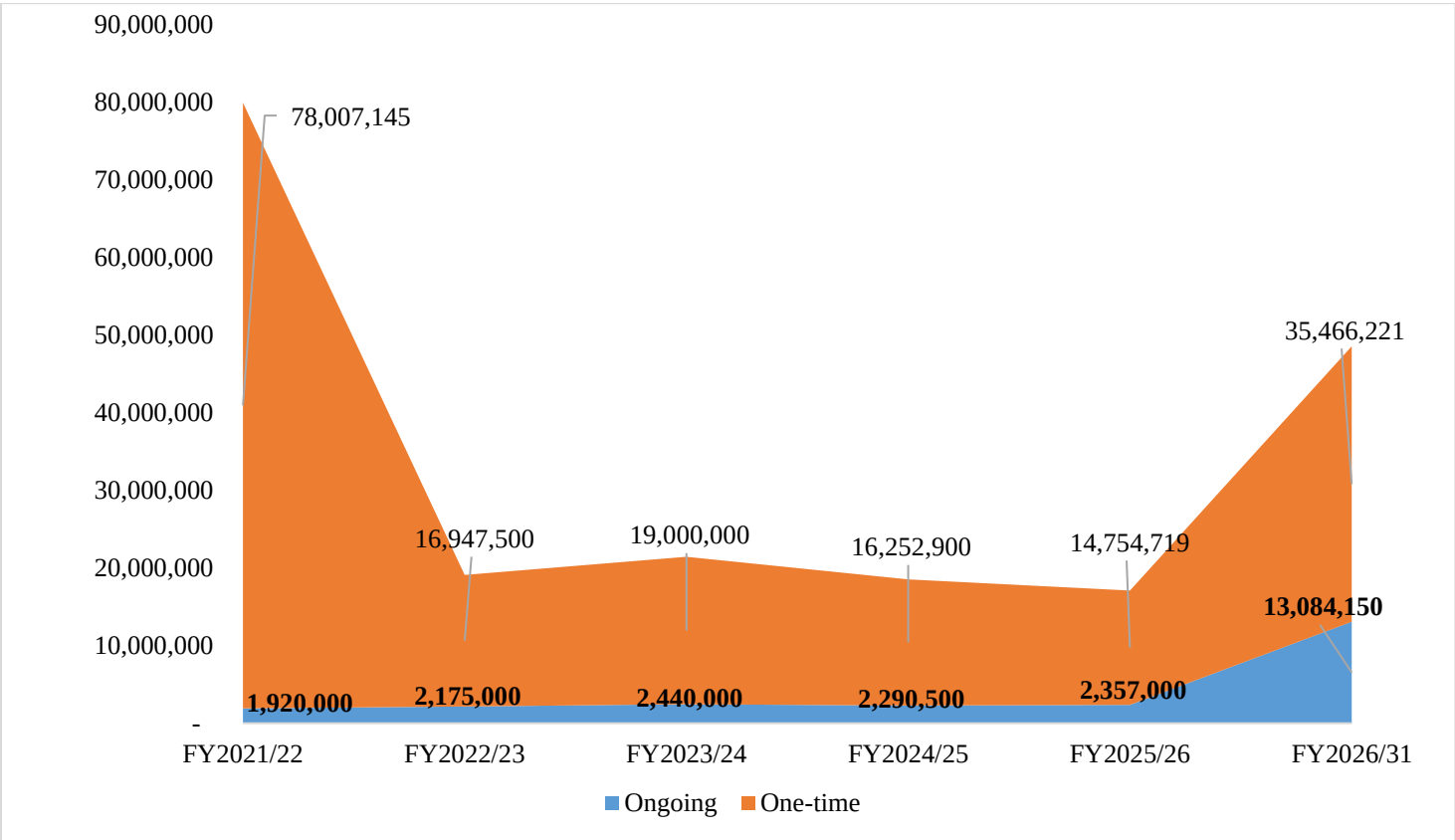
Below displays a breakdown of expenditures included in this plan over the next 10 years by division. Public safety has the largest allocation in the next 10 years with over 50% of planned capital expenditures, followed by public services. Public services includes the roads departments as well as the solid waste department within this plan. General services has roughly \$39,000,000 planned over the next 10 years. This is largely comprised of Parks and Recreation projects, but also includes some Management Information System (MIS) department funding as well. Development services include Stormwater project as well as a facility for the division.

Expenditures by Division						
	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Public Safety	50,246,120	10,445,000	13,120,000	11,873,400	1,072,000	27,366,691
General Services	14,765,000	7,530,000	220,000	220,000	5,220,000	11,020,000
Public Services	14,916,025	960,000	4,100,000	6,450,000	5,969,719	10,163,680
Development Services	-	187,500	4,000,000	-	850,000	-
Economic Development	-	-	-	-	4,000,000	-
	79,927,145	19,122,500	21,440,000	18,543,400	17,111,719	48,550,371



One-time versus Ongoing Capital Projects

While all items in the capital improvement plan are one-time purchases, many projects included in this plan are actually ongoing planned asset replacement. The below graphic is used to better distinguish the funding going towards a continuous planned replacement plan versus a single use of funding. Funding sources for the ongoing projects are dedicated for multiple years with continuous revenue. For the most part ongoing projects are largely equipment purchases while one-time projects range from facility renovations or construction to road rehabilitation.



	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Ongoing	1,920,000	2,175,000	2,440,000	2,290,500	2,357,000	13,084,150
One-time	78,007,145	16,947,500	19,000,000	16,252,900	14,754,719	35,466,221

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5 Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Coroner's Office	1,300,000	1,300,000	-	-	-	-	-
Office Space	1,300,000	1,300,000	-	-	-	-	-
Emergency Medical Services	12,332,500	600,000	995,000	1,020,000	8,645,500	1,072,000	9,375,650
Ambulances	4,732,500	600,000	995,000	1,020,000	1,045,500	1,072,000	5,775,650
EMS Station 3	1,800,000	-	-	-	1,800,000	-	-
EMS Station 6	1,800,000	-	-	-	1,800,000	-	-
EMS Combination Station	4,000,000	-	-	-	4,000,000	-	-
EMS Station 7	-	-	-	-	-	-	1,800,000
EMS Station 10	-	-	-	-	-	-	1,800,000
Economic Development	4,000,000	-	-	-	-	4,000,000	-
Spec. Building	4,000,000	-	-	-	-	4,000,000	-
Fire Service / Emergency Management	24,327,900	-	9,000,000	12,100,000	3,227,900	-	13,619,101
Fire Apparatus Countywide Purchase	8,100,000	-	-	8,100,000	-	-	-
Aerial Apparatus/Mobile Command Post	9,000,000	-	9,000,000	-	-	-	-
Apparatus (New Stations)	3,227,900	-	-	-	3,227,900	-	3,227,900
Fire Stations	4,000,000	-	-	4,000,000	-	-	10,391,201
MIS - Management Information System	1,100,000	220,000	220,000	220,000	220,000	220,000	1,250,000
MIS Hardware Improvements	1,100,000	220,000	220,000	220,000	220,000	220,000	1,250,000
Development Services	4,000,000	-	-	4,000,000	-	-	-
Building/Office Space	4,000,000	-	-	4,000,000	-	-	-

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5									
	Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031			
Roads	29,515,744	12,796,025	785,000	3,915,000	6,255,000	5,764,719	7,353,500			
Fleet Garage and Public Works Admin Office	4,946,025	4,946,025	-	-	-	-	-			
Road Preservation	2,090,000	400,000	410,000	420,000	425,000	435,000	2,218,500			
Road Paving	19,979,719	6,750,000	-	2,900,000	5,425,000	4,904,719	2,200,000			
Bush Hog Replacements (2)	400,000	200,000	-	200,000	-	-	400,000			
Motograder Replacement (5)	1,040,000	200,000	200,000	210,000	210,000	220,000	1,210,000			
Track Excavator	300,000	300,000	-	-	-	-	420,000			
Tandem Dump Truck Replacements (4)	760,000	-	175,000	185,000	195,000	205,000	905,000			
Solid Waste	2,880,000	2,120,000	175,000	185,000	195,000	205,000	2,810,180			
Recycling Center Upgrades	2,120,000	2,120,000	-	-	-	-	-			
Public Works Warehouse, Crew Facility, and Shop	-	-	-	-	-	-	1,905,180			
Refuse Trucks (4)	760,000	-	175,000	185,000	195,000	205,000	905,000			
Parks & Recreation	26,855,000	14,545,000	7,310,000	-	-	5,000,000	9,770,000			
Lancaster County Regional Park	11,000,000	-	6,000,000	-	-	5,000,000	6,500,000			
Recreation Centers Security Systems	210,000	-	210,000	-	-	-	-			
Parking Lot at Springdale	1,100,000	-	1,100,000	-	-	-	-			
Gym Floors at AJRC and BRC	300,000	300,000	-	-	-	-	-			
Field Lighting Additions and Replacements	-	-	-	-	-	-	1,320,000			
Renovate IL EMS Station for Rec Use	-	-	-	-	-	-	475,000			
Maintenance Shop at Buford Recreation	-	-	-	-	-	-	475,000			
Walnut Creek Soccer Fields	-	-	-	-	-	-	1,000,000			
Indian Land Recreation Center	4,221,000	4,221,000	-	-	-	-	-			
Soccer Fields at Indian Land	4,991,000	4,991,000	-	-	-	-	-			
Soccer Fields at Heath Springs	5,033,000	5,033,000	-	-	-	-	-			

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5 Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
911	1,100,000	1,100,000	-	-	-	-	-
Console Replacement	1,100,000	1,100,000	-	-	-	-	-
Stormwater	1,037,500	-	187,500	-	-	850,000	-
Calvin Hall Road Stream Crossing Replacement	850,000	-	-	-	-	850,000	-
Stream Gauging Stations	187,500	-	187,500	-	-	-	-
Sheriff	47,696,120	47,246,120	450,000	-	-	-	4,371,940
Armored Vehicle	300,000	-	300,000	-	-	-	-
In Car Cameras and Body Cameras	150,000	-	150,000	-	-	-	-
Sheriff's Operations Building	-	-	-	-	-	-	1,210,000
Sheriff Substation	-	-	-	-	-	-	3,161,940
Detention Center	47,246,120	47,246,120	-	-	-	-	-
Total	156,144,764	79,927,145	19,122,500	21,440,000	18,543,400	17,111,719	48,550,371

Summary of Additional Operating Impact

In order to fully understand the impact of completing a capital project, staff has estimated the impact on operating expenses. Some of the projects included in this plan represent on-going maintenance or replacement items which already have operating funding allocated and have been budgeted for in the past. Those have been excluded from the below data. The only projected impacts below are included for new or additional capital projects that will add to the operating budget.

	2021- 2022	2022- 2023	2023- 2024	2024- 2025	2025- 2026	2026- 2031
Coroner's Office						
Office Space		7,685	7,839	7,995	8,155	52,475
Emergency Medical Services						
EMS Station 3				7,055	7,195	38,195
EMS Station 6				7,055	7,195	38,195
EMS Combination Station				22,755	23,210	123,200
EMS Station 7						31,000
EMS Station 10						2,536,225
Economic Development						
Spec. Building					15,750	48,670
Development Services						
Building/Office Space				20,000	20,400	110,000
Roads						
Fleet Garage and Public Works Admin Office		32,900	33,500	34,170	35,000	185,790
Solid Waste						
Public Works Warehouse, Crew Facility, and Shop						72,600
Refuse Truck Replacement			16,000	16,320	16,646	88,360
Parks & Recreation						
Recreation Centers Security Systems			12,000	12,240	12,485	66,275
Field Lighting Additions and Replacements						63,000
Renovate IL EMS Station for Rec Use						38,215
Maintenance Shop at Buford Recreation						120,335
Walnut Creek Soccer Fields						216,715
Indian Land Recreation Center		360,000	367,200	374,545	382,035	2,027,890
Soccer Fields at Indian Land		90,900	92,720	94,575	96,465	512,045
Soccer Fields at Heath Springs		39,995	40,795	41,610	42,445	273,105
911						
Console Replacement		74,153		76,597	79,159	
Sheriff						
In Car Cameras and Body Cameras			13,000	13,260	13,525	71,796
Sheriff's Operations Building						28,403
Sheriff Substation						9,185
Total	0	605,633	583,054	728,177	759,666	6,751,674

15 Costs are not fully known or estimated at this time on every large facility expansion, but more details will come as plans develop. The detention center, fire stations, and regional park projects have been excluded for that reason.

Project Details by Department

Office Space Coroner's Office

Project Overview

This project came to the attention of the County directly as a result of the COVID-19 crisis. The current space the Coroner's Office is occupying is not adequate to fulfill the requirements that they need in times of emergency. The facility was included in the space needs study as well, but was not as high of a priority on the list at the time. Due to the pandemic, the County is recommending bumping this facility to a higher rank to handle the case load the department is facing.

Funding

This will be funded through anticipated federal aid money.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$50,000					
Land Acquisition	\$1,000,000					
Construction	\$250,000					
Technology						
Equipment						
Other						
Total Expenditures	\$1,300,000	\$0	\$0	\$0	\$0	\$0
Revenues						
Other Governmental	\$1,300,000					
Total Revenues	\$1,300,000	\$0	\$0	\$0	\$0	\$0

Status

Funding anticipated to be received in Spring 2021. Project will start after funding is received.

Aerial Apparatus/Mobile Command Post

Fire Service/Emergency Management

Project Overview

This project encompasses planning for a new aerial apparatus and mobile command post. It will include the replacement of the current 1997 platform currently stationed at the City of Lancaster Fire department, the replacement of the current 2001 75ft. straight stick housed at the Elgin Fire department, and the purchase and placement of mid mount platforms at both the Indian Land and Pleasant Valley Fire departments. Lastly, a mobile command post will be purchased with the intent for it to be usable by all emergency service departments.

Funding

The decision to move forward with funding for this project will be decided by the voters of Lancaster County in the next election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$9,000,000				
Other						
Total Expenditures	\$0	\$9,000,000	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond		\$9,000,000				
Total Revenues	\$0	\$9,000,000	\$0	\$0	\$0	\$0

Status

Referendum planned for November 2022.

Fire Apparatus-County-wide Fire Service/Emergency Management

Project Overview

While fire trucks and various other types of equipment used on the trucks and housed at the stations last longer than vehicles and equipment used by other first responders such as police cruisers and ambulances, their daily use requires them to be replaced on a routine basis. In order to outfit stations with the new trucks and equipment they need, the county purchases the equipment through the issuance of GO Bonds when the time comes.

Funding

Funding for this project will be derived through the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment			\$8,100,000			
Other						
Total Expenditures	\$0	\$0	\$8,100,000	\$0	\$0	\$0
Revenues						
G.O. Bond			\$8,100,000			
Total Revenues	\$0	\$0	\$8,100,000	\$0	\$0	\$0

Status

Project will not begin until fiscal year 2024.

Fire Stations
Fire Service/Emergency Management

Project Overview

As identified in the impact fee study, in order to maintain current service levels in the panhandle area, new facilities will need to be built. This will include a second station in Indian Land, a second station for Pleasant Valley, and a headquarters station for Van Wyck fire district. The operating costs for these facilities will largely be the responsibility of the fee districts.

Funding

Funding for this project will be derived through Impact Fee dollars.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction			4,000,000			10,391,201
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$4,000,000	\$0	\$0	\$10,391,201
Revenues						
Impact Fee			\$4,000,000			\$10,391,201
Total Revenues	\$0	\$0	\$4,000,000	\$0	\$0	\$10,391,201

Status

Based on impact fee collection projections, it will be fiscal year 2024 before construction could begin on the first station.

Apparatus (New Stations)
Fire Service/Emergency Management

Project Overview

Vehicles and equipment will need to be purchased for new stations coming online in the coming years. Due to the growth being experienced where the new stations will be built, these purchases can be made through the use of Impact Fee dollars.

Funding

Funding for this project will be derived through Impact Fee dollars.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment				\$3,227,900		\$3,227,900
Other						
Total Expenditures	\$0	\$0	\$0	\$3,227,900	\$0	\$3,227,900
Revenues						
Impact Fee				\$3,227,900		\$3,227,900
Total Revenues	\$0	\$0	\$0	\$3,227,900	\$0	\$3,227,900

Status

Based on projected collections in impact fee revenue and station build timelines, purchase will not happen until fiscal year 2025.

Ambulances Emergency Medical Services (EMS)

Project Overview

EMS Units (Ambulances) are currently purchased on an annual basis. Based off of growth in the county, a need has been determined to begin purchasing three EMS Units per year instead of two. In doing so, new EMS Stations which are soon due to come online and those planned in the future will be properly equipped with the units needed to allow said stations to function as intended. Additionally, moving from two units to three units per year will allow for the continuation of moving EMS Units with high mileage at high call volume stations to stations with lower call volumes in order to maximize the life of EMS Units.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used to purchase high dollar, fairly routine equipment. Additionally, money will be used from the Impact Fee collections.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	\$600,000	\$995,000	\$1,020,000	\$1,045,500	\$1,072,000	\$5,775,650
Other						
Total Expenditures	\$600,000	\$995,000	\$1,020,000	\$1,045,500	\$1,072,000	\$5,775,650
Revenues						
Capital Fund	\$600,000	\$660,000	\$680,000	\$700,335	\$710,000	\$3,850,435
Impact Fee		\$335,000	\$340,000	\$345,165	\$362,000	\$1,925,215
Total Revenues	\$600,000	\$995,000	\$1,020,000	\$1,045,500	\$1,072,000	\$5,775,650

Status

Ongoing funding for replacements will continue as part of each fiscal year budget process for 2 ambulances. The third ambulance will be funded through projected impact fee collections beginning in fiscal year 2022-2023.

Station Three
Emergency Medical Services (EMS)

Project Overview

EMS Station Three is currently located south of the City of Lancaster. This station will be relocated in order to reduce response times in an effort to better serve citizens in that area of the county.

Funding

Funding for EMS Station three will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				\$70,038		
Land Acquisition						
Construction				\$1,622,731		
Technology				\$38,299		
Equipment				\$58,459		
Other				\$10,473		
Total Expenditures	\$0	\$0	\$0	\$1,800,000	\$0	\$0
Revenues						
G.O. Bond				\$1,800,000		
Total Revenues	\$0	\$0	\$0	\$1,800,000	\$0	\$0

Status

Project will not begin until FY2025.

Station Six
Emergency Medical Services (EMS)

Project Overview

EMS Station Six is currently located just north of the Town of Kershaw. It will be replaced in order to allow EMS staff to better conduct their job duties and render life-saving care to citizens of Lancaster County in and around the Town of Kershaw.

Funding

Funding for EMS Station Six will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				\$70,038		
Land Acquisition						
Construction				\$1,622,731		
Technology				\$38,299		
Equipment				\$58,459		
Other				\$10,473		
Total Expenditures	\$0	\$0	\$0	\$1,800,000	\$0	\$0
Revenues						
G.O. Bond				\$1,800,000		
Total Revenues	\$0	\$0	\$0	\$1,800,000	\$0	\$0

Status

Project will not begin until FY2025.

Station Seven

Emergency Medical Services (EMS)

Project Overview

EMS Station Seven is currently located within the Town of Heath Springs. This station is aging and is outdated. In order to best serve the citizens in and around the Town of Heath Springs, this station needs to be replaced.

Funding

Funding for EMS Station Seven will be derived from the One Cent Capital Project Sales Tax 3 passed by the voters in the 2020 general election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						\$70,038
Land Acquisition						
Construction						\$1,622,731
Technology						\$38,299
Equipment						\$58,459
Other						\$10,473
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,800,000
Revenues						
Capital Project Sales Tax 3						\$1,800,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,800,000

Status

This is a pay as you go project so based on collection projections for capital project sales tax 3 it will not begin until fiscal year 2026-27.

Station Ten Emergency Medical Services (EMS)

Project Overview EMS Station Ten

EMS Station Ten is a new EMS Station which will be built in the northern end of the county, located in the Indian Land area. This area of the county has experienced much growth in recent years and is anticipated to see more growth in the coming decade. In order to properly serve the citizens in the northern end of the county and help accommodate for future growth, an additional station is needed.

Funding

Funding for EMS Station Ten will be derived from the One Cent Capital Project Sales Tax 3 passed by the voters in the 2020 general election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						\$70,038
Land Acquisition						
Construction						\$1,622,731
Technology						\$38,299
Equipment						\$58,459
Other						\$10,473
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,800,000
Revenues						
Capital Project Sales Tax 3						\$1,800,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,800,000

Status

This is a pay as you go project so based on collection projections for capital project sales tax 3 it will not begin until fiscal year 2026-27.

Combination Station
Emergency Medical Services (EMS)

Project Overview

The proposal for the EMS Combination Station includes one large station in the City of Lancaster to take the place of two current stations in and around the City of Lancaster. The intention of this Combination Station is to reduce overall costs on property while also providing better coverage for citizens living in and around the City. This station will also be able to accommodate future growth expected in and around the City. The building will mirror that of the new EMS 4/9 station on a larger scale.

Funding

Funding for EMS Combination station will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				155,000		
Land Acquisition				1,000,000		
Construction				2,615,000		
Technology				100,000		
Equipment				130,000		
Other						
Total Expenditures	\$0	\$0	\$0	\$4,000,000	\$0	\$0
Revenues						
G.O. Bonds				4,000,000		
Total Revenues	\$0	\$0	\$0	\$4,000,000	\$0	\$0

Status

Project will not begin until 2024-2025.

Hardware Improvements/Replacement Management Information Systems (MIS)

Project Overview

The MIS improvements included in this Capital Improvement Plan entail replacing various hardware and technology set-ups on a yearly basis in order to ensure all systems will run efficiently and as intended and employees will have properly functioning equipment in order to perform their job duties well.

Funding

Funding for MIS Improvements will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology	\$220,000	\$220,000	\$220,000	\$220,000	\$220,000	\$1,250,000
Equipment						
Other						
Total Expenditures	\$220,000	\$220,000	\$220,000	\$220,000	\$220,000	\$1,250,000
Revenues						
General Fund Reserve	\$220,000	\$220,000	\$220,000	\$220,000	\$220,000	\$1,250,000
Total Revenues	\$220,000	\$220,000	\$220,000	\$220,000	\$220,000	\$1,250,000

Status

This will be an ongoing capital replacement of existing equipment and will be allocated as part of the annual budget process.

Fleet Operations Garage/Public Works Administration Office Roads

Project Overview

As noted in the recently completed Facility Needs Study, various Public Works facilities are sparse throughout the County. In order to ensure Public Works as the adequate facilities needed to conduct their day to day operations, it was recommended to construct a centralized Public Works Administration office in addition to a Fleet Operations Garage. This will set up key functions of the Public Works division to be able to perform their job duties safely and adequately while anticipating future growth of the division, mirroring the growth of the County itself.

Funding

Funding for the Fleet Operations Garage and the Public Works Administration Office will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$204,326					
Land Acquisition	\$2,017,436					
Construction	\$2,629,728					
Technology						
Equipment	\$94,535					
Other						
Total Expenditures	\$4,946,025	\$0	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond	\$4,946,025					
Total Revenues	\$4,946,025	\$0	\$0	\$0	\$0	\$0

Status

This project is planned to be part of a bond issuance for public works projects in late fiscal year 2022.

Road Paving Roads

Project Overview

The County submitted this proposal as part of the One Cent Capital Project Sales Tax passed by the voters in the November 2016 and 2020 election. Road projects are prioritized and determined by the County Transportation Commission.

Funding

Funding for this project is derived from the One Cent Capital Project Sales Tax passed by the voters of Lancaster County in the November 2016 and November 2020 election. In addition, the latter years funding has a contribution from general fund reserves.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction	6,750,000	-	2,900,000	5,425,000	4,904,719	2,200,000
Technology						
Equipment						
Other						
Total Expenditures	\$6,750,000	\$0	\$2,900,000	\$5,425,000	\$4,904,719	\$2,200,000
Revenues						
Capital Project Sales Tax 2	6,750,000					
Capital Project Sales Tax 3			2,900,000	5,425,000	4,904,719	
General Fund Reserves						2,200,000
Total Revenues	\$6,750,000	\$0	\$2,900,000	\$5,425,000	\$4,904,719	\$0

Status

The final roads of CPST 2 will be completed in FY2022 and include the following listed below:

- 1) Walnut Road/Stewart Place Road/Langley Road- Only Walnut Road is incomplete. Total estimated remaining cost is \$700,000.
- 2) Lynwood Drive- Tentative schedule for completion is September/October 2021 completion. Total estimated cost is \$750,000.

- 3) Capital Sales SCDOT Pay GO Alternates including French Street, Normandy Street, Hughes Street, Ernest Scott, Horsehoe and, Man O War. Tentative completion date is 11/30/2021 for entire contract (multiple roads). Total estimated cost is \$2,000,000.
- 4) Capital Sales SCDOT Pay GO Alternates including Camp Creek Road (portion), Mt. Carmel Road (portion), Hilldale Drive. Total estimated cost (barring significant change orders) is \$3,300,000. Beginning in FY2024 the county will begin looking at the roads prioritized by the County Transportation Commission for CPST 3. Funding for those projects will continue for several years based on collection projections.

Road Preservation Roads

Project Overview

As determined by County Public Works staff based on need and current condition, work will be conducted on roads within the County in order to properly maintain and preserve them so costly and avoidable repairs are not needed in the future.

Funding

Funding for Road Preservations Projects is derived from the road fees outlined in the Fee Schedule. The full Fee Schedule can be found in the budget ordinance and/or budget document on the County's website.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment						
Other	\$400,000	\$410,000	\$420,000	\$425,000	\$435,000	\$2,218,000
Total Expenditures	\$400,000	\$410,000	\$420,000	\$425,000	\$435,000	\$2,218,000
Revenues						
Road Maintenance Fee	\$400,000	\$410,000	\$420,000	\$425,000	\$435,000	\$2,218,000
Total Revenues	\$400,000	\$410,000	\$420,000	\$425,000	\$435,000	\$2,218,000

Status

This is an ongoing project funded through annual collections of the County road fee. It will be budgeted as part of the annual operating and capital budget.

Bush Hog Replacements Roads

Project Overview

Over the course of the first five year period of the CIP, two bush hogs will be purchased in fiscal years 2021-2022 and 2023-2024. Current active and reserve machines are low output and high maintenance machines. The new machines scheduled to be purchased are lower maintenance machines which will allow Roads employees to conduct their job duties more efficiently.

Funding

Funding for this project is derived from the Capital Equipment fund which is used for high dollar, yet fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	\$200,000		\$200,000			
Other						
Total Expenditures	\$200,000	\$0	\$200,000	\$0	\$0	
Revenues						
Capital Fund	\$200,000		\$200,000			
Total Revenues	\$200,000	\$0	\$200,000	\$0	\$0	\$0

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Motorgrader Replacement Roads

Project Overview

Over the first five year period of this Capital Improvement Plan, five Motorgraders will be purchased to replace existing ones. Ideally, Motorgraders should be replaced every five years and allocating this funding each year will allow the County to begin a true replacement plan for this equipment.

Funding

Funding for this project/replacement plan will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						\$106,861
Land Acquisition						\$219,823
Construction						\$1,850,320
Technology						
Equipment	\$200,000	\$200,000	\$210,000	\$210,000	\$220,000	\$1,210,000
Other						
Total Expenditures	\$200,000	\$200,000	\$210,000	\$210,000	\$220,000	\$3,060,320
Revenues						
Capital Fund	\$200,000	\$200,000	\$210,000	\$210,000	\$220,000	\$1,210,000
Total Revenues	\$200,000	\$200,000	\$210,000	\$210,000	\$220,000	\$1,210,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Track Excavator Roads

Project Overview

The County currently has one large excavator which is an older model and is due to be replaced. Growth in the County has caused this current machine to be used almost daily. In order to accommodate the growth, a new, larger machine is needed so that more jobs which require the use of this machine can be accomplished in house. In the long run, this will result in contractual savings in the Roads accounts due to a lessened need to outsource jobs Roads staff are unable to currently take on.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	\$300,000					\$420,000
Other						
Total Expenditures	\$300,000	\$0	\$0	\$0	\$0	\$420,000
Revenues						
Capital Fund	\$300,000					\$420,000
Total Revenues	\$300,000	\$0	\$0	\$0	\$0	\$420,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Tandem Dump Truck Replacement Roads

Project Overview

As with the Refuse Trucks, four dump truck replacements will be purchased in four out of the first five years of this Capital Improvement Plan. Due to the County still being responsible for maintaining a fair amount of gravel roads, dump trucks are still needed as part of this department in order to properly maintain these gravel roads.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Other						
Total Expenditures	\$0	\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Revenues						
Capital Fund		\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Total Revenues	\$0	\$175,000	\$185,000	\$195,000	\$205,000	\$905,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Refuse Truck Replacement Solid Waste

Project Overview

In four out of the first five years of this Capital Improvement Plan, one refuse truck will be purchased per year for a total of \$760,000. The collections function of the Solid Waste Department has mirrored the growth in the County as a whole. In making these purchases over the first five years, a foundation for a true replacement plan will be laid so that these frequently used and necessary vehicles can be regularly replaced when they reach the end of their functional life.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Other						
Total Expenditures	\$0	\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Revenues						
Capital Fund		\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Total Revenues	\$0	\$175,000	\$185,000	\$195,000	\$205,000	\$905,000

Status

This will be part of the ongoing equipment replacement allocation for the Solid Waste Department done in accordance with the annual budget process.

Public Works Warehouse, Crew Facility, and Shop Solid Waste

Project Overview

In addition to the Fleet Operations Garage and the Administration Office mentioned previously in this document, it was also recommended in the Facilities Needs Study to construct a warehouse, crew facility, and maintenance shop for various departments within the Public Works division. In doing so, proper and appropriate space would be created so various elements of the Public Services division are able to function optimally to serve the citizens of Lancaster County well.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						\$106,861
Land Acquisition						\$219,823
Construction						\$1,850,320
Technology						
Equipment						\$54,860
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,905,180
Revenues						
General Fund Reserves						\$1,905,180
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,905,180

Status

This project will not begin until fiscal year 2028.

Recycling Center Upgrades Solid Waste

Project Overview

Current Recycling Centers across the county are older and outdated. In order to keep up with the growth the county has experienced and is expected to continue to experience, there is a need to upgrade these sites. Upgrades will consist of new buildings, cans, fencing, paving, and concrete pads. Specific upgrades will be tailored to each site depending on what is needed.

Funding

Funding for the Recycling Center Upgrades project will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$100,000					
Land Acquisition						
Construction	\$1,700,000					
Technology						
Equipment	\$200,000					
Other	\$120,000					
Total Expenditures	\$2,120,000	\$0	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond	\$2,120,000					
Total Revenues	\$2,120,000	\$0	\$0	\$0	\$0	\$0

Status

This project is planned to be part of a bond issuance for public works projects in late fiscal year 2022.

Regional Park Parks and Recreation

Project Overview

The Lancaster County Regional Park is a project designed to attract people and various organizations around the area to use the facilities and amenities which are planned for the park. In addition to facilities and amenities that residents of the county can use on a routine basis such as playgrounds, courts, and fields, the Regional Park will have large facilities such as gymnasiums which will attract travel sports teams and programs.

Funding

Funding for this project will be derived from a combination of Impact Fees and a Hospitality Tax.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$6,000,000			\$5,000,000	\$6,500,000
Other						
Total Expenditures	\$0	\$6,000,000	\$0	\$0	\$5,000,000	\$6,500,000
Revenues						
Hospitality Tax		\$6,000,000				
Impact Fee					\$5,000,000	\$6,500,000
Total Revenues	\$0	\$6,000,000	\$0	\$0	\$5,000,000	\$6,500,000

Status

This project will be phased beginning in fiscal year 2023 using hospitality tax funding for the first phase.

Security Systems
Parks and Recreation

Project Overview

In order to properly secure Parks and Recreation facilities, this project consists of installing security systems and the four recreation centers and those facilities currently being constructed that are due to soon come on line. In doing so, Parks and Recreation leadership will be able to properly monitor their facilities to ensure the safety of all staff and patrons during the day and to ensure facilities are secure and monitored during non-operational hours.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$210,000				
Other						
Total Expenditures	\$0	\$210,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		\$210,000				
Total Revenues	\$0	\$210,000	\$0	\$0	\$0	\$0

Status

This project will begin in fiscal year 2023.

Springdale Recreation Center Parking Lot

Parks and Recreation

Project Overview

The parking lot at the Springdale facility has reached the end of its functional life and is due to be replaced. This project will replace the portion which is already paved and pave the portion which has remained gravel over the years. In doing so, this will allow proper parking for patrons and cut down on the maintenance which is required to keep the lot minimally functional in its current state.

Funding

Funding for this project will be derived from the PARD grant in addition to Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction		1,100,000				
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$1,100,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		\$900,000				
Grant Revenue		\$200,000				
Total Revenues	\$0	\$1,100,000	\$0	\$0	\$0	\$0

Status

This project is planned to begin in fiscal year 2023.

Gym Floor Replacement Parks and Recreation

Project Overview

The current flooring at the Andrew Jackson and Buford Recreation Centers are in the last few years of their functional life. In order to plan ahead for the day when they will reach the end of their life and immediately need to be replaced, they have been included in this Capital Improvement Plan for replacement during the 2021-2022 fiscal year.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction		\$300,000				
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$300,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		\$300,000				
Total Revenues	\$0	\$300,000	\$0	\$0	\$0	\$0

Status

This project is planned to begin in fiscal year 2023.

Field Lighting, Additions and Replacements Parks and Recreation

Project Overview

This project is proposing to add field lighting to those which do not currently have them. Due to increasing participation numbers, field lighting additions are warranted in order to add to the number of fields which can be routinely used for play opportunities. The Parks and Recreation department is currently at capacity with their current number of fields which have lighting. Fields which have been identified by Parks and Recreation staff for field lighting additions include: Fields B, C, & E at Walnut Creek Park and the undeveloped area at the Springdale Complex. In addition to these fields planned for new lighting, this project also encompasses replacing the lighting at Melvin Steele and Indian Land Recreation Center which are currently reaching their End of Life point.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment						\$1,320,000
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,320,000
Revenues						
General Fund Reserves						\$1,320,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,320,000

Status

This project is not planned until fiscal year 2027.

Renovate Indian Land EMS Station
Parks and Recreation

Project Overview

An EMS Station currently sits on the property with the Indian Land Recreation Center. In future years, EMS no longer plans to use this building for EMS purposes. Since the county already owns the land and the building and is at the same site as the Indian Land Recreation Center, this project will renovate the EMS station on the property for Parks and Recreation. Possible uses for this space once renovated include: After School Programs, Summer Camps, Fitness Classes, and space for meeting and/or party rentals.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						\$475,000
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$475,000
Revenues						
General Fund Reserves						\$475,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$475,000

Status

This project is not planned until fiscal year 2027.

Maintenance Shop at Buford Recreation Parks and Recreation

Project Overview

A Maintenance Shop building is proposed to be built at the current Buford Recreation Center site. In doing so, Parks and Recreation maintenance personnel will be better able to conduct their work at the Buford Recreation Center. Currently, the personnel which are stationed to maintain this site are also stationed to maintain sites in the Heath Springs and Kershaw communities. Building a shop at the Buford Recreation site will allow staff to station equipment and materials there rather than going to the main shop in Lancaster to load up supplies and equipment in order to conduct their work. Additionally, the Buford Recreation Center is planning to host tournaments in the future. Having a dedicated space for maintenance staff and the equipment and materials necessary to do their jobs will make it possible to host tournaments at this site without overextending Parks and Recreation staff.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						\$475,000
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$475,000
Revenues						
General Fund Reserves						\$475,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$475,000

Status

This project is not planned to begin until fiscal year 2028.

Walnut Creek Soccer Fields

Parks and Recreation

Project Overview

The soccer fields at Walnut Creek Park are currently covered with natural turf. Due to high levels of maintenance required for the upkeep of natural turf fields and the frequent use and popularity of the fields, two of them will be converted to artificial turf fields. Doing so will allow the fields to hold up better under frequent use and reduce the amount of labor required for maintenance and upkeep.

Funding

Funding for this project will be derived from Capital Project Sales Tax 3.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						\$1,000,000
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,000,000
Revenues						
Capital Project Sales Tax 3						\$1,000,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,000,000

Status

This project is not planned to begin until fiscal year 2030.

Indian Land Recreation Center

Parks and Recreation

Project Overview

The current Indian Land Recreation Center located off of U.S. 521 will be remodeled and expanded. This will include new gym flooring and new flooring throughout the existing facility, the addition of a new full-court gymnasium that can be used as two courts crosscourt on the same floor, more restrooms and meeting/classrooms, the addition of a foyer and front desk at the facility entrance, addition of a storage room/mechanical room, as well as upgraded and expanded parking lots and new HVAC and lighting in the facility.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$287,317					
Land Acquisition						
Construction	\$3,883,683					
Technology	\$50,000					
Equipment						
Other						
Total Expenditures	\$4,221,000	\$0	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond	\$4,221,000					
Total Revenues	\$4,221,000	\$0	\$0	\$0	\$0	\$0

Status

This project should be complete in Spring 2022.

Soccer Fields in Indian Land Parks and Recreation

Project Overview

The soccer complex on county property near the Avondale development on Harrisburg Road will feature two rectangular, synthetic turf fields with sports lighting, restrooms and concessions facility, a storage facility, bleachers and a playground.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$407,292					
Land Acquisition						
Construction	\$4,475,000					
Technology	\$108,708					
Equipment						
Other						
Total Expenditures	\$4,991,000	\$0	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond	\$4,991,000					
Total Revenues	\$4,991,000	\$0	\$0	\$0	\$0	\$0

Status

The planning and design phases were completed in the current year and construction should be complete in Spring 2022.

Soccer Fields in Heath Springs Parks and Recreation

Project Overview

The soccer complex on Kershaw Camden Highway between Heath Springs and Kershaw will feature two rectangular, synthetic turf fields with sports lighting, restrooms and concessions facility, a storage facility, bleachers and a playground.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$420,593					
Land Acquisition						
Construction	\$4,500,000					
Technology	\$112,407					
Equipment						
Other						
Total Expenditures	\$5,033,000	\$0	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond	\$5,033,000					
Total Revenues	\$5,033,000	\$0	\$0	\$0	\$0	\$0

Status

The planning and design phases were completed in the current year and construction should be complete in Spring 2022.

Console Replacements 911 Communications

Project Overview

The consoles at the 911 operations center allow for operators to communicate with Fire, EMS, and Law Enforcement. The current consoles reached the end of their serviceable life at the end of 2020, meaning Motorola will no longer guarantee the availability of replacement parts. To make sure our equipment will remain serviceable by Motorola, we will need to replace the consoles. Doing so will ensure communication abilities will remain intact and functional between the County's emergency/first responders.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	\$1,100,000					
Other						
Total Expenditures	\$1,100,000	\$0	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves	\$1,100,000					
Total Revenues	\$1,100,000	\$0	\$0	\$0	\$0	\$0

Status

This project will commence in July 2021.

Armored Vehicle Sheriff

Project Overview

The Sheriff's Department is in need of a new SWAT vehicle which is used to transport personnel on the SWAT Team to and from destinations that require their presence. Their current SWAT vehicle is a retired ambulance which is reaching the end of its serviceable life. While it may seem like SWAT situations are rare occurrences, the SWAT vehicle is used on a weekly basis to conduct high risk search warrants and arrests. In purchasing this vehicle, lifesaving equipment will be on scene for every SWAT call should the need arise. Additionally, the vehicle that will be purchased is practical and easy to operate on a regular basis unlike some on the market.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$300,000				
Other						
Total Expenditures	\$0	\$300,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		\$300,000				
Total Revenues	\$0	\$300,000	\$0	\$0	\$0	\$0

Status

Equipment is planned to be acquired in fiscal year 2023 and funding will be allocated as part of the budget process.

Camera Replacements Sheriff

Project Overview

The body worn camera program is currently in its third year of operation. While replacements have taken place over these three years as needed, it is estimated that there will need to be a complete replacement of the program in the next five years. This will require replacing approximately 100 body worn cameras along with the servers which run the software and store the data for the cameras. In addition to the body worn cameras, approximately 60 in car cameras will need to be replaced in the next ten years. Each camera costs about \$5,000.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$150,000				
Other						
Total Expenditures	\$0	\$150,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		\$150,000				
Total Revenues	\$0	\$150,000	\$0	\$0	\$0	\$0

Status

The replacements will be acquired in 2022-2023.

Operations Building
Sheriff

Project Overview

This project will allow the Sheriff’s department and other first responder personnel to have a space to conduct training exercises. Not only will this allow them to conduct specific operations related to their department, but it will allow joint training exercises between departments to practice for seamless execution during actual scenarios in the community where first responders need to work in unison.

Funding

The funding for this project will be derived from Fund Balance.

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						86,249
Land Acquisition						121,766
Construction						967,354
Technology						
Equipment						34,631
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,210,000
Revenues						
General Fund Reserves						1,210,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,210,000

Status

This project will not begin until fiscal year 2029.

Substation Sheriff

Project Overview

Currently the Sheriff's office is utilizing leased space in the Indian Land area. This project would allow for permanent space to be identified and either renovated or constructed to provide future certainty and allow for any expansion of operations in that area in the future.

Funding

Funding would be derived from Impact Fee dollars.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						110,000
Land Acquisition						1,000,000
Construction						2,001,940
Technology						
Equipment						50,000
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$3,161,940
Revenues						
General Fund Reserves						940,034
Impact Fee Revenue						\$2,221,906
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$3,161,940

Status

This project will not begin until fiscal year 2030.

Detention Center Sheriff

Project Overview

The current Detention Center is very out of date and has reached the end of its functional life. Various issues have plagued and continue to plague the building making it difficult for officers to do their job effectively while remaining in a safe environment. Not only do these various issues make it unsafe for officers and make it difficult for them to perform their job, these issues also cause safety concerns for the inmates housed at the Detention Center. A new Detention Center will solve these issues and also help accommodate for the increase in inmates being housed at any given time due to the rise in the County's population.

Funding

The funding for this project will be derived from the One Cent Capital Project Sales Tax passed by the voters in the November 2020 election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction	47,246,120					
Technology						
Equipment						
Other						
Total Expenditures	\$47,246,120	\$0	\$0	\$0	\$0	\$0
Revenues						
Capital Project Sales Tax 3	\$47,246,120					
Total Revenues	\$47,246,120	\$0	\$0	\$0	\$0	\$0

Status

This project will be a multi-year project beginning next year.

Calvin Hall Road Culvert Replacement
Stormwater

Project Overview

This project involves replacing the current culvert on Calvin Hall Road near the intersection of SC-160. The location has a history of water overtopping the roadway during heavy rainfall events. In order to mitigate this issue, the culvert will not only be replaced but also resized to help prevent floodwaters from overtopping the roadway in the future. Being that it is a SCDOT road, maintenance of the road and the culvert will be the responsibility of SCDOT after the completion of the project.

Funding

The funding for this project will be derived from Fund Balance within the Stormwater Fund.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction					850,000	
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$850,000	\$0
Revenues						
Stormwater Fee					850,000	
Total Revenues	\$0	\$0	\$0	\$0	\$850,000	\$0

Status

Will not begin until 2025.

Stream Gauging Stations Stormwater

Project Overview

In order to observe and collect data regarding stream levels during significant rainfall events while also obtaining baseline data during times where there is not a significant rainfall event, this project will place gauging stations along streams in portions of the county where the Stormwater department operates. These stations will allow for staff to record stream levels in order to accurately predict and communicate flooding concerns and use that data to help mitigate flooding during significant rainfall events in the future.

Funding

The funding for this project will be derived from Fund Balance within the Stormwater Fund.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		150,000				
Other						
Total Expenditures	\$0	\$150,000	\$0	\$0	\$0	\$0
Revenues						
Stormwater Fee		150,000				
Total Revenues	\$0	\$150,000	\$0	\$0	\$0	\$0

Status

Will not begin until 2022.

Office Space Development Services Division

Project Overview

This project consists of identifying and possibility constructing/renovating office space for the Development Services Division. This division, which encompasses the Building Inspections, Zoning, Stormwater and Planning departments, mirrors the population growth of the County. The more the County continues to grow, the more we will see these departments utilized in order to make sure that growth occurs in an orderly and systematic fashion. With more growth comes more work for these departments along with the need for more employees to accomplish an increased workload. A space will be needed in order to accommodate more employees and more work.

Funding

The funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design		185,000				
Land Acquisition		1,000,000				
Construction		2,705,000				
Technology						
Equipment		110,000				
Other						
Total Expenditures	\$0	\$4,000,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		4,000,000				
Total Revenues	\$0	\$4,000,000	\$0	\$0	\$0	\$0

Status

Project is set to begin in fiscal year 2023.

Speculative Building Economic Development

Project Overview

The Economic Development Department functions to bring businesses to the area. In order to aid in that process, Spec Buildings are often used to show what the county has to offer when courting businesses who are considering bringing their operations to the area. It is easier for businesses to envision themselves bringing their operations to the area when they are able to look at a potential space in real time.

Funding

The funding for this project will be derived from Fund Balance.

Expenditures

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design					200,000	
Land Acquisition						
Construction					3,800,000	
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$4,000,000	\$0
Revenues						
General Fund Reserves					4,000,000	
Total Revenues	\$0	\$0	\$0	\$0	\$4,000,000	\$0

Status

Project will not begin until fiscal year 2026.

Appendix

Glossary

Bond – A written promise to pay a specified sum of money at a specific date together with periodic interest at a specified rate.

Budget – A comprehensive financial plan of operation which incorporates an estimate of proposed expenditures for a given period and the proposed means of financing them.

Budgetary Control – The control of management of a governmental unit in accordance with an approved budget for the purpose of keeping expenditures within the limitations of available appropriations and available revenues.

Debt – An obligation resulting from borrowed money or from the purchase of goods and services. Debts of government include bonds and notes.

Department – A major administrative unit of the County which manages an operation or group of related operations within a functional area.

Expenditures – The amount of cash paid or to be paid for a service rendered, goods received, or an asset purchased.

Fiscal Year – a 12 month period to which the annual operating budget applies and at the end of which a government determines its financial position and the results of its operations. Lancaster County's fiscal year begins July 1st and ends the following June 30th.

Fund – A self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulation, restrictions, or limitations.

General Fund – The fund used to account for all financial resources except those required to be accounted for in another fund.

General Obligation (GO) Bonds – When the County pledges its full-faith and credit to the repayment of the bonds it issues, then those bonds are general obligation (GO) bonds. Sometimes the term is used to refer to bonds which are repaid from taxes and other governmental revenue.

Grant – A contribution by a government or other organization to support a particular function. Grants may be classified as either categorical or block, depending upon the amount of discretion allowed the grantee.

Ordinance – A formal legislative enactment by the governing board of a county. If it is not in conflict with any higher form of law, such as, a State statute, a Federal law, or constitutional provision, it has the full force and effect of law within the county to which it applies. The difference between an ordinance and a resolution is that the latter required less formality and has a lower legal status.

Revenue – income received or anticipated from taxes or other sources, such as licenses and permits, user fees, fines, and investments.



County Facilities Space Needs Study

August 2020



Prepared by:
Solutions for Local Government, Inc.

Lancaster County, South Carolina

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SECTION 1. EXISTING SPACE

This Section provides the assessment summaries of 46 individually identified buildings which were occupied by the various departments and agencies for whom the County provides space. Note that the Airport Complex included seven (7) buildings and the Sheriff's Complex included six (6) buildings. In the sequence listed, the facilities addressed in the pages that follow include:

Emergency Communications/911	Historic Jail
Airport Complex [7]	County Administration Building
Coroner	Clemson Extension Building
Emergency Operations	Historic Library
EMS #1	Human Services Complex
EMS #2	Public Works Administration Office
EMS #3	Public Works Building Maintenance
EMS #4	Springdale Recreation Complex
EMS #5	Buford Recreation Center
EMS #6	Indian Land Recreation Complex
EMS #7	Andrew Jackson Recreation Complex
EMS #8	Sheriff's Office Complex [6]
EMS Headquarters	LCSO Indian Land Substation
Fleet Operations Garage	Barnett Building
Dell Webb Library	Indian Land Service Center
VA/Economic Development Building	

Note:

When a building includes several different departments or agencies, the building's general information will be listed then the name of individual included departments, as sub-headings in bold print. For example: **Records Management [4,298]** The number in [] is the area (square feet) allocated Records Management within the building; in this case the County Administration Building.

Building: Emergency Communications/911

Address: 1941 Pageland Highway, Lancaster

Existing Building: 11,918 INSF

Included Departments/Agencies:

- Emergency Communications

Building Comments:

- An additional room is needed adjacent to the existing Server Room to accommodate equipment storage, tools and work space for County MIS personnel and contracted vendors servicing the equipment within the Server Room.
- The Call Center currently includes work stations for six (6) Telecommunicators; as annual call volume increases, as anticipated, there is room within the Call Center currently for up to five (5) additional work stations'

Building: Airport Complex

Address: 286 Aviation Blvd., Lancaster

Existing Buildings: 57,063 INSF

Included Departments/Agencies:

- Lancaster County Airport/McWhirter Field

Building Comments:

- The Terminal Building @ 2,580 INSF is clean and appears well-organized and maintained.
- While the physical structure appears to be in good condition it is dated and lacks features commonly found in more modern municipal airport terminals; among the most requested spaces being meeting rooms.
- Airport Commissioners have discussed the need for an expanded and/or new terminal.
- There are currently five (5) hangers on site to accommodate boarder/patron airplanes
 - Four (4) hangers @ 8,550 INSF and one (1) hanger @ 12,825 INSF
 - One (1) Service Garage @ 7,458 INSF

Building: Coroner

Address: 717 South Main Street, Lancaster

Existing Building: 2,511 INSF

Included Departments/Agencies:

- County Coroner

Building Comments:

- The offices and assigned staff work areas and several walkways are crowded with supplies, file cabinets, uniforms, etc. because the building lacks much needed general storage space.
- There is not a dedicated, securable Records Room, which is required before accreditation can be granted.
- The outdoor storage “trailer” is of limited use because much of the storage needed is for items that must be in a climate-controlled environment.
- The existing Conference Room is too small to accommodate staff meetings or, at times, family members of the deceased that wish to confer with the Coroner.
- The current Breakroom, small to begin with, is where staff lockers are located as well as the storage of chemicals that are intended for use in the Morgue.
- Considering the nature of the Coroner’s responsibilities, on-going training of personnel is critical, yet space to conduct that training is unavailable.
- Space limitations will at times require that personnel must work on bodies out of doors, in the covered but open receiving area immediately adjacent the Morgue; for example, following multiple victim incidents and the time sequence of receiving victim deliveries.
- This outdoor area is downhill from the adjacent property which during even moderate rains will flood the work area as well, at times, the building itself.
- A designated “storage” room in the morgue is a mechanical room that houses the water heater and the IT/Server panel.
- During the summarization of the above comments it was stated that: “there is a very acute need for additional (several) personnel” in the Coroner’s Office; unfortunately, there is currently no place to put even one.
- The site is very confining; parking of Coroner vehicles and staff personal vehicles is tight.
- The only practical option for expansion to provide for needed space appears to be on the south side of the building.

Building: Emergency Operations Center (EOC)

Address: 111 Covenant Place, Lancaster

Existing Building: 9,500 INSF

Included Departments/Agencies:

- Emergency Management

Building Comments:

- The building is generally adequate; however:
- Emergency Operations needs a temperature-controlled warehouse space, and
- An enclosed garage type space/facility for incident-specific vehicles and trailers.

Building: EMS Station #1

Address: 2006 Pageland Highway, Lancaster, SC

Existing Building(s): 10,190 INSF

Included Departments/Agencies:

- Emergency Medical Services

Building Comments:

- The square footage noted includes seven (7) structures that support EMS Department Administration, Training, Billing and Logistics functions as well as accommodations and ambulance staging facilities for the EMS crew that deploys from this location.
- The structures include:
 - Main Building-administrative offices & EMS #1 accommodations 4,810 INSF
 - Logistics Trailer 752 INSF
 - Enclosed Vehicle Garage 3,672 INSF
 - Open Canopy for EMS #1 Ambulances 597 INSF
 - Three (3) small individual storage buildings 359 INSF
- The outdoor open canopy under which EMS #1 Ambulances park does not provide the secure, climate-controlled space that is needed.
- Training needs more space, i.e. larger multipurpose/classroom and materials and equipment storage.
- Logistics needs more space, i.e. additional shelving, cabinet and floor space, a receiving & breakdown area for bulk deliveries, and a convenient loading platform.
- Preliminary discussions re: relocation of EMS #1 to a more strategic location, once the administrative offices and functions relocate to the new Headquarters building, are underway.

Building: EMS Station #2

Address: 1101 Crestfield Drive, Lancaster

Existing Building(s): 2,734 INSF

Included Departments/Agencies:

- Emergency Medical Services

Building Comments:

- The “station” is a former residence, the home and property given to the County by the City of Lancaster; apparently an assessment of the location based on area risk factors, population, etc. was not considered/evaluated before taking custody of the building.
- Subsequently, it is not strategically located to effectively cover the area to which it is assigned to respond.
- There is an enclosed garage adjacent the house, however, it is only capable of housing one (1) ambulance.
- This is the only EMS station in the County without a second back-up vehicle and unfortunately the positioning of the existing garage and parking area cannot accommodate further expansion.

Building: EMS Station #3

Address: 1301 McIlwain Road, Lancaster

Existing Building(s): 1,995 INSF

Included Departments/Agencies:

- Emergency Medical Services

Building Comments:

- Building is listed in county records as being 20 years old, however from its outward appearance and ill-configured and cramped interior living space, it appears much older.
- Water problems affecting the building on the low-lying site have been and continue to be an on-going problem.
- The building is in a high-crime area.
- Although the site could accommodate an expansion of the building, considering the above comments, time might be better spent re-evaluating the location and a new station.

Building: EMS Station #4

Address: 8290 Charlotte Highway, Indian Land

Existing Building(s): 3,438 INSF

Included Departments/Agencies:

- Emergency Medical Services

Building Comments: (EMS Station #4)

- The existing building is adequate for the purposes intended; however, it is poorly located to effectively cover the area to which it is assigned to respond
- Note: EMS #4 will be co-located with new Station #9 once construction is completed; (est. early Fall 2020).

Building: EMS Station #5

Address: 365 Rocky River Road, Lancaster

Existing Building(s): 2,228 INSF

Included Departments/Agencies:

- Emergency Medical Services

Building Comments:

- Existing building needs two (2) additional bedrooms and an additional restroom.
- The lack of a secondary exit from the sleeping quarters is a potential fire hazard.
- The current vehicle bays are not provided “drive-through” access, even though there appears to have been ample space on the site to do so during the initial construction.

Building: EMS Station #6

Address: 3855 Fork Hill Road, Kershaw

Existing Building(s): 1,493 INSF

Included Departments/Agencies:

- Emergency Medical Services

Building Comments:

- Outdoor open canopy under which Ambulances park does not provide the secure, climate-controlled space that is needed.
- The living space within the building (a former elementary school) is very small; 945 INSF including corridors.
- It is not strategically located to effectively cover the area to which it is assigned to respond.
- EMS #6 should be replaced with a purpose-built station that is more strategically located.

Building: EMS Station #7

Address: 309 Hart Street, Heath Springs

Existing Building(s): 1,264 INSF

Included Departments/Agencies:

- Emergency Medical Services

Building Comments:

- Outdoor open canopy under which Ambulances park does not provide the secure, climate-controlled space that is needed.
- The living space adjacent to the Canopy consists of a rather pathetic 520 square foot trailer.
- EMS #7 should be replaced with a purpose-built station that is more strategically located.

Building: EMS Station #8

Address: 10209 Edenmoor Parkway, Lancaster

Existing Building(s): 2,233 INSF

Included Departments/Agencies:

- Emergency Medical Services

Building Comments:

- The structure was originally built as a “model home” for the adjacent housing development.
- It is strategically located on Highway 521 in Lancaster.
- The drive through, enclosed vehicle bays are very efficient.
- The structure, overall, is adequate for its assigned purpose.

Building: EMS Headquarters

Address: 3758 Charlotte Highway, Lancaster

Existing Building(s): Finished area @ 19,900 INSF

Included Departments/Agencies:

- Emergency Medical Services

Building Comments:

- County records indicate the total square footage of the building is 28,260 GSF, of which 19,900 square feet are “finished”.
- Work is underway to repurpose the building to serve as the new EMS Headquarters that will move from the current Pageland Highway location.
- The structure appears to be in good condition and able to provide significant and much needed space for the expansion of the Training and Logistics venues.
- The consolidation of Administration, Billing, Training & Logistics in a single building will facilitate and improve task and communications effectiveness.

Building: Fleet Operations Garage

Address: 1960 Pageland Highway, Lancaster

Existing Building: 5,700 INSF

Included Departments/Agencies:

- Public Works/Fleet Operation

Building Comments:

- The building has no reception/waiting area for employees dropping off/picking up vehicles.
- There is no visitor restroom.
- The Parts area is too small.
- There is a significant lack of storage, shelf, and bench space that contributes to crowding within the major bay/work areas.
- With a fleet of 500+ vehicles, additional vehicle bays, with wider and taller clearances, are needed now.
- The building is outdated; it cannot adequately accommodate the larger vehicles that have been purchased by the County in recent years, i.e. fire apparatus, public works vehicles, etc.
- Repairs and/or maintenance on vehicles that cannot be accommodated in the garage now have to be “sent out” to private vendors, at higher costs.
- A new more suitable and functional Fleet Operations Garage is needed.
- It is significant to note that the County has previously contracted for architectural/engineering services for the design of a new Fleet Operations Garage; the completed plans are available and were reviewed and noted to have sufficiently addressed the space needs concerns addressed; their date: November 2019; as yet, no action has been taken to implement bidding/construction.

Building: Dell Webb Library

Address: 7641 Charlotte Highway, Indian Land, SC

Existing Building: 11,021 INSF

Included Departments/Agencies:

- Lancaster County Library

Building Comments:

- The building is currently undergoing a complete internal renovation.
- Construction documents include the addition of a community room.

Building: Veteran Affairs (VA) & Economic Development Building

Address: 1033 West Meeting St., Lancaster, SC

Existing Building: 5,168 INSF

Included Departments/Agencies:

- Veteran Affairs [2,308 INSF]
- Economic Development [2,860 INSF]
- Risk Management [175 INSF]

Building Comments:

- The building appears to be in good physical condition.
- Space allocated to Veteran Affairs (VA), while adequate now, offers no room for future staff that will be necessary to accommodate anticipated increases in the number of veterans served.
- Economic Development is in a similar situation with regards to its assigned space; while it is somewhat larger than Veteran Affairs space, should the Department add personnel it would require some reconfiguring of its existing space.
- An issue of concern cited by VA was the lack of signage directing new clients and visitors to the office among the many buildings within the complex.
- One department or the other will likely require relocation in the not too distant future.

Building: Historic Jail

Address: 208 West Gay Street, Lancaster, SC

Existing Building: 1,780 INSF

Included Departments/Agencies:

- Project Management

Building Comments:

- The building is OLD!
- Ground level includes eight (8) offices and three (3) restrooms.
- Restroom dimensions are not compliant with ADA recommendations.
- The upper level of the building is not useable.
- Acoustics are awful.
- Water is leaching from the foundation into the walls and causing paint/plaster to blister resulting in occasional deposits of white powder on the floor/carpeting.

Building: County Administration Building

Address: 101 North Main St., Lancaster, SC

Existing Building: 40,897 INSF

Included Departments/Agencies:

Ground Floor

- Records
- Custodial Services
- Voter Registration/Elections
- Archives

First Floor

- Reception & Mail Room
- Zoning
- Auditor
- Human Resources
- Treasurer
- Delinquent Tax Collections
- County Attorney
- Finance
- Procurement
- Building Inspections
- Planning
- GIS

Second Floor

- Health Clinic
- County Council
- Administration
- Register of Deeds
- Management Information Systems (MIS)
- Assessor

Building Comments:

Ground Floor

Records Management [4,298]

- The records warehouse encompasses most of the space at 3,308 square feet.
- It includes many racks of commercial and/or built-in-place shelving, and a variety of filing cabinets that together hold hundreds of boxes/drawers of paper records.
- The configuration of the room is efficient and provides good aisle spacing to enable safe and easy access to/from file cabinets and shelving.
- At the end of the warehouse there is a wall of built-in shelving cubicles that are holding, again, well over 100 rolls of architectural/construction drawings, assumedly of various County projects.
- If these rolled drawings are important, and cannot be digitized, they should be unrolled and placed in “flat files” to reduce likelihood of premature deterioration.
- The public entrance to the Records area makes up the remaining 990 square feet of the space noted and includes a public service counter, office furniture and related equipment, work tables and supply storage space.
- It is in this area also that Records staff greet and assist County residents that wish to apply for a passport.
- It is significant to note that should an incident occur that required the activation of the building’s security alarm, six (6) sets of fire doors (2 sets per floor), would be automatically closed to secure the occupied corridors of the building. The only place that would remain vulnerable would be Records Management because the public entrance door to the Records area is on the *wrong side* of the Fire Doors.

Custodial [735]

- This room provides a base of operations and supply storage for the custodial staff assigned to maintain the County Administration building.
- Existing space appears to be adequate to accommodate current responsibilities of the personnel assigned.

Voter Registration & Elections [4185]

- Note: As this report was being prepared it was known that Voter Registration & Elections was going to be relocated to renovated space in the Barnett Building at 1228 Colonial Commons Court in Lancaster with the “move” date pending. Subsequently, however, two issues of concern were noted regarding the *existing* space:
- The Equipment Room, which comprises 1,643 square feet of the total noted, is where all voting machines and equipment, polling place signs, and precinct carts that move the equipment are securely stored when not in use; it is anticipated additional voting machines and equipment will

be needed to accommodate the November 2020 general election; there will be nowhere to secure those machines when they arrive.

- The County has spent a considerable amount of money attempting to mitigate the moisture problem, i.e. penetration through the foundation (below grade) wall; efforts have apparently been unsuccessful as numerous dehumidifiers continue to run without notable results per County staff.

Archives [1521]

- This room is located between Records Management and Voter Registration & Elections across from the ground floor elevator lobby and is designated for archive storage according to the original architectural drawings.
- The space is adequate for the purpose specified.

First Floor

Reception/Mail Room [193]

This space appears adequate for the purpose(s) designated.

Zoning [599]

- This space is awful.
- It lacks an adequate reception counter for public visitors.
- It lacks adequate plan review space to enable effective layout and review of drawings submitted.
- It lacks sufficient work space for current employees, and no space for the incoming new employee.
- Zoning needs to be co-located with Planning, Building Inspections & Stormwater Departments.

Auditor [1,361]

This space appears to be adequate for the personnel assigned and the purposes designated.

Human Resources [783]

- There is no designated entry/reception area, much less adequate seating for visitors.
- Support personnel that work in open work stations located near the entry must endure frequent interruptions.
- Human Resources needs a separate room, that can be secured and designated solely for the storage of personnel files that the Department and the County are responsible for.
- There is no available space to provide an open copy/work & layout area for materials that are prepared for distribution to County employees.

- An internal meeting room is needed to accommodate staff meetings, employment candidate interviews, and existing and/or new employees when needing to complete paperwork or meet with Department personnel.
- There is no space within this area that would allow for expansion much less additional/future personnel.
- There is currently only one-way in or out of this space.

Treasurer [1,428]

- This space appears to be adequate for the personnel assigned and the purposes designated.

Delinquent Tax Collections [1,444]

- This space appears to be adequate for the personnel assigned and the purposes designated.

County Attorney [395]

- This space, although rarely used, is appropriate for the purpose designated.

Finance [2,221]

- While overall, this space is adequate for the *current* number of personnel assigned and the responsibilities designated, the layout of the offices created when the space was converted from a courtroom was poorly thought out, resulting in inefficient and poor use of the spaces configured.
- Additional personnel are anticipated; however, the current configuration offers few if any options to provide additional work space.
- The Budget Director and associated staff will need additional space as well.

Procurement [324]

- There is no designated entry/reception area.
- Upon entering the Procurement office from the adjacent corridor, visitors find themselves amid two employees' open work stations.
- There is no seating for visitors.
- The Procurement Officer's work space is small and awkwardly configured.
- The office would benefit from having a dedicated conference space to meet with vendors, perspective vendors, Department heads, etc.

Building Inspections [2349]

- Additional and more adequate storage space for architectural drawings, construction documents and files are needed.
- Area lacks adequate plan review and layout space.

- Open work area occupied by building inspectors, while crowded now, will become more so with anticipated arrival of additional staff during FY 2020-2021.
- Building Inspections needs to be co-located with Zoning, Planning & Stormwater Departments.

Planning [1,274]

- The Director's office is too small to accommodate the responsibilities currently assigned.
- Open cubicles for staff are adequate in concept, however each should be larger to accommodate the space needs of the employees that occupy them.
- Additional open, layout space is needed to better facilitate discussions regarding on-going projects, review of land use maps, site plans, etc.
- Dedicated conference space is needed to accommodate meetings with visitors and Development Services Division personnel in a setting that does not interrupt staff working in open cubicles.
- Planning needs to be co-located with Building Inspections, Zoning, & Stormwater Departments.

GIS [64] [Currently within Planning]

- The current space assigned is very inadequate.
- It lacks convenient access to a large-format printer, adequate layout/display space of maps produced, and storage space for supplies and materials used daily.
- Space that is assigned must include work space for additional personnel.

Second Floor

Clinic [294]

- The current Health Clinic space is open, clean, well-lit, temperature controlled, and can easily accommodate adequate patient seating, exam space, a physician work area and the storage of appropriate medical materials and supplies.
- It does not include within, a wash sink.

County Council [1985]

Existing space is adequate to accommodate current Council duties and activities.

Administration [2,235]

Existing space is currently adequate to accommodate responsibilities of personnel assigned.

Register of Deeds [1,498]

- As of this writing, the Register of Deeds office is being renovated to accommodate much needed enhancements to the space.
- Those enhancements include a private office for the Register of Deeds, a built-in counter from which staff and visitors can converse, and new work stations for staff.

- Upon completion this space will be adequate to accommodate the current responsibilities of personnel assigned.

Management Information Systems (MIS) [946]

- Existing space allocated cannot support the current department staff.
- Circulation between offices and work spaces is poor.
- Area design overall is inefficient.
- The department does not have a designated Training Room to accommodate needs/demand, i.e. for staff meetings and the County employee training responsibilities of the Department.
- There are no vacant offices or work spaces available for needed expansion of anticipated new personnel.
- The building's (water) sprinkler system is an inappropriate method of fire protection in this area.

Note: The above comments refer to the space currently located in the County Administration Building. MIS also has additional space at the Sheriff's Complex that will be discussed under that heading. As of this writing, space in the Barnett Building at 1228 Colonial Commons Court in Lancaster is currently being renovated for MIS to consolidate staff from both buildings in a single location; further discussion regarding that move and MIS space will be included under the subheading "Barnett Building".

Assessor [3,516]

- The space currently assigned to the Assessor, while initially appearing spacious, is quite awkward in its configuration, i.e. not as efficient as it could be.
- The space is crowded to the extent that an internal windowless former vault is now an employee's office.
- There is no room within the existing space to expand to accommodate needed personnel.
- Department would benefit from an internal conference/training room to accommodate staff meetings, training, and meetings with visitors and vendors.
- A location convenient to the ROD, Auditor, Treasurer and Finance is critical.

Building: Clemson Extension Building

Address: 107 South French Street, Lancaster, SC

Existing Building: 2,459 INSF

Included Departments/Agencies:

- Clemson Cooperative Extension

Building Comments:

- Impression of the building upon entry: "old, worn out & run down".

- There is evidence of numerous roof leaks and exterior wooden window sills are deteriorating.
- Use of two rooms is limited due to lack of electrical outlets.
- Restrooms are not ADA compliant.

Building: Historic Library

Address: 210 West Gay Street, Lancaster, SC

Existing Building: 1,256 INSF

Included Departments/Agencies:
Former Library

Building Comments:

- The stone inlay above the door indicates that the library was built in 1904.
- There are two (2) small rooms of +/- 100 square feet each, on each side of the open entry foyer which are currently used by EMS for storage.
- The large room at the back of the building is used by EMS and others as needed for training or meetings.
- The room's capacity, depending upon layout, is 20-30 adults.
- There are two (2) operable restrooms, neither of which are ADA compliant.
- Considering the noted age of the building, water issues, i.e. leaks, and deterioration of wall finishes at top of window bays, suggest that the building might not be appropriate for permanent occupation by a County Department or other organization; however, continued use as an occasional training venue is probably fine.

Building: Human Services Complex

Address: 1837 Pageland Highway, Lancaster,

Existing Building: 25,791 INSF

Included Departments/Agencies:

- Department of Health [14,151]
- Department of Social Services [11,640]

Building Comments:

Note: When this building was first assessed, the Health Department occupied approximately 55% of the total INSF noted; 14,151 INSF. Recently, the Department was relocated to the previously referenced

Barnett Building in Lancaster. The County's current intentions are to renovate the building for DSS alone. Subsequently, the comments that follow reflect *the current space* occupied by DSS and the conditions that now exist.

- The space, and conditions under which DSS employees currently work is: "Awful".
- The serious lack of space, together with the configuration and distribution of the space within the building significantly inhibits compliance with critical security and confidentiality of information protocols (requirements) with which DSS is expected to comply.
- The building design and current space limitations impede full compliance with IRS, Employment Security Commission, Social Security Administration and with federal HIPPA laws and regulations.
- The records room meets neither State nor federal requirements regarding room capacity, security, and access.
- Restrooms designated for client use should be provided within the various work unit areas to keep from having to interrupt a meeting to escort a client across the building, through other work areas, and back; to use a restroom.
- The *current* space occupied by DSS has but a single "position" restroom, which is not ADA compliant.
- Visitation space utilized by staff for monitoring visits between adults and children is poorly located within the building and woeful at best, in terms of size and accommodations.
- When DSS must remove a child or children from their home, wherein DSS then assumes temporary custody, necessary accommodations should include at least dedicated dressing, bathing, sleeping and restroom facilities; these accommodations currently, are inadequate.
- There are various randomly located rooms designated for storage purposes throughout the building; all are full.
- Additional storage beyond the above referenced rooms is relegated to space atop file cabinets or in boxes stacked in corners of offices or in hallways.
- Current copy/work areas in hallways impede hallway traffic and are inconvenient to staff that need to access them.
- Facilities to adequately accommodate formal training activities, including tele/video conferencing are lacking.
- The building's configuration is the most significant factor limiting efficiency, functional area adjacencies, and circulation within and between designated work units.
- In certain work units private offices are paramount to complying with the aforementioned requirements; there are very few of them.

- Employees in other program units, that may operate from open work stations, must have access to private interview rooms that are available when needed; there are none.
- There is a significant lack of work unit specific storage as well a general department materials and equipment storage.
- Program work units lack conference/meeting rooms in which to hold unit staff meetings, case staffing, and client progress evaluations.
- The Department does not have access to a suitably sized training/multipurpose room.

Building: Public Works Administration Office

Address: 1980 Pageland Highway, Lancaster,

Existing Building: 1,425 INSF

Included Departments/Agencies:

- Public Works Administrative Office
- Building Maintenance

Building Comments:

- When entering the building, visitors walk directly into the Office Manager's open work space, i.e. there is no lobby/seating or designated reception area.
- Open work spaces are crowded and individual offices are inadequately sized.
- The building lacks a designated space for the layout and review of large format drawings and construction documents.
- A Copy/Work room, centrally located, could provide needed cabinet storage space for office supplies, a service counter, fax, etc.
- Space is needed to accommodate flat file storage for large format drawings/plans.
- As the Administrative Office of the Public Works Department, the building needs an adequate Conference Room to accommodate staff meetings as well as meetings with visitors and vendors.
- Restrooms are not ADA compliant.
- The building is not sprinkled.
- In short, the Public Works Administrative "Office" could more aptly be referred to as a "Hut".
- The Public Works Department:
 - Lacks a Warehouse

- Needs a designated Sign Shop in which to fabricate the County's road signs.
- Does not have crew facilities, i.e. locker room(s), showers, restrooms lunch room, etc.
- Currently there are no enclosed garage spaces or even open canopy/covered spaces on the site for parking of heavy equipment and various other department vehicles when not in use.

Building: Building Maintenance

Address: 1980 Pageland Highway, Lancaster,

Existing Building: Office/Workshop [2,094 INSF]

Included Departments/Agencies:

- Public Works/Building Maintenance

Building Comments:

- The primary Building Maintenance combination office/workshop is a long narrow building which originally was the dining hall for the "chain-gang" inmates housed in the adjacent barracks building.
- The configuration of the building inhibits the functionality of the space; the size and type of equipment and machinery that can be used in the building is limited; the dust/debris created when working on existing equipment typically settles on the office area desk and paperwork.
- The current floor tile that has been installed over old asbestos floor tiles extends most of the way to the back of the building, however, there remains exposed 8-inch (asbestos) floor tile at the back of the building.
- The building does not have a restroom or wash sink.
- The building is not sprinkled.
- An adjacent "Garage/Workshop" (included in the INSF noted above) and reportedly built in the 1950s, has recently been upfitted by Building Maintenance personnel to provide a more open work space for projects that cannot be accommodated in the original building.
- It will also provide "some" additional storage capacity for maintenance supplies and materials.
- While this area will provide a "band-aid" for perhaps a couple of years, it will do little to correct the shortcomings of the (Office/Workshop) building.

Building: Springdale Recreation Complex

Address: 260 South Plantation Road, Lancaster

Existing Building: 20,370 INSF

Included Departments/Agencies:

- Parks & Recreation

Building Comments:

- Parks & Recreation administrative personnel are currently located in this building.
- The combined area of the Administrative offices, together with those spaces allocated for personnel assigned to address the day-to-day activities at the Springdale Complex, are quite congested.
- Consequently, the Department's administrative personnel are pending relocation to the Barnett Building at 1228 Colonial Commons Court in Lancaster.
- Renovations are scheduled to be completed in August.

Building: Buford Recreation Complex

Address: 4073 Hurley Walters Road, Lancaster

Existing Building: 16,005 INSF

Included Departments/Agencies:

- Parks & Recreation

Building Comments:

- Current Building space is adequate for the purposes intended.
- Department ground crews servicing this location need a stand-alone Maintenance/Equipment building on this site.

Building: Indian Land Recreation Complex

Address: 8286 Charlotte Highway, Indian Land

Existing Building: 12,125 INSF

Included Departments/Agencies:

- Parks & Recreation

Building Comments:

- Current Building lacks adequate office space for the activities/programs intended.
- Significant renovation and an addition to the building is currently in design; and neither the estimated square footage nor a construction start date have been identified.

- Note: EMS Station #4 is co-located on the site of the Indian Land Recreation complex; which, upon completion of EMS Station #9/4 will move; the building [3,438 INSF], when vacated, will revert to the Recreation Department.

Building: Andrew Jackson Recreation Complex

Address: 6354 North Matson Street, Kershaw

Existing Building: 12,125 INSF

Included Departments/Agencies:

- Parks & Recreation

Building Comments:

- Current Building space is adequate for the purposes intended.

Building: Sheriff's Office Complex

Address: 1520 Pageland Highway, Lancaster

Existing Buildings: 32,794 INSF

- Logistics
- MIS (IT)/Help Desk
- Administration
- Investigations
- Physical Training
- CSI/Property

Included Departments/Agencies:

- Lancaster County Sheriff's Office

Building Comments:

Logistics [1,181 INSF]

- This building is a former residence that has been upfitted to accommodate the Department's inventory of uniforms, body armor, equipment, devices, and supplies; etc. essentially those items that a Deputy will wear, carry, and/or use while on duty.
- The interior spaces are well organized and maintained, however, additional space will soon be needed as the Department continues to grow.

MIS/Help Desk [1,383 INSF]

- This building houses staff of the County's MIS department; specifically, those that receive and respond to Help-Desk requests from employees regarding technology/computer issues.

- The building space allocated appears generally adequate to address the responsibilities currently assigned.
- At times, bulk deliveries of equipment received, that are eventually distributed to County departments, cause congestion at the entry to the building.
- The MIS staff located in this building are expected to vacate and move to the Barnett Building with the rest of the MIS staff when renovations are completed.

Administration [12,024 INSF]

- The Administration building is a two-story structure and the largest on the property.
- The location of offices and arrangement of open work spaces on both levels of the building appear to accommodate efficiency in communications and movement.
- The building is very well maintained.
- There does appear to be space; albeit *limited space*; available to accommodate additional/future personnel, provided they will not need a private office.
- The Department needs an adequate muster/multipurpose (Operations Building) to accommodate at least the number of personnel equal to two consecutive shifts for briefings and distribution of information.

Investigations [6,179 INSF]

- This building is a two-story structure consistent in design of the Administration Building.
- The location of offices, meeting rooms and common areas and arrangement of open work spaces on both levels of the building appear to efficiently accommodate the requirements of the personnel assigned.
- As with the Administration Building, there does appear to be space; again, *limited space*; that could accommodate additional/future personnel.
- The Investigations Division would benefit from access to the referenced Operations Building which would offer a venue for planning, staging, deployment and monitoring of significant Department and joint/multiagency law enforcement operations occurring/underway within the County.

Physical Training (1,901 INSF)

- Existing space is well equipped and organized to accommodate an estimated 8-10 department personnel at one time involved in various weight, aerobic, strength and agility training activities.

CSI/Property [10,125 INSF]

- This single-story metal building houses Crime Scene Investigations (CSI) and the Property Unit.

- A significant portion of the identified square footage is the Property Room which consists of many rows of shelving units that contain thousands of recovered property items and confiscated evidence.
- The Property Unit receives, catalogs and places into inventory, on average, 650-750 pieces of evidence per month.
- The property room is well organized; however, it is nearly full and could use additional space now.
- CSI needs additional enclosed and securable garage space in which to analyze vehicles confiscated wherein a homicide occurred.

Building: LCSO Substation

Address: 1821 Sandalbrook Road, Indian Land, SC

Existing Building: 1,812 INSF

Included Departments/Agencies:

- Lancaster County Sheriff's Office

Building Comments:

- Existing space is adequate to accommodate the current responsibilities of personnel assigned.

Building: Barnett Building

Address: 1228 Colonial Commons Court, Lancaster

Existing Building: 39,186 INSF

Included Departments/Agencies:

First Floor

- Lancaster County Health Department
- Voter Registration/Elections
- Shared Classroom
- Lancaster Pharmacy (Private Business)

Second Floor

- Lancaster County Library (Main)
- Management Information Systems (MIS)
- Parks & Recreation Administration

Building Comments:

First Floor

Lancaster County Health Department [12,910]

- Existing space is adequate to accommodate the current responsibilities of the personnel assigned.

Voter Registration & Elections [6,194]

- The space designated and recently renovated for Voter Registration & Elections is 2,009 square feet larger than the Department's current space (4,185) in the County Administration building.
- Unfortunately, the configuration of this new space is not as functional as the former, smaller space, and certainly not as user-friendly for the *but three* (3) staff members.
- The major space issue noted previously in the Administration Building was that the Equipment Room was too small @ 1,643 unencumbered square feet.
- The room designated for voting equipment in this building is 1,025 unencumbered square feet; over 500 square feet *less than* the space that was allocated in the Administration Building.
- If the combined area of the four rooms adjacent and accessible to the voting equipment room were utilized, it would only add 355 more square feet; note also that three of the four rooms are less than 80 square feet, i.e. moving equipment in and out of these rooms will be cumbersome at best.

Shared Classroom [1947]

- At the back of the designated Classroom there are several individual spaces for which a purpose has yet to be determined, one of which is a restroom accessible from the open classroom area.
- The currently unencumbered area where seating and tables can be arranged, is approximately 1,024 square feet; allowing seating at tables for 36-40 adults or row seating arranged auditorium style for 65-70.

Lancaster Pharmacy [1,918]

- The Pharmacy is a privately owned business that has occupied this space for several years.

Second Floor

Lancaster Public Library (Main Branch) [4,385]

- This is a temporary location pending completion of the Main Library renovation and additions.

Management Information Systems (MIS) [2,615]

- MIS has been designated to move operations from space in the Administration Building [946 sf] and from the Lancaster County Sheriff's Complex [1,383] to the Barnett Building once space renovations, currently underway, are completed.
- This move and the space assigned addresses *only current* staff and corresponding space needs.
- A current Library space, once vacated, should be set aside for MIS expansion, to include elevator access, additional offices, and a training room.
- See also MIS Space List Worksheet included in Appendix B.

Parks & Recreation [1,175]

- Space has been renovated to accommodate the Administrative staff of the Parks & Recreation department.; projected move-in date is late August-early September.
- The space will include a reception area, staff offices, meeting, storage, and various relevant support spaces.
- The space vacated will be repurposed to better accommodate personnel assigned to address the day-to-day activities at the Springdale Complex.

Building Space not yet allocated [8,042]

Building: Indian Land Service Center

Address: 8451 Charlotte Highway, Indian Land

Existing Building: 2,024 INSF

Included Departments/Agencies:

- Stormwater/Engineering

Building Comments:

- Although titled “Indian Land Service Center”, the employees working out of this space include only the employees of the Engineering/Stormwater Unit of the of the County’s Development Services Division.
- A small meeting room was recently converted to an office for a new employee, subsequently there is no room for expansion of personnel in the existing space.
- Additional general storage space is needed.
- A larger room is needed for conducting large format plan reviews, which often involve two or more adults.
- More space is needed to better accommodate the storage of the many sets of construction drawings maintained, i.e. numerous flat files and/or hanging racks.
- Crews need an area to wash down trucks and themselves before reentering the building.
- There is no dedicated area in the building for crew members to participate in training activities, eat lunch, or attend meetings.
- Stormwater/Engineering should be co-located with the Planning, Building Inspections and Zoning departments, i.e. the Development Services Division.
- The lease for Stormwater/Indian Land Service Center ends January 31, 2023; with regards to this timeframe, see Recommendation #5 “Comments” on page 48.

SECTION 2. BUILDING & DEPARTMENT SUMMARY TABLES

The Section includes tables that are provided as summaries of the assessment findings regarding the space needs identified in Section 1.

- Combined Building & Department Summary
- Building Summary

Each table includes the same three (3) column headings identifying the space/space needs of the building, department, department division or agency referenced; those columns are titled:

- Current Space
- Current Need
- Existing Deficit

A dash mark, “ – ”, in the Space Deficit column indicates that there was no deficit identified.

Figure 1
Building & Department Summary Table

Department/Agency/Building	Current Space	Current Need	Existing Deficit
Emergency Communications/911	11,918	12,078	160
Airport Complex [57,063]			
Terminal	2,580	6,580	4,000
Service Garage	7,458	7,458	-
Hangers	47,025	47,025	-
Coroner	2,511	3,659	1,148
Emergency Operations Center	9,500	18,056	8,556
EMS Station #1			
Administration, Training, Logistics	7,188	7,188	-
EMS #1	3,002	3,228	226
EMS Station #2	2,734	3,278	544
EMS Station #3	1,995	3,228	1,233
EMS Station #4	3,438	3,438	-
EMS Station #5	2,228	2,588	360
EMS Station #6	1,493	3,228	1,735
EMS Station #7	1,264	3,228	1,964
EMS Station #8	2,233	2,233	-
EMS Headquarters	19,900	19,900	-
Fleet Operations Garage	5,700	12,816	7,116
Dell Webb Library	11,021	11,021	-
Historic Jail	1,780	1,780	-
VA & Economic Development			
Veteran's Affairs	2,308	2,308	-
Economic Development	2,860	2,860	-
County Administration Building			
Records Management	4,298	4,298	-
Custodial	735	735	-
Voter Registration/Elections	4,185	4,185	-
Archives	1,521	1,521	-
Reception/Mailroom	193	193	-
Zoning	599	1,081	482
Auditor	1,361	1,361	-
Human Resources	783	1,558	775
Treasurer	1,428	1,428	-
Delinquent Tax Collections	1,444	1,444	-
County Attorney	395	395	-
Finance	2,221	2,571	350
Procurement	324	834	510
Building Inspections	2,349	2,819	470
Planning	1,274	1,764	490
GIS	64	596	532
Health Clinic	294	294	-
County Council	1,985	1,985	-

Figure 1, Continued
Building & Department Summary Table-Continued

Department/Agency/Building	Current Space	Current Need	Existing Deficit
Administration	2,235	2,235	
Register of Deeds	1,498	1,498	-
MIS	946	946	-
Assessor	3,516	4,371	855
Clemson Extension Building	2,459	2,879	420
Historic Library	1,256	1,256	-
Human Services Complex	25,791	25,791	-
Public Works Office	1,425	2,166	741
Public Works-Building Maintenance	2,094	2,360	266
Public Works-Warehouse	-	3,010	3,010
Public Works-Crew Facility	-	2,220	2,220
Public Works-Sign Shop	-	800	800
Sprindale Recreation Complex	20,370	20,370	-
Indian Land Recreation Complex	12,125	12,125	-
Buford Recreation Complex	16,005	17,205	1,200
Andrew Jackson Recreation Complex	12,125	12,125	-
Sheriff's Complex			
Logistics	1,181	1,181	-
MIS/Help Desk	1,383	1,383	-
Administration	12,024	12,024	-
Investigations	6,179	6,179	-
Operations Building	-	2,960	2,960
Physical Training	1,901	1,901	-
CSI/Property	10,125	14,925	4,800
LSCO Substation-Indian Land	1,812	1,812	-
Barnett Building			
Health Department	12,910	12,910	-
Voter Registration/Elections	6,194	6,194	-
Shared Classroom	1,947	1,947	-
Pharmacy	1,918	1,918	-
County Library (Main)	4,385	4,385	-
MIS	2,615	4,092	1,477
Parks & Recreation Administration	1,175	1,175	-
Unallocated Space	8,042	8,042	-
Indian Land Service Center	2,024	2,604	580
Column Totals:	353,249	403,229	49,980

Figure 2
Building Summary

	Building	Current Space	Current Need	Existing Deficit
1	Communications Building	11,918	12,078	160
2	Airport Terminal	2,580	6,580	4,000
3	Airport Service Garage	7,458	7,458	-
4	Airport Hangers [5 Buildings]	47,025	47,025	-
5	Coroner	2,511	3,659	1,148
6	Emergency Operations (EOC)	9,500	18,056	8,556
7	EMS #1	10,190	10,416	226
8	EMS #2	2,734	3,278	544
9	EMS #3	1,995	3,228	1,233
10	EMS #4	3,438	3,438	-
11	EMS #5	2,228	2,588	360
12	EMS #6	1,493	3,228	1,735
13	EMS #7	1,264	3,228	1,964
14	EMS #8	2,233	2,233	-
15	EMS Headquarters	19,900	19,900	-
16	Fleet Operations Garage	5,700	12,816	7,116
17	Dell Webb Library	11,021	11,021	-
18	VA/ Econ Dev Building	5,168	5,168	-
19	Historic Jail	1,780	1,780	-
20	County Administration Building	33,648	38,112	4,464
21	Clemson Extension Building	2,459	2,879	420
22	Historic Library	1,256	1,256	-
23	Human Services Complex	25,791	25,791	-
24	Public Works Administration Office	1,425	2,166	741
25	Public Works Building Maintenance	2,094	2,360	266
26	Public Works Warehouse	-	3,010	3,010
27	Public WorksCrew Facility	-	2,220	2,220
28	Public Works Sign Shop	-	800	800
29	Springdale Recreation Complex	20,370	20,370	-
30	Buford Recreation Center	16,005	17,205	1,200
31	Indian Land Recreation Complex	12,125	12,125	-
32	Andrew Jackson Recreation Complex	12,125	12,125	-
33	Sheriff's Office Complex [6 Buildings]	32,793	37,593	4,800
34	Sheriff's Office Operations Building	-	2,960	2,960
35	SO - Indian Land Substation	1,812	1,812	-
36	Barnett Building	39,186	40,663	1,477
37	Indian Land Service Center	2,024	2,604	580
Column Totals:		353,249	403,229	49,980

SECTION 3. PROJECTING FUTURE NEEDS

- Projecting Future Needs
- County Population
- Beyond 2020
- County Employees
- Anticipating Future Personnel
- Estimating Future Space Needs
- Summary of Future Space Needs

Projecting Future Needs

Following the assessment of current County building space needs, additional study was undertaken to identify what might be anticipated in terms of future space needs beyond that already identified. The time frame suggested for this information was 20 years; 2020-2040.

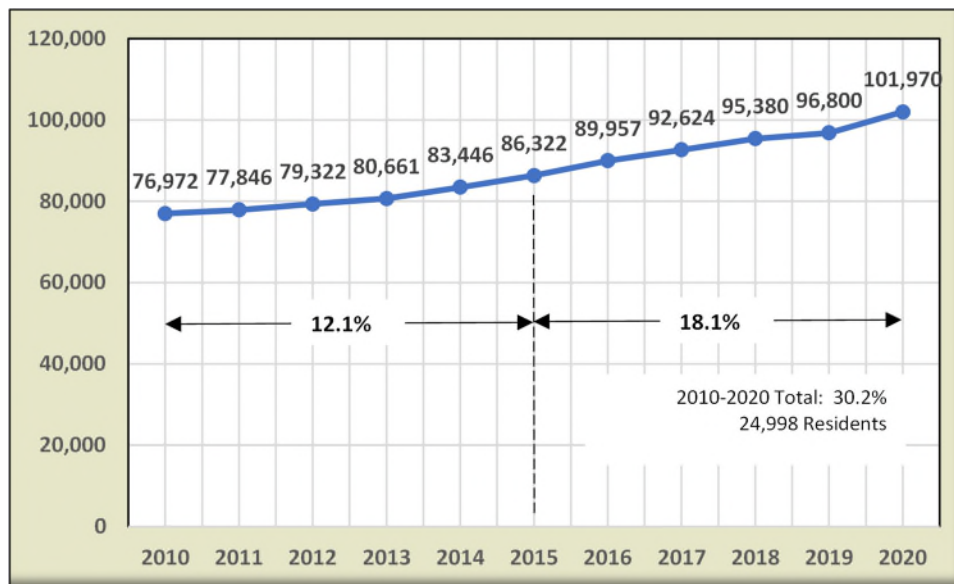
The County provides services to its resident and visitor populations via the individuals it employs. Therefore, the methodologies used to project future needs; whether people, workload, or space; will typically involve an examination of recent year trends of those same characteristics; in this case the County's population and its number of employees.

Various sources were utilized in the development of the data that follows. Among them, the South Carolina Revenue & Fiscal Affairs Office, and the World Population Review/US Census Bureau for population data. And, the County's annual budget documents for fiscal year County employee data.

County Population

This graph identifies the annual resident populations of Lancaster County from 2010-2020.

Figure 3
Lancaster County Resident Populations
FY 2010-FY 2020



The graph identifies an increase in the County's population of 30.2% for the 10 years illustrated. Beginning in 2013, through midyear 2019, the graph line suggests a more robust rate of growth per year than that seen during the first three years of the decade. The 2019-2020 one-year increase of 5.3% suggests that the growth is likely to continue.

Beyond 2020

The South Carolina Revenue & Fiscal Affairs Office has provided population projections, by County, for the years 2020, 2025, 2030, and 2035. And, utilizing linear regression trend analysis software, these projections were extended an additional five years to 2040. For Lancaster County, these numbers represent a very significant rate of increase in population over the next two decades.

Figure 4
Lancaster County Population Projections
2020-2040

2020	2025	2030	2035	2040
101,970	119,370	138,925	160,500	178,978

Illustrated graphically, the 2020-2030 and 2030-2040 trend lines are as follows:

Figure 5
Projected Annual Populations
2020-2030

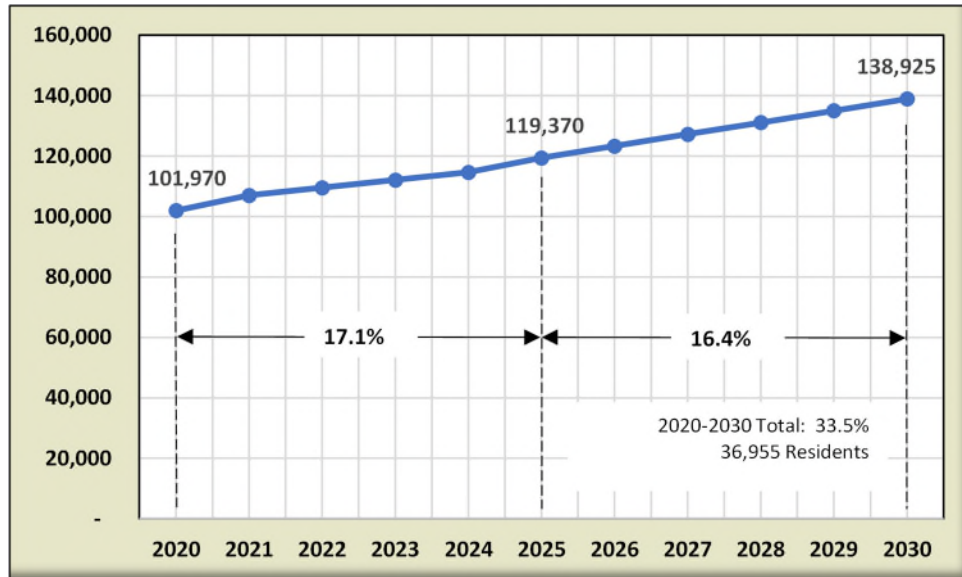
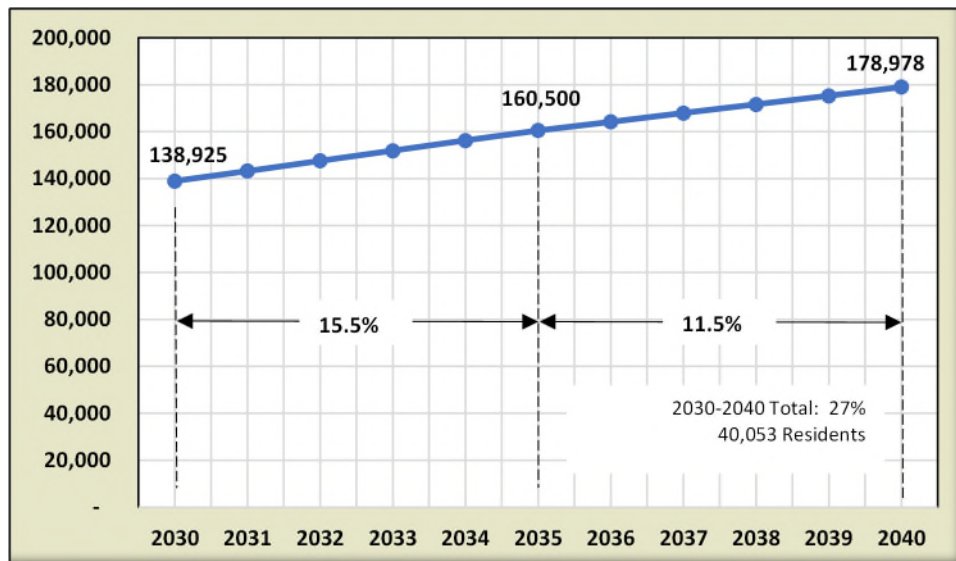


Figure 6
Projected Annual Populations
2030-2040



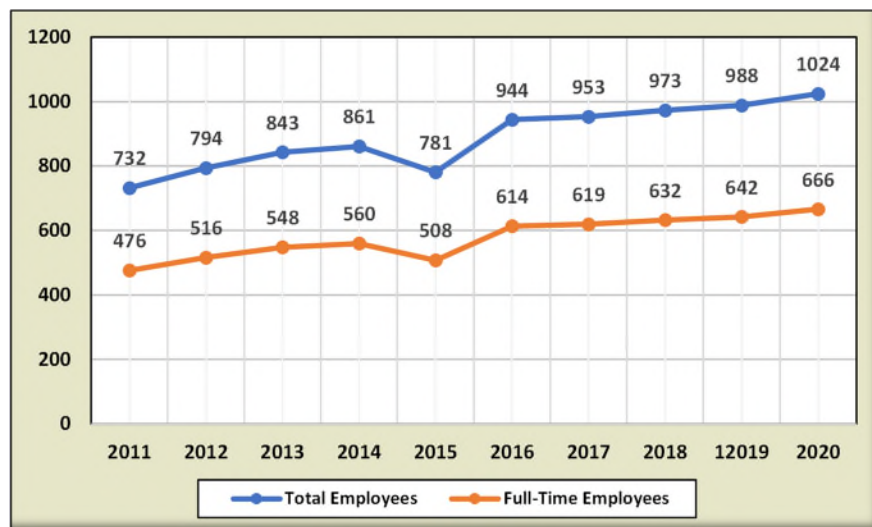
These projections suggest that Lancaster County will realize an increase in population, over the next 20 years, of 60.5%; and an additional 77,008 residents. This is an incredibly significant rate of growth for a County with a July 2020 estimated population of, already, just under 102,000.

The impact on the County's economy is certain to be incredibly significant as well. In turn, the demand for accessible and reliable County services, i.e. public safety, development support, etc. will surely increase. And certainly, citizen expectations for an ever expanding and well-maintained infrastructure system will be an on-going priority. Inevitably, for the County, this will mean additional employees.

County Employees

Each year the County's budget document includes a "Position Summary" of the total number of full and part-time employees by Department. Following a survey of County Department and Division managers, it was determined that the 2020 profile included 358 part-time employees and 666 full-time employees. The full-time employees represented 65% of the total work force. The graph that follows uses this same percentage to estimate the past 10-year history of the County's approved total and full-time work force for fiscal years 2011-2020.

Figure 7
Lancaster County Authorized Positions
FY 2011-2020



While the total number of employees is important, the correlation of the number of full-time employees per unit of population served; in this case the number of employees per 1,000 residents; is the variable that will be incorporated into the calculations of future space needs. In this case, the number of full-time employees per 1,000 resident population was very consistent year-to-year. This table illustrates the number of full-time employees/1,000 residents for 2011-2020. The average per year was 6.53/1,000.

Figure 8
Lancaster County Full-Time-Employees/1,000 Residents
2011-2010

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Population	77,846	79,322	80,661	83,446	86,322	89,957	92,624	95,380	96,800	101,970
Employees	476	516	548	560	508	614	619	632	642	666
Employees/1,000	6.11	6.51	6.79	6.71	5.88	6.82	6.69	6.63	6.63	6.53

Applying the 2011-2020 average employee-to-population ratio (6.53) to the State’s projected future year populations (Figure 9) , the estimated number of full-time employees for these future years would be as follows:

Figure 9
Projected Annual Number of Full-Time Employees /1,000 Residents
2020-2040

Year	2020	2025	2030	2035	2040
County Population	101,970	119,370	138,925	160,500	178,978
Avg. # Employees/1,000	—	6.53	6.53	6.53	6.53
Est. # Employees	666	779	907	1048	1169

Based on these numbers, the projected increase for the period 2020-2040 is 75.5% and 503 additional full-time employees. For the 10-year period of 2020-2030, the projected increase is 36.2% and 241 additional full-time employees. Note that the number of full-time employees identified in the 2020 column (666) was for ALL full time County employees. The discussion that follows will pertain only to that percentage of employees related to the facilities studied.

Anticipating Future Personnel

The purpose of this study was to assess the space needs of designated County buildings occupied and used by various County Departments and related local government agencies. Based on the referenced 2020 Position Summary, the 46 buildings assessed were occupied and used by 474 of the 666 full-time employees identified above.

The calculation of the number of future year employees begins with applying the average employee-to-population ratios noted in Figure 9 to future year populations. For example, the application of the 36.2% increase in the number of full-time employees between 2020 (666) and 2030 (907), applied to each of the departments/agencies involved in this study.

The table that follows (Figure 10) includes these column headings:

- *“Department/Agency”*-includes all the departments/agencies involved in the study, in the order listed in the 2020 budget document.
- *“2020”*-identifies the number of full-time employees allocated to each department/agency listed.
- *“2030”*-is the result of multiplying the number of 2020 employees by 1.362 (36.2%) to identify the total employees projected per department/agency for 2030.
- *“Net Gain”*-identifies the projected gain in the number of full-time employees from 2020-2030.
- *“Recommended”*-these numbers either concur (black numbers) with the net gain calculations of 2030 employees or, recommends adjustments (red numbers) based on observations, knowledge of work activities, and in-depth discussions with Department/Agency managers.
- *“2040”*- is the result of multiplying the 2020 employees by 1.755 (75.5%) to identify the total employees projected per department/agency for 2040.
- *“Net Gain”*-identifies the projected gain in the number of full-time employees from 2020-2040.

Fig 10
Projected 2030 & 2040 Full-Time Employees

Department/Agency	2020 Actual	2030 Projected	Net Gain	2030 Recommended	2040 Projected	2040 Net gain
General Government						
Administration	5	7	2	2	9	2
Assessor	14	19	5	5	25	6
Auditor	6	8	2	2	11	2
Building Inspections	15	20	5	5	26	6
Building Maintenance	10	14	4	4	18	4
County Council	7	-	-	-	-	-
Delinquent Tax Collections	4	5	1	1	7	2
Finance	7	10	3	3	12	2
GIS	1	1	-	2	2	1
Human Resources	4	5	1	1	7	2
County Attorney	1	1	-	-	-	0
MIS	11	15	4	4	19	4
Procurement	3	4	1	1	5	1
Planning	6	8	2	3	11	2
Voter Registration & Elections	3	4	1	2	5	1
Register of Deeds	6	8	2	2	11	2
Risk Management	1	1	-	1	2	1
Treasurer	6	8	2	1	11	2
Fleet Operations Garage	8	11	3	4	14	3
Zoning	6	8	2	3	11	2
Public Safety & Law Enforcement						
Coroner	6	8	2	4	11	2
Emergency Operations Center	4	5	1	1	7	2
Emergency Communications/911	34	46	12	12	60	13
Sheriff	120	163	43	45	211	47
Public Works						
Landfill-Solid Waste	1	1	-	1	2	1
Solid Waste Collections	12	16	4	4	21	5
Roads & Bridges	32	44	12	12	56	13
Public Health & Welfare						
EMS	81	110	29	24	142	32
Veteran's Affairs	4	5	1	2	7	2
Culture & Recreation						
County Library	26	35	9	9	46	10
Recreation	20	27	7	7	35	8
Economic Development	3	4	1	1	5	1
Stormwater Fund	6	8	2	6	11	3
Airport Fund	1	1	-	1	2	1
Column Totals:	474	636	167	175	818	185

Estimating Future Space Needs

The amount of square footage planned or allotted per employee to determine future year (2030 & 2040) space needs is going to vary from department to department based on many factors unique to each. The ratio of square feet per employee will vary considerably. For example, based upon the identified current space needs for Voter Registration and the number of employees (3), the total current space needs identified averages 1,648 square feet per employee. Of course, this includes a large equipment warehouse that houses the voting equipment for every precinct in the County. Contrast that with Human Resources where, based on the same criteria, the average space per employee is approximately 390 square feet. In this instance the employees work within a common and much smaller office environment.

Summary of Future Space Needs

Therefore, having been able to estimate the number of employees per department for the coming years, and being able to identify the estimated allocation of square footage per employee of each of those departments based on their service delivery and functional requirements, future year space needs specific to each department were identified as follows:

Figure 11
Future Space Needs Summary

Department/Agency	Current Space	Current Need	Est. FY 2030	Est. FY 2040	Total Est. 2040
Administration	2,235	2,235	650	639	3,524
Assessor	3,516	4,371	1,561	1,718	7,650
Auditor	1,361	1,361	454	535	2,350
Building Inspections	2,349	2,819	940	1,108	4,867
Building Maintenance	2,094	2,360	944	927	4,231
County Council	1,985	-	-	-	1,985
Delinquent Tax Collections	1,444	1,444	361	567	2,372
Finance	2,221	2,571	1,102	1,010	4,683
GIS	64	596	450	596	1,642
Human Resources	783	1,558	390	612	2,560
County Attorney	395	395	-	-	395
MIS	946	4,092	952	1,028	6,072
Procurement	324	834	278	328	1,440
Planning	1,274	1,764	882	693	3,339
Voter Registration & Elections	4,185	4,185	904	1,105	6,194
Register of Deeds	1,498	1,498	499	589	2,586
Risk Management	175	175	-	175	350
Treasurer	1,428	1,428	238	561	2,227
Fleet Operations Garage	5,700	12,816	6,408	5,037	24,261
Zoning	599	1,081	541	425	2,046
Coroner	2,511	3,659	2,439	1,438	7,536
Emergency Operations Center	9,500	18,056	4,514	7,096	29,666
Emergency Communications/911	11,918	12,078	4,263	4,747	21,087
Sheriff	32,793	42,365	15,887	16,649	74,901
Public Works	1,425	8,196	2,732	3,221	14,149
EMS	25,575	51,537	15,270	20,254	87,061
Veteran's Affairs	2,308	2,308	1,154	907	4,369
County Library	11,021	-	-	-	11,021
Recreation	60,625	61,825	21,639	24,297	107,761
Economic Development	2,860	2,860	500	590	3,950
Stormwater Fund	2,024	2,604	1,950	1,302	5,856
Airport Fund	57,063	61,063	-	-	61,063
Column Totals:	254,199	314,134	89,931	100,194	515,235

To state the obvious, the rate and volume of the coming years' population growth is going to have a dramatic impact on County government services. To illustrate, the two departments that are projected to experience the largest increase in personnel by both 2030 and 2040 respectfully, are EMS and the Sheriff's Office.

Figure 12 identifies the annual experienced and projected EMS call volumes through 2030. Note that the rate of EMS calls dispatched per 1,000 County residents in 2019 was 185.5. The projected number of calls dispatched per 1,000 residents in 2030 is 195.6; i.e. the **rate** of calls has increased, together with a 44% increase in population of just over 42,000 residents. **The 2040 call volume is projected to be 35,140, almost double that of 2019.**

During 2019, the Sheriff's Department responded to 70,041 calls for service throughout Lancaster County, an average of 191 calls per day. The annual call data provided from 2010-2019, coupled with the State's projected annual populations for 2020-2030 identified the estimated calls for service in 2030 to be 112,298, an average of 308 calls per day. **The 2040 calls for service have been projected at 154,401, an average of 423 calls per day.**

It is significant to note here that while the Sheriff's Department includes seven major divisions, i.e. Crime Scene, Judicial, Investigations, Training, etc., it is the *Patrol Division* that responds to these calls for service. And, while the Sheriff's Department has been projected to receive the most new full-time employees by 2040 (91), it better hope it gets *all* of them if it is going to continue to provide the level of service County residents have come to expect.

Figure 12
Experienced and Projected EMS Call Volume
2013-2030

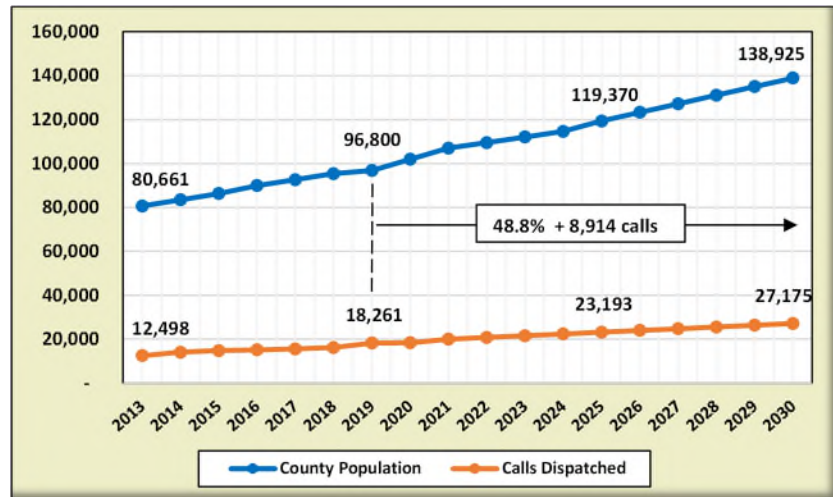
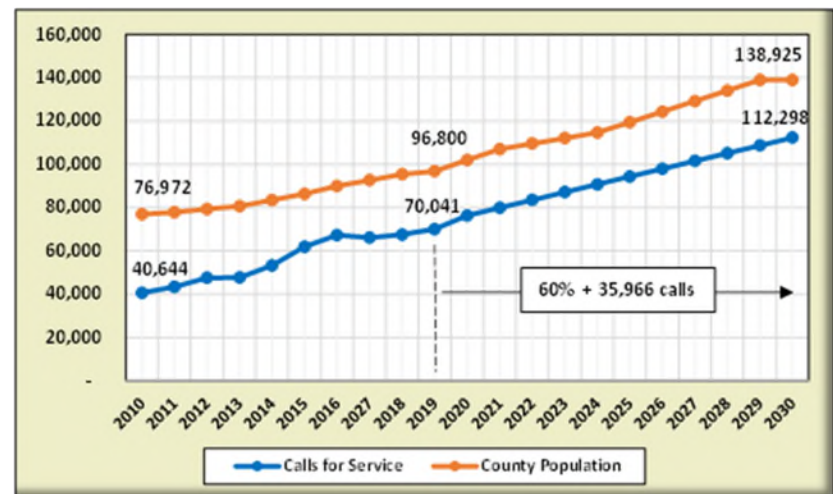


Figure 13
Sheriff's Department Annual Calls for Service
2010-2030



SECTION 4. PRIORITIZING NEEDS

- Prioritizing the Needs Identified
- Public Safety
- Infrastructure
- County Government Core Services
- Basis of Need
- Priority & Status Ratings of Recommended Projects

Prioritizing the Needs Identified

As noted, 46 buildings were assessed to determine the space needs of the various County departments and associated agencies working within them. In the tables included in Section 2, the existing area (square footage) assigned to each department/agency was documented. Following meetings with Department personnel, audits of existing space, and observations of the activities occurring within that space, a space deficit was (or was not) identified and quantified. The square footage identified in the “Current Need” columns of the referenced tables was the result of the sum of the “Current Space” and the identified “Existing Deficit”.

Of the 46 buildings, there were no space deficits found in 23, although several of those 23 buildings were not without other issues.

Figure 14
Summary of Findings

Total area of the buildings assessed:	353,249 square feet
Total space deficit identified:	49,980 square feet
Total current space needed:	403,229 square feet

One would think the basis upon which space needs were prioritized in a “*Space Needs Study*” would be the *quantity* of space (square footage) that is needed *in addition to* what a building or department already has. Indeed, the numbers are significant, as noted here.

Figure 15
Building & Department Identified Space Deficits

Building	Net Square Feet	Department	Net Square Feet
Fleet Operations	7,116	Public Works	14,153
CSI/Property Bldg. (Sheriff)	4,800	Emergency Management	8,556
Co. Administration	4,464	Sheriff	7,760
Airport (Terminal)	4,000	EMS	6,062
Public Works Warehouse	3,010	Airport	4,000
Public Works Crew Facility	2,220	Development Services	2,220
EMS #7	1,964	MIS	1,477
EMS #6	1,735	Assessor	855
EMS #3	1,233	Human Resources	775
Coroner	1,148	GIS	532

The space deficits identified in Figure 15 represent **current** needs. Section 3 addressed **future** needs in terms of both the number of County personnel and the corresponding space they would require based on the County’s projected 2020-2040 populations: 36,955 additional residents by 2030 and an additional 40,053 residents by 2040.

Public Safety

In this context, the demand for accessible and reliable County services, will first and foremost impact those “public safety” departments that respond to emergencies; the Sheriff’s office, EMS, the Coroner’s office, and Emergency Communications/911. These agencies collectively, are up and running 24 hours a day and interact with more County residents in a given month than the rest of the County’s departments combined do in a year. Their increase in workload, per Figures 12 & 13, correlates directly with increases in population.

Infrastructure

An additional area of focus, for both current and new residents, will be their expectations for an ever expanding and well maintained “infrastructure” system within the County. Those impacted by and ultimately responsible for that infrastructure will be Roads & Bridges, Fleet Operations, Waste Management, and Building Maintenance, i.e. Public Works. Together with those that review, inspect, and approve the development that is ongoing and increasing in volume on an almost daily basis: Planning, Zoning, Building Inspections and Engineering, i.e. the Development Services Division.

In addition to the physical “built” infrastructure, the information and communications infrastructure upon which County government must rely is the sole responsibility of MIS (Management Information Systems).

County Government Core Services

In addition to public safety and infrastructure, the recognized center of County government is the Administration Building. Citizens wishing to access core services such as taxes, vital records, applications for employment, properties appraised, etc. can do so. Doing so in space that is adequate and accommodating will often make the experience a positive one. The building’s collective space deficit, attributed to 8 of the 22 departments and related activities located in the building, is 4,464 square feet. The building currently “houses” more employees (100), than any other County facility, that contribute daily to making government “work”. It’s current space deficits, noted here, must be addressed.

▪ Assessor	855 square feet
▪ Human Resources	775 square feet
▪ GIS	532 square feet
▪ Procurement	510 square feet
▪ Finance	350 square feet

Basis of Need

Certainly, the *quantity* of space that an individual department or agency needs must be considered when prioritizing the needs of all. However, in the current environment of change and dynamic population growth, the likes of which Lancaster County has never before experienced, the setting of priorities must also consider functionality, availability, efficiency of operations, and the criticality of the *needs* of the County and its citizens.

Figure 16
Priority & Status Rating of Recommended Projects

Priority	Department/Agency	Status
Tier 1	Public Works - Sheriff - EMS - Development Services	Critical
Tier 2	Coroner - MIS - Assessor	Acute
Tier 3	Human Resources - GIS - Procurement - Finance	Essential

SECTION 5. RECOMMENDATIONS

The individual *Building Comments* noted in Section 1, identified numerous issues of concern regarding the individual buildings, departments, and various departmental functions. Those comments are intended to serve as the basis for the recommendations that follow.

Recommendations 1-7 focus on Tier 1 and Tier 2 Departments identified in Figure 16.

Recommendations 8 and 8a-8f focus on reallocation of space in the Administration Building and include floor plan concept diagrams.

Recommendations 9-12 address:

- Clemson Extension Building
- Buford Recreation Complex Equipment Building
- Airport Terminal
- Emergency Operations Warehouse & Garage

Additional comments discuss reuse options for the space currently occupied by Voter Registration & Elections.

1. Recommendation:

Contract for facility programming services, to include a site masterplan on the existing property, for a new Public Works Complex.

Type of Space: New Construction

Comments:

The existing Public Works facilities are pitifully spartan. The Department/site does not provide crew facilities, does not have a warehouse, and expects employees to produce street signs in what is essentially a small garage type space in the back of the Administration office. For a County of over 100,000 residents and 550 square miles, this situation is quite unusual.

Based on the numbers generated in Section 3, it has been estimated that Public Works will have as many as 86 full-time employees by 2030 (currently 63 full-time), and an estimated 111 full-time employees by 2040. Individuals who predominately work outdoors and, who are on call 24 hours per day. A place where crew members can assemble, receive instructions, and deploy to their assigned location(s) is typically referred to as a Crew Facility, which also will include a common area, training room, lunch room, lockers, restrooms and showers.

A warehouse is about providing for the secure storage of equipment and materials, about having adequate space to organize and later distribute that equipment or material, being able to take advantage of the lower cost of bulk purchasing because space is available to secure that inventory and ultimately, it is about accountability and efficient management of materials that will support the development of the quality infrastructure desired.

The significant sections of the recommended Facility Program should address, in detail, at least the following:

- Administrative Office
- Fleet Operations Garage
- Building Maintenance Office & Shop
- Warehouse
- Crew Facility
- Sign Shop

A detailed, Space List Worksheet has been developed for each of these major spaces, except for the Fleet Operations Garage. The space list is included in the Appendix B and was developed from the consultant's data base of similar projects. With regards to the Fleet Operations Garage, architectural drawings have been completed which, upon review, are particularly good. They are available at the current Fleet Operations Garage office.

In Section 6 that follows, estimated probable costs are illustrated for three (3) buildings: the Administration Office, the Fleet Operations Garage, and the Public Work's "operations" building which would include Building Maintenance, the Warehouse, Crew Facilities and the Sign Shop in separated areas but under one roof.

Note: The primary objective of the above referenced Facility Programming would be to study and determine the feasibility of including all three major buildings on the site separately, as a "complex", or all together in a single building.

2. Recommendation:

a. Contract for facility programming services for a purpose-built, single unit, two-bay EMS station that can be used as a prototype for future stations, to replace, as soon as possible, the current EMS #'s 6 and 7; enlist a design firm familiar with the building type and, upon approval of the documents, proceed with bidding and construction.

Simultaneously, EMS should begin to identify potential locations for siting each station, to include a risk assessment of the area to be served, call frequency, population density, and road distance analytics with the objective of improving incident response times.

Type of Space: New Construction

Comments:

For reference, a detailed, space list has been developed for a single unit, 2-bay, EMS station and is included in the Appendix. The space categories, Base Operations, Staff Support and Garage, and their included spaces, are consistent with national standards pursuant NFPA 450 and the US Fire Administration and FEMA recommendations.¹

As noted in the discussion of EMS's existing eight stations in Section 1, several of the stations were obviously located where a space/existing building was "available", or in one case in a former residence that was given to the County, none of which were preceded with an analysis of whether the location would facilitate the efficient and timely response within the EMS district to which the unit was expected to respond.

b. As a critical County service, EMS response times and call volumes should be monitored, documented, and reported on a quarterly basis to anticipate and adequately plan for the addition of future base facilities and personnel.

Type of Space: NA/Data tracking to anticipate need for personnel & station construction.

Comments:

2018 response times for Lancaster County EMS units responding to incidents within 19 County fire districts ranged from an average low of six minutes, to a high of 13 minutes: with an overall average response time of 8.4 minutes.

Standards regarding emergency medical incident response times are based on the findings of various significant medical organizations and professional associations. Among them, the American College of Emergency Physicians (ACEP), the American Heart Association, the American Association of Orthopedic Surgeons, and National Fire Protection Association (NFPA). The consensus among them being, that EMS vehicles should respond to deliver ALS (advanced life support) skills and available within 6 to 8 minutes, and that those response times are to be achieved in at least 90% of all calls dispatched.

Subsequently, where an EMS station is located is critical to performance. And, while station #6 and #7 are included in Recommendation 2a above, stations 2, 1, and possibly 3 are near future candidates for relocation as well. Considering the rate of growth and inevitable increase in EMS call volumes, strategically locating/relocating stations now, if done carefully, could very well preclude the need, to an extent, for the construction of new stations in the coming years.

¹ National Fire Protection Association; NFPA 450, Guide for Emergency Medical Services and Systems; 2013 Edition.
Safety and Health Considerations for the Design of Fire and Emergency Medical Services Stations; US Fire Administration /FEMA; May 2018.

3. Recommendation:

Contract for facility programming services to address the Sheriff's Department identified facility space needs; enlist a design firm familiar with the building type and, upon approval of the documents, proceed with bidding and construction.

Type of Space: Building Addition/Renovation of CSI/Property Building,
New Construction of an Operations Building

Comments:

The Sheriff's Department is a critical County service. As well, it is the most recognized public safety/law enforcement entity in the County. Report Section 3 identified the Sheriff's Department 2020 full time positions at 120. Actual 2011-2020 data identified that the average ratio of full-time County employees to 1,000 county residents was 6.53. That ratio applied to the State's 2030 projected Lancaster County population showed that the corresponding staffing of full-time Sheriff's Department personnel would be 163; an increase of 43 personnel.

While the Sheriff's complex has adequate *office* space at this time, operations space is lacking. Currently two needs exist:

- The expansion of the CSI/Property building; the Property area is nearly full and needs additional space, and CSI needs additional enclosed and securable garage space in which to analyze vehicles confiscated wherein a homicide occurred.
- The addition of an Operations Building will provide needed muster/multipurpose space to accommodate at least the number of personnel equal to two consecutive shifts for briefings and distribution of information. It would also provide a venue for planning, staging, deployment, and monitoring of significant Department (SWAT) and joint/multiagency law enforcement operations occurring/underway within the County.

The area of the CSI/Property building addition is estimated at 4,800 net square feet. The Operations Building is estimated at 2,960 net square feet. The Operations Building will be addressed further in Section 6, Probable Costs; wherein a breakdown of the probable construction and project related costs will be provided.

4. Recommendation:

Contract with a design professional/contractor to examine and determine whether the Coroner's Building can be expanded on the existing site and/or expanded onto the property immediately south of the existing building.

Type of Space: Expansion/Renovation

Comments:

The identified space deficit in the current building is 1,148 square feet; very significant considering that the existing building is only 2,511 square feet. While the layout of the building may have worked well for the purpose it was originally built, i.e. an architect's office, internal circulation and movement is not efficient.

The Morgue area is generally adequate however, the temperature-controlled room that holds bodies reaches and/or exceeds capacity several times per month. For obvious reasons, the "when" and frequency of the arrival of bodies cannot be planned in advance.

Concerns with regards to workload and staffing have been expressed; and, reinforced by the 2012-2019 218% increase in the number death investigations conducted annually from 2012 with 296 investigations, and 2019 with 647. The addition of space, more functional space, is needed now.

5. Recommendation:

Contract for facility programming services, for a new consolidated Development Services Division Office Building, to include Planning, Zoning, Building Inspections and Stormwater/Engineering.

Identify an available and appropriately sized building suitable for up-fitting, or a building site in which to locate and construct a new building, to fully accommodate the (2030) space needs identified, 12,730 INSF; and located between Lancaster and Indian Land to better accommodate the population served and reduce staff travel times.

Should a suitable existing building not be available, incorporate the facility program document (above) in an RFP for design services for a purpose-built facility.

Type of Space: Renovation or New Construction

Comments:

- These departments need to be together.
- They need to be closer to where the development and growth are occurring, enhancing customer service, i.e. the “one-stop-shop” concept; and improving internal communications, coordination, and time/performance efficiencies.
- The collective space deficit of these four departments is *today* 2,022 net square feet.
- Their combined “Current Need” is 8,268 net square feet, with a projected total space need by 2030 of *an additional* 4,462 net square feet, i.e. a total of 12,730 net square feet.
- Projected 2040 space needs are currently projected at 15,759 total net square feet.
- The three Development Services departments located in the County Administration Building, (Planning, Zoning, and Building Inspections) currently occupy a collective 4,222 square feet.
- The combined space deficit for all included departments in the Administration is 4,464 square feet
- The Administration building’s configuration and its positioning on the lot does not provide an opportunity for expansion.
- The space vacated by the Development Services departments would be sufficient to erase the space deficits of the remaining departments in the Administration Building.
- The concern that the Indian Land Service Center’s lease is not up until January 31, 2023 should not delay this project; together, facility programming, design, project bidding, and construction is likely to consume 18-24 months, depending upon the development option selected; i.e. building up-fit or new construction.

6. Recommendation:

Reserve additional space in the Barnett Building, currently occupied by the Library, for MIS to address the Department's needed office, work, and training space once the Library vacates the building.

Type of Space: Internal Renovations

Comments:

As stated, *"the information and communications infrastructure upon which County government must rely is the sole responsibility of MIS."* The net space need(s) identified and illustrated in the *MIS Space Needs Worksheet* (Appendix B), total 4,092 square feet. The additional space needed cannot be accommodated in the Administrations building.

7. Recommendation:

Public Works Building Maintenance personnel should meet with the Emergency Communications Director to determine how a tool/work room could be added adjacent to or near the existing Server Room.

Type of space: Internal Renovation/Addition

Comments:

Emergency Communications/911 is a vital public safety communications asset and, literally, a lifeline to thousands of County residents each year.

The space deficit identified is small by comparison to others in this report (160 net square feet), but especially important. An additional room is needed adjacent to the existing Server Room to accommodate equipment storage, tools and work space for County MIS personnel and contracted vendors servicing the equipment within the Server Room. The Server Room itself is now "providing" that space, it is not a good practice, and could be quite disruptive during certain communications events .

8. Recommendation:

Following relocation of the Development Services Division Departments, commence expansion renovations, and relocation of remaining departments in the Administration Building, per Recommendations 8a–8f. Floor diagrams illustrating the suggested changes follow.

Type of space: Interior Renovation

Comments:

The recommendations that follow vary from repurposing a room "as-is", i.e. County Attorney's office; to the removal of existing walls and the construction of new walls and access doorways into to various spaces that are to be repurposed, i.e. Human Resources/Auditor spaces. The decision as to how the renovations are implemented will be the County's. Whether it is done by in-house Building Maintenance personnel or an outside contractor the objective/focus when planning the layout and changes needed must be functionality and access by the customers to be served; understanding that "customers" refers to citizens as well as County staff. In turn, the Department directors whose spaces will be modified must be committed to be involved in the planning and decision making.

8 a. Recommendation:

Address the space deficit identified for Human Resources with a plan that extends into the adjacent space now occupied by the Auditor; to compensate for the space lost, open up the now Zoning office to allow the Auditor to expand into that space.

Comments:

Walls will need to be removed, and a new one constructed between the two spaces to assure unencumbered work spaces for both Auditor and Human Resources personnel.

An issue that contributed to the deficit noted for Human Resources was the lack of a conference room. The recommendation that follows *may* provide an alternative for including one *within* the suggested HR “envelope”.

8 b. Recommendation:

Repurpose the space designated “County Attorney” to accommodate a Conference room.

Comments:

The architectural drawings show a wall in the middle of this space. It should be removed, which will then provide ample space to comfortably accommodate conference table seating for up to 12 adults.

8 c. Recommendation:

Expand Finance space into what is now the Procurement office.

Comments:

Direct access to and from the expanded space and the current Finance office area should be provided. The open space in the diagram between the expanded Finance area and the proposed GIS Office (see recommendation 8e below), labeled “Finance Future” is approximately 1,134 square feet; the projected Finance Office additional space needs for 2030 is projected to be 1,102 square feet

8 d. Recommendation:

Move the Procurement offices into space currently occupied by Planning and repurpose the two rooms at the “back” of that space as a single Conference/Meeting room.

Comments:

Removing the wall between the two rooms will provide space to accommodate conference table seating for up to 10 adults.

8 e. Recommendation:

Construct new office space for GIS at the “back” of the large room currently occupied by Building Inspections, the configuration and layout should coincide, to the extent possible, with the concept diagram previously developed by the GIS Director.

8 f. Recommendation:

The Assessor’s identified space deficit is significant; once MIS completes relocation to the Barnett Building and is operational, that space should revert to the Assessor, opened-up, and renovated to address the space needs identified.

Comments:

Based on the space needs identified, renovations should focus on staff office and open work space and a Meeting/Training Room able to accommodate 16 adults.

Figure 17
First Floor Renovations

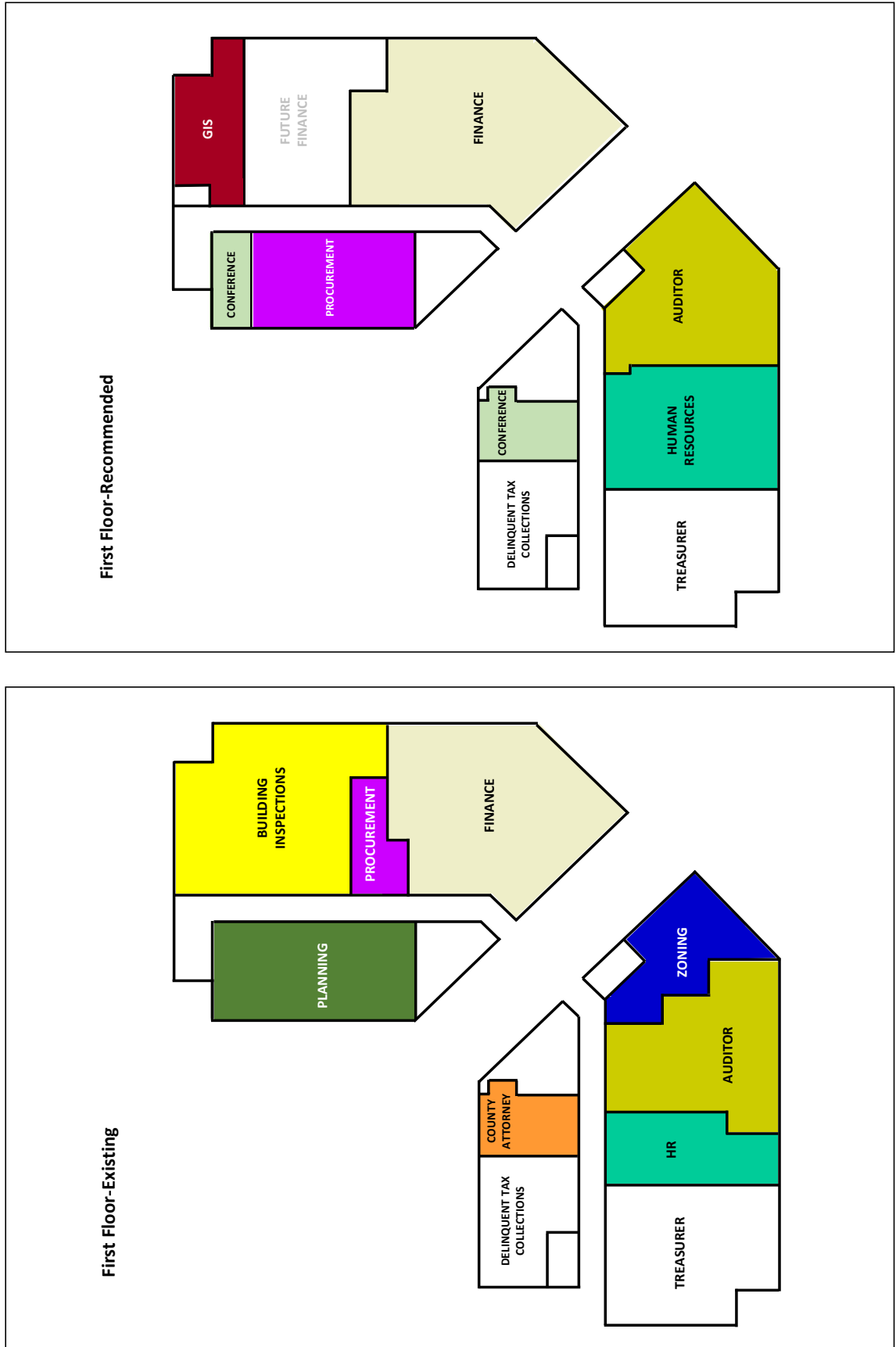
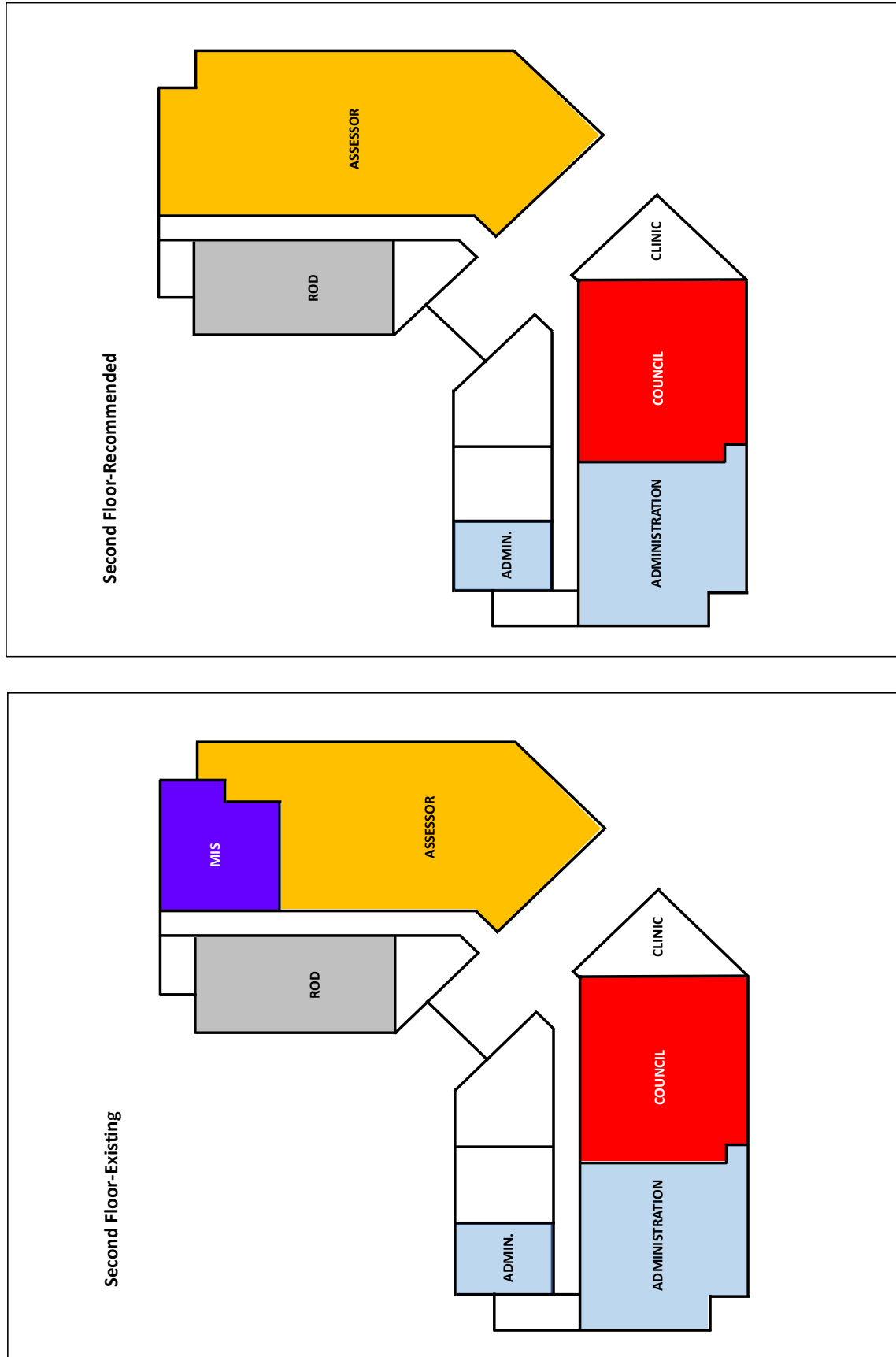


Figure 18
Second Floor Renovations



9. Recommendation:

The County should consider relocating the Clemson Extension offices or thoroughly upgrade the existing building, inside and out.

Comments:

The building's interior is old, worn out and run down, the restrooms are not ADA compliant, the use of two rooms is limited due to lack of electrical outlets, and there is visible evidence of numerous recent and past roof leaks, and exterior wooden window sills lack paint and are deteriorating.

The current building is 2,459 INSF, with an identified deficit of 420 square feet. Should the County consider a new location (building), the area necessary to accommodate current activities would be between 2,500-2,800 *net* square feet. Assuming remodeling would be necessary, the "target" size of the (existing) building sought should be no less than 3,500-4,000 square feet.

10. Recommendation:

Construct a stand-alone, securable Maintenance & Equipment building on the site of the Buford Recreation Center.

Comments:

Identified deficit/building size is 1,200 square feet.

While the building space of the Recreation Center itself is adequate, Recreation Department ground crews servicing this location need a stand-alone Maintenance/Equipment building on this site.

11. Recommendation:

Authorize the Airport Manager and Commissioners to retain the services of a qualified design professional to provide at least two (2) concept options for an updated, larger Terminal Building.

Comments:

While the physical structure of the existing terminal building appears to be in good condition it is dated and lacks features commonly found in more modern municipal airport terminals; among the spaces most frequently requested are meeting rooms.

The indoor space of the existing terminal is 2,580 square feet, with discussions among Commissioners that a new facility should include no less than 4,000 net square feet, i.e. the identified deficit.

12. Recommendation:

Research the availability of vacant buildings reasonably convenient to the Emergency Operations Building that could be considered for adaptive reuse as a combination warehouse and garage.

Comments:

Emergency Operations needs a temperature-controlled, securable warehouse space and an enclosed garage type facility for incident-specific vehicles and trailers. Both spaces could be in a single building. Critical among the incident vehicles is the Mobile Operations/911 trailer that would serve as back up should the Communications Center go down during an emergency.

Although the referenced vehicles are valued in the thousands of dollars, they currently remain outside, and unprotected from the elements.

Voter Registration & Elections Space to be Vacated

Voter Registration & Elections will be moving from the Administration Building to renovated space in the Barnett Building following the November 2020 elections. The space the department currently occupies is 4,185 square feet (INSF). Of that space, the equipment room where voting machines and peripheral equipment are stored, comprises 1,643 square feet. This area is an unfinished, high ceiling, warehouse type space. The remaining 2,542 square feet include a generously sized office for the Director, an open reception and service counter adjacent a large open work space for employees that allow them direct access/communications with visitors. Two additional spaces include a work room (often for volunteers) and a secure room wherein ballots are counted following voting.

Discussions regarding the reuse of this space, once vacated, have been mixed. Concerns expressed have included:

- The space is in the basement
- It has no access to natural light
- There is a moisture problem

Reportedly, the County has attempted to mitigate the moisture problem, i.e. penetration through the foundation (below grade) wall; efforts have apparently been unsuccessful as numerous dehumidifiers continue to run without notable results per County staff.

Suggestions for reuse have included the following:

- Open the adjacent Lobby, Service Counter and Staff Work spaces to provide a classroom style training venue; the area in question, depending on set-up, could accommodate 24-32 adults.
- Develop individual storage spaces/"bins" for departments that need storage space for materials that need to be saved but do not require frequent access.
- Develop a series of offices and open work spaces to include desks, lay-out surfaces, internet, and telephone access, with shared scan/copy capabilities, and perhaps a small, private meeting room for use as needed.

The availability of offices and open work spaces for temporary use within the Administration Building could prove advantageous depending on how the County chooses to act on the priorities identified. For example, the Assessor needs the space that is currently occupied by MIS which is preparing to relocate. What if that relocation date is delayed? As much, if not more, than the space itself, the Assessor needs *people*. While basement space may not be all that inviting or convenient, two floors below the Assessor's office, it could provide work space to get additional needed staff on board and working until permanent space could be occupied.

SECTION 6. PROBABLE COSTS

The building and space comments noted in Section 1, identified numerous issues of concern regarding the individual buildings, departments, various department functions, and the agencies for which the County provides space. Those comments are intended to serve as the basis for the recommendations that are listed.

The narrative that follows, preceding the cost tables, is intended to offer context to the processes and considerations that impact or are impacted by the costs of a public building project.

- Facility Development Process
- Net vs. Gross Square Feet
- Types of Costs
- Cost Basis
- Identified Project Costs

Following the Identified Projects Costs is a brief listing comments for consideration with regards to the individual cost categories listed.

Note: The blank space in each of the Project Cost pages that follow is intentional; both for consistency of format and to include one (1) project per page to accommodate ease of access and reference by County personnel if/as needed.

Facility Development Process

While not etched in stone, the procedural steps/activities that are described are those most commonly followed when developing a public construction project.

Needs Assessment

Involves a systematic process for determining and addressing the needs, or "gaps" between current conditions (in this case "space") and the desired conditions or "needs". The basic tasks involve:

1. A detailed assessment of the quantity and type of space that exists,
2. An audit of the activities currently occurring within the space/building on both continuous and intermittent basis,
3. Discussions & interviews with personnel assigned to work within the space(s) studied,
4. The calculation of existing space deficits as well as the total space needs to accommodate the responsibilities assigned.

Facility Programming

Short definition: The documentation of the requirements for a building program.

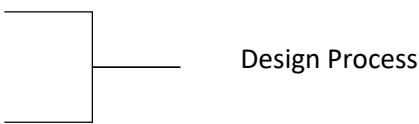
Also known as architectural programming or operational programming, this phase of facility development involves the research, study of options, and decision making processes that; with detailed documentation; will identify the scope of the work; i.e. the building, to be designed and ultimately built.

The information developed and documented in the Facility Program moves the project and development process from a general definition of the space needs identified during the Needs Assessment phase, to a more detailed presentation of how those needs will be met. The Facility Program describes *all* spaces, and the activities that are intended to take place in those spaces. It also defines in narrative format, graphically in conceptual adjacency diagrams of internal spaces, and where appropriate in detailed matrix or spreadsheet format, the size, and relationship(s) between the many specific spaces to be included within the building.

More importantly, and vital to the development of an effective facility program document-and ultimately a successful and efficient building-is the input, throughout the process, from the owner and the owner's future occupants and users of the building to be developed. Upon its completion the document becomes the owner's communication of instructions to the architect, once selected, that will enable him/her to begin design.

Architectural & Engineering Design

Obviously a detailed process, typically led by an architect that oversees the design of the building and the integration of the various engineering disciplines that will be required; civil/site, structural, electrical, mechanical, plumbing, security, communications, life safety/fire protection, etc. to both design the building and oversee its construction. The component tasks of an architectural contract will include:

1. Schematic Design
 2. Design Development
 3. Construction Documents
 4. Bid & Award
 5. Construction Administration
- 
- Design Process

Bid & Award

The time between when the design is completed, and the project is first advertised for bidding, until the submission deadline for all bids to be received, is the “bid period”. The construction bids are typically opened at a pre-published time on the date the bids are due. The openings are typically public and include the actual bids being read aloud and the low bidder being announced.

Architect responsibilities during this phase will include assisting the owner in preparing the bidding documents and invitations to bid as well as being available to answer any questions the construction firms that are bidding on the project may have. They are also at the table during negotiation of the construction cost, which may or may not include add-ons, add alternates, substitutions, etc.

Construction & Construction Administration

While the contractor is responsible for the construction of the building, the architect’s contracted responsibilities include site visits throughout the construction period to observe and inspect the contractor’s progress and quality of work as well as compliance with previously certified and stamped construction documents and specifications. During these site visits the architect will also (typically) meet jointly with the contractor and the owner’s representative(s) to discuss the project schedule, budget status, and any construction issues or questions that may arise.

Net vs. Gross Square Footage

The term *net* square feet is used repeatedly in Sections 5 & 6 when describing the space or size of the building that is needed.

“Net Square Feet”, or NSF/nsf, represents the interior, usable dimensions of a room or activity space. For example, 10 ft. x 12 ft. room’s interior dimensions equal 120 net square feet. If that room were to have 6-inch walls the outside total, or “gross”, dimensions of that room would be 11 ft. x 13 ft. or, 143 gross square feet; an increase of 19%. The same applies to an entire building wherein many *net* interior spaces must combine to create a building footprint consisting of the total gross square feet (GSF/gsf) to be built. Essentially, to all those identified “net” spaces, are added wall thicknesses, stairwells, common circulation areas, interior mechanical spaces, etc.

The *Area/Building Multiplier* used to calculate the net-to-gross difference in a building will vary depending on the type of building and the complexity of its design requirements. In the individual project estimates of probable costs that follow, the building multiplier varies between 1.10 (10%) to 1.30 (30%). Of course, the designer of the facility may adjust that multiplier in some instances as the design begins to evolve.

Types of Costs

When discussing the probable costs of a public building project, particularly a new building project, it is essential for budgeting purposes that two major categories of costs be included. The first is *Construction Costs*, for *both* the building and the building site. The second is *Project Related Costs*; that will occur before, during and often after construction. Further explanation of these categories is briefly offered as follows:

Construction Costs

- Base Construction Costs-the brick, mortar, steel, and glass that comprise the building structure.
- Site Development-the required grading, excavating, installation of utilities, and paving.

Project Related Costs

- Design Fees-architectural & engineering design fees and expenses.
- Site & Construction Materials Testing-soil tests, concrete consistency tests, etc.
- Printing Costs- primarily for construction documents printed & distributed during bidding.
- Construction Escalation-from date of estimate to the estimated date of construction start.
- Project Contingencies-a set aside reserved for unforeseen expenses, often required for public projects.

Cost Basis

The probable costs identified are based on the 2020 edition of the *R S Means Square Foot Costs* national index for the building type being considered, for example office building, warehouse, recreation center, garage, etc.

While the index identifies *average* square foot costs nationally, it also assigns location factors based on where the construction is to occur. In this case Lancaster County is within the *Rock Hill Region* of South Carolina, and the corresponding location factor is .84 (84%) of the national average square foot cost identified in the Index.

The cost tables that follow for each of the projects noted identify how the probable construction and project related costs are likely to breakdown, together with the basis and/or unit cost for each.

Identified Project Costs

Of the study recommendations identified in Section 5, four (4) called for new construction:

- Public Works-Administration
- Public Works-Fleet Operations Garage
- Public Works Complex [Warehouse, Crew Facilities & Shops]
- EMS Single Unit, 2-Bay Station
- Sheriff's Complex-Operations Building
- Development Services Office Building

As noted, the total construction costs of a project include site development costs, i.e. excavation, utilities, parking, etc. However, before a sufficient estimate of those costs can be completed two important criteria must be specified:

1. Site requirements: the area of the building's "footprint", number of parking spaces, etc. are determined during facility programming which has not yet occurred; and,
2. The site itself, which must be assessed in terms of size, shape, topography, and access to utilities, among other factors.

At this point, programming has not yet begun on any of the projects recommended, nor have any building sites been identified. Subsequently, an arbitrary amount of \$50,000 will be included in each project's table of estimates, for illustration purposes only.

PROJECT: Public Works-Administration Office

Identified Current Need:	2,166 nsf
Building Multiplier:	1.30
Identified Building Size:	2,816 gsf

Building criteria, as the basis for identifying probable cost/square foot:

- One story building w/12 ft. story height and 2,816 gsf of floor space
- Exterior; face brick w/concrete block back-up
- Slab on grade w/4" reinforced concrete w/vapor barrier & granular base
- Roof of single ply membrane, stone ballast, rigid insulation

Unit cost per square foot of floor area:	\$208.00
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Public Works-Administration Office

Cost Category	Area/Basis	Unit Cost	Cost
Base Construction	2,816	\$ 208	\$ 585,728
Site Development	(Est. Only)	\$ 50,000	\$ 50,000
Subtotal-Construction Costs			\$ 635,728

Project Related Costs

Cost Category	Area/Basis	Unit Cost	Cost
Facility Programming	%	0.005	\$ 3,179
Design Fees	%	0.10	\$ 63,573
Site & Construction Materials Testing	Lump Sum	lump sum	\$ 15,000
Printing Costs	Lump Sum	lump sum	\$ 4,000
Fixtures, Furnishings & Equipment	%	0.04	\$ 25,429
Escalation	%	0.05	\$ 31,786
Design/Construction Contingency	%	0.05	\$ 31,786
Subtotal-Project Related Costs			\$ 174,753
Total Project Cost			\$ 810,481

PROJECT: Public Works-Fleet Operations Garage

Identified Current Need:	12,816 nsf
Building Multiplier:	1.15
Identified Building Size:	14,738 gsf

Building criteria, as the basis for identifying probable cost/square foot:

- One story building w/14 ft. story height and 14,738 gsf of floor space
- Exterior-Concrete block
- Foundation of poured concrete, strip & spread footings, 4 ' foundation wall
- Slab on grade w/6" reinforced concrete w/vapor barrier & granular base
- Metal deck roof on open web steel joists
- Exterior doors- steel overhead & hollow metal
- Roof of single ply membrane, stone ballast, rigid insulation

Unit cost per square foot of floor area: \$208.00

Fleet Operations Garage

Cost Category	Area/Basis	Unit Cost	Cost
Base Construction	14,098	\$ 119	\$ 1,677,662
Site Development	(Est. Only)	\$ 50,000	\$ 50,000
Subtotal-Construction Costs			\$ 1,727,662

Project Related Costs

Cost Category	Area/Basis	Unit Cost	Cost
Facility Programming	%	0.005	\$ 8,638
Design Fees	%	0.07	\$ 120,936
Site & Construction Materials Testing	Lump Sum	lump sum	\$ 15,000
Printing Costs	Lump Sum	lump sum	\$ 4,000
Fixtures, Furnishings & Equipment	%	0.04	\$ 69,106
Escalation	%	0.05	\$ 86,383
Design/Construction Contingency	%	0.05	\$ 86,383
Subtotal-Project Related Costs			\$ 390,447
Total Project Cost			\$ 2,118,109

PROJECT: Public Works Complex

Building: Maintenance Office & Shop [2,360]
Warehouse [3,010]
Crew Facilities [2,220]
Sign Shop [800]

Identified Current Need 8,390 nsf
Building Multiplier: 1.25
Identified Building Size: 10,488 gsf

Building criteria as the basis for identifying probable cost/square foot:

- Pre-engineered steel building
- One story w/16 ft. story height and 10,488 gsf of floor space
- Poured concrete with strip & spread footings
- Slab on grade/5" reinforced concrete
- Roof w/precast double T and 2" topping

Unit cost per square foot of floor area: \$126.00

Public Works-Warehouse, Crew Facility & Shops

Cost Category	Area/Basis	Unit Cost	Cost
Base Construction	10,488	\$ 126	\$ 1,321,488
Site Development	(Est. Only)	\$ 50,000	\$ 50,000
Subtotal-Construction Costs			\$ 1,371,488

Project Related Costs

Cost Category	Area/Basis	Unit Cost	Cost
Facility Programming	%	0.005	\$ 6,857
Design Fees	%	0.07	\$ 96,004
Site & Construction Materials Testing	Lump Sum	lump sum	\$ 15,000
Printing Costs	Lump Sum	lump sum	\$ 4,000
Fixtures, Furnishings & Equipment	%	0.04	\$ 54,860
Escalation	%	0.05	\$ 68,574
Design/Construction Contingency	%	0.05	\$ 68,574
Subtotal-Project Related Costs			\$ 313,870
Total Project Cost			\$ 1,685,358

PROJECT: EMS-Single Unit, 2-Bay Station

Identified Current Need:	3,228 nsf
Building Multiplier:	1.25
Identified Building Size:	4,035 gsf

Building criteria, as the basis for identifying probable cost/square foot:

- One story building w/14 ft. story height and 4,196 gsf of floor space
- Exterior; face brick & concrete block
- Slab on grade w/6" reinforced concrete w/vapor barrier & granular base
- Metal deck roof w/open web steel joists, beams on columns

Unit cost per square foot of floor area:	\$161.00
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EMS Single Unit, 2-Bay Station

Cost Category	Area/Basis	Unit Cost	Cost
Base Construction	4,196	\$ 161	\$ 675,556
Site Development	(Est. Only)	\$ 50,000	\$ 50,000
Subtotal-Construction Costs			\$ 725,556

Project Related Costs

Cost Category	Area/Basis	Unit Cost	Cost
Facility Programming	%	0.005	\$ 3,628
Design Fees	%	0.08	\$ 58,044
Site & Construction Materials Testing	Lump Sum	lump sum	\$ 15,000
Printing Costs	Lump Sum	lump sum	\$ 4,000
Fixtures, Furnishings & Equipment	%	0.04	\$ 29,022
Escalation	%	0.05	\$ 36,278
Design/Construction Contingency	%	0.05	\$ 36,278
Subtotal-Project Related Costs			\$ 182,250
Total Project Cost			\$ 907,806

PROJECT: Sheriff's Complex-Operations Building

Identified Current Need:	2,960 nsf
Building Multiplier:	1.30
Identified Building Size:	3,848 gsf

Building criteria, as the basis for identifying probable cost/square foot:

- One story building w/12 ft. story height and 3,848 gsf of floor space
- Exterior; decorative concrete block
- Foundation of poured concrete, strip & spread footings, 4' foundation wall
- Slab on grade w/4" reinforced concrete w/vapor barrier & granular base
- Built up tar and gravel roof, metal flashing, perlite/EPS composite insulation

Unit cost per square foot of floor area:	\$212.00
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Sheriff's Complex-Operations Building

Cost Category	Area/Basis	Unit Cost	Cost
Base Construction	3,848	\$ 212	\$ 815,776
Site Development	(Est. Only)	\$ 50,000	\$ 50,000
Subtotal-Construction Costs			\$ 865,776

Project Related Costs

Cost Category	Area/Basis	Unit Cost	Cost
Facility Programming	%	0.005	\$ 4,329
Design Fees	%	0.09	\$ 77,920
Site & Construction Materials Testing	Lump Sum	lump sum	\$ 15,000
Printing Costs	Lump Sum	lump sum	\$ 4,000
Fixtures, Furnishings & Equipment	%	0.04	\$ 34,631
Escalation	%	0.05	\$ 43,289
Design/Construction Contingency	%	0.05	\$ 43,289
Subtotal-Project Related Costs			\$ 222,457
Total Project Cost			\$ 1,088,233

PROJECT: Development Services Building

Identified Current Need:	12,581 nsf
Building Multiplier:	1.30
Identified Building Size:	16,355 gsf

Building criteria, as the basis for identifying probable cost/square foot:

- One story building w/12 ft. story height and 16,355 gsf of floor space
- Exterior; brick veneer
- Foundation of poured concrete, strip & spread footings, 4' foundation wall
- Slab on grade w/4" reinforced concrete
- Floor Construction cast in place concrete columns
- Roof construction concrete beam and slab

Unit cost per square foot of floor area: \$158.00

Development Services Building

Cost Category	Area/Basis	Unit Cost	Cost
Base Construction	16,355	\$ 158	\$ 2,584,090
Site Development	(Est. Only)	\$ 50,000	\$ 50,000
Subtotal-Construction Costs			\$ 2,634,090

Project Related Costs

Cost Category	Area/Basis	Unit Cost	Cost
Facility Programming	%	0.005	\$ 13,170
Design Fees	%	0.07	\$ 184,386
Site & Construction Materials Testing	Lump Sum	lump sum	\$ 15,000
Printing Costs	Lump Sum	lump sum	\$ 4,000
Fixtures, Furnishings & Equipment	%	0.04	\$ 105,364
Escalation	%	0.05	\$ 131,705
Design/Construction Contingency	%	0.05	\$ 131,705
Subtotal-Project Related Costs			\$ 585,329
Total Project Cost			\$ 3,219,419

Notes for Consideration w/Regards to Costs:

Building Square Foot Costs Will Vary

The national square foot cost publication previously referenced illustrates, for all building types, that the square foot cost of construction will decrease incrementally as the size of the building increases in area (gross square feet). For example, for a single-story office building, the cost per square foot of a 2,000 square foot building may be \$250 dollars. Costs are adjusted in 2,000-5,000 square foot increments up to 20,000 square feet wherein the cost per square foot of the same type of single-story office building, *with the same construction specifications*, could be \$170 dollars; a decrease of over \$80.00/square foot.

Site Development

For purposes of these project scenarios, the aforementioned site development costs of \$50,000 was, as noted in the introduction of this Section as “arbitrary”. Considering that the construction of any of these projects would occur within the corporate limits of Lancaster County, and that major utilities are available throughout the County and City of Lancaster, and that the County owns many parcels of property itself; it may not be so arbitrary. Hopefully, the estimate is more than will be necessary.

Architectural Fees

Architectural fees tend to *increase* as the project gets *smaller*. As an example, if a 7% fee is the norm for an office building project with an estimated construction cost of \$3-5,000,000; proposed fee *increases* of 1/2-1% can be expected for each \$1-2,000,000 *decrease* in the cost of construction below that.

Escalation

The escalation rate is based on the selected designer completing the design and bidding of a project within one (1) year. This is realistic for projects of the size discussed in this report, however the County may wish to handle or negotiate the payment of bid cost increases, due to inflation or other factors, differently than including them in the designer’s contract (and fee).

Contingency Rates

The decision of how much to allocate to cover unforeseen costs that may arise should be the owners. The appropriate amount in most instances will (should) be relative to the size and complexity of the project. For example, a \$12+ million-dollar project, that includes sophisticated design and security requirements could easily justify a contingency set aside of 8-10%. On the other hand, a Public Works warehouse, with a 1.6 million-dollar project budget for what is typically a routine pre-engineered steel building, a 5% contingency should be fine.

Construction Management

The architects contract will stipulate “Construction Administration” as one of his/her responsibilities and will inevitably refer to “site visits”. The *frequency* of the referenced site visits, and who will make the site visits, and *what will occur during* the visits can get glossed over . . . *initially*. The standard form of agreement presented by most architects will spell out these responsibilities, however, in terms that tend to minimize the number of visits. A good (and experienced) architect will welcome a frank discussion regarding this issue and be able to offer examples of how previous clients have addressed similar concerns. Subsequently, County’s oftentimes find it appropriate to hire their own project manager.

While the project costs identified in these examples are based on commonly used industry standards, it is important that the County and its principals keep in mind that several of these categories; i.e. Facility Programming; Design; Fixtures, Furnishings & Equipment; Contingencies; and ultimately, how the contract is structured, *are negotiable*.

APPENDIX

A. Basis for Deficit Calculations

These tables identify each building and included departments that were assessed, the current space that each now occupy, the identified space deficit (*if there was a deficit*) and the basis for the estimated square foot deficit noted.

B. Detailed Space List Worksheets

The pages that follow are worksheets developed by the consultant during the study to better understand and quantify the needs of those departments identified as having significant space needs and for whom additional and/or new space was recommended.

Space Needs Worksheets are included for MIS, EMS, Public Works, i.e. Administration building, Building Maintenance office & shop, Crew facilities, Warehouse and Sign Shop; and for the Human Services Building/Department of Social Services (DSS).

It is important to note that these worksheets are included here for reference purposes and identify each facility's total estimated **net** square feet. Each can serve as the starting point for the next phase of planning/development, i.e. facility programming. Notably, many of the numbers included in the worksheets are "rounded". It is expected that these numbers will be scrutinized and discussed with the to-be occupants and the County during programming. A refined total net space will result which can then be used to calculate, as suggested in Section 6, the total facility area, i.e. gross square feet.

Appendix A-Basis for Deficit Calculations

Building/Department	Current Space	Identified Deficit	Basis of Need [NSF]	Total Current Need
Emergency Communications/911	11,918	160		12,078
Server Work Room			160	
Airport Complex	57,063	4,000	N/A	61,063
Coroner	2,511	1,148		3,659
Records Room			150	
Conference/Meeting [16]			300	
Staff Lockers			128	
PT Staff Quarters			160	
Morgue /Cooler Storage			250	
Staff work space			160	
Emergency Operations Center	9,500	8,556		18,056
Incident Vehicle Garage			6,076	
Warehouse			2,480	
EMS Station #1				
Administration, Training, Logistics	7,188	-	In Construction	7,188
EMS #1	3,002	226	See Note #1	3,228
EMS Station #2	2,734	544		3,278
Additional Vehicle Bay			544	
EMS Station #3	1,995	1,233	See Note #2	3,228
EMS Station #4	3,438	-	N/A	3,438
EMS Station #5	2,228	360		2,588
Bedrooms [2]			160	
Restroom			80	
Fire Exit w/Vestibule			120	
EMS Station #6	1,493	1,735	See Note #3	3,228
EMS Station #7	1,264	1,964	See Note #3	3,228
EMS Station #8	2,233	-	NA	2,233
EMS Headquarters	19,900	-	N/A	19,900
Fleet Operations Garage [Public Works]	5,700	7,116	See Note #4	12,816
Dell Webb Library	11,021	-	NA	11,021
Historic Jail	1,780	-	N/A	1,780
VA & Econ. Development Building				
Veteran Affairs	2,308	-	NA	2,308
Economic Development	2,860	-	na	2,860

Building/Department	Current Space	Identified Deficit	Basis of Need [NSF]	Total Current Need
County Administration Building				
Records Management	4,298	-	NA	4,298
Custodial	735	-	NA	735
Voter Reg/Elections	4,185	-	NA	4,185
Archives	1,521	-	NA	1,521
Reception/Mailroom	193	-	NA	193
Zoning	599	482		1,081
Expand/Add Staff Work Area(s)			220	
Plan Review			132	
Reception/Service Counter			130	
Auditor	1,361	-	NA	1,361
Human Resources	783	775		1,558
Reception/Seating			120	
Secure File Room			150	
Copy/Supply			125	
Conference Room			260	
Additional open work area			120	
Treasurer	1,428	-	NA	1,428
Delinquent Tax Collections	1,444	-	NA	1,444
County Attorney	395	-	NA	395
Finance	2,221	350		2,571
Budget Director			150	
Budget Asst.			120	
Storage			80	
Procurement	324	510		834
Reception & Seating			120	
Expand open work spaces & storage			120	
Meeting			270	
Building Inspections	2,349	470		2,819
Storage			150	
Plan Review			120	
Additional Staff			200	
Planning	1,274	490		1,764
Conference [16]			400	
Allowance for Larger Office			40	
enlarge open work stations			50	

Building/Department	Current Space	Identified Deficit	Basis of Need [NSF]	Total Current Need
GIS	64	532		596
Director's Office			168	
Layout & Review			104	
Plotter & related storage			60	
Staff work space			200	
Health Clinic	294	-	NA	294
County Council	1,985	-	NA	1,985
Administration	2,235	-	NA	2,235
Register of Deeds	1,498	-	NA	1,498
MIS	946	-	See Note # 5	946
Assessor	3,516	855		4,371
Staff Work Space			375	
Training/Meeting			400	
Storage			80	
Clemson Extension Building	2,459	420		2,879
Classroom Seating			150	
Upgrade Restrooms			120	
Storage			150	
Historic Library	1,256	-	N/A	1,256
Human Services Complex	25,791	-	See Note #6	25,791
Public Works Administration	1,425	741	See Note #7	2,166
Public Works Building Maintenance	2,094	266	See Note #7	2,360
Public Works Warehouse	-	3,010	See Note #7	3,010
Public Works Crew Facility	-	2,220	See Note #7	2,220
Public Works Sign Shop	-	800	See Note #7	800
Springdale Recreation Complex	20,370	-	NA	20,370
Buford Recreation Complex	16,005	1,200		17,205
Ground Crew Maint/Equipment Bldg			1,200	
Indian Land Recreation Complex	12,125	-	NA	12,125
Andrew Jackson Recreation Complex	12,125	-	NA	12,125
Sheriff's Office Complex				
Logistics	1,181	-	NA	1,181

Building/Department	Current Space	Identified Deficit	Basis of Need [NSF]	Total Current Need
MIS/Help Desk	1,383	-	NA	1,383
Administration	12,024	-	NA	12,024
Investigations	6,179	-	NA	6,179
Operations Center	-	2,960		2,960
Muster/Multipurpose			1,500	
Break Area/Lunch Room			300	
Restrooms, Showers, Janitor			760	
General Storage			400	
Physical Training	1,901	-	NA	1,901
CSI/Property	10,125	4,800		14,925
Expand Property/Evidence			2,500	
Enlarge CSI Vehicle analysis			2,300	
LSCO Substation-Indian Land	1,812	-	NA	1,812
Barnett Building				
Health Department	12,910	-	NA	12,910
Voter Registration/Elections	6,194	-	NA	6,194
Shared Classroom	1,947	-	NA	1,947
Pharmacy	1,918	NA	NA	1,918
County Library (Main)	4,385	-	NA	4,385
MIS	2,615	1,477	See Note #8	4,092
Parks & Recreation Administration	1,175	-	NA	1,175
Unallocated Space	8,042	-	NA	8,042
Indian Land Service Center	2,024	580		2,604
Plan/Document Review & Storage			180	
Crew Training Area			120	
Lunch Room			160	
General Storage			120	
Column Totals:	353,249	49,980		403,229

Appendix A Notes:

1. EMS #1 is the EMS Administration offices (Administration, Billing, Training, Logistics) together with EMS Station #1. There is no Administration deficit noted because the 19,000 square foot new headquarters under construction will address any deficit that might have been suggested.

The total current need for EMS #1 is 3,228 NSF, which is from the prototype Space Needs Worksheet found in Appendix B, minus Station #1's actual size of 3,002 square feet.

2. The EMS Station #3 space deficit is the result of subtracting the station's current space 1,995 from the referenced EMS Station Space Needs Worksheet total area noted in Appendix B.

3. Station #6 and #7 each need to be relocated more strategically within their respective response areas to be more effective; this includes new, purpose-built stations that, at least minimally comply with the criteria stipulated in the Space Needs Worksheet in Appendix B.

4. Architectural drawings were recently completed for a new 12,816 square foot Fleet Operations Garage. The deficit noted (7,116) is the difference between 12,816 and the current garage INSF of 5,700. (Date of the referenced architectural drawings is November 2019).

5. No space deficit is noted for MIS in this subsection because the Department will be moving to the Barnett building wherein it is slated to have considerably more space; there will, however, remain a significant deficit that will be discussed in number 8 below.

6. The Department of Social Services currently occupies 11,640 INSF of the Human Services Building; the remaining 14,151 INSF was recently vacated. The County has committed to renovate the interior of the building to expand and improve DSS space with a limited budget and no change to the buildings perimeter/total space.

7. The space deficits for the Public Works' office and Building Maintenance are based on the numbers illustrated in the Space Needs Worksheets in Appendix B, minus the current INSF of each building; the Warehouse, Crew Facility & Sign Shop work sheets are also illustrated in Appendix B for each building/space.

8. The MIS deficit square footage noted (1,477) is the total NSF requirement illustrated in the MIS Space Needs Worksheet included in Appendix B (4,092), minus the existing assigned space in the Barnett Building (2,615).

Appendix B-Detailed Space Needs Worksheets

MIS		Space Needs Worksheet	
Area/Space	NSF/space	# Spaces	Total NSF
Public Access			
Entry/Seating (Vender /Co. Staff, etc.)	100	1	100
Reception/Counter Work Space	80	1	80
Meeting/Training Room	480	1	480
Training Room Storage	120	1	120
Visitor/Trainee Restroom	60	2	120
Personnel (Offices/Cubicles)			
Director	180	1	180
Network Administrator	156	1	156
Systems Administrator	156	1	156
Helpdesk Supervisor	132	1	132
Project Manager	132	1	132
Individual Offices [TBA]	120	3	360
Open Cubicles	60	4	240
Support/Common Areas			
Copy/Work Area/Office Supplies	180	1	180
Shredder	60	1	60
Break Area	216	1	216
Staff Restrooms	110	2	220
Server/Data Center	300	1	300
PC Support/Work Room	180	1	180
Equipment Storage	200	1	200
Staging, Set-Up & Testing	240	1	240
Receiving & Breakdown	160	1	160
Generator/UPS [Allowence]	80	1	80
Estimated Total Area NSF		29	4092

EMS Station-2 Bays

Space Needs Worksheet

Area/Space	NSF/space	# Spaces	Total NSF
Entry Vestibule	120	1	120
Base Operations			
Office/Staff Reports	156	1	156
Mudroom	90	1	90
Clean Linen	60	1	60
Medical Supply	70	1	70
General Storage	110	1	110
Dayroom	180	1	180
Kitchen/Dining	156	1	156
Restroom & Shower	90	2	180
Bunk Room-Men [2]	120	1	120
Bunk Room-Women [2]	120	1	120
Janitor & Supply	70	1	70
Staff Support			
Personal Laundry	60	1	60
Fitness	80	1	80
Lockers	96	1	96
Garage			
Transition Area	100	1	100
Vehicle Bays @ 16 x 34 each	544	2	1088
Decon	30	1	30
Restroom	50	1	50
Heavy Duty Washer/Dryer (W/D)	30	1	30
Equipment Wash	60	1	60
Drying Area	72	1	72
Oxygen Bottles	30	1	30
Dirty Storage	100	1	100
Estimated Total Area NSF		26	3228

Public Works-Administration Building **Space Needs Worksheet**

Area/Soace	NSF/Space	# spaces	Total NSF
Reception	180	1	180
Admin. Support	60	2	120
Office -Type A	165	1	165
Office-Type B	150	2	300
Print/Copy/Work Room	256	1	256
Layout & Plan Review	165	1	165
Plan/Document Storage	120	1	120
Conference Room	400	1	400
Conference Room Storage	100	1	100
Service Counter	80	1	80
Restrooms	110	2	220
Janitor Closet	60	1	60
Total Net Square Feet			2,166

Public Works-Building Maintenance **Space Needs Worksheet**

Area/Soace	NSF/Space	# spaces	Total NSF
Entry	1	60	60
Office	1	100	100
Tool Room	1	240	240
Equipment	1	300	300
Plan/Document/Layout	1	120	120
Shop	1	1200	1200
Storage	1	240	240
Restroom	1	60	60
Clean-up Area	1	40	40
Total Net Square Feet			2,360

Public Works-Warehouse **Space Needs Worksheet**

Area/Soace	NSF/Space	# spaces	Total NSF
Entry	1	60	60
Office	1	100	100
Restroom	1	60	60
Secure Storage	1	150	150
Warehouse	1	2400	2400
Receiving Area/Loading Dock	1	240	240
Total Net Square Feet			3,010

Public Works-Crew Facilities

Space Needs Worksheet

Area/Space	NSF/Space	# spaces	Total NSF
"Clean" Entry	1	80	80
Common Area	1	280	280
Training Room	1	750	750
Lunch Room	1	300	300
Lockers	1	320	320
Restroom	1	220	220
Showers	2	60	120
Mud Room/Entry	1	150	150
Total Net Square Feet			2220

Public Works-Sign Shop

Space Needs Worksheet

Area/Space	NSF/Space	# spaces	Total NSF
Entry	1	60	60
Layout/ Work Area	1	200	200
Material Racks/Bins	2	80	160
Sign Supplies & Tools	1	100	100
Staging/Loading area	1	220	220
Restroom	1	60	60
Total Net Square Feet			800

Public Works-Fleet Operations Garage

[Refer to Architectural Drawings]			
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Department of Social Services

Space Needs Worksheet

Area/Space	NSF/space	# Spaces	Total NSF
ENTRY, RECEPTION & RECORDS			
Entry Vestibule	1	96	96
Public Lobby	1	400	400
Public Restrooms	2	132	264
Reception Counter	1	192	192
Records	1	1400	1400
Mail; Receipt/Sort/Prep.	1	120	120
HUMAN SERVICES			
HSC II	1	180	180
HSC I	7	168	1176
HS Spec II [7 units @ 6 ea.]	42	64	2688
Unit Records	7	100	700
Unit Storage	7	80	560
Print/Copy/Fax/Supply	3	156	468
Internal Meeting/Conference [12]	1	360	360
Restrooms	2	84	168
Interview	14	120	1680
ECONOMIC SERVICES			
HSC II	1	180	180
HSC I	1	168	168
HS Spec I	12	120	1440
Unit Records	3	100	300
Unit Storage	3	80	240
Print/Copy/Fax/Supply	1	168	168
Internal Meeting/Conference [14]	1	400	400
Restrooms	2	84	168
ADMINISTRATION			
Director	1	216	216
Bus. Manager	1	156	156
Admin Asst	1	120	120
Human Resource Spec	1	120	120
Fiscal Tech	1	120	120
Admin Spec II	4	80	320
Area Entry/Seating	1	96	96
Meeting/Conference [16]	1	480	480
Conf. Storage	1	80	80
Staff Restroom	2	70	140
Service Counter	1	60	60
Copy/Work	1	156	156
Page Subtotal NSF:			15580

Department of Social Services-Space Needs Worksheet

Page 2

Area/Space	NSF/space	# Spaces	Total NSF
FAM/CHILD VISITATION & INTAKE			
Family/Child Visitation Room	2	216	432
Vistation Restroom	2	70	140
Supply Cabinet	2	28	56
Observation	1	126	126
Shower/Bath/Drying Area	1	80	80
Sleep Area	2	96	192
Washer/Dryer	1	40	40
Property & Supply	1	96	96
Clothing Storage	1	175	175
Intake Work Station	1	30	30
STAFF SUPPORT			
Training/Multipurpose Room	1	1600	1600
Multipurpose Storage	1	320	320
Break Room/Vending	1	384	384
Staff Restrooms	2	210	420
Utility/Server	1	72	72
Receiving/Loading & Unloading	1	156	156
Staff Entrance	1	80	80
STATE OFFICE STAFF			
Atty II			156
Atty I			156
Paralegal CS			120
Paralegal AD			120
Trauma Support			120
SNAP E&T Case Manager			120
Performance Coach			120
Workforce Consutant			120
Area Entry			80
Copy/Work Room			132
Conference/Meeting [6]			168
Page Subtotal NSF:			5607
SUMMARY:			
ENTRY, RECEPTION & RECORDS			2472
HUMAN SERVICES			7980
ECONOMIC SERVICES			3064
ADMINISTRATION			2064
FAM/CHILD VISITATION & INTAKE			1367
STAFF SUPPORT			3032
STATE OFFICE STAFF			1412
Estimated Total Area NSF			21391
Allowance for interior walls, corridors, etc.			1.30
Total Building GSF			27,808

Fiscal Year 2022/31 Proposed Capital Improvement Plan

PREPARED BY LANCASTER COUNTY FINANCE DEPARTMENT
KIMBERLY BELK

Lancaster County
South Carolina Council



Seated (L to R): Vice-Chairman, Brian Carnes; Chairman, Steve Harper; Secretary, Billy Mosteller. Standing (L to R): Councilman Allen Blackmon, Councilman Larry Honeycutt, Councilwoman Charlene McGriff, and Councilman Terry Graham.

Council Members	District	Term Expires	
Terry Graham	1	12/31/2024	
Charlene McGriff	2	12/31/2022	
Billy Mosteller	3	12/31/2024	
Larry Honeycutt	4	12/31/2022	
Steve Harper	5	12/31/2024	
Allen Blackmon	6	12/31/2022	
Brian Carnes	7	12/31/2024	

Administrator, Steve Willis
Clerk to Council, Sherrie Simpson



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March 4, 2021

Charles Deese, Chairman
Members, Lancaster County Planning Commission

Mr. Chair & Commission Members,

Please find the corresponding recommendations for the FY2021-31 Capital Improvement Plan (CIP). You will find this plan is based off of data and recommendations provided by the Impact Fee Study and the Facilities Needs Study balanced with available financial resources. The total for the 10 year plan as presented is \$204,695,155. This total encompasses an investment into the County's capital assets with funding sources including capital project sales tax, potential impact fee collections, strategic use of County fund balance, as well as debt issuance. While this plan will address many of the needs that have been identified by the studies already mentioned as well as those identified by your department heads, the majority of funding focuses in the area of public safety.

In total there is \$47,696,120 in allocations for a new detention center in public safety beginning in FY2021/22 which is a major expense facility as approved by the voters to be funded through debt issuance using capital project sales tax funds. In addition there are several stations planned for Emergency Medical Services (EMS) within the next 10 years totaling over \$11 million with funding sources varying. Fire Service also has 3 stations planned within the next 10 years per the impact fee study. As described in the study, the growth in development will lend itself towards new facility needs to maintain current service levels. In addition to facilities, public safety is also planned to have \$35 million in replacement equipment.

In terms of roads and infrastructure improvements, the public services division has the second largest capital expenses planned with over \$42 million. This includes the annual allocation from the road maintenance fee for preservation, but is largely related almost \$20 million in roads funding over the next 5 years. This includes over \$13 million from capital project sales tax 3 and approximately \$6.75 million remaining on capital project sales tax 2. Additionally, funding is included for a public works administrative office and fleet operations garage in the amount of \$4.9 million as well as recycling center upgrades. The remaining plans relate to replacement equipment.

Closely following public services would be general services which include plans for both Parks & Recreation and the Managed Information Systems (MIS) departments. Parks & Recreation has several new facilities which

planning has already begun for in the current year which will begin construction at the end of this current year into next year. Those projects include renovations at the Indian Land Recreation Center and soccer fields in Heath Springs and Indian Land. The total of those three projects is estimated at over \$14 million. In addition this plan reflects the intent to do a phased construction of the regional park beginning in fiscal year 2022/23. The park would be completed using a combination of funding from hospitality tax and impact fee revenue over the next 10 years.

The level of funding for the above projects displays an emphasis on updating outdated facilities as identified in the space needs assessment, includes the projects necessary to maintain levels of service as discussed in the impact fee study, and will allow for the County to invest in replacement assets which provide for efficiency gains in the future. Appreciation must be given to all of the department heads and elected officials who helped develop this plan as well as our evaluation team members who helped rank and prioritize these projects. Investments in capital are an important step to maintaining financial resiliency while providing Lancaster County citizens with the services they need.

Thank you for your consideration and taking this step to progress the County towards sustainable long term financial planning.

Kimberly Belk
Interim Deputy County Administrator

CIP Development

CIP Schedule

Budget staff modeled the process for development largely off of the County’s budget process. In July, forms were sent out and preliminary meetings were held with department heads to kick off the development. By the end of summer, the majority of submissions were received. Through the fall, those submissions were compiled and turned over to the evaluation team who reviewed and scored projects. The members of the evaluation team included the County Administrator, Deputy County Administrator, Public Services Division Director, Chief Financial Officer, and the Development Services Division Director. Following their scoring, budget staff ranked the projects and worked on revenue projections and estimates to identify funding sources as needed. This information rounded out project scheduling and the proposed document was prepared in January.

Project Evaluation and Scheduling

Once the evaluation team received submissions, they were asked to score projects based on the below matrix. If there was a project they completely disagreed with, they could also choose not to provide a score at all.

	Emergent Need	Highly Desired
Time Constraint Relevant	Extreme Necessity, Rushed Timeframe—Not optional, can’t be delayed 4	Desirable, Rushed Timeframe—Optional, can’t be delayed 2
Time Constraint Irrelevant	Extreme Necessity, Time Delay Possible—Not Optional, can be delayed 3	Desirable, Time Delay Possible—Optional, can be delayed 1

In addition to their scoring, budget staff worked with the County Administrator to create criteria to weight scores depending on project type. The highest weight was given to projects with public health or public safety implications, followed by infrastructure improvements, then economic development impacts, and finally projects that would relate directly to quality of life improvements such as recreational facilities. Beyond project types, budget staff weighted additionally projects that were the result of a mandate or compliance issue, projects that showed a partnership or collaborative effort, asset replacements, projects that resulted in gains in efficiency, and finally department identified priority projects.

Financial Planning

Lancaster County strives to follow best practices in financial management. To this end, the county recognizes the importance of the CIP for long-term financial planning. The document developed will assist the county in achieving goals and meeting the needs of our residents. The County continuously works to improve processes

so the funding of studies such as the facilities needs assessment in 2020 and the results of that analysis were incorporated within this plan as needed. In the future any refinement to this proposed document would be done in concert with recommendations from future studies and plans. For example, the County will be looking at updating the Solid Waste Master Plan and Comprehensive Plan within the next fiscal year. If necessary, as a result, the County will make improvements to the CIP as a result. Additionally, the CIP has been developed in coordination with the recommendations of various other County committees to ensure a coordinated effort in identifying needs and strategic growth opportunities the maximize benefits to citizens of the County.

Funding Summaries

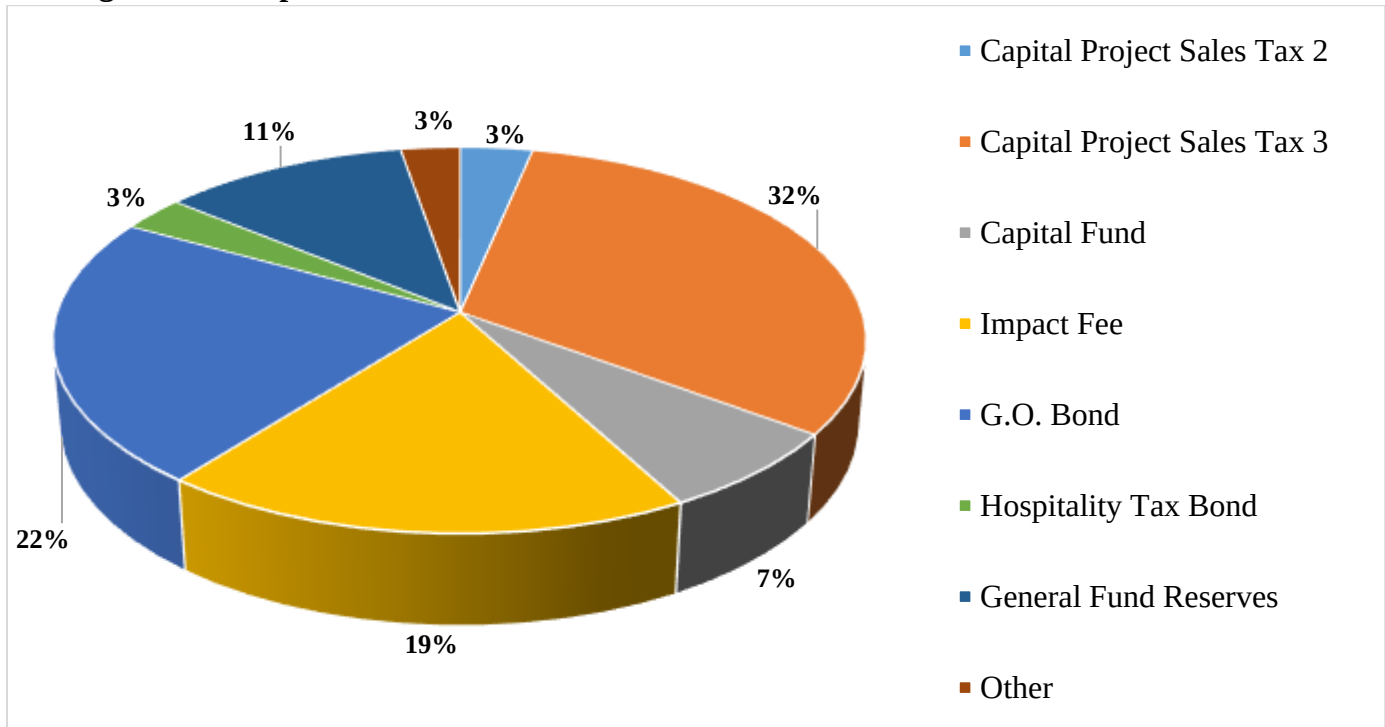
Revenue Summary

The revenue summary by sources which will be utilized to fulfill the capital needs outlined in this plan are included below. Capital Project Sales Tax is the largest making up 32% of proposed funding. Sales tax three, which was approved by voters in November 2020, includes \$47 million for a detention center and is the largest item included in the plan. This is followed by general obligation bonds which are planned to be utilized on several projects which makes up 22% of the funding strategy. There is also planned to be a much less significant issuance of special revenue source bond using the hospitality tax fund. The potential impact fee revenue is also proposed at nearly 20% of the proposed plan to be directly correlated to the impact fee study. And finally, the last significant revenue sources is the general fund reserves which is proposed to fund approximately \$23 million of projects in the next 10 years.

Revenues by Source						
	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Capital Project Sales Tax 2	6,750,000					
Capital Project Sales Tax 3	47,246,120		2,900,000	5,425,000	4,904,719	4,600,000
Capital Fund	1,300,000	1,210,000	1,460,000	1,300,335	1,340,000	7,690,435
Impact Fee		335,000	4,340,000	3,573,065	5,362,000	24,266,222
G.O. Bond	21,311,025	9,000,000	8,100,000	7,600,000		
Hospitality Tax Bond		6,000,000				
General Fund Reserves	2,920,000	1,780,000	4,220,000	220,000	4,220,000	9,775,214
Other*	400,000	797,500	420,000	425,000	1,285,000	2,218,500

*Includes the following revenue sources: County road fee, grants and stormwater fee.

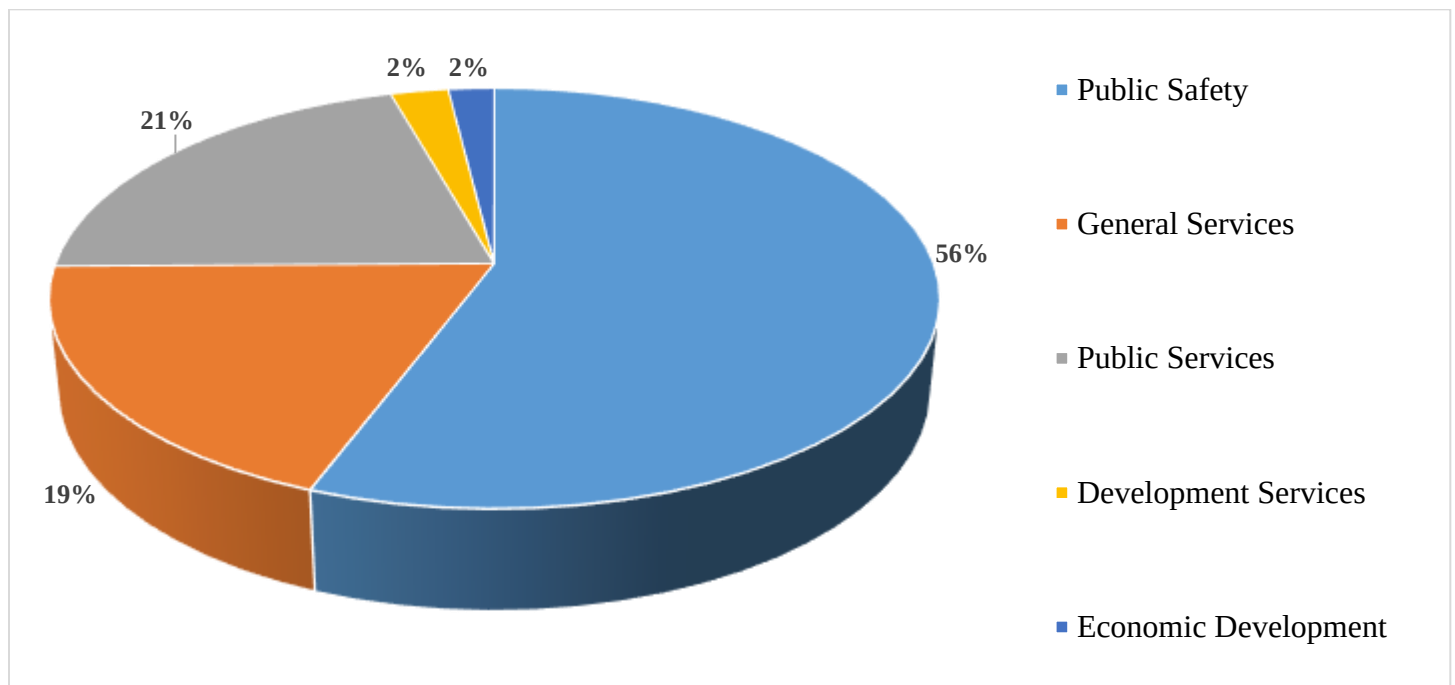
Funding Source Graph



Expenditures Summary

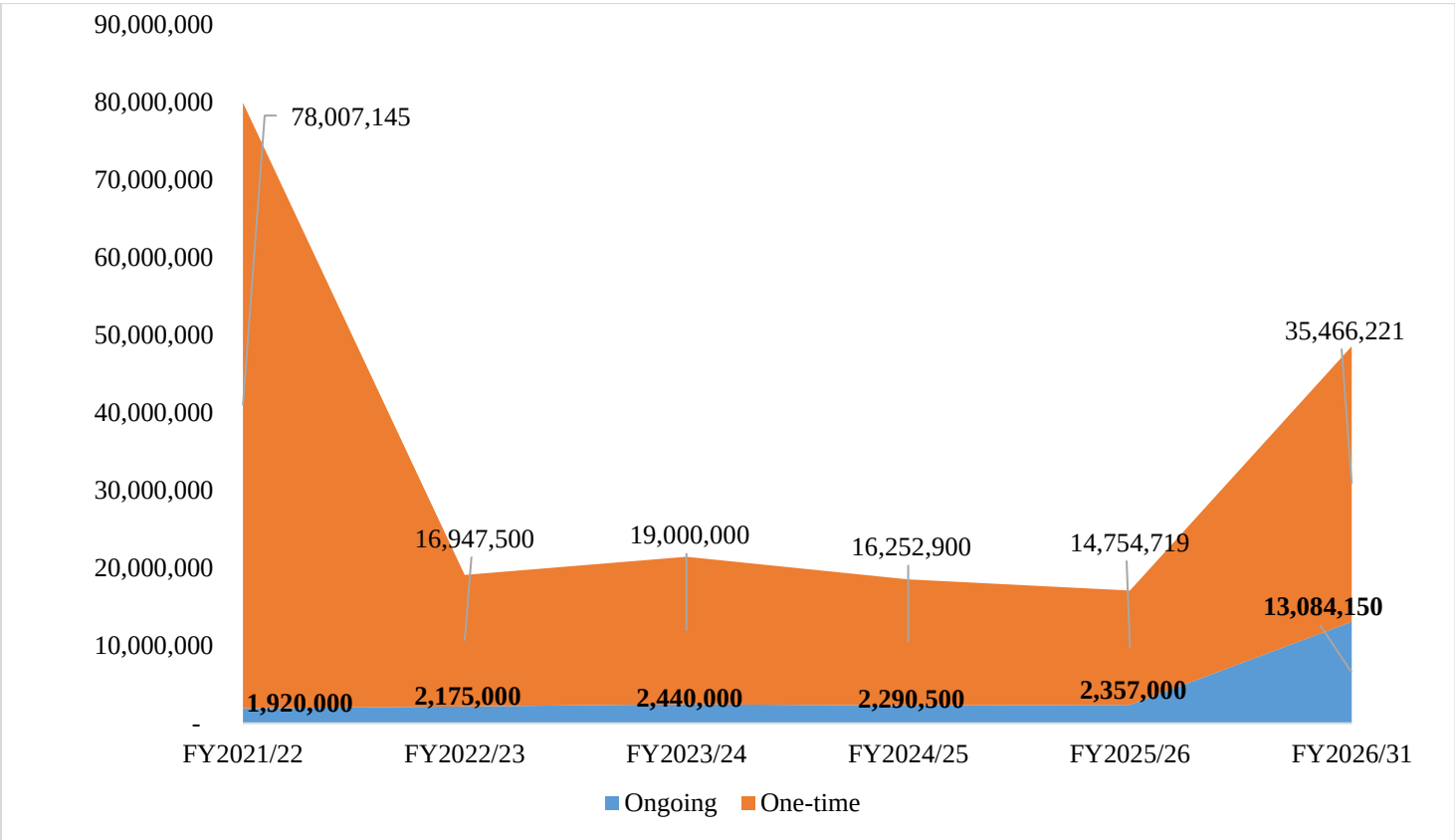
Below displays a breakdown of expenditures included in this plan over the next 10 years by division. Public safety has the largest allocation in the next 10 years with over 50% of planned capital expenditures, followed by public services. Public services includes the roads departments as well as the solid waste department within this plan. General services has roughly \$39,000,000 planned over the next 10 years. This is largely comprised of Parks and Recreation projects, but also includes some Management Information System (MIS) department funding as well. Development services include Stormwater project as well as a facility for the division.

Expenditures by Division						
	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Public Safety	50,246,120	10,445,000	13,120,000	11,873,400	1,072,000	27,366,691
General Services	14,765,000	7,530,000	220,000	220,000	5,220,000	11,020,000
Public Services	14,916,025	960,000	4,100,000	6,450,000	5,969,719	10,163,680
Development Services	-	187,500	4,000,000	-	850,000	-
Economic Development	-	-	-	-	4,000,000	-
	79,927,145	19,122,500	21,440,000	18,543,400	17,111,719	48,550,371



One-time versus Ongoing Capital Projects

While all items in the capital improvement plan are one-time purchases, many projects included in this plan are actually ongoing planned asset replacement. The below graphic is used to better distinguish the funding going towards a continuous planned replacement plan versus a single use of funding. Funding sources for the ongoing projects are dedicated for multiple years with continuous revenue. For the most part ongoing projects are largely equipment purchases while one-time projects range from facility renovations or construction to road rehabilitation.



	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/31
Ongoing	1,920,000	2,175,000	2,440,000	2,290,500	2,357,000	13,084,150
One-time	78,007,145	16,947,500	19,000,000	16,252,900	14,754,719	35,466,221

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5 Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Coroner's Office	1,300,000	1,300,000	-	-	-	-	-
Office Space	1,300,000	1,300,000	-	-	-	-	-
Emergency Medical Services	12,332,500	600,000	995,000	1,020,000	8,645,500	1,072,000	9,375,650
Ambulances	4,732,500	600,000	995,000	1,020,000	1,045,500	1,072,000	5,775,650
EMS Station 3	1,800,000	-	-	-	1,800,000	-	-
EMS Station 6	1,800,000	-	-	-	1,800,000	-	-
EMS Combination Station	4,000,000	-	-	-	4,000,000	-	-
EMS Station 7	-	-	-	-	-	-	1,800,000
EMS Station 10	-	-	-	-	-	-	1,800,000
Economic Development	4,000,000	-	-	-	-	4,000,000	-
Spec. Building	4,000,000	-	-	-	-	4,000,000	-
Fire Service / Emergency Management	24,327,900	-	9,000,000	12,100,000	3,227,900	-	13,619,101
Fire Apparatus Countywide Purchase	8,100,000	-	-	8,100,000	-	-	-
Aerial Apparatus/Mobile Command Post	9,000,000	-	9,000,000	-	-	-	-
Apparatus (New Stations)	3,227,900	-	-	-	3,227,900	-	3,227,900
Fire Stations	4,000,000	-	-	4,000,000	-	-	10,391,201
MIS - Management Information System	1,100,000	220,000	220,000	220,000	220,000	220,000	1,250,000
MIS Hardware Improvements	1,100,000	220,000	220,000	220,000	220,000	220,000	1,250,000
Development Services	4,000,000	-	-	4,000,000	-	-	-
Building/Office Space	4,000,000	-	-	4,000,000	-	-	-

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5 Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Roads	29,515,744	12,796,025	785,000	3,915,000	6,255,000	5,764,719	7,353,500
Fleet Garage and Public Works Admin Office	4,946,025	4,946,025	-	-	-	-	-
Road Preservation	2,090,000	400,000	410,000	420,000	425,000	435,000	2,218,500
Road Paving	19,979,719	6,750,000	-	2,900,000	5,425,000	4,904,719	2,200,000
Bush Hog Replacements (2)	400,000	200,000	-	200,000	-	-	400,000
Motograder Replacement (5)	1,040,000	200,000	200,000	210,000	210,000	220,000	1,210,000
Track Excavator	300,000	300,000	-	-	-	-	420,000
Tandem Dump Truck Replacements (4)	760,000	-	175,000	185,000	195,000	205,000	905,000
Solid Waste	2,880,000	2,120,000	175,000	185,000	195,000	205,000	2,810,180
Recycling Center Upgrades	2,120,000	2,120,000	-	-	-	-	-
Public Works Warehouse, Crew Facility, and Shop	-	-	-	-	-	-	1,905,180
Refuse Trucks (4)	760,000	-	175,000	185,000	195,000	205,000	905,000
Parks & Recreation	26,855,000	14,545,000	7,310,000	-	-	5,000,000	9,770,000
Lancaster County Regional Park	11,000,000	-	6,000,000	-	-	5,000,000	6,500,000
Recreation Centers Security Systems	210,000	-	210,000	-	-	-	-
Parking Lot at Springdale	1,100,000	-	1,100,000	-	-	-	-
Gym Floors at AJRC and BRC	300,000	300,000	-	-	-	-	-
Field Lighting Additions and Replacements	-	-	-	-	-	-	1,320,000
Renovate IL EMS Station for Rec Use	-	-	-	-	-	-	475,000
Maintenance Shop at Buford Recreation	-	-	-	-	-	-	475,000
Walnut Creek Soccer Fields	-	-	-	-	-	-	1,000,000
Indian Land Recreation Center	4,221,000	4,221,000	-	-	-	-	-
Soccer Fields at Indian Land	4,991,000	4,991,000	-	-	-	-	-
Soccer Fields at Heath Springs	5,033,000	5,033,000	-	-	-	-	-

Lancaster County, South Carolina Summary of Proposed Projects

	Total 5									
	Year Project Estimate	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031			
911	1,100,000	1,100,000	-	-	-	-	-			
Console Replacement	1,100,000	1,100,000	-	-	-	-	-			
Stormwater	1,037,500	-	187,500	-	-	850,000	-			
Calvin Hall Road Stream Crossing Replacement	850,000	-	-	-	-	850,000	-			
Stream Gauging Stations	187,500	-	187,500	-	-	-	-			
Sheriff	47,696,120	47,246,120	450,000	-	-	-	4,371,940			
Armored Vehicle	300,000	-	300,000	-	-	-	-			
In Car Cameras and Body Cameras	150,000	-	150,000	-	-	-	-			
Sheriff's Operations Building	-	-	-	-	-	-	1,210,000			
Sheriff Substation	-	-	-	-	-	-	3,161,940			
Detention Center	47,246,120	47,246,120	-	-	-	-	-			
Total	156,144,764	79,927,145	19,122,500	21,440,000	18,543,400	17,111,719	48,550,371			

Summary of Additional Operating Impact

In order to fully understand the impact of completing a capital project, staff has estimated the impact on operating expenses. Some of the projects included in this plan represent on-going maintenance or replacement items which already have operating funding allocated and have been budgeted for in the past. Those have been excluded from the below data. The only projected impacts below are included for new or additional capital projects that will add to the operating budget.

	2021- 2022	2022- 2023	2023- 2024	2024- 2025	2025- 2026	2026- 2031
Coroner's Office						
Office Space		7,685	7,839	7,995	8,155	52,475
Emergency Medical Services						
EMS Station 3				7,055	7,195	38,195
EMS Station 6				7,055	7,195	38,195
EMS Combination Station				22,755	23,210	123,200
EMS Station 7						31,000
EMS Station 10						2,536,225
Economic Development						
Spec. Building					15,750	48,670
Development Services						
Building/Office Space				20,000	20,400	110,000
Roads						
Fleet Garage and Public Works Admin Office		32,900	33,500	34,170	35,000	185,790
Solid Waste						
Public Works Warehouse, Crew Facility, and Shop						72,600
Refuse Truck Replacement			16,000	16,320	16,646	88,360
Parks & Recreation						
Recreation Centers Security Systems			12,000	12,240	12,485	66,275
Field Lighting Additions and Replacements						63,000
Renovate IL EMS Station for Rec Use						38,215
Maintenance Shop at Buford Recreation						120,335
Walnut Creek Soccer Fields						216,715
Indian Land Recreation Center		360,000	367,200	374,545	382,035	2,027,890
Soccer Fields at Indian Land		90,900	92,720	94,575	96,465	512,045
Soccer Fields at Heath Springs		39,995	40,795	41,610	42,445	273,105
911						
Console Replacement		74,153		76,597	79,159	
Sheriff						
In Car Cameras and Body Cameras			13,000	13,260	13,525	71,796
Sheriff's Operations Building						28,403
Sheriff Substation						9,185
Total	0	605,633	583,054	728,177	759,666	6,751,674

15 Costs are not fully known or estimated at this time on every large facility expansion, but more details will come as plans develop. The detention center, fire stations, and regional park projects have been excluded for that reason.

Project Details by Department

Office Space Coroner's Office

Project Overview

This project came to the attention of the County directly as a result of the COVID-19 crisis. The current space the Coroner's Office is occupying is not adequate to fulfill the requirements that they need in times of emergency. The facility was included in the space needs study as well, but was not as high of a priority on the list at the time. Due to the pandemic, the County is recommending bumping this facility to a higher rank to handle the case load the department is facing.

Funding

This will be funded through anticipated federal aid money.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$50,000					
Land Acquisition	\$1,000,000					
Construction	\$250,000					
Technology						
Equipment						
Other						
Total Expenditures	\$1,300,000	\$0	\$0	\$0	\$0	\$0
Revenues						
Other Governmental	\$1,300,000					
Total Revenues	\$1,300,000	\$0	\$0	\$0	\$0	\$0

Status

Funding anticipated to be received in Spring 2021. Project will start after funding is received.

Aerial Apparatus/Mobile Command Post

Fire Service/Emergency Management

Project Overview

This project encompasses planning for a new aerial apparatus and mobile command post. It will include the replacement of the current 1997 platform currently stationed at the City of Lancaster Fire department, the replacement of the current 2001 75ft. straight stick housed at the Elgin Fire department, and the purchase and placement of mid mount platforms at both the Indian Land and Pleasant Valley Fire departments. Lastly, a mobile command post will be purchased with the intent for it to be usable by all emergency service departments.

Funding

The decision to move forward with funding for this project will be decided by the voters of Lancaster County in the next election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$9,000,000				
Other						
Total Expenditures	\$0	\$9,000,000	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond		\$9,000,000				
Total Revenues	\$0	\$9,000,000	\$0	\$0	\$0	\$0

Status

Referendum planned for November 2022.

Fire Apparatus-County-wide Fire Service/Emergency Management

Project Overview

While fire trucks and various other types of equipment used on the trucks and housed at the stations last longer than vehicles and equipment used by other first responders such as police cruisers and ambulances, their daily use requires them to be replaced on a routine basis. In order to outfit stations with the new trucks and equipment they need, the county purchases the equipment through the issuance of GO Bonds when the time comes.

Funding

Funding for this project will be derived through the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment			\$8,100,000			
Other						
Total Expenditures	\$0	\$0	\$8,100,000	\$0	\$0	\$0
Revenues						
G.O. Bond			\$8,100,000			
Total Revenues	\$0	\$0	\$8,100,000	\$0	\$0	\$0

Status

Project will not begin until fiscal year 2024.

Fire Stations
Fire Service/Emergency Management

Project Overview

As identified in the impact fee study, in order to maintain current service levels in the panhandle area, new facilities will need to be built. This will include a second station in Indian Land, a second station for Pleasant Valley, and a headquarters station for Van Wyck fire district. The operating costs for these facilities will largely be the responsibility of the fee districts.

Funding

Funding for this project will be derived through Impact Fee dollars.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction			4,000,000			10,391,201
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$4,000,000	\$0	\$0	\$10,391,201
Revenues						
Impact Fee			\$4,000,000			\$10,391,201
Total Revenues	\$0	\$0	\$4,000,000	\$0	\$0	\$10,391,201

Status

Based on impact fee collection projections, it will be fiscal year 2024 before construction could begin on the first station.

Apparatus (New Stations)
Fire Service/Emergency Management

Project Overview

Vehicles and equipment will need to be purchased for new stations coming online in the coming years. Due to the growth being experienced where the new stations will be built, these purchases can be made through the use of Impact Fee dollars.

Funding

Funding for this project will be derived through Impact Fee dollars.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment				\$3,227,900		\$3,227,900
Other						
Total Expenditures	\$0	\$0	\$0	\$3,227,900	\$0	\$3,227,900
Revenues						
Impact Fee				\$3,227,900		\$3,227,900
Total Revenues	\$0	\$0	\$0	\$3,227,900	\$0	\$3,227,900

Status

Based on projected collections in impact fee revenue and station build timelines, purchase will not happen until fiscal year 2025.

Ambulances

Emergency Medical Services (EMS)

Project Overview

EMS Units (Ambulances) are currently purchased on an annual basis. Based off of growth in the county, a need has been determined to begin purchasing three EMS Units per year instead of two. In doing so, new EMS Stations which are soon due to come online and those planned in the future will be properly equipped with the units needed to allow said stations to function as intended. Additionally, moving from two units to three units per year will allow for the continuation of moving EMS Units with high mileage at high call volume stations to stations with lower call volumes in order to maximize the life of EMS Units.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used to purchase high dollar, fairly routine equipment. Additionally, money will be used from the Impact Fee collections.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	\$600,000	\$995,000	\$1,020,000	\$1,045,500	\$1,072,000	\$5,775,650
Other						
Total Expenditures	\$600,000	\$995,000	\$1,020,000	\$1,045,500	\$1,072,000	\$5,775,650
Revenues						
Capital Fund	\$600,000	\$660,000	\$680,000	\$700,335	\$710,000	\$3,850,435
Impact Fee		\$335,000	\$340,000	\$345,165	\$362,000	\$1,925,215
Total Revenues	\$600,000	\$995,000	\$1,020,000	\$1,045,500	\$1,072,000	\$5,775,650

Status

Ongoing funding for replacements will continue as part of each fiscal year budget process for 2 ambulances. The third ambulance will be funded through projected impact fee collections beginning in fiscal year 2022-2023.

Station Three
Emergency Medical Services (EMS)

Project Overview

EMS Station Three is currently located south of the City of Lancaster. This station will be relocated in order to reduce response times in an effort to better serve citizens in that area of the county.

Funding

Funding for EMS Station three will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				\$70,038		
Land Acquisition						
Construction				\$1,622,731		
Technology				\$38,299		
Equipment				\$58,459		
Other				\$10,473		
Total Expenditures	\$0	\$0	\$0	\$1,800,000	\$0	\$0
Revenues						
G.O. Bond				\$1,800,000		
Total Revenues	\$0	\$0	\$0	\$1,800,000	\$0	\$0

Status

Project will not begin until FY2025.

Station Six
Emergency Medical Services (EMS)

Project Overview

EMS Station Six is currently located just north of the Town of Kershaw. It will be replaced in order to allow EMS staff to better conduct their job duties and render life-saving care to citizens of Lancaster County in and around the Town of Kershaw.

Funding

Funding for EMS Station Six will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				\$70,038		
Land Acquisition						
Construction				\$1,622,731		
Technology				\$38,299		
Equipment				\$58,459		
Other				\$10,473		
Total Expenditures	\$0	\$0	\$0	\$1,800,000	\$0	\$0
Revenues						
G.O. Bond				\$1,800,000		
Total Revenues	\$0	\$0	\$0	\$1,800,000	\$0	\$0

Status

Project will not begin until FY2025.

Station Seven

Emergency Medical Services (EMS)

Project Overview

EMS Station Seven is currently located within the Town of Heath Springs. This station is aging and is outdated. In order to best serve the citizens in and around the Town of Heath Springs, this station needs to be replaced.

Funding

Funding for EMS Station Seven will be derived from the One Cent Capital Project Sales Tax 3 passed by the voters in the 2020 general election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						\$70,038
Land Acquisition						
Construction						\$1,622,731
Technology						\$38,299
Equipment						\$58,459
Other						\$10,473
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,800,000
Revenues						
Capital Project Sales Tax 3						\$1,800,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,800,000

Status

This is a pay as you go project so based on collection projections for capital project sales tax 3 it will not begin until fiscal year 2026-27.

Station Ten Emergency Medical Services (EMS)

Project Overview EMS Station Ten

EMS Station Ten is a new EMS Station which will be built in the northern end of the county, located in the Indian Land area. This area of the county has experienced much growth in recent years and is anticipated to see more growth in the coming decade. In order to properly serve the citizens in the northern end of the county and help accommodate for future growth, an additional station is needed.

Funding

Funding for EMS Station Ten will be derived from the One Cent Capital Project Sales Tax 3 passed by the voters in the 2020 general election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						\$70,038
Land Acquisition						
Construction						\$1,622,731
Technology						\$38,299
Equipment						\$58,459
Other						\$10,473
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,800,000
Revenues						
Capital Project Sales Tax 3						\$1,800,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,800,000

Status

This is a pay as you go project so based on collection projections for capital project sales tax 3 it will not begin until fiscal year 2026-27.

Combination Station
Emergency Medical Services (EMS)

Project Overview

The proposal for the EMS Combination Station includes one large station in the City of Lancaster to take the place of two current stations in and around the City of Lancaster. The intention of this Combination Station is to reduce overall costs on property while also providing better coverage for citizens living in and around the City. This station will also be able to accommodate future growth expected in and around the City. The building will mirror that of the new EMS 4/9 station on a larger scale.

Funding

Funding for EMS Combination station will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design				155,000		
Land Acquisition				1,000,000		
Construction				2,615,000		
Technology				100,000		
Equipment				130,000		
Other						
Total Expenditures	\$0	\$0	\$0	\$4,000,000	\$0	\$0
Revenues						
G.O. Bonds				4,000,000		
Total Revenues	\$0	\$0	\$0	\$4,000,000	\$0	\$0

Status

Project will not begin until 2024-2025.

Hardware Improvements/Replacement Management Information Systems (MIS)

Project Overview

The MIS improvements included in this Capital Improvement Plan entail replacing various hardware and technology set-ups on a yearly basis in order to ensure all systems will run efficiently and as intended and employees will have properly functioning equipment in order to perform their job duties well.

Funding

Funding for MIS Improvements will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology	\$220,000	\$220,000	\$220,000	\$220,000	\$220,000	\$1,250,000
Equipment						
Other						
Total Expenditures	\$220,000	\$220,000	\$220,000	\$220,000	\$220,000	\$1,250,000
Revenues						
General Fund Reserve	\$220,000	\$220,000	\$220,000	\$220,000	\$220,000	\$1,250,000
Total Revenues	\$220,000	\$220,000	\$220,000	\$220,000	\$220,000	\$1,250,000

Status

This will be an ongoing capital replacement of existing equipment and will be allocated as part of the annual budget process.

Fleet Operations Garage/Public Works Administration Office Roads

Project Overview

As noted in the recently completed Facility Needs Study, various Public Works facilities are sparse throughout the County. In order to ensure Public Works as the adequate facilities needed to conduct their day to day operations, it was recommended to construct a centralized Public Works Administration office in addition to a Fleet Operations Garage. This will set up key functions of the Public Works division to be able to perform their job duties safely and adequately while anticipating future growth of the division, mirroring the growth of the County itself.

Funding

Funding for the Fleet Operations Garage and the Public Works Administration Office will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$204,326					
Land Acquisition	\$2,017,436					
Construction	\$2,629,728					
Technology						
Equipment	\$94,535					
Other						
Total Expenditures	\$4,946,025	\$0	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond	\$4,946,025					
Total Revenues	\$4,946,025	\$0	\$0	\$0	\$0	\$0

Status

This project is planned to be part of a bond issuance for public works projects in late fiscal year 2022.

Road Paving Roads

Project Overview

The County submitted this proposal as part of the One Cent Capital Project Sales Tax passed by the voters in the November 2016 and 2020 election. Road projects are prioritized and determined by the County Transportation Commission.

Funding

Funding for this project is derived from the One Cent Capital Project Sales Tax passed by the voters of Lancaster County in the November 2016 and November 2020 election. In addition, the latter years funding has a contribution from general fund reserves.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction	6,750,000	-	2,900,000	5,425,000	4,904,719	2,200,000
Technology						
Equipment						
Other						
Total Expenditures	\$6,750,000	\$0	\$2,900,000	\$5,425,000	\$4,904,719	\$2,200,000
Revenues						
Capital Project Sales Tax 2	6,750,000					
Capital Project Sales Tax 3			2,900,000	5,425,000	4,904,719	
General Fund Reserves						2,200,000
Total Revenues	\$6,750,000	\$0	\$2,900,000	\$5,425,000	\$4,904,719	\$0

Status

The final roads of CPST 2 will be completed in FY2022 and include the following listed below:

- 1) Walnut Road/Stewart Place Road/Langley Road- Only Walnut Road is incomplete. Total estimated remaining cost is \$700,000.
- 2) Lynwood Drive- Tentative schedule for completion is September/October 2021 completion. Total estimated cost is \$750,000.

- 3) Capital Sales SCDOT Pay GO Alternates including French Street, Normandy Street, Hughes Street, Ernest Scott, Horsehoe and, Man O War. Tentative completion date is 11/30/2021 for entire contract (multiple roads). Total estimated cost is \$2,000,000.
- 4) Capital Sales SCDOT Pay GO Alternates including Camp Creek Road (portion), Mt. Carmel Road (portion), Hilldale Drive. Total estimated cost (barring significant change orders) is \$3,300,000. Beginning in FY2024 the county will begin looking at the roads prioritized by the County Transportation Commission for CPST 3. Funding for those projects will continue for several years based on collection projections.

Road Preservation Roads

Project Overview

As determined by County Public Works staff based on need and current condition, work will be conducted on roads within the County in order to properly maintain and preserve them so costly and avoidable repairs are not needed in the future.

Funding

Funding for Road Preservations Projects is derived from the road fees outlined in the Fee Schedule. The full Fee Schedule can be found in the budget ordinance and/or budget document on the County's website.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment						
Other	\$400,000	\$410,000	\$420,000	\$425,000	\$435,000	\$2,218,000
Total Expenditures	\$400,000	\$410,000	\$420,000	\$425,000	\$435,000	\$2,218,000
Revenues						
Road Maintenance Fee	\$400,000	\$410,000	\$420,000	\$425,000	\$435,000	\$2,218,000
Total Revenues	\$400,000	\$410,000	\$420,000	\$425,000	\$435,000	\$2,218,000

Status

This is an ongoing project funded through annual collections of the County road fee. It will be budgeted as part of the annual operating and capital budget.

Bush Hog Replacements
Roads

Project Overview

Over the course of the first five year period of the CIP, two bush hogs will be purchased in fiscal years 2021-2022 and 2023-2024. Current active and reserve machines are low output and high maintenance machines. The new machines scheduled to be purchased are lower maintenance machines which will allow Roads employees to conduct their job duties more efficiently.

Funding

Funding for this project is derived from the Capital Equipment fund which is used for high dollar, yet fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	\$200,000		\$200,000			
Other						
Total Expenditures	\$200,000	\$0	\$200,000	\$0	\$0	
Revenues						
Capital Fund	\$200,000		\$200,000			
Total Revenues	\$200,000	\$0	\$200,000	\$0	\$0	\$0

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Motorgrader Replacement Roads

Project Overview

Over the first five year period of this Capital Improvement Plan, five Motorgraders will be purchased to replace existing ones. Ideally, Motorgraders should be replaced every five years and allocating this funding each year will allow the County to begin a true replacement plan for this equipment.

Funding

Funding for this project/replacement plan will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						\$106,861
Land Acquisition						\$219,823
Construction						\$1,850,320
Technology						
Equipment	\$200,000	\$200,000	\$210,000	\$210,000	\$220,000	\$1,210,000
Other						
Total Expenditures	\$200,000	\$200,000	\$210,000	\$210,000	\$220,000	\$3,060,320
Revenues						
Capital Fund	\$200,000	\$200,000	\$210,000	\$210,000	\$220,000	\$1,210,000
Total Revenues	\$200,000	\$200,000	\$210,000	\$210,000	\$220,000	\$1,210,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Track Excavator Roads

Project Overview

The County currently has one large excavator which is an older model and is due to be replaced. Growth in the County has caused this current machine to be used almost daily. In order to accommodate the growth, a new, larger machine is needed so that more jobs which require the use of this machine can be accomplished in house. In the long run, this will result in contractual savings in the Roads accounts due to a lessened need to outsource jobs Roads staff are unable to currently take on.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	\$300,000					\$420,000
Other						
Total Expenditures	\$300,000	\$0	\$0	\$0	\$0	\$420,000
Revenues						
Capital Fund	\$300,000					\$420,000
Total Revenues	\$300,000	\$0	\$0	\$0	\$0	\$420,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Tandem Dump Truck Replacement Roads

Project Overview

As with the Refuse Trucks, four dump truck replacements will be purchased in four out of the first five years of this Capital Improvement Plan. Due to the County still being responsible for maintaining a fair amount of gravel roads, dump trucks are still needed as part of this department in order to properly maintain these gravel roads.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, fairly routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Other						
Total Expenditures	\$0	\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Revenues						
Capital Fund		\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Total Revenues	\$0	\$175,000	\$185,000	\$195,000	\$205,000	\$905,000

Status

This will be part of the ongoing equipment replacement allocation for the Roads Department done in accordance with the annual budget process.

Refuse Truck Replacement Solid Waste

Project Overview

In four out of the first five years of this Capital Improvement Plan, one refuse truck will be purchased per year for a total of \$760,000. The collections function of the Solid Waste Department has mirrored the growth in the County as a whole. In making these purchases over the first five years, a foundation for a true replacement plan will be laid so that these frequently used and necessary vehicles can be regularly replaced when they reach the end of their functional life.

Funding

Funding for this project will be derived from the Capital Equipment Fund which is used for high dollar, routine equipment purchases.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Other						
Total Expenditures	\$0	\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Revenues						
Capital Fund		\$175,000	\$185,000	\$195,000	\$205,000	\$905,000
Total Revenues	\$0	\$175,000	\$185,000	\$195,000	\$205,000	\$905,000

Status

This will be part of the ongoing equipment replacement allocation for the Solid Waste Department done in accordance with the annual budget process.

Public Works Warehouse, Crew Facility, and Shop Solid Waste

Project Overview

In addition to the Fleet Operations Garage and the Administration Office mentioned previously in this document, it was also recommended in the Facilities Needs Study to construct a warehouse, crew facility, and maintenance shop for various departments within the Public Works division. In doing so, proper and appropriate space would be created so various elements of the Public Services division are able to function optimally to serve the citizens of Lancaster County well.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						\$106,861
Land Acquisition						\$219,823
Construction						\$1,850,320
Technology						
Equipment						\$54,860
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,905,180
Revenues						
General Fund Reserves						\$1,905,180
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,905,180

Status

This project will not begin until fiscal year 2028.

Recycling Center Upgrades Solid Waste

Project Overview

Current Recycling Centers across the county are older and outdated. In order to keep up with the growth the county has experienced and is expected to continue to experience, there is a need to upgrade these sites. Upgrades will consist of new buildings, cans, fencing, paving, and concrete pads. Specific upgrades will be tailored to each site depending on what is needed.

Funding

Funding for the Recycling Center Upgrades project will be derived from the issuance of General Obligation Bonds.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$100,000					
Land Acquisition						
Construction	\$1,700,000					
Technology						
Equipment	\$200,000					
Other	\$120,000					
Total Expenditures	\$2,120,000	\$0	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond	\$2,120,000					
Total Revenues	\$2,120,000	\$0	\$0	\$0	\$0	\$0

Status

This project is planned to be part of a bond issuance for public works projects in late fiscal year 2022.

Regional Park Parks and Recreation

Project Overview

The Lancaster County Regional Park is a project designed to attract people and various organizations around the area to use the facilities and amenities which are planned for the park. In addition to facilities and amenities that residents of the county can use on a routine basis such as playgrounds, courts, and fields, the Regional Park will have large facilities such as gymnasiums which will attract travel sports teams and programs.

Funding

Funding for this project will be derived from a combination of Impact Fees and a Hospitality Tax. Additional funding in the future may be designated as it is available. In total the projected cost to complete the park was estimated to be approximately \$30 million in 2020.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$6,000,000			\$5,000,000	\$6,500,000
Other						
Total Expenditures	\$0	\$6,000,000	\$0	\$0	\$5,000,000	\$6,500,000
Revenues						
Hospitality Tax		\$6,000,000				
Impact Fee					\$5,000,000	\$6,500,000
Total Revenues	\$0	\$6,000,000	\$0	\$0	\$5,000,000	\$6,500,000

Status

This project will be phased beginning in fiscal year 2023 using hospitality tax funding for the first phase.

Security Systems
Parks and Recreation

Project Overview

In order to properly secure Parks and Recreation facilities, this project consists of installing security systems and the four recreation centers and those facilities currently being constructed that are due to soon come on line. In doing so, Parks and Recreation leadership will be able to properly monitor their facilities to ensure the safety of all staff and patrons during the day and to ensure facilities are secure and monitored during non-operational hours.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$210,000				
Other						
Total Expenditures	\$0	\$210,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		\$210,000				
Total Revenues	\$0	\$210,000	\$0	\$0	\$0	\$0

Status

This project will begin in fiscal year 2023.

Springdale Recreation Center Parking Lot

Parks and Recreation

Project Overview

The parking lot at the Springdale facility has reached the end of its functional life and is due to be replaced. This project will replace the portion which is already paved and pave the portion which has remained gravel over the years. In doing so, this will allow proper parking for patrons and cut down on the maintenance which is required to keep the lot minimally functional in its current state.

Funding

Funding for this project will be derived from the PARD grant in addition to Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction		1,100,000				
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$1,100,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		\$900,000				
Grant Revenue		\$200,000				
Total Revenues	\$0	\$1,100,000	\$0	\$0	\$0	\$0

Status

This project is planned to begin in fiscal year 2023.

Gym Floor Replacement Parks and Recreation

Project Overview

The current flooring at the Andrew Jackson and Buford Recreation Centers are in the last few years of their functional life. In order to plan ahead for the day when they will reach the end of their life and immediately need to be replaced, they have been included in this Capital Improvement Plan for replacement during the 2021-2022 fiscal year.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction		\$300,000				
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$300,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		\$300,000				
Total Revenues	\$0	\$300,000	\$0	\$0	\$0	\$0

Status

This project is planned to begin in fiscal year 2023.

Field Lighting, Additions and Replacements Parks and Recreation

Project Overview

This project is proposing to add field lighting to those which do not currently have them. Due to increasing participation numbers, field lighting additions are warranted in order to add to the number of fields which can be routinely used for play opportunities. The Parks and Recreation department is currently at capacity with their current number of fields which have lighting. Fields which have been identified by Parks and Recreation staff for field lighting additions include: Fields B, C, & E at Walnut Creek Park and the undeveloped area at the Springdale Complex. In addition to these fields planned for new lighting, this project also encompasses replacing the lighting at Melvin Steele and Indian Land Recreation Center which are currently reaching their End of Life point.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment						\$1,320,000
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,320,000
Revenues						
General Fund Reserves						\$1,320,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,320,000

Status

This project is not planned until fiscal year 2027.

Renovate Indian Land EMS Station

Parks and Recreation

Project Overview

An EMS Station currently sits on the property with the Indian Land Recreation Center. In future years, EMS no longer plans to use this building for EMS purposes. Since the county already owns the land and the building and is at the same site as the Indian Land Recreation Center, this project will renovate the EMS station on the property for Parks and Recreation. Possible uses for this space once renovated include: After School Programs, Summer Camps, Fitness Classes, and space for meeting and/or party rentals.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						\$475,000
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$475,000
Revenues						
General Fund Reserves						\$475,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$475,000

Status

This project is not planned until fiscal year 2027.

Maintenance Shop at Buford Recreation Parks and Recreation

Project Overview

A Maintenance Shop building is proposed to be built at the current Buford Recreation Center site. In doing so, Parks and Recreation maintenance personnel will be better able to conduct their work at the Buford Recreation Center. Currently, the personnel which are stationed to maintain this site are also stationed to maintain sites in the Heath Springs and Kershaw communities. Building a shop at the Buford Recreation site will allow staff to station equipment and materials there rather than going to the main shop in Lancaster to load up supplies and equipment in order to conduct their work. Additionally, the Buford Recreation Center is planning to host tournaments in the future. Having a dedicated space for maintenance staff and the equipment and materials necessary to do their jobs will make it possible to host tournaments at this site without overextending Parks and Recreation staff.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						\$475,000
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$475,000
Revenues						
General Fund Reserves						\$475,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$475,000

Status

This project is not planned to begin until fiscal year 2028.

Walnut Creek Soccer Fields

Parks and Recreation

Project Overview

The soccer fields at Walnut Creek Park are currently covered with natural turf. Due to high levels of maintenance required for the upkeep of natural turf fields and the frequent use and popularity of the fields, two of them will be converted to artificial turf fields. Doing so will allow the fields to hold up better under frequent use and reduce the amount of labor required for maintenance and upkeep.

Funding

Funding for this project will be derived from Capital Project Sales Tax 3.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						\$1,000,000
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,000,000
Revenues						
Capital Project Sales Tax 3						\$1,000,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,000,000

Status

This project is not planned to begin until fiscal year 2030.

Indian Land Recreation Center

Parks and Recreation

Project Overview

The current Indian Land Recreation Center located off of U.S. 521 will be remodeled and expanded. This will include new gym flooring and new flooring throughout the existing facility, the addition of a new full-court gymnasium that can be used as two courts crosscourt on the same floor, more restrooms and meeting/classrooms, the addition of a foyer and front desk at the facility entrance, addition of a storage room/mechanical room, as well as upgraded and expanded parking lots and new HVAC and lighting in the facility.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$287,317					
Land Acquisition						
Construction	\$3,883,683					
Technology	\$50,000					
Equipment						
Other						
Total Expenditures	\$4,221,000	\$0	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond	\$4,221,000					
Total Revenues	\$4,221,000	\$0	\$0	\$0	\$0	\$0

Status

This project should be complete in Spring 2022.

Soccer Fields in Indian Land Parks and Recreation

Project Overview

The soccer complex on county property near the Avondale development on Harrisburg Road will feature two rectangular, synthetic turf fields with sports lighting, restrooms and concessions facility, a storage facility, bleachers and a playground.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$407,292					
Land Acquisition						
Construction	\$4,475,000					
Technology	\$108,708					
Equipment						
Other						
Total Expenditures	\$4,991,000	\$0	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond	\$4,991,000					
Total Revenues	\$4,991,000	\$0	\$0	\$0	\$0	\$0

Status

The planning and design phases were completed in the current year and construction should be complete in Spring 2022.

Soccer Fields in Heath Springs Parks and Recreation

Project Overview

The soccer complex on Kershaw Camden Highway between Heath Springs and Kershaw will feature two rectangular, synthetic turf fields with sports lighting, restrooms and concessions facility, a storage facility, bleachers and a playground.

Funding

Funding for this project will be derived from the 2018 referendum approved bond.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design	\$420,593					
Land Acquisition						
Construction	\$4,500,000					
Technology	\$112,407					
Equipment						
Other						
Total Expenditures	\$5,033,000	\$0	\$0	\$0	\$0	\$0
Revenues						
G.O. Bond	\$5,033,000					
Total Revenues	\$5,033,000	\$0	\$0	\$0	\$0	\$0

Status

The planning and design phases were completed in the current year and construction should be complete in Spring 2022.

Console Replacements 911 Communications

Project Overview

The consoles at the 911 operations center allow for operators to communicate with Fire, EMS, and Law Enforcement. The current consoles reached the end of their serviceable life at the end of 2020, meaning Motorola will no longer guarantee the availability of replacement parts. To make sure our equipment will remain serviceable by Motorola, we will need to replace the consoles. Doing so will ensure communication abilities will remain intact and functional between the County's emergency/first responders.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment	\$1,100,000					
Other						
Total Expenditures	\$1,100,000	\$0	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves	\$1,100,000					
Total Revenues	\$1,100,000	\$0	\$0	\$0	\$0	\$0

Status

This project will commence in July 2021.

Armored Vehicle Sheriff

Project Overview

The Sheriff's Department is in need of a new SWAT vehicle which is used to transport personnel on the SWAT Team to and from destinations that require their presence. Their current SWAT vehicle is a retired ambulance which is reaching the end of its serviceable life. While it may seem like SWAT situations are rare occurrences, the SWAT vehicle is used on a weekly basis to conduct high risk search warrants and arrests. In purchasing this vehicle, lifesaving equipment will be on scene for every SWAT call should the need arise. Additionally, the vehicle that will be purchased is practical and easy to operate on a regular basis unlike some on the market.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$300,000				
Other						
Total Expenditures	\$0	\$300,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		\$300,000				
Total Revenues	\$0	\$300,000	\$0	\$0	\$0	\$0

Status

Equipment is planned to be acquired in fiscal year 2023 and funding will be allocated as part of the budget process.

Camera Replacements Sheriff

Project Overview

The body worn camera program is currently in its third year of operation. While replacements have taken place over these three years as needed, it is estimated that there will need to be a complete replacement of the program in the next five years. This will require replacing approximately 100 body worn cameras along with the servers which run the software and store the data for the cameras. In addition to the body worn cameras, approximately 60 in car cameras will need to be replaced in the next ten years. Each camera costs about \$5,000.

Funding

Funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		\$150,000				
Other						
Total Expenditures	\$0	\$150,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		\$150,000				
Total Revenues	\$0	\$150,000	\$0	\$0	\$0	\$0

Status

The replacements will be acquired in 2022-2023.

Operations Building

Sheriff

Project Overview

This project will allow the Sheriff’s department and other first responder personnel to have a space to conduct training exercises. Not only will this allow them to conduct specific operations related to their department, but it will allow joint training exercises between departments to practice for seamless execution during actual scenarios in the community where first responders need to work in unison.

Funding

The funding for this project will be derived from Fund Balance.

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						86,249
Land Acquisition						121,766
Construction						967,354
Technology						
Equipment						34,631
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$1,210,000
Revenues						
General Fund Reserves						1,210,000
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$1,210,000

Status

This project will not begin until fiscal year 2029.

Substation Sheriff

Project Overview

Currently the Sheriff's office is utilizing leased space in the Indian Land area. This project would allow for permanent space to be identified and either renovated or constructed to provide future certainty and allow for any expansion of operations in that area in the future.

Funding

Funding would be derived from Impact Fee dollars.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						110,000
Land Acquisition						1,000,000
Construction						2,001,940
Technology						
Equipment						50,000
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$0	\$3,161,940
Revenues						
General Fund Reserves						940,034
Impact Fee Revenue						\$2,221,906
Total Revenues	\$0	\$0	\$0	\$0	\$0	\$3,161,940

Status

This project will not begin until fiscal year 2030.

Detention Center Sheriff

Project Overview

The current Detention Center is very out of date and has reached the end of its functional life. Various issues have plagued and continue to plague the building making it difficult for officers to do their job effectively while remaining in a safe environment. Not only do these various issues make it unsafe for officers and make it difficult for them to perform their job, these issues also cause safety concerns for the inmates housed at the Detention Center. A new Detention Center will solve these issues and also help accommodate for the increase in inmates being housed at any given time due to the rise in the County's population.

Funding

The funding for this project will be derived from the One Cent Capital Project Sales Tax passed by the voters in the November 2020 election.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction	47,246,120					
Technology						
Equipment						
Other						
Total Expenditures	\$47,246,120	\$0	\$0	\$0	\$0	\$0
Revenues						
Capital Project Sales Tax 3	\$47,246,120					
Total Revenues	\$47,246,120	\$0	\$0	\$0	\$0	\$0

Status

This project will be a multi-year project beginning next year.

Calvin Hall Road Culvert Replacement

Stormwater

Project Overview

This project involves replacing the current culvert on Calvin Hall Road near the intersection of SC-160. The location has a history of water overtopping the roadway during heavy rainfall events. In order to mitigate this issue, the culvert will not only be replaced but also resized to help prevent floodwaters from overtopping the roadway in the future. Being that it is a SCDOT road, maintenance of the road and the culvert will be the responsibility of SCDOT after the completion of the project.

Funding

The funding for this project will be derived from Fund Balance within the Stormwater Fund.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction					850,000	
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$850,000	\$0
Revenues						
Stormwater Fee					850,000	
Total Revenues	\$0	\$0	\$0	\$0	\$850,000	\$0

Status

Will not begin until 2025.

Stream Gauging Stations Stormwater

Project Overview

In order to observe and collect data regarding stream levels during significant rainfall events while also obtaining baseline data during times where there is not a significant rainfall event, this project will place gauging stations along streams in portions of the county where the Stormwater department operates. These stations will allow for staff to record stream levels in order to accurately predict and communicate flooding concerns and use that data to help mitigate flooding during significant rainfall events in the future.

Funding

The funding for this project will be derived from Fund Balance within the Stormwater Fund.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design						
Land Acquisition						
Construction						
Technology						
Equipment		150,000				
Other						
Total Expenditures	\$0	\$150,000	\$0	\$0	\$0	\$0
Revenues						
Stormwater Fee		150,000				
Total Revenues	\$0	\$150,000	\$0	\$0	\$0	\$0

Status

Will not begin until 2022.

Office Space Development Services Division

Project Overview

This project consists of identifying and possibility constructing/renovating office space for the Development Services Division. This division, which encompasses the Building Inspections, Zoning, Stormwater and Planning departments, mirrors the population growth of the County. The more the County continues to grow, the more we will see these departments utilized in order to make sure that growth occurs in an orderly and systematic fashion. With more growth comes more work for these departments along with the need for more employees to accomplish an increased workload. A space will be needed in order to accommodate more employees and more work.

Funding

Currently the funding for this project ~~will~~ is planned to be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design		185,000				
Land Acquisition		1,000,000				
Construction		2,705,000				
Technology						
Equipment		110,000				
Other						
Total Expenditures	\$0	\$4,000,000	\$0	\$0	\$0	\$0
Revenues						
General Fund Reserves		4,000,000				
Total Revenues	\$0	\$4,000,000	\$0	\$0	\$0	\$0

Status

Project is set to begin in fiscal year 2023. The County may explore other options such as a lease agreement or a repurposing of current space.

Speculative Building
Economic Development

Project Overview

The Economic Development Department functions to bring businesses to the area. In order to aid in that process, Spec Buildings are often used to show what the county has to offer when courting businesses who are considering bringing their operations to the area. It is easier for businesses to envision themselves bringing their operations to the area when they are able to look at a potential space in real time.

Funding

The funding for this project will be derived from Fund Balance.

Expenditures						
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2031
Planning/Design					200,000	
Land Acquisition						
Construction					3,800,000	
Technology						
Equipment						
Other						
Total Expenditures	\$0	\$0	\$0	\$0	\$4,000,000	\$0
Revenues						
General Fund Reserves					4,000,000	
Total Revenues	\$0	\$0	\$0	\$0	\$4,000,000	\$0

Status

Project will not begin until fiscal year 2026.

Appendix

Glossary

Bond – A written promise to pay a specified sum of money at a specific date together with periodic interest at a specified rate.

Budget – A comprehensive financial plan of operation which incorporates an estimate of proposed expenditures for a given period and the proposed means of financing them.

Budgetary Control – The control of management of a governmental unit in accordance with an approved budget for the purpose of keeping expenditures within the limitations of available appropriations and available revenues.

Debt – An obligation resulting from borrowed money or from the purchase of goods and services. Debts of government include bonds and notes.

Department – A major administrative unit of the County which manages an operation or group of related operations within a functional area.

Expenditures – The amount of cash paid or to be paid for a service rendered, goods received, or an asset purchased.

Fiscal Year – a 12 month period to which the annual operating budget applies and at the end of which a government determines its financial position and the results of its operations. Lancaster County's fiscal year begins July 1st and ends the following June 30th.

Fund – A self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulation, restrictions, or limitations.

General Fund – The fund used to account for all financial resources except those required to be accounted for in another fund.

General Obligation (GO) Bonds – When the County pledges its full-faith and credit to the repayment of the bonds it issues, then those bonds are general obligation (GO) bonds. Sometimes the term is used to refer to bonds which are repaid from taxes and other governmental revenue.

Grant – A contribution by a government or other organization to support a particular function. Grants may be classified as either categorical or block, depending upon the amount of discretion allowed the grantee.

Ordinance – A formal legislative enactment by the governing board of a county. If it is not in conflict with any higher form of law, such as, a State statute, a Federal law, or constitutional provision, it has the full force and effect of law within the county to which it applies. The difference between an ordinance and a resolution is that the latter required less formality and has a lower legal status.

Revenue – income received or anticipated from taxes or other sources, such as licenses and permits, user fees, fines, and investments.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1705

Contact Person / Sponsor: Steve Willis/Administration and John DuBose/County Attorney

Department: Attorney

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Consideration of a proposed ordinance adopting Development Impact Fee Procedures that would codify those procedures in the Lancaster County Code.

The proposed procedures would govern implementation of the proposed Fee-Setting ordinances for Fire, EMS, Sherriff, Parks and Recreation that are concurrently presented for 2nd reading consideration at the County Council meeting of April 12, 2021

Points to Consider:

This is an opportunity for Council to propose potential amendments to the Impact Fee Study and the Procedures Ordinance so that staff can make the necessary changes. Changes to one part of the impact fee study will likely affect other parts as well. For example, the removal of any of the geographic subsections within the fee study area will impact the data utilized in the impact fee study and require revision of the fee setting ordinances and the impact fee study.

It is common practice for a community to provide that previously approved development projects are not subject to development impact fees that are later enacted. If a development project has reached certain development approval milestones and undertaken significant investment in the development process a new fee may render the project unviable, however, significant non-recoupable investments have already been made in reliance of previous development approvals.

In consideration of the significant expenditures undertaken by development project that have already received development approvals it is recommended that County Council consider adoption of the edited version of the Ordinance attached to the Agenda package as the "Proposed 2nd reading version of Ordinance 2021-1705", that version provides that if development of a property has achieved the following development approval milestones prior to the proposed effective date of this ordinance and the fee-setting ordinances (October 1, 2021), the project is not subject to the development impact fee:

Single family residential: preliminary plat approval

Multifamily/nonresidential: civil construction plan approval

The "Proposed 2nd reading version of Ordinance 2021-1705" codifies the impact fee procedures as part of the Lancaster County Code, repealing and replacing existing Chapter 17, "Law Enforcement" with Chapter 17, "Development Impact Fee Procedures." Lancaster County Sherriff's Office has no objection to removal and replacement of the "Law Enforcement" Chapter of the Lancaster County Code.

Funding and Liability Factors:

Unknown at this point. This will depend on whether any changes are made by County Council at 2nd reading.

Council Options:

To make such amendments regarding the size of the study area and what services you would like to see in specific areas. Also, if Council were to decide it no longer wished to pursue a particular service this would be the time to make that decision.

Recommendation:

Adoption of the "Proposed 2nd reading version of Ordinance 2021-1705" attached to the agenda package by reference in a motion to amend proposed Ordinance 2021-1705.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1705	2/1/2021	Ordinance
Proposed 2nd reading version of Ordinance 2021-1705	4/2/2021	Ordinance
Impact Fee Study dated March 31, 2021	4/1/2021	Backup Material
Building Permit Fees Comparisons	4/6/2021	Backup Material

LANCASTER COUNTY ORDINANCE 2021-1705

AN ORDINANCE ADOPTING PROCEDURES FOR THE IMPOSITION, CALCULATION, COLLECTION, EXPENDITURE AND ADMINISTRATION OF IMPACT FEES TO BE IMPOSED ON NEW DEVELOPMENT; PROVIDING A PURPOSE AND INTENT; PROVIDING DEFINITIONS; PROVIDING GENERAL PROVISIONS AND APPLICABILITY; PROVIDING FOR THE ESTABLISHMENT OF IMPACT FEE ACCOUNTS; PROVIDING FOR THE APPROPRIATION OF IMPACT FEE FUNDS; PROVIDING FOR REFUNDS; PROVIDING FOR APPEALS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County is authorized to establish and impose impact fees on new development to finance public facilities necessitated by such development; and

WHEREAS, the County has studied the necessity for and implications of the adoption of impact fees for various public facilities; and

WHEREAS, the County Council has found and determined that most impact fees will have certain common characteristics and, therefore, will benefit from the adoption and use of a uniform procedure for the imposition, calculation, collection, expenditure, and administration of impact fees; and

WHEREAS, the use of uniform procedures, to the extent possible, will be more efficient and expedient for both the County and development applicants than separate procedures for each impact fee; and

WHEREAS, the use of uniform procedures will simplify the implementation and administration of impact fees; and

WHEREAS, the use of uniform procedures will best ensure that impact fees are expended for the public facilities for which they are imposed and collected; and

WHEREAS, all monies collected from impact fees shall be deposited in interest-bearing accounts which clearly identify the category, account, fund, and public facility for which such fee was imposed; and

WHEREAS, each such category, fund, or account shall be accounted for separately; and

WHEREAS, any interest or other income earned on monies deposited in the interest-bearing accounts shall be credited to the account; and

WHEREAS, the County Council has determined that impact fees are appropriate for funding public facilities; and

WHEREAS, the Planning Commission has considered and reviewed the Impact Fee Procedures at a public meeting and has recommended their adoption;

NOW, THEREFORE, BE IT ORDAINED that the following impact fee procedures and requirements are set forth and are applicable to new development, as set forth herein:

SECTION I. PURPOSE AND INTENT

The purposes and intent of the Impact Fee Procedures are to:

- A. Establish uniform procedures for the imposition, calculation, collection, expenditure, and administration of impact fees imposed on new development;
- B. Implement the goals, objectives, and policies of the Lancaster County Comprehensive Plan relating to assuring that new development contributes towards the costs of public facilities reasonably necessitated by such new development;
- C. Ensure that new development is benefitted by the provision of the public facilities funded, in whole or in part by the impact fees;
- D. Ensure that all applicable legal standards and criteria are incorporated in these procedures.

SECTION II. DEFINITIONS.

The words or phrases used in this Ordinance shall have the meaning prescribed in the current Lancaster County Code except as otherwise indicated in this section. To the extent that the definitions of words, terms or phrases as prescribed in S.C. Code Ann. §6-1-920, as amended, conflict with the definition of words, terms or phrases as defined in this Ordinance or other County ordinances, the former shall control:

- A. **Appropriation or to Appropriate:** An action by the County Council or the applicable service provider to identify specific public facilities for which impact fee funds may be utilized. Appropriation shall include, but shall not necessarily be limited to: inclusion of a public facility in the capital improvements plan for the particular impact fee prepared in accordance with S.C. Code Ann. § 6-1-910, *et seq.*, as amended, the South Carolina Development Impact Fee Act; execution of a contract or other legal encumbrance for construction of a public facility using impact fee funds in whole or in part; and actual expenditure of impact fee funds through payments made from an impact fee account for public facilities in the capital improvements plan
- B. **Capital Improvements:** Has the meaning established in S.C. Code Ann. § 6-1-920(2), as amended
- C. **Capital Improvements Plan:** Has the meaning established in S.C. Code Ann. § 6-1-920(3), as amended
- D. **Developer:** Has the meaning established in S.C. Code Ann. § 6-1-920(5), as amended
- E. **Development:** Has the meaning established in S.C. Code Ann. § 6-1-920(6), as amended
- F. **Development Impact Fee or Impact Fee:** Has the meaning established in S.C. Code Ann. § 6-1-920(8), as amended.
- G. **Director:** The Development Services Director or a designee.
- H. **District or Impact Fee District:** A defined geographic area or subarea of the County which serves as the service area within which particular impact fees are collected, appropriated, and expended for public facility system improvements that are identified in the Capital Improvement Plan for the public facility.
- I. **Fee payor:** Has the meaning established in S.C. Code Ann. § 6-1-920(10), as amended

- J. **Governmental Entity:** Has the meaning established in S.C. Code Ann. § 6-1-920(11), as amended.
- K. **Impact Fee District Map:** The map(s) defining the geographical extent of the impact fee districts and subdistricts for each adopted impact fee, as may be necessary.
- L. **Level of Service:** Has the meaning established in S.C. Code Ann. § 6-1-920(14), as amended
- M. **Multiple Uses:** A new development consisting of both residential and non-residential uses or one (1) or more different types of non-residential uses on the same site or part of the same new development.
- N. **Proportionate Share:** Has the meaning established in S.C. Code Ann. §§ 6-1-920(17) and -990, as amended
- O. **Public Facilities:** Has the meaning established in S.C. Code Ann. § 6-1-920(18), as amended.
- P. **Service Area:** Has the meaning established in S.C. Code Ann. § 6-1-920(19), as amended
- Q. **Service Unit:** Has the meaning established in S.C. Code Ann. § 6-1-920(20), as amended
- R. **Successor in Interest:** A person who gains a fee simple interest in land for which an impact fee is paid, or an offset is approved, pursuant to the terms of this Ordinance.
- S. **System Improvements:** Has the meaning established in S.C. Code Ann. § 6-1-920(21), as amended
- T. **System Improvements Costs:** Has the meaning established in S.C. Code Ann. § 6-1-920(22), as amended,

SECTION III. DEVELOPMENT IMPACT FEE SCHEDULE

A. Residential Development Impact Fee Schedule.

1. Residential Development Impact Fee Schedule Table

Development Type	Parks & Recreation	Sheriff	EMS	Fire	Total Fee
Residential (per housing unit)					
Single Family Detached	\$731	\$126	\$166	\$1,184	\$2,207
Single Family Attached	\$621	\$107	\$141	\$1,006	\$1,875
Multifamily	\$519	\$90	\$118	\$841	\$1,568

2. Residential Development Impact Fee Schedule Table – Pleasant Valley Fire District

Development Type	Parks & Recreation	Sheriff	EMS	Fire	Total Fee
Residential (per housing unit)					
Single Family Detached	\$731	\$126	\$166	\$1,018	\$2,041
Single Family Attached	\$621	\$107	\$141	\$865	\$1,734
Multifamily	\$519	\$90	\$118	\$723	\$1,450

B. Non-residential Development Impact Fee Schedule.

1. Non-residential Development Impact Fee Schedule Table

Development Type	Parks & Recreation	Sheriff	EMS	Fire	Total Fee
Nonresidential (per 1,000 square feet)					
Retail	\$0	\$158	\$144	\$1,478	\$1,780
Office	\$0	\$54	\$49	\$502	\$605
Industrial	\$0	\$27	\$25	\$255	\$307
Warehouse	\$0	\$10	\$9	\$90	\$109
Healthcare	\$0	\$59	\$54	\$552	\$665
Institutional	\$0	\$107	\$98	\$1,005	\$1,210

2. Non-residential Development Impact Fee Schedule Table – Pleasant Valley Fire District

Development Type	Parks & Recreation	Sheriff	EMS	Fire	Total Fee
Nonresidential (per 1,000 square feet)					
Retail	\$0	\$158	\$144	\$1,363	\$1,665
Office	\$0	\$54	\$49	\$463	\$566
Industrial	\$0	\$27	\$25	\$236	\$288
Warehouse	\$0	\$10	\$9	\$83	\$102
Healthcare	\$0	\$59	\$54	\$509	\$622
Institutional	\$0	\$107	\$98	\$927	\$1,132

- C. Development Impact Fee Schedule Annual Update.** The development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities set forth in the Development Impact Fee Study and CIP dated January, 2021. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering News Record (ENR). For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator.

SECTION IV. GENERAL PROVISIONS; APPLICABILITY

- A. Term.** These Procedures shall remain in effect unless and until repealed, amended or modified by the County Council in accordance with applicable State law and County ordinances and resolutions.

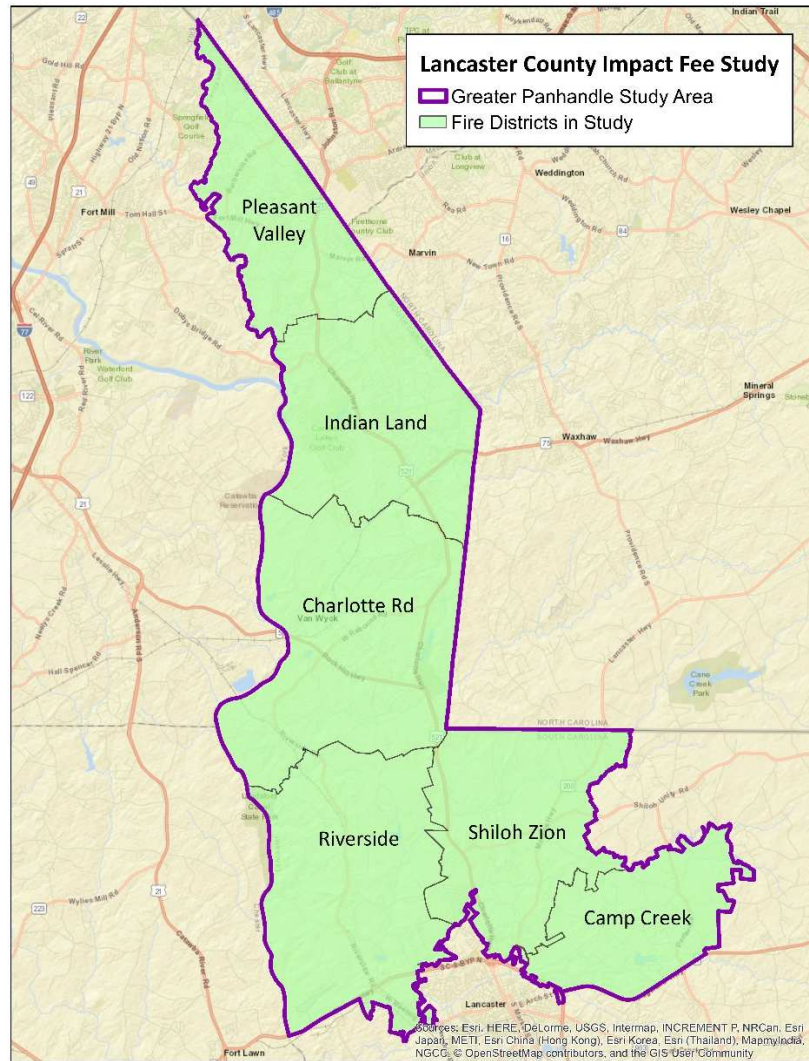
B. Annual Review.

- At least once every year, but not later than January 1st, and prior to County Council adoption of the Annual Budget and Capital Improvements Program, the County Manager or a designee shall coordinate the preparation and submission of a report on the subject of impact fees.
- The report shall include the following:
 - recommendations on amendments, if appropriate, to these procedures or to specific ordinances adopting impact fees for particular public facilities;

- b. proposed changes to the Lancaster County Comprehensive Plan and/or an applicable Capital Improvements Program, or the capital improvement plan for the particular public facility, including the identification of public facility system improvements anticipated to be funded wholly or partially with impact fees;
 - c. proposed changes to the boundaries of impact fee districts or subdistricts, as appropriate;
 - d. proposed changes to impact fee schedules as set forth in the ordinances imposing and setting specific impact fees;
 - e. proposed changes to level of service standards;
 - f. proposed changes in the impact fee calculation methodology;
 - g. other data, analysis, or recommendations as the County **Manager** or a designee may deem appropriate, or as may be requested by the County Council.
3. **Submission of Impact Fee Annual Report and County Council Action.** The County **Manager** or a designee shall submit the Impact Fee Annual Report to the County Council, which shall receive the Report and take such actions as it deems appropriate, including but not limited to requesting additional data or analyses and holding public workshops and/or public hearings.

C. Impact Fee Districts .

- 1. **Impact Fee Districts.** Impact fees may be imposed on new development in Lancaster County for particular public facilities authorized by state law. The particular impact fees may be divided into Impact Fee Districts (and subdistricts) by the County Council for purposes of expenditure of impact fee funds.



2. **Municipalities.** Impact fees adopted by the County shall, if necessary and appropriate, be collected by the municipalities on new development within the municipality pursuant to an intergovernmental agreement with the County which provides that the impact fees collected by the municipality be transferred to the County for expenditure in accordance with the terms of these Procedures.
 3. **Identification.** Impact Fee Districts, or subdistricts if applicable, and the participating municipalities who will be responsible for collecting the fees, shall be described and/or listed in the applicable Fee-Setting Ordinances.
- D. **Type of Development Affected.** These Procedures shall apply to all new development as defined in this Ordinance and as defined in the applicable Fee-Setting Ordinances.
- E. **Type of Development Not Affected.** The requirements of this Ordinance and the applicable Fee-Setting Ordinances shall not apply to those structures and activities listed in S.C. Code Ann. § 6-1-970, as amended:
1. rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe;

2. remodeling or repairing a structure that does not result in an increase in the number of service units;
3. replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if the number of service units does not increase;
4. placing a construction trailer or office on a lot during the period of construction on the lot;
5. constructing an addition on a residential structure that does not increase the number of service units;
6. adding uses that are typically accessory to residential uses, such as a tennis court or a clubhouse, unless it is demonstrated clearly that the use creates a significant impact on the system's capacity;
7. all or part of a particular development project if:
 - (a) the project is determined to create affordable housing; and
 - (b) the exempt development's proportionate share of system improvements is funded through a revenue source other than development impact fees;
8. constructing a new elementary, middle, or secondary school;
9. constructing a new volunteer fire department; and
10. The development of public facilities by the State of South Carolina, Lancaster County, Special Purpose District, or the Federal government.

F. Effect of Payment of Impact Fees on Other Applicable County Land Development Regulations

1. The payment of impact fees shall not entitle the applicant to a development permit unless all other applicable requirements, standards, and conditions of approval have been met. Such other requirements, standards, and conditions of approval are independent of the requirement for payment of impact fees.
2. Neither these Procedures or the applicable Fee-Setting Ordinances shall affect, in any manner, the use of property, density/intensity of development, design and improvement standards or other applicable standards or requirements of the Lancaster County Land Development Regulations.

- G. **Amendments.** This Ordinance, and any applicable Fee-Setting Ordinances for any particular public facilities may be amended from time to time by the County Council,

SECTION V. PROCEDURES FOR IMPOSITION, CALCULATION AND COLLECTION OF IMPACT FEES

- A. **In General.** An applicant shall be notified by the County of the applicable impact fee requirements at the time of application for a building permit, and the impact fee shall be calculated and paid prior to issuance of a building permit.

B. Calculation.

1. Upon receipt of an application for a building permit, the Director shall determine (a) whether it is a residential or non-residential use; (b) the specific category (type) of residential or non-residential development, if applicable; (c) if residential, the number of new dwelling units; (d) if non-residential, the number of new or additional square feet of floor area and the proposed use; and (e) the Impact Fee District(s) in which the new development is located. After making these determinations, the Director shall calculate the impact fees due. If the applicant has entered into an agreement with County, including an agreement entered into pursuant to the South Carolina Local Government Development Agreement Act, providing for payments instead of impact fees for facilities or services then calculation of fees owed, if any, will be governed by S.C Code § 6-1-1050, as amended..
2. If the type of land use proposed for new development is not expressly listed in the specific Fee Setting Impact Fee Ordinance, the Director shall (a) identify the most similar land use type listed and calculate the impact fees based on the fees for that land use, or (b) identify the broader land use category within which the specific land use would apply and calculate the impact fees based on the impact fees for that land use category.
3. An applicant may request a non-binding estimate of impact fees due from the Director for a particular new development at any time. The estimate may change depending on the time a formal application for a building permit is submitted.
4. The calculation of impact fees due from a multiple-use new development shall be based upon the fees due for each use upon application for the building permit for that use.
5. The calculation of impact fees due from phased development shall be based upon the demand generated by each specific use of the phase of the development upon application for the building permit for that use.

C. Offsets.

1. Pursuant to S.C. Code § 6-1-1050, as amended, a fee payor and developer may enter into an agreement with County, including an agreement entered into pursuant to the South Carolina Local Government Development Agreement Act, providing for payments instead of impact fees for facilities or services. That agreement may provide for the construction or installation of system improvements by the fee payor or developer and for credits or reimbursements for costs incurred by a fee payor or developer including interproject transfers of credits or reimbursement for project improvements which are used or shared by more than one development project. An impact fee may not be imposed on a fee payor or developer who has entered into an agreement as described in S.C. Code § 6-1-1050, as amended.

D. Collection

1. The Director shall collect all applicable impact fees prior to the issuance of a building permit unless:

- a. the applicant has entered an agreement with County pursuant to S.C. Code 6-1-1050, as amended. or
- b. the applicant has been determined to be not subject to the payment of impact fees; or
- c. the applicant has taken an appeal pursuant to Section VI, and a bond or other surety in the amount of the impact fee, as calculated by the Director, has been posted with the County.

SECTION VI. ESTABLISHMENT OF IMPACT FEE ACCOUNTS; APPROPRIATION OF IMPACT FEE FUNDS; AND REFUNDS

A. Impact Fee Accounts. An Impact Fee Account is established by the County for each public facility for which impact fees are imposed. Such accounts shall clearly identify the category, account, or fund for which the impact fees are imposed. Subaccounts may be established for individual Impact Fee Districts and subdistricts. All impact fees collected by the County shall be deposited into the appropriate Impact Fee Account or subaccount, which shall be interest bearing. All interest earned or monies deposited to the accounts or subaccounts shall be credited to and be considered funds of the account. The funds of each account shall not be commingled with other funds or revenues of the County. The County shall establish and implement necessary accounting controls to ensure that the impact fee funds are properly deposited, accounted for, and appropriated in accordance with these Procedures, and any other applicable legal requirements.

B. Appropriation of Impact Fee Funds

- 1. **In General.** Impact fee funds may be appropriated for public facilities identified in the capital improvement plan of the public facility and for the payment of principal, bonds, contracts, and other obligations issued by or on behalf of the County or other applicable service providers to finance such public facilities.
- 2. **Restrictions on Appropriations.** Impact fees shall be appropriated only (a) for the public facility for which they were imposed, calculated, and collected and (b) within the Impact Fee District or subdistrict where collected. They shall be appropriated and expended within three (3) years of the date they were scheduled to be expended in the capital improvements plan or any applicable amendment to the capital improvements plan. Impact fees shall not be appropriated or expended for funding maintenance or repair of public facilities nor for operational or personnel expenses associated with the provision of the public facility.

C. Procedure for Appropriation of Impact Fee Funds.

D. Refunds

1. Eligibility for Refund.

- a. **Expiration or Revocation of Permit or Approval, or Demolition.** An applicant or a successor-in-interest who paid impact fees for new development for which an approval or permit has expired or been revoked, or which is demolished with five years of payment of the fee, is and be eligible to apply for a refund of impact fees paid.
- b. **Failure of County to appropriate Impact Fee Funds Within Time Limit.** The County shall notify the owner of record of any property for which an impact fee has been previously paid if the County has failed to appropriate and expend the impact fees attributable to that

property within the time limits established in Section 5.B.2. In such a case, the owner of record is eligible to apply for a refund of impact fees paid. The accounting shall be based on a first-in, first out basis.

- c. **Reduction in Density or Intensity of New Development.** An applicant or a successor-in-interest who paid impact fees is eligible for a partial refund if the density or intensity of the development for which the impact fees are paid is reduced after payment of the fees, and the fees have not been appropriated and expended.
2. **Refund Application for Expiration or Revocation of Permit or Approval, or Demolition.** Applications for a refund due to expiration or revocation of a permit or approval, or demolition of the development shall include: (a) evidence that the applicant is the property owner or the duly designated agent of the property owner, (b) the amount of the impact fees paid and receipts evidencing such payments, and (c) documentation evidencing the expiration or revocation of the permit or approval, or demolition of the structure pursuant to a valid County issued demolition permit. Failure to apply for the refund within sixty (60) days following expiration or revocation of the permit or approval, or demolition of the building or structure shall constitute a waiver of entitlement to a refund. No interest shall be paid by the County in calculating the amount of the refunds.
3. **Refund Application for Failure of County to Appropriate and Expend Funds.** Applications for refunds due to County failure to appropriate and expend fees collected from an applicant within the time limits established in Sections 5.B.2. shall be initiated by the owner-of-record within one hundred and twenty (120) days after the County has notified the owner of a right to a refund. To receive the refund, the owner-of-record shall submit (a) evidence that the applicant is the property owner or the duly designated agent of the property owner, and (b) the amount of the impact fees paid and receipts evidencing the payments. Refunds shall include any interest earned on the impact fees being refunded.
4. **Refund Application Due to Reduction in Density or Intensity.** Applications for refunds due to a reduction in density or intensity of development shall include (a) evidence that the applicant is the property owner or developer who paid the impact fees or, if the applicant is the current owner, evidence that the developer has waived rights to a refund, (b) the amount of the impact fees paid and receipts evidencing payments, and (c) documentation evidencing a reduction in density or intensity of the new development. No refund shall be approved until a revised new development plan is approved by the County. The refund shall be paid to the current property owner or developer, as appropriate. The refund shall be calculated in accordance with the following formula:

$$(SU1 \times F) - (SU2 \times FI) \text{ where}$$

SU1 = public facility demand generated originally by the new development

SU2 = public facility demand currently generated by the new development

F = the impact fee in effect at the time of original approval of the new development

FI = the impact fee currently in effect at the time of approval of the new development

5. The County may, at its option, make refunds of impact fees by direct payment, by offsetting such refunds against other impact fees due for the same public facility for new development on the same property, or by other means subject to agreement with the person receiving the refund.

SECTION VII. APPEALS AND MEDIATION

- A. A fee payor may pay an impact fee under protest. A fee payor making the payment of impact fees is not estopped from exercising the right of appeal under this Ordinance, or estopped from receiving a refund for any overpayment of the fees, if that is determined to be the case on appeal.
- B. An appeal from any decision of the Director pursuant to these Procedures shall be made to the Lancaster County Board of Zoning Appeals. If the notice of appeal is accompanied by a letter of credit in a form satisfactory to the County Attorney in an amount equal to the impact fees due, the development may be approved. The filing of an appeal shall not stay the imposition or the collection of impact fees unless a bond or other sufficient surety is provided.
- C. If there is a dispute between a fee payor and the County about an impact fee amount due, an offset, or a waiver, the County Council and the fee payor may agree to resolve the dispute through mediation, by using a qualified independent mediator, by mutual agreement. Participation in mediation does not preclude the fee payor from pursuing other remedies provided by law.
- D. The burden of proof shall be on the appellant to demonstrate that the decision of the Director is erroneous.

SECTION VIII. EXEMPTIONS/WAIVERS

- A. **Filing of Application.** Petitions for exemptions to the application of these Procedures or waivers from specific impact fees shall be filed with the County Council.
- B. **Effect of Grant of Exemption/Waiver.** If the County Council grants an exemption or waiver, the amount of the impact fees exempted or waived shall be provided by the County or other appropriate service provider for the particular public facilities, from non-impact fee funds. The funds shall be deposited in the appropriate Impact Fee Account.
- C. **Timing of Provision of Waived/Exempted Impact Fees.** The provision of the amount of exempted or waived impact fees by the County or other appropriate service provider shall be made within a reasonable period of time, consistent with the applicable capital improvements program and the capital improvement plan for the public facility.
- D. **Development Agreements.** Nothing herein shall be deemed to limit the County's authority and ability to enter into development agreements with applicants for new development which provide for payments in-lieu of impact fees pursuant to S.C. Code § 6-1-1050, as amended.
- E. **Statutory Exemptions.** S.C. Code Ann. §6-1-970 exempts the following structures and activities from impact fees:
 1. Rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe:

2. Remodeling or replacing a structure that does not increase the number of service units;
3. Replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if that number of service units does not increase;
4. Placing a construction trailer or office on a lot during the period of construction of the lot;
5. Constructing and addition on a residential structure which does not increase the number of service units;
6. Adding uses that are typical accessory to residential uses, such as a tennis court or a clubhouse, unless it is demonstrated clearly that the use creates a significant impact on the system's capacity;
7. All or part of a particular development project if:
 - a. The project is determined to create affordable housing, and
 - b. The exempt development's proportionate share of system improvements is funded by a revenue source other than development impact fees;
8. Constructing a new elementary, middle, or secondary school; and
9. Constructing a new volunteer fire department.

SECTION IX. MEDIATION

SECTION X. CONFLICT

To the extent of any conflict between other County ordinances and these Procedures, these Procedures shall be deemed to be controlling; provided, however, that these Procedures are not intended to amend or repeal any existing County ordinance, resolution, or regulation.

SECTION XI. SEVERABILITY

- A. If any section, subsection, sentence, clause, phrase, or portion of these Procedures is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion of these Procedures shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of these Procedures nor impair or nullify the remainder of such Procedures which shall continue in full force and effect.
- B. If the application of any provision of these Procedures to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Council is that such decision shall be limited to the specific new development immediately involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify these Procedures as a whole or the application of any provision of these Procedures to any other new development.

SECTION XII. EFFECTS OF ANNEXATION

A. County Development Impact Fee Ordinance imposed in an unincorporated area which is subsequently annexed by a municipality shall remain in full force and effect pursuant to this article and the State Development Impact Fee Act, S.C. Code 1976, §§ 6-1-910-6-1-2010, until the development impact fee terminates, unless the annexing municipality:

1. Assumes responsibility for the provision of system improvements included in the capital improvements plan that are to be provided, in whole or in part, via payment of development impact fees from developers in the annexed area; and
2. Assumes any liability which is to be paid with the impact fee revenue.

If the annexing municipality agrees to assume responsibility and liability as set forth in this section, it shall enter into an intergovernmental agreement to such effect with the County.

ADOPTED this __ day of _____, 2021

COUNTY COUNCIL OF LANCASTER
COUNTY

By: _____
Steve Harper, Chairman

By: _____
Billy Mosteller, Secretary

ATTEST:

John K. DuBose, III, Lancaster County Attorney

First Reading:	February 8, 2021
Second Reading	_____
Third and Final Reading	_____
Public Hearing	_____

~~Indicates Matter Stricken~~

Indicates New Matter

STATE OF SOUTH CAROLINA	)	ORDINANCE NO. 2021-1705
	)	
COUNTY OF LANCASTER	)	

AN ORDINANCE

ADOPTING PROCEDURES FOR THE IMPOSITION, CALCULATION, COLLECTION, EXPENDITURE AND ADMINISTRATION OF IMPACT FEES TO BE IMPOSED ON NEW DEVELOPMENT; PROVIDING A PURPOSE AND INTENT; PROVIDING DEFINITIONS; PROVIDING GENERAL PROVISIONS AND APPLICABILITY; PROVIDING FOR THE ESTABLISHMENT OF IMPACT FEE ACCOUNTS; PROVIDING FOR THE APPROPRIATION OF IMPACT FEE FUNDS; PROVIDING FOR REFUNDS; PROVIDING FOR APPEALS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND REPEALING AND REPLACING CHAPTER 17 OF THE CODE OF ORDINANCES, LANCASTER COUNTY, SOUTH CAROLINA WITH THE DEVELOPMENT IMPACT FEE PROCEDURES ADOPTED HEREIN.

WHEREAS, Lancaster County (“the County”) is authorized to establish and impose impact fees on new development to finance public facilities necessitated by such development as specifically authorized under the Development Impact Fee Statute, S.C. Code Ann. Section 6-1-90, et seq.; and

WHEREAS, the County has studied the necessity for and implications of the adoption of impact fees for various public facilities; and

WHEREAS, the County Council of Lancaster County (“County Council”) has found and determined that most impact fees will have certain common characteristics and, therefore, will benefit from the adoption and use of a uniform procedure for the imposition, calculation, collection, expenditure, and administration of impact fees; and

WHEREAS, the use of uniform procedures, to the extent possible, will be more efficient and expedient for both the County and development applicants than separate procedures for each impact fee; and

WHEREAS, the use of uniform procedures will simplify the implementation and administration of impact fees; and

ORDINANCE NO. 2021-1705

WHEREAS, the use of uniform procedures will best ensure that impact fees are expended for the public facilities for which they are imposed and collected; and

WHEREAS, all monies collected from impact fees shall be deposited in interest-bearing accounts which clearly identify the category, account, fund, and public facility for which such fee was imposed; and

WHEREAS, each such category, fund, or account shall be accounted for separately; and

WHEREAS, any interest or other income earned on monies deposited in the interest-bearing accounts shall be credited to the account; and

WHEREAS, the County Council has determined that impact fees are appropriate for funding public facilities; and

WHEREAS, the Planning Commission has considered and reviewed the Impact Fee Procedures at a public meeting and has recommended their adoption; and

WHEREAS, County Council desires to codify the Impact Fee Procedures and is informed and believes there is a need to maintain the alphabetical structure of the Lancaster County Code, that the Lancaster County Sheriff's Office (LCSO) does not utilize Chapter 17 of the County Code, and that LCSO consents to repeal and replacement of Chapter 17 of the Lancaster County Code with these Impact Fee Procedures; and

WHEREAS, the County Council has found that the Impact Fee Procedures should be adopted and codified, as Chapter 17 of the Lancaster County Code, and that the Impact Fee Procedures be applicable to all impact fees enacted in Lancaster County.

NOW, THEREFORE, BE IT ORDAINED:

SECTION 1. CHAPTER 17, OF THE LANCASTER COUNTY CODE IS HEREBY DELETED AND REPEALED IN ITS ENTIRETY AND REPLACED AS FOLLOWS:

~~CHAPTER 17- LAW ENFORCEMENT~~

~~(Reserved)~~

CHAPTER 17. DEVELOPMENT IMPACT FEE PROCEDURES

Section 17-1. SHORT TITLE.

_____ This Chapter may be cited as the Lancaster County Development Impact Fee Procedures.

Section 17-2. - PURPOSE AND INTENT.

The purposes and intent of the Development Impact Fee Procedures are to:

- A. Establish uniform procedures for the imposition, calculation, collection, expenditure, and administration of impact fees imposed on new development;

- B. Implement the goals, objectives, and policies of the Lancaster County Comprehensive Plan relating to assuring that new development contributes towards the costs of public facilities reasonably necessitated by such new development;
- C. Ensure that new development is benefitted by the provision of the public facilities funded, in whole or in part by the impact fees;
- D. Ensure that all applicable legal standards and criteria are incorporated in these procedures.

Section 17-3 - DEFINITIONS.

The words or phrases used in this Chapter shall have the meaning prescribed in the current Lancaster County Code except as otherwise indicated in this section. To the extent that the definitions of words, terms or phrases as prescribed in S.C. Code Ann. §6-1-920, as amended, conflict with the definition of words, terms or phrases as defined in this Chapter or other County ordinances, S.C. Code Ann. §6-1-920, as amended shall control:

- A. **Affordable Housing:** Housing affordable to families whose incomes do not exceed 80% of the median income for the service area or areas within the jurisdiction of the governmental entity. Median household income shall be based upon the most recent data form the United States Bureau of the Census as of the date of application for abuilding permit.
- B. **Appropriation or to Appropriate:** An action by the County Council or the applicable service provider to identify specific public facilities for which impact fee funds may be utilized. Appropriation shall include, but shall not necessarily be limited to: inclusion of a public facility in the capital improvements plan for the particular impact fee prepared in accordance with S.C. Code Ann. § 6-1-910, *et seq.*, as amended, the South Carolina Development Impact Fee Act; execution of a contract or other legal encumbrance for construction of a public facility using impact fee funds in whole or in part; and actual expenditure of impact fee funds through payments made from an impact fee account for public facilities in the capital improvements plan.
- C. **Capital Improvements:** Has the meaning established in S.C. Code Ann. § 6-1-920(2), as amended.
- D. **Capital Improvements Plan:** Has the meaning established in S.C. Code Ann. § 6-1-920(3), as amended.
- E. **Developer:** Has the meaning established in S.C. Code Ann. § 6-1-920(5), as amended.
- F. **Development:** Has the meaning established in S.C. Code Ann. § 6-1-920(6), as amended.
- G. **Development Impact Fee or Impact Fee:** Has the meaning established in S.C. Code Ann. § 6-1-920(8), as amended.
- H. **Director:** The Development Services Director or a designee.
- I. **District or Impact Fee District:** A defined geographic area or subarea of the County which serves as the service area within which particular impact fees are collected, appropriated, and expended for public facility system improvements that are identified in the Capital Improvement Plan for the public facility.
- J. **Fee payor:** Has the meaning established in S.C. Code Ann. § 6-1-920(10), as amended.

- K. **Governmental Entity:** Has the meaning established in S.C. Code Ann. § 6-1-920(11), as amended.
- L. **Impact Fee District Map:** The map(s) defining the geographical extent of the impact fee districts and subdistricts for each adopted impact fee, as may be necessary.
- M. **Level of Service:** Has the meaning established in S.C. Code Ann. § 6-1-920(14), as amended.
- N. **Multiple Uses:** A new development consisting of both residential and non-residential uses or one (1) or more different types of non-residential uses on the same site or part of the same new development.
- O. **Proportionate Share:** Has the meaning established in S.C. Code Ann. §§ 6-1-920(17) and -990, as amended.
- P. **Public Facilities:** Has the meaning established in S.C. Code Ann. § 6-1-920(18), as amended.
- Q. **Service Area:** Has the meaning established in S.C. Code Ann. § 6-1-920(19), as amended.
- R. **Service Unit:** Has the meaning established in S.C. Code Ann. § 6-1-920(20), as amended.
- S. **Successor in Interest:** A person who gains a fee simple interest in land for which an impact fee is paid, or an offset is approved, pursuant to the terms of this Ordinance.
- T. **System Improvements:** Has the meaning established in S.C. Code Ann. § 6-1-920(21), as amended.
- U. **System Improvements Costs:** Has the meaning established in S.C. Code Ann. § 6-1-920(22), as amended.

Section 17-4 - GENERAL PROVISIONS; APPLICABILITY

- A. **Term.** These Procedures shall remain in effect unless and until repealed, amended or modified by the County Council in accordance with applicable State law and County ordinances and resolutions.
- B. **Annual Review.**
 - 1. At least once every year, but not later than January 1st, and prior to County Council adoption of the Annual Budget and Capital Improvements Program, the County Administrator or a designee shall coordinate the preparation and submission of a report on the subject of impact fees.
 - 2. The report shall include the following:
 - a. recommendations on amendments, if appropriate, to these procedures or to specific ordinances adopting impact fees for particular public facilities;
 - b. proposed changes to the Lancaster County Comprehensive Plan and/or an applicable Capital Improvements Program, or the capital improvement plan for the particular public facility, including the identification of public facility system improvements anticipated to be funded wholly or partially with impact fees;
 - c. proposed changes to the boundaries of impact fee districts or subdistricts, as appropriate;

- d. proposed changes to impact fee schedules as set forth in the ordinances imposing and setting specific impact fees;
 - e. proposed changes to level of service standards;
 - f. proposed changes in the impact fee calculation methodology;
 - g. other data, analysis, or recommendations as the County Administrator or a designee may deem appropriate, or as may be requested by the County Council.
3. **Submission of Impact Fee Annual Report and County Council Action.** The County Administrator or a designee shall submit the Impact Fee Annual Report to the County Council, which shall receive the Report and take such actions as it deems appropriate, including but not limited to requesting additional data or analyses and holding public workshops and/or public hearings.
4. **Municipalities.** Impact fees adopted by the County shall, if necessary and appropriate, be collected by the municipalities on new development within the municipality pursuant to an intergovernmental agreement with the County which provides that the impact fees collected by the municipality be transferred to the County for expenditure in accordance with the terms of these Procedures.
5. **Identification.** Impact Fee Districts, or subdistricts if applicable, and the participating municipalities who will be responsible for collecting the fees, shall be described and/or listed in the applicable Fee-Setting Ordinances.
- C. **Type of Development Affected.** These Procedures shall apply to all new development as set forth in the applicable Fee-Setting Ordinances.
- D. **Type of Development Not Affected.** The requirements of this Chapter and the applicable Fee-Setting Ordinances shall not apply to those structures and activities listed in S.C. Code Ann. § 6-1-970, as amended:
- 1. rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe;
 - 2. remodeling or repairing a structure that does not result in an increase in the number of service units;
 - 3. replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if the number of service units does not increase;
 - 4. placing a construction trailer or office on a lot during the period of construction on the lot;
 - 5. constructing an addition on a residential structure that does not increase the number of service units;
 - 6. adding uses that are typically accessory to residential uses, such as a tennis court or a clubhouse, unless it is demonstrated clearly that the use creates a significant impact on the system's capacity;

7. all or part of a particular development project if:
 - a. the project is determined to create affordable housing; and
 - b. the exempt development's proportionate share of system improvements is funded through a revenue source other than development impact fees;
8. constructing a new elementary, middle, or secondary school;
9. constructing a new volunteer fire department; and
10. the development of public facilities by the State of South Carolina, Lancaster County, Special Purpose District, or the Federal government.

E. **Effect of Payment of Impact Fees on Other Applicable County Land Development Regulations**

1. The payment of impact fees shall not entitle the applicant to a development permit unless all other applicable requirements, standards, and conditions of approval have been met. Such other requirements, standards, and conditions of approval are independent of the requirement for payment of impact fees.
2. Neither these Procedures or the applicable Fee-Setting Ordinances shall affect, in any manner, the use of property, density/intensity of development, design and improvement standards or other applicable standards or requirements of the Lancaster County Unified Development Ordinance or other applicable laws and regulations governing land use or development.

- F. **Amendments.** This Chapter, and any applicable Fee-Setting Ordinances for any particular public facilities may be amended from time to time by the County Council,

Section 17-5 - PROCEDURES FOR IMPOSITION, CALCULATION AND COLLECTION OF IMPACT FEES

- A. **In General.** An applicant shall be notified by the County of the applicable impact fee requirements at the time of application for a building permit, and the impact fee shall be calculated and paid prior to issuance of a building permit.

B. **Calculation.**

1. Upon receipt of an application for a building permit, the Director shall determine (a) whether it is a residential or non-residential use; (b) the specific category (type) of residential or non-residential development, if applicable; (c) if residential, the number of new dwelling units; (d) if non-residential, the number of new or additional square feet of floor area and the proposed use; and (e) the Impact Fee District(s) in which the new development is located. After making these determinations, the Director shall calculate the impact fees due. If the applicant has entered into an agreement with County, including an agreement entered into pursuant to the South Carolina Local Government Development Agreement Act, providing for payments instead of impact fees for facilities or services then calculation of fees owed, if any, will be governed by S.C. Code § 6-1-1050, as amended.

2. If the type of land use proposed for new development is not expressly listed in the specific Fee Setting Impact Fee Ordinance, the Director shall (a) identify the most similar land use type listed and calculate the impact fees based on the fees for that land use, or (b) identify the broader land use category within which the specific land use would apply and calculate the impact fees based on the impact fees for that land use category.
3. An applicant may request a non-binding estimate of impact fees due from the Director for a particular new development at any time. The estimate may change depending on the time a formal application for a building permit is submitted.
4. The calculation of impact fees due from a multiple-use new development shall be based upon the fees due for each use upon application for the building permit for that use.
5. The calculation of impact fees due from phased development shall be based upon the demand generated by each specific use of the phase of the development upon application for the building permit for that use.

C. Offsets.

1. Pursuant to S.C. Code § 6-1-1050, as amended, a fee payor and developer may enter into an agreement with County, including an agreement entered into pursuant to the South Carolina Local Government Development Agreement Act, providing for payments instead of impact fees for facilities or services. That agreement may provide for the construction or installation of system improvements by the fee payor or developer and for credits or reimbursements for costs incurred by a fee payor or developer including interproject transfers of credits or reimbursement for project improvements which are used or shared by more than one development project. An impact fee may not be imposed on a fee payor or developer who has entered into an agreement as described in S.C. Code § 6-1-1050, as amended.

D. Collection

1. The Director shall collect all applicable impact fees prior to the issuance of a building permit unless:
 - a. the applicant has entered an agreement with County pursuant to S.C. Code 6-1-1050, as amended; or
 - b. the applicant has been determined to be not subject to the payment of impact fees; or
 - c. the applicant has taken an appeal pursuant to Section 17-7, and a bond or other surety in the amount of the impact fee, as calculated by the Director, has been posted with the County.

Section 17-6 - ESTABLISHMENT OF IMPACT FEE ACCOUNTS; APPROPRIATION OF IMPACT FEE FUNDS; AND REFUNDS

- A. **Impact Fee Accounts.** An Impact Fee Account is established by the County for each public facility for which impact fees are imposed. Such accounts shall clearly identify the category, account, or fund for which the impact fees are imposed. Subaccounts may be established for individual Impact Fee Districts and subdistricts. All impact fees collected by the County shall be deposited into the appropriate Impact Fee Account or subaccount, which shall be interest bearing. All interest earned

or monies deposited to the accounts or subaccounts shall be credited to and be considered funds of the account. The funds of each account shall not be commingled with other funds or revenues of the County. The County shall establish and implement necessary accounting controls to ensure that the impact fee funds are properly deposited, accounted for, and appropriated in accordance with these Procedures, and any other applicable legal requirements.

B. Appropriation of Impact Fee Funds

1. **In General.** Impact fee funds may be appropriated for public facilities identified in the capital improvement plan of the public facility and for the payment of principal, bonds, contracts, and other obligations issued by or on behalf of the County or other applicable service providers to finance such public facilities.
2. **Restrictions on Appropriations.** Impact fees shall be appropriated only (a) for the public facility for which they were imposed, calculated, and collected and (b) within the Impact Fee District or subdistrict where collected. They shall be appropriated and expended within three (3) years of the date they were scheduled to be expended in the capital improvements plan or any applicable amendment to the capital improvements plan. Impact fees shall not be appropriated or expended for funding maintenance or repair of public facilities nor for operational or personnel expenses associated with the provision of the public facility.

C. Procedure for Appropriation of Impact Fee Funds.

D. Refunds

1. Eligibility for Refund.

- a. **Expiration or Revocation of Permit or Approval, or Demolition.** An applicant or a successor-in-interest who paid impact fees for new development for which an approval or permit has expired or been revoked, or which is demolished within five years of payment of the fee, is and be eligible to apply for a refund of impact fees paid.
 - b. **Failure of County to appropriate Impact Fee Funds Within Time Limit.** The County shall notify the owner of record of any property for which an impact fee has been previously paid if the County has failed to appropriate and expend the impact fees attributable to that property within the time limits established in Section 17-6. In such a case, the owner of record is eligible to apply for a refund of impact fees paid. The accounting shall be based on a first-in, first out basis.
 - c. **Reduction in Density or Intensity of New Development.** An applicant or a successor- in-interest who paid impact fees is eligible for a partial refund if the density or intensity of the development for which the impact fees are paid is reduced after payment of the fees, and the fees have not been appropriated and expended.
2. **Refund Application for Expiration or Revocation of Permit or Approval, or Demolition.** Applications for a refund due to expiration or revocation of a permit or approval, or demolition of the development shall include: (a) evidence that the applicant is the property owner or the duly designated agent of the property owner, (b) the amount of the impact fees paid and receipts evidencing such payments, and (c) documentation evidencing the expiration or revocation of the permit or approval, or demolition of the structure pursuant to a valid County issued demolition permit. Failure to apply for the refund within sixty (60) days following expiration

or revocation of the permit or approval, or demolition of the building or structure shall constitute a waiver of entitlement to a refund. No interest shall be paid by the County in calculating the amount of the refunds.

3. **Refund Application for Failure of County to Appropriate and Expend Funds.** Applications for refunds due to County failure to appropriate and expend fees collected from an applicant within the time limits established in Section 17-6 shall be initiated by the owner-of-record within one hundred and twenty (120) days after the County has notified the owner of a right to a refund. To receive the refund, the owner-of-record shall submit (a) evidence that the applicant is the property owner or the duly designated agent of the property owner, and (b) the amount of the impact fees paid and receipts evidencing the payments. Refunds shall include any interest earned on the impact fees being refunded.
4. **Refund Application Due to Reduction in Density or Intensity.** Applications for refunds due to a reduction in density or intensity of development shall include (a) evidence that the applicant is the property owner or developer who paid the impact fees or, if the applicant is the current owner, evidence that the developer has waived rights to a refund, (b) the amount of the impact fees paid and receipts evidencing payments, and (c) documentation evidencing a reduction in density or intensity of the new development. No refund shall be approved until a revised new development plan is approved by the County. The refund shall be paid to the current property owner or developer, as appropriate. The refund shall be calculated in accordance with the following formula:

$(SU1 \times F) - (SU2 \times FI)$ where

$SU1 = \frac{\text{public facility demand generated originally by the new development}}{\text{development}}$

$SU2 = \frac{\text{public facility demand currently generated by the new development}}{\text{development}}$

$F = \frac{\text{the impact fee in effect at the time of original approval of the new development}}{\text{development}}$

$FI = \frac{\text{the impact fee currently in effect at the time of approval of the new development}}{\text{development}}$

5. The County may, at its option, make refunds of impact fees by direct payment, by offsetting such refunds against other impact fees due for the same public facility for new development on the same property, or by other means subject to agreement with the person receiving the refund.

Section 17-7 -APPEALS AND MEDIATION

- A. A fee payor may pay an impact fee under protest. A fee payor making the payment of impact fees is not estopped from exercising the right of appeal under this Section, or estopped from receiving a refund for any overpayment of the fees, if that is determined to be the case on appeal.
- B. An appeal from any decision of the Director pursuant to these Procedures shall be made to the Lancaster County Board of Zoning Appeals. If the notice of appeal is accompanied by a letter of credit in a form satisfactory to the County Attorney in an amount equal to the impact fees due, the

development may be approved. The filing of an appeal shall not stay the imposition or the collection of impact fees unless a bond or other sufficient surety is provided.

- C. If there is a dispute between a feepayor and the County about an impact fee amount due, an offset, or a waiver, the County Council and the feepayor may agree to resolve the dispute through mediation, by using a qualified independent mediator, by mutual agreement. Participation in mediation does not preclude the feepayor from pursuing other remedies provided by law.
- D. The burden of proof shall be on the appellant to demonstrate that the decision of the Director is erroneous.

Section 17-8- COUNTY REMEDIES.

The County, pursuant the State Development Impact Fee Act and, to the extent authorized pursuant to the intergovernmental agreements entered by the County pursuant to this Ordinance, shall have all of the following remedies, which may be exercised individually or collectively:

- A. **Interest and Penalties.** The County may, in its discretion, add reasonable interest and penalties for nonpayment or late payment to the amount of the calculated development impact fees due.
- B. **Withholding Building or Development Permit or Development Approval or Certificate of Occupancy.** The County may withhold a certificate of occupancy, a building or development permit, or development approval, as may be applicable, until full and complete payment has been made by the developer/applicant of the development impact fees due.
- C. **Lien.** The County may impose a lien on the developer's property, in the amount of the applicable development impact fee, for failure of the developer/applicant to timely pay the required development impact fees in full.
- D. **Election of Remedies.** The County may pursue any one or all remedies described in this section, at its discretion. The failure to pursue any remedy or remedies, at any time, shall not be deemed to be a waiver of County rights to pursue any remedy or remedies at such other time as may be deemed appropriate. The method and timing of impact fee collection set forth in specific Fee-Setting Ordinances may preclude application of some of these remedies. Preclusion of any of the specific remedies set forth herein does not preclude the County's ability to exercise other remedies set forth herein.

Section 17-9 - EXEMPTIONS/WAIVERS

- A. **Filing of Application.** Petitions for exemptions to the application of these Procedures or waivers from specific impact fees shall be filed with the County Council.
- B. **Effect of Grant of Exemption/Waiver.** If the County Council grants an exemption or waiver, the amount of the impact fees exempted or waived shall be provided by the County or other appropriate service provider for the particular public facilities, from non-impact fee funds. The funds shall be deposited in the appropriate Impact Fee Account.
- C. **Timing of Provision of Waived/Exempted Impact Fees.** The provision of the amount of exempted or waived impact fees by the County or other appropriate service provider shall be made within a reasonable period of time, consistent with the applicable capital improvements program and the capital improvement plan for the public facility.

- D. **Development Agreements.** Nothing herein shall be deemed to limit the County's authority and ability to enter into development agreements with applicants for new development which provide for payments in-lieu of impact fees pursuant to S.C. Code § 6-1-1050, as amended.
- E. **Statutory Exemptions.** S.C. Code Ann. §6-1-970 exempts the following structures and activities from impact fees:
1. Rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe;
 2. Remodeling or replacing a structure that does not increase the number of service units;
 3. Replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if that number of service units does not increase;
 4. Placing a construction trailer or office on a lot during the period of construction of the lot;
 5. Constructing and addition on a residential structure which does not increase the number of service units;
 6. Adding uses that are typical accessory to residential uses, such as a tennis court of a clubhouse, unless it is demonstrated clearly that the use creates a significant impact on the system's capacity;
 7. All or part of a particular development project if:
 - a. The project is determined to create affordable housing, and
 - b. The exempt development's proportionate share of system improvements is funded by a revenue source other than development impact fees;
 8. Constructing a new elementary, middle, or secondary school; and
 9. Constructing a new volunteer fire department.

Section 17-10 - EFFECTS OF ANNEXATION

- F. Any County Development Impact Fee Ordinance imposed in an unincorporated area that is subsequently annexed by a municipality shall remain in full force and effect pursuant to this Chapter and the State Development Impact Fee Act, S.C. Code 1976, § 6-1-910 et. seq., until the development impact fee terminates, unless the annexing municipality:
1. Assumes responsibility for the provision of system improvements included in the capital improvements plan that are to be provided, in whole or in part, via payment of development impact fees from developers in the annexed area; and
 2. Assumes any liability which is to be paid with the impact fee revenue.

If the annexing municipality agrees to assume responsibility and liability as set forth in this section, it shall enter into an intergovernmental agreement to such effect with the County.

Sections 17-11 ---17-40 Reserved

SECTION II. CONFLICT

To the extent of any conflict between other County ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing County ordinance, resolution, or regulation.

SECTION III. SEVERABILITY

- A. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion of this Ordinance shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of this ordinance nor impair or nullify the remainder of such Ordinance which shall continue in full force and effect.
- B. If the application of any provision of this Ordinance to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Council is that such decision shall be limited to the specific new development immediately involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify this Ordinance as a whole or the application of any provision of this Ordinance to any other new development.

SECTION IV. EFFECTIVE DATE

- A. This Ordinance becomes effective on October 1, 2021.
- B. If a development project has achieved the following development approval milestones prior to the effective date of this Ordinance, the development project is not subject to a development impact fee:

Single family residential projects: preliminary plat approval
Multifamily/nonresidential projects: civil construction plan approval

ADOPTED this __ day of _____, 2021

COUNTY COUNCIL OF LANCASTER
COUNTY

By: _____
Steve Harper, Chairman

By: _____
Billy Mosteller, Secretary

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose, III, Lancaster County Attorney

First Reading:	February 8, 2021
Second Reading	April 12, 2021
Third and Final Reading	April 26, 2021 (tentative)
Public Hearing	April 26, 2021 (tentative)



Development Impact Fee Study

Prepared for:

Lancaster County, South Carolina

March 31, 2021

Prepared by:

TischlerBise

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DEVELOPMENT IMPACT FEE STUDY

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EXECUTIVE SUMMARY

Lancaster County, South Carolina retained TischlerBise to prepare a Development Impact Fee study. Development impact fees are collected from new construction at the time a building permit is issued. The fees are one-time payments for new development's proportionate share of the capital cost of infrastructure. The following study addresses Lancaster County's Parks & Recreation, Public Safety: Emergency Medical Services, Public Safety: Sheriff, and Public Safety: Fire facilities. Development impact fees do have limitations and should not be regarded as the total solution for infrastructure funding. Rather, they are one component of a comprehensive funding strategy to ensure provision of adequate public facilities. Development impact fees may only be used for capital improvements or debt service for growth-related infrastructure. Under South Carolina Development Impact Fee enabling legislation (Section 6-1-910), fees may not be used for operations, maintenance, replacement of infrastructure, or correcting existing deficiencies.

South Carolina Development Impact Fee Act¹

The State of South Carolina grants the power for cities and counties to collect development impact fees on new development pursuant to the rules and regulations set forth in the South Carolina Development Impact Fee Act (Code of Laws of South Carolina, Section 6-1-910 et seq.). The process to create a local impact fee system begins with a resolution by the County Council directing the Planning Commission to conduct an impact fee study and recommend a development impact fee ordinance for legislative action.

Generally, a governmental entity must have an adopted comprehensive plan to enact development impact fees; however, certain provisions in State law allow counties, cities, and towns that have not adopted a comprehensive plan to impose development impact fees. Those jurisdictions must prepare a capital improvement plan as well as prepare an impact fee study that substantially complies with Section 6-1-960(B) of the Code of Laws of South Carolina.

All counties, cities, and towns are also required to prepare a report that estimates the effect of development impact fees on the availability of affordable housing before imposing development impact fees on residential dwelling units. Based on the findings of the study, certain developments may be exempt from development impact fees when all or part of the project is determined to create affordable housing, and the exempt development's proportionate share of system improvements is funded through a revenue source other than impact fees. A housing affordability analysis in support of the development impact fee study is published as a separate report.

Eligible costs may include design, acquisition, engineering, and financing attributable to those improvements recommended in the local capital improvements plan that qualify for impact fee funding. Revenues collected by the county, city, or town may not be used for administrative or operating costs associated with imposing the impact fee. All revenues from development impact fees must be maintained

¹ See Appendix E for a copy of the South Carolina Development Impact Fee Act.

in an interest-bearing account prior to expenditure on recommended improvements. Monies must be returned to the owner of record of the property for which the impact fee was collected if they are not spent within three years of the date they are scheduled to be encumbered in the local capital improvements plan. All refunds to private land owners must include the pro rata portion of interest earned while on deposit in the impact fee account.

Lancaster County is also responsible for preparing and publishing an annual report describing the amount of impact fees collected, appropriated, and spent during the preceding year. These updates must occur at least once every five years. Pursuant to State Law, Lancaster County will not be empowered to recommend additional projects eligible for impact fee funding or charge higher maximum allowable development impact fees until the Development Impact Fee study and capital improvement plan have been updated.

Conceptual Development Impact Fee Calculation

In contrast to project-level improvements, development impact fees fund growth-related infrastructure that will benefit multiple development projects, or the entire jurisdiction (referred to as system improvements). The first step is to determine an appropriate demand indicator for the particular type of infrastructure. The demand indicator measures the number of demand units for each unit of development. For example, an appropriate indicator of the demand for park facilities is population growth, and the increase in population can be estimated from the average number of residents per housing unit. The second step in the development impact fee formula is to determine infrastructure units per demand unit, typically called level-of-service (LOS) standards. In keeping with the parks example, a common LOS standard is park acreage per resident. The third step in the development impact fee formula is the cost of various infrastructure units. To complete the parks example, this part of the formula would establish the cost per acreage for acquiring new park land.

General Methodologies

There are three general methods for calculating development impact fees. The choice of a particular method depends primarily on the timing of infrastructure construction (past, concurrent, or future) and service characteristics of the facility type being addressed. Each method has advantages and disadvantages in a particular situation, and can be used simultaneously for different cost components.

Reduced to its simplest terms, the process of calculating development impact fees involves two main steps: (1) determining the cost of development-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of development impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities within the designated service area. The following paragraphs discuss three basic methods for calculating development impact fees and how those methods can be applied.

Cost Recovery (Past Improvements)

The rationale for recoupment, often called cost recovery, is that new development is paying for its share of the useful life and remaining capacity of facilities already built, or land already purchased, from which

new growth will benefit. This methodology is often used for utility systems that must provide adequate capacity before new development can take place. This methodology is based on an existing level of service.

Incremental Expansion (Concurrent Improvements)

The incremental expansion method documents current level-of-service (LOS) standards for each type of public facility, using both quantitative and qualitative measures. This approach ensures that there are no existing infrastructure deficiencies or surplus capacity in infrastructure. New development is only paying its proportionate share for growth-related infrastructure. Revenue will be used to expand or provide additional facilities, as needed, to accommodate new development. An incremental expansion cost method is best suited for public facilities that will be expanded in regular increment to keep pace with development.

Plan-Based Fee (Future Improvements)

The plan-based method allocates costs for a specified set of improvements to a specified amount of development. Improvements are typically identified in a long-range facility plan and development potential is identified by a land use plan. There are two options for determining the cost per demand unit: (1) total cost of a public facility can be divided by total demand units (average cost), or (2) the growth-share of the public facility cost can be divided by the net increase in demand units over the planning timeframe (marginal cost).

Credits

Regardless of the methodology, a consideration of “credits” is integral to the development of a legally defensible development impact fee methodology. There are two types of “credits” with specific characteristics, both of which should be addressed in development impact fee studies and ordinances.

- First, a revenue credit might be necessary if there is a double payment situation and other revenues are contributing to the capital costs of infrastructure to be funded by development impact fees. This type of credit is integrated into the development impact fee calculation, thus reducing the fee amount.
- Second, a site-specific credit or developer reimbursement might be necessary for dedication of land or construction of system improvements funded by development impact fees. This type of credit is addressed in the administration and implementation of the development impact fee program.

Proposed Fee Methods and Cost Components

Figure 1 summarizes the methods and cost allocation components used for each infrastructure category in Lancaster County’s development impact fee study. The development impact fees are based on the actual level of service. The Parks & Recreation components are attributed to only residential development based on population. The public safety categories are attributed to residential and nonresidential development based on population and nonresidential vehicle trips.

Figure 1. Proposed Fee Methods and Cost Components

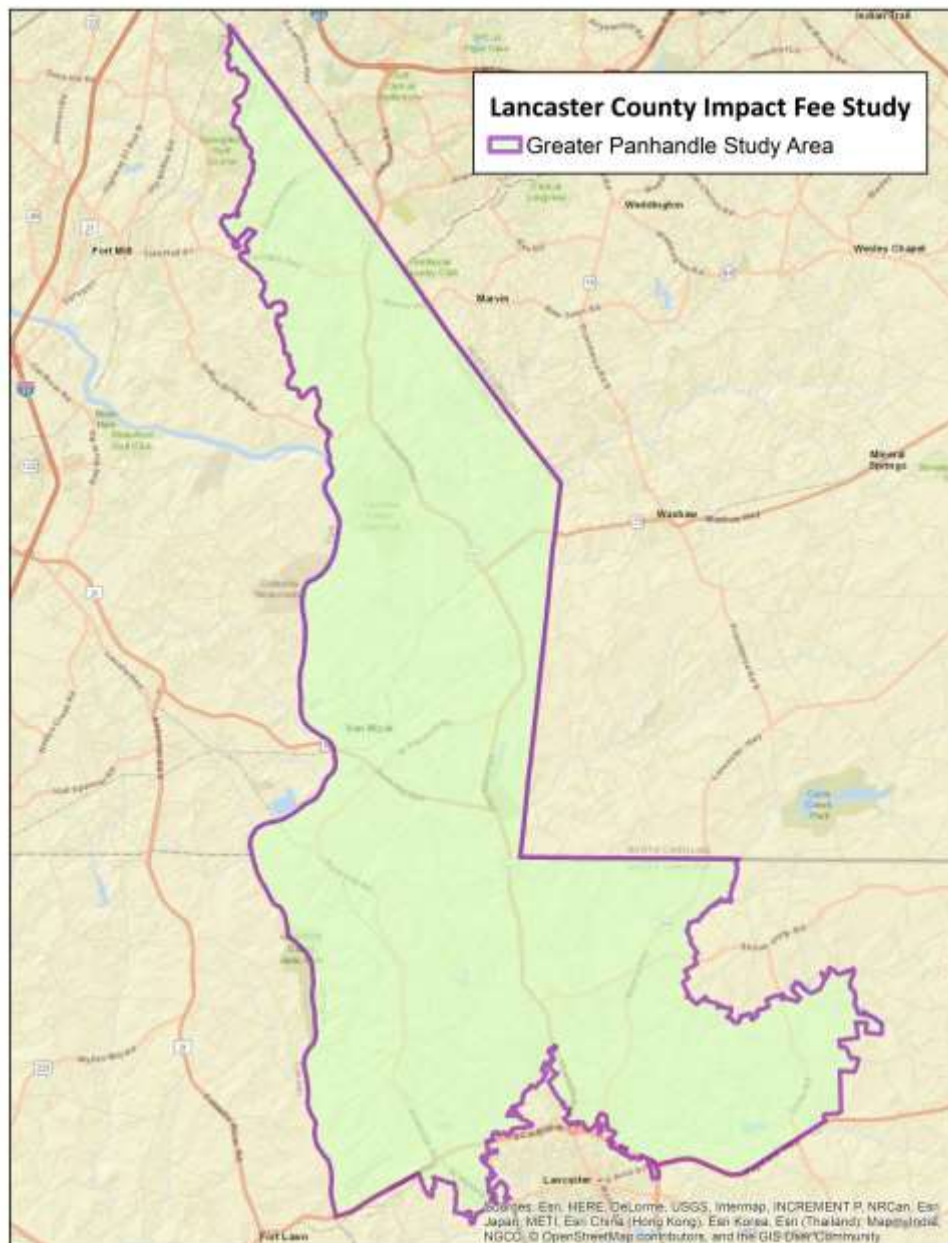
Fee Category	Service Area	Components	Methodology	Cost Allocation
Parks & Recreation	Greater Panhandle	Park land, Park Improvements, Recreation Centers	Incremental Expansion	Population
Sheriff	Greater Panhandle	Sheriff Office Facilities	Incremental Expansion	Population & Nonres. Vehicle Trips
EMS	Greater Panhandle	EMS Stations, Ambulance, Admin & Training Facilities	Incremental Expansion	Population & Nonres. Vehicle Trips
Fire	Greater Panhandle	Fire Stations, Vehicles, Admin & Training Facilities	Incremental Expansion	Population & Nonres. Vehicle Trips

Study Area

It is essential for an impact fee study to have an appropriate study area. The study area defines the level of service calculations, capacity needs, and benefit zones. A previous impact fee study conducted in Lancaster County (Catawba Regional COG, 2019) included the three northern most fire districts: Pleasant Valley, Indian Land, and Charlotte Road. However, from interviews with the County's Fire Rescue Department, there are facility improvements and expansions necessary in three other fire districts: Riverside, Shiloh Zion, and Camp Creek. These six fire districts are shown in Figure 66.

From interviews with the County's EMS Department, the area of Lancaster County that is served by these fire districts is consistent with the EMS Department's future facility improvements. Furthermore, new Parks & Recreation facilities in the northern panhandle area of the County are assumed to be serving a wider catchment area of residents.

Figure 2. Greater Panhandle Study Area



Proposed Development Impact Fee Schedule

As documented in this report, Lancaster County has complied with the South Carolina Development Impact Fee Act and applicable legal precedents. Development impact fees are proportionate and reasonably related to capital improvement demands of new development. Specific costs have been identified using local data and current dollars. This report documents the formulas and input variables used to calculate the development impact fees. The development impact fee methodologies also identify the extent to which new development is entitled to various types of credits to avoid potential double payment of growth-related capital costs.

Development Impact Fee Study
Lancaster County, South Carolina

For residential development, proposed fees are assessed per housing unit by type of unit. The proposed residential fee categories include single family detached, single family attached, and multifamily units. Single family units include detached and mobile home units. Multifamily units include condominiums and apartments with two or more units. The proposed fee schedule for nonresidential development is designed to provide a reasonable development impact fee determination for broad property classes – retail, office, industrial, warehouse, healthcare, and institutional.

Figure 3 summarizes proposed development impact fees for new development in Lancaster County. The amounts shown are “maximum supportable” amounts based on the methodologies, levels of service, and costs for the capital improvements identified herein. The fees represent the highest amount feasible for each type of applicable development, which represent new growth’s fair share of the system improvement costs detailed in this report. The County can adopt amounts that are lower than the maximum amounts shown; however, a reduction in fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in the County’s level of service.

Figure 3. Maximum Supportable Development Impact Fee

Development Type	Parks & Recreation	Sheriff	EMS	Fire	Maximum Supportable Fee
Residential (per housing unit)					
Single Family Detached	\$784	\$126	\$139	\$1,184	\$2,233
Single Family Attached	\$666	\$107	\$118	\$1,006	\$1,897
Multifamily	\$557	\$90	\$98	\$841	\$1,586
Nonresidential (per 1,000 square feet)					
Retail	\$0	\$158	\$72	\$1,478	\$1,708
Office	\$0	\$54	\$24	\$502	\$580
Industrial	\$0	\$27	\$12	\$255	\$294
Warehouse	\$0	\$10	\$4	\$90	\$104
Healthcare	\$0	\$59	\$27	\$552	\$638
Institutional	\$0	\$107	\$49	\$1,005	\$1,161

Figure 4. Maximum Supportable Development Impact Fee – Pleasant Valley Fire District

Development Type	Parks & Recreation	Sheriff	EMS	Fire	Maximum Supportable Fee
Residential (per housing unit)					
Single Family Detached	\$784	\$126	\$139	\$1,018	\$2,067
Single Family Attached	\$666	\$107	\$118	\$865	\$1,756
Multifamily	\$557	\$90	\$98	\$723	\$1,468
Nonresidential (per 1,000 square feet)					
Retail	\$0	\$158	\$72	\$1,363	\$1,593
Office	\$0	\$54	\$24	\$463	\$541
Industrial	\$0	\$27	\$12	\$236	\$275
Warehouse	\$0	\$10	\$4	\$83	\$97
Healthcare	\$0	\$59	\$27	\$509	\$595
Institutional	\$0	\$107	\$49	\$927	\$1,083

Projected Demand

Section 6-1-960(6) of the South Carolina Development Impact Fee Act requires:

“the total number of service units necessitated by and attributable to new development within the service area, based on the land use assumptions and calculated in accordance with generally accepted engineering or planning criteria.”

Based on the land use assumptions discussed in Appendix B, both residential and nonresidential development is expected to continue in the Greater Panhandle Service Area over the next ten years. Figure 5 on the following page shows projected population, housing units, nonresidential floor area, and vehicle trips over the next ten years.

Based on the County’s database of housing pipeline projects in the Panhandle, there is an estimated 10,742 single family units and 1,728 multifamily units to be constructed in the next six years. In the following years (Years 7-10), the 5-year annual average for single family and multifamily building permits is included in the projections. As a result, there are 14,371 single family and 2,807 multifamily units projected in the Greater Panhandle Service Area.

Population projections are estimated based on the new housing growth and PPHU factors. For example, the annual growth in single family units is multiplied by the PPHU for the single family housing type to project new residents. Overall, there is a projected increase of 40,664 residents, a 83 percent increase from the base year.

Available from the South Carolina Department of Employment & Workforce are employment projections for the Catawba Workforce Development Area. The Development Area includes Lancaster, York, and Chester Counties. It is assumed that Lancaster County’s Greater Panhandle will be a growing employment center for the Development Area and the annual growth rate for the study area will be consistent with the Development Area’s projected growth rate.

Additionally, there are office development projects in the pipeline that are estimated to generate a total of 2,500 jobs. Also, a new hospital is anticipated to be constructed in the panhandle and will generate 400 jobs. These projects are anticipated to be complete within the next three years and are included in the projections.

By applying the growth rates, pipeline projects, and the employee density factors the ten-year projections are calculated in Figure 5. Overall employment in the Greater Panhandle is projected to increase by 6,016, which is a 34 percent increase from the base year. The job projections result in a growth of 2.6 million nonresidential square feet. The office industry is projected to have the largest increase of 1,060,000 square feet.

The base year vehicle trip totals and vehicle trip projections are calculated by combining the vehicle trip end factors, the trip adjustment factors, and the residential and nonresidential assumptions for housing stock and floor area. In the Greater Panhandle, residential land uses account for 116,853 vehicle trips and nonresidential land uses account for 62,488 vehicle trips in the base year.

By applying the growth projections to the vehicle trip rates, through 2030, it is estimated that there will be an increase of 112,700 daily vehicle trips with the majority of the growth being generated by residential development (82 percent).

Figure 5. Lancaster County Residential and Nonresidential Projections

		5-year increment						Total Increase
Lancaster County Greater Panhandle	Base Year 2020	2021	2022	2023	2024	2025	2030	
Population [2]	48,885	53,579	58,273	62,967	68,184	73,401	89,549	40,664
Housing Units [1]								
Single Family	18,374	19,956	21,538	23,120	25,119	27,117	32,745	14,371
Multifamily	1,853	2,284	2,714	3,145	3,290	3,436	4,660	2,807
Total	20,227	22,240	24,252	26,265	28,409	30,553	37,405	17,178
Jobs								
Retail	4,966	5,085	5,207	5,332	5,460	5,591	6,295	1,329
Office	5,630	6,464	7,297	8,130	8,220	8,310	8,777	3,147
Industrial	4,110	4,173	4,236	4,301	4,367	4,434	4,784	674
Warehouse	438	445	452	459	466	473	510	72
Healthcare	1,136	1,269	1,403	1,536	1,573	1,611	1,816	680
Institutional	1,268	1,279	1,291	1,302	1,313	1,324	1,383	115
Total	17,549	18,715	19,885	21,060	21,399	21,744	23,565	6,016
Nonresidential Floor Area (1,000 square feet)								
Retail	2,119	2,170	2,222	2,275	2,330	2,386	2,686	567
Office	1,896	2,177	2,457	2,738	2,768	2,798	2,956	1,060
Industrial	2,527	2,566	2,605	2,645	2,685	2,726	2,942	414
Warehouse	1,273	1,292	1,312	1,332	1,352	1,373	1,481	209
Healthcare	402	449	496	543	556	570	642	240
Institutional	1,365	1,376	1,388	1,400	1,413	1,425	1,488	123
Total	9,581	10,030	10,480	10,934	11,104	11,278	12,195	2,614
Residential Vehicle Trips								
Single Family	110,979	120,534	130,090	139,645	151,717	163,789	197,779	86,800
Multifamily	5,874	7,239	8,604	9,970	10,430	10,891	14,773	8,899
Subtotal	116,853	127,773	138,694	149,614	162,147	174,680	212,551	95,699
Nonresidential Vehicle Trips								
Retail	30,410	31,140	31,887	32,652	33,436	34,238	38,547	8,137
Office	9,234	10,600	11,967	13,334	13,480	13,629	14,395	5,161
Industrial	6,267	6,363	6,461	6,559	6,660	6,762	7,295	1,028
Warehouse	1,107	1,124	1,141	1,159	1,176	1,194	1,289	182
Healthcare	2,153	2,405	2,658	2,911	2,981	3,053	3,441	1,288
Institutional	13,318	13,433	13,550	13,668	13,787	13,907	14,523	1,205
Subtotal	62,488	65,066	67,664	70,283	71,520	72,783	79,489	17,001
Vehicle Trips								
Grand Total	179,341	192,840	206,358	219,897	233,667	247,463	292,041	112,700

A note on rounding: Calculations throughout this report are based on an analysis conducted using Excel software. Most results are discussed in the report using one, two, and three digit places, which represent rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore, the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown in the report (due to the rounding of figures shown, not in the analysis).

PARKS & RECREATION CIP AND DEVELOPMENT IMPACT FEE

Methodology

Section 6-1-920(18c) of the South Carolina Development Impact Fee Act states that a development impact fee may be imposed on public facilities including:

“...parks, libraries, and recreational facilities.”

The Parks & Recreation Development Impact Fee is calculated only for residential development and on a per capita basis. The incremental expansion methodology is used to calculate the current level of service for:

- Park land
- Park improvements
- Recreation centers

Section 6-1-960(1) of the South Carolina Development Impact Fee Act requires:

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

Section 6-1-960(2) of the South Carolina Development Impact Fee Act requires:

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

Residential development impact fees are calculated on a per capita basis, then converted to an appropriate amount for each type of housing unit based on persons per housing unit factors. It is assumed that only residential growth creates additional demand on Parks & Recreation facilities. Furthermore, the level of service for all infrastructure components is calculated at a **countywide basis**.

There is one incorporated community in the Greater Panhandle, Town of Van Wyck. At the time of the study, the Town does not provide Parks & Recreation services and relies on the County to serve the demand from its residents. Thus, Town residents are included in the level of service calculations. Additionally, the County plans on collecting impact fees from new development within the Town of Van Wyck.

The Parks & Recreation level of service has been calculated at a countywide basis. However, in the analysis, Lancaster County will be collecting development impact only in the Greater Panhandle Service Area. To ensure that the level of service is consistent as the County grows both in and outside of the service area, **the County needs to commit to funding projects outside of the service area with non-impact fee revenue**. Without providing facility improvements in response to growth outside of the service

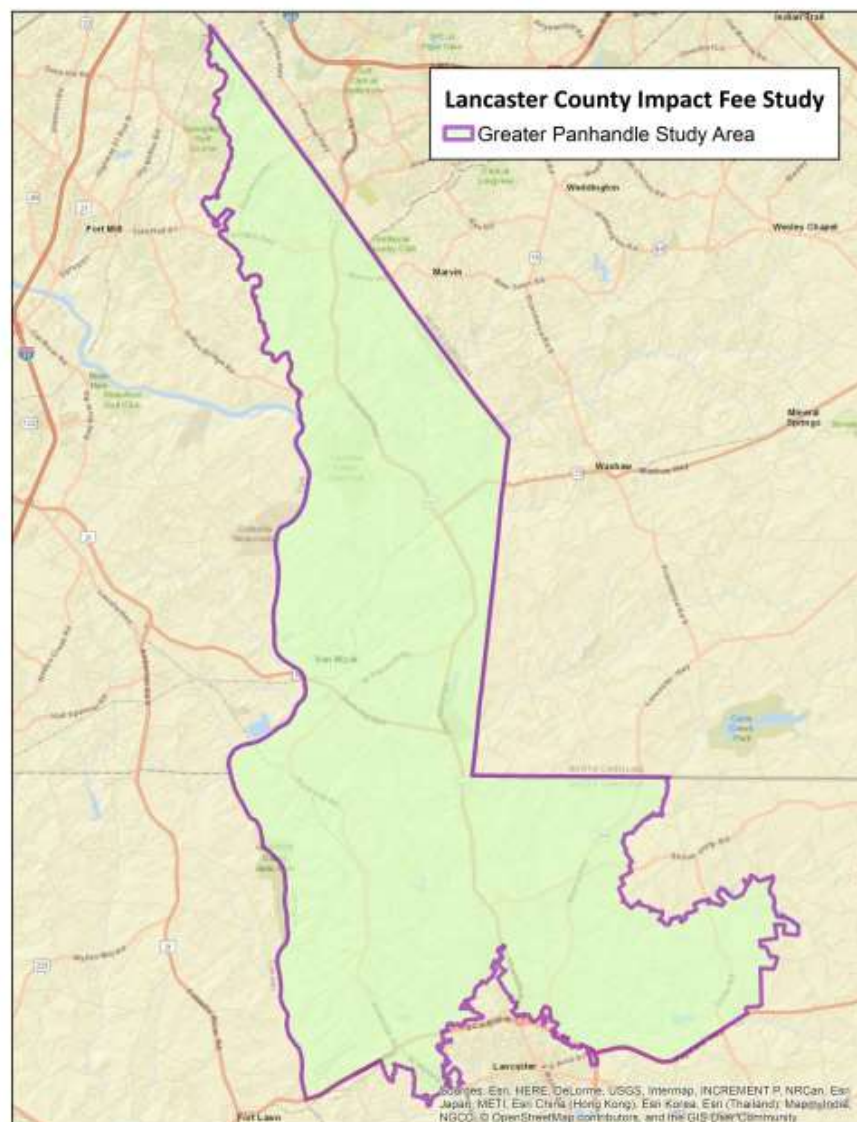
area, the maximum supportable impact fee amount found in this report would be overestimating the level of service the County would be providing countywide.

Parks & Recreation Service Area

The service area for the Parks & Recreation Development Impact Fee is defined as the Greater Panhandle area.

Recently, the Van Wyck community incorporated. However, the Town of Van Wyck does not provide parks and recreation facilities and does not have plans to build new facilities in the future. In this case, the existing population and future growth has been included in the level of service and revenue projections. At the time of this study, Lancaster County provides building permits for new developments in the Town, so an intergovernmental agreement to ensure that impact fees are being collected is not necessary.

Figure 6. Parks & Recreation Service Area



Park & Recreation Service Units

Section 6-1-960(4) of the South Carolina Development Impact Fee Act requires:

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

The “service unit” used for residential development is persons per housing unit (PPHU). This is a measure of, on average, the number of persons residing in each housing unit. As shown in Figure 7, there are 2.52 persons per single family detached unit, 2.14 persons per single family attached unit, and 1.79 persons per multifamily unit. Factors have been calculate based on data provided by the U.S. Census Bureau’s 2018 American Community Survey and Public Use Microdata (further discussed in Appendix B).

Figure 7. Residential Service Units

Housing Type	Persons per Housing Unit
Single Family Detached [1]	2.52
Single Family Attached	2.14
Multifamily [2]	1.79

Source: U.S. Census Bureau, 2018 American Community Survey 5-Year Estimates; PUMS 2018 5-Year Estimate, SC PUMA 700

[1] Includes single family detached and mobile homes

[2] Includes dwellings in structures with two or more units

Parks & Recreation Facilities Level of Service & Cost Analysis

The Parks & Recreation Development Impact Fee includes the County’s park land, park improvements, and recreational centers. Additional expansion will be necessary to serve future growth to maintain current levels of service. The level of service is calculated based on an incremental methodology with **countywide population** as the base year demand factor.

Countywide Park Land and Park Improvements

As shown in Figure 8, there is a total of 234.2 acres of park land provided by Lancaster County. A recent analysis from County staff determined that the County would anticipate spending \$30,000 per acre for new park land. The improvement costs are based on the cost to replace existing improvements, totaling \$9,130,000.

To calculate the current level of service, the total acreage and improvements are divided by the current countywide population. As a result, there are 2.3 acres per 1,000 persons (238.9 acres / 102,797 residents = 2.3 acres per 1,000 persons, rounded) and 0.5 improvements per 1,000 persons (55 improvements / 102,797 residents = 0.5 improvements per 1,000 persons, rounded).

The level of service is combined separately with the average land cost per acre and the average improvement cost per acre to calculate the capital cost per person. This results in the capital cost per

person of \$152 (2.3 acres per 1,000 persons x \$30,000 per acre of park land = \$69 per person; 0.5 improvements per 1,000 persons x \$166,000 per park improvements = \$83 per person; \$69 + \$83 = \$152).

Figure 8. Park Land and Improvements Level of Service and Cost Factors

Park	Acres	Park Improvements	Improvements Cost
Buford Recreation Complex	23.6	8	\$1,475,000
Indian Land Recreation Complex	2.6	1	\$250,000
Springdale Recreation Complex + Melvin Steele Soccer Fields	74.3	8	\$1,475,000
Wylie Street Pool & Tennis	1.4	2	\$850,000
Roy Hardin Park	2.0	3	\$200,000
Marion Boan Ball Field	1.6	2	\$160,000
Bear Creek Park	5.0	2	\$500,000
Flat Creek Park + Tripp Faulkenberry Field	5.4	1	\$50,000
Heath Springs Ball Fields	18.9	5	\$735,000
Laurie Brice Park	6.9	2	\$500,000
Springs Park Boat Landing	6.5	1	\$150,000
Stafford Belk Park	18.0	4	\$300,000
Walnut Creek Park	1.2	1	\$75,000
Woodland Hills Park	66.7	15	\$2,410,000
Total	234.2	55	\$9,130,000

<i>Level of Service Analysis</i>		Park Land	Improvements
Proportionate Share		100%	100%
Share of Park Acres and Improvements		234.2	55
2020 Countywide Population		102,797	102,797
Acres/Improvements per 1,000 Persons		2.3	0.5

<i>Cost Analysis</i>		Park Land	Improvements
Acres/Improvements per 1,000 Persons		2.3	0.5
Cost per Acre/Improvement [1]		\$30,000	\$166,000
Capital Cost per Person		\$69	\$83

[1] Cost per acre from recent County staff analysis (83 acres for \$2,300,000)

The recreational centers in Lancaster County are listed in Figure 9. There are four facilities that total 60,625 square feet. The replacement cost is found based on the Indian Land Recreation Complex expansion project.

To calculate the current level of service, the total square footage is divided by the countywide population. As a result, there are 590 square feet per 1,000 persons (60,625 square feet / 102,797 residents = 590 square feet per 1,000 persons, rounded).

The level of service is combined separately with the average cost per square foot to calculate the capital cost per person. This results in the capital cost per person totaling \$222 (590 square feet per 1,000 persons x \$376 per square foot = \$222 per person, rounded).

Figure 9. Recreational Center Level of Service and Cost Factors

Recreation Center	Square Feet	Replacement Cost
Buford Recreation Complex	16,005	\$6,100,000
Indian Land Recreation Complex	12,125	\$6,100,000
Kershaw Recreation Complex	12,125	\$4,500,000
Springdale Recreation Complex	20,370	\$6,100,000
Total	60,625	\$22,800,000

<i>Level of Service Analysis</i>	<i>Rec Center</i>
Proportionate Share	100%
Share of Recreation Center	60,625
2020 Countywide Population	102,797
Square Feet per 1,000 Persons	590

<i>Cost Analysis</i>	<i>Rec Center</i>
Square Feet per 1,000 Persons	590
Cost per Square Foot [1]	\$376
Capital Cost per Person	\$222

[1] Cost per square foot from cost estimate of Indian Land Recreation Complex expansion

Credit for Future Debt Payments

To ensure fee-payers avoid potential double payment for annual debt service, TischlerBise included a credit in the development impact fee calculations. The current debt is from the 2019 Referendum Bond which included several Parks & Recreation projects, 85 percent of the total bond. The bond will be repaid through property tax revenue, so the future payments are attributed to residential and nonresidential land uses based on assessed value. Shown below, residential land uses account for 59 percent of the assessed value in Lancaster County.

Figure 10. Lancaster County Assessed Value by Land Use

Property Type	Assessed Value	Percent
Owner Occupied (4% assessment ratio)	\$187,821,470	47%
Agricultural (Private) (4%)	\$1,484,940	0%
Agricultural (Corporate) (6%)	\$404,720	0%
Commercial/Rental (6%)	\$98,649,680	25%
Personal Property (Vehicles) (6%)	\$42,357,846	11%
Other Personal Property (10.5%)	\$3,252,823	1%
Manufacturing (10.5%)	\$10,900,990	3%
Utility (10.5%)	\$26,918,393	7%
Business Personal (10.5%)	\$9,210,828	2%
Motor Carrier (9.5%)	\$1,593,380	0%
Fee-in-Lieu and Joint Industrial Park	\$17,897,244	4%
Total Assessed Value	\$400,492,314	100%

Source: 2018 Local Government Finance Report, South Carolina
Revenue and Fiscal Affairs Office, 2019

Land Use	Assessed Value	Percent
Residential	\$234,917,079	59%
Nonresidential	\$165,575,235	41%
Total	\$400,492,314	100%

Source: TischlerBise analysis

Following the same methodology as the level of service analysis, annual debt service is applied to only residential development and then divided by annual demand unit (countywide population) to yield payments per person. To account for the time value of money, annual payments are discounted using a net present value formula based on the applicable discount (interest) rate. This results in a credit of \$51 per person.

Figure 11. Parks & Recreation Credit for Future Debt Payments

Year	2019 Referendum Bond	Recreation Projects 85%	Residential Share 59%	Year	Payment	Countywide Population	Payment per Person
2020	\$1,395,000	\$1,184,697	\$694,909	2020	\$694,909	102,797	\$6.76
2021	\$1,475,000	\$1,252,637	\$734,760	2021	\$734,760	107,956	\$6.81
2022	\$1,555,000	\$1,320,576	\$774,611	2022	\$774,611	113,114	\$6.85
2023	\$1,645,000	\$1,397,008	\$819,444	2023	\$819,444	118,273	\$6.93
2024	\$1,740,000	\$1,477,687	\$866,768	2024	\$866,768	123,904	\$7.00
2025	\$1,270,000	\$1,078,541	\$632,641	2025	\$632,641	129,536	\$4.88
2026	\$1,330,000	\$1,129,496	\$662,529	2026	\$662,529	135,168	\$4.90
2027	\$465,000	\$394,899	\$231,636	2027	\$231,636	138,382	\$1.67
2028	\$485,000	\$411,884	\$241,599	2028	\$241,599	141,597	\$1.71
2029	\$510,000	\$433,115	\$254,053	2029	\$254,053	144,812	\$1.75
2030	\$540,000	\$458,592	\$268,997	2030	\$268,997	148,026	\$1.82
2031	\$565,000	\$479,823	\$281,450	2031	\$281,450	151,241	\$1.86
2032	\$585,000	\$496,808	\$291,413	2032	\$291,413	154,455	\$1.89
2033	\$605,000	\$513,793	\$301,376	2033	\$301,376	157,670	\$1.91
2034	\$625,000	\$530,778	\$311,339	2034	\$311,339	160,885	\$1.94
2035	\$645,000	\$547,763	\$321,302	2035	\$321,302	164,099	\$1.96
2036	\$665,000	\$564,748	\$331,265	2036	\$331,265	167,314	\$1.98
2037	\$685,000	\$581,733	\$341,228	2037	\$341,228	170,529	\$2.00
2038	\$705,000	\$598,718	\$351,190	2038	\$351,190	173,743	\$2.02
2039	\$725,000	\$615,703	\$361,153	2039	\$361,153	176,958	\$2.04
Total	\$18,215,000	\$15,469,000	\$9,073,663	Total	\$9,073,663		\$68.67
						Discount Rate	4.50%
						Total Credit	\$51

Credit for One-Cent Sales Tax Referendum Projects

There are two Parks & Recreation projects listed in the recent referendum continuing a one-cent sales tax by Lancaster County to fund certain capital improvement projects. The Parks & Recreation projects are contributing to the countywide level of service and to ensure there are no double payments by new development a credit is included in the development impact fee.

Listed in Figure 12, the projects total \$1,647,640. Since the referendum is for seven years, the one-cent sales tax will generate an average annual revenue of \$235,000 to fund the projects.

Figure 12. Parks & Recreation One-Cent Referendum Projects

Parks & Rec Portion of One-Cent Sales Tax	Funded & Constructed 2022-2029	Annual Average Revenue
\$1,647,640	7 years	\$235,000

Based on the functional population of Lancaster County, residential purposes are estimated to generate 78 percent of the sales tax revenue. There are currently 102,797 countywide residents, resulting in an annual average tax revenue of \$1.78 per person. Over the next seven years, \$12 per person is estimated as credit for the Parks & Recreation projects (\$1.78 per person x 7 years = \$12, rounded).

Figure 13. Residential Portion of the Parks & Recreation Referendum Projects

Residential 78%	Base Year Countywide Population	Average Annual Tax Revenue per Capita	7-Year Tax Revenue per Capita
\$183,300	102,797	\$1.78	\$12

Projection of Parks & Recreation Growth-Related Facility Needs

Section 6-1-960(5) of the South Carolina Development Impact Fee Act requires:

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

Section 6-1-960(7) of the South Carolina Development Impact Fee Act requires:

“the projected demand for system improvements required by new service units projected over a reasonable period of time not to exceed twenty years.”

Greater Panhandle Service Area Parks & Recreation Facilities

To estimate the 10-year growth needs for Parks & Recreation facilities in the Greater Panhandle Service Area, the current levels of service is applied to the residential growth projected. The Greater Panhandle is projected to increase by 40,664 residents over the next ten years (see Appendix B). Listed in Figure 14, there will need to be 93 new acres of park land, 20 new park improvements, and 23,991 new square feet of recreational centers to accommodate the growth. By applying the replacement cost factors, the total expenditure for the growth is calculated, \$15.1 million.

Figure 14. 10-Year Park & Recreation Needs to Accommodate Growth – Greater Panhandle Service Area

Infrastructure Type	Level of Service	Demand Unit	Cost / Unit
Park Land	2.30	Acres	per 1,000 persons
Park Improvements	0.50	Improvements	per 1,000 persons
Recreation Centers	590	Square Feet	per 1,000 persons

Growth-Related Need for Parks & Recreation Facilities - Greater Panhandle					
Year		Population	Park Acres	Park Improvements	Recreation Center Sq. Ft.
Base	2020	48,885	112	24	28,842
Year 1	2021	53,579	123	26	31,611
Year 2	2022	58,273	134	29	34,381
Year 3	2023	62,967	144	31	37,150
Year 4	2024	68,184	156	34	40,228
Year 5	2025	73,401	168	36	43,306
Year 6	2026	78,618	180	39	46,384
Year 7	2027	81,350	187	40	47,996
Year 8	2028	84,083	193	42	49,609
Year 9	2029	86,816	199	43	51,221
Year 10	2030	89,549	205	44	52,833
Ten-Year Increase		40,664	93	20	23,991
Projected Expenditure			\$2,790,000	\$3,320,000	\$9,020,616

Growth-Related Expenditures for Parks & Recreation Facilities	\$15,130,616
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Outside of Service Area Parks & Recreation Facilities

The Parks & Recreation level of service has been calculated at a countywide basis. However, in the analysis, Lancaster County will be collecting development impact only in the Greater Panhandle Service Area. Additionally, to ensure that the level of service is consistent as the County grows both in and outside of the service area, the County needs to commit to funding projects outside of the service area with non-impact fee revenue. Without providing facility improvements in response to growth outside of the service area, the maximum supportable impact fee amount found in this report would be overestimating the level of service the County would be providing countywide.

To estimate the 10-year growth needs for Parks & Recreation facilities outside of the Greater Panhandle Service Area, the current levels of service is applied to the residential growth projected. Besides the service area, Lancaster County is projected to increase by 4,565 residents over the next ten years. Listed in Figure 15, there will need to be 11 new acres of park land, 3 new park improvements, and 2,963 new square feet of recreational centers to accommodate the growth. By applying the replacement cost factors, the total expenditure for the growth is calculated, \$1.8 million.

Figure 15. 10-Year Park & Recreation Needs to Accommodate Growth – Outside Service Area

Infrastructure Type		Level of Service		Demand Unit	Cost / Unit
Park Land		2.30	Acres	per 1,000 persons	\$30,000
Park Improvements		0.50	Improvements	per 1,000 persons	\$166,000
Recreation Centers		590	Square Feet	per 1,000 persons	\$376

Growth-Related Need for Parks & Recreation Facilities - Outside Greater Panhandle					
Year		Population	Park Acres	Park Improvements	Recreation Center Sq. Ft.
Base	2020	53,912	123	26	31,808
Year 1	2021	54,377	125	27	32,082
Year 2	2022	54,841	126	27	32,356
Year 3	2023	55,305	127	27	32,630
Year 4	2024	55,720	128	27	32,874
Year 5	2025	56,135	129	28	33,119
Year 6	2026	56,550	130	28	33,364
Year 7	2027	57,032	131	28	33,648
Year 8	2028	57,514	132	28	33,933
Year 9	2029	57,995	133	28	34,217
Year 10	2030	58,477	134	29	34,501
Ten-Year Increase		4,565	11	3	2,693
Projected Expenditure			\$330,000	\$498,000	\$1,012,568
Growth-Related Expenditures for Parks & Recreation Facilities					\$1,840,568

Maximum Supportable Parks & Recreation Development Impact Fee

The following figures list the maximum supportable Parks & Recreation Development Impact Fee for the Greater Panhandle Service Area. Development impact fees for Parks & Recreation facilities are only assessed on residential development and based on household size (i.e., persons per housing unit). Differentiating the fee by housing type allows the results to be more exact about the level of demand (persons per housing unit) a residential development will place on the current infrastructure based on level of service standards. For residential development, the total cost per person is multiplied by the household size to calculate the proposed fee. For example, there is a total cost per person of \$311 and an average of 2.52 persons per single family detached housing unit, resulting in a fee of \$784 per unit (\$311 cost per person x 2.52 persons per unit = \$784 per unit).

As mentioned, the fee is only collected in the Greater Panhandle Service Area.

The fees represent the highest amount supportable for each type of development, which represents new growth's fair share of the cost for capital facilities. The County may adopt fees that are less than the amounts shown. However, a reduction in development impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service.

Figure 16. Maximum Supportable Parks & Recreation Development Impact Fee

Fee Component	Cost per Person
Park Land	\$69
Park Improvements	\$83
Recreation Centers	\$222
Gross Total	\$374
Credit for Debt Payments	(\$51)
Credit for One-Cent Sales Tax	(\$12)
Net Total	\$311

Residential

Housing Type	Persons per Housing Unit	Maximum Supportable Fee per Unit
Single Family Detached	2.52	\$784
Single Family Attached	2.14	\$666
Multifamily	1.79	\$557

Revenue from Parks & Recreation Development Impact Fee

Revenue from the Parks & Recreation Development Impact Fee is estimated in Figure 17. The following revenue estimations include only the Greater Panhandle Service Area. There is projected to be 17,178 new housing units in the service area by 2030. To find the revenue, the fee is multiplied by the growth. For example, single family development is estimated to generate \$11.1 million in revenue (\$771 x 14,371 units = \$11,086,933).

Also shown in the figure is the total cost (\$17 million) and growth's cost (\$15.1 million). The total cost represents the growth-related needs from the service area and outside of the service area. Thus, there is a gap in funding that is to be funded from non-impact fee funding. Also, the credits included in the analysis to ensure there is no double payment issues results in a funding gap.

As mentioned, at the time of this study, Lancaster County is providing the building permits for the Town of Van Wyck, so an intergovernmental agreement is not necessary to ensure impact fees are being collected. In this case, future growth and impact fee revenue from the Town is included in the projection.

Figure 17. Estimated Revenue from the Parks & Recreation Development Impact Fee

Infrastructure Costs for Park & Recreation Facilities

	Total Cost	Growth Cost
Park Land	\$3,120,000	\$2,790,000
Park Improvements	\$3,818,000	\$3,320,000
Recreation Centers	\$10,033,184	\$9,020,616
Total Expenditures	\$16,971,184	\$15,130,616

Projected Development Impact Fee Revenue

		Single Family \$771 per unit	Multifamily \$557 per unit
Year		Housing Units	Housing Units
Base	2020	18,374	1,853
Year 1	2021	19,956	2,284
Year 2	2022	21,538	2,714
Year 3	2023	23,120	3,145
Year 4	2024	25,119	3,290
Year 5	2025	27,117	3,436
Year 6	2026	29,116	3,581
Year 7	2027	30,023	3,851
Year 8	2028	30,930	4,121
Year 9	2029	31,838	4,390
Year 10	2030	32,745	4,660

Housing Increase 14,371 2,807

Projected Revenue => \$11,086,933 \$1,563,571

Projected Revenue => \$12,650,504

Total Expenditures => \$16,971,184

Non-Impact Fee Funding => \$4,320,680

PUBLIC SAFETY CIP AND DEVELOPMENT IMPACT FEE: SHERIFF

Methodology

Section 6-1-920(18f) of the South Carolina Development Impact Fee Act states that a development impact fee may be imposed on public facilities including:

“...public safety facilities, including law enforcement, fire, emergency medical and rescue, and street lighting facilities.”

The Sheriff Development Impact Fee includes one component:

- Sheriff office space

An incremental expansion methodology is applied to the component. Costs are allocated to both residential and nonresidential development using different demand indicators for each type of development.

Section 6-1-960(1) of the South Carolina Development Impact Fee Act requires:

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

Section 6-1-960(2) of the South Carolina Development Impact Fee Act requires:

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

Residential development impact fees are calculated on a per capita basis, then converted to an appropriate amount for each type of housing unit based on persons per housing unit factors. Nonresidential development impact fees are calculated using nonresidential vehicle trips. Trip generation rates are highest for commercial/retail development and lowest for industrial development, whereas trip rates for office and institutional development fall between the other two categories. Using vehicle trip rates ensures that development impact fees are consistent with the relative demand for Sheriff services from nonresidential development.

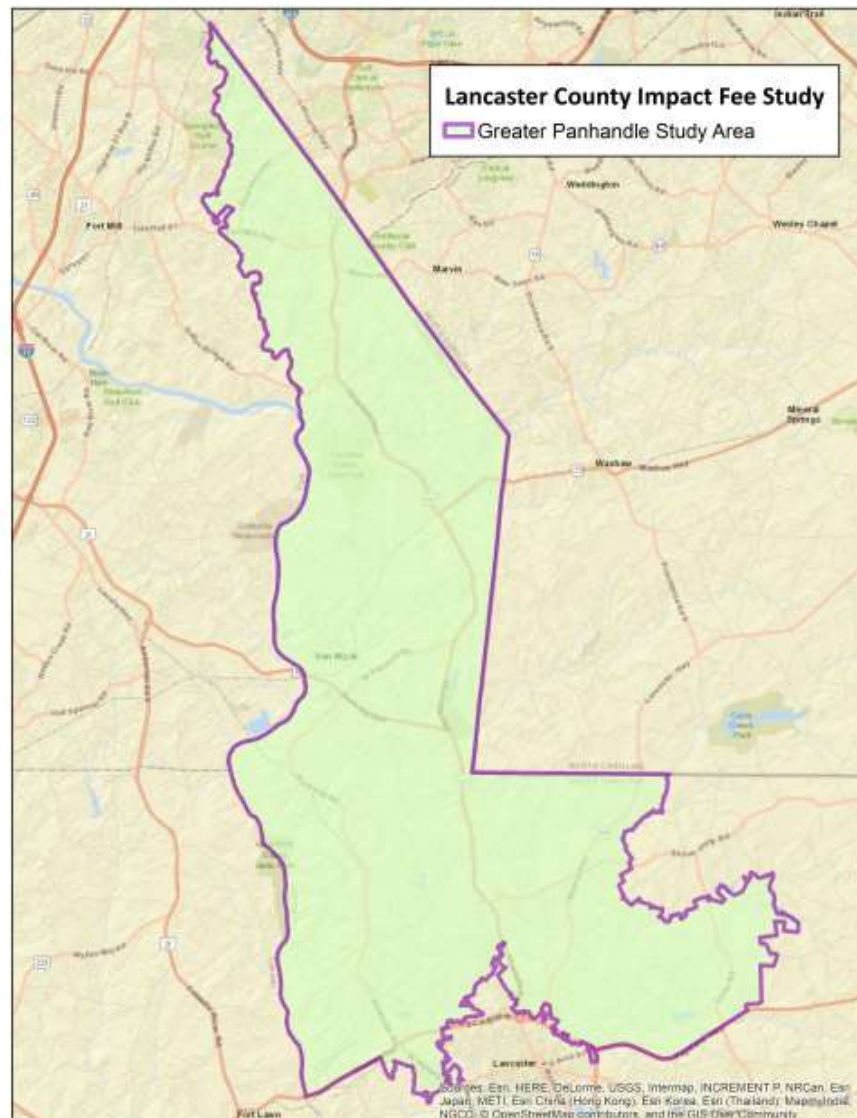
There is one incorporated community in the Greater Panhandle, Town of Van Wyck. At the time of the study, the Town does not provide law enforcement services and relies on the County to serve the demand from its residents. Thus, Town residents are included in the level of service calculations. Additionally, the County plans on collecting impact fees from new development within the Town of Van Wyck.

Sheriff Service Area

The service area for the Sheriff Development Impact Fee is defined as the Greater Panhandle area.

Recently, the Van Wyck community incorporated. However, the Town of Van Wyck does not provide law enforcement services and does not have plans to in the future. In this case, the existing population and future growth has been included in the level of service and revenue projections. At the time of this study, Lancaster County provides building permits for new developments in the Town, so an intergovernmental agreement to ensure that impact fees are being collected is not necessary.

Figure 18. Sheriff Service Area



Sheriff Service Units

Section 6-1-960(4) of the South Carolina Development Impact Fee Act requires:

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

The “service unit” used for residential development is persons per housing unit (PPHU). This is a measure of, on average, the number of persons residing in each housing unit. As shown in Figure 19, there are 2.52 persons per single family detached unit, 2.14 persons per single family attached unit, and 1.79 persons per multifamily unit. Factors have been calculate based on data provided by the U.S. Census Bureau’s 2018 American Community Survey and Public Use Microdata (further discussed in Appendix B).

Figure 19. Residential Service Units

Housing Type	Persons per Housing Unit
Single Family Detached [1]	2.52
Single Family Attached	2.14
Multifamily [2]	1.79

Source: U.S. Census Bureau, 2018 American Community Survey 5-Year Estimates; PUMS 2018 5-Year Estimate, SC PUMA 700

[1] Includes single family detached and mobile homes

[2] Includes dwellings in structures with two or more units

TischlerBise recommends using nonresidential vehicle trips as the nonresidential “service unit” for Sheriff facilities. Average weekday vehicle trip ends for nonresidential development are from the 10th edition of the reference book, Trip Generation, published in 2017 by the Institute of Transportation Engineers. A “trip end” represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway). Trip ends for nonresidential development are calculated per thousand square feet.

Trip generation rates are used for nonresidential development because vehicle trips are highest for retail developments, such as shopping centers, and lowest for industrial development. Office and institutional trip rates fall between the other two categories. This ranking of trip rates is consistent with the relative demand for public safety services from nonresidential development. Other possible nonresidential demand indicators, such as employment or floor area, will not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, Sheriff development fees would be disproportionately high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator, Sheriff development fees would be disproportionately high for industrial development.

The standard 50 percent adjustment is applied to office, industrial, and institutional land uses. A lower vehicle trip adjustment factor is used for retail uses because this type of development attracts vehicles as they pass-by on arterial and collector roads. For example, when someone stops at a convenience store on their way home from work, the convenience store is not their primary destination. Further detail on vehicle trip factors can be found in Appendix B: Land Use Assumptions.

Figure 20. Nonresidential Service Units

Land Use Type	ITE Codes	Adj. Veh. Trips per 1,000 Sq. Ft.
Retail	820	14.35
Office	710	4.87
Industrial	110	2.48
Warehouse	150	0.87
Healthcare	610	5.36
Institutional	520	9.76

Source: Trip Generation, Institute of Transportation Engineers, 10th Edition (2017); National Household Travel Survey, 2009

Sheriff Proportionate Share

Both residential and nonresidential developments increase the demand on Sheriff facilities. To calculate the proportional share between residential and nonresidential demand on facilities, the county's functional population split is used. The functional population approach allocates the cost of the facilities to residential and nonresidential development based on the activity of residents and workers in the County through the 24 hours in a day. Based on available data, the functional population calculation includes countywide totals.

Residents that do not work are assigned 20 hours per day to residential development and 4 hours per day to nonresidential development (annualized averages). Residents that work in Lancaster County are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents that work outside the County are assigned 14 hours to residential development, the remaining hours in the day are assumed to be spent outside of the County working. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2017 functional population data, residential development accounts for 78 percent of the functional population, while nonresidential development accounts for 22 percent, see Figure 21.

Figure 21. Lancaster County Functional Population

Lancaster County, SC (2017)			
<i>Residential</i>		<i>Demand Hours/Day</i>	<i>Person Hours</i>
Population*	93,385		
Residents Not Working	57,744	20	1,154,880
Employed Residents	35,641		
Employed in Lancaster County	9,587	14	134,218
Employed outside Lancaster County	26,054	14	364,756
	Residential Subtotal		1,653,854
	Residential Share =>		78%
<i>Nonresidential</i>			
Non-working Residents	57,744	4	230,976
Jobs Located in Lancaster County	24,636		
Residents Employed in Lancaster County	9,587	10	95,870
Non-Resident Workers (inflow commuters)	15,049	10	150,490
	Nonresidential Subtotal		477,336
	Nonresidential Share =>		22%
	TOTAL		2,131,190

Source: U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics.

* Source: U.S. Census Bureau, American Community Survey, 2017 (countywide population)

Furthermore, only a share of Sheriff facilities can be attributed to demand in the Greater Panhandle Service Area. To attribute facilities to the service area, Sheriff calls for service are analyzed. Shown below, 31 percent of the 2019 annual calls were to the service area. This proportion is applied to facilities in the following level of service calculations.

Figure 22. Lancaster County Sheriff Service Calls

Area	2019 Calls for Service	Percent of Total
Greater Panhandle	20,939	31%
District 2 [1]	31,537	46%
District 3	15,354	23%
Total	67,830	100%

[1] Excluding Riverside, Shiloh Zion, and Camp Creek

Sheriff Facilities Level of Service & Cost Analysis

As shown in Figure 23, Sheriff office space totals 32,793 square feet. To determine the level of service factors for the development impact fee, the calls for service split is applied to the floor area, resulting in 10,123 square feet attributed to the service area. Furthermore, the attributed floor area is allocated to residential and nonresidential demand based on the functional population analysis. Of the attributed floor area, 7,896 square feet is allocated to residential demand and 2,227 square feet is allocated to nonresidential demand.

The current level of service is found by dividing the allocated floor area by the 2020 residential and nonresidential demand units (population and nonresidential vehicle trips) for the service area. Specifically, 161.5 square feet of 1,000 per persons and 35.6 square feet per 1,000 nonresidential vehicle trips.

Based on the recent Facilities Space Needs Study, the average construction cost for a public safety administration/operation facility is \$312 per square foot. That cost factor is used to determine the current replacement cost of the office space. To find the capital cost per person or per nonresidential vehicle trip, the level of service standards are applied to the average cost per square foot. For example, the residential cost per person is \$50 (161.5 square feet per 1,000 persons x \$312 per square foot = \$50 per person, rounded).

Figure 23. Sheriff Office Space Level of Service and Cost Factors

Sheriff Facilities	Total Square Feet	Study Area Calls for Service	Study Area Square Feet	Study Area Replacement Cost
Sheriff Office Space	32,793	31%	10,123	\$3,161,940
Total	32,793	31%	10,123	\$3,161,940

<i>Level of Service Analysis</i>		Residential	Nonresidential
Proportionate Share		78%	22%
Share of Floor Area		7,896	2,227
2020 Population/Nonres. Trips		48,885	62,488
Square Feet per 1,000 Persons/Nonres. Trips		161.5	35.6

<i>Cost Analysis</i>		Residential	Nonresidential
Square Feet per 1,000 Persons/Nonres. Trips		161.5	35.6
Replacement Cost per Square Foot [1]		\$312	\$312
Capital Cost per Person/Nonres. Trip		\$50	\$11

[1] County Facilities Space Needs Study, 2020

Sheriff Development Impact Fee Credits

Currently, Lancaster County does not have existing that the was used to construct Sheriff facilities that were included in this analysis. Additionally, there are no future dedicated revenues that will be also used to construct Sheriff facilities. Thus, it is determined that a credit is not necessary to mitigate any double payment issues.

Projection of Sheriff Facility Growth-Related Facility Needs

Section 6-1-960(5) of the South Carolina Development Impact Fee Act requires:

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

Section 6-1-960(7) of the South Carolina Development Impact Fee Act requires:

“the projected demand for system improvements required by new service units projected over a reasonable period of time not to exceed twenty years.”

To estimate the 10-year growth needs for Sheriff office space, the current level of service (161.5 square feet per 1,000 persons and 35.6 square feet per 1,000 nonresidential vehicle trips) is applied to the residential and nonresidential growth projected for the Greater Panhandle. The service area is projected to increase by 40,664 residents and 17,001 nonresidential vehicle trips over the next ten years (see Appendix B). Listed in Figure 24, there will be a need for 7,173 new Sheriff office space square feet to accommodate future demands. By applying the average cost (\$312 per square feet), the total expenditure for the growth is calculated (7,173 square feet x \$312 = \$2,240,498).

Figure 24. 10-Year Sheriff Station Needs to Accommodate Growth

Infrastructure Type		Level of Service		Demand Unit	Cost / Sq. Ft.
Sheriff Office Space	Residential	161.5	Square Feet	per 1,000 persons	\$312
	Nonresidential	35.6		per 1,000 trips	

Growth-Related Need for Sheriff Office Space						
Year		Population	Nonres. Vehicle Trips	Residential Square Feet	Nonresidential Square Feet	Total Square Feet
Base	2020	48,885	62,488	7,894	2,224	10,118
Year 1	2021	53,579	65,066	8,652	2,316	10,968
Year 2	2022	58,273	67,664	9,411	2,408	11,819
Year 3	2023	62,967	70,283	10,169	2,502	12,671
Year 4	2024	68,184	71,520	11,011	2,546	13,557
Year 5	2025	73,401	72,783	11,854	2,591	14,445
Year 6	2026	78,618	74,071	12,696	2,636	15,332
Year 7	2027	81,350	75,385	13,138	2,683	15,821
Year 8	2028	84,083	76,726	13,579	2,731	16,310
Year 9	2029	86,816	78,094	14,020	2,780	16,800
Year 10	2030	89,549	79,489	14,462	2,829	17,291
Ten-Year Increase		40,664	17,001	6,568	605	7,173
		Projected Expenditure		\$2,051,525	\$188,973	\$2,240,498

Growth-Related Expenditures for Sheriff Office Space					\$2,240,498
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Maximum Supportable Sheriff Development Impact Fee

Figure 25 shows the maximum supportable Sheriff Development Impact Fee. Development impact fees for Sheriff are based on household sizes for residential development and vehicle trips per 1,000 square feet for nonresidential development. Differentiating the fee by housing type allows the results to be more exact about the level of demand (persons per housing unit) a residential development will place on the current infrastructure based on level of service standards. For residential development, the total cost per person is multiplied by the household size to calculate the proposed fee. For nonresidential development, the total cost per vehicle trip is multiplied by the trips per 1,000 square feet to calculate the proposed fee.

The fees represent the highest amount supportable for each type of development, which represents new growth's fair share of the cost for capital facilities. The County may adopt fees that are less than the amounts shown. However, a reduction in development impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service.

Figure 25. Maximum Supportable Sheriff Development Impact Fee

Fee Component	Cost per Person	Cost per Nonres. Vehicle Trip
Sheriff Office Space	\$50	\$11
Gross Total	\$50	\$11
Net Total	\$50	\$11

Residential

Housing Type	Persons per Housing Unit	Maximum Supportable Fee per Unit
Single Family Detached	2.52	\$126
Single Family Attached	2.14	\$107
Multifamily	1.79	\$90

Nonresidential

Development Type	Trips per 1,000 Sq Ft	Maximum Supportable Fee per 1,000 Sq Ft
Retail	14.35	\$158
Office	4.87	\$54
Industrial	2.48	\$27
Warehouse	0.87	\$10
Healthcare	5.36	\$59
Institutional	9.76	\$107

Revenue from Sheriff Development Impact Fee

Revenue from the Sheriff Development Impact Fee is estimated in Figure 26. There is projected to be 17,178 new housing units and 2,614,000 new nonresidential square feet in the service area by 2029. To find the revenue, the fee is multiplied by the growth. For example, single family development is estimated to generate \$1.8 million in revenue (\$124 x 14,371 units = \$1,781,774). The revenue is projected to cover all the growth-related capital costs. The marginal difference in revenue and expenditures is from rounding in the calculations.

As mentioned, at the time of this study, Lancaster County is providing the building permits for the Town of Van Wyck, so an intergovernmental agreement is not necessary to ensure impact fees are being collected. In this case, future growth and impact fee revenue from the Town is included in the projection.

Figure 26. Estimated Revenue from Sheriff Development Impact Fee

Infrastructure Costs for Sheriff Facilities

	Total Cost	Growth Cost
Sheriff Station Facilities	\$2,240,498	\$2,240,498
Total Expenditures	\$2,240,498	\$2,240,498

Projected Development Impact Fee Revenue

		Single Family \$124 per unit	Multifamily \$90 per unit	Retail \$158 per KSF	Office \$54 per KSF	Industrial \$27 per KSF	Warehouse \$10 per KSF	Healthcare \$59 per KSF	Institutional \$107 per KSF
Year		Housing Units	Housing Units	KSF	KSF	KSF	KSF	KSF	KSF
Base	2020	18,374	1,853	2,119	1,896	2,527	1,273	402	1,365
Year 1	2021	19,956	2,284	2,170	2,177	2,566	1,292	449	1,376
Year 2	2022	21,538	2,714	2,222	2,457	2,605	1,312	496	1,388
Year 3	2023	23,120	3,145	2,275	2,738	2,645	1,332	543	1,400
Year 4	2024	25,119	3,290	2,330	2,768	2,685	1,352	556	1,413
Year 5	2025	27,117	3,436	2,386	2,798	2,726	1,373	570	1,425
Year 6	2026	29,116	3,581	2,443	2,829	2,768	1,394	583	1,437
Year 7	2027	30,023	3,851	2,502	2,860	2,811	1,415	598	1,450
Year 8	2028	30,930	4,121	2,562	2,892	2,854	1,437	612	1,462
Year 9	2029	31,838	4,390	2,623	2,924	2,897	1,459	627	1,475
Year 10	2030	32,745	4,660	2,686	2,956	2,942	1,481	642	1,488
Ten-Year Increase		14,371	2,807	567	1,060	414	209	240	123
Projected Revenue =>		\$1,781,774	\$252,642	\$89,595	\$57,228	\$11,189	\$2,087	\$14,181	\$13,211
Projected Revenue =>									\$2,221,906
Total Expenditures =>									\$2,240,498
Non-Impact Fee Funding =>									\$18,592

PUBLIC SAFETY CIP AND DEVELOPMENT IMPACT FEE: EMS

Methodology

Section 6-1-920(18f) of the South Carolina Development Impact Fee Act states that a development impact fee may be imposed on public facilities including:

“...public safety facilities, including law enforcement, fire, emergency medical and rescue, and street lighting facilities.”

The EMS Development Impact Fee includes components:

- EMS stations
- EMS vehicles
- EMS administration and training facilities

An incremental expansion methodology is applied to each component. Costs are allocated to both residential and nonresidential development using different demand indicators for each type of development.

Section 6-1-960(1) of the South Carolina Development Impact Fee Act requires:

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

Section 6-1-960(2) of the South Carolina Development Impact Fee Act requires:

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

Residential development impact fees are calculated on a per capita basis, then converted to an appropriate amount for each type of housing unit based on persons per housing unit factors. Nonresidential development impact fees are calculated using nonresidential vehicle trips. Trip generation rates are highest for commercial/retail development and lowest for industrial development, whereas trip rates for office and institutional development fall between the other two categories. Using vehicle trip rates ensures that development impact fees are consistent with the relative demand for EMS services from nonresidential development.

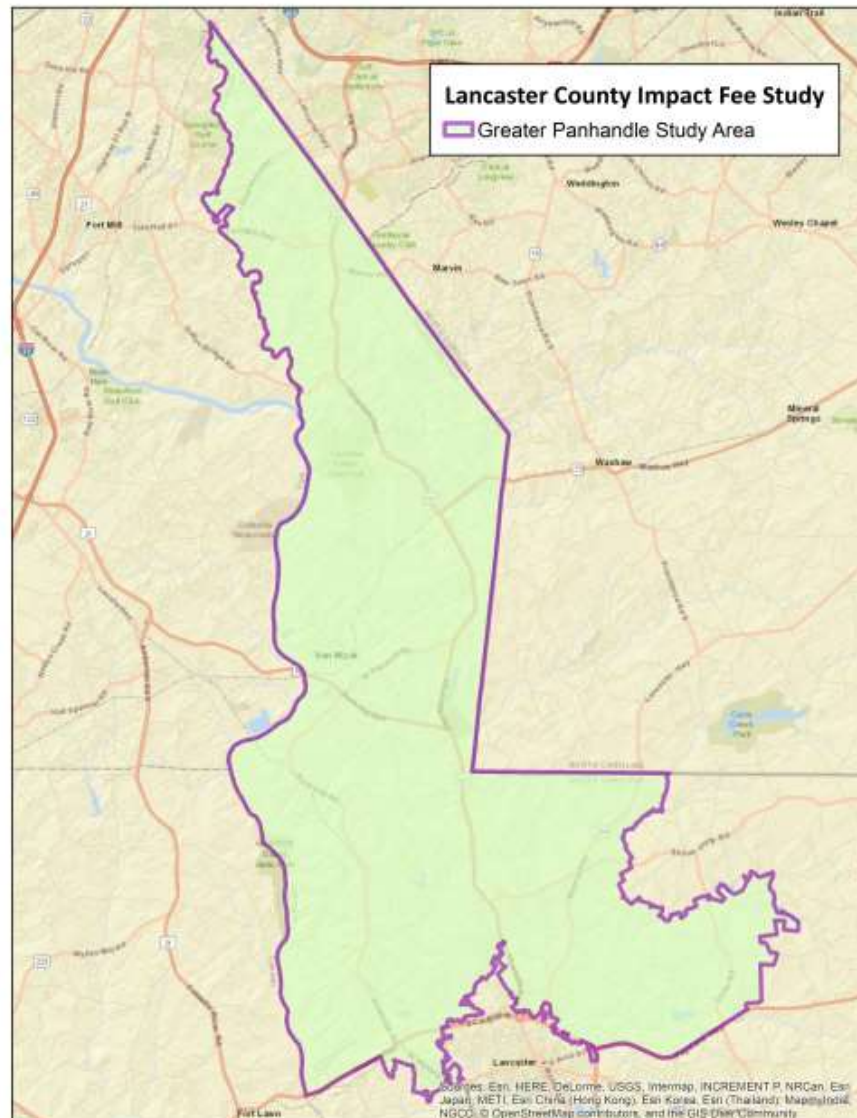
There is one incorporated community in the Greater Panhandle, Town of Van Wyck. At the time of the study, the Town does not provide EMS services and relies on the County to serve the demand from its residents. Thus, Town residents are included in the level of service calculations. Additionally, the County plans on collecting impact fees from new development within the Town of Van Wyck.

EMS Service Area

The service area for the EMS Development Impact Fee is defined as the Greater Panhandle area.

Recently, the Van Wyck community incorporated. However, the Town of Van Wyck does not EMS services and does not have plans to in the future. In this case, the existing population and future growth has been included in the level of service and revenue projections. At the time of this study, Lancaster County provides building permits for new developments in the Town, so an intergovernmental agreement to ensure that impact fees are being collected is not necessary.

Figure 27. EMS Service Area



EMS Service Units

Section 6-1-960(4) of the South Carolina Development Impact Fee Act requires:

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

The “service unit” used for residential development is persons per housing unit (PPHU). This is a measure of, on average, the number of persons residing in each housing unit. As shown in Figure 28, there are 2.52 persons per single family detached unit, 2.14 persons per single family attached unit, and 1.79 persons per multifamily unit. Factors have been calculate based on data provided by the U.S. Census Bureau’s 2018 American Community Survey and Public Use Microdata (further discussed in Appendix B).

Figure 28. Residential Service Units

Housing Type	Persons per Housing Unit
Single Family Detached [1]	2.52
Single Family Attached	2.14
Multifamily [2]	1.79

Source: U.S. Census Bureau, 2018 American Community Survey 5-Year Estimates; PUMS 2018 5-Year Estimate, SC PUMA 700

[1] Includes single family detached and mobile homes

[2] Includes dwellings in structures with two or more units

TischlerBise recommends using nonresidential vehicle trips as the nonresidential “service unit” for EMS infrastructure. Average weekday vehicle trip ends for nonresidential development are from the 10th edition of the reference book, Trip Generation, published in 2017 by the Institute of Transportation Engineers. A “trip end” represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway). Trip ends for nonresidential development are calculated per thousand square feet.

Trip generation rates are used for nonresidential development because vehicle trips are highest for retail developments, such as shopping centers, and lowest for industrial development. Office and institutional trip rates fall between the other two categories. This ranking of trip rates is consistent with the relative demand for public safety services from nonresidential development. Other possible nonresidential demand indicators, such as employment or floor area, will not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, EMS development fees would be disproportionately high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator, EMS development fees would be disproportionately high for industrial development.

The standard 50 percent adjustment is applied to office, industrial, and institutional land uses. A lower vehicle trip adjustment factor is used for retail uses because this type of development attracts vehicles as they pass-by on arterial and collector roads. For example, when someone stops at a convenience store on

their way home from work, the convenience store is not their primary destination. Further detail on vehicle trip factors can be found in Appendix B: Land Use Assumptions.

Figure 29. Nonresidential Service Units

Land Use Type	ITE Codes	Adj. Veh. Trips per 1,000 Sq. Ft.
Retail	820	14.35
Office	710	4.87
Industrial	110	2.48
Warehouse	150	0.87
Healthcare	610	5.36
Institutional	520	9.76

Source: Trip Generation, Institute of Transportation Engineers, 10th Edition (2017); National Household Travel Survey, 2009

EMS Proportionate Share

Both residential and nonresidential developments increase the demand on EMS facilities. To calculate the proportional share between residential and nonresidential demand on facilities, the county's functional population split is used. The functional population approach allocates the cost of the facilities to residential and nonresidential development based on the activity of residents and workers in the County through the 24 hours in a day. Based on available data, the functional population calculation includes countywide totals.

Residents that do not work are assigned 20 hours per day to residential development and 4 hours per day to nonresidential development (annualized averages). Residents that work in Lancaster County are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents that work outside the County are assigned 14 hours to residential development, the remaining hours in the day are assumed to be spent outside of the County working. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2017 functional population data, residential development accounts for 78 percent of the functional population, while nonresidential development accounts for 22 percent, see Figure 30.

Figure 30. Lancaster County Functional Population

Lancaster County, SC (2017)			
Residential		<i>Demand Hours/Day</i>	<i>Person Hours</i>
Population*	93,385		
Residents Not Working	57,744	20	1,154,880
Employed Residents	35,641		
Employed in Lancaster County	9,587	14	134,218
Employed outside Lancaster County	26,054	14	364,756
	Residential Subtotal		1,653,854
	Residential Share =>		78%
Nonresidential			
Non-working Residents	57,744	4	230,976
Jobs Located in Lancaster County	24,636		
Residents Employed in Lancaster County	9,587	10	95,870
Non-Resident Workers (inflow commuters)	15,049	10	150,490
	Nonresidential Subtotal		477,336
	Nonresidential Share =>		22%
	TOTAL		2,131,190

Source: U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics.

* Source: U.S. Census Bureau, American Community Survey, 2017 (countywide population)

Furthermore, only a share of EMS facilities can be attributed to demand in the Greater Panhandle Service Area. To attribute facilities to the service area, EMS calls for service are analyzed. Shown below, 32 percent of the 2019 annual calls were to the fire districts in the service area. This proportion is applied to facilities in the following level of service calculations.

Figure 31. Lancaster County EMS Service Calls

District	2019 EMS Calls
Pleasant Valley Fire District	1,129
Indian Land Fire District	2,548
Van Wyck Fire District	516
Riverside Fire District	326
Shiloh Zion Fire District	637
Camp Creek Fire District	678
Service Area Subtotal	5,834
Countywide EMS Calls	18,329
Percent of Total	32%

Source: Lancaster County EMS Department

EMS Facilities Level of Service & Cost Analysis

The EMS Development Impact Fee includes the facilities that house the County's EMS services. Identified by County staff, additional expansion will be necessary to serve future growth.

As shown in Figure 32, there are eight EMS stations, totaling 22,191 square feet. To determine the level of service factors for the development impact fee, the calls for service split is applied to station floor area, resulting in 7,101 square feet attributed to the service area. Furthermore, the attributed floor area is allocated to residential and nonresidential demand based on the functional population analysis. Of the attributed floor area, 5,539 square feet is allocated to residential demand and 1,562 square feet is allocated to nonresidential demand.

The current level of service is found by dividing the allocated floor area by the 2020 residential and nonresidential demand units (population and nonresidential vehicle trips) for the service area. Specifically, 113.3 square feet of 1,000 per persons and 25.0 square feet per 1,000 nonresidential vehicle trips.

Based on the recent construction of EMS Station #9, the average construction cost for a station is \$329 per square foot. That cost factor is used to determine the current replacement cost of the stations. To find the capital cost per person or per nonresidential vehicle trip, the level of service standards are applied to the average cost per square foot. For example, the residential cost per person is \$37 (113.3 square feet per 1,000 persons x \$329 per square foot = \$37 per person, rounded).

Figure 32. EMS Station Level of Service and Cost Factors

EMS Station	Total Square Feet	Study Area Calls for Service	Study Area Square Feet	Study Area Replacement Cost
EMS Station #1	3,002	32%	961	\$316,051
EMS Station #2	2,878	32%	921	\$302,996
EMS Station #3	1,809	32%	579	\$190,452
EMS Station #5	2,345	32%	750	\$246,882
EMS Station #6	1,571	32%	503	\$165,395
EMS Station #7	1,330	32%	426	\$140,022
EMS Station #8	2,376	32%	760	\$250,145
EMS Station #9	6,880	32%	2,202	\$724,326
Total	22,191	32%	7,101	\$2,336,268

Level of Service Analysis	Residential	Nonresidential
Proportionate Share	78%	22%
Share of Floor Area	5,539	1,562
2020 Population/Nonres. Trips	48,885	62,488
Square Feet per 1,000 Persons/Nonres. Trips	113.3	25.0

Cost Analysis	Residential	Nonresidential
Square Feet per 1,000 Persons/Nonres. Trips	113.3	25.0
Replacement Cost per Square Foot [1]	\$329	\$329
Capital Cost per Person/Nonres. Trip	\$37	\$8

[1] Cost per square foot is from the recent construction of EMS Station #9

The EMS Department has 16 ambulances in its fleet to conduct operations. To determine the level of service factors for the development impact fee, the EMS calls for service split is used to attribute the vehicles to the service area demand. Of the attributed total, 4 vehicles are allocated to residential demand and 1 vehicle are allocated to nonresidential demand.

The level of service is found by dividing the allocated vehicles by the 2020 residential and nonresidential demand units (population and nonresidential vehicle trips) for the service area. Specifically, 0.082 vehicles per 1,000 persons and 0.018 vehicles per 1,000 nonresidential vehicle trips.

From the EMS Department, the replacement cost of an ambulance is \$380,000. To find the capital cost per person and per nonresidential vehicle trip, the level of service standards are applied to the average cost per vehicle. For example, the residential cost per person is \$31 (0.082 vehicles per 1,000 persons x \$380,000 = \$31 per person, rounded).

Figure 33. EMS Vehicle Level of Service and Cost Factors

EMS Vehicles	Total Units	Study Area Calls for Service	Study Area Units	Study Area Replacement Cost
EMS Ambulance	16	32%	5	\$1,945,600
Total	16	32%	5	\$1,945,600

<i>Level of Service Analysis</i>	Residential	Nonresidential
Proportionate Share	78%	22%
Share of Fleet	4	1
2020 Population/Nonres. Trips	48,885	62,488
Units per 1,000 Persons/Nonres. Trips	0.082	0.018

<i>Cost Analysis</i>	Residential	Nonresidential
Units per 1,000 Persons/Nonres. Trips	0.1	0.0
Replacement Cost per Unit [1]	\$380,000	\$380,000
Capital Cost per Person/Nonres. Trip	\$31	\$7

[1] Source: Lancaster County EMS Department

As shown in Figure 34, based on the calls for service data 2,300 square feet of EMS administration and training facilities is attributed to the service area. Of the attributed floor area, 1,794 square feet is allocated to residential demand and 506 square feet is allocated to nonresidential demand.

The current level of service is found by dividing the allocated floor area by the 2020 residential and nonresidential demand units (population and nonresidential vehicle trips) for the service area. Specifically, 36.7 square feet of 1,000 per persons and 8.1 square feet per 1,000 nonresidential vehicle trips.

Based on data in the recent Facilities Space Needs Study, the average construction cost for an administration/operation facility is \$312 per square foot. That cost factor is used to determine the current replacement cost. To find the capital cost per person and per nonresidential vehicle trip, the level of service standards are applied to the average cost per square foot. For example, the residential cost per person is \$11 (36.7 square feet per 1,000 persons x \$312 per square foot = \$11 per person, rounded).

Figure 34. EMS Admin and Training Facility Level of Service and Cost Factors

EMS Facility	Total Square Feet	Study Area Calls for Service	Study Area Square Feet	Study Area Replacement Cost
Administration, Training, Logistics	7,188	32%	2,300	\$718,459
Total	7,188	32%	2,300	\$718,459

<i>Level of Service Analysis</i>	Residential	Nonresidential
Proportionate Share	78%	22%
Share of Floor Area	1,794	506
2020 Population/Nonres. Trips	48,885	62,488
Square Feet per 1,000 Persons/Nonres. Trips	36.7	8.1

<i>Cost Analysis</i>	Residential	Nonresidential
Square Feet per 1,000 Persons/Nonres. Trips	36.7	8.1
Replacement Cost per Square Foot [1]	\$312	\$312
Capital Cost per Person/Nonres. Trip	\$11	\$3

[1] County Facilities Space Needs Study, 2020 Draft

Credit for Future Debt Payments

To ensure fee-payers avoid potential double payment for annual debt service, TischlerBise included in credit in the development impact fee calculations for the bonds issued to the construct the EMS Headquarters. The bond will be repaid through property tax revenue, so the future payments are attributed to residential and nonresidential land uses based on assessed value. Shown below, residential land uses account for 59 percent and nonresidential 41 percent of the assessed value in Lancaster County.

Figure 35. Lancaster County Assessed Value by Land Use

Property Type	Assessed Value	Percent
Owner Occupied (4% assessment ratio)	\$187,821,470	47%
Agricultural (Private) (4%)	\$1,484,940	0%
Agricultural (Corporate) (6%)	\$404,720	0%
Commercial/Rental (6%)	\$98,649,680	25%
Personal Property (Vehicles) (6%)	\$42,357,846	11%
Other Personal Property (10.5%)	\$3,252,823	1%
Manufacturing (10.5%)	\$10,900,990	3%
Utility (10.5%)	\$26,918,393	7%
Business Personal (10.5%)	\$9,210,828	2%
Motor Carrier (9.5%)	\$1,593,380	0%
Fee-in-Lieu and Joint Industrial Park	\$17,897,244	4%
Total Assessed Value	\$400,492,314	100%

Source: 2018 Local Government Finance Report, South Carolina Revenue and Fiscal Affairs Office, 2019

Land Use	Assessed Value	Percent
Residential	\$234,917,079	59%
Nonresidential	\$165,575,235	41%
Total	\$400,492,314	100%

Source: TischlerBise analysis

Following the same methodology as the level of service analysis, annual debt service was split between residential and nonresidential development and then divided by annual demand units (population and nonresidential vehicle trips) to yield payments per person or vehicle trip. To account for the time value of money, annual payments are discounted using a net present value formula based on the applicable discount (interest) rate. This results in a credit of \$3 per person and \$2 per nonresidential vehicle trip rounded.

Figure 36. Credit for Future Debt Payments

Fiscal Year	Total Payment	EMS Purpose 21%	Study Area Payment	Residential 59%	Nonresidential 41%
Base Year	\$1,255,000	\$259,576	\$82,621	\$48,463	\$34,158
2020	\$695,000	\$143,749	\$45,754	\$26,838	\$18,916
2021	\$730,000	\$150,988	\$48,059	\$28,190	\$19,869
2022	\$770,000	\$159,262	\$50,692	\$29,734	\$20,958
2023	\$810,000	\$167,535	\$53,325	\$31,279	\$22,046
2024	\$850,000	\$175,808	\$55,959	\$32,824	\$23,135
2025	\$890,000	\$184,082	\$58,592	\$34,368	\$24,224
Total	\$6,000,000	\$1,241,000	\$395,002	\$231,696	\$163,306

Residential				Nonresidential			
Fiscal Year	Payment	Projected Population	Payment/Capita	Fiscal Year	Payment	Projected Nonres. Vehicle Trips	Payment/Trip
Base Year	\$48,463	48,885	\$0.99	Base Year	\$34,158	62,488	\$0.55
2020	\$26,838	53,579	\$0.50	2020	\$18,916	65,066	\$0.29
2021	\$28,190	58,273	\$0.48	2021	\$19,869	67,664	\$0.29
2022	\$29,734	62,967	\$0.47	2022	\$20,958	70,283	\$0.30
2023	\$31,279	68,184	\$0.46	2023	\$22,046	71,520	\$0.31
2024	\$32,824	73,401	\$0.45	2024	\$23,135	72,783	\$0.32
2025	\$34,368	78,618	\$0.44	2025	\$24,224	74,071	\$0.33
Total	\$231,696		\$3.79	Total	\$163,306		\$2.39
		Discount Rate	4.00%			Discount Rate	4.00%
		Total Credit per Person	\$3			Total Credit per Trip	\$2

Credit for One-Cent Sales Tax Referendum Projects

There are two EMS projects listed in the referendum continuing a one-cent sales tax by Lancaster County to fund certain capital improvement projects. The EMS projects (Station #7/#10) are contributing to the countywide level of service and to ensure there are no double payments by new development a credit is included in the development impact fee.

Listed in Figure 37, the projects total \$3,600,000. Since the referendum is for seven years, the one-cent sales tax will generate an average annual revenue of \$514,000 to fund the projects.

Figure 37. EMS One-Cent Referendum Projects

EMS Portion of One-Cent Sales Tax	Funded & Constructed 2022-2029	Annual Average Revenue
\$3,600,000	7 years	\$514,000

Based on the functional population of Lancaster County, residential purposes are estimated to generate 78 percent of the sales tax revenue. There are currently 102,797 countywide residents, resulting in an annual average tax revenue of \$2.93 per person. Over the next seven years, \$21 per person is estimated as credit for the EMS projects (\$2.93 per person x 7 years = \$21, rounded).

Figure 38. Residential Portion of the EMS Referendum Projects

Residential 78%	Base Year Countywide Population	Average Annual Tax Revenue per Capita	7-Year Tax Revenue per Capita
\$301,497	102,797	\$2.93	\$21

Nonresidential purposes are estimated to generate 22 percent of the sales tax revenue. There are currently 129,536 nonresidential vehicle trips countywide, resulting in an annual average tax revenue of \$1.64. Over the next seven years, \$11 per vehicle trip is estimated as a credit for the EMS projects.

Figure 39. Nonresidential Portion of the EMS Referendum Projects

Nonresidential 22%	Base Year Countywide Nonres. Veh. Trips	Average Annual Tax Revenue per Veh. Trip	7-Year Tax Revenue per Veh. Trip
\$212,503	129,536	\$1.64	\$11

Projection of EMS Facility Growth-Related Facility Needs

Section 6-1-960(5) of the South Carolina Development Impact Fee Act requires:

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

Section 6-1-960(7) of the South Carolina Development Impact Fee Act requires:

“the projected demand for system improvements required by new service units projected over a reasonable period of time not to exceed twenty years.”

To estimate the 10-year growth needs for EMS stations, the current level of service (113.30 square feet per 1,000 persons and 25.0 square feet per 1,000 nonresidential vehicle trips) is applied to the residential and nonresidential growth projected for the Greater Panhandle. The service area is projected to increase by 40,664 residents and 17,001 nonresidential vehicle trips over the next ten years (see Appendix B). Listed in Figure 40, there will be a need for 5,032 new EMS Station square feet to accommodate future demands. By applying the average cost of a station (\$329 per square feet), the total expenditure for the growth is calculated (5,032 square feet x \$329 = \$1,655,528).

Figure 40. 10-Year EMS Station Needs to Accommodate Growth

Infrastructure Type		Level of Service		Demand Unit	Cost / Sq. Ft.
EMS Stations	Residential	113.3	Square Feet	per 1,000 persons	\$329
	Nonresidential	25.0		per 1,000 trips	

Growth-Related Need for EMS Stations						
Year		Population	Nonres. Vehicle Trips	Residential Square Feet	Nonresidential Square Feet	Total Square Feet
Base	2020	48,885	62,488	5,538	1,562	7,100
Year 1	2021	53,579	65,066	6,070	1,626	7,696
Year 2	2022	58,273	67,664	6,602	1,691	8,293
Year 3	2023	62,967	70,283	7,134	1,757	8,891
Year 4	2024	68,184	71,520	7,725	1,788	9,513
Year 5	2025	73,401	72,783	8,316	1,819	10,135
Year 6	2026	78,618	74,071	8,907	1,851	10,758
Year 7	2027	81,350	75,385	9,217	1,884	11,101
Year 8	2028	84,083	76,726	9,526	1,918	11,444
Year 9	2029	86,816	78,094	9,836	1,952	11,788
Year 10	2030	89,549	79,489	10,145	1,987	12,132
Ten-Year Increase		40,664	17,001	4,607	425	5,032
Projected Expenditure				\$1,515,703	\$139,825	\$1,655,528

Growth-Related Expenditures for EMS Stations					\$1,655,528
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To estimate the 10-year growth needs for EMS vehicles, the current level of service (0.082 vehicles per 1,000 persons and 0.018 units per 1,000 nonresidential vehicle trips) is applied to the residential and nonresidential growth projected for the Great Panhandle. The service area is projected to increase by

40,664 residents and 17,001 nonresidential vehicle trips over the next ten years (see Appendix B). Listed Figure 41, there will be a need for 3.6 new EMS vehicles to accommodate future demands. By applying the average cost of a vehicle (\$380,000), the total expenditure for the growth is calculated (3.6 vehicles x \$380,000 = \$1,368,000).

Figure 41. 10-Year EMS Vehicle Needs to Accommodate Growth

Infrastructure Type	Level of Service		Demand Unit	Unit Cost
EMS Vehicles	Residential	0.082	per 1,000 persons	\$380,000
	Nonresidential	0.018	per 1,000 trips	

Growth-Related Need for EMS Vehicles						
Year		Population	Nonres. Vehicle Trips	Residential Units	Nonresidential Units	Total Units
Base	2020	48,885	62,488	4.0	1.1	5.1
Year 1	2021	53,579	65,066	4.3	1.1	5.4
Year 2	2022	58,273	67,664	4.7	1.2	5.9
Year 3	2023	62,967	70,283	5.1	1.2	6.3
Year 4	2024	68,184	71,520	5.5	1.2	6.7
Year 5	2025	73,401	72,783	6.0	1.3	7.3
Year 6	2026	78,618	74,071	6.4	1.3	7.7
Year 7	2027	81,350	75,385	6.6	1.3	7.9
Year 8	2028	84,083	76,726	6.8	1.3	8.1
Year 9	2029	86,816	78,094	7.1	1.4	8.5
Year 10	2030	89,549	79,489	7.3	1.4	8.7
Ten-Year Increase		40,664	17,001	3.30	0.30	3.6
Projected Expenditure				\$1,254,000	\$114,000	\$1,368,000

Growth-Related Expenditures for EMS Vehicles	\$1,368,000
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To estimate the 10-year growth needs for EMS administration and training facilities, the current level of service (36.7 square feet per 1,000 persons and 8.1 square feet per 1,000 nonresidential vehicle trips) is applied to the residential and nonresidential growth projected for the Greater Panhandle. The service area is projected to increase by 40,664 residents and 17,001 nonresidential vehicle trips over the next ten years (see Appendix B). Listed in Figure 42, there will be a need for 1,629 new EMS administration and training square feet to accommodate future demands. By applying the average cost (\$312 per square feet), the total expenditure for the growth is calculated (1,629 square feet x \$312 = \$508,821).

Figure 42. 10-Year EMS Administration and Training Facility Needs to Accommodate Growth

Infrastructure Type	Level of Service		Demand Unit	Cost / Sq. Ft.
EMS Administration	Residential	36.7	per 1,000 persons	\$312
	Nonresidential	8.1	per 1,000 trips	

Growth-Related Need for EMS Administration						
Year		Population	Nonres. Vehicle Trips	Residential Square Feet	Nonresidential Square Feet	Total Square Feet
Base	2020	48,885	62,488	1,794	506	2,300
Year 1	2021	53,579	65,066	1,966	527	2,493
Year 2	2022	58,273	67,664	2,138	548	2,686
Year 3	2023	62,967	70,283	2,310	569	2,879
Year 4	2024	68,184	71,520	2,502	579	3,081
Year 5	2025	73,401	72,783	2,693	589	3,282
Year 6	2026	78,618	74,071	2,885	599	3,484
Year 7	2027	81,350	75,385	2,985	610	3,595
Year 8	2028	84,083	76,726	3,085	621	3,706
Year 9	2029	86,816	78,094	3,186	632	3,818
Year 10	2030	89,549	79,489	3,286	643	3,929
Ten-Year Increase		40,664	17,001	1,492	137	1,629
Projected Expenditure				\$466,029	\$42,792	\$508,821

Growth-Related Expenditures for EMS Administration	\$508,821
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Maximum Supportable EMS Development Impact Fee

Figure 43 shows the maximum supportable EMS Development Impact Fee. Development impact fees for EMS are based on household sizes for residential development and vehicle trips per 1,000 square feet for nonresidential development. Differentiating the fee by housing type allows the results to be more exact about the level of demand (persons per housing unit) a residential development will place on the current infrastructure based on level of service standards. For residential development, the total cost per person is multiplied by the household size to calculate the proposed fee. For nonresidential development, the total cost per vehicle trip is multiplied by the trips per 1,000 square feet to calculate the proposed fee.

The fees represent the highest amount supportable for each type of development, which represents new growth's fair share of the cost for capital facilities. The County may adopt fees that are less than the amounts shown. However, a reduction in development impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service.

Figure 43. Maximum Supportable EMS Development Impact Fee

Fee Component	Cost per Person	Cost per Nonres. Vehicle Trip
EMS Stations	\$37	\$8
EMS Vehicles	\$31	\$7
EMS Administration	\$11	\$3
Gross Total	\$79	\$18
Credit for Debt Payments	(\$3)	(\$2)
Credit for One-Cent Sales Tax	(\$21)	(\$11)
Net Total	\$55	\$5

Residential

Housing Type	Persons per Housing Unit	Maximum Supportable Fee per Unit
Single Family Detached	2.52	\$139
Single Family Attached	2.14	\$118
Multifamily	1.79	\$98

Nonresidential

Development Type	Trips per 1,000 Sq Ft	Maximum Supportable Fee per 1,000 Sq Ft
Retail	14.35	\$72
Office	4.87	\$24
Industrial	2.48	\$12
Warehouse	0.87	\$4
Healthcare	5.36	\$27
Institutional	9.76	\$49

Revenue from EMS Development Impact Fee

Revenue from the EMS Development Impact Fee is estimated in Figure 44. There is projected to be 17,178 new housing units and 2,614,000 new nonresidential square feet in the service area by 2029. To find the revenue, the fee is multiplied by the growth. For example, single family development is estimated to generate \$2 million in revenue ($\$137 \times 14,371 \text{ units} = \$1,965,548$). The revenue is projected to cover 66 percent of the growth-related capital costs. It is expected that the County's will need to supplement a portion of the growth-related cost because of the credit being included to prevent development from double paying.

As mentioned, at the time of this study, Lancaster County is providing the building permits for the Town of Van Wyck, so an intergovernmental agreement is not necessary to ensure impact fees are being collected. In this case, future growth and impact fee revenue from the Town is included in the projection.

Figure 44. Estimated Revenue from EMS Development Impact Fee

Infrastructure Costs for EMS Facilities

	Total Cost	Growth Cost
EMS Stations	\$1,655,528	\$1,655,528
EMS Vehicles	\$1,368,000	\$1,368,000
EMS Administration	\$508,821	\$508,821
Total Expenditures	\$3,532,349	\$3,532,349

Projected Development Impact Fee Revenue

		Single Family \$137 per unit	Multifamily \$98 per unit	Retail \$72 per KSF	Office \$24 per KSF	Industrial \$12 per KSF	Warehouse \$4 per KSF	Healthcare \$27 per KSF	Institutional \$49 per KSF
Year		Housing Units	Housing Units	KSF	KSF	KSF	KSF	KSF	KSF
Base	2020	18,374	1,853	2,119	1,896	2,527	1,273	402	1,365
Year 1	2021	19,956	2,284	2,170	2,177	2,566	1,292	449	1,376
Year 2	2022	21,538	2,714	2,222	2,457	2,605	1,312	496	1,388
Year 3	2023	23,120	3,145	2,275	2,738	2,645	1,332	543	1,400
Year 4	2024	25,119	3,290	2,330	2,768	2,685	1,352	556	1,413
Year 5	2025	27,117	3,436	2,386	2,798	2,726	1,373	570	1,425
Year 6	2026	29,116	3,581	2,443	2,829	2,768	1,394	583	1,437
Year 7	2027	30,023	3,851	2,502	2,860	2,811	1,415	598	1,450
Year 8	2028	30,930	4,121	2,562	2,892	2,854	1,437	612	1,462
Year 9	2029	31,838	4,390	2,623	2,924	2,897	1,459	627	1,475
Year 10	2030	32,745	4,660	2,686	2,956	2,942	1,481	642	1,488
Ten-Year Increase		14,371	2,807	567	1,060	414	209	240	123
Projected Revenue =>		\$1,965,548	\$275,099	\$40,828	\$25,434	\$4,973	\$835	\$6,490	\$6,050
		Projected Revenue => <u>\$2,325,256</u>							
		Total Expenditures => <u>\$3,532,349</u>							
		Non-Impact Fee Funding => <u>\$1,207,093</u>							

PUBLIC SAFETY CIP AND DEVELOPMENT IMPACT FEE: FIRE

Methodology

Section 6-1-920(18f) of the South Carolina Development Impact Fee Act states that a development impact fee may be imposed on public facilities including:

“...public safety facilities, including law enforcement, fire, emergency medical and rescue, and street lighting facilities.”

The Fire Development Impact Fee includes components:

- Fire stations
- Fire vehicles
- Fire administration and training facilities

An incremental expansion methodology is applied to each component. Costs are allocated to both residential and nonresidential development using different demand indicators for each type of development.

Section 6-1-960(1) of the South Carolina Development Impact Fee Act requires:

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

Section 6-1-960(2) of the South Carolina Development Impact Fee Act requires:

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

Residential development impact fees are calculated on a per capita basis, then converted to an appropriate amount for each type of housing unit based on persons per housing unit factors. Nonresidential development impact fees are calculated using nonresidential vehicle trips. Trip generation rates are highest for commercial/retail development and lowest for industrial development, whereas trip rates for office and institutional development fall between the other two categories. Using vehicle trip rates ensures that development impact fees are consistent with the relative demand for fire services from nonresidential development.

There is one incorporated community in the Greater Panhandle, Town of Van Wyck. At the time of the study, the Town does not provide fire and rescue services and relies on the County to serve the demand from its residents. Thus, Town residents are included in the level of service calculations. Additionally, the County plans on collecting impact fees from new development within the Town of Van Wyck.

Fire Service Units

Section 6-1-960(4) of the South Carolina Development Impact Fee Act requires:

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

The “service unit” used for residential development is persons per housing unit (PPHU). This is a measure of, on average, the number of persons residing in each housing unit. As shown in Figure 46, there are 2.52 persons per single family detached unit, 2.14 persons per single family attached unit, and 1.79 persons per multifamily unit. Factors have been calculate based on data provided by the U.S. Census Bureau’s 2018 American Community Survey and Public Use Microdata (further discussed in Appendix B).

Figure 46. Residential Service Units

Housing Type	Persons per Housing Unit
Single Family Detached [1]	2.52
Single Family Attached	2.14
Multifamily [2]	1.79

Source: U.S. Census Bureau, 2018 American Community Survey 5-Year Estimates; PUMS 2018 5-Year Estimate, SC PUMA 700

[1] Includes single family detached and mobile homes

[2] Includes dwellings in structures with two or more units

TischlerBise recommends using nonresidential vehicle trips as the nonresidential “service unit” for Fire infrastructure. Average weekday vehicle trip ends for nonresidential development are from the 10th edition of the reference book, Trip Generation, published in 2017 by the Institute of Transportation Engineers. A “trip end” represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway). Trip ends for nonresidential development are calculated per thousand square feet.

Trip generation rates are used for nonresidential development because vehicle trips are highest for retail developments, such as shopping centers, and lowest for industrial development. Office and institutional trip rates fall between the other two categories. This ranking of trip rates is consistent with the relative demand for public safety services from nonresidential development. Other possible nonresidential demand indicators, such as employment or floor area, will not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, fire development impact fees would be disproportionately high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator, the development fees would be disproportionately high for industrial development.

The standard 50 percent adjustment is applied to office, industrial, and institutional land uses. A lower vehicle trip adjustment factor is used for retail uses because this type of development attracts vehicles as they pass-by on arterial and collector roads. For example, when someone stops at a convenience store on their way home from work, the convenience store is not their primary destination. Further detail on vehicle trip factors can be found in Appendix B: Land Use Assumptions.

Figure 47. Nonresidential Service Units

Land Use Type	ITE Codes	Adj. Veh. Trips per 1,000 Sq. Ft.
Retail	820	14.35
Office	710	4.87
Industrial	110	2.48
Warehouse	150	0.87
Healthcare	610	5.36
Institutional	520	9.76

Source: Trip Generation, Institute of Transportation Engineers, 10th Edition (2017); National Household Travel Survey, 2009

Fire Proportionate Share

Both residential and nonresidential developments increase the demand on Fire facilities. To calculate the proportional share between residential and nonresidential demand on facilities, the county's functional population split is used. The functional population approach allocates the cost of the facilities to residential and nonresidential development based on the activity of residents and workers in the County through the 24 hours in a day. Based on available data, the functional population calculation includes countywide totals.

Residents that do not work are assigned 20 hours per day to residential development and 4 hours per day to nonresidential development (annualized averages). Residents that work in Lancaster County are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents that work outside the County are assigned 14 hours to residential development, the remaining hours in the day are assumed to be spent outside of the County working. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2017 functional population data, residential development accounts for 78 percent of the functional population, while nonresidential development accounts for 22 percent, see Figure 48.

Figure 48. Lancaster County Functional Population

Lancaster County, SC (2017)			
Residential		<i>Demand Hours/Day</i>	<i>Person Hours</i>
Population*	93,385		
Residents Not Working	57,744	20	1,154,880
Employed Residents	35,641		
Employed in Lancaster County	9,587	14	134,218
Employed outside Lancaster County	26,054	14	364,756
	Residential Subtotal		1,653,854
	Residential Share =>		78%
Nonresidential			
Non-working Residents	57,744	4	230,976
Jobs Located in Lancaster County	24,636		
Residents Employed in Lancaster County	9,587	10	95,870
Non-Resident Workers (inflow commuters)	15,049	10	150,490
	Nonresidential Subtotal		477,336
	Nonresidential Share =>		22%
	TOTAL		2,131,190

Source: U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics.

* Source: U.S. Census Bureau, American Community Survey, 2017 (countywide population)

Furthermore, only a share of Fire facilities can be attributed to demand in the Greater Panhandle Service Area. To attribute facilities to the service area, fire calls for service are analyzed. Calls for service data is available for each fire station and the location of the call by fire district. This level of detail allows for Fire facilities to be attributed to the Greater Panhandle by fire station. Shown in **Error! Not a valid bookmark self-reference.**, the level of service to the Greater Panhandle ranges from 0-99 percent. Only the fire stations that have over three percent of their calls to the service area are included in the analysis.

Figure 49. Lancaster County Fire Calls for Service

Station No.	Station Name	% of calls to Study Area
1	Antioch	8%
2	Bell Town	0%
3	Buford	3%
4	Camp Creek	71%
5	Charlotte Rd/Van Wyck	96%
6	Elgin	0%
7	Flat Creek	1%
	Flat Creek Substation	1%
8	Gooches	6%
9	Heath Springs	0%
10	Indian Land	99%
11	Kershaw	1%
12	McDonald Green	0%
14	Pleasant Valley	99%
14	Pleasant Valley Substation	99%
15	Rich Hill	1%
16	Riverside	91%
17	Shiloh Zion	94%
18	Tradesville	0%
19	Unity	32%

Source: Fire Protection Master Planning, 2019,
Fitch & Associates

Fire Facilities Level of Service & Cost Analysis

As shown in Figure 50, there are ten fire stations that regularly provide service to the Greater Panhandle. To determine the level of service factors for the development impact fee, the calls for service percentages are applied to station floor areas, resulting in 44,195 square feet attributed to the service area. Furthermore, the attributed floor area is allocated to residential and nonresidential demand based on the functional population analysis. Of the attributed floor area, 34,472 square feet is allocated to residential demand and 9,723 square feet is allocated to nonresidential demand.

The current level of service is found by dividing the allocated floor area by the 2020 residential and nonresidential demand units (population and nonresidential vehicle trips) for the service area. Specifically, 705.2 square feet of 1,000 per persons and 155.6 square feet per 1,000 nonresidential vehicle trips.

Based on the recent construction of the Pleasant Valley Fire Station, the average construction cost for a station is \$432 per square foot. That cost factor is used to determine the current replacement cost of the stations. To find the capital cost per person or per nonresidential vehicle trip, the level of service standards are applied to the average cost per square foot. For example, the residential cost per person is \$305 (705.2 square feet per 1,000 persons x \$432 per square foot = \$305 per person, rounded).

Figure 50. Fire Station Level of Service and Cost Factors

Fire Station	Total Square Feet	Study Area Calls for Service	Study Area Square Feet	Study Area Replacement Cost
Antioch	4,660	8%	392	\$169,455
Camp Creek	1,536	71%	1,084	\$468,221
Charlotte Rd/Van Wyck	3,000	96%	2,876	\$1,242,372
Gooches	2,748	6%	174	\$75,033
Indian Land	14,000	99%	13,920	\$6,013,489
Pleasant Valley	14,576	99%	14,466	\$6,249,273
Pleasant Valley Substation	1,250	99%	1,241	\$535,921
Riverside	3,040	91%	2,768	\$1,195,673
Shiloh Zion	4,386	94%	4,107	\$1,774,276
Unity	9,810	32%	3,168	\$1,368,495
Total	59,006		44,195	\$19,092,209

<i>Level of Service Analysis</i>	Residential	Nonresidential
Proportionate Share	78%	22%
Share of Floor Area	34,472	9,723
2020 Population/Nonres. Trips	48,885	62,488
Square Feet per 1,000 Persons/Nonres. Trips	705.2	155.6

<i>Cost Analysis</i>	Residential	Nonresidential
Square Feet per 1,000 Persons/Nonres. Trips	705.2	155.6
Replacement Cost per Square Foot [1]	\$432	\$432
Capital Cost per Person/Nonres. Trip	\$305	\$67

[1] Cost per square foot is from the recent construction of Pleasant Valley FD Station 1

To determine the level of service factors for fire vehicles, the Fire calls for service percentages for each fire station are applied to the station's fleet to attribute the vehicles to the service area demand. Of the attributed total, 18.65 vehicles are allocated to residential demand and 5.26 vehicle are allocated to nonresidential demand.

The level of service is found by dividing the allocated vehicles by the 2020 residential and nonresidential demand units (population and nonresidential vehicle trips) for the service area. Specifically, 0.381 vehicles per 1,000 persons and 0.84 vehicles per 1,000 nonresidential vehicle trips.

From the Fire Department, the replacement cost of a vehicle is \$382,000. To find the capital cost per person and per nonresidential vehicle trip, the level of service standards are applied to the average cost per vehicle. For example, the residential cost per person is \$146 (0.381 vehicles per 1,000 persons x \$382,000 = \$146 per person, rounded).

Figure 51. Fire Vehicle Level of Service and Cost Factors

Fire Vehicles	Total Units	Study Area Units	Unit Replacement Cost	Study Area Replacement Cost
Engine	33	10.65	\$476,300	\$5,074,864
Tanker	22	6.29	\$264,326	\$1,662,893
Squad	18	5.97	\$272,337	\$1,625,348
Ladder	2	0.99	\$778,462	\$772,582
Total	33	23.91		\$9,135,687

<i>Level of Service Analysis</i>	Residential	Nonresidential
Proportionate Share	78%	22%
Share of Fleet	18.65	5.26
2020 Population/Nonres. Trips	48,885	62,488
Units per 1,000 Persons/Nonres. Trips	0.381	0.084

<i>Cost Analysis</i>	Residential	Nonresidential
Units per 1,000 Persons/Nonres. Trips	0.4	0.1
Replacement Cost per Unit [1]	\$382,000	\$382,000
Capital Cost per Person/Nonres. Trip	\$146	\$32

[1] Source: Lancaster County Fire Department

As shown in Figure 52, based on the calls for service data 3,888 square feet of Fire administration and training facilities is attributed to the service area. Of the attributed floor area, 3,033 square feet is allocated to residential demand and 855 square feet is allocated to nonresidential demand.

The current level of service is found by dividing the allocated floor area by the 2020 residential and nonresidential demand units (population and nonresidential vehicle trips) for the service area. Specifically, 62.0 square feet of 1,000 per persons and 13.7 square feet per 1,000 nonresidential vehicle trips.

Based on data in the recent Facilities Space Needs Study, the average construction cost for an administration/operation facility is \$312 per square foot. That cost factor is used to determine the current replacement cost. To find the capital cost per person and per nonresidential vehicle trip, the level of

service standards are applied to the average cost per square foot. For example, the residential cost per person is \$19 (62.0 square feet per 1,000 persons x \$312 per square foot = \$10 per person, rounded).

Figure 52. Fire Admin and Training Facility Level of Service and Cost Factors

Facility	Total Square Feet	Study Area Calls for Service	Study Area Square Feet	Study Area Replacement Cost
Emergency Operations Center	9,500	41%	3,888	\$1,214,549
Total	9,500		3,888	\$1,214,549

<i>Level of Service Analysis</i>	Residential	Nonresidential
Proportionate Share	78%	22%
Share of Floor Area	3,033	855
2020 Population/Nonres. Trips	48,885	62,488
Square Feet per 1,000 Persons/Nonres. Trips	62.0	13.7

<i>Cost Analysis</i>	Residential	Nonresidential
Square Feet per 1,000 Persons/Nonres. Trips	62.0	13.7
Replacement Cost per Square Foot [1]	\$312	\$312
Capital Cost per Person/Nonres. Trip	\$19	\$4

[1] County Facilities Space Needs Study, 2020 Draft

Credit for Pleasant Valley Fire District Debt Payment

In the Pleasant Valley Fire District, households and nonresidential development pay an annual fee to help fund fire operations. The fee is \$75 per household and per 2,500 square feet of nonresidential floor area. Currently, a portion of the revenue from the fee is used to pay off existing debt that was used to fund the construction of the fire station. In this case, along with the impact fee, a future development is at risk of double payment because they will be paying both the impact fee and the annual operations fee that are both going towards capital improvements.

A credit is included in the Fire Development Impact Fee to ensure there is no double payment. This is done by attributing the future bond payments to residential and nonresidential in the Pleasant Valley Fire District with the functional population split. Population and nonresidential vehicle trips are applied to the bond payments to find an annual per capita and per vehicle trip payment. To account for the time value of money, annual payments are discounted using a net present value formula based on the applicable discount (interest) rate. This results in a credit of \$66 per person and \$8 per nonresidential vehicle trip rounded.

Figure 53. Pleasant Valley Fire District Credit for Future Debt Payments

Year	2009 GO Bond Refunding	Year	Residential 78%	Projected Population	Payment/ Capita	Year	Nonresidential 22%	Projected Nonres. Vehicle Trips	Payment/ Trip
2020	\$270,000	2020	\$210,600	13,344	\$15.78	2020	\$59,400	31,325	\$1.90
2021	\$285,000	2021	\$222,300	14,623	\$15.20	2021	\$62,700	33,215	\$1.89
2022	\$300,000	2022	\$234,000	15,901	\$14.72	2022	\$66,000	35,115	\$1.88
2023	\$315,000	2023	\$245,700	17,179	\$14.30	2023	\$69,300	37,025	\$1.87
2024	\$335,000	2024	\$261,300	18,603	\$14.05	2024	\$73,700	37,665	\$1.96
		Total	\$1,173,901		\$74.05	Total	\$331,100		\$9.50
				Discount Rate	4.00%			Discount Rate	4.00%
				Total Credit per Person	\$66			Total Credit per Nonrs. Trip	\$8

Note: There is a similar fee for the Indian River Fire District, but the fee is currently not funding debt service, so no development impact fee credit is necessary.

Projection of Fire Facility Growth-Related Facility Needs

Section 6-1-960(5) of the South Carolina Development Impact Fee Act requires:

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

Section 6-1-960(7) of the South Carolina Development Impact Fee Act requires:

“the projected demand for system improvements required by new service units projected over a reasonable period of time not to exceed twenty years.”

To estimate the 10-year growth needs for fire stations, the current level of service (705.2 square feet per 1,000 persons and 155.6 square feet per 1,000 nonresidential vehicle trips) is applied to the residential and nonresidential growth projected for the Greater Panhandle. The service area is projected to increase by 40,664 residents and 17,001 nonresidential vehicle trips over the next ten years (see Appendix B). Listed in Figure 54, there will be a need for 31,321 new fire station square feet to accommodate future demands. By applying the average cost of a station (\$432 per square feet), the total expenditure for the growth is calculated (31,321 square feet x \$432 = \$13,530,672).

Figure 54. 10-Year Fire Station Needs to Accommodate Growth

Infrastructure Type		Level of Service		Demand Unit	Cost / Sq. Ft.
Fire Stations	Residential	705.2	Square Feet	per 1,000 persons	\$432
	Nonresidential	155.6		per 1,000 trips	

Growth-Related Need for Fire Stations						
Year		Population	Nonres. Vehicle Trips	Residential Square Feet	Nonresidential Square Feet	Total Square Feet
Base	2020	48,885	62,488	34,473	9,723	44,196
Year 1	2021	53,579	65,066	37,783	10,124	47,907
Year 2	2022	58,273	67,664	41,094	10,528	51,622
Year 3	2023	62,967	70,283	44,404	10,936	55,340
Year 4	2024	68,184	71,520	48,083	11,128	59,211
Year 5	2025	73,401	72,783	51,762	11,325	63,087
Year 6	2026	78,618	74,071	55,441	11,525	66,966
Year 7	2027	81,350	75,385	57,368	11,729	69,097
Year 8	2028	84,083	76,726	59,295	11,938	71,233
Year 9	2029	86,816	78,094	61,222	12,151	73,373
Year 10	2030	89,549	79,489	63,149	12,368	75,517
Ten-Year Increase		40,664	17,001	28,676	2,645	31,321
Projected Expenditure				\$12,388,032	\$1,142,640	\$13,530,672

Growth-Related Expenditures for Fire Stations	\$13,530,672
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To estimate the 10-year growth needs for Fire vehicles, the current level of service (0.38 vehicles per 1,000 persons and 0.08 units per 1,000 nonresidential vehicle trips) is applied to the residential and nonresidential growth projected for the Great Panhandle. The service area is projected to increase by 40,664 residents and 17,001 nonresidential vehicle trips over the next ten years (see Appendix B). Listed Figure 55, there will be a need for 16.9 new vehicles to accommodate future demands. By applying the average cost of a vehicle (\$382,000), the total expenditure for the growth is calculated (16.9 vehicles x \$382,000 = \$6,455,800).

Figure 55. 10-Year Fire Vehicle Needs to Accommodate Growth

Infrastructure Type		Level of Service		Demand Unit	Unit Cost
Fire Vehicles	Residential	0.38	Units	per 1,000 persons	\$382,000
	Nonresidential	0.08		per 1,000 trips	

Growth-Related Need for Fire Vehicles						
Year		Population	Nonres. Vehicle Trips	Residential Units	Nonresidential Units	Total Units
Base	2020	48,885	62,488	18.6	5.2	23.8
Year 1	2021	53,579	65,066	20.4	5.4	25.8
Year 2	2022	58,273	67,664	22.2	5.6	27.8
Year 3	2023	62,967	70,283	23.9	5.9	29.8
Year 4	2024	68,184	71,520	25.9	6.0	31.9
Year 5	2025	73,401	72,783	27.9	6.1	34.0
Year 6	2026	78,618	74,071	29.9	6.2	36.1
Year 7	2027	81,350	75,385	30.9	6.3	37.2
Year 8	2028	84,083	76,726	32.0	6.4	38.4
Year 9	2029	86,816	78,094	33.0	6.5	39.5
Year 10	2030	89,549	79,489	34.1	6.6	40.7
Ten-Year Increase		40,664	17,001	15.5	1.4	16.9
		Projected Expenditure		\$5,921,000	\$534,800	\$6,455,800

Growth-Related Expenditures for Fire Vehicles					\$6,455,800
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To estimate the 10-year growth needs for Fire administration and training facilities, the current level of service (62.0 square feet per 1,000 persons and 13.7 square feet per 1,000 nonresidential vehicle trips) is applied to the residential and nonresidential growth projected for the Greater Panhandle. The service area is projected to increase by 40,664 residents and 17,001 nonresidential vehicle trips over the next ten years (see Appendix B). Listed in Figure 56, there will be a need for 2,755 new Fire administration and training square feet to accommodate future demands. By applying the average cost (\$312 per square feet), the total expenditure for the growth is calculated (2,755 square feet x \$312 = \$860,529).

Figure 56. 10-Year Fire Administration and Training Facility Needs to Accommodate Growth

Infrastructure Type	Level of Service		Demand Unit	Cost / Sq. Ft.
Fire Administration	Residential	62.0	per 1,000 persons	\$312
	Nonresidential	13.7	per 1,000 trips	

Growth-Related Need for Fire Administration						
Year		Population	Nonres. Vehicle Trips	Residential Square Feet	Nonresidential Square Feet	Total Square Feet
Base	2020	48,885	62,488	3,030	856	3,886
Year 1	2021	53,579	65,066	3,321	891	4,212
Year 2	2022	58,273	67,664	3,612	926	4,538
Year 3	2023	62,967	70,283	3,903	962	4,865
Year 4	2024	68,184	71,520	4,227	979	5,206
Year 5	2025	73,401	72,783	4,550	997	5,547
Year 6	2026	78,618	74,071	4,874	1,014	5,888
Year 7	2027	81,350	75,385	5,043	1,032	6,075
Year 8	2028	84,083	76,726	5,213	1,051	6,264
Year 9	2029	86,816	78,094	5,382	1,069	6,451
Year 10	2030	89,549	79,489	5,552	1,089	6,641
Ten-Year Increase		40,664	17,001	2,522	233	2,755
Projected Expenditure				\$787,751	\$72,778	\$860,529

Growth-Related Expenditures for Fire Administration	\$860,529
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Maximum Supportable Fire Development Impact Fee

Figure 57 shows the maximum supportable Fire Development Impact Fee. Development impact fees for Fire are based on household sizes for residential development and vehicle trips per 1,000 square feet for nonresidential development. Differentiating the fee by housing type allows the results to be more exact about the level of demand (persons per housing unit) a residential development will place on the current infrastructure based on level of service standards. For residential development, the total cost per person is multiplied by the household size to calculate the proposed fee. For nonresidential development, the total cost per vehicle trip is multiplied by the trips per 1,000 square feet to calculate the proposed fee.

The fees represent the highest amount supportable for each type of development, which represents new growth's fair share of the cost for capital facilities. The County may adopt fees that are less than the amounts shown. However, a reduction in development impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service.

Figure 57. Maximum Supportable Fire Development Impact Fee

Fee Component	Cost per Person	Cost per Nonres. Vehicle Trip
Fire Stations	\$305	\$67
Fire Vehicles	\$146	\$32
Fire Administration	\$19	\$4
Gross Total	\$470	\$103
Net Total	\$470	\$103

Residential

Housing Type	Persons per Housing Unit	Maximum Supportable Fee per Unit
Single Family Detached	2.52	\$1,184
Single Family Attached	2.14	\$1,006
Multifamily	1.79	\$841

Nonresidential

Development Type	Trips per 1,000 Sq Ft	Maximum Supportable Fee per 1,000 Sq Ft
Retail	14.35	\$1,478
Office	4.87	\$502
Industrial	2.48	\$255
Warehouse	0.87	\$90
Healthcare	5.36	\$552
Institutional	9.76	\$1,005

Figure 58. Maximum Supportable Fire Development Impact Fee – Pleasant Valley Fire District

Fee Component	Cost per Person	Cost per Nonres. Vehicle Trip
Fire Stations	\$305	\$67
Fire Vehicles	\$146	\$32
Fire Administration	\$19	\$4
Gross Total	\$470	\$103
Credit for Debt Payments	(\$66)	(\$8)
Net Total	\$404	\$95

Residential

Housing Type	Persons per Housing Unit	Maximum Supportable Fee per Unit
Single Family Detached	2.52	\$1,018
Single Family Attached	2.14	\$865
Multifamily	1.79	\$723

Nonresidential

Development Type	Trips per 1,000 Sq Ft	Maximum Supportable Fee per 1,000 Sq Ft
Retail	14.35	\$1,363
Office	4.87	\$463
Industrial	2.48	\$236
Warehouse	0.87	\$83
Healthcare	5.36	\$509
Institutional	9.76	\$927

Revenue from Fire Development Impact Fee

Revenue from the Fire Development Impact Fee is estimated in Figure 59. There is projected to be 17,178 new housing units and 2,614,000 new nonresidential square feet in the service area by 2029. To find the revenue, the fee is multiplied by the growth. For example, single family development is estimated to generate \$16.1 million in revenue ($\$1,120 \times 14,371 \text{ units} = \$16,101,848$). The credit included to ensure no double payment results in a slight funding gap. As a result, the revenue is estimated to cover 96 percent of the estimated future capital costs.

As mentioned, at the time of this study, Lancaster County is providing the building permits for the Town of Van Wyck, so an intergovernmental agreement is not necessary to ensure impact fees are being collected. In this case, future growth and impact fee revenue from the Town is included in the projection.

Figure 59. Estimated Revenue from Fire Development Impact Fee

Infrastructure Costs for Fire Facilities

	Total Cost	Growth Cost
Fire Stations	\$13,530,672	\$13,530,672
Fire Vehicles	\$6,455,800	\$6,455,800
Fire Administration	\$860,529	\$860,529
Total Expenditures	\$20,847,001	\$20,847,001

Projected Development Impact Fee Revenue

		Single Family \$1,120 per unit	Multifamily \$810 per unit	Retail \$1,421 per KSF	Office \$463 per KSF	Industrial \$247 per KSF	Warehouse \$87 per KSF	Healthcare \$535 per KSF	Institutional \$988 per KSF
Year		Housing Units	Housing Units	KSF	KSF	KSF	KSF	KSF	KSF
Base	2020	18,374	1,853	2,119	1,896	2,527	1,273	402	1,365
Year 1	2021	19,956	2,284	2,170	2,177	2,566	1,292	449	1,376
Year 2	2022	21,538	2,714	2,222	2,457	2,605	1,312	496	1,388
Year 3	2023	23,120	3,145	2,275	2,738	2,645	1,332	543	1,400
Year 4	2024	25,119	3,290	2,330	2,768	2,685	1,352	556	1,413
Year 5	2025	27,117	3,436	2,386	2,798	2,726	1,373	570	1,425
Year 6	2026	29,116	3,581	2,443	2,829	2,768	1,394	583	1,437
Year 7	2027	30,023	3,851	2,502	2,860	2,811	1,415	598	1,450
Year 8	2028	30,930	4,121	2,562	2,892	2,854	1,437	612	1,462
Year 9	2029	31,838	4,390	2,623	2,924	2,897	1,459	627	1,475
Year 10	2030	32,745	4,660	2,686	2,956	2,942	1,481	642	1,488
Ten-Year Increase		14,371	2,807	567	1,060	414	209	240	123
Projected Revenue =>		\$16,101,848	\$2,272,667	\$805,754	\$491,066	\$102,188	\$18,053	\$128,668	\$121,967
		Projected Revenue => \$20,042,210							
		Total Expenditures => \$20,847,001							
		Non-Impact Fee Funding => \$804,791							

IMPLEMENTATION AND ADMINISTRATION

Annual Fee Adjustment

The development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering News-Record (ENR). ENR is a trade journal which uses generally accepted engineering and accounting methods to produce a construction cost index. For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. This is a generally accepted methodology of annually adjusting development impact fees to ensure that the fee is proportionate to the demand from future growth.

Applicability of Fee for Approved Developments

It is common practice for a community to provide that previously approved development projects are not subject to development impact fees that are later enacted. If a development project has reached certain development approval milestones and undertaken significant investment in the development process a new fee may render the project unviable, however, significant non-recoupable investments have already been made in reliance of previous development approvals.

It has been determined that if development of a property has achieved the following development approval milestones prior to the effective date of the development impact fee ordinance, the project is not subject to the development impact fee:

- Single family residential: preliminary plat approval
- Multifamily/nonresidential: civil construction plan approval

Credits and Reimbursements

A general requirement that is common to development impact fee methodologies is the evaluation of credits. A revenue credit may be necessary to avoid potential double payment situations arising from one-time development impact fees plus on-going payment of other revenues that may also fund growth-related capital improvements. The determination of revenue credits is dependent upon the development impact fee methodology used in the cost analysis and local government policies.

Policies and procedures related to site-specific credits should be addressed in the resolution or ordinance that establishes the development impact fees. Project-level improvements, required as part of the development approval process, are not eligible for credits against development impact fees. If a developer constructs a system improvement included in the fee calculations, it will be necessary to either reimburse the developer or provide a credit against the fees due from that particular development. The latter option is more difficult to administer because it creates unique fees for specific geographic areas.

Service Areas

A development impact fee service area is a region in which a defined set of improvements provide benefit to an identifiable amount of new development. Within a service area, all new development of a type (single family, commercial, etc.) is assessed at the same development impact fee rate. Land use assumptions and development impact fees are each defined in terms of this geography, so that capital facility demand, projects needed to meet that demand, and capital facility cost are all quantified in the same terms. Development impact fee revenue collected within a service area is required to be spent within that service area.

Implementation of many small service areas is problematic. Administration is complicated and, because funds collected within the service area must be spent within that area multiple service areas may make it impossible to accumulate sufficient revenue to fund any projects within the time allowed.

As part of our analysis, TischlerBise determined that one service area, the Greater Panhandle region was needed for the Parks & Recreation, Sheriff, and EMS Development Impact Fees. The level of service for Parks & Recreation facilities was calculated at a countywide basis, however, the service area for the development impact fee is only the Greater Panhandle region. Calls for service data allowed the level of service calculations for the public safety impact fee categories to be calculated at a service area level. The public safety development impact fees will only be collected and spent in the service area.

There are two service areas for the Fire Development Impact Fee. A credit is necessary for the Pleasant Valley Fire District to ensure the annual property assessment revenue funding capital projects is being offset. However, the level of service is calculated for the whole Greater Panhandle area and the credit is applied to only the Pleasant Valley Fire District.

Lastly, there is one incorporated community in the Greater Panhandle, Town of Van Wyck. At the time of the study, the Town does not provide Parks & Recreation and public safety services and relies on the County to serve the demand from its residents. Thus, Town residents are included in the level of service calculations. Additionally, the County plans on collecting impact fees from new development within the Town of Van Wyck.

APPENDIX A: HOUSING AFFORDABILITY ANALYSIS

Section 6-1-930(2) of the South Carolina Development Impact Fee Act requires:

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

In accordance with South Carolina Development Impact Fee Act, this chapter estimates the effects of imposing the maximum supportable development impact fees on the affordability of housing in the Lancaster County. The analysis will examine the current household income and housing expenses that burden an average household in the County. Next, the maximum supportable development impact fee will be included in the cost burden analysis to identify the effect the proposed development impact fees will have on affordable housing.

South Carolina Development Impact Fee Act

Affordable housing is defined in South Carolina Development Impact Fee Act as housing to families whose incomes do not exceed 80 percent of the median income for the service area or areas within the jurisdiction of the governmental entity. The Act does not mention a preferred methodology to examine the household’s whose income does not exceed 80 percent of the median income. Therefore, the analysis uses the US Housing and Urban Development’s (HUD) criteria that housing should be 30 percent or less of a household’s income. The cost of housing is “moderately burdensome” if its cost burden is over 30 percent and “severely burdensome” if the ratio is over 50 percent.

Maximum Supportable Development Impact Fee

The development impact fees found in Figure 60 represent the highest amount supportable for housing units by housing type, which represents new growth’s fair share of the cost for capital facilities. The County may adopt fees that are less than the amounts shown. However, a reduction in development impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service. The housing affordability analysis will assume a conservative condition for assessing the effect of the development impact fee on affordable housing in Lancaster County (i.e., the maximum supportable development impact fee amount). If the County Council were to choose a lower development impact fee amount, the results presented in this report would improve.

A conservative approach is taken, and the fee schedule for the area outside of the Pleasant Valley Fire District is included in the analysis. This fee schedule is slightly higher than the Pleasant Valley Fire District schedule.

Figure 60. Maximum Supportable Development Impact Fee

Development Type	Parks & Recreation	Sheriff	EMS	Fire	Maximum Supportable Fee
Residential (per housing unit)					
Single Family Detached	\$784	\$126	\$139	\$1,184	\$2,233
Single Family Attached	\$666	\$107	\$118	\$1,006	\$1,897
Multifamily	\$557	\$90	\$98	\$841	\$1,586
Nonresidential (per 1,000 square feet)					
Retail	\$0	\$158	\$72	\$1,478	\$1,708
Office	\$0	\$54	\$24	\$502	\$580
Industrial	\$0	\$27	\$12	\$255	\$294
Warehouse	\$0	\$10	\$4	\$90	\$104
Healthcare	\$0	\$59	\$27	\$552	\$638
Institutional	\$0	\$107	\$49	\$1,005	\$1,161

Housing Stock

Listed in Figure 61, the majority of housing in the service area is single family units. Additionally, the majority of owner-occupied units are single family, while renter-occupied units are a mix of the three housing types.

Figure 61. Housing Stock Characteristics

Units in Structure	Owner-Occupied		Renter-Occupied		Renter & Owner Combined				
	Persons	HseHlds	Persons	HseHlds	Persons	HseHlds	Hsg Units	PPHH	PPHU
Single family [1]	28,959	11,250	2,142	664	31,101	11,914	12,522	2.61	2.48
2 to 4	38	38	30	30	68	68	68	1.00	1.00
5 or more	40	21	604	266	644	287	329	2.24	1.96
Total	29,037	11,309	2,776	960	31,813	12,269	12,919	2.59	2.46
							Vacant HU	650	
							Occupancy Rate	95%	
Summary by Type of Housing	Totals								
	Persons	HseHlds	Hsg Units	PPHH	PPHU	Hhld Mix	Hsg Mix		
Single Family [1]	31,101	11,914	12,522	2.61	2.48	97%	97%		
Multifamily [2]	712	355	397	2.01	1.79	3%	3%		
Total	31,813	12,269	12,919	2.59	2.46	100%	100%		

[1] Includes attached and detached single family homes and mobile homes

[2] Includes all other types

Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates

Household Income

The purchasing power of residents to secure housing is represented by personal income. Personal income includes all wages, tips, and bonuses from employment, as well as retirement income earned from a pension plan or retirement account. In the analysis, household income represents all residents living in the housing unit, no matter relationship. From the US Census Bureau American Community Survey, in 2018 the median annual household income for owner-occupied household in the Greater Panhandle Service Area was \$82,294. By using the US Bureau of Labor Statistics' CPI Calculator, the current household

income is estimated at \$84,616. The annual income for a household making 80 percent of the area's median is \$67,693, or \$5,641 per month. This is done for renter-occupied households as well.

Figure 62. Median Household Income

Tenure	Median Annual Hsehold Income (2018)	Median Annual Hsehold Income (2020)	80% of Median Annual Income	Monthly Income
Owner-occupied	\$82,294	\$84,616	\$67,693	\$5,641
Renter-occupied	\$52,868	\$54,360	\$43,488	\$3,624

Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates; U.S.

Note: American Community Survey data represents information as of June, 2018. CPI calculator calculates median income to July, 2020 dollars.

Cost of Homeownership

The analysis uses eight categories to calculate the baseline cost of homeownership: purchase price; mortgage payment; property tax; fire district fee; solid waste collection fee; water, sewer and electric utilities; telephone, cable and internet utilities; and homeowners insurance.

The following section details the costs included.

Purchase Price

The median home value is used to estimate the purchase price of a home. The American Community Survey estimates that the median value of a home in the service area in 2018 was \$263,543 (US Census Bureau, 2014-2018 American Community Survey 5-Year Estimates). With the US Bureau of Labor Statistics' CPI Calculator, the current home value is estimated to be \$270,981.

Mortgage Payment

A conventional, fixed-rate 30-year mortgage is assumed to estimate monthly costs of principal and interest on a home loan. The down payment for a loan is assumed to be 20 percent of the purchase price ($\$270,981 \times 20\% = \$54,196$). The loan amount for the mortgage is determined by subtracting the down payment from the purchase price ($\$270,981 - \$54,196 = \$216,785$). As of October 7th, 2020, an interest rate of 3.00 percent is assumed for the home purchase based on a survey of competitive interest rates in Lancaster County (www.nerdwallet.com). The monthly mortgage payment is \$914.

Property Tax

To calculate annual property tax, homes in Lancaster County that are permanent residences are subject to 4 percent assessment ratio and a property tax millage rate. Depending on their location, residents are subject to a property tax for municipal services, school services, and fire services. The average total millage rate is 338.15. Furthermore, there is a credit for sales tax in Lancaster County which reduces resident's property tax bill. The credit is 0.072 percent of the home value. For an average valued home in Lancaster County, the credit is \$196.

As a result, the analysis assumes an annual property tax for the average valued home is \$3,469 ($\$279,981 \times 4\% \times 338.15 / 1,000 = \$3,665$ [gross property tax bill] - \$196 [sales tax credit] = \$3,469).

Fire District Fee

In the Pleasant Valley and Indian Land Fire Districts there is an annual fee of \$75 that each household pays which helps fund debt service and operations. Although, this fee does not exist throughout the Impact Fee Service Area, a conservative approach is taken, and the fee included in the affordability analysis.

Solid Waste Collection Fee

A weekly pick-up service for trash and recycling was researched online. The service was found to cost an average of \$28 per month (Active Waste Solutions).

Water, Sewer, and Electric Utilities

Based on a 2019 survey by South Carolina Rural Infrastructure Authority Office of Local Government, residential customers in Lancaster County Water and Sewer District averaged \$43 per month for water and \$35.93 per month for sewer.

Additionally, for an average household that uses 1,000 kilowatts of electricity per month, Dominion Energy charges \$108.

As a result, there is an estimated monthly bill of \$187 per month for these utilities.

Telephone, Cable, and Internet Utilities

Spectrum is a provider of telephone, cable, and internet in Lancaster County. From their website, the three services costs \$100 per month.

Homeowner's Insurance

Homeowner's insurance provides protection for the home and is generally required when a home has a mortgage. Conservatively, monthly insurance is estimated to be 10 percent of the monthly mortgage payment or \$91.

Monthly Payment

By compiling the month obligations, it is estimated that the monthly cost for homeownership is \$1574. At the end of this chapter the monthly costs are listed in Figure 65.

Cost of Renting

The cost of renting a home in the Greater Panhandle Service area is estimated with data provided by the US Census Bureau. In 2018, the median gross rent (including all utilities and rental insurance) is estimated to be \$1,255. With the US Bureau of Labor Statistics' CPI Calculator, the current cost of renting is estimated to be \$1,290.

Cost Burden Analysis

The cost burden for affordable housing is measured as the ratio between monthly payments for housing (including property tax, fee, utilities, and insurance) and monthly gross household income. An analysis was conducted for residents that purchase a home and residents that rent a home. A cost burden ratio of 30 percent is used as the threshold to determine housing affordability in the service area.

Scenario 1: Baseline Conditions

Figure 63 summarizes the cost burden analysis for residents purchasing or renting a median valued home without the proposed maximum supportable development impact fee included. Based on the results, owner-occupied housing costs are below the affordability cost burden for households whose income is 80 percent of the area's median income. Renter-occupied housing costs are above the threshold.

Figure 63. Scenario 1: Cost Burden Analysis without Maximum Supportable Development Impact Fee

Tenure	Monthly Income (80% of Median)	Monthly Cost	Cost Burden
Owner-Occupied	\$5,641	\$1,616	28.6%
Renter-Occupied	\$3,624	\$1,290	35.6%

Scenario 2: Baseline Condition + Proposed Development Impact Fee

In the second scenario, the maximum supportable development impact fee is included into the cost burden analysis to highlight the effects the fee has on housing affordability. Indicated in Figure 61, owner-occupied housing units are predominately single family units and renter-occupied housings is mixed between the three categories (single family, 2 to 4 units, and 5 or more). Since the development impact fee is calculated by housing size, the owner-occupied housing unit will be assessed the fee for a single family detached unit (\$2,233) and the renter-occupied housing unit will be assessed the fee for an average sized multifamily unit (\$1,586).

The analysis takes a conservative approach and assumes the purchase price of the median home is raised by the development impact fee. This ultimately increases the household's mortgage payment and property tax, see Figure 65. For renter-occupied housing units, the analysis assumes that the development impact fee will be recouped by the landlord through an increase in monthly rent and will be recouped over 30 years.

Listed in Figure 64, the monthly costs for owners and renters only marginally increases with the maximum supportable development impact fee. The cost burden for owner-occupied housing only increases by 0.2 percentage points while the increase in costs for renter-occupied housing increases by 0.1 percentage points.

Figure 64. Scenario 2: Cost Burden Analysis with Proposed Development Impact Fee

Tenure	Monthly Income (80% of Median)	Monthly Cost	Cost Burden
Owner-Occupied	\$5,641	\$1,626	28.8%
Renter-Occupied	\$3,624	\$1,294	35.7%

Conclusion

The South Carolina Development Impact Fee Act requires preparation of a report that estimates the effect of imposing development impact fees on affordability of housing in the jurisdiction. To calculate the effect, a household that earns 80 percent of the median income should have a cost burden ratio of 30 percent or less for housing. Currently, home ownership is below the affordability threshold, but renting is above the threshold. **This analysis has concluded that the maximum supportable development impact fee**

results in a marginal increase to the monthly cost for residents and that the increase is low enough that the existing cost burdens are unaffected. As noted, this analysis takes a conservative approach and assumes that the development impact fees are absorbed entirely by the home occupants. If the County Council were to choose a lower development impact fee amount, the results presented in this report would improve.

Figure 65. Cost of Homeownership

	Monthly Payment Calculation	
	Scenario 1 Baseline Condition	Scenario 2 Baseline Condition + Impact Fee
Purchase Price	\$270,981	\$273,214
Down Payment	\$54,196	\$54,643
Loan Amount	\$216,785	\$218,571
Loan Length (Years)	30	30
Loan Length (Months)	360	360
Yearly Interest Rate	3.00%	3.00%
Monthly Interest Rate	0.25%	0.25%
Monthly Payment	\$914	\$922
Property Tax (per month)	\$289	\$292
Fire District Residential Fee	\$6	\$6
Stormwater Fee	\$28	\$28
Water, Sewer & Electric Utilities	\$187	\$187
Telephone, Cable & Internet Utilities	\$100	\$100
Homeowners Insurance	\$91	\$91
Monthly Cost	\$1,616	\$1,626

APPENDIX B: LAND USE ASSUMPTIONS

As part of our Work Scope, TischlerBise has prepared documentation on demographic data and development projections that will be used in the Lancaster County Development Impact Fee Study. The data estimates and projections are used in the study's calculations and to illustrate the possible future pace of service demands on the County's infrastructure. Furthermore, this chapter demonstrates the history of development and base year development levels in Lancaster County. The base year assumptions are used in the impact fee calculations to determine current levels of service.

This chapter includes discussion and findings on:

- Household/housing unit size
- Current housing unit and population estimates
- Residential projections
- Current nonresidential floor area and employment estimates
- Nonresidential projections
- Functional population
- Current and projected daily vehicle trips

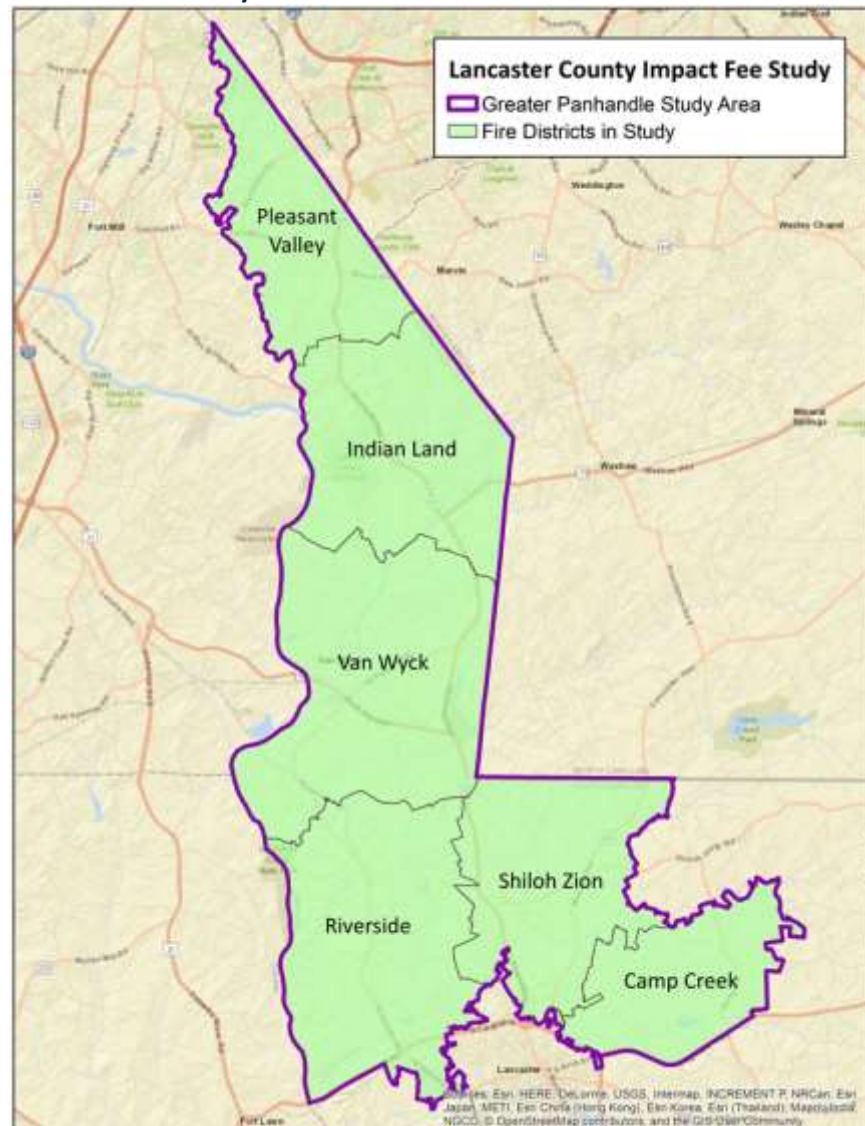
Study Area

It is essential for an impact fee study to have an appropriate study area. The study area defines the level of service calculations, capacity needs, and benefit zones. A previous impact fee study conducted in Lancaster County (Catawba Regional COG, 2019) included the three northern most fire districts: Pleasant Valley, Indian Land, and Charlotte Road. However, from initial interviews with the County's Fire Rescue Department, there are facility improvements and expansions necessary in three other fire districts: Riverside, Shiloh Zion, and Camp Creek. These six fire districts are shown in Figure 66.

From an initial interview with the County's EMS Department, the area of Lancaster County that is served by these fire districts is consistent with the EMS Department's future facility improvements. Furthermore, new Parks & Recreation facilities in the northern panhandle area of the County are assumed to be serving a wider catchment area of residents.

An initial boundary for the impact fee study is defined below as the Greater Panhandle.

Figure 66. Greater Panhandle Study Area



Population and Housing Characteristics

Impact fees often use per capita standards and persons per housing unit or persons per household to derive proportionate share fee amounts. Housing types have varying household sizes and, consequently, a varying demand on County infrastructure and services. Thus, it is important to differentiate between housing types and size.

When persons per housing unit (PPHU) is used in the development impact fee calculations, infrastructure standards are derived using year-round population. In contrast, when persons per household (PPHH) is used in the development impact fee calculations, the fee methodology assumes all housing units will be occupied, thus requiring seasonal or peak population to be used when deriving infrastructure standards. TischlerBise recommends that fees for residential development in Lancaster be imposed according to persons per housing unit.

Figure 67 shows the US Census American Community Survey 2018 5-Year Estimates data for the two census tracts that represent most of the Greater Panhandle (census tracts 112.01 and 112.02). Single family units have a household size of 2.48 persons per unit and multifamily units have a household size of 1.79 persons per unit.

The figure below illustrates the **PPHU factors that will be used to project population**. The figure is used solely to calculate the PPHU factors, base year housing stock and population estimates are detailed in the following section.

Figure 67. Greater Panhandle Persons per Housing Unit

Housing Type	Persons	Households	Persons per Household	Housing Units	Persons per Housing Unit	Housing Mix	Vacancy Rate
Single Family [1]	31,101	11,914	2.61	12,522	2.48	97%	5%
Multifamily [2]	712	355	2.01	397	1.79	3%	11%
Total	31,813	12,269	2.59	12,919	2.46	100%	5%

Source: U.S. Census Bureau, 2018 American Community Survey 5-Year Estimates

[1] Includes detached and attached single family homes and mobile homes.

[2] Includes dwellings in structures with two or more units.

Housing types have different characteristics which results in a different demand on County facilities and services. In the development impact fee schedule, there will be three housing types included: single family detached (includes mobile home), single family attached, and multifamily. Using Public Use Microdata (PUM) available through the U.S. Census Bureau, a PPHU factor is able to be calculated for single family attached units, while the single family detached housing type factor in Figure 67 is adjusted without the attached units. The multifamily PPHU is consistent with the factor in Figure 67. Those PPHU factors are listed below in Figure 68.

Figure 68. Persons per Housing Unit by Housing Type

Housing Type	Persons per Housing Unit
Single Family Detached [1]	2.52
Single Family Attached	2.14
Multifamily [2]	1.79

Source: U.S. Census Bureau, 2018 American Community Survey 5-Year Estimates; PUMS 2018 5-Year Estimate, SC PUMA 700

[1] Includes single family detached and mobile homes

[2] Includes dwellings in structures with two or more units

Base Year Housing Units and Population

There has been a relatively high and consistent annual housing grow in Lancaster County. Shown in Figure 69, over the past five years there has been an annual average of 1,074 single family housing units and 320 multifamily units, a total of nearly 1,400 housing units. According to County staff, the majority of the recent housing growth has been in the panhandle areas as well. It is estimated that 84 percent of the building permits were for development in the study area.

Figure 69. Lancaster County Building Permit Historical Totals

Housing Type	2015	2016	2017	2018	2019	Total	Average
Single Family [1]	1,107	929	944	985	1,407	5,372	1,074
Multifamily	N/A	117	312	589	260	1,278	320
Total	1,107	1,046	1,256	1,574	1,667	6,650	1,394

Source: Planning Department, Lancaster County, SC

[1] Single family housing type includes townhouses

Base Year Housing Units

Based on a parcel level database provided by the Lancaster County Assessor's Office, there are 18,374 single family housing units in the Greater Panhandle. Multifamily units are not tracked in the parcel database. Lancaster County staff provided a database of multifamily developments to estimate units, 1,853 multifamily units are estimated in the study area. In total, there are 20,227 housing units.

Figure 70. Greater Panhandle Base Year Housing Units

Housing Type	Base Year 2020	Percent
Single Family [1]	18,374	91%
Multifamily [2]	1,853	9%
Total	20,227	100%

[1] Source: Lancaster County Assessor's Office Parcel Database; TischlerBise analysis

[2] Estimate of multifamily units is provided by a database of developments from Lancaster County

Base Year Population

The base year population is found by applying the PPHU factors to the base year housing stock estimates. As a result, there is an estimate of 48,885 residents in the Greater Panhandle.

Figure 71. Greater Panhandle Base Year Population

Housing Type	Base Year Housing Units	Persons per Housing Unit [1]	Base Year Population
Single Family	18,374	2.48	45,568
Multifamily	1,853	1.79	3,317
Total	20,227		48,885

[1] Source: U.S. Census Bureau, 2018 American Community Survey 5-Year Estimates

Population and Housing Projections

Based on the County's database of single family pipeline projects in the Panhandle, there is an estimated 4,746 single family units to be constructed in the next three years (Years 1-3). Additionally, there are 5,996 single family units anticipated to be constructed in the following three years (Years 4-6). Overall, 10,742 single family units are projected over the next six years. In the following years (Years 7-10), the 5-year annual average for single family building permits (907 units) is projected. This results in 14,371 single family units over the next ten year.

Based on the County's database of multifamily pipeline projects in the Panhandle, there is an estimated 1,292 multifamily units to be constructed in the next three years (Years 1-3). Additionally, there are 436 multifamily units anticipated to be constructed in the following three years (Years 4-6). Overall, 1,728 multifamily units are projected over the next six years. In the following years (Years 7-10), the 5-year annual average for multifamily building permits (270 units) is projected. This results in 2,807 multifamily units over the next ten year.

Furthermore, population projections are estimated based on the new housing growth and PPHU factors. For example, the annual growth in single family units is multiplied by the PPHU for the single family housing type to project new residents. Overall, there is a projected increase of 40,664 residents, an 83 percent increase from the base year.

Although the housing projections are significant (1,717 new homes per year), it is consistent with the high and increasing rate of new building permits in Lancaster County.

Figure 72. Greater Panhandle Residential Development Projections

Lancaster County Greater Panhandle	Base Year 2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	Total Increase
Population [2]	48,885	53,579	58,273	62,967	68,184	73,401	78,618	81,350	84,083	86,816	89,549	40,664
Housing Units [1]												
Single Family	18,374	19,956	21,538	23,120	25,119	27,117	29,116	30,023	30,930	31,838	32,745	14,371
Multifamily	1,853	2,284	2,714	3,145	3,290	3,436	3,581	3,851	4,121	4,390	4,660	2,807
Total	20,227	22,240	24,252	26,265	28,409	30,553	32,697	33,874	35,051	36,228	37,405	17,178

[1] Source: Housing growth in the first six years is based off of current and pipeline projects. Growth projections after Year 6 is the 5-year average of building permits. Data provided by Lancaster County.

[2] Source: U.S. Census Bureau, 2018 American Community Survey 5-Year Estimates

Current Nonresidential Floor Area and Employment

Available through the County's Assessor's Office parcel database, nonresidential floor area was summed into six industries: retail, office, industrial, warehouse, healthcare, and institutional. In total, there are 9.6 million square feet in the Greater Panhandle. The retail, office, and industrial sectors have a similar presence in the study area.

Figure 73. Greater Panhandle Nonresidential Floor Area

Industry Sector	Floor Area (sq. ft.)	%
Retail	2,119,174	22%
Office	1,896,043	20%
Industrial	2,527,149	26%
Warehouse	1,272,502	13%
Healthcare	401,619	4%
Institutional	1,364,501	14%
Total	9,580,988	100%

Source: Lancaster County Assessor's Office
Parcel Database; TischlerBise analysis

Base year employee estimates are calculated by applying employee density factors to the base year floor area. Those density factors are provided in the Institute of Transportation Engineers (ITE) Trip Generation (2017) and listed in Figure 74.

Figure 74. Institute of Transportation Engineers Employee Density Factors

ITE Code	Land Use	Demand Unit	Emp Per Dmd Unit	Sq Ft Per Emp
820	Shopping Center (avg size)	1,000 Sq Ft	2.34	427
710	General Office (avg size)	1,000 Sq Ft	2.97	337
110	Light Industrial	1,000 Sq Ft	1.63	615
150	Warehousing	1,000 Sq Ft	0.34	2,902
610	Hospital	1,000 Sq Ft	2.83	354
520	Elementary School	1,000 Sq Ft	0.93	1,076

Source: Trip Generation, Institute of Transportation Engineers, 10th Edition (2017)

Listed in Figure 75, from applying employee density factors there are a total of 17,549 employees in the Greater Panhandle study area. A majority of the jobs are in the office, retail, and industrial sectors.

Figure 75. Greater Panhandle Base Year Employees

Industry Sector	Floor Area (sq. ft.) [1]	Sq. Ft. per Emp. [2]	Base Year Employees
Retail	2,119,174	427	4,966
Office	1,896,043	337	5,630
Industrial	2,527,149	615	4,110
Warehouse	1,272,502	2,902	438
Healthcare	401,619	354	1,136
Institutional	1,364,501	1,076	1,268
Total	9,580,988		17,549

[1] Source: Lancaster County Assessor's Office Parcel Database; TischlerBise analysis

[2] Source: Trip Generation, Institute of Transportation Engineers, 10th Edition (2017)

Nonresidential Floor Area and Employment Projections

Available from the South Carolina Department of Employment & Workforce are employment projections for the Catawba Workforce Development Area. The Development Area includes Lancaster, York, and Chester Counties. It is assumed that Lancaster County's Greater Panhandle will be a growing employment center for the Development Area and the annual growth rate for the study area will be consistent with the Development Area's projected growth rate.

Figure 76. Nonresidential Growth Rate

Industry Sector	Annual Growth Rate
Retail	2.40%
Office	1.10%
Industrial	1.53%
Warehouse	1.53%
Healthcare	2.42%
Institutional	0.87%

Source: SC Dept of Employment & Workforce projections for the Catawba Workforce Development Area

Additionally, there are office development projects in the pipeline that are estimated to generate a total of 2,500 jobs. Also, a new hospital is anticipated to be constructed in the panhandle and will generate 400 jobs. These projects are anticipated to be complete within the next three years and are included in the projections.

By applying the growth rates, pipeline projects, and the employee density factors the ten-year projections are calculated in Figure 77. The office industry is projected to have the largest increase in jobs (3,147), while the retail industry is projected to increase by 1,100 jobs. Overall employment in the Greater Panhandle is projected to increase by 6,016, which is a 34 percent increase from the base year.

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Over the next ten years, it is projected that the study area will grow by 2.6 million nonresidential square feet. The office industry is projected to have the largest increase of 1,060,000 square feet. Overall, this is an increase of 27 percent from the base year floor area total.

Figure 77. Employment and Nonresidential Floor Area Projections

Lancaster County Greater Panhandle	Base Year 2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	Total Increase
Jobs												
Retail	4,966	5,085	5,207	5,332	5,460	5,591	5,725	5,862	6,003	6,147	6,295	1,329
Office	5,630	6,464	7,297	8,130	8,220	8,310	8,402	8,494	8,587	8,682	8,777	3,147
Industrial	4,110	4,173	4,236	4,301	4,367	4,434	4,502	4,571	4,641	4,712	4,784	674
Warehouse	438	445	452	459	466	473	480	488	495	503	510	72
Healthcare	1,136	1,269	1,403	1,536	1,573	1,611	1,650	1,690	1,731	1,773	1,816	680
Institutional	1,268	1,279	1,291	1,302	1,313	1,324	1,336	1,348	1,359	1,371	1,383	115
Total	17,549	18,715	19,885	21,060	21,399	21,744	22,095	22,452	22,816	23,187	23,565	6,016
Floor Area (1,000 square feet)												
Retail	2,119	2,170	2,222	2,275	2,330	2,386	2,443	2,502	2,562	2,623	2,686	567
Office	1,896	2,177	2,457	2,738	2,768	2,798	2,829	2,860	2,892	2,924	2,956	1,060
Industrial	2,527	2,566	2,605	2,645	2,685	2,726	2,768	2,811	2,854	2,897	2,942	414
Warehouse	1,273	1,292	1,312	1,332	1,352	1,373	1,394	1,415	1,437	1,459	1,481	209
Healthcare	402	449	496	543	556	570	583	598	612	627	642	240
Institutional	1,365	1,376	1,388	1,400	1,413	1,425	1,437	1,450	1,462	1,475	1,488	123
Total	9,581	10,030	10,480	10,934	11,104	11,278	11,455	11,635	11,818	12,005	12,195	2,614

Source: SC Dept of Employment & Workforce employment growth rate for Catawaba Workforce Development Area; Lancaster County Assessor's Office Parcel Database; [Trip Generation](#), Institute of Transportation Engineers, 10th Edition (2017)

Functional Population

Both residential and nonresidential developments increase the demand on County services and facilities. To calculate the proportional share between residential and nonresidential demand on service and facilities, a functional population approach is used. The functional population approach allocates the cost of the facilities to residential and nonresidential development based on the activity of residents and workers in the County through the 24 hours in a day. Based on available data, the functional population calculation includes countywide totals.

Residents that do not work are assigned 20 hours per day to residential development and 4 hours per day to nonresidential development (annualized averages). Residents that work in Lancaster County are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents that work outside the County are assigned 14 hours to residential development, the remaining hours in the day are assumed to be spent outside of the County working. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2017 functional population data, residential development accounts for 78 percent of the functional population, while nonresidential development accounts for 22 percent, see Figure 78.

Figure 78. Lancaster County Functional Population

Lancaster County, SC (2017)			
Residential		<i>Demand Hours/Day</i>	<i>Person Hours</i>
Population*	93,385		
Residents Not Working	57,744	20	1,154,880
Employed Residents	35,641		
Employed in Lancaster County	9,587	14	134,218
Employed outside Lancaster County	26,054	14	364,756
	Residential Subtotal		1,653,854
	Residential Share =>		78%
Nonresidential			
Non-working Residents	57,744	4	230,976
Jobs Located in Lancaster County	24,636		
Residents Employed in Lancaster County	9,587	10	95,870
Non-Resident Workers (inflow commuters)	15,049	10	150,490
	Nonresidential Subtotal		477,336
	Nonresidential Share =>		22%
	TOTAL		2,131,190

Source: U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics.

* Source: U.S. Census Bureau, American Community Survey, 2017 (countywide population)

Vehicle Trip Generation

Residential Vehicle Trips

A customized trip rate is calculated for the single family and multifamily units in the Greater Panhandle. In Figure 79, the most recent data from the U.S. Census American Community Survey is inputted into equations provided by the ITE to calculate the trip ends per housing unit factor. A single family household is estimated to generate 9.90 trip ends on an average weekday and a multifamily household is estimated to generate 5.20 trip ends on an average weekday.

Figure 79. Customized Residential Trip End Rates

	Vehicles Available (1)	Households (2)			Vehicles per Household by Tenure
		Single Family*	Multifamily Units	Total HHs	
Owner-occupied	21,758	11,250	59	11,309	1.92
Renter-occupied	1,533	664	296	960	1.60
TOTAL	23,291	11,914	355	12,269	1.90
Housing Units (6) =>		12,522	397	12,919	
Persons per Housing Unit =>		2.48	1.79	2.46	

	Persons (3)	Trip Ends (4)	Vehicles by Type of Housing	Trip Ends (5)	Average Trip Ends	Trip Ends per Housing Unit	ITE Trip Ends Per Unit	Difference from ITE
Single Family*	31,101	98,363	22,705	148,767	123,565	9.90	9.44	5%
Multifamily	712	1,549	586	2,603	2,076	5.20	5.44	-4%
TOTAL	31,813	99,913	23,291	151,370	125,641	9.70		

* Includes Single Family Detached, Attached, and Manufactured Homes

(1) Vehicles available by tenure from Table B25046, 2014-2018 American Community Survey 5-Year Estimates.

(2) Households by tenure and units in structure from Table B25032, American Community Survey, 2014-2018.

(3) Persons by units in structure from Table B25033, American Community Survey, 2014-2018.

(4) Vehicle trips ends based on persons using formulas from [Trip Generation](#) (ITE 2017). For single family housing (ITE 210), the fitted curve equation is $\text{EXP}(0.89 \cdot \text{LN}(\text{persons}) + 1.72)$. To approximate the average population of the ITE studies, persons were divided by 286 and the equation result multiplied by 286. For multifamily housing (ITE 221), the fitted curve equation is $(2.29 \cdot \text{persons}) - 81.02$.

(5) Vehicle trip ends based on vehicles available using formulas from [Trip Generation](#) (ITE 2017). For single family housing (ITE 210), the fitted curve equation is $\text{EXP}(0.99 \cdot \text{LN}(\text{vehicles}) + 1.93)$. To approximate the average number of vehicles in the ITE studies, vehicles available were divided by 485 and the equation result multiplied by 485. For multifamily housing (ITE 220), the fitted curve equation is $(3.94 \cdot \text{vehicles}) + 293.58$ (ITE 2012).

(6) Housing units from Table B25024, American Community Survey, 2014-2018.

Residential Vehicle Trips Adjustment Factors

A vehicle trip end is the out-bound or in-bound leg of a vehicle trip. As a result, so to not double count trips, a standard 50 percent adjustment is applied to trip ends to calculate a vehicle trip. For example, the out-bound trip from a person's home to work is attributed to the housing unit and the trip from work back home is attributed to the employer.

However, an additional adjustment is necessary to capture County residents' work bound trips that are outside of the County. The trip adjustment factor includes two components. According to the National Household Travel Survey (2009), home-based work trips are typically 31 percent of out-bound trips (which are 50 percent of all trip ends). Also, utilizing the most recent data from the Census Bureau's web application "OnTheMap", 73 percent of Lancaster County workers travel outside the County for work. In combination, these factors account for 11 percent of additional production trips ($0.31 \times 0.50 \times 0.73 = 0.11$). Shown in Figure 80, the total adjustment factor for residential housing units includes attraction trips (50 percent of trip ends) plus the journey-to-work commuting adjustment (11 percent of production trips) for a total of 61 percent.

Figure 80. Trip Adjustment Factor for Commuters

Employed Lancaster County Residents (2017)	35,641
Residents Working in the County (2017)	9,587
Residents Commuting Outside of the County for Work	26,054
Percent Commuting Out of the County	73%
Additional Production Trips	11%
Standard Trip Adjustment Factor	50%
Residential Trip Adjustment Factor	61%

Source: U.S. Census, OnTheMap Application, 2017

Nonresidential Vehicle Trips

Vehicle trip generation for nonresidential land uses are calculated by using ITE's average daily trip end rates and adjustment factors found in their recently published 10th edition of *Trip Generation*. To estimate the trip generation in Lancaster County, the weekday trip end per 1,000 square feet factors listed in Figure 81 are used.

Figure 81. Institute of Transportation Engineers Nonresidential Factors

ITE Code	Land Use	Demand Unit	Wkdy Trip Ends Per Dmd Unit	Wkdy Trip Ends Per Employee
820	Shopping Center (avg size)	1,000 Sq Ft	37.75	16.11
710	General Office (avg size)	1,000 Sq Ft	9.74	3.28
110	Light Industrial	1,000 Sq Ft	4.96	3.05
150	Warehousing	1,000 Sq Ft	1.74	5.05
610	Hospital	1,000 Sq Ft	10.72	3.79
520	Elementary School	1,000 Sq Ft	19.52	21.00

Source: *Trip Generation*, Institute of Transportation Engineers, 10th Edition (2017)

For nonresidential land uses, the standard 50 percent adjustment is applied to all industries except for retail. A lower vehicle trip adjustment factor is used for retail because this type of development attracts vehicles as they pass-by on arterial and collector roads. For example, when someone stops at a convenience store on their way home from work, the convenience store is not their primary destination.

In Figure 82, the ITE land use code, daily vehicle trip end rate, trip adjustment factor, and daily vehicle trip rate is listed for each land use.

Figure 82. Daily Vehicle Trip Factors

Land Use	ITE Codes	Daily Vehicle Trip Ends	Trip Adj. Factor	Daily Vehicle Trips
Residential (per housing unit)				
Single Family	210	9.90	61%	6.04
Multifamily	220	5.20	61%	3.17
Nonresidential (per 1,000 square feet)				
Retail	820	37.75	38%	14.35
Office	710	9.74	50%	4.87
Industrial	110	4.96	50%	2.48
Warehouse	150	1.74	50%	0.87
Healthcare	610	10.72	50%	5.36
Institutional	520	19.52	50%	9.76

Source: Trip Generation, Institute of Transportation Engineers, 10th Edition (2017); National Household Travel Survey, 2009

Vehicle Trip Projection

The base year vehicle trip totals and vehicle trip projections are calculated by combining the vehicle trip end factors, the trip adjustment factors, and the residential and nonresidential assumptions for housing stock and floor area. In the Greater Panhandle, residential land uses account for 116,853 vehicle trips and nonresidential land uses account for 62,488 vehicle trips in the base year (Figure 83).

By applying the growth projections to the vehicle trip rates, through 2030, it is estimated that there will be an increase of 112,700 daily vehicle trips with the majority of the growth being generated by residential development (82 percent).

Figure 83. Greater Panhandle Daily Vehicle Trip Projections

Lancaster County Greater Panhandle	Base Year 2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	Total Increase
Residential Trips												
Single Family	110,979	120,534	130,090	139,645	151,717	163,789	175,861	181,340	186,820	192,299	197,779	86,800
Multifamily	5,874	7,239	8,604	9,970	10,430	10,891	11,352	12,207	13,062	13,917	14,773	8,899
Subtotal	116,853	127,773	138,694	149,614	162,147	174,680	187,212	193,547	199,882	206,217	212,551	95,699
Nonresidential Trips												
Retail	30,410	31,140	31,887	32,652	33,436	34,238	35,059	35,901	36,762	37,644	38,547	8,137
Office	9,234	10,600	11,967	13,334	13,480	13,629	13,779	13,930	14,083	14,238	14,395	5,161
Industrial	6,267	6,363	6,461	6,559	6,660	6,762	6,865	6,970	7,077	7,185	7,295	1,028
Warehouse	1,107	1,124	1,141	1,159	1,176	1,194	1,213	1,231	1,250	1,269	1,289	182
Healthcare	2,153	2,405	2,658	2,911	2,981	3,053	3,127	3,203	3,280	3,360	3,441	1,288
Institutional	13,318	13,433	13,550	13,668	13,787	13,907	14,028	14,150	14,273	14,397	14,523	1,205
Subtotal	62,488	65,066	67,664	70,283	71,520	72,783	74,071	75,385	76,726	78,094	79,489	17,001
Vehicle Trips												
Grand Total	179,341	192,840	206,358	219,897	233,667	247,463	261,283	268,932	276,608	284,310	292,041	112,700

Source: Trip Generation, Institute of Transportation Engineers, 10th Edition (2017)

APPENDIX D: SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT

<https://www.scstatehouse.gov/code/title6.php>

CHAPTER 1

General Provisions

ARTICLE 9

Development Impact Fees

SECTION 6-1-910. Short title.

This article may be cited as the “South Carolina Development Impact Fee Act”.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-920. Definitions.

As used in this article:

(1) “Affordable housing” means housing affordable to families whose incomes do not exceed eighty percent of the median income for the service area or areas within the jurisdiction of the governmental entity.

(2) “Capital improvements” means improvements with a useful life of five years or more, by new construction or other action, which increase or increased the service capacity of a public facility.

(3) “Capital improvements plan” means a plan that identifies capital improvements for which development impact fees may be used as a funding source.

(4) “Connection charges” and “hookup charges” mean charges for the actual cost of connecting a property to a public water or public sewer system, limited to labor and materials involved in making pipe connections, installation of water meters, and other actual costs.

(5) “Developer” means an individual or corporation, partnership, or other entity undertaking development.

(6) “Development” means construction or installation of a new building or structure, or a change in use of a building or structure, any of which creates additional demand and need for public facilities. A building or structure shall include, but not be limited to, modular buildings and manufactured housing. “Development” does not include alterations made to existing single-family homes.

(7) “Development approval” means a document from a governmental entity which authorizes the commencement of a development.

(8) “Development impact fee” or “impact fee” means a payment of money imposed as a condition of development approval to pay a proportionate share of the cost of system improvements needed to serve the people utilizing the improvements. The term does not include:

(a) a charge or fee to pay the administrative, plan review, or inspection costs associated with permits required for development;

(b) connection or hookup charges;

(c) amounts collected from a developer in a transaction in which the governmental entity has incurred expenses in constructing capital improvements for the development if the owner or developer has agreed to be financially responsible for the construction or installation of the capital improvements;

(d) fees authorized by Article 3 of this chapter.

(9) “Development permit” means a permit issued for construction on or development of land when no subsequent building permit issued pursuant to Chapter 9 of Title 6 is required.

(10) “Fee payor” means the individual or legal entity that pays or is required to pay a development impact fee.

(11) “Governmental entity” means a county, as provided in Chapter 9, Title 4, and a municipality, as defined in Section 5-1-20.

(12) “Incidental benefits” are benefits which accrue to a property as a secondary result or as a minor consequence of the provision of public facilities to another property.

(13) “Land use assumptions” means a description of the service area and projections of land uses, densities, intensities, and population in the service area over at least a ten-year period.

(14) “Level of service” means a measure of the relationship between service capacity and service demand for public facilities.

(15) “Local planning commission” means the entity created pursuant to Article 1, Chapter 29, Title 6.

(16) “Project” means a particular development on an identified parcel of land.

(17) “Proportionate share” means that portion of the cost of system improvements determined pursuant to Section 6-1-990 which reasonably relates to the service demands and needs of the project.

(18) “Public facilities” means:

(a) water supply production, treatment, laboratory, engineering, administration, storage, and transmission facilities;

(b) wastewater collection, treatment, laboratory, engineering, administration, and disposal facilities;

(c) solid waste and recycling collection, treatment, and disposal facilities;

(d) roads, streets, and bridges including, but not limited to, rights-of-way and traffic signals;

(e) storm water transmission, retention, detention, treatment, and disposal facilities and flood control facilities;

(f) public safety facilities, including law enforcement, fire, emergency medical and rescue, and street lighting facilities;

(g) capital equipment and vehicles, with an individual unit purchase price of not less than one hundred thousand dollars including, but not limited to, equipment and vehicles used in the delivery of public safety services, emergency preparedness services, collection and disposal of solid waste, and storm water management and control;

(h) parks, libraries, and recreational facilities;

(i) public education facilities for grades K-12 including, but not limited to, schools, offices, classrooms, parking areas, playgrounds, libraries, cafeterias, gymnasiums, health and music rooms, computer and science laboratories, and other facilities considered necessary for the proper public education of the state's children.

(19) "Service area" means, based on sound planning or engineering principles, or both, a defined geographic area in which specific public facilities provide service to development within the area defined. Provided, however, that no provision in this article may be interpreted to alter, enlarge, or reduce the service area or boundaries of a political subdivision which is authorized or set by law.

(20) "Service unit" means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvements.

(21) "System improvements" means capital improvements to public facilities which are designed to provide service to a service area.

(22) "System improvement costs" means costs incurred for construction or reconstruction of system improvements, including design, acquisition, engineering, and other costs attributable to the improvements, and also including the costs of providing additional public facilities needed to serve new growth and development. System improvement costs do not include:

(a) construction, acquisition, or expansion of public facilities other than capital improvements identified in the capital improvements plan;

(b) repair, operation, or maintenance of existing or new capital improvements;

(c) upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;

(d) upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;

(e) administrative and operating costs of the governmental entity; or

(f) principal payments and interest or other finance charges on bonds or other indebtedness except financial obligations issued by or on behalf of the governmental entity to finance capital improvements identified in the capital improvements plan.

HISTORY: 1999 Act No. 118, Section 1; 2016 Act No. 229 (H.4416), Section 2, eff June 3, 2016.

Effect of Amendment

2016 Act No. 229, Section 2, added (18)(i), relating to certain public education facilities.

SECTION 6-1-930. Developmental impact fee.

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

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

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

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

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

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

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

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

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

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

HISTORY: 1999 Act No. 118, Section 1.

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

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

- (1) include an explanation of the calculation of the impact fee, including an explanation of the factors considered pursuant to this article;
- (2) specify the system improvements for which the impact fee is intended to be used;
- (3) inform the developer that he may pay a project's proportionate share of system improvement costs by payment of impact fees according to the fee schedule as full and complete payment of the developer's proportionate share of system improvements costs;
- (4) inform the fee payor that:
 - (a) he may negotiate and contract for facilities or services with the governmental entity in lieu of the development impact fee as defined in Section 6-1-1050;
 - (b) he has the right of appeal, as provided in Section 6-1-1030;
 - (c) the impact fee must be paid no earlier than the time of issuance of the building permit or issuance of a development permit if no building permit is required.

HISTORY: 1999 Act No. 118, Section 1.

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

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

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

HISTORY: 1999 Act No. 118, Section 1.

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

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

(B) The capital improvements plan must contain:

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

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

(3) a description of the land use assumptions;

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

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

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

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

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

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

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

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-970. Exemptions from impact fees.

The following structures or activities are exempt from impact fees:

(1) rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe;

(2) remodeling or repairing a structure that does not result in an increase in the number of service units;

(3) replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if the number of service units does not increase;

(4) placing a construction trailer or office on a lot during the period of construction on the lot;

(5) constructing an addition on a residential structure which does not increase the number of service units;

(6) adding uses that are typically accessory to residential uses, such as a tennis court or a clubhouse, unless it is demonstrated clearly that the use creates a significant impact on the system's capacity;

(7) all or part of a particular development project if:

(a) the project is determined to create affordable housing; and

(b) the exempt development's proportionate share of system improvements is funded through a revenue source other than development impact fees;

(8) constructing a new elementary, middle, or secondary school; and

(9) constructing a new volunteer fire department.

HISTORY: 1999 Act No. 118, Section 1; 2016 Act No. 229 (H.4416), Section 1, eff June 3, 2016.

Effect of Amendment

2016 Act No. 229, Section 1, added (8) and (9), relating to certain schools and volunteer fire departments.

SECTION 6-1-980. Calculation of impact fees.

(A) The impact fee for each service unit may not exceed the amount determined by dividing the costs of the capital improvements by the total number of projected service units that potentially could use the capital improvement. If the number of new service units projected over a reasonable period of time is less than the total number of new service units shown by the approved land use assumptions at full development of the service area, the maximum impact fee for each service unit must be calculated by dividing the costs of the part of the capital improvements necessitated by and attributable to the projected new service units by the total projected new service units.

(B) An impact fee must be calculated in accordance with generally accepted accounting principles.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-990. Maximum impact fee; proportionate share of costs of improvements to serve new development.

(A) The impact fee imposed upon a fee payor may not exceed a proportionate share of the costs incurred by the governmental entity in providing system improvements to serve the new development. The proportionate share is the cost attributable to the development after the governmental entity reduces the amount to be imposed by the following factors:

(1) appropriate credit, offset, or contribution of money, dedication of land, or construction of system improvements; and

(2) all other sources of funding the system improvements including funds obtained from economic development incentives or grants secured which are not required to be repaid.

(B) In determining the proportionate share of the cost of system improvements to be paid, the governmental entity imposing the impact fee must consider the:

(1) cost of existing system improvements resulting from new development within the service area or areas;

(2) means by which existing system improvements have been financed;

(3) extent to which the new development contributes to the cost of system improvements;

(4) extent to which the new development is required to contribute to the cost of existing system improvements in the future;

(5) extent to which the new development is required to provide system improvements, without charge to other properties within the service area or areas;

(6) time and price differentials inherent in a fair comparison of fees paid at different times; and

(7) availability of other sources of funding system improvements including, but not limited to, user charges, general tax levies, intergovernmental transfers, and special taxation.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1000. Fair compensation or reimbursement of developers for costs, dedication of land or oversize facilities.

A developer required to pay a development impact fee may not be required to pay more than his proportionate share of the costs of the project, including the payment of money or contribution or dedication of land, or to oversize his facilities for use of others outside of the project without fair compensation or reimbursement.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1010. Accounting; expenditures.

(A) Revenues from all development impact fees must be maintained in one or more interest-bearing accounts. Accounting records must be maintained for each category of system improvements and the service area in which the fees are collected. Interest earned on development impact fees must be considered funds of the account on which it is earned, and must be subject to all restrictions placed on the use of impact fees pursuant to the provisions of this article.

(B) Expenditures of development impact fees must be made only for the category of system improvements and within or for the benefit of the service area for which the impact fee was imposed as shown by the capital improvements plan and as authorized in this article. Impact fees may not be used for:

(1) a purpose other than system improvement costs to create additional improvements to serve new growth;

(2) a category of system improvements other than that for which they were collected; or

(3) the benefit of service areas other than the area for which they were imposed.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1020. Refunds of impact fees.

(A) An impact fee must be refunded to the owner of record of property on which a development impact fee has been paid if:

(1) the impact fees have not been expended within three years of the date they were scheduled to be expended on a first-in, first-out basis; or

(2) a building permit or permit for installation of a manufactured home is denied.

(B) When the right to a refund exists, the governmental entity shall send a refund to the owner of record within ninety days after it is determined by the entity that a refund is due.

(C) A refund must include the pro rata portion of interest earned while on deposit in the impact fee account.

(D) A person entitled to a refund has standing to sue for a refund pursuant to this article if there has not been a timely payment of a refund pursuant to subsection (B) of this section.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1030. Appeals.

(A) A governmental entity which adopts a development impact fee ordinance shall provide for administrative appeals by the developer or fee payor.

(B) A fee payor may pay a development impact fee under protest. A fee payor making the payment is not estopped from exercising the right of appeal provided in this article, nor is the fee payor estopped from receiving a refund of an amount considered to have been illegally collected. Instead of making a

payment of an impact fee under protest, a fee payor, at his option, may post a bond or submit an irrevocable letter of credit for the amount of impact fees due, pending the outcome of an appeal.

(C) A governmental entity which adopts a development impact fee ordinance shall provide for mediation by a qualified independent party, upon voluntary agreement by both the fee payor and the governmental entity, to address a disagreement related to the impact fee for proposed development. Participation in mediation does not preclude the fee payor from pursuing other remedies provided for in this section or otherwise available by law.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1040. Collection of development impact fees.

A governmental entity may provide in a development impact fee ordinance the method for collection of development impact fees including, but not limited to:

- (1) additions to the fee for reasonable interest and penalties for nonpayment or late payment;
- (2) withholding of the certificate of occupancy, or building permit if no certificate of occupancy is required, until the development impact fee is paid;
- (3) withholding of utility services until the development impact fee is paid; and
- (4) imposing liens for failure to pay timely a development impact fee.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1050. Permissible agreements for payments or construction or installation of improvements by fee payors and developers; credits and reimbursements.

A fee payor and developer may enter into an agreement with a governmental entity, including an agreement entered into pursuant to the South Carolina Local Government Development Agreement Act, providing for payments instead of impact fees for facilities or services. That agreement may provide for the construction or installation of system improvements by the fee payor or developer and for credits or reimbursements for costs incurred by a fee payor or developer including interproject transfers of credits or reimbursement for project improvements which are used or shared by more than one development project. An impact fee may not be imposed on a fee payor or developer who has entered into an agreement as described in this section.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1060. Article shall not affect existing laws.

(A) The provisions of this article do not repeal existing laws authorizing a governmental entity to impose fees or require contributions or property dedications for capital improvements. A development impact fee adopted in accordance with existing laws before the enactment of this article is not affected until termination of the development impact fee. A subsequent change or reenactment of the development impact fee must comply with the provisions of this article. Requirements for developers to pay in whole

or in part for system improvements may be imposed by governmental entities only by way of impact fees imposed pursuant to the ordinance.

(B) Notwithstanding another provision of this article, property for which a valid building permit or certificate of occupancy has been issued or construction has commenced before the effective date of a development impact fee ordinance is not subject to additional development impact fees.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1070. Shared funding among units of government; agreements.

(A) If the proposed system improvements include the improvement of public facilities under the jurisdiction of another unit of government including, but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public service district, an agreement between the governmental entity and other unit of government must specify the reasonable share of funding by each unit. The governmental entity authorized to impose impact fees may not assume more than its reasonable share of funding joint improvements, nor may another unit of government which is not authorized to impose impact fees do so unless the expenditure is pursuant to an agreement under Section 6-1-1050 of this section.

(B) A governmental entity may enter into an agreement with another unit of government including, but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public service district, that has the responsibility of providing the service for which an impact fee may be imposed. The determination of the amount of the impact fee for the contracting governmental entity must be made in the same manner and is subject to the same procedures and limitations as provided in this article. The agreement must provide for the collection of the impact fee by the governmental entity and for the expenditure of the impact fee by another unit of government including, but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public services district unless otherwise provided by contract.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1080. Exemptions; water or wastewater utilities.

The provisions of this chapter do not apply to a development impact fee for water or wastewater utilities, or both, imposed by a city, county, commissioners of public works, special purpose district, or nonprofit corporation organized pursuant to Chapter 35 or 36 of Title 33, except that in order to impose a development impact fee for water or wastewater utilities, or both, the city, county, commissioners of public works, special purpose district or nonprofit corporation organized pursuant to Chapter 35 or 36 of Title 33 must:

- (1) have a capital improvements plan before imposition of the development impact fee; and
- (2) prepare a report to be made public before imposition of the development impact fee, which shall include, but not be limited to, an explanation of the basis, use, calculation, and method of collection of the development impact fee; and

(3) enact the fee in accordance with the requirements of Article 3 of this chapter.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-1090. Annexations by municipalities.

A county development impact fee ordinance imposed in an area which is annexed by a municipality is not affected by this article until the development impact fee terminates, unless the municipality assumes any liability which is to be paid with the impact fee revenue.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-2000. Taxation or revenue authority by political subdivisions.

This article shall not create, grant, or confer any new or additional taxing or revenue raising authority to a political subdivision which was not specifically granted to that entity by a previous act of the General Assembly.

HISTORY: 1999 Act No. 118, Section 1.

SECTION 6-1-2010. Compliance with public notice or public hearing requirements.

Compliance with any requirement for public notice or public hearing in this article is considered to be in compliance with any other public notice or public hearing requirement otherwise applicable including, but not limited to, the provisions of Chapter 4, Title 30, and Article 3 of this chapter.

HISTORY: 1999 Act No. 118, Section 1.

Fees Comparison Sheet (Fort Mill and York County)

Building Permits

(Includes Building Plan Review Fee)

(Real Live Lancaster County Example Projects- IN RED)

Development Type

	Lancaster County	Fort Mill	York County
-Multifamily (Parkstone Apts.- Building #1) (Area: 40,958 sq.ft./Job Valuation: \$4,618,425)	38,103.00	\$13,632.31	\$28,700.55
-Retail (Mercantile) (Aldi Grocery store) (Area: 21,720 sq.ft./ Job Valuation: \$1,681,515)	\$13,874.00	\$6,290.04	\$11,079.09
-Office (Business) (CrossRidge One) (Area: 121,155 sq.ft./Job Valuation: \$17,192,380)	\$141,838.00	\$36,076.00	\$104,144.28
-Industrial (Factory) (Nutramax Expansion) (Area: 110,000 sq.ft./Job Valuation: \$15,128,638)	\$124,812.00	\$33,497.05	\$91,761.83
-Warehouse (Storage) (Unique Loom Addition) (Area: 99,935 sq.ft./ Job Valuation: \$9,462,846)	\$78,070.00	\$5,929.14	\$57,767.07
-Healthcare (Business) (Fort Mill Dental) (Area: 8,302/ Job Valuation: \$1,036,668)	\$8,553.00	\$4,677.93	\$7,210.01
Institutional (Assist.Living/I-1) (Gardens at Avondale) (Area: 42,158/Job Valuation: \$6,273,415)	\$51,757	\$17,769.79	38,630.49
-Educational (Child Daycare) (Goddard School) (Area: 10,698/ Jon Valuation: \$1,575,281)	\$12,997.00	\$6,024.45	\$10,441.68
Assembly (Church) (Pleasant Hill UMC Life Center) (Area: 10,373/ Job Valuation: 2,004,161)	\$16,536.00	\$7,096.65	\$13,014.96
Assembly (Clubhouse) (Overlook@ Barber Rock) (Area: 1,582/ Job Valuation: \$272,658)	\$2,250.00	\$1,574.54	\$2,284.94

Assembly (Restaurant) (Chili's Restaurant)
(Area: 4,488 sq.ft./Job Valuation: \$653,947)

\$5,396.00

\$3,288.55

\$4,913.69

Additional Information

1. Enterprise versus Non-Enterprise Communities: Both Fort Mill and York County have significant Enterprise services with their utility programs. In some communities lower permit fees can help drive the utility growth.
2. Fort Mill Fee Increases: At the time Building Inspections staff collected their data, Fort Mill was in the processes of researching fees to propose a substantive increase. This would be part of the proposed budget for next fiscal year and is not final.
3. Civil Plan Review: Civil plan reviews in the two comparable communities were significantly higher than Lancaster County. This is not reflected in the data.

Other Fees-Business License

Business License Fees:

Neither York County nor Mecklenburg County impose business license fees.

Town of Fort Mill does have a business license in place and the fee schedule is below:

Rate Class	Minimum Fee (Up to \$2,000 in Gross Revenue)	Rate Per Additional \$1,000 in Revenue over \$2,000 (or fraction thereof)
1	\$25.00	\$1.00
2	\$30.00	\$1.05
3	\$35.00	\$1.10
4	\$40.00	\$1.15
5	\$45.00	\$1.20
6	\$50.00	\$1.25
7	\$55.00	\$1.30
8.1	\$35.00	\$1.10
8.1A	\$70.00	\$2.20
8.2	\$235.00 (Statute)	N/A
8.3	MASC Telecomm.	N/A
8.4	\$60.00	\$1.75
8.5	\$25.00	\$1.00
8.6	\$150.00	\$1.75
8.6A	\$5.00	\$1.75
8.7	MASC Insurance	N/A
8.8A	\$12.50 + 12.50/machine	N/A
8.8B	\$70.00	\$2.10
8.8C	\$12.50 + \$180.00/machine	N/A
8.9	\$150.00	\$1.75
8.10	\$60.00 + \$5.00/table	\$1.35

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1722

Contact Person / Sponsor: Steve Willis/County Administrator and John DuBose/County Attorney

Department: Attorney

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Whether to impose a Fire Development Impact Fee

Points to Consider:

There is an existing assessment district for the Pleasant Valley Fire District located within the Greater Panhandle Service Area that would receive a credit on the proposed fire impact fees.

The proposed residential fire development impact fees are as follows:

Greater Panhandle:

Development Type	Fire
Residential (per housing unit)	
Single Family Detached	\$1,184
Single Family Attached	\$1,006
Multifamily	\$841

Pleasant Valley:

Development Type	Fire
Residential (per housing unit)	
Single Family Detached	\$1,018
Single Family Attached	\$865
Multifamily	\$723

The non-residential fire development impact fees are as follows:

Greater Panhandle

Development Type	Fire
Nonresidential (per 1,000 square feet)	
Retail	\$1,478
Office	\$502
Industrial	\$255
Warehouse	\$90
Healthcare	\$552
Institutional	\$1,005

Pleasant Valley

Development Type	Fire
Nonresidential (per 1,000 square feet)	
Retail	\$1,363
Office	\$463
Industrial	\$236
Warehouse	\$83
Healthcare	\$509
Institutional	\$927

County Council must decide upon an effective date for the imposition of development impact fees. Staff and legal counsel suggest October 1, 2021 as the effective date and that date is included in the proposed 2nd reading version of the ordinance attached to the agenda package. County Council must also consider whether to provide that projects that have reached certain development milestones are subject to imposition of development impact fees. A provision addressing this consideration is included in the effective date provision of the proposed 2nd reading version of the ordinance.

If County Council approves of the 2nd reading version of the ordinance it should make a motion to adopt that version of the propose fire impact fee ordinance.

Funding and Liability Factors:

Impact fees are proposed to be paid at issuance of a building permit.

Impact fees must be paid within three (3) years of their scheduled expenditure date on a first in first out basis or they must be refunded.

Council Options:

Approve or disapprove imposition of the fire development impact fee.

Recommendation:

Not Applicable.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1722 Fire Impact Fee	3/16/2021	Ordinance
Ordinance 2021-1722 2nd Reading Proposed Version	4/7/2021	Ordinance

new Fire facility system improvements (fire stations and fire vehicles) needed to accommodate the demand generated by new development in the Greater Panhandle region of the County, these taxes would be paid largely by existing residents and businesses that have already paid for much of the Fire facility system improvements they utilize; and

WHEREAS, County Council finds that it is fair and equitable for new development in the Greater Panhandle region of the County to fund new Fire facility system improvements, in part, through a proportionate share Fire development impact fee; and

WHEREAS, County Council finds the Fire development impact fee will be imposed uniformly on all similar residential and nonresidential use types; and

WHEREAS, County Council having given consideration to the provision and financing of Fire facility system improvements necessary to maintain levels of service, hereby finds and declares that the establishment and adoption of Fire development impact fee to imposed on new development is necessary and desired, that the fee is proportionate and the fee is based on a CIP that sets forth the Fire facility system improvements needed to maintain levels of service for Fire facilities to accommodate new development in the Greater Panhandle region of the County; and

NOW, THEREFORE, BE IT ORDAINED by the County Council of Lancaster County, South Carolina that:

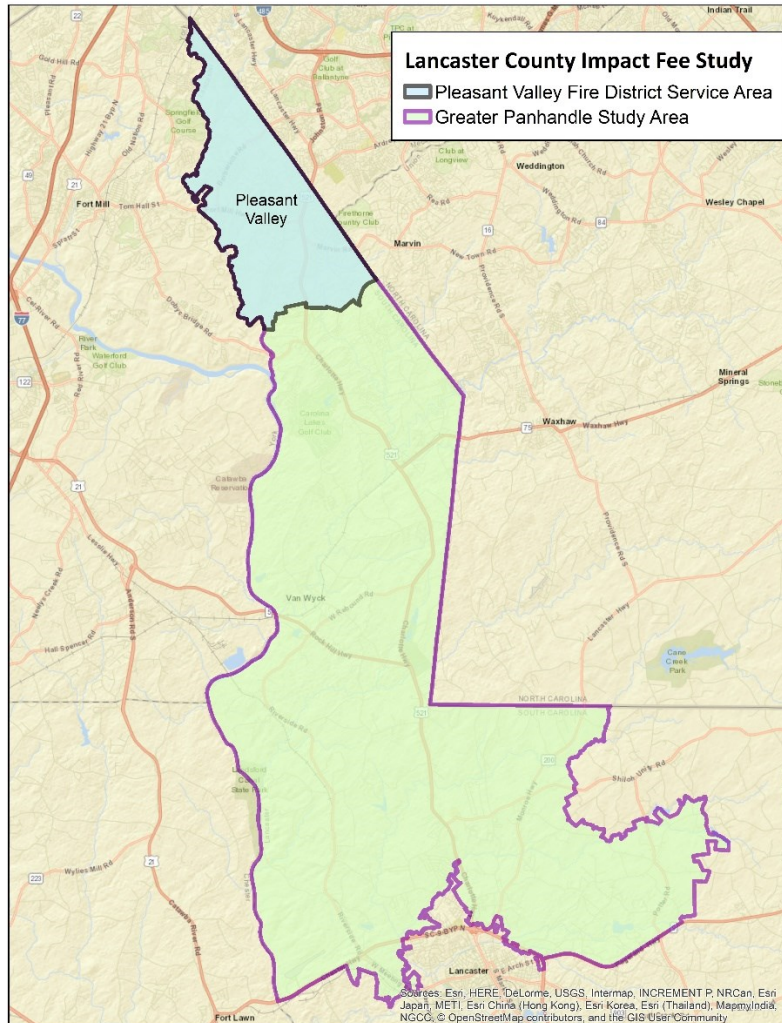
SECTION I. ADOPTION AND IMPOSITION OF FIRE IMPACT FEES.

Pursuant to Ordinance No. 2021-1705 and the impact fee procedures in the Code of Ordinances, Lancaster County, South Carolina ("County Code"), Chapter ___, Article ___, this Fire development impact fee shall be adopted and imposed on all new development in the Fire Service Area.

SECTION II. ESTABLISHMENT OF SERVICE AREAS.

There are two service areas for Fire development impact fees. The larger service area includes the Greater Panhandle except for the Pleasant Valley Fire District. The Pleasant Valley Fire District is a second service area as a result of a credit included in the Fire development impact fee to ensure the current property assessment by the fire district does not create a double payment scenario.

A. Map of Fire Service Area



SECTION III. INCORPORATION OF SUPPORT STUDY.

The County relies on the level of service standard, land use assumptions, methodologies, service units, system improvement costs, formula, and analyses for Fire development impact fees, and the capital improvement plan (CIP) for Fire facility system improvements set out in *Development Impact Fee Study* prepared by TischlerBise, dated March __, 2021 (hereinafter "Fire development impact fee study"). The Fire development impact fee study sets forth a reasonable level of service standard, land use assumptions, methodologies, service units, system improvement costs, and formulas for determining the impacts of new development on Fire facility system improvement needs.

SECTION IV. IMPOSITION OF FIRE IMPACT FEES.

- A. The Fire development impact fee shall be imposed on all new development in the Fire Service Area, unless the development is exempted, or an exception or waiver is granted pursuant to Chapter ____, Article ____ of the County Code.

- A. The Fire development impact fee shall be paid prior to issuance of a building permit, or if a building permit is not required, prior to construction of the dwelling unit, or prior to issuance of a development permit for the dwelling unit, as appropriate.

SECTION V. FIRE DEVELOPMENT IMPACT FEE SCHEDULE.

- A. Pursuant to this Ordinance and in accordance with the impact fee procedures in Chapter ___, Article ___ of the County Code, the State Development Impact Fee Act, and the Fire development impact fee study and CIP, Fire impact development fees shall be imposed in the fire service areas.

- B. The following general procedure shall be followed upon receipt of an application for a building permit for new development:

- (1) For residential development, identify the type of housing development and number of dwelling units, and then calculate the fee based on the Residential Fire Development Impact Fee Schedule;

- i. Residential Fire Development Impact Fee Schedule Greater Panhandle Service Area

Development Type	Fire
Residential (per housing unit)	
Single Family Detached	\$1,184
Single Family Attached	\$1,006
Multifamily	\$841

- ii. Residential Fire Development Impact Fee Schedule Pleasant Valley Fire District

Development Type	Fire
Residential (per housing unit)	
Single Family Detached	\$1,018
Single Family Attached	\$865
Multifamily	\$723

- (2) For nonresidential development, identify the type of nonresidential development and the square feet of the nonresidential development, then calculate the fee based on the Nonresidential Fire Development Impact Fee Schedule;

- i. Nonresidential Fire Development Impact Fee Schedule Greater Panhandle Service Area

Development Type	Fire
Nonresidential (per 1,000 square feet)	
Retail	\$1,478
Office	\$502
Industrial	\$255
Warehouse	\$90
Healthcare	\$552
Institutional	\$1,005

ii. Nonresidential Fire Development Impact Fee Schedule Pleasant Valley Fire District

Development Type	Fire
Nonresidential (per 1,000 square feet)	
Retail	\$1,363
Office	\$463
Industrial	\$236
Warehouse	\$83
Healthcare	\$509
Institutional	\$927

- C. Development Impact Fee Schedule Annual Update. The development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities set forth in the Development Impact Fee Study and CIP dated _____. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering News-Record (ENR). For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The impact fee schedule annual adjustment update will become effective on July 1st of each year. If July 1st falls on a weekend or county holiday, the fee adjustment will become effective on the next business day thereafter.

SECTION VI. INDIVIDUAL ASSESSMENT OF DEVELOPMENT IMPACT.

- A. In-lieu of calculating the Fire development impact fees by reference to the fee schedule, a feepayer may request that the amount of the required Fire development impact fees be determined by reference to an Individual Assessment of Development Impact for the proposed development.
- B. If a feepayer requests the use of an Individual Assessment of Development Impact, the feepayer shall be responsible for retaining a qualified professional to prepare the Individual Assessment of Development Impact that complies with the requirements of this section, at the feepayer's expense.
- C. Each Individual Assessment of Development Impact shall be based on the level of service standard and the same system improvement costs for Fire facility system improvements used in the Fire development impact fee study and CIP, shall use the formula for calculating the development impact fee used in the Fire development impact fee study and CIP, and shall document the relevant methodologies and assumptions used (no adjustments in the assumption of credits shall be made). The burden shall be on the feepayer requesting the Individual Assessment of Development Impact to demonstrate by competent evidence that the data and assumptions used in the Fire development impact fee study and CIP and reflected in the Fire Development Impact Fee Schedule, is less accurate than the results of the Individual Assessment of Development Impact.

- D. Each Individual Assessment of Development Impact shall be submitted to the Director or a designee, and may be accepted, rejected, or accepted with modifications by the Director or a designee as the basis for calculating Fire development impact fees. If an Individual Assessment of Development Impact is accepted or accepted with modifications by the Director or a designee as a more accurate measure of the demand for Fire facility system improvements created by the proposed new development than the applicable fees in the Fire Development Impact Fee Schedule, then the development impact fees due under this Ordinance shall be calculated according to such assessment.

SECTION VII. CREDITS

- A. Any developer/feepayer obligated pay a Fire development impact fee under this section may apply for credit against Fire development impact fees otherwise due, up to but not to exceed the full obligation for the fees proposed to be paid pursuant to the provisions of this Ordinance for any contribution or construction for Fire facility system improvements that are accepted by the County Council for Fire facility system improvements identified in the CIP.

B. Valuation of Credits

- (1) Credit for land dedication for Fire facility system improvements, at the feepayer's option, shall be valued at either (a) 100 percent of the most recent assessed value for such land as shown in the records of the County Assessor, or (b) the fair market value of the land established by a private appraiser acceptable to the County Council in an appraisal paid for by the feepayer.
- (2) Credit for construction of a Fire facility buildings shall be valued by the County Council based on construction costs estimates submitted by the feepayer. The County Council shall determine the amount of credit due based on the information submitted, or, if it determines the information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the County Council.
- (3) Credit for contributions for Fire facility system improvements shall be based on the value of the contribution at the time it is made by the feepayer.

C. When Credits Become Effective

- (1) Credits for land dedication for Fire facility system improvements shall become effective after the credit is approved by County Council pursuant to this section, and a Credit Agreement/Development Agreement is entered into, and (a) the land has been conveyed to the County in a form established by the County at no cost to the County, and (b) the dedication of land has been accepted by the County.
- (2) Credits for construction of Fire facility buildings shall become effective after the credit is approved by County Council pursuant to this section, (a) a Credit Agreement/Development Agreement is entered into, (b) a suitable maintenance and warranty bond has been received and approved by the County Council, and (c) all design, construction, inspection, testing, bonding, and acceptance procedures have been completed in compliance with all applicable County requirements.
- (3) Credits for contributions shall become effective after the contribution is approved by the County Council pursuant to this section, and the contribution is provided to and

accepted by the County Council.

- (4) Credits for dedication of land, construction, or contributions for Fire facility system improvements shall be transferable within the same development for Fire development impact fee purposes, but shall not be transferable outside the development or used as credit against fees for other public facilities. Credit may be transferred pursuant to these terms and conditions by any written instrument that clearly identifies which credits issued under this section are to be transferred. The instrument shall be signed by both the transferor and transferee, and the document shall be delivered to the County Council for registration.
- (5) The total amount of the credit shall not exceed the amount of the Fire development impact fees due and payable for the project.
- (6) If the offer for credit is approved, a Credit Agreement/Development Agreement shall be prepared and signed by the applicant and the County Council. The Credit Agreement/Development Agreement shall specifically outline the contribution or construction of buildings for Fire facility system improvements, the time by which they shall be completed or dedicated, and any extensions thereof, and the value (in dollars) of the credit against the Fire development impact fees the feepayer shall receive for the contribution or construction of Fire buildings.
- (7) The County Council may enter into a Capital Contribution Front-Ending Agreement with any developer/feepayer who proposes to construct Fire facility system improvements in the CIP, to the extent the fair market value of the construction of those Fire facility system improvements exceed the obligation to pay Fire development impact fees for which a credit is provided pursuant to this section. The Capital Contribution Front-Ending Agreement shall provide proportionate and fair share reimbursement linked to new growth and development's use of the Fire facility system improvements constructed.

SECTION VIII. TRUST FUND FOR FIRE DEVELOPMENT IMPACT FEES.

The County hereby establish segregated Fire Development Impact Fee Trust Fund Account. All Fire development impact fees collected by the County shall be placed in their respective Trust Fund Account. Each Trust Account shall be an interest-bearing account and all interest earned and accruing to the account shall become funds of the account subject to the same limitations and restrictions on use and expenditure of funds that are applicable to Fire development impact fee funds.

SECTION IX. EXPENDITURE OF FEES FOR SYSTEM IMPROVEMENTS.

Fire development impact fee funds shall be used by the County in accordance with the development impact fee procedures in Chapter ___, Article ___ of the County Code, solely and exclusively for Fire facility system improvements as set forth in the Fire development impact fee study and CIP. System improvements generally include the following: buildings and emergency vehicles that expand the capacity of the Fire system.

SECTION X. DEVELOPER RIGHTS.

The developer, pursuant to the State Development Impact Fee Act and the county impact fee procedures in Chapter ___, Article ___ of the County Code, shall have the following rights, any or all of which

may be exercised only in accordance with the impact fee procedures in Chapter ____, Article ____ of the County Code.

- A. Administrative Appeal. The developer/applicant may file an administrative appeal with the County Administrator with respect to a County decision related to the imposition, calculation, collection, processing, or expenditure of a Fire development impact fee at any time; provided, however, that such appeal must comply with the provisions and requirements the County impact fee procedure in Chapter ____, Article ____ of the County Code. If the appeal follows payment of the development impact fee, it must be made within 30 days of the date of fee payment. The filing of an appeal will immediately halt the impact fee process, unless the developer/applicant posts a bond or submits an irrevocable letter of credit for the full amount of development fees as calculated by the County.
- B. Payment under Protest. The developer/applicant may pay the County-calculated Fire development impact fees under protest, pursuant to the County impact fee procedures as set forth in Chapter ____, Article ____ the County Code. Payment under protest does not preclude the developer/applicant from filing an administrative appeal, from requesting a refund, or from posting a bond or submitting an irrevocable letter of credit for the amount of the development impact fee due, all as set forth in the impact fee procedures as set forth in Chapter ____, Article ____.
- C. Mediation. The developer/applicant may request mediation by a qualified independent party, but only upon voluntary agreement by both the developer/applicant (feepayer) as well as the County and only to address a disagreement related to the Fire development impact fees, as calculated by the County, for the proposed development. Neither request for, nor participation in, mediation shall preclude the developer/applicant (feepayer) from pursuing other developer rights and/or remedies, as set forth in this Ordinance, the County impact fee procedures in Chapter ____, Article ____ of the County Code, or other remedies available by law.

SECTION XI. COUNTY REMEDIES.

- A. The County pursuant the State Development Impact Fee Act and the County impact fee procedure Chapter ____, Article __ of the County Code, to the extent authorized pursuant to the intergovernmental agreements entered into with the County pursuant to this Ordinance, shall have all of the following remedies, which may be exercised individually or collectively, but only in accordance with the impact fee procedures in Chapter ____, Article ____ of the County Code:

- (1) Interest and Penalties. The County may, in its discretion, add reasonable interest and penalties for nonpayment or late payment to the amount of the calculated Fire development impact fees due, pursuant to the impact fee procedures in Chapter ____, Article ____ of the County Code.
 - (2) Withholding Building or Development Permit or Development Approval or Certificate of Occupancy. The County may withhold a certificate of occupancy, a building or development permit, or development approval, as may be applicable, until full and complete payment has been made by the developer/applicant of the Fire development impact fees due.
 - (3) Lien. The County may impose a lien on the developer's property, pursuant to the impact fee procedures in Chapter ____, Article ____ of the County Code, for failure of the developer/applicant to timely pay the required Fire development impact fees in full.
- B. The County may pursue any one or all of the remedies described in subsection A of this section, at its discretion. The failure to pursue any remedy or remedies, at any time, shall not be deemed to be a waiver of County rights to pursue any remedy or remedies at such other time as may be deemed appropriate.

SECTION XII. INTERGOVERNMENTAL AGREEMENTS.

Prior to imposition of the Fire development impact fee pursuant to this Ordinance, the County shall enter into intergovernmental agreements with the participating municipalities, which intergovernmental agreements shall:

- A. Specify the reasonable share of funding of joint system improvements for Fire facility system improvements by each governmental unit; and
- B. Provide for the collection of the Fire development impact fee by the municipality within its corporate limits and by the County within the unincorporated County; and
- C. Provide for the timely transfer of Fire development impact fee funds from the municipality to the County; and
- D. Provide for the timely expenditure of the Fire development impact fee funds by the County in accordance with the CIP.

SECTION XIII. TERMINATION OF THE Fire IMPACT FEES.

The Fire development impact fees shall terminate upon the completion/conclusion/purchase of all the Fire development impact fee-funded facility system improvements as set forth in the CIP unless:

- A. The County adopts a CIP for a subsequent time; or
- B. The County adopts an updated Fire development impact fee pursuant to the substantive and procedural requirements of the State Development Impact Fee Act.

SECTION XIV. LIBERAL CONSTRUCTION.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interest of furthering, promoting, and protecting the public health, safety, and welfare.

SECTION XV. SEVERABILITY.

- A. If any section, subsection, sentence, clause, phrase, or portion of these Procedures is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion of these Procedures shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of these Procedures nor impair or nullify the remainder of such Procedures which shall continue in full force and effect.
- B. If the application of any provision of these Procedures to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Council is that such decision shall be limited to the specific new development immediately involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify these Procedures as a whole or the application of any provision of these Procedures to any other new development.

SECTION XVI. EFFECTIVE DATE

- A. The Ordinance shall become effective on ____, 2021.
- B. Applications for new development filed after the effective date as set forth in this section shall be subject to the Fire development impact fee.

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ADOPTED this __ day of _____, 2021

COUNTY COUNCIL OF LANCASTER
COUNTY

By: _____
Steve Harper, Chairman

By: _____
Billy Mosteller, Secretary

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose, III, County Attorney

First Reading:	March 22, 2021
Second Reading	April 12, 2021 (tentative)
Third and Final Reading	April 26, 2021 (tentative)
Public Hearing	April 26, 2021 (tentative)

STATE OF SOUTH CAROLINA

)

)

COUNTY OF LANCASTER

)

ORDINANCE NO. 2021-1722

AN ORDINANCE

OF THE COUNTY COUNCIL OF LANCASTER COUNTY, SOUTH CAROLINA ("COUNCIL") ESTABLISHING AND ADOPTING A FIRE DEVELOPMENT IMPACT FEE ("IMPACT FEE") TO BE IMPOSED ON ALL NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY; TO ENSURE THAT FIRE FACILITIES (FIRE STATIONS AND FIRE VEHICLES) WILL BE AVAILABLE AND ADEQUATE TO ACCOMMODATE THE NEED EXPECTED TO BE GENERATED FROM NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY BASED ON THE COUNTY'S LEVEL OF SERVICE STANDARDS FOR FIRE FACILITIES AND CAPITAL IMPROVEMENTS PLAN (CIP), AND TO ASSIGN THE COSTS OF SUCH FIRE FACILITIES ON A PROPORTIONATE SHARE BASIS TO NEW DEVELOPMENT.

WHEREAS, Lancaster County ("County") has experienced population and employment growth in the Greater Panhandle area and projections indicate that population growth and development will continue at a reasonable rate into the future; and

WHEREAS, the County has experienced impacts on public facilities resulting from this growth and development; and

WHEREAS, growth and development estimates for the County over the next 10 years indicate there will be a need for additional Fire facility system improvements (fire stations and fire vehicles) due to the growth and development; and

WHEREAS, the County has defined a level of service standard for Fire facilities (fire stations and fire vehicles); and

WHEREAS, this defined level of service standard and the projected population and employment growth within the Greater Panhandle region results in an identified need for Fire facility system improvement needs over the next 10 years as set forth in the capital improvement plan (CIP); and

WHEREAS, the cost of these Fire facility system improvement needs as identified in the CIP is significant and expensive; and

WHEREAS, if property taxes, or bonds (backed only by property taxes) are used to finance the new Fire facility system improvements (fire stations and fire vehicles) needed to accommodate the demand generated by new development in the Greater Panhandle region of the County, these taxes would be paid largely by existing residents and businesses that have already paid for much of the Fire facility system improvements they utilize; and

WHEREAS, County Council finds that it is fair and equitable for new development in the Greater Panhandle region of the County to fund new Fire facility system improvements, in part, through a proportionate share Fire development impact fee; and

WHEREAS, County Council finds the Fire development impact fee will be imposed uniformly on all similar residential and nonresidential use types; and

WHEREAS, County Council having given consideration to the provision and financing of Fire facility system improvements necessary to maintain levels of service, hereby finds and declares that the establishment and adoption of Fire development impact fee to imposed on new development is necessary and desired, that the fee is proportionate and the fee is based on a CIP that sets forth the Fire facility system improvements needed to maintain levels of service for Fire facilities to accommodate new development in the Greater Panhandle region of the County; and

NOW, THEREFORE, BE IT ORDAINED by the County Council of Lancaster County, South Carolina that:

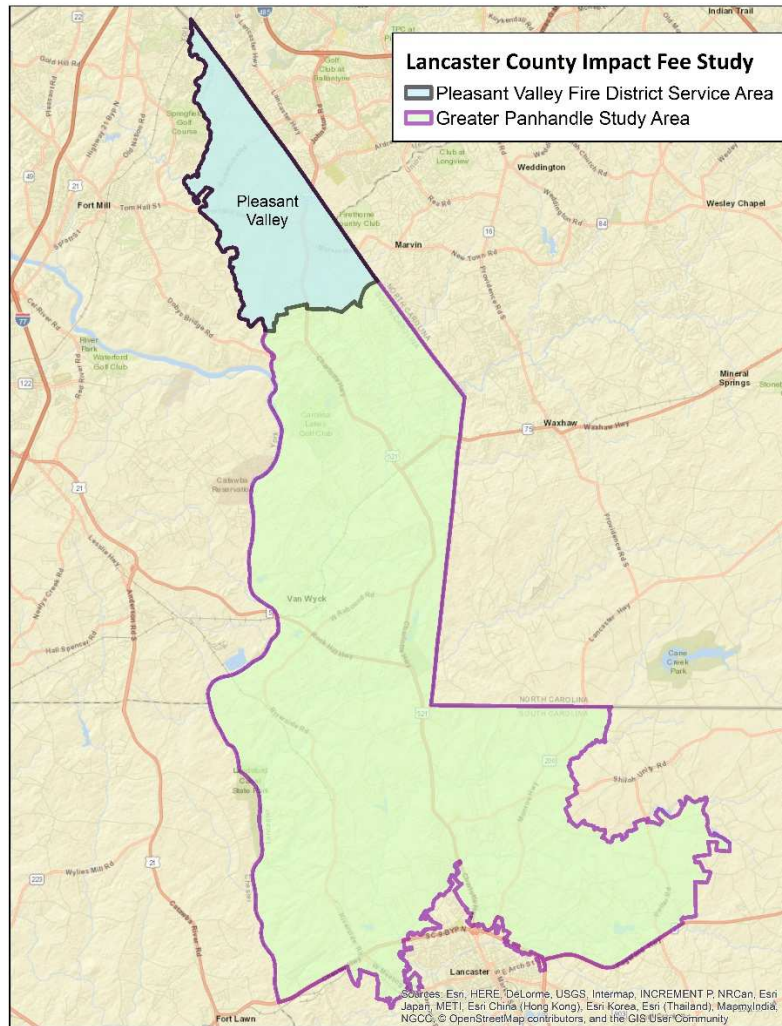
SECTION I. ADOPTION AND IMPOSITION OF FIRE IMPACT FEES.

Pursuant to Ordinance No. 2021-1705 and the Development Impact Fee Procedures in Chapter 17 of the Code of Ordinances, Lancaster County, South Carolina ("County Code"), this Fire development impact fee shall be adopted and imposed on all new development in the Fire Service Area.

SECTION II. ESTABLISHMENT OF SERVICE AREAS.

There are two service areas for Fire development impact fees. The larger service area includes the Greater Panhandle except for the Pleasant Valley Fire District. The Pleasant Valley Fire District is a second service area as a result of a credit included in the Fire development impact fee to ensure the current property assessment by the fire district does not create a double payment scenario.

A. Map of Fire Service Area



SECTION III. INCORPORATION OF SUPPORT STUDY.

The County relies on the level of service standard, land use assumptions, methodologies, service units, system improvement costs, formula, and analyses for Fire development impact fees, and the capital improvement plan (CIP) for Fire facility system improvements set out in *Development Impact Fee Study* prepared by TischlerBise, dated March 31, 2021 (hereinafter "Fire development impact fee study"). The Fire development impact fee study sets forth a reasonable level of service standard, land use assumptions, methodologies, service units, system improvement costs, and formulas for determining the impacts of new development on Fire facility system improvement needs.

SECTION IV. IMPOSITION OF FIRE IMPACT FEES.

- A. The Fire development impact fee shall be imposed on all new development in the Fire Service Area, unless the development is exempted, or an exception or waiver is granted pursuant to Section 17-9 of the County Code.

- A. The Fire development impact fee shall be paid prior to issuance of a building permit, or if a building permit is not required, prior to construction of the dwelling unit, or prior to issuance of a development permit for the dwelling unit, as appropriate.

SECTION V. FIRE DEVELOPMENT IMPACT FEE SCHEDULE.

- A. Pursuant to this Ordinance, and in accordance with the Development Impact Fee Procedures Chapter 17 of the County Code, the State Development Impact Fee Act, and the Fire development impact fee study and CIP, Fire impact development fees shall be imposed in the fire service areas.

- B. The following general procedure shall be followed upon receipt of an application for a building permit for new development:

- (1) For residential development, identify the type of housing development and number of dwelling units, and then calculate the fee based on the Residential Fire Development Impact Fee Schedule;

- i. Residential Fire Development Impact Fee Schedule Greater Panhandle Service Area

Development Type	Fire
Residential (per housing unit)	
Single Family Detached	\$1,184
Single Family Attached	\$1,006
Multifamily	\$841

- ii. Residential Fire Development Impact Fee Schedule Pleasant Valley Fire District

Development Type	Fire
Residential (per housing unit)	
Single Family Detached	\$1,018
Single Family Attached	\$865
Multifamily	\$723

- (2) For nonresidential development, identify the type of nonresidential development and the square feet of the nonresidential development, then calculate the fee based on the Nonresidential Fire Development Impact Fee Schedule;

- i. Nonresidential Fire Development Impact Fee Schedule Greater Panhandle Service Area

Development Type	Fire
Nonresidential (per 1,000 square feet)	
Retail	\$1,478
Office	\$502
Industrial	\$255
Warehouse	\$90
Healthcare	\$552
Institutional	\$1,005

ii. Nonresidential Fire Development Impact Fee Schedule Pleasant Valley Fire District

Development Type	Fire
Nonresidential (per 1,000 square feet)	
Retail	\$1,363
Office	\$463
Industrial	\$236
Warehouse	\$83
Healthcare	\$509
Institutional	\$927

- C. Development Impact Fee Schedule Annual Update. The development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities set forth in the Development Impact Fee Study and CIP dated March 16, 2021. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering News-Record (ENR). For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The impact fee schedule annual adjustment update will become effective on July 1st of each year. If July 1st falls on a weekend or county holiday, the fee adjustment will become effective on the next business day thereafter.

SECTION VI. INDIVIDUAL ASSESSMENT OF DEVELOPMENT IMPACT.

- A. In-lieu of calculating the Fire development impact fees by reference to the fee schedule, a feepayer may request that the amount of the required Fire development impact fees be determined by reference to an Individual Assessment of Development Impact for the proposed development.
- B. If a feepayer requests the use of an Individual Assessment of Development Impact, the feepayer shall be responsible for retaining a qualified professional to prepare the Individual Assessment of Development Impact that complies with the requirements of this section, at the feepayer's expense.
- C. Each Individual Assessment of Development Impact shall be based on the level of service standard and the same system improvement costs for Fire facility system improvements used in the Fire development impact fee study and CIP, shall use the formula for calculating the development impact fee used in the Fire development impact fee study and CIP, and shall document the relevant methodologies and assumptions used (no adjustments in the assumption of credits shall be made). The burden shall be on the feepayer requesting the Individual Assessment of Development Impact to demonstrate by competent evidence that the data and assumptions used in the Fire development impact fee study and CIP and reflected in the Fire Development Impact Fee Schedule, is less accurate than the results of the Individual Assessment of Development Impact.
- D. Each Individual Assessment of Development Impact shall be submitted to the Director

or a designee, and may be accepted, rejected, or accepted with modifications by the Director or a designee as the basis for calculating Fire development impact fees. If an Individual Assessment of Development Impact is accepted or accepted with modifications by the Director or a designee as a more accurate measure of the demand for Fire facility system improvements created by the proposed new development than the applicable fees in the Fire Development Impact Fee Schedule, then the development impact fees due under this Ordinance shall be calculated according to such assessment.

SECTION VII. CREDITS

- A. Any developer/feepayer obligated pay a Fire development impact fee under this section may apply for credit against Fire development impact fees otherwise due, up to but not to exceed the full obligation for the fees proposed to be paid pursuant to the provisions of this Ordinance for any contribution or construction for Fire facility system improvements that are accepted by the County Council for Fire facility system improvements identified in the CIP.
- B. Valuation of Credits
 - (1) Credit for land dedication for Fire facility system improvements, at the feepayer's option, shall be valued at either (a) 100 percent of the most recent assessed value for such land as shown in the records of the County Assessor, or (b) the fair market value of the land established by a private appraiser acceptable to the County Council in an appraisal paid for by the feepayer.
 - (2) Credit for construction of a Fire facility buildings shall be valued by the County Council based on construction costs estimates submitted by the feepayer. The County Council shall determine the amount of credit due based on the information submitted, or, if it determines the information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the County Council.
 - (3) Credit for contributions for Fire facility system improvements shall be based on the value of the contribution at the time it is made by the feepayer.
- C. When Credits Become Effective
 - (1) Credits for land dedication for Fire facility system improvements shall become effective after the credit is approved by County Council pursuant to this section, and a Credit Agreement/Development Agreement is entered into, and (a) the land has been conveyed to the County in a form established by the County at no cost to the County, and (b) the dedication of land has been accepted by the County.
 - (2) Credits for construction of Fire facility buildings shall become effective after the credit is approved by County Council pursuant to this section, (a) a Credit Agreement/Development Agreement is entered into, (b) a suitable maintenance and warranty bond has been received and approved by the County Council, and (c) all design, construction, inspection, testing, bonding, and acceptance procedures have been completed in compliance with all applicable County requirements.
 - (3) Credits for contributions shall become effective after the contribution is approved by the County Council pursuant to this section, and the contribution is provided to and accepted by the County Council.

- (4) Credits for dedication of land, construction, or contributions for Fire facility system improvements shall be transferable within the same development for Fire development impact fee purposes, but shall not be transferable outside the development or used as credit against fees for other public facilities. Credit may be transferred pursuant to these terms and conditions by any written instrument that clearly identifies which credits issued under this section are to be transferred. The instrument shall be signed by both the transferor and transferee, and the document shall be delivered to the County Council for registration.
- (5) The total amount of the credit shall not exceed the amount of the Fire development impact fees due and payable for the project.
- (6) If the offer for credit is approved, a Credit Agreement/Development Agreement shall be prepared and signed by the applicant and the County Council. The Credit Agreement/Development Agreement shall specifically outline the contribution or construction of buildings for Fire facility system improvements, the time by which they shall be completed or dedicated, and any extensions thereof, and the value (in dollars) of the credit against the Fire development impact fees the feepayer shall receive for the contribution or construction of Fire buildings.
- (7) The County Council may enter into a Capital Contribution Front-Ending Agreement with any developer/feepayer who proposes to construct Fire facility system improvements in the CIP, to the extent the fair market value of the construction of those Fire facility system improvements exceed the obligation to pay Fire development impact fees for which a credit is provided pursuant to this section. The Capital Contribution Front-Ending Agreement shall provide proportionate and fair share reimbursement linked to new growth and development's use of the Fire facility system improvements constructed.

SECTION VIII. TRUST FUND FOR FIRE DEVELOPMENT IMPACT FEES.

The County hereby establish segregated Fire Development Impact Fee Trust Fund Account. All Fire development impact fees collected by the County shall be placed in their respective Trust Fund Account. Each Trust Account shall be an interest-bearing account and all interest earned and accruing to the account shall become funds of the account subject to the same limitations and restrictions on use and expenditure of funds that are applicable to Fire development impact fee funds.

SECTION IX. EXPENDITURE OF FEES FOR SYSTEM IMPROVEMENTS.

Fire development impact fee funds shall be used by the County in accordance with the Development Impact Fee Procedures in Chapter 17 of the County Code, solely and exclusively for Fire facility system improvements as set forth in the Fire development impact fee study and CIP. System improvements generally include the following: buildings and emergency vehicles that expand the capacity of the Fire system.

SECTION X. DEVELOPER RIGHTS.

The developer, pursuant to the State Development Impact Fee Act and the Lancaster County Development Impact Fee Procedures in Chapter 17 of the County Code, shall have the following rights, any or all of which may be exercised only in accordance with the impact fee procedures in Section 17-8 of the County

Code.

- A. Administrative Appeal. The developer/applicant may file an administrative appeal with the County Administrator with respect to a County decision related to the imposition, calculation, collection, processing, or expenditure of a Fire development impact fee at any time; provided, however, that such appeal must comply with the provisions and requirements the County impact fee procedure in Section 17-7 of the County Code. If the appeal follows payment of the development impact fee, it must be made within 30 days of the date of fee payment. The filing of an appeal will immediately halt the impact fee process, unless the developer/applicant posts a bond or submits an irrevocable letter of credit for the full amount of development fees as calculated by the County.
- B. Payment under Protest. The developer/applicant may pay the County-calculated Fire development impact fees under protest, pursuant to the County impact fee procedures as set forth in Section 17-7 of the County Code. Payment under protest does not preclude the developer/applicant from filing an administrative appeal, from requesting a refund, or from posting a bond or submitting an irrevocable letter of credit for the amount of the development impact fee due, all as set forth in the impact fee procedures as set forth in Section 17-7 of the County Code.
- C. Mediation. The developer/applicant may request mediation by a qualified independent party, but only upon voluntary agreement by both the developer/applicant (feepayer) as well as the County and only to address a disagreement related to the Fire development impact fees, as calculated by the County, for the proposed development. Neither request for, nor participation in, mediation shall preclude the developer/applicant (feepayer) from pursuing other developer rights and/or remedies, as set forth in this Ordinance, the County impact fee procedures in Section 17-7 of the County Code, or other remedies available by law.

SECTION XI. COUNTY REMEDIES.

- A. The County pursuant the State Development Impact Fee Act and the County Development Impact Fee Procedures Chapter 17 of the County Code, and to the extent authorized pursuant to the intergovernmental agreements entered into with the County pursuant to this Ordinance, shall have all of the following remedies, which may be exercised individually or collectively, but only in accordance with the impact fee procedures in Section 17-8 of the County Code:

- (1) Interest and Penalties. The County may, in its discretion, add reasonable interest and penalties for nonpayment or late payment to the amount of the calculated Fire development impact fees due, pursuant to the impact fee procedures in Section 17-8 of the County Code.
 - (2) Withholding Building or Development Permit or Development Approval or Certificate of Occupancy. The County may withhold a certificate of occupancy, a building or development permit, or development approval, as may be applicable, until full and complete payment has been made by the developer/applicant of the Fire development impact fees due.
 - (3) Lien. The County may impose a lien on the developer's property, pursuant to the impact fee procedures in Section 17-8 of the County Code, for failure of the developer/applicant to timely pay the required Fire development impact fees in full.
- B. The County may pursue any one or all of the remedies described in subsection A of this section, at its discretion. The failure to pursue any remedy or remedies, at any time, shall not be deemed to be a waiver of County rights to pursue any remedy or remedies at such other time as may be deemed appropriate.

SECTION XII. INTERGOVERNMENTAL AGREEMENTS.

Prior to imposition of the Fire development impact fee pursuant to this Ordinance, the County shall enter into intergovernmental agreements with the participating municipalities, which intergovernmental agreements shall:

- A. Specify the reasonable share of funding of joint system improvements for Fire facility system improvements by each governmental unit; and
- B. Provide for the collection of the Fire development impact fee by the municipality within its corporate limits and by the County within the unincorporated County; and
- C. Provide for the timely transfer of Fire development impact fee funds from the municipality to the County; and
- D. Provide for the timely expenditure of the Fire development impact fee funds by the County in accordance with the CIP.

SECTION XIII. TERMINATION OF THE FIRE IMPACT FEES.

The Fire development impact fees shall terminate upon the completion/conclusion/purchase of all the Fire development impact fee-funded facility system improvements as set forth in the CIP unless:

- A. The County adopts a CIP for a subsequent time; or
- B. The County adopts an updated Fire development impact fee pursuant to the substantive and procedural requirements of the State Development Impact Fee Act.

SECTION XIV. LIBERAL CONSTRUCTION.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in

the interest of furthering, promoting, and protecting the public health, safety, and welfare.

SECTION XV. CONFLICT

To the extent of any conflict between other County ordinances and these Procedures, these Procedures shall be deemed to be controlling; provided, however, that these Procedures are not intended to amend or repeal any existing County ordinance, resolution, or regulation.

SECTION XVI. SEVERABILITY.

- A. If any section, subsection, sentence, clause, phrase, or portion of these Procedures is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion of these Procedures shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of these Procedures nor impair or nullify the remainder of such Procedures which shall continue in full force and effect.
- B. If the application of any provision of these Procedures to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Council is that such decision shall be limited to the specific new development immediately involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify these Procedures as a whole or the application of any provision of these Procedures to any other new development.

SECTION XVII. EFFECTIVE DATE

- A. The Ordinance shall become effective on October 1, 2021.
- B. If a development project has achieved the following development approval milestones prior to the effective date of this Ordinance, the development project is not subject to a development impact fee:

Single family residential projects: preliminary plat approval

Multifamily/nonresidential projects: civil construction plan approval

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ADOPTED this _____ day of _____, 2021

**COUNTY COUNCIL OF
LANCASTER COUNTY**

By: _____
Steve Harper, Chairman

By: _____
Billy Mosteller, Secretary

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose, III, County Attorney

First Reading:	March 22, 2021
Second Reading	April 12, 2021
Third and Final Reading	April 26, 2021 (tentative)
Public Hearing	April 26, 2021 (tentative)

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1723

Contact Person / Sponsor: Steve Willis/County Administrator and John DuBose/County Attorney

Department: Attorney

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Whether to impose an EMS development impact fee.

Points to Consider:

The EMS development impact fee study sets forth a reasonable level of service standard, land use assumptions, methodologies, service units, system improvement costs, and formulas for determining the impacts of new development on EMS facility system improvement needs.

The proposed Residential impact fees are as follows:

Development Type	EMS
Residential (per housing unit)	
Single Family Detached	\$139
Single Family Attached	\$118
Multifamily	\$98

The proposed non-residential EMS impact fees are as follows:

Development Type	EMS
Nonresidential (per 1,000 square feet)	
Retail	\$72
Office	\$24
Industrial	\$12
Warehouse	\$4
Healthcare	\$27
Institutional	\$49

The impact fees have been calculated so that new development pays for its proportionate share of the cost of maintaining current levels of service for EMS services.

County Council must decide upon an effective date for the imposition of development impact fees. Staff and legal counsel suggest October 1, 2021 as the effective date. County Council must also consider whether to provide that projects that have reached certain development milestones are subject to imposition of development impact fees.

The proposed 2nd reading version of the ordinance incorporates a October 1, 2021 effective date and provides that projects that have already reaching certain development milestones prior to the effective date are not subject to imposition of the impact fee.

If the 2nd reading version of the ordinance meets with the approval of County Council it should be adopted by motion to amend the present version of the ordinance.

Funding and Liability Factors:

Impact fees are proposed to be paid at issuance of a building permit.

Impact fees must be paid within three (3) years of their scheduled expenditure date on a first in first out basis or they must be refunded.

Council Options:

Approval or disapproval of imposition of an EMS development impact fee

Recommendation:

Not applicable.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1723	3/15/2021	Ordinance
Ordinance 2021-1723 2nd Reading Proposed Version	4/7/2021	Ordinance

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2021-1723

COUNTY OF LANCASTER

)

)

AN ORDINANCE

OF THE COUNTY COUNCIL OF LANCASTER COUNTY, SOUTH CAROLINA ("COUNCIL") ESTABLISHING AND ADOPTING AN EMERGENCY MEDICAL SERVICES ("EMS") DEVELOPMENT IMPACT FEE ("IMPACT FEE") TO BE IMPOSED ON ALL NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY; TO ENSURE THAT EMS FACILITIES (EMS STATIONS AND EMERGENCY VEHICLES) WILL BE AVAILABLE AND ADEQUATE TO ACCOMMODATE THE NEED EXPECTED TO BE GENERATED FROM NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY BASED ON THE COUNTY'S LEVEL OF SERVICE STANDARDS FOR EMS FACILITIES AND CAPITAL IMPROVEMENTS PLAN (CIP), AND TO ASSIGN THE COSTS OF SUCH EMS FACILITIES ON A PROPORTIONATE SHARE BASIS TO NEW DEVELOPMENT

WHEREAS, Lancaster County ("County") has experienced population and employment growth in the Greater Panhandle area and projections indicate that population growth and development will continue at a reasonable rate into the future; and

WHEREAS, the County has experienced impacts on public facilities resulting from this growth and development; and

WHEREAS, growth and development estimates for the County over the next 10 years indicate there will be a need for additional Emergency Medical Services ("EMS") facility system improvements (EMS stations and emergency vehicles) due to the growth and development; and

WHEREAS, the County has defined a level of service standard for EMS facilities (EMS stations and ambulances); and

WHEREAS, this defined level of service standard and the projected population and employment growth within the Greater Panhandle region results in an identified need for EMS facility system improvement needs over the next 10 years as set forth in the capital improvement plan (CIP); and

WHEREAS, the cost of these EMS facility system improvement needs as identified in the CIP is significant and expensive; and

WHEREAS, if property taxes, or bonds (backed only by property taxes) are used to finance the new EMS facility system improvements (EMS stations and emergency vehicles) needed to accommodate the demand generated by new development in the Greater Panhandle region of

the County, these taxes would be paid largely by existing residents and businesses that have already paid for much of the EMS facility system improvements they utilize; and

WHEREAS, County Council finds that it is fair and equitable for new development in the Greater Panhandle region of the County to fund new EMS facility system improvements, in part, through a proportionate share EMS development impact fee; and

WHEREAS, County Council finds the EMS development impact fee will be imposed uniformly on all similar residential and nonresidential use types; and

WHEREAS, County Council having given consideration to the provision and financing of EMS facility system improvements necessary to maintain levels of service, hereby finds and declares that the establishment and adoption of EMS development impact fee to imposed on new development is necessary and desired, that the fee is proportionate and the fee is based on a CIP that sets forth the EMS facility system improvements needed to maintain levels of service for EMS facilities to accommodate new development in the Greater Panhandle region of the County; and

NOW, THEREFORE, BE IT ORDAINED by the County Council of Lancaster County, South Carolina that:

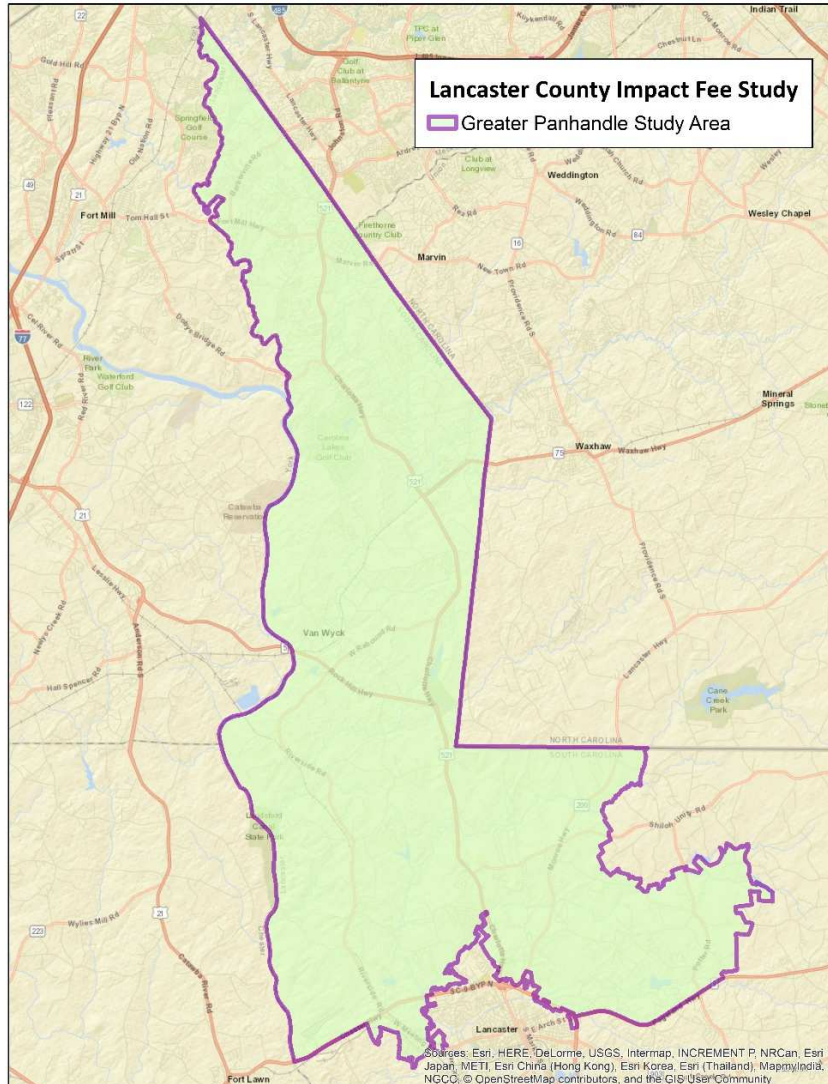
SECTION I. ADOPTION AND IMPOSITION OF EMS IMPACT FEES.

Pursuant to Ordinance No. 2021-1705 and the impact fee procedures in the Code of Ordinances, Lancaster County, South Carolina, Chapter ____, Article ____, this EMS development impact fee shall be adopted and imposed on all new development in the EMS Service Area.

SECTION II. ESTABLISHMENT OF SERVICE AREA.

There is one service area for EMS development impact fees. The service area includes the entire Greater Panhandle and is known as the "EMS Service Area".

A. Map of EMS Service Area



SECTION III. INCORPORATION OF SUPPORT STUDY.

The County relies on the level of service standard, land use assumptions, methodologies, service units, system improvement costs, formula, and analyses for EMS development impact fees, and the capital improvement plan (CIP) for EMS facility system improvements set out in *Development Impact Fee Study* prepared by TischlerBise, dated March 3, 2021 (hereinafter "EMS development impact fee study"). The EMS development impact fee study sets forth a reasonable level of service standard, land use assumptions, methodologies, service units, system improvement costs, and formulas for determining the impacts of new development on EMS facility system improvement needs.

SECTION IV. IMPOSITION OF EMS IMPACT FEES.

- A. The EMS development impact fee shall be imposed on all new development in the EMS Service Area, unless the development is exempted, or an exception or waiver is granted pursuant to Chapter __, Article ____ of the County Code.

- A. The EMS development impact fee shall be paid prior to issuance of a building permit, or if a building permit is not required, prior to construction of the dwelling unit, or prior to issuance of a development permit for the dwelling unit, as appropriate.

SECTION V. EMS DEVELOPMENT IMPACT FEE SCHEDULE.

- A. Pursuant to this Ordinance and in accordance with the impact fee procedures in Chapter ___, Article ___ of the County Code, the State Development Impact Fee Act, and the EMS development impact fee study and CIP, EMS impact development fees shall be imposed in the EMS Service Area.
- B. The following general procedure shall be followed upon receipt of an application for a building permit for new development:
- (1) For residential development, identify the type of housing development and number of dwelling units, and then calculate the fee based on the Residential EMS Development Impact Fee Schedule;

i. Residential EMS Development Impact Fee Schedule

Development Type	EMS
Residential (per housing unit)	
Single Family Detached	\$139
Single Family Attached	\$118
Multifamily	\$98

- (2) For nonresidential development, identify the type of nonresidential development and the square feet of the nonresidential development, then calculate the fee based on the Nonresidential EMS Development Impact Fee Schedule;

i. Nonresidential EMS Development Impact Fee Schedule

Development Type	EMS
Nonresidential (per 1,000 square feet)	
Retail	\$72
Office	\$24
Industrial	\$12
Warehouse	\$4
Healthcare	\$27
Institutional	\$49

- C. Development Impact Fee Schedule Annual Update. The development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities set forth in the Development Impact Fee Study and CIP dated _____. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering News Record (ENR). For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The impact fee schedule annual adjustment update will become effective on July 1st of each year. If July 1st falls on a weekend or county holiday, the fee adjustment will become effective on the next business day thereafter.

SECTION VI. INDIVIDUAL ASSESSMENT OF DEVELOPMENT IMPACT.

- A. In-lieu of calculating the EMS development impact fees by reference to the fee schedule, a feepayer may request that the amount of the required EMS development impact fees be determined by reference to an Individual Assessment of Development Impact for the proposed development.
- B. If a feepayer requests the use of an Individual Assessment of Development Impact, the feepayer shall be responsible for retaining a qualified professional to prepare the Individual Assessment of Development Impact that complies with the requirements of this section, at the feepayer's expense.
- C. Each Individual Assessment of Development Impact shall be based on the level of service standard and the same system improvement costs for EMS facility system improvements used in the EMS development impact fee study and CIP, shall use the formula for calculating the development impact fee used in the EMS development impact fee study and CIP, and shall document the relevant methodologies and assumptions used (no adjustments in the assumption of credits shall be made). The burden shall be on the feepayer requesting the Individual Assessment of Development Impact to demonstrate by competent evidence that the data and assumptions used in the EMS development impact fee study and CIP and reflected in the EMS Development Impact Fee Schedule, is less accurate than the results of the Individual Assessment of Development Impact.
- D. Each Individual Assessment of Development Impact shall be submitted to the Director or a designee, and may be accepted, rejected, or accepted with modifications by the Director or a designee as the basis for calculating EMS development impact fees. If an Individual Assessment of Development Impact is accepted or accepted with modifications by the Director or a designee as a more accurate measure of the demand for EMS facility system improvements created by the proposed new development than the applicable fees in the EMS Development Impact Fee Schedule, then the development impact fees due under this Ordinance shall be calculated according to such assessment.

SECTION VII. CREDITS

- A. Any developer/feepayer obligated pay an EMS development impact fee under this section may apply for credit against EMS development impact fees otherwise due, up to but not to exceed the full obligation for the fees proposed to be paid pursuant to the provisions of this Ordinance for any contribution or construction for EMS facility system improvements that are accepted by the County Council for EMS facility systems improvements identified in the CIP.
- B. Valuation of Credits
 - (1) Credit for land dedication for EMS facility system improvements, at the feepayer's option, shall be valued at either (a) 100 percent of the most recent assessed value for such land as shown in the records of the County Assessor, or (b) the fair market value of the land established by a private appraiser acceptable to the County Council in an appraisal paid for by the feepayer.
 - (2) Credit for construction of an EMS facility buildings shall be valued by the County

Council based on construction costs estimates submitted by the feepayer. The County Council shall determine the amount of credit due based on the information submitted, or, if it determines the information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the County Council.

- (3) Credit for contributions for EMS facility system improvements shall be based on the value of the contribution at the time it is made by the feepayer.

C. When Credits Become Effective

- (1) Credits for land dedication for EMS facility system improvements shall become effective after the credit is approved by County Council pursuant to this section, and a Credit Agreement/Development Agreement is entered into, and (a) the land has been conveyed to the County in a form established by the County at no cost to the County, and (b) the dedication of land has been accepted by the County.
- (2) Credits for construction of EMS facility buildings shall become effective after the credit is approved by County Council pursuant to this section, (a) a Credit Agreement/Development Agreement is entered into, (b) a suitable maintenance and warranty bond has been received and approved by the County Council, and (c) all design, construction, inspection, testing, bonding, and acceptance procedures have been completed in compliance with all applicable County requirements.
- (3) Credits for contributions shall become effective after the contribution is approved by the County Council pursuant to this section, and the contribution is provided to and accepted by the County Council.
- (4) Credits for dedication of land, construction, or contributions for EMS facility system improvements shall be transferable within the same development for EMS development impact fee purposes, but shall not be transferable outside the development or used as credit against fees for other public facilities. Credit may be transferred pursuant to these terms and conditions by any written instrument that clearly identifies which credits issued under this section are to be transferred. The instrument shall be signed by both the transferor and transferee, and the document shall be delivered to the County Council for registration.
- (5) The total amount of the credit shall not exceed the amount of the EMS development impact fees due and payable for the project.
- (6) If the offer for credit is approved, a Credit Agreement/Development Agreement shall be prepared and signed by the applicant and the County Council. The Credit Agreement/Development Agreement shall specifically outline the contribution or construction of buildings for EMS facility system improvements, the time by which they shall be completed or dedicated, and any extensions thereof, and the value (in dollars) of the credit against the EMS development impact fees the feepayer shall receive for the contribution or construction of EMS buildings.
- (7) The County Council may enter into a Capital Contribution Front-Ending Agreement with any developer/feepayer who proposes to construct EMS facility system improvements in the CIP, to the extent the fair market value of the construction of those EMS facility system improvements exceed the obligation to pay EMS development impact fees for which a credit is provided pursuant to this section. The Capital Contribution Front-Ending Agreement shall provide proportionate and fair share reimbursement linked to new growth and development's use of the EMS facility system improvements constructed.

SECTION VIII. TRUST FUND FOR EMS DEVELOPMENT IMPACT FEES.

The County hereby establish segregated EMS Development Impact Fee Trust Fund Account. All EMS development impact fees collected by the County shall be placed in their respective Trust Fund Account. Each Trust Account shall be an interest-bearing account and all interest earned and accruing to the account shall become funds of the account subject to the same limitations and restrictions on use and expenditure of funds that are applicable to EMS development impact fee funds.

SECTION IX. EXPENDITURE OF FEES FOR SYSTEM IMPROVEMENTS.

EMS development impact fee funds shall be used by the County in accordance with the development impact fee procedures in Chapter ____ Article ____ of the County Code, solely and exclusively for EMS facility system improvements as set forth in the EMS development impact fee study and CIP. System improvements generally include the following: buildings and emergency vehicles that expand the capacity of the EMS system.

SECTION X. DEVELOPER RIGHTS.

The developer, pursuant to the State Development Impact Fee Act and the county impact fee procedures in Chapter ____, Article ____ of the County Code, shall have the following rights, any, or all of which may be exercised only in accordance with the impact fee procedures in Chapter ____, Article ____ of the County Code.

- A. Administrative Appeal. The developer/applicant may file an administrative appeal with the County Administrator with respect to a County decision related to the imposition, calculation, collection, processing, or expenditure of an EMS development impact fee at any time; provided, however, that such appeal must comply with the provisions and requirements the County impact fee procedure in Chapter ____, Article ____ of the County Code. If the appeal follows payment of the development impact fee, it must be made within 30 days of the date of fee payment. The filing of an appeal will immediately halt the impact fee process, unless the developer/applicant posts a bond or submits an irrevocable letter of credit for the full amount of development fees as calculated by the County.
- B. Payment under Protest. The developer/applicant may pay the County-calculated EMS development impact fees under protest, pursuant to the County impact fee procedures as set forth in Chapter ____, Article ____ of the County Code. Payment under protest does not preclude the developer/applicant from filing an administrative appeal, from requesting a refund, or from posting a bond or submitting an irrevocable letter of credit for the amount of the development impact fee due, all as set forth in the impact fee procedures as set forth in Chapter ____, Article ____.
- C. Mediation. The developer/applicant may request mediation by a qualified independent party, but only upon voluntary agreement by both the developer/applicant (feepayer) as well as the County and only to address a disagreement related to the EMS development impact fees, as calculated by the County, for the proposed development. Neither request for, nor participation in, mediation shall preclude the developer/applicant (feepayer) from pursuing other developer rights and/or remedies, as set forth in this Ordinance, the County impact fee procedures in Chapter ____, Article ____ of the County Code, or other remedies available by law.

SECTION XI. COUNTY REMEDIES.

- A. The County pursuant the State Development Impact Fee Act and the County impact fee procedure, Chapter ____, Article ____ of the County Code, to the extent authorized pursuant to the intergovernmental agreements entered into with the County pursuant to this Ordinance, shall have all of the following remedies, which may be exercised individually or collectively, but only in accordance with the impact fee procedures in Chapter ____, Article ____ of the County Code:
 - (1) Interest and Penalties. The County may, in its discretion, add reasonable interest and penalties for nonpayment or late payment to the amount of the calculated EMS development impact fees due, pursuant to the impact fee procedures in Chapter ____, Article ____ of the County Code.
 - (2) Withholding Building or Development Permit or Development Approval or Certificate of Occupancy. The County may withhold a certificate of occupancy, a building or development permit, or development approval, as may be applicable, until full and complete payment has been made by the developer/applicant of the EMS development impact fees due.
 - (3) Lien. The County may impose a lien on the developer's property, pursuant to the impact fee procedures in Chapter ____, Article ____ of the County Code, for failure of the developer/applicant to timely pay the required EMS development impact fees in full.
- B. The County may pursue any one or all of the remedies described in subsection A of this section, at its discretion. The failure to pursue any remedy or remedies, at any time, shall not be deemed to be a waiver of County rights to pursue any remedy or remedies at such other time as may be deemed appropriate.

SECTION XII. INTERGOVERNMENTAL AGREEMENTS.

Prior to imposition of the EMS development impact fee pursuant to this Ordinance, the County shall enter into intergovernmental agreements with the participating municipalities, which intergovernmental agreements shall:

- A. Specify the reasonable share of funding of joint system improvements for EMS facility system improvements by each governmental unit; and
- B. Provide for the collection of the EMS development impact fee by the municipality within its corporate limits and by the County within the unincorporated County; and
- C. Provide for the timely transfer of EMS development impact fee funds from the municipality to the County; and
- D. Provide for the timely expenditure of the EMS development impact fee funds by the County in accordance with the CIP.

SECTION XIII. TERMINATION OF THE EMS IMPACT FEES.

The EMS development impact fees shall terminate upon the completion/conclusion/purchase of all the EMS development impact fee-funded facility system improvements as set forth in the CIP unless:

- A. The County adopts a CIP for a subsequent time; or

- B. The County adopts an updated EMS development impact fee pursuant to the substantive and procedural requirements of the State Development Impact Fee Act.

SECTION XIV. LIBERAL CONSTRUCTION.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interest of furthering, promoting, and protecting the public health, safety, and welfare.

SECTION XV. CONFLICT

To the extent of any conflict between other County ordinances and these Procedures, these Procedures shall be deemed to be controlling; provided, however, that these Procedures are not intended to amend or repeal any existing County ordinance, resolution, or regulation.

SECTION XVI. SEVERABILITY.

- A. If any section, subsection, sentence, clause, phrase, or portion of these Procedures is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion of these Procedures shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of these Procedures nor impair or nullify the remainder of such Procedures which shall continue in full force and effect.
- B. If the application of any provision of these Procedures to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Council is that such decision shall be limited to the specific new development immediately involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify these Procedures as a whole or the application of any provision of these Procedures to any other new development.

SECTION XVII. EFFECTIVE DATE

- A. The Ordinance shall become effective on _____, 2021.
- B. Applications for new development filed after the effective date as set forth in this section shall be subject to the EMS development impact fee.

<remainder of page intentionally blank>

ADOPTED this __ day of _____, 2021

COUNTY COUNCIL OF LANCASTER
COUNTY

By: _____
Steve Harper, Chairman

By: _____
Billy Mosteller, Secretary

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose, III, Lancaster County Attorney

First Reading:	March 22, 2021
Second Reading	April 12, 2021 (tentative)
Third and Final Reading	April 26, 2021 (tentative)
Public Hearing	April 26, 2021 (tentative)

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2021-1723

COUNTY OF LANCASTER

)

)

AN ORDINANCE

OF THE COUNTY COUNCIL OF LANCASTER COUNTY, SOUTH CAROLINA ("COUNCIL") ESTABLISHING AND ADOPTING AN EMERGENCY MEDICAL SERVICES ("EMS") DEVELOPMENT IMPACT FEE ("IMPACT FEE") TO BE IMPOSED ON ALL NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY; TO ENSURE THAT EMS FACILITIES (EMS STATIONS AND EMERGENCY VEHICLES) WILL BE AVAILABLE AND ADEQUATE TO ACCOMMODATE THE NEED EXPECTED TO BE GENERATED FROM NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY BASED ON THE COUNTY'S LEVEL OF SERVICE STANDARDS FOR EMS FACILITIES AND CAPITAL IMPROVEMENTS PLAN (CIP), AND TO ASSIGN THE COSTS OF SUCH EMS FACILITIES ON A PROPORTIONATE SHARE BASIS TO NEW DEVELOPMENT

WHEREAS, Lancaster County ("County") has experienced population and employment growth in the Greater Panhandle area and projections indicate that population growth and development will continue at a reasonable rate into the future; and

WHEREAS, the County has experienced impacts on public facilities resulting from this growth and development; and

WHEREAS, growth and development estimates for the County over the next 10 years indicate there will be a need for additional Emergency Medical Services ("EMS") facility system improvements (EMS stations and emergency vehicles) due to the growth and development; and

WHEREAS, the County has defined a level of service standard for EMS facilities (EMS stations and ambulances); and

WHEREAS, this defined level of service standard and the projected population and employment growth within the Greater Panhandle region results in an identified need for EMS facility system improvement needs over the next 10 years as set forth in the capital improvement plan (CIP); and

WHEREAS, the cost of these EMS facility system improvement needs as identified in the CIP is significant and expensive; and

WHEREAS, if property taxes, or bonds (backed only by property taxes) are used to finance the new EMS facility system improvements (EMS stations and emergency vehicles) needed to accommodate the demand generated by new development in the Greater Panhandle region of

the County, these taxes would be paid largely by existing residents and businesses that have already paid for much of the EMS facility system improvements they utilize; and

WHEREAS, County Council finds that it is fair and equitable for new development in the Greater Panhandle region of the County to fund new EMS facility system improvements, in part, through a proportionate share EMS development impact fee; and

WHEREAS, County Council finds the EMS development impact fee will be imposed uniformly on all similar residential and nonresidential use types; and

WHEREAS, County Council having given consideration to the provision and financing of EMS facility system improvements necessary to maintain levels of service, hereby finds and declares that the establishment and adoption of EMS development impact fee to imposed on new development is necessary and desired, that the fee is proportionate and the fee is based on a CIP that sets forth the EMS facility system improvements needed to maintain levels of service for EMS facilities to accommodate new development in the Greater Panhandle region of the County; and

NOW, THEREFORE, BE IT ORDAINED by the County Council of Lancaster County, South Carolina that:

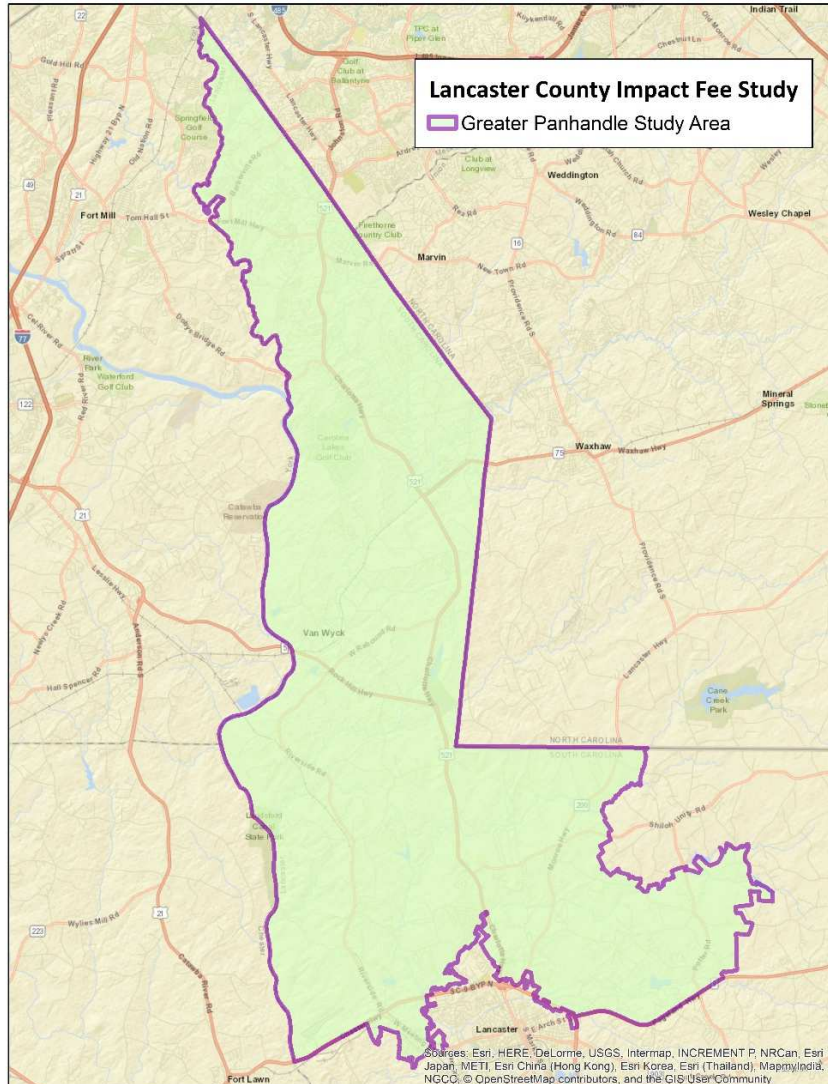
SECTION I. ADOPTION AND IMPOSITION OF EMS IMPACT FEES.

Pursuant to Ordinance No. 2021-1705 and the Development Impact Fee Procedures in the Code of Ordinances, Lancaster County, South Carolina, Chapter 17, this EMS development impact fee shall be adopted and imposed on all new development in the EMS Service Area.

SECTION II. ESTABLISHMENT OF SERVICE AREA.

There is one service area for EMS development impact fees. The service area includes the entire Greater Panhandle and is known as the "EMS Service Area".

A. Map of EMS Service Area



SECTION III. INCORPORATION OF SUPPORT STUDY.

The County relies on the level of service standard, land use assumptions, methodologies, service units, system improvement costs, formula, and analyses for EMS development impact fees, and the capital improvement plan (CIP) for EMS facility system improvements set out in *Development Impact Fee Study* prepared by TischlerBise, dated March 31, 2021 (hereinafter "EMS development impact fee study"). The EMS development impact fee study sets forth a reasonable level of service standard, land use assumptions, methodologies, service units, system improvement costs, and formulas for determining the impacts of new development on EMS facility system improvement needs.

SECTION IV. IMPOSITION OF EMS IMPACT FEES.

- A. The EMS development impact fee shall be imposed on all new development in the EMS Service Area, unless the development is exempted, or an exception or waiver is granted pursuant to Section 17-9 of the County Code.

- A. The EMS development impact fee shall be paid prior to issuance of a building permit, or if a building permit is not required, prior to construction of the dwelling unit, or prior to issuance of a development permit for the dwelling unit, as appropriate.

SECTION V. EMS DEVELOPMENT IMPACT FEE SCHEDULE.

- A. Pursuant to this Ordinance and in accordance with the impact fee procedures in Chapter 17 of the County Code, the State Development Impact Fee Act, and the EMS development impact fee study and CIP, EMS impact development fees shall be imposed in the EMS Service Area.

- B. The following general procedure shall be followed upon receipt of an application for a building permit for new development:

- (1) For residential development, identify the type of housing development and number of dwelling units, and then calculate the fee based on the Residential EMS Development Impact Fee Schedule;

- i. Residential EMS Development Impact Fee Schedule

Development Type	EMS
Residential (per housing unit)	
Single Family Detached	\$139
Single Family Attached	\$118
Multifamily	\$98

- (2) For nonresidential development, identify the type of nonresidential development and the square feet of the nonresidential development, then calculate the fee based on the Nonresidential EMS Development Impact Fee Schedule;

- i. Nonresidential EMS Development Impact Fee Schedule

Development Type	EMS
Nonresidential (per 1,000 square feet)	
Retail	\$72
Office	\$24
Industrial	\$12
Warehouse	\$4
Healthcare	\$27
Institutional	\$49

- C. Development Impact Fee Schedule Annual Update. The development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities set forth in the Development Impact Fee Study and CIP dated March 16, 2021. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering News Record (ENR). For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The impact fee schedule annual adjustment update will become effective on July 1st of each year. If July 1st falls on a weekend or county holiday, the fee adjustment will become effective on the next business day thereafter.

SECTION VI. INDIVIDUAL ASSESSMENT OF DEVELOPMENT IMPACT.

- A. In-lieu of calculating the EMS development impact fees by reference to the fee schedule, a feepayer may request that the amount of the required EMS development impact fees be determined by reference to an Individual Assessment of Development Impact for the proposed development.
- B. If a feepayer requests the use of an Individual Assessment of Development Impact, the feepayer shall be responsible for retaining a qualified professional to prepare the Individual Assessment of Development Impact that complies with the requirements of this section, at the feepayer's expense.
- C. Each Individual Assessment of Development Impact shall be based on the level of service standard and the same system improvement costs for EMS facility system improvements used in the EMS development impact fee study and CIP, shall use the formula for calculating the development impact fee used in the EMS development impact fee study and CIP, and shall document the relevant methodologies and assumptions used (no adjustments in the assumption of credits shall be made). The burden shall be on the feepayer requesting the Individual Assessment of Development Impact to demonstrate by competent evidence that the data and assumptions used in the EMS development impact fee study and CIP and reflected in the EMS Development Impact Fee Schedule, is less accurate than the results of the Individual Assessment of Development Impact.
- D. Each Individual Assessment of Development Impact shall be submitted to the Director or a designee, and may be accepted, rejected, or accepted with modifications by the Director or a designee as the basis for calculating EMS development impact fees. If an Individual Assessment of Development Impact is accepted or accepted with modifications by the Director or a designee as a more accurate measure of the demand for EMS facility system improvements created by the proposed new development than the applicable fees in the EMS Development Impact Fee Schedule, then the development impact fees due under this Ordinance shall be calculated according to such assessment.

SECTION VII. CREDITS

- A. Any developer/feepayer obligated pay an EMS development impact fee under this section may apply for credit against EMS development impact fees otherwise due, up to but not to exceed the full obligation for the fees proposed to be paid pursuant to the provisions of this Ordinance for any contribution or construction for EMS facility system improvements that are accepted by the County Council for EMS facility systems improvements identified in the CIP.
- B. Valuation of Credits
 - (1) Credit for land dedication for EMS facility system improvements, at the feepayer's option, shall be valued at either (a) 100 percent of the most recent assessed value for such land as shown in the records of the County Assessor, or (b) the fair market value of the land established by a private appraiser acceptable to the County Council in an appraisal paid for by the feepayer.
 - (2) Credit for construction of an EMS facility buildings shall be valued by the County

Council based on construction costs estimates submitted by the feepayer. The County Council shall determine the amount of credit due based on the information submitted, or, if it determines the information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the County Council.

- (3) Credit for contributions for EMS facility system improvements shall be based on the value of the contribution at the time it is made by the feepayer.

C. When Credits Become Effective

- (1) Credits for land dedication for EMS facility system improvements shall become effective after the credit is approved by County Council pursuant to this section, and a Credit Agreement/Development Agreement is entered into, and (a) the land has been conveyed to the County in a form established by the County at no cost to the County, and (b) the dedication of land has been accepted by the County.
- (2) Credits for construction of EMS facility buildings shall become effective after the credit is approved by County Council pursuant to this section, (a) a Credit Agreement/Development Agreement is entered into, (b) a suitable maintenance and warranty bond has been received and approved by the County Council, and (c) all design, construction, inspection, testing, bonding, and acceptance procedures have been completed in compliance with all applicable County requirements.
- (3) Credits for contributions shall become effective after the contribution is approved by the County Council pursuant to this section, and the contribution is provided to and accepted by the County Council.
- (4) Credits for dedication of land, construction, or contributions for EMS facility system improvements shall be transferable within the same development for EMS development impact fee purposes, but shall not be transferable outside the development or used as credit against fees for other public facilities. Credit may be transferred pursuant to these terms and conditions by any written instrument that clearly identifies which credits issued under this section are to be transferred. The instrument shall be signed by both the transferor and transferee, and the document shall be delivered to the County Council for registration.
- (5) The total amount of the credit shall not exceed the amount of the EMS development impact fees due and payable for the project.
- (6) If the offer for credit is approved, a Credit Agreement/Development Agreement shall be prepared and signed by the applicant and the County Council. The Credit Agreement/Development Agreement shall specifically outline the contribution or construction of buildings for EMS facility system improvements, the time by which they shall be completed or dedicated, and any extensions thereof, and the value (in dollars) of the credit against the EMS development impact fees the feepayer shall receive for the contribution or construction of EMS buildings.
- (7) The County Council may enter into a Capital Contribution Front-Ending Agreement with any developer/feepayer who proposes to construct EMS facility system improvements in the CIP, to the extent the fair market value of the construction of those EMS facility system improvements exceed the obligation to pay EMS development impact fees for which a credit is provided pursuant to this section. The Capital Contribution Front-Ending Agreement shall provide proportionate and fair share reimbursement linked to new growth and development's use of the EMS facility system improvements constructed.

SECTION VIII. TRUST FUND FOR EMS DEVELOPMENT IMPACT FEES.

The County hereby establish segregated EMS Development Impact Fee Trust Fund Account. All EMS development impact fees collected by the County shall be placed in their respective Trust Fund Account. Each Trust Account shall be an interest-bearing account and all interest earned and accruing to the account shall become funds of the account subject to the same limitations and restrictions on use and expenditure of funds that are applicable to EMS development impact fee funds.

SECTION IX. EXPENDITURE OF FEES FOR SYSTEM IMPROVEMENTS.

EMS development impact fee funds shall be used by the County in accordance with the Development Impact Fee Procedures in Chapter 17 of the County Code, solely and exclusively for EMS facility system improvements as set forth in the EMS development impact fee study and CIP. System improvements generally include the following: buildings and emergency vehicles that expand the capacity of the EMS system.

SECTION X. DEVELOPER RIGHTS.

The developer, pursuant to the State Development Impact Fee Act and the county impact fee procedures in Chapter 17 of the County Code, shall have the following rights, any, or all of which may be exercised only in accordance with the impact fee procedures in Section 17-8 of the County Code.

- A. Administrative Appeal. The developer/applicant may file an administrative appeal with the County Administrator with respect to a County decision related to the imposition, calculation, collection, processing, or expenditure of an EMS development impact fee at any time; provided, however, that such appeal must comply with the provisions and requirements the County impact fee procedure in Section 17-7 of the County Code. If the appeal follows payment of the development impact fee, it must be made within 30 days of the date of fee payment. The filing of an appeal will immediately halt the impact fee process, unless the developer/applicant posts a bond or submits an irrevocable letter of credit for the full amount of development fees as calculated by the County.
- B. Payment under Protest. The developer/applicant may pay the County-calculated EMS development impact fees under protest, pursuant to the County impact fee procedures as set forth in Section 17-7 of the County Code. Payment under protest does not preclude the developer/applicant from filing an administrative appeal, from requesting a refund, or from posting a bond or submitting an irrevocable letter of credit for the amount of the development impact fee due, all as set forth in the impact fee procedures as set forth in Section 17-7 of the County Code.
- C. Mediation. The developer/applicant may request mediation by a qualified independent party, but only upon voluntary agreement by both the developer/applicant (feepayer) as well as the County and only to address a disagreement related to the EMS development impact fees, as calculated by the County, for the proposed development. Neither request for, nor participation in, mediation shall preclude the developer/applicant (feepayer) from pursuing other developer rights and/or remedies, as set forth in this Ordinance, the County impact fee procedures in Section 17-7 of the County Code, or other remedies available by law.

SECTION XI. COUNTY REMEDIES.

- A. The County pursuant the State Development Impact Fee Act and the County Development Impact Fee Procedures, Chapter 17 of the County Code, to the extent authorized pursuant to the intergovernmental agreements entered into with the County pursuant to this Ordinance, shall have all of the following remedies, which may be exercised individually or collectively, but only in accordance with the impact fee procedures in Section 17-8 of the County Code:
 - (1) Interest and Penalties. The County may, in its discretion, add reasonable interest and penalties for nonpayment or late payment to the amount of the calculated EMS development impact fees due, pursuant to the impact fee procedures in Section 17-8 of the County Code.
 - (2) Withholding Building or Development Permit or Development Approval or Certificate of Occupancy. The County may withhold a certificate of occupancy, a building or development permit, or development approval, as may be applicable, until full and complete payment has been made by the developer/applicant of the EMS development impact fees due.
 - (3) Lien. The County may impose a lien on the developer's property, pursuant to the impact fee procedures in Section 17-8 of the County Code, for failure of the developer/applicant to timely pay the required EMS development impact fees in full.
- B. The County may pursue any one or all of the remedies described in subsection A of this section, at its discretion. The failure to pursue any remedy or remedies, at any time, shall not be deemed to be a waiver of County rights to pursue any remedy or remedies at such other time as may be deemed appropriate.

SECTION XII. INTERGOVERNMENTAL AGREEMENTS.

Prior to imposition of the EMS development impact fee pursuant to this Ordinance, the County shall enter into intergovernmental agreements with the participating municipalities, which intergovernmental agreements shall:

- A. Specify the reasonable share of funding of joint system improvements for EMS facility system improvements by each governmental unit; and
- B. Provide for the collection of the EMS development impact fee by the municipality within its corporate limits and by the County within the unincorporated County; and
- C. Provide for the timely transfer of EMS development impact fee funds from the municipality to the County; and
- D. Provide for the timely expenditure of the EMS development impact fee funds by the County in accordance with the CIP.

SECTION XIII. TERMINATION OF THE EMS IMPACT FEES.

The EMS development impact fees shall terminate upon the completion/conclusion/purchase of all the EMS development impact fee-funded facility system improvements as set forth in the CIP unless:

- A. The County adopts a CIP for a subsequent time; or

- B. The County adopts an updated EMS development impact fee pursuant to the substantive and procedural requirements of the State Development Impact Fee Act.

SECTION XIV. LIBERAL CONSTRUCTION.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interest of furthering, promoting, and protecting the public health, safety, and welfare.

SECTION XV. CONFLICT

To the extent of any conflict between other County ordinances and these Procedures, these Procedures shall be deemed to be controlling; provided, however, that these Procedures are not intended to amend or repeal any existing County ordinance, resolution, or regulation.

SECTION XVI. SEVERABILITY.

- A. If any section, subsection, sentence, clause, phrase, or portion of these Procedures is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion of these Procedures shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of these Procedures nor impair or nullify the remainder of such Procedures which shall continue in full force and effect.
- B. If the application of any provision of these Procedures to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Council is that such decision shall be limited to the specific new development immediately involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify these Procedures as a whole or the application of any provision of these Procedures to any other new development.

SECTION XVII. EFFECTIVE DATE

- A. The Ordinance shall become effective on _____, 2021.
- B. If a development project has achieved the following development approval milestones prior to the effective date of this Ordinance, the development project is not subject to a development impact fee:

Single family residential projects: preliminary plat approval

Multifamily/nonresidential projects: civil construction plan approval

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ADOPTED this _____ day of _____, 2021

**COUNTY COUNCIL OF
LANCASTER COUNTY**

By: _____
Steve Harper, Chairman

By: _____
Billy Mosteller, Secretary

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose, III, Lancaster County Attorney

First Reading:	March 22, 2021
Second Reading	April 12, 2021
Third and Final Reading	April 26, 2021 (tentative)
Public Hearing	April 26, 2021 (tentative)

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1724

Contact Person / Sponsor: Steve Willis/Administration and John Dubose/County Attorney

Department: Attorney

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Whether to impose a Sheriff Development Impact Fee.

Points to Consider:

The Sheriff development impact fee study sets forth a reasonable level of service standard, land use assumptions, methodologies, service units, system improvement costs, and formulas for determining the impacts of new development on Sheriff facility system improvement needs.

The proposed residential Sheriff development impact fee is as follows:

Development Type	Sheriff
Residential (per housing unit)	
Single Family Detached	\$126
Single Family Attached	\$107
Multifamily	\$90

The proposed non-residential Sheriff development impact fee schedule is as follows:

Development Type	Sheriff
Nonresidential (per 1,000 square feet)	
Retail	\$158
Office	\$54
Industrial	\$27
Warehouse	\$10
Healthcare	\$59
Institutional	\$107

The proposed 2nd reading version of the ordinance (attached as part of the agenda package) incorporates a October 1, 2021 effective date and provides that projects that have already reaching certain development milestones prior to the effective date are not subject to imposition of the impact fee.

If the 2nd reading version of the ordinance meets with the approval of County Council it should be adopted by a motion to amend the present version of the ordinance.

Funding and Liability Factors:

Impact fees are proposed to be paid at issuance of a building permit.

Impact fees must be paid within three (3) years of their scheduled expenditure date on a first in first out basis or they must be refunded.

Council Options:

Approval or disapproval of the Sheriff Development impact fee

Recommendation:

Not applicable.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1724	3/16/2021	Ordinance
Ordinance 2021-1724 2nd Reading Proposed Version	4/7/2021	Ordinance

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2021-1724

COUNTY OF LANCASTER

)

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AN ORDINANCE

OF THE COUNTY COUNCIL OF LANCASTER COUNTY, SOUTH CAROLINA ("COUNCIL") ESTABLISHING AND ADOPTING A SHERIFF DEVELOPMENT IMPACT FEE ("IMPACT FEE") TO BE IMPOSED ON ALL NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY; TO ENSURE THAT SHERIFF FACILITIES WILL BE AVAILABLE AND ADEQUATE TO ACCOMMODATE THE NEED EXPECTED TO BE GENERATED FROM NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY BASED ON THE COUNTY'S LEVEL OF SERVICE STANDARDS FOR SHERIFF FACILITIES AND CAPITAL IMPROVEMENTS PLAN (CIP), AND TO ASSIGN THE COSTS OF SUCH SHERIFF FACILITIES ON A PROPORTIONATE SHARE BASIS TO NEW DEVELOPMENT

WHEREAS, Lancaster County ("County") has experienced population and employment growth in the Greater Panhandle area and projections indicate that population growth and development will continue at a reasonable rate into the future; and

WHEREAS, the County has experienced impacts on public facilities resulting from this growth and development; and

WHEREAS, growth and development estimates for the County over the next 10 years indicate there will be a need for additional Sheriff facility system improvements (Sheriff stations) due to the growth and development; and

WHEREAS, the County has defined a level of service standard for Sheriff facilities (Sheriff stations); and

WHEREAS, this defined level of service standard and the projected population and employment growth within the Greater Panhandle region results in an identified need for Sheriff facility system improvement needs over the next 10 years as set forth in the capital improvement plan (CIP); and

WHEREAS, the cost of these Sheriff facility system improvement needs as identified in the CIP is significant and expensive; and

WHEREAS, if property taxes, or bonds (backed only by property taxes) are used to finance the new Sheriff facility system improvements (Sheriff stations) needed to accommodate the demand generated by new development in the Greater Panhandle region of the County, these taxes would be paid largely by existing residents and businesses that have already paid for much of the Sheriff facility system improvements they utilize; and

WHEREAS, County Council finds that it is fair and equitable for new development in the Greater Panhandle region of the County to fund new Sheriff facility system improvements, in part, through a proportionate share Sheriff development impact fee; and

WHEREAS, County Council finds the Sheriff development impact fee will be imposed uniformly on all similar residential and nonresidential use types; and

WHEREAS, County Council having given consideration to the provision and financing of Sheriff facility system improvements necessary to maintain levels of service, hereby finds and declares that the establishment and adoption of Sheriff development impact fee to imposed on new development is necessary and desired, that the fee is proportionate and the fee is based on a CIP that sets forth the Sheriff facility system improvements needed to maintain levels of service for Sheriff facilities to accommodate new development in the Greater Panhandle region of the County; and

NOW, THEREFORE, BE IT ORDAINED by the County Council of Lancaster County, South Carolina that:

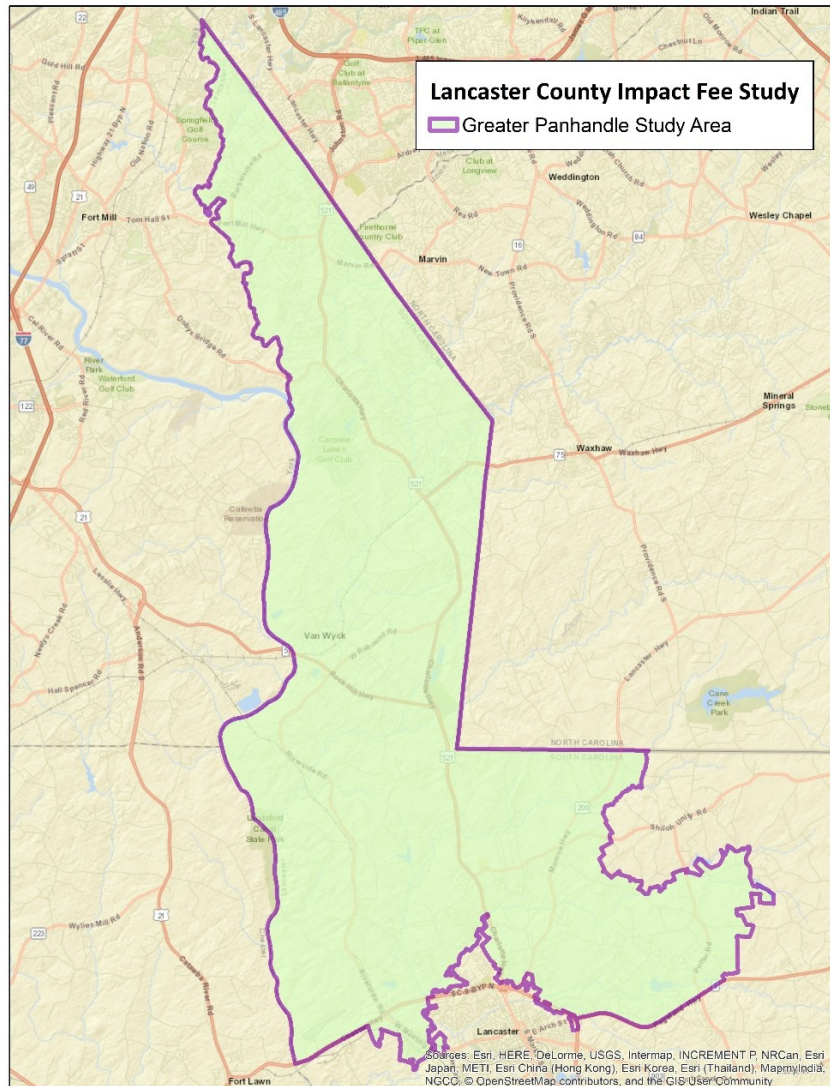
SECTION I. ADOPTION AND IMPOSITION OF SHERIFF IMPACT FEES.

Pursuant to Ordinance No. 2021-1705 and the impact fee procedures in Code of Ordinances, Lancaster County, South Carolina ("County Code") Chapter ___, Article ___ in the County Code, this Sheriff development impact fee shall be adopted and imposed on all new development in the Sheriff Service Area.

SECTION II. ESTABLISHMENT OF SERVICE AREA.

There is one service area for Sheriff development impact fees. The service area includes the entire Greater Panhandle and is known as the "Sheriff Service Area".

A. Map of Sheriff Service Area



SECTION III. INCORPORATION OF SUPPORT STUDY.

The County relies on the level of service standard, land use assumptions, methodologies, service units, system improvement costs, formula, and analyses for Sheriff development impact fees, and the capital improvement plan (CIP) for Sheriff facility system improvements set out in *Development Impact Fee Study* prepared by TischlerBise, dated March ____, 2021 (hereinafter "Sheriff development impact fee study"). The Sheriff development impact fee study sets forth a reasonable level of service standard, land use assumptions, methodologies, service units, system improvement costs, and formulas for determining the impacts of new development on Sheriff facility system improvement needs.

SECTION IV. IMPOSITION OF SHERIFF IMPACT FEES.

- A. The Sheriff development impact fee shall be imposed on all new development in the Sheriff Service Area, unless the development is exempted, or an exception or waiver is

granted pursuant to Chapter ____, Article ____ of the County Code.

- A. The Sheriff development impact fee shall be paid prior to issuance of a building permit, or if a building permit is not required, prior to construction of the dwelling unit, or prior to issuance of a development permit for the dwelling unit, as appropriate.

SECTION V. SHERIFF DEVELOPMENT IMPACT FEE SCHEDULE.

- A. Pursuant to this Ordinance and in accordance with the impact fee procedures in Chapter ____, Article ____ of the County Code, the State Development Impact Fee Act, and the Sheriff development impact fee study and CIP, Sheriff impact development fees shall be imposed in the Sheriff Service Area.
- B. The following general procedure shall be followed upon receipt of an application for a building permit for new development:

- (1) For residential development, identify the type of housing development and number of dwelling units, and then calculate the fee based on the Residential Sheriff Development Impact Fee Schedule;

- i. Residential Sheriff Development Impact Fee Schedule

Development Type	Sheriff
Residential (per housing unit)	
Single Family Detached	\$126
Single Family Attached	\$107
Multifamily	\$90

- (2) For nonresidential development, identify the type of nonresidential development and the square feet of the nonresidential development, then calculate the fee based on the Nonresidential Sheriff Development Impact Fee Schedule;

- i. Nonresidential Sheriff Development Impact Fee Schedule

Development Type	Sheriff
Nonresidential (per 1,000 square feet)	
Retail	\$158
Office	\$54
Industrial	\$27
Warehouse	\$10
Healthcare	\$59
Institutional	\$107

Development Impact Fee Schedule Annual Update. The development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities set forth in the Development Impact Fee Study and CIP dated March _____ 2021. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering New Record (ENR). For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the

denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The impact fee schedule annual adjustment update will become effective on July 1st of each year. If July 1st falls on a weekend or county holiday, the fee adjustment will become effective on the next business day thereafter.

SECTION VI. INDIVIDUAL ASSESSMENT OF DEVELOPMENT IMPACT.

- A. In-lieu of calculating the Sheriff development impact fees by reference to the fee schedule, a feepayer may request that the amount of the required Sheriff development impact fees be determined by reference to an Individual Assessment of Development Impact for the proposed development.
- B. If a feepayer requests the use of an Individual Assessment of Development Impact, the feepayer shall be responsible for retaining a qualified professional to prepare the Individual Assessment of Development Impact that complies with the requirements of this section, at the feepayer's expense.
- C. Each Individual Assessment of Development Impact shall be based on the level of service standard and the same system improvement costs for Sheriff facility system improvements used in the Sheriff development impact fee study and CIP, shall use the formula for calculating the development impact fee used in the Sheriff development impact fee study and CIP, and shall document the relevant methodologies and assumptions used (no adjustments in the assumption of credits shall be made). The burden shall be on the feepayer requesting the Individual Assessment of Development Impact to demonstrate by competent evidence that the data and assumptions used in the Sheriff development impact fee study and CIP and reflected in the Sheriff Development Impact Fee Schedule, is less accurate than the results of the Individual Assessment of Development Impact.
- D. Each Individual Assessment of Development Impact shall be submitted to the Director or a designee, and may be accepted, rejected, or accepted with modifications by the Director or a designee as the basis for calculating Sheriff development impact fees. If an Individual Assessment of Development Impact is accepted or accepted with modifications by the Director or a designee as a more accurate measure of the demand for Sheriff facility system improvements created by the proposed new development than the applicable fees in the Sheriff Development Impact Fee Schedule, then the development impact fees due under this Ordinance shall be calculated according to such assessment.

SECTION VII. CREDITS

- A. Any developer/feepayer obligated pay a Sheriff development impact fee under this section may apply for credit against Sheriff development impact fees otherwise due, up to but not to exceed the full obligation for the fees proposed to be paid pursuant to the provisions of this Ordinance for any contribution or construction for Sheriff facility system improvements that are accepted by the County Council for Sheriff facility systems improvements identified in the CIP.
- B. Valuation of Credits
 - (1) Credit for land dedication for Sheriff facility system improvements, at the feepayer' s

option, shall be valued at either (a) 100 percent of the most recent assessed value for such land as shown in the records of the County Assessor, or (b) the fair market value of the land established by a private appraiser acceptable to the County Council in an appraisal paid for by the feepayer.

- (2) Credit for construction of a Sheriff facility buildings shall be valued by the County Council based on construction costs estimates submitted by the feepayer. The County Council shall determine the amount of credit due based on the information submitted, or, if it determines the information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the County Council.
- (3) Credit for contributions for Sheriff facility system improvements shall be based on the value of the contribution at the time it is made by the feepayer.

C. When Credits Become Effective

- (1) Credits for land dedication for Sheriff facility system improvements shall become effective after the credit is approved by County Council pursuant to this section, and a Credit Agreement/Development Agreement is entered into, and (a) the land has been conveyed to the County in a form established by the County at no cost to the County, and (b) the dedication of land has been accepted by the County.
- (2) Credits for construction of Sheriff facility buildings shall become effective after the credit is approved by County Council pursuant to this section, (a) a Credit Agreement/Development Agreement is entered into, (b) a suitable maintenance and warranty bond has been received and approved by the County Council, and (c) all design, construction, inspection, testing, bonding, and acceptance procedures have been completed in compliance with all applicable County requirements.
- (3) Credits for contributions shall become effective after the contribution is approved by the County Council pursuant to this section, and the contribution is provided to and accepted by the County Council.
- (4) Credits for dedication of land, construction, or contributions for Sheriff facility system improvements shall be transferable within the same development for Sheriff development impact fee purposes, but shall not be transferable outside the development or used as credit against fees for other public facilities. Credit may be transferred pursuant to these terms and conditions by any written instrument that clearly identifies which credits issued under this section are to be transferred. The instrument shall be signed by both the transferor and transferee, and the document shall be delivered to the County Council for registration.
- (5) The total amount of the credit shall not exceed the amount of the Sheriff development impact fees due and payable for the project.
- (6) If the offer for credit is approved, a Credit Agreement/Development Agreement shall be prepared and signed by the applicant and the County Council. The Credit Agreement/Development Agreement shall specifically outline the contribution or construction of buildings for Sheriff facility system improvements, the time by which they shall be completed or dedicated, and any extensions thereof, and the value (in dollars) of the credit against the Sheriff development impact fees the feepayer shall receive for the contribution or construction of Sheriff buildings.
- (7) The County Council may enter into a Capital Contribution Front-Ending Agreement with

any developer/feepayer who proposes to construct Sheriff facility system improvements in the CIP, to the extent the fair market value of the construction of those Sheriff facility system improvements exceed the obligation to pay Sheriff development impact fees for which a credit is provided pursuant to this section. The Capital Contribution Front-Ending Agreement shall provide proportionate and fair share reimbursement linked to new growth and development's use of the Sheriff facility system improvements constructed.

SECTION VIII. TRUST FUND FOR SHERIFF DEVELOPMENT IMPACT FEES.

The County hereby establish segregated Sheriff Development Impact Fee Trust Fund Account. All Sheriff development impact fees collected by the County shall be placed in their respective Trust Fund Account. Each Trust Account shall be an interest-bearing account and all interest earned and accruing to the account shall become funds of the account subject to the same limitations and restrictions on use and expenditure of funds that are applicable to Sheriff development impact fee funds.

SECTION IX. EXPENDITURE OF FEES FOR SYSTEM IMPROVEMENTS.

Sheriff development impact fee funds shall be used by the County in accordance with the development impact fee procedures in Chapter ____, Article ____ of the County Code, solely and exclusively for Sheriff facility system improvements as set forth in the Sheriff development impact fee study and CIP. System improvements generally include the following: buildings that expand the capacity of the Sheriff system.

SECTION X. DEVELOPER RIGHTS.

The developer, pursuant to the State Development Impact Fee Act and the county impact fee procedures in Chapter ____, Article ____ of the County Code, shall have the following rights, any or all of which may be exercised only in accordance with the impact fee procedures in Chapter ____, Article ____ of the County Code.

- A. **Administrative Appeal.** The developer/applicant may file an administrative appeal with the County Administrator with respect to a County decision related to the imposition, calculation, collection, processing, or expenditure of a Sheriff development impact fee at any time; provided, however, that such appeal must comply with the provisions and requirements the County impact fee procedure in Chapter ____, Article ____ of the County Code. If the appeal follows payment of the development impact fee, it must be made within 30 days of the date of fee payment. The filing of an appeal will immediately halt the impact fee process, unless the developer/applicant posts a bond or submits an irrevocable letter of credit for the full amount of development fees as calculated by the County.
- B. **Payment under Protest.** The developer/applicant may pay the County-calculated Sheriff development impact fees under protest, pursuant to the County impact fee procedures as set forth in Chapter ____, Article ____ of the County Code. Payment under protest does not preclude the developer/applicant from filing an administrative appeal, from requesting a refund, or from posting a bond or submitting an irrevocable letter of credit for the amount of the development impact fee due, all as set forth in the impact fee procedures as set forth in Chapter ____, Article ____.

- C. Mediation. The developer/applicant may request mediation by a qualified independent party, but only upon voluntary agreement by both the developer/applicant (feepayer) as well as the County and only to address a disagreement related to the Sheriff development impact fees, as calculated by the County, for the proposed development. Neither request for, nor participation in, mediation shall preclude the developer/applicant (feepayer) from pursuing other developer rights and/or remedies, as set forth in this Ordinance, the County impact fee procedures in Chapter ____, Article ____ of the County Code, or other remedies available by law.

SECTION XI. COUNTY REMEDIES.

- A. The County pursuant the State Development Impact Fee Act and the County impact fee procedure Chapter ____, Article ____ of the County Code, to the extent authorized pursuant to the intergovernmental agreements entered into with the County pursuant to this Ordinance, shall have all of the following remedies, which may be exercised individually or collectively, but only in accordance with the impact fee procedures in Chapter ____, Article ____ of the County Code;
- (1) Interest and Penalties. The County may, in its discretion, add reasonable interest and penalties for nonpayment or late payment to the amount of the calculated Sheriff development impact fees due, pursuant to the impact fee procedures in Chapter ____, Article ____ of the County Code.
 - (2) Withholding Building or Development Permit or Development Approval or Certificate of Occupancy. The County may withhold a certificate of occupancy, a building or development permit, or development approval, as may be applicable, until full and complete payment has been made by the developer/applicant of the Sheriff development impact fees due.
 - (3) Lien. The County may impose a lien on the developer's property, pursuant to the impact fee procedures in Chapter ____, Article ____ of the County Code, for failure of the developer/applicant to timely pay the required Sheriff development impact fees in full.
- B. The County may pursue any one or all of the remedies described in subsection A of this section, at its discretion. The failure to pursue any remedy or remedies, at any time, shall not be deemed to be a waiver of County rights to pursue any remedy or remedies at such other time as may be deemed appropriate.

SECTION XII. INTERGOVERNMENTAL AGREEMENTS.

Prior to imposition of the Sheriff development impact fee pursuant to this Ordinance, the County shall enter into intergovernmental agreements with the participating municipalities, which intergovernmental agreements shall:

- A. Specify the reasonable share of funding of joint system improvements for Sheriff facility system improvements by each governmental unit; and
- B. Provide for the collection of the Sheriff development impact fee by the municipality within its corporate limits and by the County within the unincorporated County; and
- C. Provide for the timely transfer of Sheriff development impact fee funds from the

municipality to the County; and

- D. Provide for the timely expenditure of the Sheriff development impact fee funds by the County in accordance with the CIP.

SECTION XIII. TERMINATION OF THE SHERIFF IMPACT FEES.

The Sheriff development impact fees shall terminate upon the completion/conclusion/purchase of all the Sheriff development impact fee-funded facility system improvements as set forth in the CIP unless:

- A. The County adopts a CIP for a subsequent time; or
- B. The County adopts an updated Sheriff development impact fee pursuant to the substantive and procedural requirements of the State Development Impact Fee Act.

SECTION XIV. LIBERAL CONSTRUCTION.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interest of furthering, promoting, and protecting the public health, safety, and welfare.

SECTION XV. SEVERABILITY.

- A. If any section, subsection, sentence, clause, phrase, or portion of these Procedures is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion of these Procedures shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of these Procedures nor impair or nullify the remainder of such Procedures which shall continue in full force and effect.
- B. If the application of any provision of these Procedures to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Council is that such decision shall be limited to the specific new development immediately involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify these Procedures as a whole or the application of any provision of these Procedures to any other new development.

SECTION XVI. EFFECTIVE DATE

- A. The Ordinance shall become effective on ___, 2021.
- B. Applications for new development filed after the effective date as set forth in this section shall be subject to the Sheriff development impact fee.

ADOPTED this __ day of _____, 2021

COUNTY COUNCIL OF LANCASTER
COUNTY

By: _____
Steve Harper, Chairman

By: _____
Billy Mosteller, Secretary

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose, III, County Attorney

First Reading:	March 22, 2021
Second Reading	April 12, 2021 (tentative)
Third and Final Reading	April 26, 2021 (tentative)
Public Hearing	April 26, 2021 (tentative)

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2021-1724

COUNTY OF LANCASTER

)

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AN ORDINANCE

OF THE COUNTY COUNCIL OF LANCASTER COUNTY, SOUTH CAROLINA ("COUNCIL") ESTABLISHING AND ADOPTING A SHERIFF DEVELOPMENT IMPACT FEE ("IMPACT FEE") TO BE IMPOSED ON ALL NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY; TO ENSURE THAT SHERIFF FACILITIES WILL BE AVAILABLE AND ADEQUATE TO ACCOMMODATE THE NEED EXPECTED TO BE GENERATED FROM NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY BASED ON THE COUNTY'S LEVEL OF SERVICE STANDARDS FOR SHERIFF FACILITIES AND CAPITAL IMPROVEMENTS PLAN (CIP), AND TO ASSIGN THE COSTS OF SUCH SHERIFF FACILITIES ON A PROPORTIONATE SHARE BASIS TO NEW DEVELOPMENT

WHEREAS, Lancaster County ("County") has experienced population and employment growth in the Greater Panhandle area and projections indicate that population growth and development will continue at a reasonable rate into the future; and

WHEREAS, the County has experienced impacts on public facilities resulting from this growth and development; and

WHEREAS, growth and development estimates for the County over the next 10 years indicate there will be a need for additional Sheriff facility system improvements (Sheriff stations) due to the growth and development; and

WHEREAS, the County has defined a level of service standard for Sheriff facilities (Sheriff stations); and

WHEREAS, this defined level of service standard and the projected population and employment growth within the Greater Panhandle region results in an identified need for Sheriff facility system improvement needs over the next 10 years as set forth in the capital improvement plan (CIP); and

WHEREAS, the cost of these Sheriff facility system improvement needs as identified in the CIP is significant and expensive; and

WHEREAS, if property taxes, or bonds (backed only by property taxes) are used to finance the new Sheriff facility system improvements (Sheriff stations) needed to accommodate the demand generated by new development in the Greater Panhandle region of the County, these taxes would be paid largely by existing residents and businesses that have already paid for much of the Sheriff facility system improvements they utilize; and

WHEREAS, County Council finds that it is fair and equitable for new development in the Greater Panhandle region of the County to fund new Sheriff facility system improvements, in part, through a proportionate share Sheriff development impact fee; and

WHEREAS, County Council finds the Sheriff development impact fee will be imposed uniformly on all similar residential and nonresidential use types; and

WHEREAS, County Council having given consideration to the provision and financing of Sheriff facility system improvements necessary to maintain levels of service, hereby finds and declares that the establishment and adoption of Sheriff development impact fee to imposed on new development is necessary and desired, that the fee is proportionate and the fee is based on a CIP that sets forth the Sheriff facility system improvements needed to maintain levels of service for Sheriff facilities to accommodate new development in the Greater Panhandle region of the County; and

NOW, THEREFORE, BE IT ORDAINED by the County Council of Lancaster County, South Carolina that:

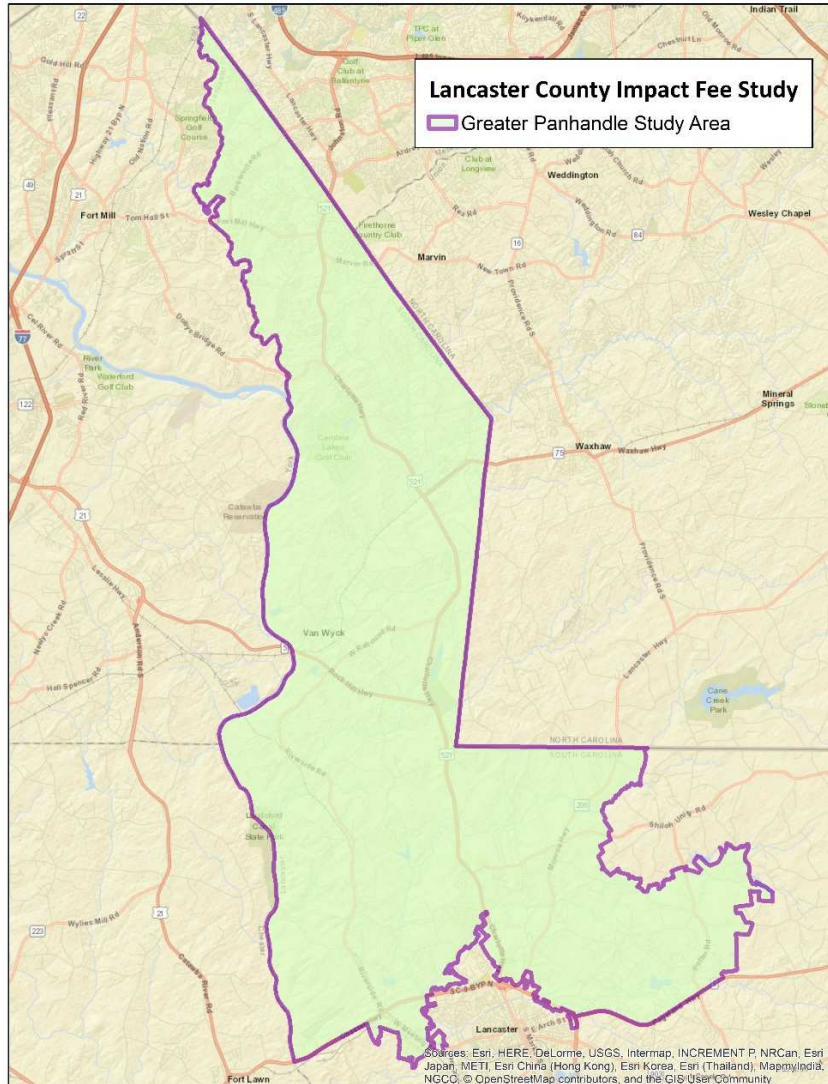
SECTION I. ADOPTION AND IMPOSITION OF SHERIFF IMPACT FEES.

Pursuant to Ordinance No. 2021-1705 and the Development Impact Fee Procedures in Code of Ordinances, Lancaster County, South Carolina ("County Code") Chapter 17 of the County Code, this Sheriff development impact fee shall be adopted and imposed on all new development in the Sheriff Service Area.

SECTION II. ESTABLISHMENT OF SERVICE AREA.

There is one service area for Sheriff development impact fees. The service area includes the entire Greater Panhandle and is known as the "Sheriff Service Area".

A. Map of Sheriff Service Area



SECTION III. INCORPORATION OF SUPPORT STUDY.

The County relies on the level of service standard, land use assumptions, methodologies, service units, system improvement costs, formula, and analyses for Sheriff development impact fees, and the capital improvement plan (CIP) for Sheriff facility system improvements set out in *Development Impact Fee Study* prepared by TischlerBise, dated March 31, 2021 (hereinafter "Sheriff Development Impact Fee Study"). The Sheriff development impact fee study sets forth a reasonable level of service standard, land use assumptions, methodologies, service units, system improvement costs, and formulas for determining the impacts of new development on Sheriff facility system improvement needs.

SECTION IV. IMPOSITION OF SHERIFF IMPACT FEES.

- A. The Sheriff development impact fee shall be imposed on all new development in the Sheriff Service Area, unless the development is exempted, or an exception or waiver is

granted pursuant to Section 17-9 of the County Code.

- A. The Sheriff development impact fee shall be paid prior to issuance of a building permit, or if a building permit is not required, prior to construction of the dwelling unit, or prior to issuance of a development permit for the dwelling unit, as appropriate.

SECTION V. SHERIFF DEVELOPMENT IMPACT FEE SCHEDULE.

- A. Pursuant to this Ordinance and in accordance with the impact fee procedures in Chapter 17 of the County Code, the State Development Impact Fee Act, and the Sheriff Development Impact Fee Study and CIP, Sheriff impact development fees shall be imposed in the Sheriff Service Area.
- B. The following general procedure shall be followed upon receipt of an application for a building permit for new development:

- (1) For residential development, identify the type of housing development and number of dwelling units, and then calculate the fee based on the Residential Sheriff Development Impact Fee Schedule;

- i. Residential Sheriff Development Impact Fee Schedule

Development Type	Sheriff
Residential (per housing unit)	
Single Family Detached	\$126
Single Family Attached	\$107
Multifamily	\$90

- (2) For nonresidential development, identify the type of nonresidential development and the square feet of the nonresidential development, then calculate the fee based on the Nonresidential Sheriff Development Impact Fee Schedule;

- i. Nonresidential Sheriff Development Impact Fee Schedule

Development Type	Sheriff
Nonresidential (per 1,000 square feet)	
Retail	\$158
Office	\$54
Industrial	\$27
Warehouse	\$10
Healthcare	\$59
Institutional	\$107

- C. Development Impact Fee Schedule Annual Update. The development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities set forth in the Development Impact Fee Study and CIP dated March 16, 2021. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering News-Record (ENR). For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which

is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The impact fee schedule annual adjustment update will become effective on July 1st of each year. If July 1st falls on a weekend or county holiday, the fee adjustment will become effective on the next business day thereafter.

SECTION VI. INDIVIDUAL ASSESSMENT OF DEVELOPMENT IMPACT.

- A. In-lieu of calculating the Sheriff development impact fees by reference to the fee schedule, a feepayer may request that the amount of the required Sheriff development impact fees be determined by reference to an Individual Assessment of Development Impact for the proposed development.
- B. If a feepayer requests the use of an Individual Assessment of Development Impact, the feepayer shall be responsible for retaining a qualified professional to prepare the Individual Assessment of Development Impact that complies with the requirements of this section, at the feepayer's expense.
- C. Each Individual Assessment of Development Impact shall be based on the level of service standard and the same system improvement costs for Sheriff facility system improvements used in the Sheriff development impact fee study and CIP, shall use the formula for calculating the development impact fee used in the Sheriff development impact fee study and CIP, and shall document the relevant methodologies and assumptions used (no adjustments in the assumption of credits shall be made). The burden shall be on the feepayer requesting the Individual Assessment of Development Impact to demonstrate by competent evidence that the data and assumptions used in the Sheriff development impact fee study and CIP and reflected in the Sheriff Development Impact Fee Schedule, is less accurate than the results of the Individual Assessment of Development Impact.
- D. Each Individual Assessment of Development Impact shall be submitted to the Director or a designee, and may be accepted, rejected, or accepted with modifications by the Director or a designee as the basis for calculating Sheriff development impact fees. If an Individual Assessment of Development Impact is accepted or accepted with modifications by the Director or a designee as a more accurate measure of the demand for Sheriff facility system improvements created by the proposed new development than the applicable fees in the Sheriff Development Impact Fee Schedule, then the development impact fees due under this Ordinance shall be calculated according to such assessment.

SECTION VII. CREDITS

- A. Any developer/feepayer obligated pay a Sheriff development impact fee under this section may apply for credit against Sheriff development impact fees otherwise due, up to but not to exceed the full obligation for the fees proposed to be paid pursuant to the provisions of this Ordinance for any contribution or construction for Sheriff facility system improvements that are accepted by the County Council for Sheriff facility systems improvements identified in the CIP.
- B. Valuation of Credits
 - (1) Credit for land dedication for Sheriff facility system improvements, at the feepayer's option, shall be valued at either (a) 100 percent of the most recent assessed value for

such land as shown in the records of the County Assessor, or (b) the fair market value of the land established by a private appraiser acceptable to the County Council in an appraisal paid for by the feepayer.

- (2) Credit for construction of a Sheriff facility buildings shall be valued by the County Council based on construction costs estimates submitted by the feepayer. The County Council shall determine the amount of credit due based on the information submitted, or, if it determines the information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the County Council.
- (3) Credit for contributions for Sheriff facility system improvements shall be based on the value of the contribution at the time it is made by the feepayer.

C. When Credits Become Effective

- (1) Credits for land dedication for Sheriff facility system improvements shall become effective after the credit is approved by County Council pursuant to this section, and a Credit Agreement/Development Agreement is entered into, and (a) the land has been conveyed to the County in a form established by the County at no cost to the County, and (b) the dedication of land has been accepted by the County.
- (2) Credits for construction of Sheriff facility buildings shall become effective after the credit is approved by County Council pursuant to this section, (a) a Credit Agreement/Development Agreement is entered into, (b) a suitable maintenance and warranty bond has been received and approved by the County Council, and (c) all design, construction, inspection, testing, bonding, and acceptance procedures have been completed in compliance with all applicable County requirements.
- (3) Credits for contributions shall become effective after the contribution is approved by the County Council pursuant to this section, and the contribution is provided to and accepted by the County Council.
- (4) Credits for dedication of land, construction, or contributions for Sheriff facility system improvements shall be transferable within the same development for Sheriff development impact fee purposes, but shall not be transferable outside the development or used as credit against fees for other public facilities. Credit may be transferred pursuant to these terms and conditions by any written instrument that clearly identifies which credits issued under this section are to be transferred. The instrument shall be signed by both the transferor and transferee, and the document shall be delivered to the County Council for registration.
- (5) The total amount of the credit shall not exceed the amount of the Sheriff development impact fees due and payable for the project.
- (6) If the offer for credit is approved, a Credit Agreement/Development Agreement shall be prepared and signed by the applicant and the County Council. The Credit Agreement/Development Agreement shall specifically outline the contribution or construction of buildings for Sheriff facility system improvements, the time by which they shall be completed or dedicated, and any extensions thereof, and the value (in dollars) of the credit against the Sheriff development impact fees the feepayer shall receive for the contribution or construction of Sheriff buildings.
- (7) The County Council may enter into a Capital Contribution Front-Ending Agreement with any developer/feepayer who proposes to construct Sheriff facility system improvements in

the CIP, to the extent the fair market value of the construction of those Sheriff facility system improvements exceed the obligation to pay Sheriff development impact fees for which a credit is provided pursuant to this section. The Capital Contribution Front-Ending Agreement shall provide proportionate and fair share reimbursement linked to new growth and development's use of the Sheriff facility system improvements constructed.

SECTION VIII. TRUST FUND FOR SHERIFF DEVELOPMENT IMPACT FEES.

The County hereby establish segregated Sheriff Development Impact Fee Trust Fund Account. All Sheriff development impact fees collected by the County shall be placed in their respective Trust Fund Account. Each Trust Account shall be an interest-bearing account and all interest earned and accruing to the account shall become funds of the account subject to the same limitations and restrictions on use and expenditure of funds that are applicable to Sheriff development impact fee funds.

SECTION IX. EXPENDITURE OF FEES FOR SYSTEM IMPROVEMENTS.

Sheriff development impact fee funds shall be used by the County in accordance with the development impact fee procedures in Chapter 17 of the County Code, solely and exclusively for Sheriff facility system improvements as set forth in the Sheriff development impact fee study and CIP. System improvements generally include the following: buildings that expand the capacity of the Sheriff system.

SECTION X. DEVELOPER RIGHTS.

The developer, pursuant to the State Development Impact Fee Act and the county impact fee procedures in Chapter 17 of the County Code, shall have the following rights, any or all of which may be exercised only in accordance with the impact fee procedures in Section 17-8 of the County Code.

- A. Administrative Appeal. The developer/applicant may file an administrative appeal with the County Administrator with respect to a County decision related to the imposition, calculation, collection, processing, or expenditure of a Sheriff development impact fee at any time; provided, however, that such appeal must comply with the provisions and requirements the County impact fee procedure in Section 17-7 of the County Code. If the appeal follows payment of the development impact fee, it must be made within 30 days of the date of fee payment. The filing of an appeal will immediately halt the impact fee process, unless the developer/applicant posts a bond or submits an irrevocable letter of credit for the full amount of development fees as calculated by the County.
- B. Payment under Protest. The developer/applicant may pay the County-calculated Sheriff development impact fees under protest, pursuant to the County impact fee procedures as set forth in Section 17-7 of the County Code. Payment under protest does not preclude the developer/applicant from filing an administrative appeal, from requesting a refund, or from posting a bond or submitting an irrevocable letter of credit for the amount of the development impact fee due, all as set forth in the impact fee procedures as set forth in Section 17-7 of the County Code.
- C. Mediation. The developer/applicant may request mediation by a qualified independent party, but only upon voluntary agreement by both the developer/applicant (feepayer) as

well as the County and only to address a disagreement related to the Sheriff development impact fees, as calculated by the County, for the proposed development. Neither request for, nor participation in, mediation shall preclude the developer/applicant (feepayer) from pursuing other developer rights and/or remedies, as set forth in this Ordinance, the County impact fee procedures in Section 17-7 of the County Code, or other remedies available by law.

SECTION XI. COUNTY REMEDIES.

- A. The County pursuant the State Development Impact Fee Act and the County Development Impact Fee Procedures Chapter 17 of the County Code, to the extent authorized pursuant to the intergovernmental agreements entered into with the County pursuant to this Ordinance, shall have all of the following remedies, which may be exercised individually or collectively, but only in accordance with the impact fee procedures in Section 17-8 of the County Code;
- (1) Interest and Penalties. The County may, in its discretion, add reasonable interest and penalties for nonpayment or late payment to the amount of the calculated Sheriff development impact fees due, pursuant to the impact fee procedures in Section 17-8 of the County Code.
 - (2) Withholding Building or Development Permit or Development Approval or Certificate of Occupancy. The County may withhold a certificate of occupancy, a building or development permit, or development approval, as may be applicable, until full and complete payment has been made by the developer/applicant of the Sheriff development impact fees due.
 - (3) Lien. The County may impose a lien on the developer's property, pursuant to the impact fee procedures in Section 17-8 of the County Code, for failure of the developer/applicant to timely pay the required Sheriff development impact fees in full.
- B. The County may pursue any one or all of the remedies described in subsection A of this section, at its discretion. The failure to pursue any remedy or remedies, at any time, shall not be deemed to be a waiver of County rights to pursue any remedy or remedies at such other time as may be deemed appropriate.

SECTION XII. INTERGOVERNMENTAL AGREEMENTS.

Prior to imposition of the Sheriff development impact fee pursuant to this Ordinance, the County shall enter into intergovernmental agreements with the participating municipalities, which intergovernmental agreements shall:

- A. Specify the reasonable share of funding of joint system improvements for Sheriff facility system improvements by each governmental unit; and
- B. Provide for the collection of the Sheriff development impact fee by the municipality within its corporate limits and by the County within the unincorporated County; and
- C. Provide for the timely transfer of Sheriff development impact fee funds from the municipality to the County; and

- D. Provide for the timely expenditure of the Sheriff development impact fee funds by the County in accordance with the CIP.

SECTION XIII. TERMINATION OF THE SHERIFF IMPACT FEES.

The Sheriff development impact fees shall terminate upon the completion/conclusion/purchase of all the Sheriff development impact fee-funded facility system improvements as set forth in the CIP unless:

- A. The County adopts a CIP for a subsequent time; or
- B. The County adopts an updated Sheriff development impact fee pursuant to the substantive and procedural requirements of the State Development Impact Fee Act.

SECTION XIV. LIBERAL CONSTRUCTION.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interest of furthering, promoting, and protecting the public health, safety, and welfare.

SECTION XV. CONFLICT

To the extent of any conflict between other County ordinances and these Procedures, these Procedures shall be deemed to be controlling; provided, however, that these Procedures are not intended to amend or repeal any existing County ordinance, resolution, or regulation.

SECTION XVI. SEVERABILITY.

- A. If any section, subsection, sentence, clause, phrase, or portion of these Procedures is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion of these Procedures shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of these Procedures nor impair or nullify the remainder of such Procedures which shall continue in full force and effect.
- B. If the application of any provision of these Procedures to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Council is that such decision shall be limited to the specific new development immediately involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify these Procedures as a whole or the application of any provision of these Procedures to any other new development.

SECTION XVII. EFFECTIVE DATE

- A. The Ordinance shall become effective on October 1, 2021.
- B. If a development project has achieved the following development approval milestones prior to the effective date of this Ordinance, the development project is not subject to a development impact fee:

Single family residential projects: preliminary plat approval

Multifamily/nonresidential projects: civil construction plan approval

ADOPTED this _____ day of _____, 2021

**COUNTY COUNCIL OF
LANCASTER COUNTY**

By: _____
Steve Harper, Chairman

By: _____
Billy Mosteller, Secretary

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose, III, County Attorney

First Reading:	March 22, 2021
Second Reading	April 12, 2021
Third and Final Reading	April 26, 2021 (tentative)
Public Hearing	April 26, 2021 (tentative)

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1725

Contact Person / Sponsor: Steve Willis/County Administrator and John DuBose/County Attorney

Department: Attorney

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Whether to Impose a Parks and Recreation Development Impact Fee.

Points to Consider:

The Parks & Recreation development impact fee study sets forth a reasonable level of service standard, land use assumptions, methodologies, service units, system improvement costs, and formulas for determining the impacts of new development on Parks & Recreation facility system improvement needs.

The proposed residential parks and recreation development impact fee schedule is as follows:

Development Type	Parks & Recreation
Residential (per housing unit)	
Single Family Detached	\$784
Single Family Attached	\$666
Multifamily	\$557

The proposed 2nd reading version of the ordinance incorporates a October 1, 2021 effective date and provides that projects that have already reaching certain development milestones prior to the effective date are not subject to imposition of the impact fee.

If the 2nd reading version of the ordinance meets with the approval of County Council it should be adopted by a motion to amend the present version of the ordinance.

Funding and Liability Factors:

Impact fees are proposed to be paid at issuance of a building permit.

Impact fees must be paid within three (3) years of their scheduled expenditure date on a first in first out basis or they must be refunded.

Council Options:

Approve or Disapprove imposition of a Parks and Recreation Impact Fee

Recommendation:

Not Applicable

ATTACHMENTS:

Description	Upload Date	Type
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Ordinance 2021-1725 Parks and Recreation Development Impact Fee	3/15/2021	Ordinance
Ordinance 2021-1725 2nd Reading Proposed Version	4/7/2021	Ordinance

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER

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)

ORDINANCE NO. 2021-1725

AN ORDINANCE

OF THE COUNTY COUNCIL OF LANCASTER COUNTY, SOUTH CAROLINA ("COUNCIL") ESTABLISHING AND ADOPTING A PARKS & RECREATION DEVELOPMENT IMPACT FEE ("IMPACT FEE") TO BE IMPOSED ON ALL NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY; TO ENSURE THAT PARKS & RECREATION FACILITIES WILL BE AVAILABLE AND ADEQUATE TO ACCOMMODATE THE NEED EXPECTED TO BE GENERATED FROM NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY BASED ON THE COUNTY'S LEVEL OF SERVICE STANDARDS FOR PARKS & RECREATION FACILITIES AND CAPITAL IMPROVEMENTS PLAN (CIP), AND TO ASSIGN THE COSTS OF SUCH PARKS & RECREATION FACILITIES ON A PROPORTIONATE SHARE BASIS TO NEW DEVELOPMENT.

The County Council finds and determines that:

WHEREAS, Lancaster County ("County") has experienced population growth in the Greater Panhandle area and projections indicate that population growth and development will continue at a reasonable rate into the future; and

WHEREAS, the County has experienced impacts on public facilities resulting from this growth and development; and

WHEREAS, growth and development estimates for the County over the next 10 years indicate there will be a need for additional Parks & Recreation facility system improvements (park land, park improvements, and recreation centers) due to the growth and development; and

WHEREAS, the County has defined a level of service standard for Parks & Recreation facilities (park land, park improvements, and recreation centers); and

WHEREAS, this defined level of service standard and the projected population growth within the Greater Panhandle region results in an identified need for Parks & Recreation facility system improvement needs over the next 10 years as set forth in the capital improvement plan (CIP); and

WHEREAS, the cost of these Parks & Recreation facility system improvement needs as

identified in the CIP is significant and expensive; and

WHEREAS, if property taxes, or bonds (backed only by property taxes) are used to finance the new Parks & Recreation facility system improvements (park land, park improvements, and recreation centers) needed to accommodate the demand generated by new development in the Greater Panhandle region of the County, these taxes would be paid largely by existing residents and businesses that have already paid for much of the Parks & Recreation facility system improvements they utilize; and

WHEREAS, County Council finds that it is fair and equitable for new development in the Greater Panhandle region of the County to fund new Parks & Recreation facility system improvements, in part, through a proportionate share Parks & Recreation development impact fee; and

WHEREAS, County Council finds the Parks & Recreation development impact fee will be imposed uniformly on all similar residential use types; and

WHEREAS, County Council having given consideration to the provision and financing of Parks & Recreation facility system improvements necessary to maintain levels of service, hereby finds and declares that the establishment and adoption of Parks & Recreation development impact fee to imposed on new development is necessary and desired, that the fee is proportionate and the fee is based on a CIP that sets forth the Parks & Recreation facility system improvements needed to maintain levels of service for Parks & Recreation facilities to accommodate new development in the Greater Panhandle region of the County; and

NOW, THEREFORE, BE IT ORDAINED by the County Council of Lancaster County, South Carolina that:

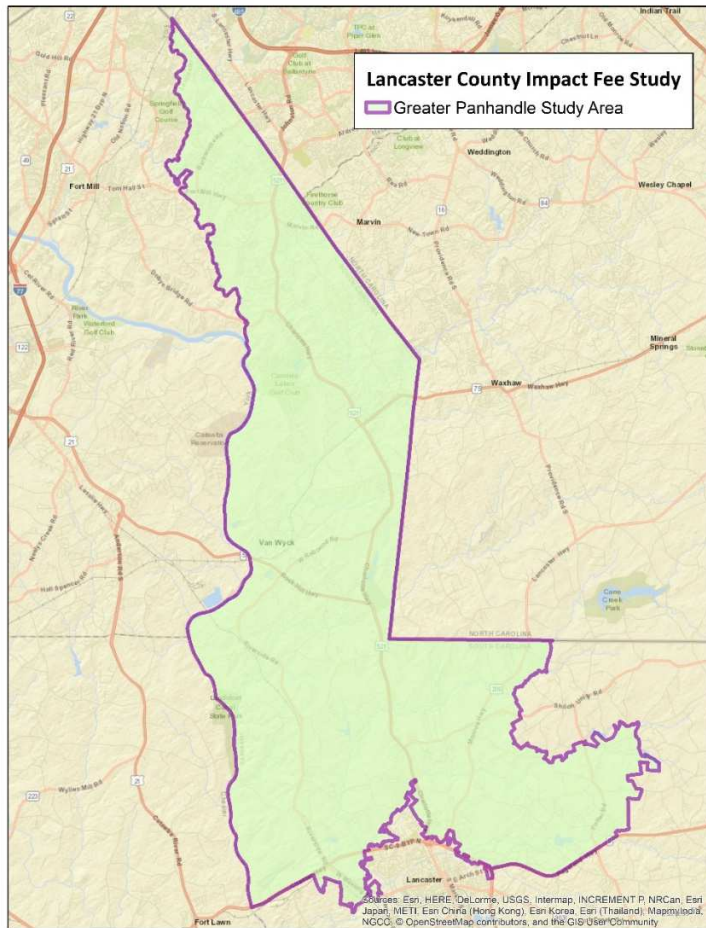
SECTION I. ADOPTION AND IMPOSITION OF PARKS & RECREATION IMPACT FEES.

Pursuant to Ordinance No. 2021-1705 and the impact fee procedures in the Code of Ordinances, Lancaster County, South Carolina ("County Code"), Chapter __, this Parks & Recreation development impact fee shall be adopted and imposed on all new development in the Parks & Recreation Service Area.

SECTION II. ESTABLISHMENT OF SERVICE AREA.

There is one service area for Parks & Recreation development impact fees. The service area includes the entire Greater Panhandle and is known as the "Parks & Recreation Service Area".

A. Map of Parks & Recreation Service Area



SECTION III. INCORPORATION OF SUPPORT STUDY.

The County relies on the level of service standard, land use assumptions, methodologies, service units, system improvement costs, formula, and analyses for Parks & Recreation development impact fees, and the capital improvement plan (CIP) for Parks & Recreation facility system improvements set out in *Development Impact Fee Study* prepared by TischlerBise, dated March __, 2021 (hereinafter "Parks & Recreation development impact fee study"). The Parks & Recreation development impact fee study sets forth a reasonable level of service standard, land use assumptions, methodologies, service units, system improvement costs, and formulas for determining the impacts of new development on Parks & Recreation facility system improvement needs.

SECTION IV. IMPOSITION OF PARKS & RECREATION IMPACT FEES.

- A. The Parks & Recreation development impact fee shall be imposed on all new development in the Parks & Recreation Service Area, unless the development is exempted, or an exception or waiver is granted pursuant to the Code of Ordinances, Lancaster County, South Carolina ("County Code"), Chapter __, Article ____ The Parks & Recreation development impact fee shall be paid prior to issuance of a building permit, or if a building permit is not required, prior to construction of the dwelling unit,

or prior to issuance of a development permit for the dwelling unit, as appropriate.

SECTION V. PARKS & RECREATION DEVELOPMENT IMPACT FEE SCHEDULE.

- A. Pursuant to this Ordinance and in accordance with the impact fee procedures in Chapter ____ of the County Code, the State Development Impact Fee Act, and the Parks & Recreation development impact fee study and CIP, Parks & Recreation impact development fees shall be imposed in the Parks & Recreation Service Area.
- B. The following general procedure shall be followed upon receipt of an application for a building permit for new development:
 - (1) For residential development, identify the type of housing development and number of dwelling units, and then calculate the fee based on the Residential Parks & Recreation Development Impact Fee Schedule;
 - i. Residential Parks & Recreation Development Impact Fee Schedule

Development Type	Parks & Recreation
Residential (per housing unit)	
Single Family Detached	\$784
Single Family Attached	\$666
Multifamily	\$557

Development Impact Fee Schedule Annual Update. The development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities set forth in the Development Impact Fee Study and CIP dated _____, 2021. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering News-Record (ENR). For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The impact fee schedule annual adjustment update will become effective on July 1st of each year. If July 1st falls on a weekend or county holiday, the fee adjustment will become effective on the next business day thereafter.

SECTION VI. INDIVIDUAL ASSESSMENT OF DEVELOPMENT IMPACT.

- A. In-lieu of calculating the Parks & Recreation development impact fees by reference to the fee schedule, a feepayer may request that the amount of the required Parks & Recreation development impact fees be determined by reference to an Individual Assessment of Development Impact for the proposed development.
- B. If a feepayer requests the use of an Individual Assessment of Development Impact, the feepayer shall be responsible for retaining a qualified professional to prepare the Individual Assessment of Development Impact that complies with the requirements of this section, at the feepayer's expense.
- C. Each Individual Assessment of Development Impact shall be based on the level of

service standard and the same system improvement costs for Parks & Recreation facility system improvements used in the Parks & Recreation development impact fee study and CIP, shall use the formula for calculating the development impact fee used in the Parks & Recreation development impact fee study and CIP, and shall document the relevant methodologies and assumptions used (no adjustments in the assumption of credits shall be made). The burden shall be on the feepayer requesting the Individual Assessment of Development Impact to demonstrate by competent evidence that the data and assumptions used in the Parks & Recreation development impact fee study and CIP and reflected in the Parks & Recreation Development Impact Fee Schedule, is less accurate than the results of the Individual Assessment of Development Impact.

- D. Each Individual Assessment of Development Impact shall be submitted to the Director or a designee, and may be accepted, rejected, or accepted with modifications by the Director or a designee as the basis for calculating Parks & Recreation development impact fees. If an Individual Assessment of Development Impact is accepted or accepted with modifications by the Director or a designee as a more accurate measure of the demand for Parks & Recreation facility system improvements created by the proposed new development than the applicable fees in the Parks & Recreation Development Impact Fee Schedule, then the development impact fees due under this Ordinance shall be calculated according to such assessment.

SECTION VII. CREDITS

- A. Any developer/feepayer obligated pay a Parks & Recreation development impact fee under this section may apply for credit against Parks & Recreation development impact fees otherwise due, up to but not to exceed the full obligation for the fees proposed to be paid pursuant to the provisions of this Ordinance for any contribution or construction for Parks & Recreation facility system improvements that are accepted by the County Council for Parks & Recreation facility systems improvements identified in the CIP.
- B. Valuation of Credits
 - (1) Credit for land dedication for Parks & Recreation facility system improvements, at the feepayer's option, shall be valued at either (a) 100 percent of the most recent assessed value for such land as shown in the records of the County Assessor, or (b) the fair market value of the land established by a private appraiser acceptable to the County Council in an appraisal paid for by the feepayer.
 - (2) Credit for construction of a Parks & Recreation facility buildings shall be valued by the County Council based on construction costs estimates submitted by the feepayer. The County Council shall determine the amount of credit due based on the information submitted, or, if it determines the information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the County Council.
 - (3) Credit for contributions for Parks & Recreation facility system improvements shall be based on the value of the contribution at the time it is made by the feepayer.
- C. When Credits Become Effective
 - (1) Credits for land dedication for Parks & Recreation facility system improvements shall become effective after the credit is approved by County Council pursuant to this

section, and a Credit Agreement/Development Agreement is entered into, and (a) the land has been conveyed to the County in a form established by the County at no cost to the County, and (b) the dedication of land has been accepted by the County.

- (2) Credits for construction of Parks & Recreation facility buildings shall become effective after the credit is approved by County Council pursuant to this section, (a) a Credit Agreement/Development Agreement is entered into, (b) a suitable maintenance and warranty bond has been received and approved by the County Council, and (c) all design, construction, inspection, testing, bonding, and acceptance procedures have been completed in compliance with all applicable County requirements.
- (3) Credits for contributions shall become effective after the contribution is approved by the County Council pursuant to this section, and the contribution is provided to and accepted by the County Council.
- (4) Credits for dedication of land, construction, or contributions for Parks & Recreation facility system improvements shall be transferable within the same development for Parks & Recreation development impact fee purposes, but shall not be transferable outside the development or used as credit against fees for other public facilities. Credit may be transferred pursuant to these terms and conditions by any written instrument that clearly identifies which credits issued under this section are to be transferred. The instrument shall be signed by both the transferor and transferee, and the document shall be delivered to the County Council for registration.
- (5) The total amount of the credit shall not exceed the amount of the Parks & Recreation development impact fees due and payable for the project.
- (6) If the offer for credit is approved, a Credit Agreement/Development Agreement shall be prepared and signed by the applicant and the County Council. The Credit Agreement/Development Agreement shall specifically outline the contribution or construction of buildings for Parks & Recreation facility system improvements, the time by which they shall be completed or dedicated, and any extensions thereof, and the value (in dollars) of the credit against the Parks & Recreation development impact fees the feepayer shall receive for the contribution or construction of Parks & Recreation buildings.
- (7) The County Council may enter into a Capital Contribution Front-Ending Agreement with any developer/feepayer who proposes to construct Parks & Recreation facility system improvements in the CIP, to the extent the fair market value of the construction of those Parks & Recreation facility system improvements exceed the obligation to pay Parks & Recreation development impact fees for which a credit is provided pursuant to this section. The Capital Contribution Front-Ending Agreement shall provide proportionate and fair share reimbursement linked to new growth and development's use of the Parks & Recreation facility system improvements constructed.

SECTION VIII. TRUST FUND FOR PARKS & RECREATION DEVELOPMENT IMPACT FEES.

The County hereby establish segregated Parks & Recreation Development Impact Fee Trust Fund Account. All Parks & Recreation development impact fees collected by the County shall be placed in their respective Trust Fund Account. Each Trust Account shall be an interest-bearing account and all interest earned and accruing to the account shall become funds of the account subject to the same limitations and restrictions on use and expenditure

of funds that are applicable to Parks & Recreation development impact fee funds.

SECTION IX. EXPENDITURE OF FEES FOR SYSTEM IMPROVEMENTS.

Parks & Recreation development impact fee funds shall be used by the County in accordance with the development impact fee procedures in Chapter __, Article __ of the County Code, solely and exclusively for Parks & Recreation facility system improvements as set forth in the Parks & Recreation development impact fee study and CIP. System improvements generally include the following: buildings that expand the capacity of the Parks & Recreation system.

SECTION X. DEVELOPER RIGHTS.

The developer, pursuant to the State Development Impact Fee Act and the county impact fee procedures in Chapter __, Article ____ of the County Code, shall have the following rights, any or all of which may be exercised only in accordance with the impact fee procedures in Chapter __, Article ____ of the County Code.

- A. Administrative Appeal. The developer/applicant may file an administrative appeal with the County Administrator with respect to a County decision related to the imposition, calculation, collection, processing, or expenditure of a Parks & Recreation development impact fee at any time; provided, however, that such appeal must comply with the provisions and requirements the County impact fee procedure in Chapter __, Article ____ of the County Code. If the appeal follows payment of the development impact fee, it must be made within 30 days of the date of fee payment. The filing of an appeal will immediately halt the impact fee process, unless the developer/applicant posts a bond or submits an irrevocable letter of credit for the full amount of development fees as calculated by the County.
- B. Payment under Protest. The developer/applicant may pay the County-calculated Parks & Recreation development impact fees under protest, pursuant to the County impact fee procedures as set forth in Chapter __, Article ____ the County Code. Payment under protest does not preclude the developer/applicant from filing an administrative appeal, from requesting a refund, or from posting a bond or submitting an irrevocable letter of credit for the amount of the development impact fee due, all as set forth in the impact fee procedures as set forth in Chapter __, Article ____.
- C. Mediation. The developer/applicant may request mediation by a qualified independent party, but only upon voluntary agreement by both the developer/applicant (feepayer) as well as the County and only to address a disagreement related to the Parks & Recreation development impact fees, as calculated by the County, for the proposed development. Neither request for, nor participation in, mediation shall preclude the developer/applicant (feepayer) from pursuing other developer rights and/or remedies, as set forth in this Ordinance, the County impact fee procedures in Chapter __, Article ____ of the County Code, or other remedies available by law.

SECTION XI. COUNTY REMEDIES.

- A. The County pursuant the State Development Impact Fee Act and the County impact fee procedure Chapter __, Article ____ of the County Code, to the extent authorized pursuant to the intergovernmental agreements entered into with the County pursuant to this Ordinance, shall have all of the following remedies, which may be exercised

individually or collectively, but only in accordance with the impact fee procedures in Chapter ____, Article ____ of the County Code;

- (1) Interest and Penalties. The County may, in its discretion, add reasonable interest and penalties for nonpayment or late payment to the amount of the calculated Parks & Recreation development impact fees due, pursuant to the impact fee procedures in Chapter ____, Article ____ of the County Code.
 - (2) Withholding Building or Development Permit or Development Approval or Certificate of Occupancy. The County may withhold a certificate of occupancy, a building or development permit, or development approval, as may be applicable, until full and complete payment has been made by the developer/applicant of the Parks & Recreation development impact fees due.
 - (3) Lien. The County may impose a lien on the developer's property, pursuant to the impact fee procedures in Chapter ____, Article ____ of the County Code, for failure of the developer/applicant to timely pay the required Parks & Recreation development impact fees in full.
- B. The County may pursue any one or all of the remedies described in subsection A of this section, at its discretion. The failure to pursue any remedy or remedies, at any time, shall not be deemed to be a waiver of County rights to pursue any remedy or remedies at such other time as may be deemed appropriate.

SECTION XII. INTERGOVERNMENTAL AGREEMENTS.

Prior to imposition of the Parks & Recreation development impact fee pursuant to this Ordinance, the County shall enter into intergovernmental agreements with the participating municipalities, which intergovernmental agreements shall:

- A. Specify the reasonable share of funding of joint system improvements for Parks & Recreation facility system improvements by each governmental unit; and
- B. Provide for the collection of the Parks & Recreation development impact fee by the municipality within its corporate limits and by the County within the unincorporated County; and
- C. Provide for the timely transfer of Parks & Recreation development impact fee funds from the municipality to the County; and
- D. Provide for the timely expenditure of the Parks & Recreation development impact fee funds by the County in accordance with the CIP.

SECTION XIII. TERMINATION OF THE PARKS & RECREATION IMPACT FEES.

The Parks & Recreation development impact fees shall terminate upon the completion/conclusion/purchase of all the Parks & Recreation development impact fee-funded facility system improvements as set forth in the CIP unless:

- A. The County adopts a CIP for a subsequent time; or
- B. The County adopts an updated Parks & Recreation development impact fee pursuant to the substantive and procedural requirements of the State Development Impact Fee Act.

SECTION XIV. LIBERAL CONSTRUCTION.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interest of furthering, promoting, and protecting the public health, safety, and welfare.

SECTION XV. CONFLICT

To the extent of any conflict between other County ordinances and these Procedures, these Procedures shall be deemed to be controlling; provided, however, that these Procedures are not intended to amend or repeal any existing County ordinance, resolution, or regulation.

SECTION XVI. SEVERABILITY.

- A. If any section, subsection, sentence, clause, phrase, or portion of these Procedures is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion of these Procedures shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of these Procedures nor impair or nullify the remainder of such Procedures which shall continue in full force and effect.
- B. If the application of any provision of these Procedures to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Council is that such decision shall be limited to the specific new development immediately involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify these Procedures as a whole or the application of any provision of these Procedures to any other new development.

SECTION XVII. EFFECTIVE DATE

- A. The Ordinance shall become effective on _____, 2021.
- B. Applications for new development filed after the effective date as set forth in this section shall be subject to the Parks & Recreation development impact fee.

ADOPTED this __ day of _____, 2021

COUNTY COUNCIL OF LANCASTER
COUNTY

By: _____
Steve Harper, Chairman

By: _____
Billy Mosteller, Secretary

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose, III, County Attorney

First Reading:	March 22, 2021
Second Reading	April 12, 2021 (tentative)
Third and Final Reading	April 26, 2021 (tentative)
Public Hearing	April 26, 2021 (tentative)

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER

)
)
)

ORDINANCE NO. 2021-1725

AN ORDINANCE

OF THE COUNTY COUNCIL OF LANCASTER COUNTY, SOUTH CAROLINA ("COUNCIL") ESTABLISHING AND ADOPTING A PARKS & RECREATION DEVELOPMENT IMPACT FEE ("IMPACT FEE") TO BE IMPOSED ON ALL NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY; TO ENSURE THAT PARKS & RECREATION FACILITIES WILL BE AVAILABLE AND ADEQUATE TO ACCOMMODATE THE NEED EXPECTED TO BE GENERATED FROM NEW DEVELOPMENT IN THE GREATER PANHANDLE REGION OF LANCASTER COUNTY BASED ON THE COUNTY'S LEVEL OF SERVICE STANDARDS FOR PARKS & RECREATION FACILITIES AND CAPITAL IMPROVEMENTS PLAN (CIP), AND TO ASSIGN THE COSTS OF SUCH PARKS & RECREATION FACILITIES ON A PROPORTIONATE SHARE BASIS TO NEW DEVELOPMENT.

The County Council finds and determines that:

WHEREAS, Lancaster County ("County") has experienced population growth in the Greater Panhandle area and projections indicate that population growth and development will continue at a reasonable rate into the future; and

WHEREAS, the County has experienced impacts on public facilities resulting from this growth and development; and

WHEREAS, growth and development estimates for the County over the next 10 years indicate there will be a need for additional Parks & Recreation facility system improvements (park land, park improvements, and recreation centers) due to the growth and development; and

WHEREAS, the County has defined a level of service standard for Parks & Recreation facilities (park land, park improvements, and recreation centers); and

WHEREAS, this defined level of service standard and the projected population growth within the Greater Panhandle region results in an identified need for Parks & Recreation facility system improvement needs over the next 10 years as set forth in the capital improvement plan (CIP); and

WHEREAS, the cost of these Parks & Recreation facility system improvement needs as

identified in the CIP is significant and expensive; and

WHEREAS, if property taxes, or bonds (backed only by property taxes) are used to finance the new Parks & Recreation facility system improvements (park land, park improvements, and recreation centers) needed to accommodate the demand generated by new development in the Greater Panhandle region of the County, these taxes would be paid largely by existing residents and businesses that have already paid for much of the Parks & Recreation facility system improvements they utilize; and

WHEREAS, County Council finds that it is fair and equitable for new development in the Greater Panhandle region of the County to fund new Parks & Recreation facility system improvements, in part, through a proportionate share Parks & Recreation development impact fee; and

WHEREAS, County Council finds the Parks & Recreation development impact fee will be imposed uniformly on all similar residential use types; and

WHEREAS, County Council having given consideration to the provision and financing of Parks & Recreation facility system improvements necessary to maintain levels of service, hereby finds and declares that the establishment and adoption of Parks & Recreation development impact fee to imposed on new development is necessary and desired, that the fee is proportionate and the fee is based on a CIP that sets forth the Parks & Recreation facility system improvements needed to maintain levels of service for Parks & Recreation facilities to accommodate new development in the Greater Panhandle region of the County; and

NOW, THEREFORE, BE IT ORDAINED by the County Council of Lancaster County, South Carolina that:

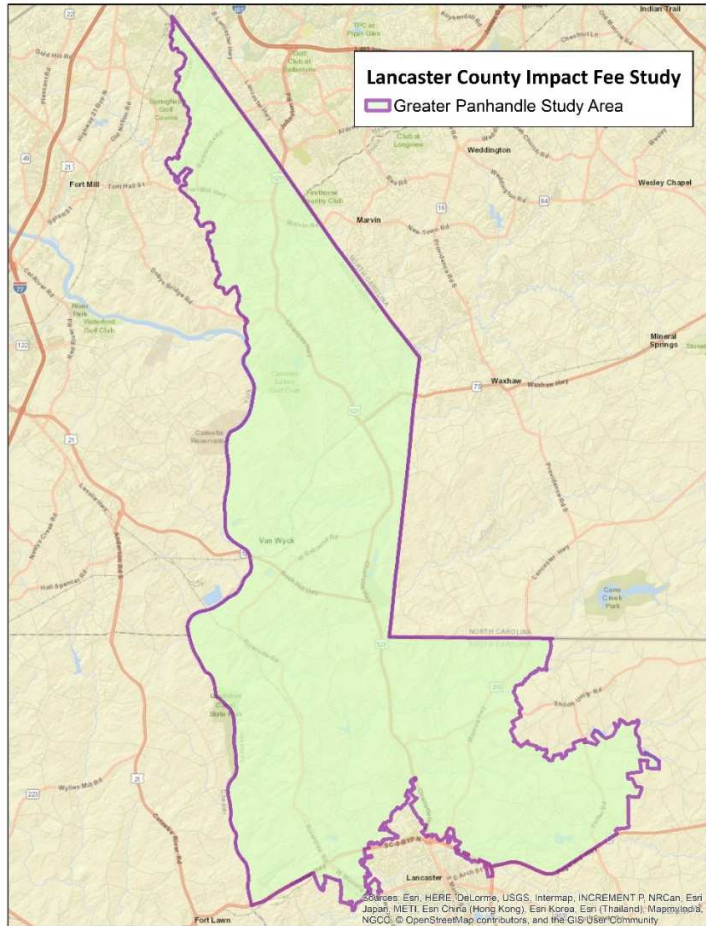
SECTION I. ADOPTION AND IMPOSITION OF PARKS & RECREATION IMPACT FEES.

Pursuant to Ordinance No. 2021-1705 and the impact fee procedures in the Code of Ordinances, Lancaster County, South Carolina ("County Code"), Chapter 17, this Parks & Recreation development impact fee shall be adopted and imposed on all new development in the Parks & Recreation Service Area.

SECTION II. ESTABLISHMENT OF SERVICE AREA.

There is one service area for Parks & Recreation development impact fees. The service area includes the entire Greater Panhandle and is known as the "Parks & Recreation Service Area".

A. Map of Parks & Recreation Service Area



SECTION III. INCORPORATION OF SUPPORT STUDY.

The County relies on the level of service standard, land use assumptions, methodologies, service units, system improvement costs, formula, and analyses for Parks & Recreation development impact fees, and the capital improvement plan (CIP) for Parks & Recreation facility system improvements set out in *Development Impact Fee Study* prepared by Tischler Bice, dated March 31, 2021 (hereinafter "Parks & Recreation development impact fee study"). The Parks & Recreation development impact fee study sets forth a reasonable level of service standard, land use assumptions, methodologies, service units, system improvement costs, and formulas for determining the impacts of new development on Parks & Recreation facility system improvement needs.

SECTION IV. IMPOSITION OF PARKS & RECREATION IMPACT FEES.

- A. The Parks & Recreation development impact fee shall be imposed on all new development in the Parks & Recreation Service Area, unless the development is exempted, or an exception or waiver is granted pursuant to the Code of Ordinances, Lancaster County, South Carolina ("County Code"), Section 17-9 of the County Code.
- B. The Parks & Recreation development impact fee shall be paid prior to issuance of a

building permit, or if a building permit is not required, prior to construction of the dwelling unit, or prior to issuance of a development permit for the dwelling unit, as appropriate.

SECTION V. PARKS & RECREATION DEVELOPMENT IMPACT FEE SCHEDULE.

- A. Pursuant to this Ordinance and in accordance with the impact fee procedures in Chapter 17 of the County Code, the State Development Impact Fee Act, and the Parks & Recreation development impact fee study and CIP, Parks & Recreation impact development fees shall be imposed in the Parks & Recreation Service Area.
- B. The following general procedure shall be followed upon receipt of an application for a building permit for new development:
- (1) For residential development, identify the type of housing development and number of dwelling units, and then calculate the fee based on the Residential Parks & Recreation Development Impact Fee Schedule;
- i. Residential Parks & Recreation Development Impact Fee Schedule

Development Type	Parks & Recreation
Residential (per housing unit)	
Single Family Detached	\$784
Single Family Attached	\$666
Multifamily	\$557

Development Impact Fee Schedule Annual Update. The development impact fees shall be adjusted annually to reflect the effects of inflation on the costs for facilities set forth in the Development Impact Fee Study and CIP dated March 16, 2021. The fee schedule shall be adjusted using the Construction Cost Index calculated by the Engineering News-Record (ENR). For each such adjustment, the development impact fees shall be multiplied by a fraction, the numerator of which is the ENR Construction Cost Index for the most recent month for which figures are available, and the denominator of which is the ENR Construction Cost Index for the period one year prior to the period reflected in the numerator. The impact fee schedule annual adjustment update will become effective on July 1st of each year. If July 1st falls on a weekend or county holiday, the fee adjustment will become effective on the next business day thereafter.

SECTION VI. INDIVIDUAL ASSESSMENT OF DEVELOPMENT IMPACT.

- A. In-lieu of calculating the Parks & Recreation development impact fees by reference to the fee schedule, a feepayer may request that the amount of the required Parks & Recreation development impact fees be determined by reference to an Individual Assessment of Development Impact for the proposed development.
- B. If a feepayer requests the use of an Individual Assessment of Development Impact, the feepayer shall be responsible for retaining a qualified professional to prepare the Individual Assessment of Development Impact that complies with the requirements of this section, at the feepayer's expense.

- C. Each Individual Assessment of Development Impact shall be based on the level of service standard and the same system improvement costs for Parks & Recreation facility system improvements used in the Parks & Recreation development impact fee study and CIP, shall use the formula for calculating the development impact fee used in the Parks & Recreation development impact fee study and CIP, and shall document the relevant methodologies and assumptions used (no adjustments in the assumption of credits shall be made). The burden shall be on the feepayer requesting the Individual Assessment of Development Impact to demonstrate by competent evidence that the data and assumptions used in the Parks & Recreation development impact fee study and CIP and reflected in the Parks & Recreation Development Impact Fee Schedule, is less accurate than the results of the Individual Assessment of Development Impact.
- D. Each Individual Assessment of Development Impact shall be submitted to the Director or a designee, and may be accepted, rejected, or accepted with modifications by the Director or a designee as the basis for calculating Parks & Recreation development impact fees. If an Individual Assessment of Development Impact is accepted or accepted with modifications by the Director or a designee as a more accurate measure of the demand for Parks & Recreation facility system improvements created by the proposed new development than the applicable fees in the Parks & Recreation Development Impact Fee Schedule, then the development impact fees due under this Ordinance shall be calculated according to such assessment.

SECTION VII. CREDITS

- A. Any developer/feepayer obligated pay a Parks & Recreation development impact fee under this section may apply for credit against Parks & Recreation development impact fees otherwise due, up to but not to exceed the full obligation for the fees proposed to be paid pursuant to the provisions of this Ordinance for any contribution or construction for Parks & Recreation facility system improvements that are accepted by the County Council for Parks & Recreation facility systems improvements identified in the CIP.
- C. Valuation of Credits
 - (1) Credit for land dedication for Parks & Recreation facility system improvements, at the feepayer's option, shall be valued at either (a) 100 percent of the most recent assessed value for such land as shown in the records of the County Assessor, or (b) the fair market value of the land established by a private appraiser acceptable to the County Council in an appraisal paid for by the feepayer.
 - (2) Credit for construction of a Parks & Recreation facility buildings shall be valued by the County Council based on construction costs estimates submitted by the feepayer. The County Council shall determine the amount of credit due based on the information submitted, or, if it determines the information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the County Council.
 - (3) Credit for contributions for Parks & Recreation facility system improvements shall be based on the value of the contribution at the time it is made by the feepayer.
- D. When Credits Become Effective
 - (1) Credits for land dedication for Parks & Recreation facility system improvements shall

become effective after the credit is approved by County Council pursuant to this section, and a Credit Agreement/Development Agreement is entered into, and (a) the land has been conveyed to the County in a form established by the County at no cost to the County, and (b) the dedication of land has been accepted by the County.

- (2) Credits for construction of Parks & Recreation facility buildings shall become effective after the credit is approved by County Council pursuant to this section, (a) a Credit Agreement/Development Agreement is entered into, (b) a suitable maintenance and warranty bond has been received and approved by the County Council, and (c) all design, construction, inspection, testing, bonding, and acceptance procedures have been completed in compliance with all applicable County requirements.
- (3) Credits for contributions shall become effective after the contribution is approved by the County Council pursuant to this section, and the contribution is provided to and accepted by the County Council.
- (4) Credits for dedication of land, construction, or contributions for Parks & Recreation facility system improvements shall be transferable within the same development for Parks & Recreation development impact fee purposes, but shall not be transferable outside the development or used as credit against fees for other public facilities. Credit may be transferred pursuant to these terms and conditions by any written instrument that clearly identifies which credits issued under this section are to be transferred. The instrument shall be signed by both the transferor and transferee, and the document shall be delivered to the County Council for registration.
- (5) The total amount of the credit shall not exceed the amount of the Parks & Recreation development impact fees due and payable for the project.
- (6) If the offer for credit is approved, a Credit Agreement/Development Agreement shall be prepared and signed by the applicant and the County Council. The Credit Agreement/Development Agreement shall specifically outline the contribution or construction of buildings for Parks & Recreation facility system improvements, the time by which they shall be completed or dedicated, and any extensions thereof, and the value (in dollars) of the credit against the Parks & Recreation development impact fees the feepayer shall receive for the contribution or construction of Parks & Recreation buildings.
- (7) The County Council may enter into a Capital Contribution Front-Ending Agreement with any developer/feepayer who proposes to construct Parks & Recreation facility system improvements in the CIP, to the extent the fair market value of the construction of those Parks & Recreation facility system improvements exceed the obligation to pay Parks & Recreation development impact fees for which a credit is provided pursuant to this section. The Capital Contribution Front-Ending Agreement shall provide proportionate and fair share reimbursement linked to new growth and development's use of the Parks & Recreation facility system improvements constructed.

SECTION VIII. TRUST FUND FOR PARKS & RECREATION DEVELOPMENT IMPACT FEES.

The County hereby establish segregated Parks & Recreation Development Impact Fee Trust Fund Account. All Parks & Recreation development impact fees collected by the County shall be placed in their respective Trust Fund Account. Each Trust Account shall be an interest-bearing account and all interest earned and accruing to the account shall become

funds of the account subject to the same limitations and restrictions on use and expenditure of funds that are applicable to Parks & Recreation development impact fee funds.

SECTION IX. EXPENDITURE OF FEES FOR SYSTEM IMPROVEMENTS.

Parks & Recreation development impact fee funds shall be used by the County in accordance with the development impact fee procedures in Chapter 17 of the County Code, solely and exclusively for Parks & Recreation facility system improvements as set forth in the Parks & Recreation development impact fee study and CIP. System improvements generally include the following: buildings that expand the capacity of the Parks & Recreation system.

SECTION X. DEVELOPER RIGHTS.

The developer, pursuant to the State Development Impact Fee Act and the county impact fee procedures in Chapter 17 of the County Code, shall have the following rights, any or all of which may be exercised only in accordance with the impact fee procedures in Section 17-8 of the County Code.

- A. Administrative Appeal. The developer/applicant may file an administrative appeal with the County Administrator with respect to a County decision related to the imposition, calculation, collection, processing, or expenditure of a Parks & Recreation development impact fee at any time; provided, however, that such appeal must comply with the provisions and requirements the County impact fee procedure in Section 17-7 of the County Code. If the appeal follows payment of the development impact fee, it must be made within 30 days of the date of fee payment. The filing of an appeal will immediately halt the impact fee process, unless the developer/applicant posts a bond or submits an irrevocable letter of credit for the full amount of development fees as calculated by the County.
- B. Payment under Protest. The developer/applicant may pay the County-calculated Parks & Recreation development impact fees under protest, pursuant to the County impact fee procedures as set forth in Section 17-7 of the County Code. Payment under protest does not preclude the developer/applicant from filing an administrative appeal, from requesting a refund, or from posting a bond or submitting an irrevocable letter of credit for the amount of the development impact fee due, all as set forth in the impact fee procedures as set forth in Section 17-7 of the County Code.
- C. Mediation. The developer/applicant may request mediation by a qualified independent party, but only upon voluntary agreement by both the developer/applicant (feepayer) as well as the County and only to address a disagreement related to the Parks & Recreation development impact fees, as calculated by the County, for the proposed development. Neither request for, nor participation in, mediation shall preclude the developer/applicant (feepayer) from pursuing other developer rights and/or remedies, as set forth in this Ordinance, the County impact fee procedures in Section 17-7 of the County Code, or other remedies available by law.

SECTION XI. COUNTY REMEDIES.

- A. The County pursuant the State Development Impact Fee Act and the County Development Impact Fee Procedures Chapter 17 of the County Code, to the extent authorized pursuant to the intergovernmental agreements entered into with the County pursuant to this Ordinance, shall have all of the following remedies, which may be exercised

individually or collectively, but only in accordance with the impact fee procedures in Section 17-8 of the County Code;

- (1) Interest and Penalties. The County may, in its discretion, add reasonable interest and penalties for nonpayment or late payment to the amount of the calculated Parks & Recreation development impact fees due, pursuant to the impact fee procedures in Section 17-8 of the County Code.
 - (2) Withholding Building or Development Permit or Development Approval or Certificate of Occupancy. The County may withhold a certificate of occupancy, a building or development permit, or development approval, as may be applicable, until full and complete payment has been made by the developer/applicant of the Parks & Recreation development impact fees due.
 - (3) Lien. The County may impose a lien on the developer's property, pursuant to the impact fee procedures in Section 17-8 of the County Code, for failure of the developer/applicant to timely pay the required Parks & Recreation development impact fees in full.
- B. The County may pursue any one or all of the remedies described in subsection A of this section, at its discretion. The failure to pursue any remedy or remedies, at any time, shall not be deemed to be a waiver of County rights to pursue any remedy or remedies at such other time as may be deemed appropriate.

SECTION XII. INTERGOVERNMENTAL AGREEMENTS.

Prior to imposition of the Parks & Recreation development impact fee pursuant to this Ordinance, the County shall enter into intergovernmental agreements with the participating municipalities, which intergovernmental agreements shall:

- A. Specify the reasonable share of funding of joint system improvements for Parks & Recreation facility system improvements by each governmental unit; and
- B. Provide for the collection of the Parks & Recreation development impact fee by the municipality within its corporate limits and by the County within the unincorporated County; and
- C. Provide for the timely transfer of Parks & Recreation development impact fee funds from the municipality to the County; and
- D. Provide for the timely expenditure of the Parks & Recreation development impact fee funds by the County in accordance with the CIP.

SECTION XIII. TERMINATION OF THE PARKS & RECREATION IMPACT FEES.

The Parks & Recreation development impact fees shall terminate upon the completion/conclusion/purchase of all the Parks & Recreation development impact fee-funded facility system improvements as set forth in the CIP unless:

- A. The County adopts a CIP for a subsequent time; or

- B. The County adopts an updated Parks & Recreation development impact fee pursuant to the substantive and procedural requirements of the State Development Impact Fee Act.

SECTION XIV. LIBERAL CONSTRUCTION.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interest of furthering, promoting, and protecting the public health, safety, and welfare.

SECTION XV. CONFLICT

To the extent of any conflict between other County ordinances and these Procedures, these Procedures shall be deemed to be controlling; provided, however, that these Procedures are not intended to amend or repeal any existing County ordinance, resolution, or regulation.

SECTION XVI. SEVERABILITY.

- A. If any section, subsection, sentence, clause, phrase, or portion of these Procedures is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion of these Procedures shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions of these Procedures nor impair or nullify the remainder of such Procedures which shall continue in full force and effect.
- B. If the application of any provision of these Procedures to any new development is declared to be invalid by a decision of any court of competent jurisdiction, the intent of the County Council is that such decision shall be limited to the specific new development immediately involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify these Procedures as a whole or the application of any provision of these Procedures to any other new development.

SECTION XVII. EFFECTIVE DATE

- A. The Ordinance shall become effective on October 1, 2021.
- B. If a development project has achieved the following development approval milestones prior to the effective date of this Ordinance, the development project is not subject to a development impact fee:

Single family residential projects: preliminary plat approval

Multifamily/nonresidential projects: civil construction plan approval

ADOPTED this _____ day of _____, 2021

**COUNTY COUNCIL OF
LANCASTER COUNTY**

By: _____
Steve Harper, Chairman

By: _____
Billy Mosteller, Secretary

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose, III, County Attorney

First Reading:	March 22, 2021
Second Reading	April 12, 2021
Third and Final Reading	April 26, 2021 (tentative)
Public Hearing	April 26, 2021 (tentative)

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1727

Contact Person / Sponsor: Steve Willis/Administration and Jeff Catoe/Public Services and Darren Player/Fire-Emergency Services

Department: Administration

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Possible Adoption of a pilot program to allow for Traffic Calming in Lancaster County.

Points to Consider:

This would be a pilot program for FY 21-22 to see how it works. It will be evaluated later for permanent adoption by Council as a codified program and process.

The use of any traffic calming device is subject to approval by the Fire Authority Having Jurisdiction per the International Fire Code. This pilot program has the approval of the Fire Commission.

Funding and Liability Factors:

Pilot program cost would be \$13,500 which would be included in Jeff Catoe's budget request. This would allow for an analysis of three locations in the FY 21-22. This allows Public Services staff to have control over the analysis component of the program.

All further costs would be borne by the Home Owner's Association or similar group seeking traffic calming. This would include ongoing maintenance.

Council Options:

Approve or Disapprove the Pilot Traffic Calming Program.

Recommendation:

Approve the program.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1727	3/15/2021	Ordinance
Traffic Calming Manual	2/14/2021	Exhibit
Notice of Public Hearing for Ordinance 2021-1727	3/30/2021	Public Hearing Notices

STATE OF SOUTH CAROLINA)
) **ORDINANCE NO. 2021- 1727**
COUNTY OF LANCASTER)

AN ORDINANCE

**TO ADOPT THE LANCASTER COUNTY SOUTH CAROLINA PILOT
TRAFFIC CALMING PROGRAM GUIDEBOOK, DATED DECEMBER 2020.**

WHEREAS, Section 503.4.1 of the International Fire Code states, “Traffic calming devices shall be prohibited unless approved by the fire code official.”; and

WHEREAS, residents in several communities have requested the installation of traffic calming devices within their community; and

WHEREAS, The Lancaster County Fire Commission and Lancaster County Fire Marshal have approved a Pilot Traffic Calming Program drafted in conjunction with the Lancaster County Public Services Division; and

WHEREAS, the Pilot Traffic Calming Program Guidebook was presented to County Council at their Committee of the Whole meeting on March 9, 2021; and

WHEREAS, County staff recommend that the affected community bear all expenses related to the design, installation, and maintenance of traffic calming devices; and

WHEREAS, County staff recommend that Lancaster County retain control over the engineering analysis to determine if such devices are warranted in locations where requested; and

WHEREAS, the County Administrator’s Proposed Budget will include funding for the Public Services Director to engage suitable engineering consultants to conduct approximately five (5) such studies per fiscal year.

NOW, THEREFORE, BE IT ORDAINED, by the County Council, as follows:

Section 1. Approval and Adoption of the Pilot Traffic Calming Guidebook.

County Council approves and adopts the Lancaster County South Carolina Pilot Traffic Calming Program Guidebook dated December 2020 (attached hereto as “Exhibit A”), as the sole procedure and mechanism for the installation of traffic calming devices in Lancaster County.

Section 2. Authority to act.

The Council Chair, the Clerk to Council, the County Administrator, the Deputy County Administrator, and County Attorney each are authorized to take such actions and to execute such documents as may be necessary to effectuate the purposes of this ordinance.

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, resolutions or orders, the provisions contained in this ordinance, only to the extent of the conflict, supersede all other provisions and this ordinance is controlling.

Section 5. Effective date.

This ordinance is effective upon third reading.

LANCASTER COUNTY, SOUTH CAROLINA

By: _____
Steve Harper, Chairman
Lancaster County Council

By: _____
Billy Mosteller, Secretary
Lancaster County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: March 22, 2021
Public Hearing: April 12, 2021
Second Reading: April 12, 2021
Third Reading: April 26, 2021

Approved as to form:

John K. DuBose, III, County Attorney

LANCASTER COUNTY *South Carolina*

Pilot Traffic Calming Program Guidebook

December 2020

INTRODUCTION

Lancaster County's vision is 'to be a great place to live, work, worship, play, and raise a family'. The County's pilot Traffic Calming Program works towards this vision by supporting safe, livable streets through the implementation of engineering measures.

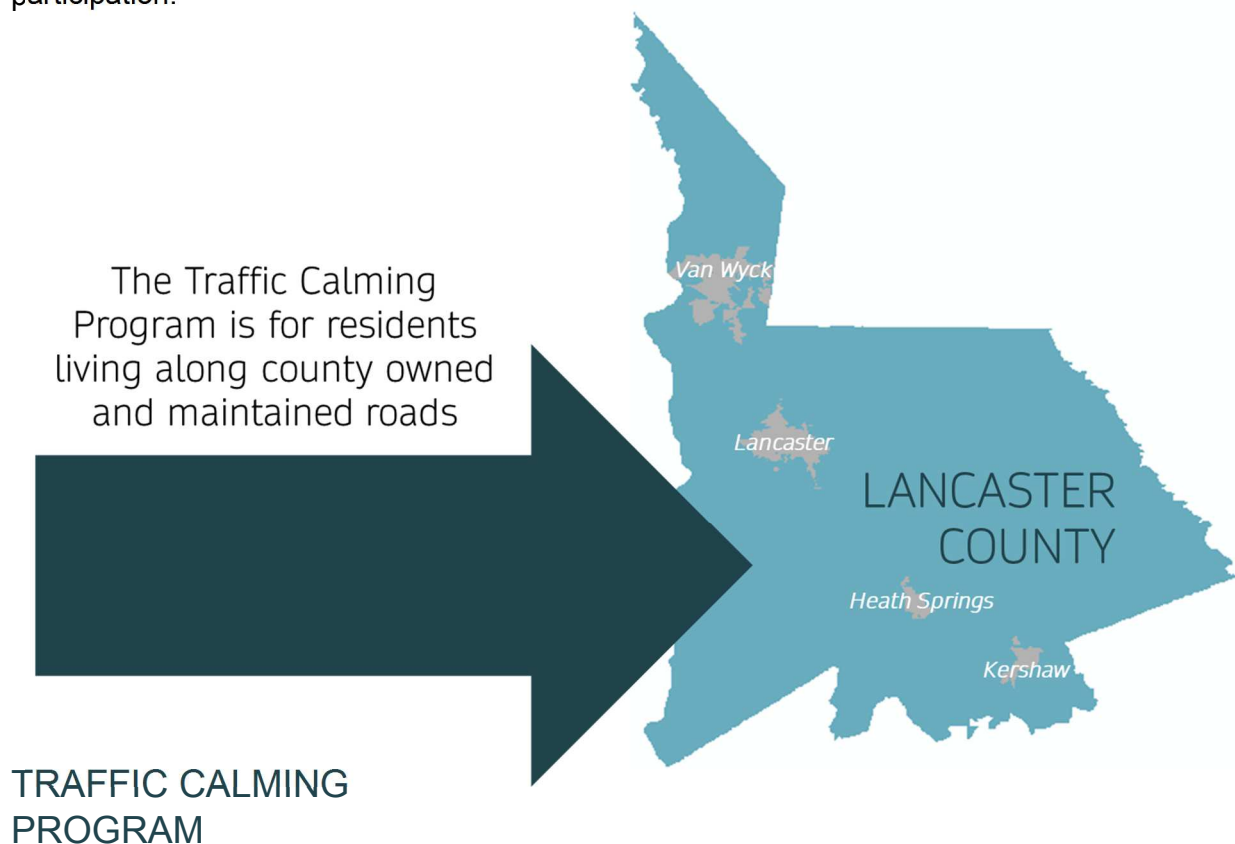
The Traffic Calming Program is designed to assist residents in identifying, prioritizing, and mitigating the negative impacts of vehicular traffic on residential streets. While the County's public streets meet engineering standards for safe operation in general, increased traffic volumes, the lack of pedestrian and/or bicycle accommodations, and irresponsible driver behaviors deteriorate the safety and comfortability of residential streets. For this reason, Lancaster County offers this program for residents living on County owned and maintained streets to actively participate in creating safer and more livable streets through collaborative decision-making regarding the use of engineering measures.

This guidebook is intended to be the primary resource for residents interested in participating in the program. It describes roadway eligibility, the step-by-step application and qualification process, traffic calming devices available for construction, as well as requirements for participation.

Traffic Calming:

"The combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users".

- *Institute of Transportation Engineers (ITE)*



Achieving safe and livable residential streets is challenging and is often approached using a holistic '3 E' approach – engineering, enforcement, and education. This program uses engineering measures to directly support this goal. Indirectly, traffic calming devices provide a degree of education for vehicular drivers in terms of reminding motorists of the importance of slow speeds on residential streets. In addition, devices support a roadway's self-enforcement of the speed limit.

A few of the most common goals for traffic calming projects, include:

- reducing traffic speeds;
- minimizing the negative impacts of 'cut-through' traffic; and
- increasing the safety and comfort of residential streets, regardless if walking or bicycling infrastructure exists.

Traffic calming at its core is about trade-off decision-making. Striking a balance between an efficient transportation system and livable, safe, and comfortable environments is the true challenge. Therefore, a collaborative process that includes resident input and buy-in is as much a critical component to success as the engineering analysis and design. A flow chart providing a general overview of the Lancaster County Traffic Program can be found in Appendix I.



TRAFFIC CALMING REQUEST PROCESS

Step 1: Determine eligibility.

Roadways eligible for study under the program include County-owned streets that are functionally classified as local streets.

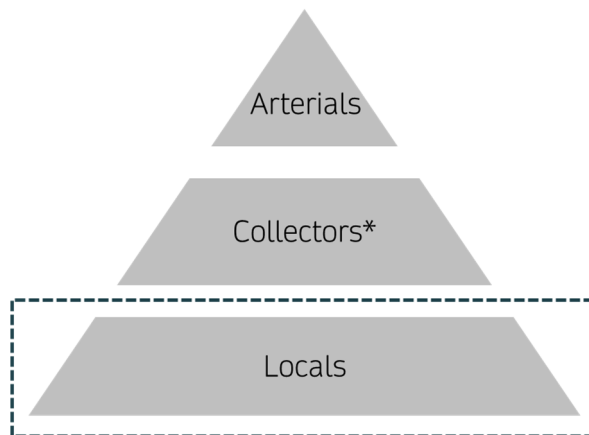
Residential collector roadways may be eligible on a case-by-case as determined by engineers depending upon the land use context and role the roadway plays in the overall network.

Collectors are intended to act as through routes connecting higher volumes of traffic to higher order roadways (arterials and interstates), so they, therefore, require additional consideration when evaluating the potential application of devices. These road

types must carry less than 3,000 vehicles per day to qualify for this case-by-case consideration.

It should be noted that in some instances, 'local' roadways may not qualify for traffic calming measures based upon geometric characteristics and/or the roadways role in the greater network.

Up to three roadways may be submitted for evaluation per applicant group, neighborhood association, subdivision, or homeowners' association.



**Eligibility determined on a case-by-case basis*

ELIGIBILITY

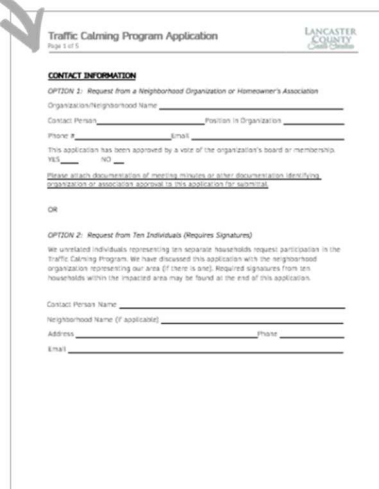
To qualify, roads (or a segment) must:

- be a two-lane residential street that is County-owned;
- be functionally classified as a 'local' or 'collector'
- have a posted speed limit of 30 mph or below;
- not be a designated truck or transit bus route, barring any unusual circumstances or needs;
- have a grade less than 8%;
- be over 600' long (between intersections); and
- be 80% built out if within a subdivision (if applicable).

Step 2: Fill out a traffic calming program application.

Once the roadways of interest have been determined to be eligible for study, the resident(s) is to complete the Traffic Calming Program application. This application, provided in Appendix II, must be completed in its entirety, including the necessary supportive information and required signatures.

The purpose of this task is to document the identified issue as well demonstrate support for traffic calming measures from those potentially impacted. The signatures of support must be gathered from 10 individuals occupying separate residences along the study roadway. If a request is submitted by a neighborhood association or homeowner's association, then documented Board approval may be included in lieu of the 10 signatures.

A screenshot of the 'Traffic Calming Program Application' form, page 1 of 5. The form is titled 'Traffic Calming Program Application' and 'Page 1 of 5'. It includes a 'CONTACT INFORMATION' section with fields for 'Organization/Neighborhood Name', 'Contact Person', 'Phone', and 'Email'. There are two options for submission: 'OPTION 1: Request from a Neighborhood Organization or Homeowner's Association' and 'OPTION 2: Request from Ten Individuals (Requires Signatures)'. The form also includes a section for 'Please attach documentation of meeting minutes or other documentation identifying neighborhood or association approval to this application (if applicable)'.

Traffic Calming Program Application
Page 1 of 5

CONTACT INFORMATION

OPTION 1: Request from a Neighborhood Organization or Homeowner's Association

Organization/Neighborhood Name _____

Contact Person _____ Position in Organization _____

Phone # _____ Email _____

This application has been approved by a vote of the organization's board or membership.
YES _____ NO _____

Please attach documentation of meeting minutes or other documentation identifying neighborhood or association approval to this application (if applicable).

OR

OPTION 2: Request from Ten Individuals (Requires Signatures)

We, undersigned individuals representing ten separate households request participation in the Traffic Calming Program. We have discussed this application with the neighborhood organization representing our area (if there is one). Required signatures from ten households within the impacted area may be found at the end of this application.

Contact Person Name _____

Neighborhood Name (if applicable) _____

Address _____ Phone _____

Email _____

Step 3: Submit the completed traffic calming program application, electronically or by mail, to Lancaster County during one of the application windows.

Completed applications may be submitted the following ways:

- By Email: JCatoe@lancastersc.net
- By Fax: (877) 636-5287
- By Mail to:

Lancaster County Government
Attn: Traffic Calming Program
PO Box 1809
1980 Pageland Hwy
Lancaster, SC 29720

There are two open time periods in 2021 for submitting completed applications. These dates include:

- Monday, February 1st – Monday, March 1st
- Monday, August 2nd – Wednesday, September 1st

Step 4: County staff will review request and collect initial speed and volume data.

County staff will review submitted forms following the closure of the two application windows. Applicant roadways will be determined to be either eligible or ineligible for further study based upon their functional classification, as described in Step 1.

Roadways that do qualify will be scheduled for data collection and evaluation in the field, which will include:

- Speed and volume traffic data collected over the course a week¹
- Roadway characteristics, such as pavement width, presence of on-street parking, and potential existing deficiencies (such as line of sight limitations or missing signage)
- Roadway user behaviors, including non-motorized users
- Geometric and/or stormwater concerns associated with the construction of traffic calming devices

Scheduling of this field visit will be dependent upon the number of requests received as well as unforeseen conditions warranting a delay in the collection, such as inclement weather.

To be eligible for the next step, the roadway must carry more than 250 vehicles per day and experience an 85th percentile speed² that is 10 mph or greater above the posted speed limit, as determined by the speed and volume data collection.

Step 5: For roadways meeting the basic thresholds (stated above), County staff will score study roadways using local characteristics and nearby destinations for purposes of creating a prioritized list of qualifying roadways for each application window.

Roadways meeting the basic speed and volume thresholds for consideration in the program will be scored using the methodology shown in the table below. A quarter-mile buffer of the study roadway will be used to identify

Left blank intentionally

Categories	Maximum Points	Scoring Breakdown
Roadway Safety		
- Crash Rate over Past 5 Years (of those reported to the Police)	40 points	Data is normalized by the highest collected data point in each category, which allows for
Traffic Speed	30 points	

¹ Data is collected to reflect the most common traffic conditions for the corridor. This includes collection during a week when schools are in session and no major events are expected to occur (special events, major construction, weather, etc.) that might alter typical travel behaviors.

² 85th percentile speeds are used by traffic engineers to evaluate speed conditions of a roadway. Ideally, the 85th percentile speed should match the posted speed limit, meaning that 85% of the vehicles are going the speed limit or below.

- Highest Directional 85 th Percentile Speed based upon 72-Hour Average		a scaled distribution of points based on local conditions.
Active Transportation - Percent of Study Roadway with No Sidewalk - Existing or Planned Bikeways - Existing or Planned Greenways	15 points	
Neighborhood Destinations - # of Schools and Colleges - # of Community Centers - # of Libraries - # of Public Housing Complex	15 points	

Each individual roadway will be scored using this methodology and ranked against other requested roadways. For the purposes of this one-year Pilot Program, the top four (4) roadways will be selected for inclusion in the program following each application window.

Step 6: County staff will work with applicants to develop a draft and final traffic calming plan.

Based on information provided in the application and discussions with the applicants, engineering staff will identify a draft proposed set of countermeasures for the roadway. The applicants will convene an informal neighborhood meeting (within two months after notice of selection) including all potentially impacted residents for purposes of discussing the draft concept. County staff or their representative will be available to attend this meeting if needed. Feedback should be gathered and appropriately addressed by the applicants.

Staff will develop a final design concept, accordingly. This concept is subject to approval by impacted departments, including, but not limited to, the Lancaster County Public Works Department, Fire Department, and Sheriff's Office

Step 7: Applicants to conduct petition for impacted approval.

area/neighborhood



Upon receiving the final design concept from staff and petition materials, applicants will have three (3) months to acquire the required signatures of impacted residents. This timeline may be extended for larger impact zones/neighborhoods. Each impacted residence³ must provide a signature indicating their support or lack thereof for the proposed traffic calming measures. An approval rating of at least 75% must be obtained from those impacted for the measures to be constructed, as shown below. Households directly adjacent to the devices must provide 100% approval as they are theoretically the most impacted.

LANCASTER COUNTY
South Carolina

Lancaster County Traffic Calming Program
Petition in Favor of Recommended Traffic Calming Measures

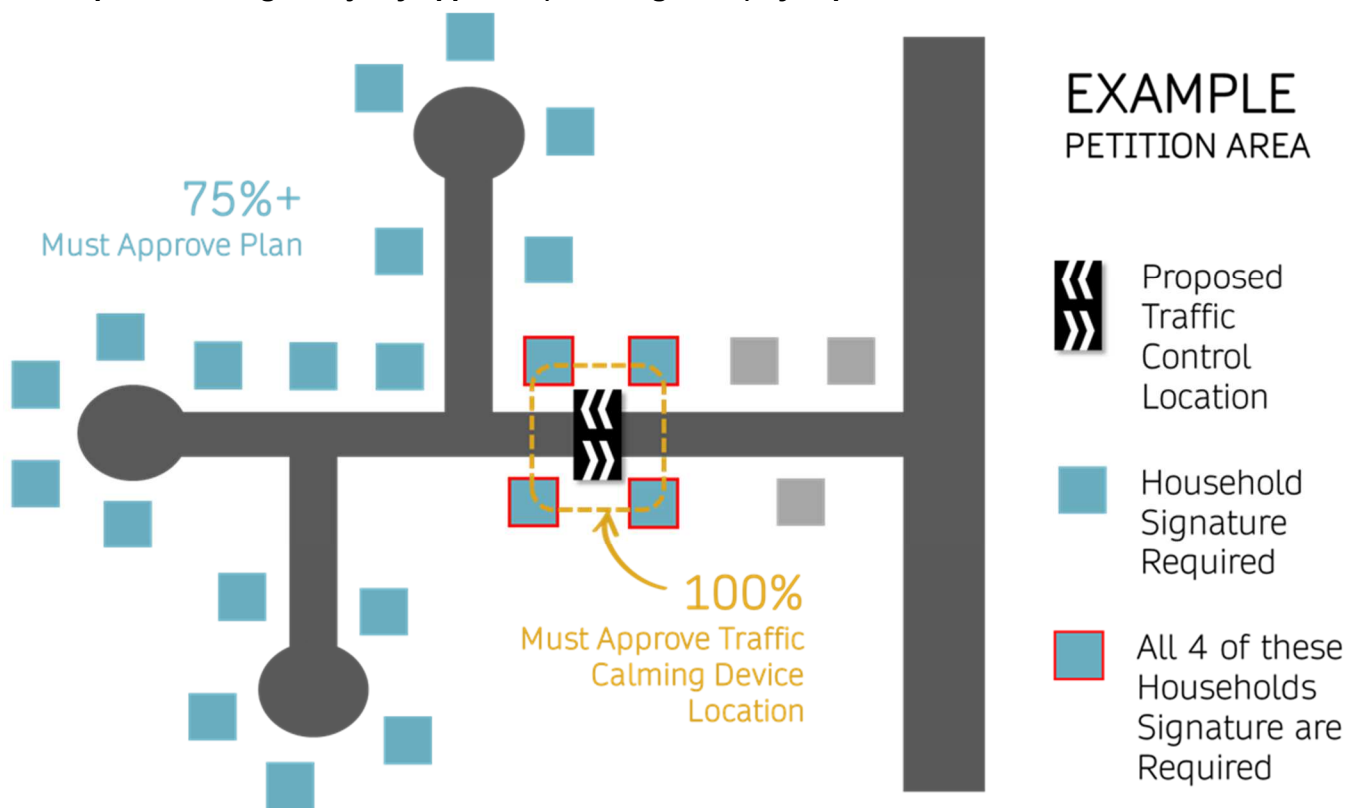
Date: _____ Support Statement: By signing this petition, I support traffic calming measures to be installed on my street and in my neighborhood. I understand that the specific design of the traffic calming devices may vary slightly from the concept presented due to local budget and existing conditions. I attest that I live at the address noted below, and I represent my household.

Signature	Print Name	Street Address	Phone Number (Optional)	Email (Optional)

(Please Print Name in Block Letters & No Suffix)

For single-family households (rental or owned), one signature is required from an occupant of the residence. For multiplexes, a signature is required from an occupant in each unit. For apartment complexes and condominiums, an additional signature from the property manager is required.

Step 8: Following a majority approval (75% or greater) by impacted residences, the construction



phase begins.

Upon receiving the completed petition packet from the applicants, engineering staff will develop final design plans as well as a construction schedule for the implementation of the traffic

³ Impacted households are considered to be those that have no other (reasonable) route choice, other than the route with the calming devices.

calming measures. This schedule is dependent upon, but not limited to, contractor schedules, weather, and other planned right-of-way improvements.

Applicant neighborhoods are required to cover 100% of the material costs. Costs associated with the engineering and construction of the devices will be covered by the County.

Once all paperwork and design have been completed, the County and neighborhood will coordinate the payment for the Traffic Calming work. Payment must be made prior to the County issuing bids to construct the calming devices. Construction bids require public advertisement and acceptance prior to award to the selected contractor. Once the project is awarded, the County will be subject to the contractor's availability and scheduling of the construction

Step 9: Evaluation.

After three months of the traffic calming device(s) being in place, a follow-up evaluation will be conducted by the County to evaluate 'after' conditions. This will include a speed and volume collection like the one described in Step 4. Results will be reported to the impacted area/neighborhood as well as to County officials.

Maintenance

Materials used for traffic calming devices deteriorate over time. For example: The drill-down speed cushions are made of a hard rubber; however, wear and tear eventually impact their structural integrity. If bolts become exposed and pose a risk to vehicles and other roadway users, the device(s) will be removed at the discretion of the County unless the impacted area/neighborhood agrees to address maintenance concerns and/or reinstall new cushion devices at the same location.

Removal

Barring extreme circumstances, traffic calming devices are to remain in place for a period of at least one year. Should the impacted area/neighborhood desire for the device(s) to be removed following this time period, 100% of the costs associated with their removal will be covered by the impacted area/neighborhood. The same procedures for installing the measures apply for their removal (i.e., 75% approval or greater through a petition process).

TRAFFIC CALMING TOOLBOX

Traffic calming devices available as part of this program, include:

- Speed cushions;
- Speed humps;
- Speed tables and raised crosswalks; and
- Raised intersections.

These devices are described in this section, including a general description, the trade-offs (pro's and con's) regarding their usage, as well as general cost estimations. Actual project costs will vary based on regional market prices for materials. While engineers will assist residents in the identification of appropriate traffic calming devices and their locations, the following general guidelines apply:

- Appropriate spacing between devices is based on several factors; however, in general, devices should be spaced approximately 500' apart to maximize benefits. A distance of 250' between devices is considered to be the minimum, while 700' is considered to be the maximum distance.
- Devices should be placed 30' (15' minimum) from the nearest private driveway and not within 5' of a mailbox.
- Devices should be placed 300' (minimum) from controlled intersections (stop sign, traffic signal, roundabout, etc.), and 100' (minimum) from uncontrolled cross-streets (i.e., alleys).
- Placement of devices must include required advance warning signage.
- Devices may not be placed on manholes, stormwater grates, or other irregularities in the roadway.
- Devices must be placed in locations that have adequate visibility (i.e., drivers have time to adequately brake).

Cost Estimation:

\$3,000-\$4,000
for a Set of
Two Speed
Cushions

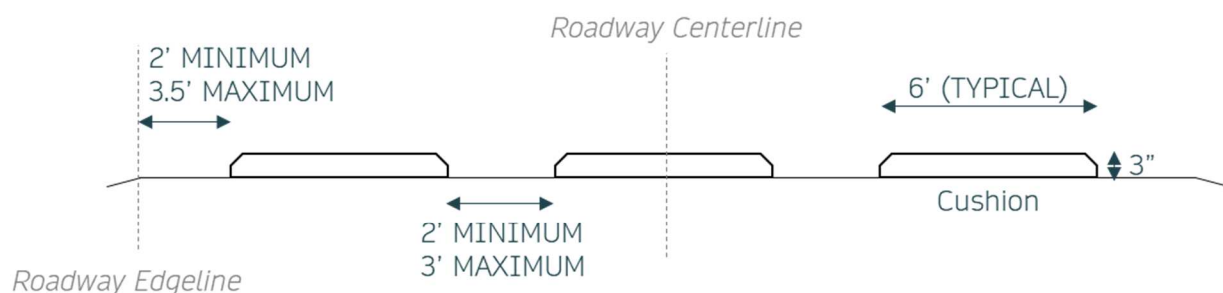
(Depending on
road width,
additional
cushions may
be required)

Deviations from these guidelines may be warranted by a roadway's unique site conditions, which must be approved by staff engineers.

Speed Cushions

Speed cushions consist of an elevation on the roadway often created by the installation of a prefabricated rubberized mound with cutouts to allow emergency and other wide-axel vehicles to drive through unimpeded. Speed cushions, which are usually 3 inches high, aim at reducing the speeds of motorized vehicles. The 3-inch height can be modified to achieve different desired vehicular operating speeds.

Pros:



Speed Cushion Cross-Section
Street Width 26' – 33'

- Drill-down devices are easy to install and remove
- Decreases average speeds
- May reduce volume
- Gaps between devices allow for emergency vehicles to straddle the cushions without being impeded by them
- Can be temporarily installed, which allows for easy removal or placement adjustments
- Can be constructed out of asphalt at a lower cost

Cons:

- May impact stormwater drainage
- Speeds may increase between speed cushions
- High speeders may still exist
- Drivers may avoid them by driving in yards if physical barriers, such as a ditch, vegetation, or road sign, are not present
- Must consider traffic diversions to adjacent streets
- Can be jarring to some drivers
- Requires long-term maintenance



Speed Humps

Speed humps consist of an elongated elevation on the roadway created by the installation of a mound typically constructed out of asphalt. Similar to speed cushions, speed humps are usually 3 inches high and their heights can be modified to achieve different desired vehicular driving speeds. Different from speed cushions, speed humps do not have cutouts along their elevated surface.

Pros:

- May reduce volume
- Smoother on large vehicles (such as fire trucks) than speed cushions

Cons:

- More permanent installation as compared to speed cushions
- May impact stormwater drainage
- Must be reinstalled/raised when roadway is repaved
- Can be jarring to some drivers
- Can be more difficult to see at night if pavement markings fade and/or not placed under a streetlight

Cost Estimation:

\$2,000-\$4,000
per Speed
Hump

\$25,000-\$40,000
(Asphalt);
\$40,000-\$60,000
(Concrete)



Speed Tables and Raised Crosswalks

Speed tables are essentially flat-topped speed humps that are typically long enough for the entire wheelbase of a passenger vehicle to sit on the flat section. These typically have a higher design speed as opposed to speed humps. Crosswalks added to the flat-topped section are known as 'raised crosswalks'.

**Cost
Estimation:**

\$15,000-
\$60,000 per
Raised
Intersection

Pros:

- Smoother on large vehicles (such as fire trucks) than speed cushions
- Reduce speeds, although not to the extent of speed humps (depending upon table height)
- May reduce volume
- Provides slowing at pedestrian crossing location

Cons:

- Raised crosswalk must connect two ADA-compliant sidewalk ramps
- Slightly impacts emergency response times
- More expensive than speed humps, especially if brick or other material is used for flat top section
- May impact stormwater drainage



Raised Intersections

Raised intersections are essentially speed tables covering an entire intersection making them a more pedestrian friendly zone. Ramps lead up to the raised area on all approaches, which

typically has a maximum height of either 3" or 6" above the roadway surface. Existing traffic control at the intersection is typically maintained.

If crosswalks exist, these may or may not be included on the raised area. If incorporated, the intersection is typically raised to the level of the sidewalk to provide a seamless transition from crosswalk to street.

Pros:

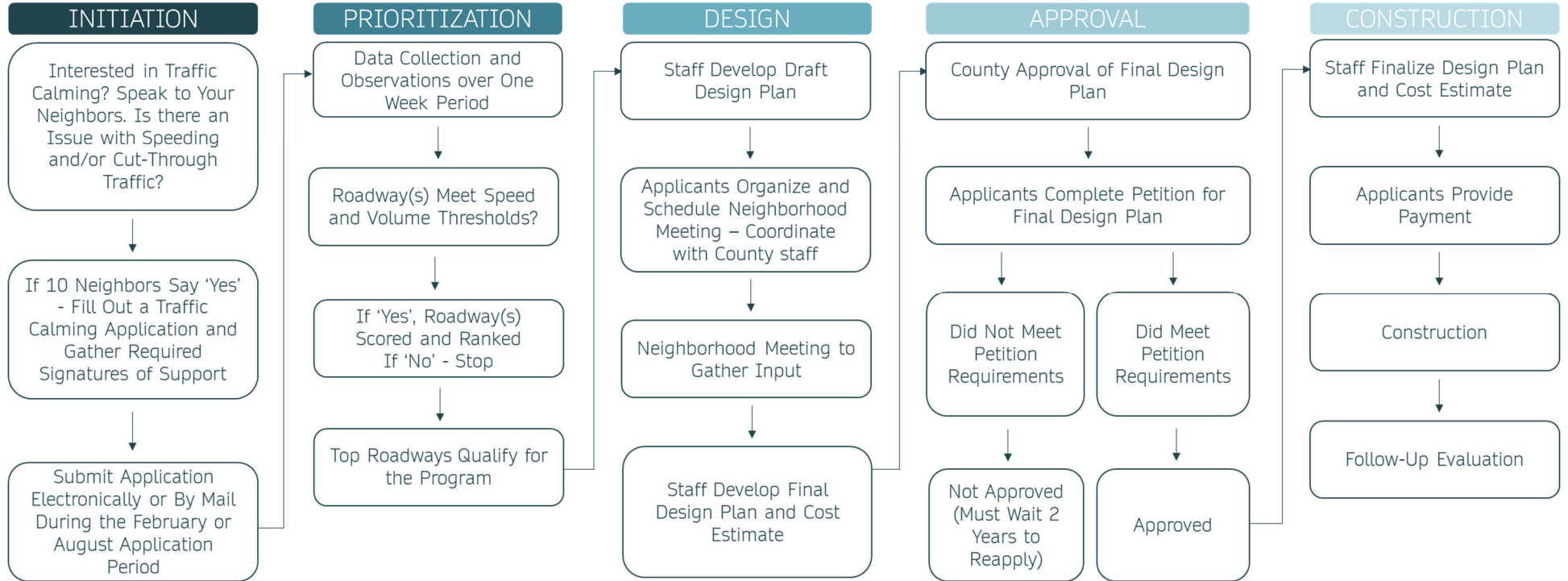
- Smoother on large vehicles (such as fire trucks) than speed cushions
- Reduction in speeds
- May reduce volume
- Provides slowing at pedestrian crossing locations
- Encourages slower speeds at high volume intersections

Cons:

- More costly as compared to speed cushions and humps, especially if brick or other material is used for flat top section
- Slightly impacts emergency response times
- Likely impacts stormwater drainage and, sometimes, requires
- May cause damage to vehicles that do not slow down

APPENDIX I – Flow Chart





The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

NOTICE OF PUBLIC HEARING

Lancaster County Council

A public hearing has been scheduled by the Lancaster County Council for Monday, April 12, 2021, at 6:00 p.m. in the Lancaster County Council Chambers, second floor, County Administration Building, 101 North Main Street, Lancaster, South Carolina, or at such other location in or around the complex posted at the main entrance. The purpose of the public hearing is to receive public comment on Ordinance No. 2021-1727, an ordinance titled "AN ORDINANCE TO ADOPT THE LANCASTER COUNTY SOUTH CAROLINA PILOT TRAFFIC CALMING PROGRAM GUIDEBOOK, DATED DECEMBER 2020." Public comments may be made in person at the hearing or submitted in written format to be provided to County Council at the public hearing. Comments made in person or in writing should be limited to three (3) minutes in duration if read aloud. Written comments may be submitted either by online submission by selecting the "public hearing comments" quick link located on the county website homepage (<https://www.mylancastersc.org/>), by email to ssimpson@lancastersc.net, or by mail addressed to Clerk to Council at Post Office Box 1809, Lancaster, SC 29721 with the Ordinance number or other appropriate identifier clearly referenced in the communication. At the public hearing and any adjournment of it, all interested persons may be heard either in person or by their designee or by submission of written comments.

This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of *March 24, 2021*

Benita G. Gush

Notary Public of South Carolina

My Commission Expires
January 13, 2031

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1728 / Planning Case Number: UDO-TA-2020-2957

Contact Person / Sponsor: Robert Tefft, Senior Planner

Department: Planning

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Amend Unified Development Ordinance (UDO) Section 2.5.3, Section 5.5.12, Section 5.12.3 and Section 5.12.4 to modify those zoning districts in which an outdoor shooting range is a permissible use and to modify those regulations concerning how an outdoor shooting range may be permitted, as well as providing for turkey shoots as a temporary use in certain zoning districts and the standards by which turkey shoots may be approved.

The intent of the proposed ordinance is to expand opportunities where shooting may occur and to specifically address turkey shoots, which had been omitted from the 2016 UDO.

Points to Consider:

The following sections of the UDO are proposed to be amended:

Section 2.5.3, Use Table: Amend to allow Shooting Range, Outdoor as a permissible use in the Rural Residential (RR), Rural Neighborhood (RN) and Open Space Preservation (OSP) Districts, subject to approval of a special exception permit, and to remove the use from the Light Industrial (LI) and Heavy Industrial (HI) Districts.

Section 5.5.12, Shooting Range, Outdoor: Amend to revise the various standards for the use, including: expanding upon how the use may be approved in certain zoning districts; replacing the existing buffering and separation requirements with an enhanced setback requirement; and providing greater clarity to the other various provisions.

Section 5.12.3, Temporary Uses Limited to Specific Districts: Amend to allow Turkey Shoots as an allowable temporary use all zoning districts other than the PDD unless specifically allowed for as part of the PDD Ordinance or associated Development Agreement. There would be no maximum duration for each turkey shoot temporary use.

Section 5.12.4, Temporary Uses with Specific Requirements: Amend to state that turkey shoots shall be subject to compliance with S.C. Code Section 16-23-440, as amended, regarding discharging firearms. No further requirement or regulation is proposed.

Funding and Liability Factors:

N/A

Council Options:

To approve or deny the proposed text amendment.

Recommendation:

At its meeting of March 16, 2021, the Planning Commission voted 5-2 (Neely and Jones against) to recommend **approval** of the proposed text amendment. The Commission did suggest that further fine tuning of the ordinance may be needed by County Council. Several member of the public spoke on the proposed amendment with comments including, but not limited to, the 1/2 mile setback being excessive; that the hours of operation needing to be adjusted; reference to external documents; and separation distance needing to be clarified. The version of the text amendment attached addresses the concerns of the Planning Commission, as well as those expressed concerns of the public.

Staff recommends approval of the text amendment.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1728	4/6/2021	Ordinance
Ex 1: Text Amendment	4/6/2021	Exhibit
Staff Report	3/9/2021	Planning Staff Report
Ex 2: Repealed UDO Section 4.2.6	2/10/2021	Exhibit
Public Hearing Notice for Ordinance 2021-1728 (Planning Department Case Number: UDO-TA-2020-2957)	4/6/2021	Public Hearing Notices

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2021-1728

COUNTY OF LANCASTER

)

)

AN ORDINANCE

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”) SECTION 2.5.3, USE TABLE; SECTION 5.5.12, SHOOTING RANGE, OUTDOOR; SECTION 5.12.3, TEMPORARY USES LIMITED TO SPECIFIC DISTRICTS; AND SECTION 5.12.4, TEMPORARY USES WITH SPECIFIC REQUIREMENTS; TO MODIFY THOSE ZONING DISTRICTS IN WHICH AN OUTDOOR SHOOTING RANGE IS A PERMISSIBLE USE AND TO MODIFY THOSE REGULATIONS CONCERNING HOW AN OUTDOOR SHOOTING RANGE MAY BE PERMITTED, AS WELL AS PROVIDING FOR TURKEY SHOTS AS A TEMPORARY USE IN CERTAIN ZONING DISTRICTS AND THE STANDARDS BY WHICH TURKEY SHOTS MAY BE APPROVED.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) Lancaster County made application to amend Chapters 2 and 5 of the Unified Development Ordinance (UDO) concerning modifying the zoning districts in which the Outdoor Shooting Range use may be allowable, as well as modifying the specific use regulations by which the use may be allowed. Additionally, the proposal would amend the allowable temporary uses to include turkey shoots and provide for specific requirements whereby the temporary use would be allowable.
- (b) The proposed text amendment has been found to be consistent with all applicable provisions of the Comprehensive Plan as required by Section 9.2.15.B.3. Further, the proposed text amendment has been reviewed for compliance with applicable provisions of SC Code Title VI and has been found to be consistent with those provisions.
- (c) The proposed amendment will provide for this common use type to be allowed is to expand opportunities where shooting may occur and to specifically address turkey shoots, which are not addressed in the 2016 UDO.
- (d) Lancaster County Planning Commission considered the proposed text amendment at its meeting on March 16, 2021, and by a 5-2 vote recommended approval of the text amendment.

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

Ordinance 2016-1442 (Unified Development Ordinance) Section 2.5.3, Use Table; Section 5.5.12, Shooting Range, Outdoor; Section 5.12.3, Temporary Uses Limited to Specific Districts; and Section 5.12.4, Temporary Uses with Specific Requirements, are amended as set forth in “Exhibit 1” attached hereto and incorporated herein by reference.

The amendments are generally described as follows:

- a) Section 2.5.3., Use Table: Amend to allow Shooting Range, Outdoor as a permissible use in the Rural Residential (RR), Rural Neighborhood (RN) and Open Space Preservation (OSP) Districts, subject to approval of a special exception permit, and to remove the use from the Light Industrial (LI) and Heavy Industrial (HI) Districts.
- b) Section 5.5.12, Shooting Range, Outdoor: Amend to revise the various standards for the use, including: expanding upon how the use may be approved in certain zoning districts; replacing the existing buffering and separation requirements with an enhanced setback requirement; and providing greater clarity to the other various provisions.
- c) Section 5.12.3, Temporary Uses Limited to Specific Districts: Amend to allow Turkey Shoots as an allowable temporary use all zoning districts other than the PDD unless specifically allowed for as part of the PDD Ordinance or associated Development Agreement. There would be not maximum duration for each turkey shoot temporary use.
- d) Section 5.12.4, Temporary Uses With Specific Requirements: Amend to state that turkey shoots shall be subject to compliance with S.C. Code Section 16-23-440, as amended, regarding discharging firearms. No further requirement or regulation is proposed.

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.

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AND IT IS SO ORDAINED

Dated this _____ day of _____, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: April 12, 2021
Public Hearing: April 12, 2021
Second Reading: April 26, 2021
Third Reading: May 10, 2021

Approved as to form:

John DuBose, County Attorney

Section 2.5.3 Use Table (For detailed Use Definitions see Chapter 10.)

D. COMMERCIAL/ENTERTAINMENT	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Alcoholic Beverage Sales Store	-	-	-	P	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	P	-	
Amusements, Indoor	-	-	-	P	-	-	-	-	-	P	P	-	-	P	-	-	-	-	-	P	P	
Amusements, Outdoor	-	-	-	PR	-	-	-	-	-	-	CU	-	-	CU	-	-	-	-	-	-	-	5.5.1
Bar/Tavern/Brew Pub	-	-	-	CU	-	-	-	-	-	CU	PR	-	-	-	-	-	-	-	-	PR	-	5.5.2
Billiard/Pool Hall	-	-	-	CU	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	
Brewery	-	-	-	P	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	P	
Distillery	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-	-	-	-	-	-	-	
Food Truck	-	-	-	-	-	-	-	-	-	PR	PR	PR	-	PR	PR	-	-	-	-	PR	PR	5.5.3
General Commercial	-	-	-	PR	-	-	-	-	PR-	PR	PR	-	-	-	-	-	-	-	-	PR	PR	5.5.4
Night Club	-	-	-	-	-	-	-	-	-	-	PR	-	-	-	-	-	-	-	-	-	-	
Outside Sales	-	-	-	PR	-	-	-	-	PR	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.5.5
Outside Sales, Sidewalk Sales	-	-	-	PR	-	-	-	-	PR	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.5.6
Pawnshops	-	-	-	PR	-	-	-	-	-	PR	PR	-	-	-	-	-	-	-	-	-	-	5.5.7
Racetrack	-	-	-	-	-	-	-	-	-	-	-	-	-	-	CU	-	-	-	-	-	-	5.5.8
Restaurant	-	-	-	PR	-	-	-	-	CU	PR	PR	PR	-	-	-	-	-	-	-	PR	PR	5.5.9
Riding Stables	P	P	P	P	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	
Sexually Oriented Business/Adult Entertainment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	5.5.10
Shooting Range, Indoor	-	-	-	PR	-	-	-	-	-	PR	PR	-	-	PR	PR	-	-	-	-	-	-	5.5.11
Shooting Range, Outdoor	SE	SE	SE	-	-	-	-	-	-	-	-	-	SE	SE	SE	-	-	-	-	-	-	5.5.12
Theater, Indoor Movie or Live Performance	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	P	P	
Theater, Outdoor (Amphitheater)	PR	-	-	PR	-	-	-	-	-	-	PR	PR	PR	-	-	-	-	-	-	PR	PR	5.5.13

5.5.12 SHOOTING RANGE, OUTDOOR [AR, ~~RR, RN, OSP LI, HI~~]

A. Applicability: This use ~~includes~~ may include the shooting of firearms, bows, and crossbows at, or in conjunction with, both for-profit and non-profit facilities. It does not include incidental target practice by individuals on private property.

1. In the AR and OSR Districts, the shooting of any firearms, bows and crossbows is allowable as a principal use pursuant to a Special Exception permit.
2. In the RR District, the shooting of only shotguns, bows and crossbows is allowable as a principal use pursuant to a Special Exception permit.
3. In the RN District, the shooting of only shotguns, bows and crossbows is allowable as an accessory use to an Event Venue/Banquet Hall use.

~~**B. Buffering:** A minimum 60-foot buffer, undisturbed except for fence installation and vegetative planting, must be provided around the entire perimeter of the subject property and be delineated on the site plan.~~

~~**C. Separation Requirement:** Outdoor shooting ranges shall be located no closer than 2,640 feet (or ½ mile) to all Residential uses, all Civic uses, and all Educational/Institutional uses per the Use Table in Section 2.5.3, measured from the security fence described below to the property line(s) of the aforementioned uses. In addition, the range, itself, may not cross or penetrate any public utility easement.~~

~~**B. Enhanced Setback Requirement:** The functional area of outdoor shooting ranges shall be located no closer than as described below from any property containing a single-family dwelling, place of assembly, or Educational/Institutional use. In addition, the outdoor shooting range, itself, may not cross or penetrate any public utility easement.~~

~~With regard to the above, the functional area of outdoor shooting ranges shall be considered that area of the overall property where the shooting activity of the outdoor shooting range occurs. These areas include, but are not limited to, the range floor, firing positions (points), movable barricades, firing line covers, benchrests, backstop/bullet impact berms, baffles, bullet catchers and targets. The functional area of outdoor shooting ranges shall not include required landscaped areas, open space, parking areas, or habitable buildings.~~

1. **Firearms:** 2,640 feet (½ mile).
2. **Bows and Crossbows:** 900 feet.
3. **Exceptions:** The above enhanced setback requirements may be reduced by the Board of Zoning Appeals as part of the review of the Special Exception Permit when the Board finds that the applicant has met or exceeded any of the following criteria:
 - a. The outdoor shooting range has been designed by, or in consultation with an individual whom has completed the National Rifle Association (NRA) Range Development and Operations Course;
 - b. The applicant can provided indisputable evidence that the site geography or topography is such that the full enhanced setback is unnecessary;
 - c. The incorporation of improved design features over and above what is established in paragraph F, below, or the implementation of other substantial measures that would mitigate the reduced setback.

~~**DC. Noise Mitigation:** The facility shall be designed such that sound~~ **Sound** ~~generated at the facility outdoor shooting range shall not exceed the following levels (in decibels) measured at~~ any off-site the property line of the subject property relative to the adjacent use:

Use	Decibel Level
Residential Use	55-db
Industrial Use	75-db
Commercial Use	65-db
Public Use	65-db

Public Right-of-Way	65 db
Institutional Use	55 db
Agriculture, Automotive, Industry/Wholesale/Storage and Infrastructure uses	75 db
Civic and Educational/Institutional uses	55 db
Commercial and Office/Service uses	65 db
Lodging and Residential uses	55 db

ED. **Shot Containment:** ~~The range~~ All outdoor shooting ranges shall be designed to contain the bullets, shot, arrows, or other projectiles on the range facility in a manner consistent with the applicable standards set forth in the 2020 edition of *The Range Source Book* as published by the National Rifle Association (NRA).

~~**F.** **Hours of Operation:** The Board of Zoning Appeals may regulate these as necessary as a condition of the Special Exception.~~

~~**E.** **Hours of Operation:** All outdoor shooting ranges may be open between the hours of sunrise or 7:00 AM (whichever is later) and sunset or 7:00 PM (whichever is earlier).~~

~~**GF.** **Design:** The design of the facility shall be guided by the design standards recommended by the National Rifle Association (NRA) for the appropriate caliber firearm(s) or weapon(s) being used on the site as described in “The NRA Range Source Book,” published by the NRA, insofar as they do not conflict with any of the specific requirements contained in this section. Detailed plans for site layout, backstops, and baffles (when used for noise mitigation) shall be submitted with the application.~~

~~1. A site plan sealed by a South Carolina registered engineer must be submitted attesting that the proposed shooting range plan complies with all applicable safety and design standards for outdoor firing range provisions and live fire shoot houses set out in Section 4, Outdoor Range Design; Section 6, Live Fire Shoot House; and Attachments 1-2 through 120, of the Range Design Criteria (June 2012) as published by the U.S. Department of Energy’s Office of Health, Safety, and Security for the type of shooting range proposed; except that Section 4.b(10), the words “or administrative” in the first sentence of Section 4.c(7), the second sentence of Section 4.c(7), and Section 6.a(1) do not apply to outdoor shooting ranges under this ordinance.~~

~~1. The design of an outdoor shooting range shall be consistent with the applicable provisions of the June 4, 2012 edition of the *Range Design Criteria* document published by the U.S. Department of Energy Office of Health, Safety and Security.~~

~~2. The design of an outdoor shooting range shall be consistent with the design standards set forth in the 2020 edition of *The Range Source Book* published by the NRA, insofar as they do not conflict with any of the specific requirements contained in this section, or conflict with those provisions set forth in the June 4, 2012 edition of the *Range Design Criteria* document published by the U.S. Department of Energy Office of Health, Safety and Security.~~

~~2. The detailed site plan must show the boundary of the subject property in its entirety and depict all discernible, existing uses and structures within 300 feet of the subject property’s boundary.~~

~~3. Surface danger zones must be located entirely on the subject property and must be designed to contain all projectiles and debris caused by the type of ammunition, targets, and activities to be used or to occur on the property. The layout of the proposed range with the accompanying safety fans must be delineated on the required site plan. All firing stations must be set back at least 180 feet from all boundaries of the subject property.~~

~~**HG.** **Security:** The facility outdoor shooting range shall be enclosed with a minimum 6-foot high security fence with locking gates fencing. A sign, at least 2 square feet in size but not greater than 6 square feet, warning that a firing an outdoor shooting range is inside the fence shall be posted every 50 feet along the fence. These signs shall not count against any sign allotment as provided in Chapter 7.~~

~~**H.** **Specific Submittal Requirements:**~~

1. A site plan, sealed by a South Carolina registered engineer, attesting that the proposed outdoor shooting range plan complies with all applicable safety and design standards as set forth in Section 4, Outdoor Range Design; Section 6, Live Fire Shoot House; and Attachments 1-2 through 120, of the June 4, 2012 edition of the *Range Design Criteria* published by the U.S. Department of Energy Office of Health, Safety, and Security, with the following exceptions that shall not apply to outdoor shooting ranges:

a. Section 4.b(10);

b. The words “or administrative” in the first sentence of Section 4.c(7);

c. The second sentence of Section 4.c(7); and

d. Section 6.a(1).

2. Detailed plans for site layout, backstops, and baffles (when used for noise mitigation) shall be submitted as part of the application.

I. **Expiration:** If there has been no shooting activity at an outdoor shooting range for a period of two years, then the resumption of shooting shall be considered the establishment of a new outdoor shooting range for purposes of this section, and require the approval of a new special exception.

5.12.3 TEMPORARY USES LIMITED TO SPECIFIC DISTRICTS

Use	Maximum Duration for Each Use or Event (per site)	Permitted Districts
Annual fairs, festivals, carnivals, or similar types of events	14 days – no renewal within 1 year	NB, GB, RB, INS, and MX
Special recreational or entertainment events	1 day – no renewal within 1 month	NB, GB, RB, INS, and MX
Outdoor bazaars and tent sales	3 days – no renewal within 6 months	NB, GB, RB, INS, and MX
Temporary food vendors on private property	90 days – no renewal within 1 month	NB, GB, RB, INS, and MX
Special sales or seasonal flea	5 days – no renewal within 6 months	NB, GB, RB, INS, and MX
Weekend flea markets**	Fridays, Saturdays, and Sundays only – annual renewal required	RB and LI only
<u>Turkey shoots</u>	<u>N/A</u>	<u>All Districts other than PDD unless specifically allowed for as part of the PDD Ordinance or associated Development Agreement</u>

* When conducted exclusively as part of the permanent business or industrial use on the same lot, a Temporary Use Permit is not required. See additional standards in Section 5.12.4.C.

** See additional standards in Section 5.12.4.C.

5.12.4 TEMPORARY USES WITH SPECIFIC REQUIREMENTS

G. **Turkey Shoots:** Shall be subject to compliance with S.C. Code Section 16-23-440, as amended, regarding discharging firearms.

PROPOSAL: Amend Unified Development Ordinance Section 2.5.3, Use Table; Section 5.5.12, Shooting Range, Outdoor; Section 5.12.3, Temporary Uses Limited To Specific Districts; and Section 5.12.4, Temporary Uses With Specific Requirements, to modify those zoning districts in which an outdoor shooting range is a permissible use and to modify those regulations concerning how an outdoor shooting range may be permitted, as well as providing for turkey shoots as a temporary use in certain zoning districts and the standards by which turkey shoots may be approved.

APPLICABLE CHAPTER(S): Chapters 2 and 5

APPLICANT: Lancaster County

BACKGROUND

The proposed text amendment was originally heard at the Planning Commission's meeting of February 16, 2021. At that meeting, the Planning Commission voted to table the amendment until their meeting of March 16, 2021, so as to give the public an opportunity to give input on the proposed amendment.

While staff has not received any subsequent input from the public, based upon the discussions held at the prior Planning Commission meeting and further consideration, that portion of the proposed text amendment addressing turkey shoots has been modified and simplified from the original proposal and it is this new version which is discussed in this staff report.

PROJECT SUMMARY & PROPOSAL:

Lancaster County is proposing to amend Chapters 2 and 5 of the Unified Development Ordinance (UDO) modifying the zoning districts in which the Outdoor Shooting Range use may be allowable, as well as modifying the specific use regulations by which the use may be allowed. Additionally, the proposal would amend the allowable temporary uses to include turkey shoots and provide for specific requirements whereby the temporary use would be allowable.

OUTLINE OF TEXT AMENDMENT:

The proposed text amendment concerns modifying the zoning districts applicable to the Outdoor Shooting Range use, as well as the specific use regulations for Outdoor Shooting Ranges. The proposed text amendment also expands upon the list of allowable temporary uses to include Turkey Shoots and provides specific requirements for Turkey Shoots.

The following sections of the UDO are proposed to be amended:

Section 2.5.3, Use Table: Amend to allow Shooting Range, Outdoor as a permissible use in the Rural Residential (RR), Rural Neighborhood (RN) and Open Space Preservation (OSP) Districts, subject to approval of a special exception permit, and to remove the use from the Light Industrial (LI) and Heavy Industrial (HI) Districts.

Section 5.5.12, Shooting Range, Outdoor: Amend to revise the various standards for the use, including: expanding upon how the use may be approved in certain zoning districts; replacing the existing buffering and separation requirements with an enhanced setback requirement; and providing greater clarity to the other various provisions.

Section 5.12.3, Temporary Uses Limited to Specific Districts: Amend to allow Turkey Shoots as an allowable temporary use all zoning districts other than the PDD unless specifically allowed for as part of the PDD Ordinance or associated Development Agreement. There would be no maximum duration for each turkey shoot temporary use.

Section 5.12.4, Temporary Uses with Specific Requirements: Amend to state that turkey shoots shall be subject to compliance with S.C. Code Section 16-23-440, as amended, regarding discharging firearms. No further requirement or regulation is proposed.

Based on staff's findings, we offer the modifications attached to the Draft Ordinance for the Commission's consideration. For ease of reference, new text is referenced in red/underlined font and deletions are referenced in ~~striktthrough~~ font. The proposed language is found in Attachment 1.

OUTSIDE AGENCIES:

Lancaster County Sheriff's Office:

A copy of the original draft of the text amendment considered at the Planning Commission meeting of February 16, 2021, was provided to the Lancaster County Sheriff's Office for their review and comment prior to that meeting. Lancaster County Sheriff Barry Faile spoke at the meeting and provided comments on the proposed text amendment.

Existing Outdoor Ranges in Lancaster County:

Staff has attempted to identify and contact existing outdoor shooting ranges within Lancaster County in order to provide them with a copy of the proposed text amendment and obtain comments regarding said text amendment, if any. Staff has not received any comment to date.

FINDINGS AND CONCLUSIONS:

The proposed text amendment has been found to be consistent with the applicable provisions of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as with the applicable provisions of SC Code Title VI. The proposed text amendment will provide for an improved and more appropriate assortment of zoning districts for the Outdoor Shooting Range use, as well as

for specific regulations that are clearer and more appropriate for the use. The amendment will also reintroduce Turkey Shoots as an allowable temporary use (it was previously allowed in the UDO prior to 2016).

STAFF RECOMMENDATION:

Staff recommends approval of the proposed text amendment.

ATTACHMENTS:

1. Application
2. Proposed Text Amendment
3. Repealed UDO Section 4.2.6

STAFF CONTACT:

Robert G. Tefft, Senior Planner
rtefft@lancastersc.net

UNIFIED DEVELOPMENT ORDINANCE OF LANCASTER COUNTY

3. The site shall have direct access to either a collector or arterial street.

Section 4.2.6 Pistol, Rifle, Skeet Range or Turkey Shoot (Commercial or Fund Raiser).

All such uses shall meet the following requirements:

1. No such use shall be located within one (1) mile from any residential use, church, school or day care facility.
2. The use shall be oriented away from inhabited areas.
3. The site upon which the use is proposed shall be suitable in size and topography to insure the safety of area residents.
4. The range shall have a natural earth embankment a minimum of 10 feet in height placed behind all targets within the shooting range.
5. The hours of operation shall be as follows:

Monday through Saturday: 9:00 a.m. until sunset.

Sunday 1:30 p.m. until 6:00 p.m. or as stated on a request for a special event as outlined below.

Up to two times per calendar year, such businesses may be permitted to operate prior to 1:30 p.m. on Sundays for special events (i.e. state tournament). If such a business wants to hold a special event which would require the business to open before 1:30 p.m. on Sundays, the owner shall submit a written request to the Planning Director. This request shall include the name of the business, the business address, name of owner, what would be opening and closing time, and the date of the event. Additionally, the owner shall submit a list of all adjacent property owners so each can be sent a notice of which Sunday the business will open during hours other than between 1:30 p.m. and 6:00 p.m. Accompanying this list shall be an addressed, stamped envelope for each person on the list of adjacent property owners. Such businesses shall only be permitted to hold two special events per calendar year which require them to operate prior to 1:30 p.m. on Sunday.

The hours of operation listed in this subsection are the maximum hours such an operation shall be allowed to operate. During the special exception process, if the Board of Zoning Appeals determines the surrounding conditions warrant more restrictive hours of operation, the Board shall have the right to set such hours of operation. (Ord. # 323, 2/1/99)

6. Turkey shoots which are operated as a fund raiser for non-profit organizations shall be allowed two (2), thirty (30) day permits per calendar year.

Section 4.2.7 Sanitary Landfills.

Due to consideration for the public health and safety and potential pollution to the environment resulting from sanitary landfills, any such use shall meet the following requirements:

1. A letter of need shall be obtained from County Council prior to any other review of the proposal taking place. If the letter of need is not obtained the operation shall not be permitted.
2. A letter of consistency with the County's Solid Waste Management Plan shall be obtained from the County Council prior to any other review of the proposal taking place. If the letter of consistency is not obtained the operation shall not be permitted. As part of the process to obtain a letter of consistency the county shall:

The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

For the purpose of obtaining oral and written comments from the public regarding the following matters, the Lancaster County Council will conduct a public hearing on Monday, April 12, 2021. The hearing will take place at 6:00 PM at the Lancaster County Administrative Building located at 101 N. Main Street, Lancaster, SC.

1. UDO-TA-2020-2957: Application by Lancaster County to amend Unified Development Ordinance Section 2.5.3, Use Table; Section 5.5.12, Shooting Range, Outdoor; Section 5.12.3, Temporary Uses Limited To Specific Districts; and Section 5.12.4, Temporary Uses With Specific Requirements, to modify those zoning districts in which an outdoor shooting range is a permissible use and to modify those regulations concerning how an outdoor shooting range may be permitted, as well as providing for turkey shoots as a temporary use in certain zoning districts and the standards by which turkey shoots may be approved.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department located at 101 North Main Street, Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Public comments may be made in person at the hearing or submitted in written format to be provided to County Council at the public hearing. Comments made in person or in writing should be limited to three (3) minutes in duration if read aloud. Written comments may be submitted either by online submission by selecting the "public hearing comments" quick link located on the county website (<https://www.mylancastersc.org/>), email to SSimpson@lancastersc.net, or by mail addressed to Clerk to Council at 101 N. Main Street, Lancaster, SC 29720 with the Ordinance number or other appropriate identifier clearly referenced in the communication. At the public hearing and any adjournment of it, all interested persons may be heard either in person or by their designee or by submission of written comments.

This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of *March 28, 2021.*

Benita G. Gault

Notary Public of South Carolina

My Commission Expires
January 13, 2031

CAROLINA GATEWAY

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

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This is to certify that the attached Legal Notice was published in CAROLINA GATEWAY in the issue of *March 31, 2021*.

Bernie G. Gumbly

Notary Public of South Carolina

My Commission Expires
January 13, 2031

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1729 / Planning Case Number: RZ-2021-0114

Contact Person / Sponsor: Katie See/Senior Planner

Department: Attorney

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Request to rezone TM # 0054-00-029.04 from Rural Business (RUB) to Rural Residential (RR) to District. The proposed rezoning of a portion of TM# 0054-00-029.04 from Rural Business (RUB) to Rural Residential (RR) District is generally compatible with the surrounding area and consistent with UDO Section 2.3.

Points to Consider:

Companion case to RZ-2021-0261. The intent of the rezoning request is to open wedding venue business.

The information for this case and companion case RZ2021-0261 has been presented within a single, consolidated staff report.

Funding and Liability Factors:

NA

Council Options:

To approve or deny the rezoning request.

Recommendation:

Planning Commission voted unanimously to recommend approval at their March 16, 2021 meeting.

Staff recommends approval of the request to rezone to Rural Residential (RR).

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1729	4/6/2021	Ordinance
Staff Report	3/9/2021	Planning Staff Report
Location Map	3/9/2021	Exhibit
Proposed Plat	3/9/2021	Exhibit
Public Hearing Notice for Ordinance 2021-1729 (Planning Department Case Number: RZ-2021-0114)	4/6/2021	Public Hearing Notices

STATE OF SOUTH CAROLINA

(

ORDINANCE NO. 2021-1729

COUNTY OF LANCASTER

(

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE A PORTION OF 6815 SHILOH UNITY ROAD (TM # 0054-00-029.04) FROM RUB, RURAL BUSINESS DISTRICT, TO RR, RURAL RESIDENTIAL DISTRICT

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Matthew Ellis, applied to rezone a portion of TM # 0054-00-029.04, approximately 1.766 acres located at 6815 Shiloh Unity Road, Lancaster, South Carolina from RUB, Rural Business District, to RR, Rural Residential District.

(b) On March 16, 2021, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a unanimous vote recommended approval of the rezoning request.

(c) The Future Land Use Category of the subject property 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 Rural Living Future Land Use Category is the largest future land use category in Lancaster County. Generally, it encompasses most of the southern portion of the County, with the exception of the City of Lancaster, towns of Heath Springs and Kershaw (Urban Land Use), and the area around the City of Lancaster (Transitional Land Use). The requested RR district is consistent with the Rural Living Future Land Use category and the Comprehensive Plan.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from RUB, Rural Business District, to RR, Rural Residential District, for the following properties as identified by tax map number or other appropriate identifier:

Tax Map No. 0054-00-029.04 (1.766 acres, more or less, portion thereof)

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 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 _____, 2021.

LANCASTER, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: April 12, 2021
Public Hearing: April 12, 2021
Second Reading: April 26, 2021
Third Reading: May 10, 2021

Approved as to form:

John DuBose, County Attorney

PROPOSAL:	Request to rezone a portion of TM # 0054-00-029.04 and a portion of TM # 0054-00-029.05 with the intention of opening a wedding venue
PROPERTY LOCATION:	6815 Shiloh Unity Road (TM # 0054-00-029.04); Old Camden Monroe Highway (TM # 0054-00-029.05)
CURRENT ZONING DISTRICT:	Rural Business (RUB) District RZ-2021-0114 Rural Residential (RR) District RZ-2021-0261
PROPOSED ZONING DISTRICT:	Rural Residential (RR) District RZ-2021-0114 Rural Business (RUB) District RZ-2021-0261
APPLICANT:	Matthew Ellis
COUNCIL DISTRICT:	District 3, Billy Mosteller

OVERVIEW:

Proposal

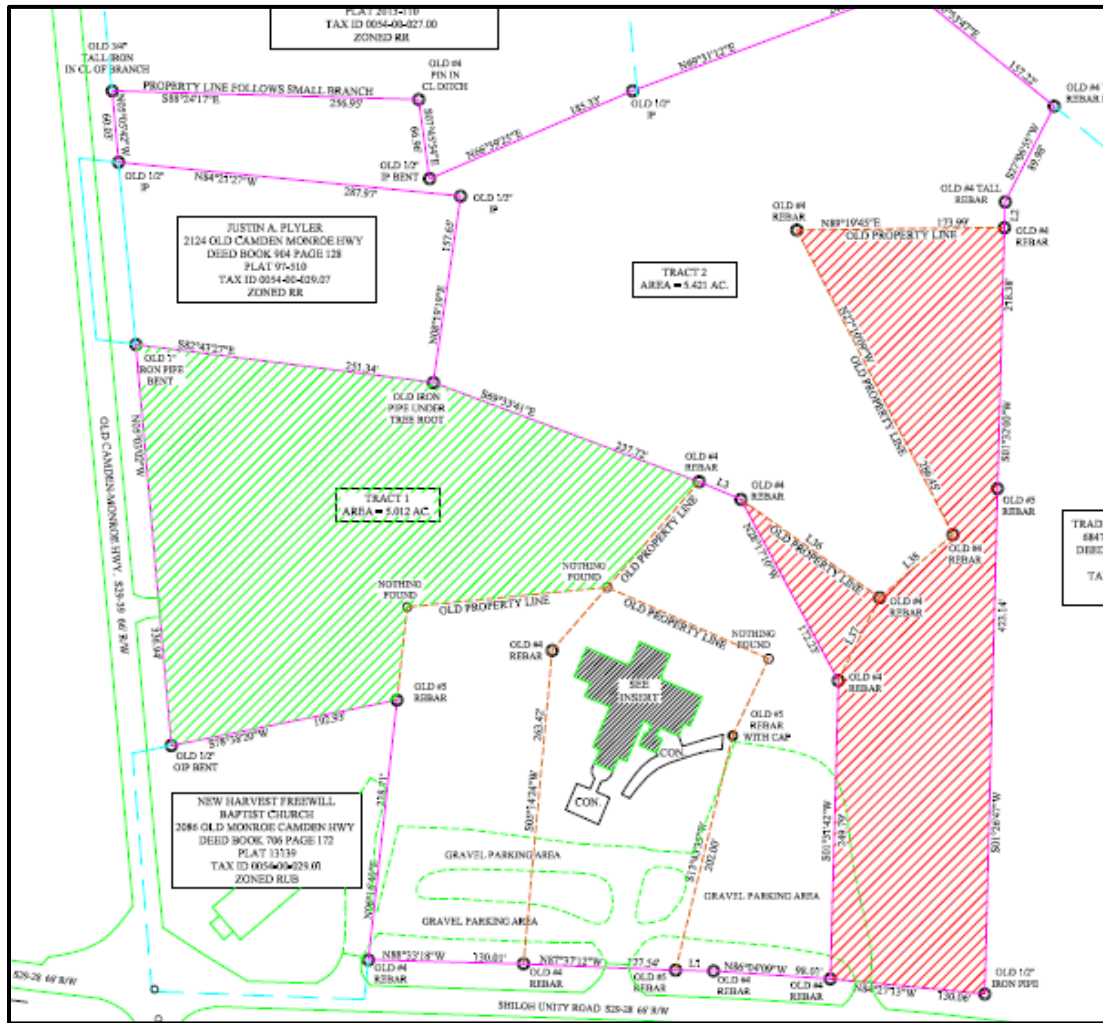
Pursuant to Chapter 5.6.2 of the UDO, Event Venue/Banquet Halls require a minimum lot size of 5 acres. Accordingly, in order for the applicant to be able to establish such a business on the subject property, a recombination of these two existing parcels is necessary, and the recombination cannot occur without rezoning portions of both parcels. The request consists of two rezoning applications: RZ-2021-0114 and RZ-2021-0261, which are summarized below:

- 1) RZ-2021-0114: Request to rezone approximately 1.766 acres located at 6815 Shiloh Unity Road (portion of TM# 0054-00-029.04) from Rural Business (RUB) to Rural Residential (RR) District; and
- 2) RZ-2021-0261: Request to rezone approximately 2.168 acres located at Old Camden Monroe Highway (portion of TM# 0054-00-029.05) from Rural Residential (RR) to Rural Business (RUB) District.

Should the rezoning requests be approved, the applicant would proceed with permitting through the Zoning and Building Departments.

See Proposed Plat below (and attached) which illustrates the portion to be rezoned from RUB to RR (red hatch) and the portion to be rezoned from RR to RUB (green hatch).

Proposed Plat



Site Information

The parcel fronting Shiloh Unity Road is improved with an existing commercial building which was most recently used as a restaurant. The parcel fronting Old Camden Monroe Highway is vacant.

Summary of Adjacent Zoning and Uses

The properties are surrounded predominantly by RR, RUB and INS zoned properties.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	RR	Vacant; Manufactured Home
South	Lancaster County	RR	Single-Family Residential
East	Lancaster County	RR	Vacant; Manufactured Home
West	Lancaster County	RUB; INS; RR	New Harvest Free Will Church; Single-Family Residential; Community Center; Fire Department

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject properties are currently zoned RR and RUB Districts.

Pursuant to UDO Chapter 2.3, the existing zoning district of Rural Business (RUB) for **RZ-2021-0114** and the requested RUB zoning district for **RZ-2021-0261** *is established for rural crossroads that represent the small nodes of commercial activity along rural highways. This district will accommodate small-scale businesses, such as gas stations, convenience stores, or restaurants, and serve some daily needs of the surrounding rural population.*

The existing zoning district of Rural Residential (RR) for **RZ-2021-0261** and the requested RR zoning district for **RZ-2021-0114** *is established as a district where the principal use of the land is for large rural living tracts of property with an abundance of open space, agricultural lands, and a high degree of separation between buildings.*

Compatibility with Surrounding Area

As noted previously, the subject properties are predominately surrounded by the RR, RUB and INS Districts. This area can be characterized by single-family homes and manufactured homes on lots of varying sizes, vacant/wooded parcels, a church, community center and the Tradesville Fire Department. Staff finds that the proposed rezoning of a portion of TM# 0054-00-029.04 from Rural Business (RUB) to Rural Residential (RR) District and a portion of TM# 0054-00-029.05 from Rural Residential (RR) to Rural Business (RUB) District is generally compatible with the surrounding area and consistent with UDO Section 2.3.

The applicant must still seek approval of the intended wedding venue use from the Zoning and Building Departments in accordance with the UDO and Building Code. This use is listed as *Permitted with Review by staff* in accordance with Section 5.6.2, Event Venue/Banquet Hall, of the UDO.

RELATIONSHIP TO PUBLIC PLANS

Lancaster County Comprehensive Plan Consistency

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 is the largest future land use category in Lancaster County. Generally, it encompasses most of the southern portion of the County, with the exception of the City of Lancaster, towns of Heath Springs and Kershaw (Urban Land Use), and the area around the City of Lancaster (Transitional Land Use).

The requested RR and RUB districts are consistent with the Rural Living Future Land Use category.

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

INFRASTRUCTURE CONSIDERATIONS

Transportation

No Traffic Impact Analysis (TIA) or traffic improvements are required for this rezoning request. There are no SCDOT traffic counts available for the roads surrounding the subject parcels.

Public Utilities

Public water is available near the subject parcels. Sewer is not available; parcels require septic tanks.

Public Schools

There will be no impact on schools from the intended wedding venue.

PHOTOS OF PROJECT AREA:



Looking east along Shiloh Unity Road



*Looking north across Shiloh Unity Road
from subject parcel*



Looking east along Shiloh Unity Road



Looking west along Shiloh Unity Road



Looking north along Old Camden Monroe Highway



Looking south along Old Camden Monroe Highway



*Looking at subject parcel from
Old Camden Monroe Highway*



*Looking west across Old Camden Monroe Highway
from subject parcel*

STAFF RECOMMENDATION:

Separate motions will need to be made for each rezoning application.

Staff recommends **approval** of the two requests to rezone as follows:

1. RZ-2021-0114: Request to rezone approximately 1.766 acres located at 6815 Shiloh Unity Road (Portion of TM# 0054-00-029.04) from Rural Business (RUB) to Rural Residential (RR) District; and
2. RZ-2021-0261: Request to rezone approximately 2.168 acres located at Old Camden Monroe Highway (Portion of TM# 0054-00-029.05) from Rural Residential (RR) to Rural Business (RUB) District.

Pursuant to the following findings of fact for RZ-2021-0114 and RZ-2021-0261:

1. That the subject requests consist of the following parcels: a portion of TM# 0054-00-029.04 and a portion of TM# 0054-00-029.05;
2. That the subject properties are currently zoned RR and RUB District and proposed to be rezoned to RUB District and RR District, respectively;
3. That the subject properties each have a Future Land Use designation of Rural Living, and a Community Type of Rural Living; and
4. That the proposed RUB and RR Districts are generally consistent with the surrounding area which is comprised of RR, RUB and INS Districts.

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map
3. Proposed Plat

STAFF CONTACT:

Katie See, AICP, Senior Planner

ksee@lancastersc.net | 803-416-9395

RZ-2021-0114 and RZ-2021-0261
Matthew & Heather Ellis
Location Map

Proposal:

- Rezone a portion of TM #0054-00-029.05 from RUB to RR
- Rezone a portion TM # 0054-00-029.04 from RR to RUB

Legend:



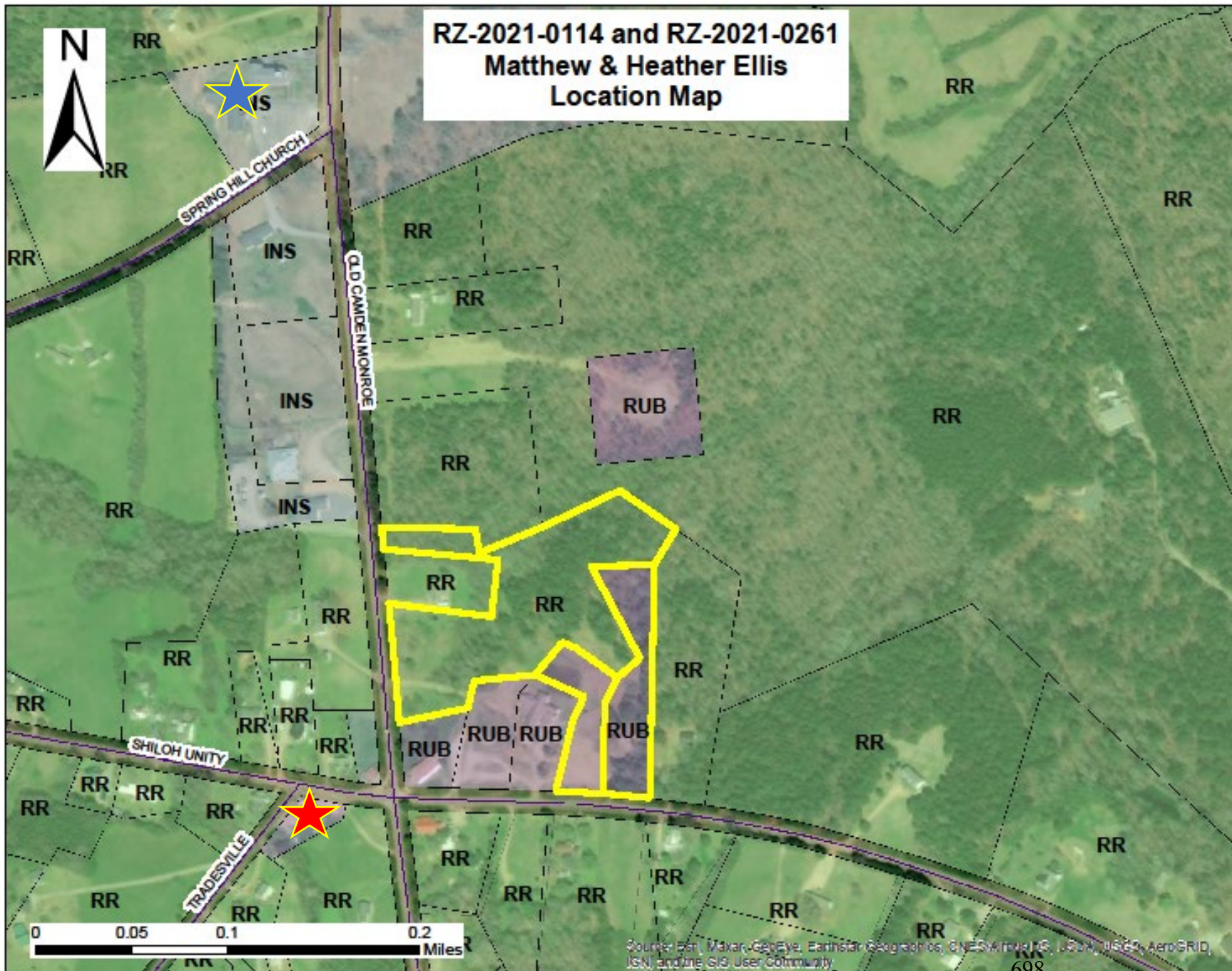
Subject Properties

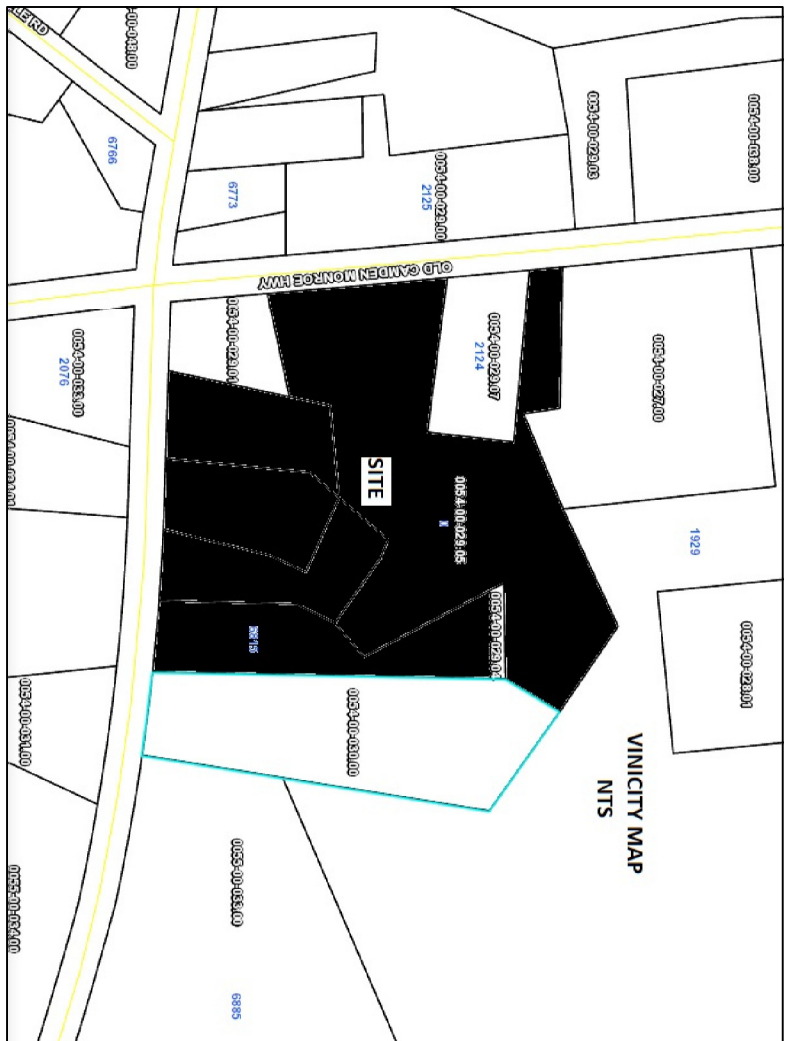


Spring Hill Baptist Church



Tradesville Grocery





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

THIS PLAT IS TAKEN TWO EXISTING PARCELS AND RECONFIGURING THEM INTO TWO NEW PARCELS.

TRACT 1 HAS A TOTAL OF 5.012 AC.
IT HAS 2.844 AC. ZONED RUB (RURAL BUSINESS) AND 2.168 ZONED RR (RURAL
RESIDENTIAL).
THE 2.168 AC. NEED TO BE REZONED TO RUB (RURAL BUSINESS)

TRACT 2 HAS A TOTAL OF 5.421 AC.
IT HAS 3.655 AC. ZONED RR (RURAL RESIDENTIAL), AND 1.766 AC. ZONED RUB (RURAL
BUSINESS)
THE 1.766 AC. NEED TO REZONED TO RR (RURAL RESIDENTIAL)

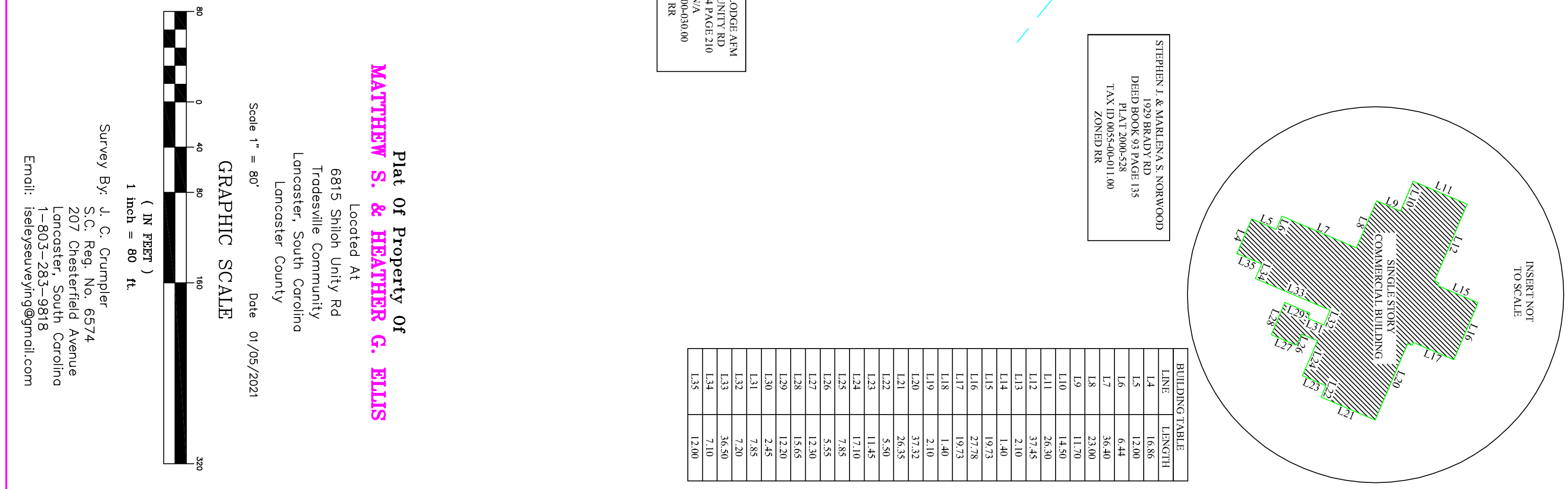
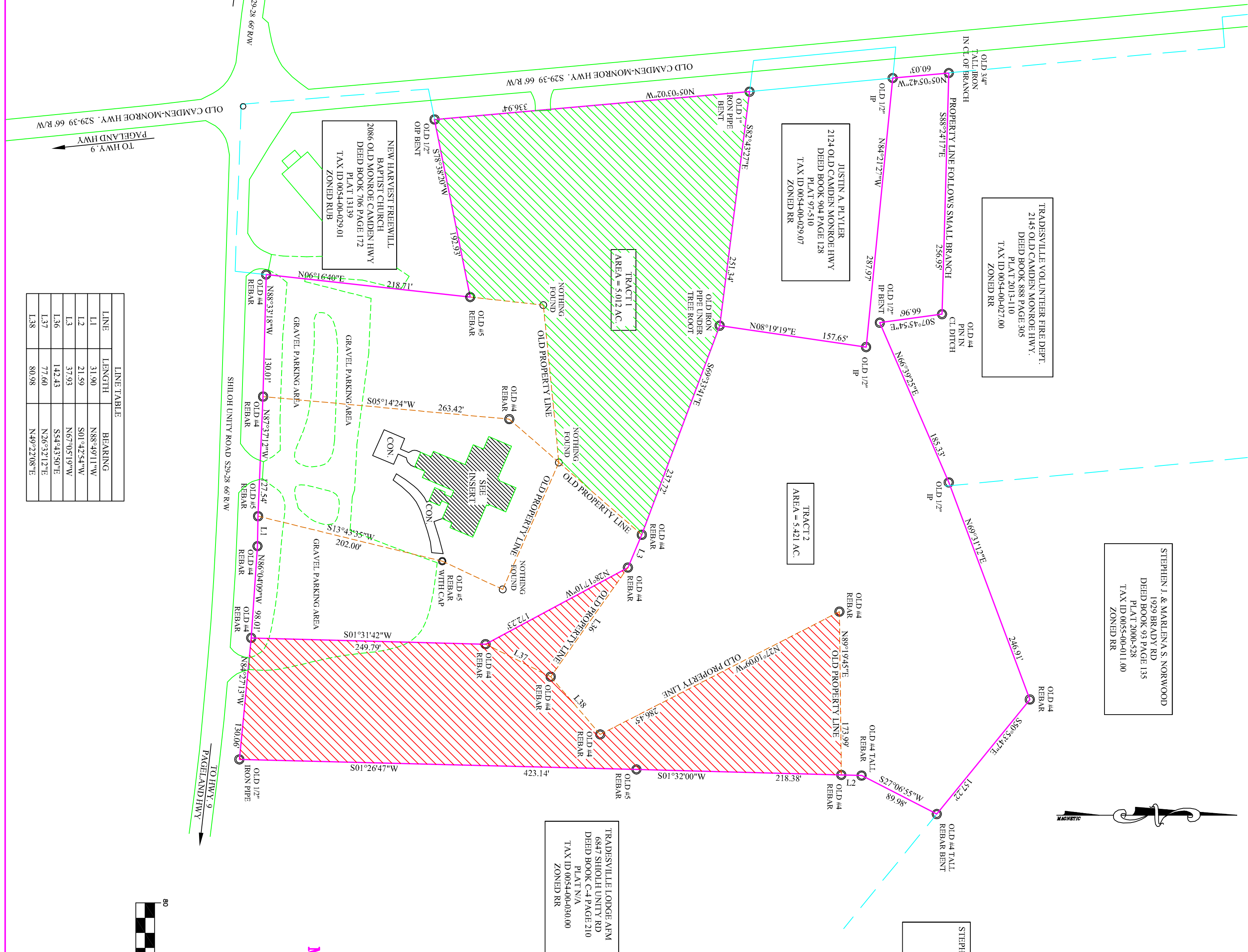
= AREA TO BE REZONED FROM RUB (RURAL BUSINESS) TO RR (RURAL RESIDENTIAL).

= AREA TO BE REZONED FROM RR (RURAL RESIDENTIAL) TO RUB (RURAL BUSINESS)



CHECKED BY:	JLC	0054-00-029.05
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JOB NO.: 20-77-73 SHEET 1 OF 1



BUILDING TABLE	
LINE	LENGTH
L4	16.86
L5	12.00
L6	6.44
L7	36.40
L8	23.60
L9	11.70
L10	14.50
L11	26.30
L12	37.45
L13	2.10
L14	1.40
L15	19.73
L16	27.78
L17	19.73
L18	1.40
L19	2.10
L20	37.32
L21	26.35
L22	5.50
L23	11.45
L24	17.10
L25	7.85
L26	5.55
L27	12.30
L28	15.65
L29	12.20
L30	2.45
L31	7.85
L32	7.20
L33	36.50
L34	7.10
L35	12.00

LINE TABLE	
LINE	BEARING
L1	31.90 N88°49'11"W
L2	21.59 S01°42'54"W
L3	37.93 N67°05'19"W
L36	142.43 S54°43'50"E
L37	77.60 N26°32'12"E
L38	80.98 N49°22'08"E

The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

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Notice was published in The Lancaster

28, 2021.



otary Public of South Carolina

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Postmaster: Send address changes to The Lancaster News, P.O. Box 640, Lancaster, SC 29721. Please allow 4-6 weeks for the change to take effect. There will be a slight adjustment in your expiration date, but there will be no change in the rate. The Lancaster News is published every week (803) 283-1133. Periodical postage paid in Lancaster, S.C. Subscription rates: \$33.99 for three months, \$53.99 for six months, \$92.99 for one year. Robert Howey - Sports Editor
◆ Athena Redn
◆ Jane Alford - Publications
◆ Susan B. Rowell - Publisher
◆ Brian Melton - Editor

The views reflected in this publication are those of the author and do not necessarily reflect the views of the Lancaster News or the community newspapers of South Carolina.

Established 1852

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

This is to certify that the attached Legal Notice was published in The Lancaster News in the issue of *February 28, 2021.*

Benita G. Gault

Notary Public of South Carolina

My Commission Expires
January 13, 2031

CAROLINA GATEWAY

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803-283-1133

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Notice was published in CAROLINA

3, 2021

via G Gumbly

ary Public of South Carolina

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803-283-1133

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This is to certify that the attached Legal Notice was published in CAROLINA GATEWAY in the issue of *March 3, 2021*

Berita G Gumbel

Notary Public of South Carolina

My Commission Expires
January 13, 2031

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1730 / Planning Case Number: RZ-2021-0261

Contact Person / Sponsor: Katie See/Senior Planner

Department: Planning

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

See Staff Report for Companion Case RZ-2021-0114.

Request to rezone TM # 0054-00-029.05 from Rural Residential (RR) to Rural Business (RUB) District. The proposed rezoning of a portion of TM# 0054-00-029.05 from Rural Residential (RR) to Rural Business (RUB) District is generally compatible with the surrounding area and consistent with UDO Section 2.3.

Points to Consider:

Companion case to RZ-2021-0114. The intent of the proposed rezoning is to open wedding venue business.

The information for this case and companion case RZ2021-0114 has been consolidated into a single staff report.

Funding and Liability Factors:

NA

Council Options:

To approve or deny the rezoning request.

Recommendation:

Planning Commission voted unanimously to recommend approval at their March 16, 2021 meeting.

Staff recommends approval of the request to rezone to Rural Business District (RUB).

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1730	4/6/2021	Ordinance
Public Hearing Notice for Ordinance 2021-1730 (Planning Department Case Number: RZ-2021-0261)	4/6/2021	Public Hearing Notices

STATE OF SOUTH CAROLINA

(

ORDINANCE NO. 2021-1730

COUNTY OF LANCASTER

(

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE A PORTION OF OLD CAMDEN MONROE HIGHWAY (TM # 0054-00-029.05) FROM RR, RURAL RESIDENTIAL, TO RUB, RURAL BUSINESS DISTRICT.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Matthew Ellis, applied to rezone a portion of TM # 0054-00-029.05, approximately 2.168 acres, located at Old Camden Highway, Lancaster, South Carolina, from RR, Rural Residential District, to RUB, Rural Business District.

(b) On March 16, 2021, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a unanimous vote recommended approval of the rezoning request.

(c) The Future Land Use Category of the subject property 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 Rural Living Future Land Use Category is the largest future land use category in Lancaster County. Generally, it encompasses most of the southern portion of the County, with the exception of the City of Lancaster, towns of Heath Springs and Kershaw (Urban Land Use), and the area around the City of Lancaster (Transitional Land Use). The requested RUB district is consistent with the Rural Living Future Land Use category and the Comprehensive Plan.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from RR, Rural Residential District, to RUB, Rural Business District, for the following properties as identified by tax map number or other appropriate identifier:

Tax Map No. 0054-00-029.05 (2.168 acres, more or less, portion thereof)

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 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 _____, 2021.

LANCASTER, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: April 12, 2021
Public Hearing: April 12, 2021
Second Reading: April 26, 2021
Third Reading: May 10, 2021

Approved as to form:

John DuBose, County Attorney

The Lancaster News

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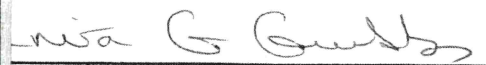
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◆ Susan B. Rowell – Publisher
◆ Brian Melton – Editor
◆ Robert Howey – Sports Editor
◆ Athena Redd – Publications

Established 1852

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Benita G. Gault

Notary Public of South Carolina

My Commission Expires
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3. RZ-2021-0261: Application by Matthew Ellis to rezone approximately 2.168 acres located at Old Camden Monroe Highway (Portion of TM# 0054-00-029.05) from Rural Residential (RR) to Rural Business (RUB) District. The intention is to open a wedding venue.
4. SD-2020-2137: Application by Craft Holdings LLC for a major preliminary plat consisting of 181 single-family detached lots on approximately 77.99 acres. The property to be developed is located on the east side of Catawba Ridge Blvd. and is identified as TM # 0106-00-003.02. The property is zoned PDD.

For the purpose of obtaining oral and written comments from the public regarding the following matters, the Lancaster County Planning Commission will conduct a public hearing on Tuesday, March 16, 2021 at 6:00 pm for the following matter. Lancaster County Council will conduct a public hearing at a special meeting of County Council on Wednesday, March 17, 2021 at 12:00 pm. Both hearings will take place at the Lancaster County Administrative Building located at 101 N. Main Street, Lancaster, SC.

1. UDO-TA-2021-0383: Application by Lancaster County to amend Unified Development Ordinance Section 2.4, Development Standards, to modify Minimum Lot Size and Minimum Development Size for the Institutional (INS) district.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department located at 101 North Main Street, Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Public comments may be made in person at the hearing or submitted in written format to be provided to County Council at the public hearing. Comments made in person or in writing should be limited to three (3) minutes in duration if read aloud. Written comments may be submitted either by online submission by selecting the "public hearing comments" quick link located on the county website (<https://www.mylancaster.org/>), email to SSimpson@lancaster.org, or by mail addressed to Clerk to Council at 101 N. Main Street, Lancaster, SC 29720 with the Ordinance number or other appropriate identifier clearly referenced in the communication. At the public hearing

Notice was published in CAROLINA

3, 2021

wa G Gumbly

ary Public of South Carolina

CAROLINA GATEWAY

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

For the purpose of obtaining oral and written comments from the public regarding the following matters, the Lancaster County Planning Commission will conduct a public hearing on Tuesday, March 16, 2021. Lancaster County Council will conduct a public hearing on Monday, April 12, 2021. Both hearings will take place at 6:00 PM at the Lancaster County Administrative Building located at 101 N. Main Street, Lancaster, SC.

1. RZ-2021-0289: Application by Michael and Ashley Green to rezone one acre of land located at 2343 Flat Creek Road (TM #0080-00-041.01) from Low Density Residential (LDR) to Rural Neighborhood (RN). The intention is to locate a mobile home on the property.
2. RZ-2021-0114: Application by Matthew Ellis to rezone approximately 1.766 acres located at 6815 Shiloh Unity Road (Portion of TM# 0054-00-029.04) from Rural Business (RUB) to Rural Residential (RR) District. The intention is to open a wedding venue. Companion case to RZ-2021-0261.
3. RZ-2021-0261: Application by Matthew Ellis to rezone approximately 2.168 acres located at Old Camden Monroe Highway (Portion of TM# 0054-00-029.05) from



This is to certify that the attached Legal Notice was published in CAROLINA GATEWAY in the issue of *march 3, 2021*

Berita G Gumbel

Notary Public of South Carolina

My Commission Expires
January 13, 2031

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1731

Contact Person / Sponsor: Steve Willis/Administration and John Dubose/County Attorney

Department: Attorney

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

A request for a Quit Claim Deed regarding a portion of dirt roadway between Lynwood Drive and Norfolk Road.

Points to Consider:

John DuBose received a request for a Quit Claim Deed related to a section of dirt road between Lynwood Drive and Norfolk Road. This is just north of McDonald Green Elementary School.

This appears to be a driveway that was platted as a roadway. It is not an extension of Lynwood Drive to the west. To the east Norfolk Road curves up towards Kirkover Road so this segment is obviously not a an extension of Norfolk Road.

This request relates to a planned conveyance of land on the northern side of the driveway.

We have no record of this being a county roadway or even a named private roadway.

This Ordinance and the quit claim deeds that are contemplated will make clear that Lancaster County does not claim the roadway, has never claimed ownership, and that any person receiving a quit claim deed proceeds with use of the roadway at their own risk.

The form quit claim deed referenced as Exhibit B to the Ordinance will be attached for second reading.

Funding and Liability Factors:

N/A

Council Options:

Approve or reject the Ordinance.

Recommendation:

Approve the Ordinance.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1731	4/7/2021	Ordinance
Exhibit A -Tax Map	3/14/2021	Exhibit

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2021- 1731

**AN ORDINANCE AUTHORIZING LANCASTER COUNTY TO QUIT CLAIM TITLE
TO REAL PROPERTY FOR AN UNNAMED ROAD THAT EXTENDS FROM
NORFOLK DRIVE TO LYNWOOD DRIVE.**

WHEREAS, Norfolk Drive is a county maintained road in Lancaster County, South Carolina.

WHEREAS, a dirt road that is not owned or maintained by Lancaster County extends from the western terminus of Norfolk Road and intersects with Lynwood Drive.

WHEREAS, Lancaster County never intended to accept the dirt road into the county road system, has never claimed any ownership interest in the dirt road, has never been asked to accept the road into the county road system, has never maintained the dirt road, and claims no ownership or interest in the dirt road.

WHEREAS, Lancaster County has no current or future plans to accept the dirt road into the county road system.

WHEREAS, Lancaster County has explicitly disclaimed any right, title, or interest in the dirt road, but an adjacent property owner has asked that Lancaster County quit claim any interest it may hold in the dirt road in furtherance of that adjacent property owner's attempts to acquire title or confirm a right of access along the roadway.

WHEREAS, Lancaster County is willing to accommodate the desire of the adjacent property owner but specifically disavows that its issuance of a quit claim deed for the dirt road will accomplish any goal or desire of the adjacent property owner to acquire title to the road.

WHEREAS, Lancaster County is willing to issue quit claim deeds to adjacent property owners along the road, quit claiming title to the centerline of the roadway to each adjacent landowner to the boundary of that landowner's property, for the express purpose of denying that Lancaster County holds any right, title, or interest in the dirt road.

WHEREAS, Lancaster County asserts that passage of this Ordinance and issuance of quit claim deeds to adjacent property owners shall constitute conclusive evidence that Lancaster County denies all right, title, or interest in the dirt road and Lancaster County demands, as consideration for issuance of the quit claim deed, that the adjacent landowners do not name Lancaster County as a defendant in any future quiet title action or other cause of action or lawsuit seeking a determination of ownership and legal title for the dirt road, if such action is pursued.

WHEREAS, Lancaster County also wishes to make clear to the adjacent landowners that they are under no obligation to accept the quit claim deeds or record same and that the adjacent

landowners should conduct their own investigations into to status of legal title of the dirt road in question before engaging in any improvement thereof or restriction of access thereto.

WHEREAS, the Lancaster County Council finds it appropriate and prudent to convey any right, title, or interest it may hold (same being specifically disavowed) in the dirt road to adjacent property owners via quitclaim deed.

WHEREAS, this action represents an important and necessary governmental function and will clarify the public record and the goal is to obviate the need for Lancaster County to be involved in any future legal action concerning the status of the dirt road.

NOW, THEREFORE, BE IT ORDAINED, by the County Council, as follows:

Section 1. Lancaster County shall convey, via quitclaim deeds, any right, title, or interest it may hold in the real property comprising the dirt road in question (shown on Exhibit “A” which attached hereto and incorporated herein by reference) to the property owners adjacent to the dirt road. Specifically:

- A. Lancaster County School District will receive from the County a quitclaim deed for title to the dirt road from its existing property line to the centerline of the dirt road.
- B. Susan L. Snipes will receive from the County a quitclaim deed for to the dirt road from her existing property line to the centerline of the unopened portion of the road.
- C. Todd Hammond will receive from the County a quitclaim deed for title to the dirt road from his existing property lines to the centerline of the unopened portion of the road.

The quit claim deed shall be in substantial conformity with the form quit claim deed attached hereto as Exhibit “B”.

Section 2. The County Council of Lancaster Count hereby authorizes and directs that Steve Harper, as Chairman of Lancaster County Council, and Brian Carnes, as Vice-Chair of Lancaster County Council, to make, execute and deliver the quitclaim deeds conveying the real property described herein to above-mentioned adjacent property owners.

Section 3. Any ordinance, resolution, or other order of the Lancaster County Council, the terms of which are in conflict with this ordinance, is, only to the extent of that conflict, repealed.

Section 4. This Ordinance is effective after third reading and a public hearing.

LANCASTER COUNTY, SOUTH CAROLINA

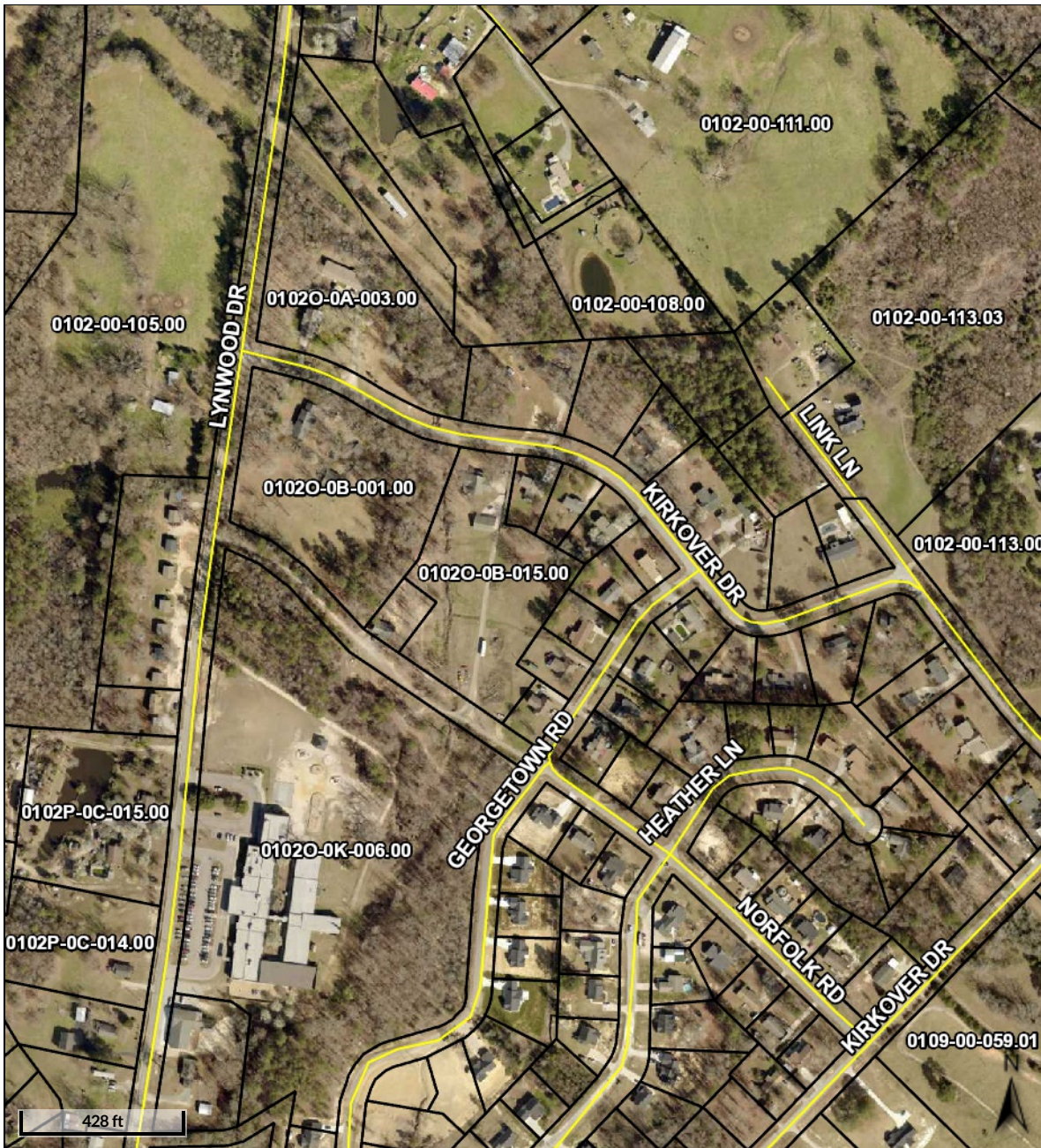
By: _____
Steve Harper, Chairman
Lancaster County Council

By: _____
Billy Mosteller, Secretary
Lancaster County Council

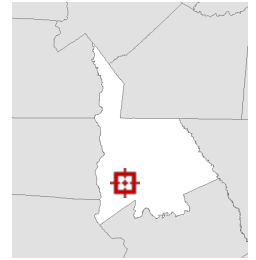
(SEAL)
ATTEST:

Sherrie Simpson, Clerk to Council
Lancaster County Council

First Reading:	April 12, 2021
Second Reading:	April 26, 2021
Public Hearing:	May 10, 2021
Third Reading:	May 10, 2021



Overview



Legend

- Parcels
- Roads
- Railroad

Date created: 2/20/2021
Last Data Uploaded: 2/19/2021 10:07:23 PM

Developed by  Schneider
GEOSPATIAL

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Whether to appoint Mark Strickland to the Keep Lancaster County Beautiful Advisory Board as one of the District 6 representatives. If appointed, he will be serving his first two year term that will expire on 06/30/2023.

Whether to appoint Clare McConaughay to the Keep Lancaster County Beautiful Advisory Board as one of the District 1 representatives. If appointed, she will be serving her first four year term that will expire on 06/30/2025.

Whether to appoint Mark Kahn to the Community Relations Commission as the District 4 representative. If appointed, he will be replacing Sam Bracey and will fill an unexpired term that will end on 06/30/2023.

Whether to appoint MaryEtta Taylor to the Library Board as the District 3 representative. If appointed, she will replace Kimberly Blackmon and finish out an unexpired term that will end on 06/30/2021 AND will serve her first four year term that will expire on 06/30/2025.

Whether to appoint Jason Truesdale to the Keep Lancaster County Beautiful Advisory Board as one of the District 6 representatives. If appointed, he will be serving his first two year term that will expire on 06/30/2023.

Points to Consider:

Mark Strickland's, Clare McConaughay's, Mark Kahn's, MaryEtta Taylor's and Jason Truesdale's applications are attached for Council's review and consideration.

Funding and Liability Factors:

N/A

Council Options:

Approve or deny the appointments.

Recommendation:

Approve the appointments.

ATTACHMENTS:

Description	Upload Date	Type
Application from Mark Strickland for the Keep Lancaster County Beautiful Advisory Board	3/31/2021	Backup Material
Application from Clare McConaughay for the Keep Lancaster County Beautiful Advisory Board	3/31/2021	Backup Material
Application from Mark Kahn for the Community Relations Commission	3/31/2021	Backup Material
Application from MaryEtta Taylor for the Library Board	3/31/2021	Backup Material
Application from Jason Truesdale for the Keep Lancaster County Beautiful Advisory Board	4/7/2021	Backup Material

**LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE**

Name MARK EDWARD STRICKLAND County Council District 3

Mailing Address _____ City/Zip LANCASTER, SC 29720

Street Address _____ Registered Voter yes ☒ no ☐

Tel. Number (home) _____ (work) _____ (other) _____

Email: markshed@comporium.net

Occupation RETIRED Place of employment NONE (prior employment with LCSD)

Address _____ Normal working hours _____
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Keep Lanc County Beautiful-Advisory 2nd choice _____

3rd choice _____

Reason for interest

Highway litter is a growing problem within our community. It sends the wrong message to visitors and prospective businesses of our city, casting the perception that we do not care about Lancaster County nor its residents. I have been proactively picking up trash along the access points to the Lindsay Pettus Greenway, but many more roads need attention.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

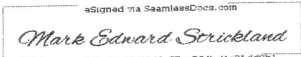
I have always appreciated the great outdoors, even as a child in Hanahan, SC. I grew up playing sports on recreation teams and el-hi schools. Eventually I earned my BS from Catawba College in Salisbury, NC and majored in Physical Education, minored in History. Professionally, I was a Coach and Athletic Director at Lancaster High School, retiring almost 2 years ago after over 38 years experience in education. I am an avid hiker and backpacker and enjoy anything outdoors. I have been active on the boards of the SC Coaches Association, Lindsay Pettus Greenway, and the Katawba Valley Land Trust. I have learned so much since becoming a member of these groups.

Do you presently serve any State, County or Municipal Boards? NO If yes, list _____

Have you ever served on a county board? NO If yes, list _____

Additional pertinent information

Given the fact that I have no work obligations, I would be able to assist with most KLCB duties that require manual labor. I have always enjoyed the personal satisfaction of being a workaholic and helping others.

Applicant's signature  Date 3/22/2021
signed via ScanlissDocu.com
Key: 742d3b47d8d4c687ae264bd1c91dd9b1

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721

**LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE**

Name Clare McConaughay County Council District 1

Mailing Address _____ City/Zip Indian Land 29707

Street Address _____ Registered Voter yes ☒ no ☐

Tel. Number (home) _____ (work) _____ (other) _____

Email: _____

Occupation Retired Place of employment _____

Address _____ Normal working hours _____
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Keep Lancaster County Beautiful 2nd choice _____

3rd choice _____

Reason for interest

Our county needs local input to solve our "people" problem with litter, which has exploded during Covid. In the meantime, we must clean up our roadsides religiously.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

For the past two years, I have started cleanup efforts in Indian Land through our civic group, Indian Land Action Council. We started by having a community clean up day at Deputy Roy Hardin Park, with some of county council helping, and have continued to adopt that park. During Covid, since December, I teamed up with other groups to start monthly community cleanup days, on the second Saturday of the month, and have led the Hwy 521 litter cleanup efforts with Mike Neese, with supplies from Palmetto Pride. We have enlisted help from a growing number of organizations and clubs to bring awareness and action. Mandy Catoe helped us once and Elizabeth from Stormwater is now also involved. I am not afraid to get my hands dirty. People are

Do you presently serve any State, County or Municipal Boards? No If yes, list _____

Have you ever served on a county board? Yes If yes, list Library Board

Additional pertinent information

signed na SeamlessDocs.com
Applicant's signature Clarice Ann McConaughay Date 3-17-21
Key: 346d8b47a63a0e87a0284bd1c913d681

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721

LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE



Name MARK B KAHN County Council District 4

Mailing Address _____ City/Zip LANCASTER 29720 -

Street Address _____ Registered Voter yes X no 1954

Tel. Number (home) _____ (work) _____ (other) _____

Email: MBK ESTATE @ GMAIL

Occupation RETIRED Place of employment _____

Address _____ Normal working hours _____
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice COMMUNITY RELATION
COUNTY COMMISSION 2nd choice _____

3rd choice _____

Reason for interest I LIKE TO (1) SERVE THE PUBLIC & CITIZENS OF LANCASTER COUNTY FOR THE BENEFIT OF THE COMMUNITY (2) HELP PEOPLE TO THE BEST OF MY KNOWLEDGE (3) VERY SOCIAL (4) HELP PLAN EVENTS

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

I FEEL I CAN CONTRIBUTE TO THE COMMISSION, BECAUSE OF (1) MY EXPERIENCE OF PLANNING EVENTS (2) BEING A PROFESSOR IN BUSINESS (3) VOLUNTEER FOR THE VITA PROGRAM (TAXES FOR ALL PEOPLE FOR FREE.. (4) BEING ON ZONING COMMISSIONS FOR CITY OF LANCASTER (5) WENT THROUGH COURSE ABOUT CITY & COUNTY GOVERNMENT (6) PARTICIPATED IN THE COMMUNITY GROUP TO IMPROVE RELATIONS

Do you presently serve any State, County or Municipal Boards? YES If yes, list ZONING APPEALS BOARD OF THE CITY OF LANCASTER

Have you ever served on a county board? NO If yes, list _____

Additional pertinent information : WAS RECOMMENDED BY LARRY HONECUTT
I WOULD GLADLY SERVE ON THE COUNTY COMMISSION

Applicant's signature Mark B. Kahn Date 03.19.2021
Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

**LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE**

Name MaryEtta Taylor County Council District 3

Mailing Address _____ City/Zip Heath Springs 29058

Street Address _____ Registered Voter yes ☒ no ☐

Tel. Number (home) _____ (work) _____ (other) _____

Email: Trekkerme@me.com

Occupation Education Associate Place of employment SC Dept. of Education, Office of Special

Address 1919 Blanding St. Columbia, SC 29020 Normal working hours 7:30am-4:00 pm
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Library Board 2nd choice _____

3rd choice _____

Reason for interest

My career in education has instilled in me the importance of our public libraries. We need to ensure these institutions are promoted and protected for every person in our community.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

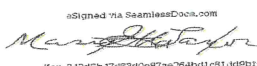
My 45 years in education and in working with the public are the main qualifications and skills I possess.

Do you presently serve any State, County or Municipal Boards? No If yes, list _____

Have you ever served on a county board? Yes If yes, list Lancaster County School Board

Additional pertinent information

Applicant's signature


Signed via SeamlessDocs.com
Key: 348d5b47d83d0e87ae264b01c91dd0b1

Date Mar. 30, 2021

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721

**LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE**

Name Jason Truesdale County Council District Lancaster

Mailing Address _____ City/Zip Lancaster 29720

Street Address _____ Registered Voter yes ^{Yes} no ^{no}

Tel. Number (home) _____ (work) _____ (other) _____

Email: jason@heathsprings.us

Occupation Town Administrator Place of employment Town of Heath Springs

Address 103 Duncan Street, Heath Springs, SC 29058 Normal working hours 9-5

(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission)

Name of Board or Commission in which you are interested

1st choice Keep Lancaster County Beautiful 2nd choice _____

3rd choice _____

Reason for interest

Keep Lancaster County Beautiful Board is something that's great for the entire county. It allows our community to take pride in where we live and gives us all a chance to do our part keeping our county clean and inviting. I am very happy to see Lancaster County grow and develop and this program will contribute to growing our value.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

I am very interested in the continued progression of our county from a collective standpoint. I feel that Keep Lancaster County Beautiful Board is great, it brings together the community to work towards a wonderful shared goal that benefits everyone. I serve as Town Administrator with the Town of Heath Springs and I'm driven to do my part in helping meet the needs of our community and county, while making improvements along the way, and also encouraging them to become involved.

Do you presently serve any State, County or Municipal Boards? Yes If yes, list Lancaster Econ.

Have you ever served on a county board? _____ If yes, list _____

Additional pertinent information

Applicant's signature Jason D. Truesdale Date 3/26/2021

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/Administration and Clay Catoe/EMS

Department: Administration

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

This is a 100% grant; however, since it would add a new staff member and train existing staff to a higher certification I want to make sure Council has an opportunity to ask any questions.

Points to Consider:

This is a 100% grant with no local match required.

Goals include:

Creation of in-house Advanced EMT course

Recruitment of staff to fill EMS positions

Increase First Responder capacity to address opioid overdoses

Objectives include:

Hire a Recruitment Coordinator

Replenish the supply of Naloxone

Conduct training/ retraining on use of Naloxone

Conduct dangerous drug safety protocol training

Creation of recruitment video

Training - 4 to Paramedic, 12 to Advanced EMT, 6 to EMT

Decrease in overdose deaths

Decrease in response times

Funding and Liability Factors:

This is a 100% grant. Total budget is \$199,437.30. Budget document is included.

Council Options:

N/A This is a 100% grant but since it does involve personnel I wanted to make sure that Council had an opportunity to ask questions.

Recommendation:

N/A

ATTACHMENTS:

Description	Upload Date	Type
Grant Abstract	3/22/2021	Exhibit
Grant Budget	3/22/2021	Exhibit
Grant Narrative	3/22/2021	Exhibit

Summary: As its EMS workforce numbers continue to decline, Lancaster County EMS finds itself battling an opioid epidemic, rapid population increase, and an aging population. Private EMS companies in neighboring counties and retirement have depleted Lancaster County EMS of valuable talent. However, with grant funding, Lancaster has plans for a unique recruiting strategy, development of a new in-house Advanced EMT Bridge Course, and training strategy to bolster its workforce to combat the growing turmoil within its borders.

Project Name: Lancaster Rural EMS Training Grant

Populations to be served: Lancaster County (98,012 – 70% white, 20% black, 5.9% Hispanic, 1.6% Asian, 2.3% Biracial – 22% under 18, 57.3% 18 to 64, 20.6% 65 and over) / Lancaster County EMS (90 employees – 44 EMTs, 46 Paramedics)

Project Goals: 1) Continue to increase the proficiency and abilities of the EMS force in Lancaster County by providing an in-house Advanced EMT course and contracted training and experience for current EMTs to become advanced EMTs and Paramedics 2) Increase the number of EMTs and Paramedics at Lancaster County EMS through staffing, advertising, and incentives in order to handle increased demand from the opioid epidemic, an aging population, and a growing population. 3) Increase the capacity of first responders to reduce Opioid overdose, including training on the appropriate administration of naloxone, safety protocol with fentanyl and other dangerous drugs, and adequate supplies and equipment

Measurable Objectives: 1) Hire a Recruitment Coordinator 2) Replenish Naloxone supply for entire fleet. 3) At least 90% of the Emergency Medical Services force will complete an annual training on the proper administration of naloxone over the grant period. 4) At least 90% of the Emergency Medical Services force will complete annual training related to safety protocols around fentanyl, carfentanyl, and other dangerous drugs to reduce exposure risk. 5) A high quality recruitment video will be marketed to neighboring counties via social media, digital signage in local restaurants, and job fairs as measured by executed contracts. 6) Four EMTs will receive the training required to be certified as a paramedic and six new hires will be properly trained to be certified as an EMT. Twelve EMTs will undergo an in-house course to become Advanced EMTs with greater capabilities to spread amongst the current rigs. 7) Six new hires will be added within the year and provided with the proper uniforms and equipment 8) There will be a 10% reduction in overdose deaths by the end of the grant period due to adequate staffing and increase proficiency providing better response times and life saving measures. 9) Response times to EMS calls will be reduced by 15% by the end of the grant period

BUDGET JUSTIFICATION

Budget Line Item	Justification	Name	Key Staff	Annual Salary/Rate	Level of Effort	Total Charge to Award
PERSONNEL						
Project Director	Emergency Medical Services Director. Duties include fiscal oversight, hiring and supervision, required reporting, and liaison with federal program officers.	Clayton Catoe	Yes	\$70,000	20%	\$14,000
Recruitment Coordinator	Vacant, to be hired within first 60 days of anticipated award date. Duties includes recruitment and retention, training, coordination of travel, data collection, etc.	Vacant, to be filled within 60 days of award	No	\$45,000	100%	\$45,000
FEDERAL REQUEST:						\$59,000

Position	Justification	Rate	Total Salary Charged to Award	Total Charge to Award
FRINGE				
FICA	Federal Insurance Contributions Act for SS and Medicare	7.65%	\$59,000	\$4,513.50
State Retirement	SC public employee state retirement (14.56%)	14.56%	\$59,000	\$8,590.40
Health Insurance	Health Insurance for both workers at the public employee rate	N/A	N/A	\$4,728
Workers Comp	Workers comp in SC has a rate of 0.31%.	0.31%	\$105.40	\$105.40
FEDERAL REQUEST:				\$17,937.30

Lancaster County EMS Training Project

Items	Quantity	Amount	% Charged to Award	Total Cost Charged to Award
EQUIPMENT				
Computer & Printer	1	\$1,500	100%	\$1,500
Laptop	1	\$1,500	100%	\$1,500
Uniforms	6	\$1,500	100%	\$9,000
				FEDERAL REQUEST: \$12,000
Items	Rate			Cost
SUPPLIES				
Naloxone	2 x \$50 @ 1,000 total (500 sets of 2 per state contract)			\$25,000
Paramedic Training	\$6,000 training x 4 EMTs			\$24,000
EMT Training	\$1,500 training x 6 employees			\$9,000
Signing Bonus	\$1,000 signing bonus x 6 new hires			\$6,000
				FEDERAL REQUEST: \$64,000

Lancaster County EMS Training Project

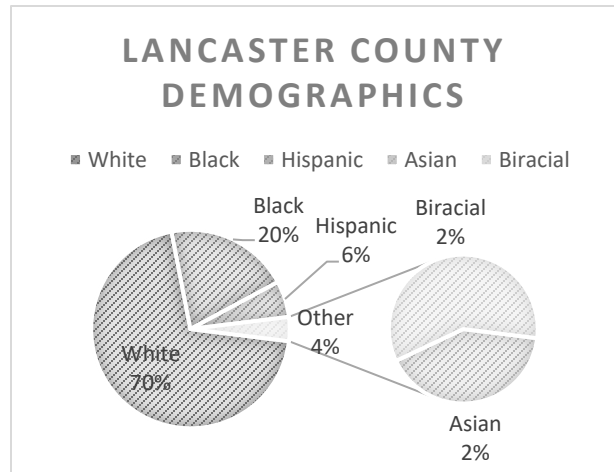
Name	Service	Rate	Other	Cost
CONTRACTUAL				
Advanced EMT Bridge Course	Creation and execution of in-house Advanced EMT Bridge Course to provide 16 current EMTs with advanced training in order to run more rigs that have more advanced life-saving skills and options available.	\$2,000 training x 12 students		\$24,000
Lamar Advertising	Billboards for marketing and advertising Lancaster County EMS in order to add more talent to the team	\$650/month x 6 months x 5 billboards		\$19,500
Southeast Center for Strategic Community Development	Data collection and performance assessment to ensure new employees were hired on, classes were passed, information on naloxone administered is collected, etc. Employees will be interviewed to collect further data about effectiveness of training. (100 hours at \$30/hr)	100 hours x 30 hours		\$3,000
	FEDERAL REQUEST:			\$46,500

TOTAL PROGRAM BUDGET: \$199,437.30

Section A: Population of Focus and Statement of Need

A1. Population of Focus –Catchment Area

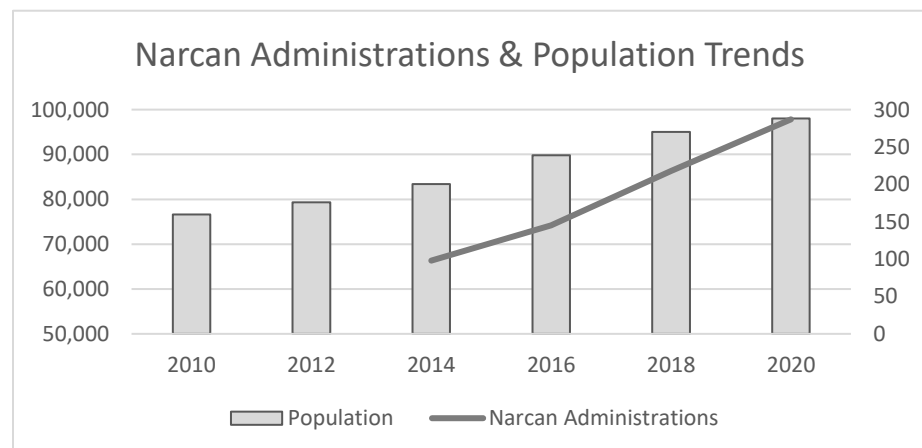
The proposed project is the work of a coalition of **40 public, private, civic, corporate, and faith-based partners** who joined together in 2000 to target critical concerns including **crime, violence, and the growing opioid epidemic**. To guide this work, the group employed the most rigorous community assessment **ever conducted in Lancaster history**, comprised of **ten years of longitudinal data, 20 public forums, and 100,000 surveys** targeting **law enforcement, treatment providers, youth, parents, teachers, business leaders, churches, and non-profit organizations**. Finally, volunteers **canvassed door-to-door** within a **6.2 square mile area, 3,814 homes**, located in the **highest poverty neighborhoods in the entire state**, and of significant focus within the proposed project. Based on this analysis, the population of focus will include the entire **rural county** (a **micro-statistical area** as defined by the Office of Management & Budget, and depicted in the **census map in the attachment section**.)



A2. Extent of Problem in The Catchment Area, Service Gaps, Barriers, & Other Problems

The Opioid epidemic has had a **disproportionate impact on rural communities**, with South Carolina holding the **largest heroin death rate increase** at 57%¹. Data from DAODAS mirrors this growth in Lancaster County with **Naloxone administrations up 122.7% from 2019 to 2020** and **opioid-involved overdose deaths up 128.53% during the same timeframe**. This puts Lancaster County now with the **2nd highest opioid-involved overdose deaths in South Carolina as of 2020**. Lancaster also remains as the **4th highest in Addiction Severity Ranking** (DAODAS, 2019). The

Coroner made headlines reporting a **400% increase in overdose deaths** in 2017, now even higher, with **75% of those overdose deaths due to Fentanyl**. In the past five years the solicitor's office has seen a staggering **800% increase** in drug- related cases. In 2011, drug offenses represented 10% of cases prosecuted, but now



¹ Daily Caller News Foundation; Synthetic Opioid Deaths Ravage States; 12/18/16

account for over 40%. With an annual average of 300 treatment admissions in the county, in 2017 **Opioids surpassed Cocaine**, second only to alcohol.

Emergency Medical Services has seen an explosion of response calls related to Opioids, with administrations of NARCAN **nearly tripling over the past five years**. This increase in overdose calls has come while the number of paramedics and EMTs in the county has **decreased by 20%** due to challenges Lancaster County EMS faces in competing with neighboring counties for talent. On top of that, **10 current employees are eligible to retire** within the next three years, significantly reducing the number of EMTs and paramedics available to service the county. In a nationwide study of EMS systems in rural areas done by the Rural Health Research Center², it was found that the mean number of paramedics and EMTs per 1,000 EMS calls was 4.1 and 5.1, respectively, in large rural areas such as Lancaster County. However, Lancaster County is **currently operating significantly lower at 2.5 paramedics per 1,000 calls and 4.1 EMTs per 1,000 calls** with the **population skyrocketing by approximately 10 people per day** for the last 5 years.

SECTION B: Proposed Implementation Approach

B1. Goals & Objectives of Project and Alignment with Statement of Need

Three goals and commensurate set of objectives have been established for the proposed project:

GOAL 1: Continue to increase the proficiency and abilities of the EMS force in Lancaster County by providing an in-house Advanced EMT course and contracted training and experience for current EMTs to become advanced EMTs and Paramedics

GOAL 2: Increase the number of EMTs and Paramedics at Lancaster County EMS through staffing, advertising, and incentives in order to handle increased demand from the opioid epidemic and a growing population.

GOAL 3: Increase the capacity of first responders to reduce Opioid overdose, including training on the appropriate administration of naloxone, safety protocol with fentanyl and other dangerous drugs, and adequate supplies and equipment

Cohort	Unduplicated # of Individuals Trained
EMTs training to become Paramedics	4-5
EMTs to become Advanced EMTs	16

Statement of Need	Aligned Goal(s)
128.53% increase in opioid-involved OD deaths	1, 2, & 3
75% of OD increase attributed to fentanyl	1 & 3
122.7% increase in Narcan administrations	1 & 3
Chronic understaffing & competition for talent	2
Rapid population growth	2 & 3

² Rural Health Research Center; Prehospital Emergency Medical Services Personnel in Rural Areas

Objective 1: Within four months of grant award, the proposed **administrative staffing plan will be fully complete (Recruitment Coordinator)**, as outlined in project narrative and budget as measured by signed and executed employment contracts.

Objective 2: An **inventory of Naloxone** will be installed and replenished in all Emergency Medical Services vehicles, as measured by monthly inventory checklists.

Objective 3: 90% of the Emergency Medical Services force will complete an **annual training on the proper administration of naloxone**, with the first wave completed within six months of initial grant funding. Ongoing training will be conducted quarterly over the tenure of the grant period to accommodate to new hires. As measured by quarterly reports collected by the Recruitment Coordinator, with sign-in sheets completed at the completion of each training session.

Objective 4: 90% of the Emergency Medical Services force will complete annual **training related to safety protocols** around fentanyl, carfentanil, and other dangerous drugs to reduce exposure risk, with first wave completed within 6 months of funding, and ongoing training conducted quarterly over the grant to accommodate new hires. As measured by quarterly reports collected by Recruitment Coordinator, with sign-in sheets completed at each training session.

Objective 5: A **high quality recruitment video will be** marketed to neighboring counties via social media, digital signage in local restaurants, and job fairs as measured by executed contracts.

Objective 6: **Recruiting advertisements will be strategically placed on billboards** in neighboring counties based on where the majority of the current employees have come from in order to attract more talent. This will be measured by the executed contracts with the ad agencies that own the billboards.

Objective 7: By the end of the funding period, **four EMTs will have successfully** completed the training and experience needed to **become a paramedic** and **twelve additional EMTs** will have completed the in-house bridge course and necessary rotations to **become an advanced EMT** as measured by records showing completion of the courses.

Objective 8: By the end of the funding period, Lancaster County Emergency Medical Services will have **added six new recruits and provided them with the proper uniform**, as measured by hiring documentation and equipment purchase orders.

Objective 9: There will be a 10% **reduction in overdose deaths** related to Opioid class drugs by the end of the funding period, as measured by Department of Health and Environmental Controls (DHEC) annual reports.

Objective 10: Response times to calls will be reduced by 15% by the end of the funding period, as measured by data kept by the EMS dispatch logs

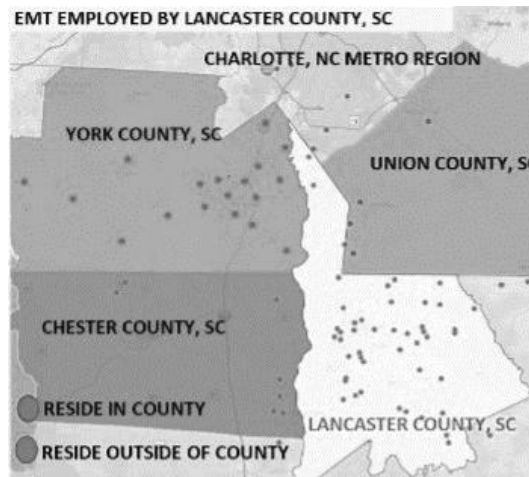
The chart on page 6 summarizes the overall implementation plan and schedule including key tasks, responsible party, and target dates. In addition key benchmarks are described for the project.

B2. How You Will Implement the Required Activities as Stated in Section I.1.

Founded in 1971 and the location of the very first EMS training class held in South Carolina, Lancaster County EMS is a highly competent team **that services over 17,000 calls each year.** The proposed project represents an expansion of positions and services that the applicant organization is well experienced with, and because of this, it will **significantly enhance the overall implementation process.** The applicant is also well experienced in licensure and reporting requirements, assessment protocols, and the importance of grant evaluation. The overall implementation process will be defined by six distinct steps, as outlined below:

STEP I: Staff the Project In order to make sure the project adheres to the required activities and the objectives listed in the previous section, a **Recruiting Coordinator** will be assigned to oversee activities funded by the grant. This position will be a full-time position hired from outside the current staff. By overseeing all grant funded activities, they will be the primary personnel to assist with advertising/recruiting, hiring, program management, and evaluation. **The job description** has been devised and if funded, the position will be advertised, interviewed for, and selected with careful attention to **education, experience, and understanding of local culture, language, and conditions.** This role will comprise 100% of the employee's work hours in order to ensure recruiting goals are achieved and all progress on the goals and objectives of the grant are regularly monitored and recorded.

STEP II: Recruitment – As mentioned in the statement of need, Lancaster County is facing stiff competition for EMS talent from neighboring counties. One of the biggest obstacles Lancaster County EMS faces is that it is run and funded through the local government. With budgets set by County Council it becomes hard to compete with neighboring counties whose EMS force is either run by multimillion dollar hospital systems or private companies that can set higher salaries. Since Lancaster County cannot compete with higher salaries, it feels it may be more successful competing where it does have advantages over other counties: culture, experience, and recognition. The Project Director is currently working with a film producer who has already shot footage to put together a professional recruitment video showcasing Lancaster County EMS' strengths. This impactful video will be completed prior to funding so that it is ready to be showcased at job fairs, local colleges, and local TV stations, among other mediums. In addition, the Project Director and Recruitment Coordinator will come up with billboard advertisements to be placed strategically on main thoroughfares in neighboring counties. As shown on the map above, nearly half of Lancaster County's EMS force resides outside of the county, split among six bordering counties total. This will tap into a plethora of potential recruits outside of the county that might not otherwise have thought to apply to Lancaster County EMS.



STEP III: Training and Certification – In order to fill vacancies due to retirement and losses from COVID-19, as well as meet the increased demand from the opioid epidemic, Lancaster County EMS will need to hire six more EMTs. Lancaster County EMS has had success through finding new recruits at job fairs and paying for their EMT training. EMT training consists of twelve 40 hour weeks of class. The course is taught by two of Lancaster County’s veteran paramedics with decades of experience. Likewise, county policy requires that EMTs go through advanced training to become paramedics. Four current EMTs will be chosen to go through paramedic training based on **desire, tenure, education, experience, and understanding of local culture, language, and conditions**. The classes are taught three days a week over the course of a year for a total of **1,000 class hours and include clinicals and on the job training**. The training class is taught at Midland EMS Management Association and **begins in December**. Since Lancaster County cannot find enough paramedics through job postings, training current EMTs has been the most successful route for increasing the quantity and quality of paramedics on the team. Finally, since only four EMTs can go through the paramedic school at a time, Lancaster County EMS has created a way to bring an Advanced EMT Bridge Course in-house to provide twelve current EMTs with advanced skills to enhance the capabilities of the teams out in the field. This class will be taught by two highly qualified individuals who will be identified in section C2.

STEP IV: Professional Development – In addition to the standard training and orientation provided for **all staff** and accordance with **accreditation standards**, two key areas for training will be conducted: 1) **Naloxone Administration, Handling, and Documentation**. Training will be conducted by the South Carolina Department of Alcohol and Other Drug Addiction Services (DAODAS) derived from a state protocol based in part on SAMHSA’s **Opioid Overdose Prevention Toolkit, Using Naloxone to Reverse Opioid Overdose** from the Centers for Disease Control. The four-hour workshop will be conducted on site in Lancaster for all new grant hires, as well as every single EMS technician in the county. 2) **Risk Management Protocol in the Handling of Fentanyl, and other substances** will also be conducted to the same individuals, by DAODAS, based on a state approved protocol recommended by the CDC (Fentanyl Safe Operating Procedures and Workplace Guidelines).

STEP V: Naloxone Distribution & Inventory Management- Although a state NARCAN contract has been secured, the cost per two doses (\$50) has had a staggering impact on municipal budgets in the state. With grant funds, an inventory of NARCAN will be purchased, based on projections of **utilization data** from 2015 through 2020. The devices will be distributed to all EMS vehicles in the fleet.

STEP VI: Equipment – The equipment requested by Lancaster County EMS includes uniforms for each new recruit as well as a laptop and desktop computer for the Recruitment Coordinator. The uniforms consist of four sets of work pants, work shirts, short sleeve work shirts, a rain jacket, a winter jacket, a belt, boots, a hat, a toboggan, N95 masks, and a large bag to store them in. The desktop for the Recruitment Coordinator will be used to manage day-to-day tasks of their assigned duties while the laptop will be used to bring to job fairs, perform public speaking opportunities, assist in interviewing applicants, and assisting in trainings.

B3. Chart Depicting Timeline --Dates, Key Activities, & Responsible Staff

An abridged program **management implementation** plan has been devised that includes **key activities** as outlined with Section 1, **individual(s) responsible** for each task, and **target date**. This includes assurance that the project will be fully implemented **no later than four months** following award. To minimize space, each key participant has been assigned a number and referenced in the key below:

Tasks Necessary to Achieve Goals & Objectives	2021					2022						
	A	S	O	N	D	J	F	M	A	M	J	J
Notification of funding (SAMHSA)	x											
Advertise Coordinator position, interview, & hire (1)	x	x										
Conduct budget review meetings (1,2,3)	x	x	x	x	x	x	x	x	x	x	x	x
Establish evaluation data collection protocol, begin collection and review (1,2,3)	x	x	x	x	x	x	x	x	x	x	x	x
Market Recruitment Video at Job Fairs and Speaking Engagements				x	x		x		x	x		
NARCAN inventories in place with first responder partners (2)		x	x	x	x	x	x	x	x	x	x	x
NARCAN Inventory Monitoring (2)			x	x	x	x	x	x	x	x	x	x
Paramedic Training (2, Midlands)					x	x	x	x	x	x	x	x
EMT Training (2, Onsite Training Staff)		x	x	x				x	x	x		
Advanced EMT Bridge Course (2, Training Staff)						x	x	x	x			
Training for Storage, Administration and Documentation of NARCAN (2, Training Staff)			x			x			x			x
Safety Training to Reduce Exposure to Fentanyl and other substances (2, Training Staff)			x			x			x			x
Recruitment Film Launch and Airing (2)						x	x	x	x	x	x	x
Billboard Advertising (2)			x	x	x				x	x	x	
Complete Evaluation Reports (1,2,3)								x				x
Purchase of uniforms (as needed) (2)	x	x	x	x	x	x	x	x	x	x	x	x
Use Media to Increase LCEMS footprint for recruiting (2)						x	x	x	x	x	x	x
Purchase of laptop and desktop for Recruitment Coordinator (1)	x											
Ongoing training to maintain licenses and certifications (2)	x	x	x	x	x	x	x	x	x	x	x	x

Position Responsible	Assigned Number
Project Director	1
Recruitment Coordinator	2
Evaluation Team	3

SECTION C: Staff and Organizational Experience

C1. Experience of Organization Recruiting and Training EMS Personnel

The applicant for the grant is the County of Lancaster, with the Director of EMS serving as Project Director, with support of a full time Recruitment Coordinator. This is not the first time Lancaster County has mobilized to address key community concerns. They have an active grant for diversion of offenders with substance use disorders into treatment and a new grant funded initiative involving crime mapping. In 2017, an innovative strategy of coordinated **enforcement activities** and **awareness campaign** produced a **statistically significant 23% reduction** in alcohol related traffic crashes and DUI offenses, recently **accepted for publication** in the **Journal of Primary Prevention**.



In addition, Lancaster County EMS has **received copious amounts of state and regional awards** including: Paramedic of the Year, Intermediate EMT of the Year, Director of the Year, ALS System of the Year, EMS Public Servant of the Year, and has had a team in the SC Paramedic competition finals nine times. Lancaster County EMS strives to be on the cutting edge of Emergency Health Care. Their medics undergo a battery of national, state and county continuing educational programs to **maintain the highest level of skills**. To supplement those trainings, they regularly send medics to state competitions to **increase teamwork and networking within the state**. Twenty five medics are cross trained in High Angle/Low Angle Rescue, Search and Rescue, Swift Water Rescue and make up the Lancaster County EMS STAR Team which can be deployed for these specialized rescues. Finally, Lancaster County EMS boasts a wealth of experience with **27 current employees having at least 10 years of EMS service** and an average team age of 46.

The County of Lancaster will not be partnering with any other organization for this project. However, it has **extensive experience in the recruitment and training of medics**. Lancaster County EMS has been recruiting individuals for decades through various channels such as: local advertisement, job fairs, social media, newspapers, boot camps and teaching classes to local high schoolers. As mentioned in the paragraph above, they ensure their medics **stay up to date on the most current training available** and **cross train in various specialty skills** so that they are prepared for any situation that may arise as well as classes that ensure they stay up to date on licensing and certifications necessary to perform their work.



C2. Staff Positions for The Project, Key Personnel, Project Director, And Others

Due to the scope of the project, a few individuals will play key roles in the implementation, management, and evaluation of the effort. As a whole, the individuals have significant experience in the fields of Emergency Services, service within a rural community, grant evaluation, project management, and with the language and cultures of the targeted subpopulations. Key positions and stakeholders include:

Clay Catoe, Project Director - is the Director of Lancaster County EMS, and will serve as Program Director at 20% FTE. Clay has spent the past 36 years working within the region so he has a thorough understanding of the language and culture in the area and is well renowned to locals. Clay has been in a leadership position since the mid 1990's and has served as a first responder for 30 years, starting with Lancaster County EMS in 1990. He also has experience as an active Fire Chief, Human Resource Management experience, and has resided as the Director of EMS since 2012. He is also a member of various associations such as: The South Carolina Correctional Association, American Correctional Association, South Carolina Firemen's Association, South Carolina Emergency Medical Association, Lancaster County Local Emergency Preparedness Committee, Alston Wilkes Society, National Association of EMS Management, and National Association of EMTs. Clay serves as a Chair of the EMS Health and Wellness Committee and The Lancaster County Local Emergency Preparedness Committee.

Recruitment Coordinator (VACANT) – A full time Recruitment Coordinator will be hired to assist in locating, interviewing, and hiring talent for Lancaster County EMS, operating under the direct supervision of the Project Director. Tasks include attending job fairs at local vocational schools, speaking at public gatherings concerning EMS job opportunities, interviewing potential candidates, help run the New Hire Orientation Program, help develop new ideas to attract people into the profession, and use media as a tool to expand Lancaster County EMS's footprint, with feedback mechanisms to allow for programmatic adjustments throughout the process. The Recruitment Coordinator will also work in tandem to supply the Evaluation Team with the proper data for reporting and meet with the Project Director and Evaluation Team.

Brian Collins, Trainer – Brian will run the class to train EMTs in Lancaster County. Brian has over 20 years of experience as a paramedic and over 5 years as an instructor. His accomplishments also include certifications such as BLS, ACLS, PALS, PHTLS, & AMLS.

Stacey Chapman, Trainer – Stacey has spent 28 years with Lancaster County EMS, the majority of which she has spent in a role involving training new hires and instructing EMT courses. She also has held a role as an EMT Instructor at York Technical College since 2007 and is a trusted source of knowledge among the team. Stacey will run the Advanced EMT Bridge Course.

Dr. Paul N. McKenzie, Lead Evaluator, is a social scientist with 30 years of experience, serving as evaluator for 40 federal grant projects. He is the founder of the Institute for Adolescent Addictions, selected as a model program by the Texas Commission on Alcohol Abuse, and Euphrasia Center, named a promising program by Office of Juvenile Justice and Delinquency Prevention. He is the author of two books and numerous journal articles, and will work with Tim Wallington from the Southeast Center for Strategic Community Development to conduct the outcome and process evaluation of the effort.

Section D: Data Collection and Performance Measurement

D1. How Data will be Collected & Utilized to Manage, Monitor, & Enhance Program

All required data as well as other important programmatic indicators will be collected throughout the grant duration and reviewed by the Evaluation Team, Project Director, and Recruitment Coordinator. All data will be employed for the required reporting and well as during the process and outcome evaluation. The following data collection protocol will be employed:

Data Element	Foci	Frequency & Methodology
Project Process Indicators		
Staffing	# and function of staff hired for the project and timeline	Employment records, collected at end of grant
Recruits	Number of EMS Personnel Recruited	Employment records, collected at end of grant
Training and Support	Number of training sessions for personnel, date, scope, & dosage.	Employment records, collect at end of grant, sign in sheets.
Naloxone Inventory & Administration	Inventory conducted by Project Coordinator	Reviewed monthly
Certification	Number of EMS Personnel Certified Due to Project	Employment records, school records/documentation
Mental and Substance Use Disorders	Number of training sessions for personnel, date, scope	Employment records, sign in sheets, collect at end of grant
Technology	Number of technology-enhanced educational methods developed to educate EMS providers	Documentation of methods collected at time of development
Operational Status	Service delivery no later than 4 months of grant award	Executed employment contract review
Call Response and Outcomes		
NARCAN Administrations	# of NARCAN administrations conducted.	Logs completed weekly, reviewed monthly
Adverse Exposure Risk	# of adverse exposure to fentanyl or other substance, by first responders	Incident reports. Collected and reviewed monthly.

Timeliness of Call Response	Mean length of time to respond to a call	Monthly; aggregate records from internal data
Overdose Deaths	Deaths from Prescription Drugs by drug class	Collected monthly, coroner, DHEC
Recruiting Strategy		
Job Fairs	# of job fairs attended and speaking engagements performed	Executed Contract and documentation
Billboard Advertisement	Number of billboard advertisements purchased	Executed Contracts and documentation

All proposed activities and overall implementation of the plan will be carefully monitored with both process and outcome protocols. Data collection will be facilitated by the **Recruitment Coordinator** and **Evaluation Team**. An electronic service log for these measures will be maintained and forwarded to the evaluator each month.

During planning meetings, project partners discussed the required metrics necessary to comply with reporting and evaluation protocol. All public agencies that administer Naloxone are required to keep a record of the event, including time, date, location, victim, and circumstances. Lancaster County EMS agreed to provide the aforementioned data, with all personal identifiers stripped to maintain confidentiality protections. Again, no personal identifiers will be included, and all data will be provided in aggregate form. It is important to note that the partnership was not newly formed for purposes of the grant, but have worked together for several years, building a sense of mutual trust.

As data is collected on implementation and operation, the Recruitment Coordinator, Project Director, and Evaluator will meet to review project status and assist with modifications necessary to meet objectives. Both outcome and process data will be reviewed to ensure fidelity with the program model. Key performance feedback issues will include:

- Are project tasks completed according to the **implementation timeline**?
- Would **additional resources** increase the overall impact of program operation?
- What types of changes were made to the originally proposed protocol?
- What effect did the changes have on the planned intervention and performance assessment?
- What training was provided, to whom, in what **context, and at what cost**?
- Did this project increase the level of certification and the abilities of the staff?
- Did this project effectively fill position vacancies via effective recruiting methods?

The review of process and outcome data, along with the discussion on feedback issues will enable program staff to track overall impact and fidelity with the program models. In cases where significant progress has been delayed, corrective action plans will be devised and monitored by project leaders. The goals of carrying out an effective and creative recruiting strategy, creating and running an in-house Advanced EMT Bridge Course to bolster skills of teams operating in the field, and reducing the grip of the opioid epidemic on Lancaster County through critical recruiting and training of EMS staff are all paramount to the success of Lancaster County EMS and will be monitored closely through regular meetings and data collection.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/ Administration

Department: Administration

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

At the last meeting Council directed that I check with the School District concerning the desired amount for the school contribution in Development Agreements.

Points to Consider:

I contacted Dr. Jonathan Phipps on this matter.

Funding and Liability Factors:

It is requested that we utilize the amounts reflected in the School District Impact Fee Study. That would be:

Single Family - \$8,202

Multifamily - \$8,701

Council Options:

Council is free to utilize these numbers or select some other amount to be used in the Development Agreement template.

Recommendation:

I would recommend using the Impact Fee Study numbers in the template. Council is always free to amend the actual numbers, based on circumstances, for any particular Development Agreement.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis / Administration

Department: Administration

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Council Vice-Chairman Brian Carnes suggested utilizing the funds (\$30,000) from the sale of the Happy Trail property for improvements at the Solid Waste sites.

Points to Consider:

In discussing this with Jeff Catoe and Sonny Conner it is recommended that the funds be used to acquire three (3) new structures for the site attendants.

These cost roughly \$10,000 each including delivery, set-up, and installing steps.

Funding and Liability Factors:

\$30,000 in total would be included in the Solid Waste budget as part of the FY 2021-2022 annual budget.

Council Options:

Approve or reject the recommendation from Councilman Carnes and Public Services Director Catoe.

Recommendation:

I recommend approval to be included in the FY 2021-2022 budget package.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/Administration and Hal Hiott/Parks and Recreation

Department: Administration

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

This is a 100% grant for athletic field improvements.

Points to Consider:

This is from Scotts, a company that specializes in turf maintenance.

The grant would be a 100% grant and would cover, dirt, turf, plates, bases, and mound for baseball and softball fields.

Funding and Liability Factors:

A maximum of \$50,000 per applicant but awards will vary.

Council Options:

N/A This is a 100% grant.

Recommendation:

N/A

ATTACHMENTS:

Description	Upload Date	Type
Grant Information	3/22/2021	Exhibit

Lancaster
County
South Carolina

Parks and Recreation

Memo to: Steve Willis, County Administrator, Lancaster County
Sherri Simpson, Clerk to Council
Lancaster County Council Members

From: Hal Hiott, Director, Lancaster County Parks and Recreation

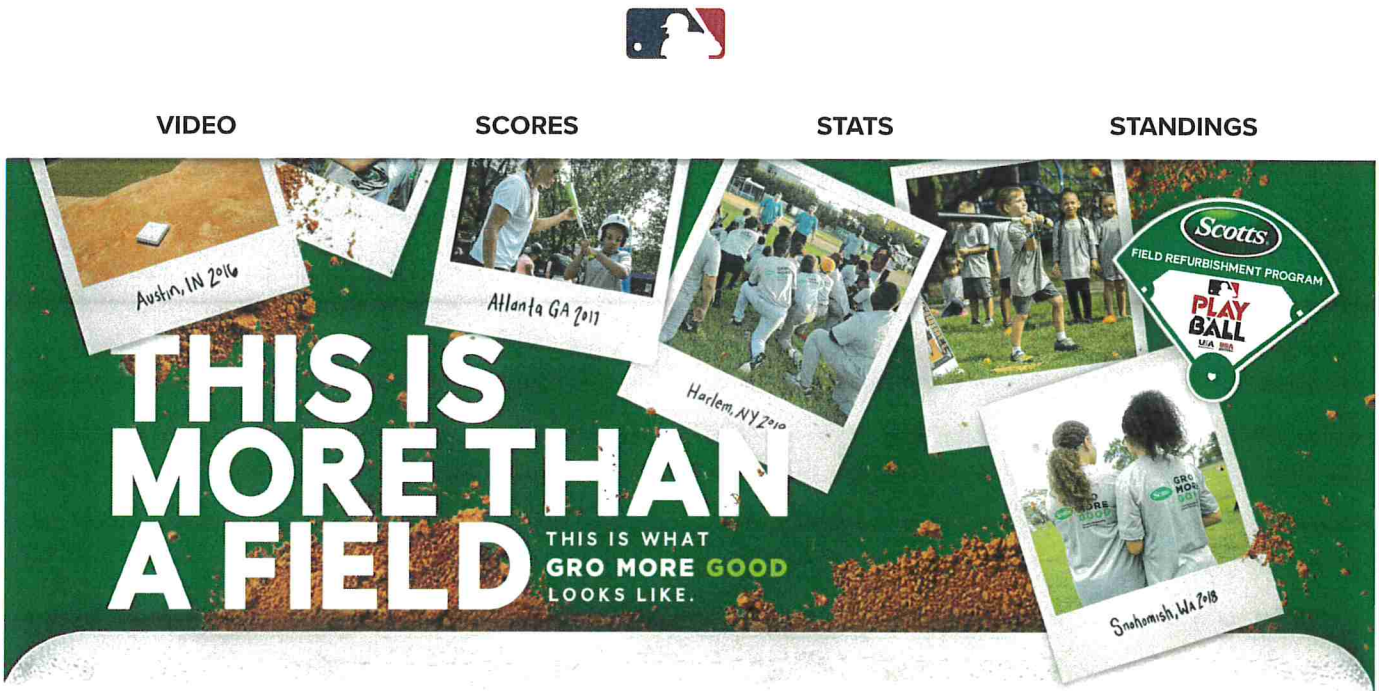
Re: Scotts Field Refurbishment Program 2021 Grant Application

Lancaster County Parks and Recreation has applied for a grant through the Scotts Field Refurbishment Program sponsored by Major League Baseball.

Type of Grant: 100 percent funding. No match required.

Value: Up to \$50,000.00

What is included: One field completely refurbished to include dirt, turf, bases, anchors, plate, and mound. In addition Scotts will host special celebrations for the winning communities.



Scotts® Field Refurbishment Program 2021 Grant Application

In 2021, the Scotts® Field Refurbishment Program will provide grants of products and services, with a value up to \$50,000, to four youth-serving organizations that are in need of renovations to existing ballfields. In addition to the grant, Scotts will host special celebrations for the winning communities. **Applications will be accepted from February 24, 2021 – April 9, 2021**, with project work to take place in the Summer of 2021. A blue ribbon panel of judges – including Ryan Howard, Jenine Finch, representatives from Scotts & MLB – will determine the final grantees.

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- New pitcher's mound
- New home plate and batter's boxes
- New bases and anchors

CRITERIA AND REQUIREMENTS

Grant applications will be evaluated on the following criteria:

- The ability of the grant to increase youth participation and improve the quality of youth baseball and softball programming
- The ability of the grant to enhance the lives of underserved children
- The ability of the grant to improve the local community
- The organization's ability to leverage the grant to generate more support for the field and programming

Application Requirements:

- Online application submission
- The following documents must be sent to **scottsflds@mlb.com no later than April 9, 2021 (11:59 p.m. ET)**, and will become part of the application packet.
 - Written confirmation of nonprofit or tax-exempt status from the appropriate governmental agency (e.g., IRS determination letter). Note that 501(c)(3) organizations and also tax-exempt

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Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sally Sherrin/Executive Director/Lancaster County Council on Aging

Department: County Clerk

Date Requested to be on Agenda: 4/12/2021

Issue for Consideration:

Sally Sherrin, Executive Director for the Lancaster County Council on Aging, wanted to provide an update on the Lancaster Area Ride Service (LARS).

Points to Consider:

The updated LARS report is attached for Council's review.

Funding and Liability Factors:

N/A

Council Options:

This item is for information only for Council.

Recommendation:

This item is for information only for Council.

ATTACHMENTS:

Description	Upload Date	Type
Report regarding the Lancaster Area Ride Service (LARS)	3/31/2021	Backup Material

Report Period: 7/1/2017- 10/01/2017- 1/1/2018- 4/1/2018-
9/30/2017 12/31/2017 3/31/2018 6/30/2018

Fiscal Year

FY 2017 - 2018 Includes JARC; SMTP and LARS Trips

Total 2018 Average

	2413	2322	2050	2238	9023	2256
Trips						
Unduplicated Individuals	213	52	44	41		88
Passenger Miles	30,625	28,607	19,730	22,204	101166	25292
Operational Costs	\$ 39,843.29	\$ 36,038.00	\$ 27,526.00	\$ 36,664.00	\$ 140,071.29	35018
Capital Costs	\$ -	\$ 306,562.20			\$ 306,562.20	76641
Total Costs:	\$ 39,843.29	\$ 342,600.20	\$ 27,526.00	\$ 36,664.00	\$ 446,633.49	111658
Farebox Revenue	\$ 5,379.00	\$ 5,044.00	\$ 4,420.00	\$ 5,225.00	\$ 20,068.00	5017
Operational Cost Per Trip	\$ 16.51	\$ 15.52	\$ 13.43	\$ 16.38		15.46
Operational Cost Per Individual	\$ 187.06	\$ 693.04	\$ 625.59	\$ 894.24		599.98
Operational Cost Per Passenger Miles	\$ 1.30	\$ 1.26	\$ 1.40	\$ 1.65		1.40

Report Period: 7/1/2018- 10/01/2018- 1/1/2019- 4/1/2019-
9/30/2018 12/31/2018 3/31/2019 6/30/2019

Fiscal Year

FY 2018 - 2019 Includes JARC; SMTP and LARS Trips

Total 2019 Average

	2496	2842	3242	3326	11906	2977
Trips						
Unduplicated Individuals	202	59	79	261		150
Passenger Miles	31,742	36,543	44,229	40,000	152,514	38129
Operational Costs	\$ 39,165.34	\$ 39,885.64	\$ 60,416.18	\$ 66,501.59	\$ 205,968.75	51492
Capital Costs	\$ 61,287.00	\$ 94,385.00			\$ 155,672.00	38918
Total Costs:	\$ 100,452.34	\$ 134,270.64	\$ 60,416.18	\$ 66,501.59	\$ 361,640.75	90410
Farebox Revenue	\$ 5,605.00	\$ 5,143.00	\$ 7,057.00	\$ 5,654.00	\$ 23,459.00	5865
Operational Cost Per Trip	\$ 40.25	\$ 47.25	\$ 18.64	\$ 19.99		31.53
Operational Cost Per Individual	\$ 497.29	\$ 676.03	\$ 764.76	\$ 254.80		548.22
Operational Cost Per Passenger Miles	\$ 3.16	\$ 3.67	\$ 1.37	\$ 1.66		2.47

Report Period: 7/1/2019 10/01/2019- 1/1/2020- 4/1/2020-
9/30/2019 12/31/2019 3/31/2020 6/30/2020

Fiscal Year

FY 2019 - 2020 Includes JARC; SMTP and LARS Trips

Total 2020 Average

	3175	3357	3225	2444	12201	3050
Trips						
Unduplicated Individuals	260	280	264	189		248
Passenger Miles	35,954	37,638	35,288	27,755	136,635	34159
Operational Costs	\$ 67,426.95	\$ 62,136.57	\$ 63,228.00	\$ 57,770.00	\$ 250,561.52	62640
Capital Costs				\$ 363,738.00	\$ 363,738.00	90935
Total Costs:	\$ 67,426.95	\$ 62,136.57	\$ 63,228.00	\$ 421,508.00	\$ 614,299.52	153575
Farebox Revenue	\$ 7,174.00	\$ 6,775.00	\$ 6,898.00	\$ 1,934.00	\$ 22,781.00	5695
Operational Cost Per Trip	\$ 21.24	\$ 18.51	\$ 19.61	\$ 172.47		57.95
Operational Cost Per Individual	\$ 259.33	\$ 221.92	\$ 239.50	\$ 2,230.20		737.74
Operational Cost Per Passenger Miles	\$ 1.88	\$ 1.65	\$ 1.79	\$ 15.19		5.13

Report Period: 7/1/2020- 10/01/2020- 1/1/2021- 4/1/2021-
9/30/2020 12/31/2020 3/31/2021 6/30/2021

Fiscal Year

FY 2020 - 2021 Includes JARC; SMTP and LARS Trips

Total 2021 Average

	2848	3613			6461	3231
Trips						
Unduplicated Individuals	168	175				172
Passenger Miles	32,790	36,518			69,308	34654
Operational Costs	\$ 229,903.00	\$ 74,263.00			\$ 304,166.00	152083
Capital Costs	\$ 78,189.00	\$ 74,264.00			\$ 152,453.00	76227
Total Costs:	\$ 308,092.00	\$ 148,527.00			\$ 456,619.00	228310
Farebox Revenue	\$ 6,186.00	\$ 2,081.00			\$ 8,267.00	4134
Operational Cost Per Trip	\$ 108.18	\$ 41.11	#DIV/0!	#DIV/0!		74.64
Operational Cost Per Individual	\$ 1,833.88	\$ 424.36	#DIV/0!	#DIV/0!		1,129.12
Operational Cost Per Passenger Miles	\$ 9.40	\$ 4.07	#DIV/0!	#DIV/0!		6.73