



MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION

ROSA SANSBURY, DISTRICT 1
TAMECCA NEELY, DISTRICT 2
CHARLES DEESE, CHAIR DISTRICT 3
JIM BARNETT, VICE-CHAIR DISTRICT 4
MATT JONES, DISTRICT 5
SHEILA HINSON, DISTRICT 6
BEN LEVINE, DISTRICT 7

**MINUTES OF THE LANCASTER COUNTY PLANNING COMMISSION
REGULAR MEETING**

MARCH 16, 2021

Members Present: Charles Deese, Jim Barnett, Rosa Sansbury, Tamecca Neely, Matt Jones, Sheila Hinson, and Ben Levine. A quorum of Lancaster County Planning Commission was present for the meeting.

Members Absent: N/A

Staff Members Present: Steve Willis, County Administrator; Kimberly Belk, Budget Director & Interim Deputy County Administrator; Rox Burhans, Development Services Director; John DuBose, County Attorney; Robert Tefft, Senior Planner; Katie See, Senior Planner; Ashley Davis, Planner

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

Call to Order Regular Meeting

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

Approval of the Agenda

Chairman Deese informed the Commission that items CP-2020-3057, Landsdown Corporation, and RZ-2020-2887, Primo Holdings, LLC, have requested to be tabled until April 20, 2021, by the applicants.

Commissioner Barnett made a motion to table items CP-2020-3057, Landsdown Corporation, and RZ-2020-2887, Primo Holdings, LLC, until April 21, 2021; seconded by Commissioner Hinson. Motion passed 7-0.

Chairman Deese called for a motion to approve the agenda.

Commissioner Levine made a motion to approve the agenda as amended; seconded by Commissioner Barnett. Motion passed 7-0.

Citizen Comments

Chairman Deese opened the floor to Citizen Comments.

Andrea McPherson, Clayton Homes: Attended on behalf of Michael & Ashley Green's request to rezone in order to permit a manufactured home. She presented a photo of the home they selected and urged the Commission

Teresa Brower, Clayton Homes: Ms. Brower is the Service Manager for the Greens. She stated that their manufactured home would meet FHA standards and include brick underpinning. The lot would be cleaned up. Clayton's goal was to provide affordable housing. She urged the Commission to approve the Green's request.

Kimberly Vinesett: Ms. Vinesett attended to learn more about the project adjacent to Edgewater.

Cindy Robbins: Ms. Robbins attended to learn more about the project adjacent to Edgewater.

Chairman Deese commented on the Michael & Ashley Green project, RZ-2020-0289. He stated that the Commission's role is to make a recommendation to County Council, who makes the final decision. County Council decided that no manufactured homes will be permitted in the Rural Neighborhood (RN) zoning district.

Chairman Deese stated that regarding PDD 2, Edgewater, the Commission does not know what type of housing will be proposed on the project site.

Approval of Minutes

Commissioner Levine made a motion to approve the February 4, 2021, Workshop Meeting; seconded by Commissioner Sansbury. Motion passed 5-0. Commissioner Hinson made a motion to approve the February 16, 2021, Regular Meeting minutes; seconded by Commissioner Levine. Motion passed 7-0.

Public Items

UDO-TA-2020-2957, Outdoor Shooting Ranges/Turkey Shoots

Applicant: Lancaster County

Robert Tefft, Senior Planner, presented the application consistent with the staff report. He stated that the text amendment originated due to a code enforcement violation and the County determined the use was not permitted in the zoning district. Mr. Tefft provided an overview of changes to the proposed text amendment since the February 16, 2021 meeting, including the Outdoor Commercial and Non-Profit Shooting Range definitions.

Commissioner Levine stated that compared the previous draft ordinance with the proposed draft ordinance and noted that many people were upset about proposed items, but some items are currently in the ordinance, which Mr. Tefft confirmed. He stated that several items will remain in the ordinance as it currently stands, regardless of tonight's outcome. Mr. Tefft agreed.

Commissioner Sansbury expressed her concern with the inclusion of pistols in the ordinance as well as the ability for an applicant to provide irrefutable evidence that certain requirements may

not need to be met, such as a setback. Mrs. Sansbury asked who would be responsible for managing the ordinance. Mr. Tefft stated that the Sheriff's office would address concerns with shooting and firearms, while the Zoning Department would address code enforcement issues such as noise issues.

Commissioner Neely asked if the Shooting Range Protection Act would apply to this amendment. Mr. Tefft stated that it would apply to existing and new shooting ranges.

Commissioner Barnett stated that he hoped the information provided tonight provided clarity for anyone who had concerns and urged them to look at the complete package.

Chairman Deese opened the floor to public comment. The following members of the public signed up to speak.

- Tommy Sistar: Mr. Sistar thanked the Commission for their work, as well as Sheriff Faile. He stated that those who attend turkey shoots attend to compare notes. He stated that the issue was not with existing turkey shoots, but rather those moving to the area who are not aware of safety requirements.
- John Baker: Mr. Baker provided the Commission with a copy of his comments and concerns. He said some items need to be clarified, including separation requirements and permitted times.
- Steven Bobo: He agreed with Mr. Baker's concerns about separation requirements. He agrees with requiring stamped plans and gates at property entrance, as well as perimeter fencing. Mr. Bobo stated that tightening some of the language would be positive.

Commissioner Levine made a motion to approve the text amendment, seconded by Commissioner Hinson.

Commissioner Barnett stated he was concerned that not everyone may be clear about the proposed changes.

Commissioner Levine pointed out items of concern that were already included in the ordinance. He believed the request for clarification regarding timing from sunrise to sunset would be helpful.

Commissioner Barnett made a motion to amend the motion to approve; seconded by Commissioner Hinson.

Commissioner Sansbury agreed that the clarification suggested will be beneficial for the County.

Attorney John DuBose reminded the public and Commission the text amendment process requires going to County Council for three readings and further refinement can take place.

Councilmember Levine and DuBose further discussed the fine tuning of the ordinance and recommendations to County Council.

Commissioner Barnett asked Mr. DuBose if another amendment would need to be made. Mr. DuBose stated that they are constrained to the version of the ordinance before them. They can make recommendations; however, they are strictly limited to the text of the ordinance and the amendment to the motion should be recalled.

Commissioner Barnett made a motion to recall the motion to amend the original motion, seconded by Commissioner Hinson.

Commissioner Levine stated that he does not want anyone to have to make a decision tonight that they do not want to. Any of the fine tuning can be worked out by County Council, staff as needed.

Commissioner Sansbury clarified that the vote is without recommendations on alternatives.

Chairman Deese called for the vote. The motion passed 5-2 with Commissioners Neely and Jones voting against.

SD-2020-2137: Bridlewood

Applicant:

Ashley Davis, Planner, presented the application consistent with the staff report. Ms. Davis stated that the area for this preliminary plat was not included in the original Edgewater...She provided a copy of the new Edgewater master plan. She illustrated how the new project area will connect to the existing community.

Keith Finn, True Homes: Mr. Finn stated that Edgewater began construction in the 1990's. He said they will be moving forward with the project, which consists of the first parcel heading into Edgewater.

Ms. Davis clarified that not all of Catawba Ridge Boulevard will be constructed at this time; it will be completed at a later date.

Chairman Deese opened the public hearing and with no one signed up to speak, closed the public hearing and called for a motion.

Commissioner Sansbury made a motion to approve the preliminary plat, seconded by Commissioner Barnett.

Commissioner Levine discussed the nature of the PDD having its own specific ordinances, and clarified the benefit of there being a second means of ingress/egress. He commended staff on how well they navigate the PDD.

The motion passed 7-0.

RZ-2021-0114 Matthew & Heather Ellis

Applicant: Matthew & Heather Ellis

Katie See presented the rezoning request consistent with the staff report for RZ-2021-0114 and RZ-2021-0261 for the companion cases.

The applicant, Sean Ellis, stated that the purpose of the application which will distinguish commercial from residential on the parcels.

Chairman Deese opened the public hearing and with no one signed up to speak, closed the public hearing and called for a motion.

Commissioner Barnett moved to recommend approval, Commissioner Jones seconded. The motion to approve passed 7-0.

RZ-2021-0261 Matthew & Heather Ellis

Applicant: Matthew & Heather Ellis

Katie See stated that she had nothing to add with regard to the item which was discussed as part of the previous application.

Chairman Deese opened the public hearing and with no one signed up to speak, closed the public hearing and called for a motion.

Commissioner Hinson moved to recommend approval, Commissioner Jones seconded. The motion to approve passed 7-0.

RZ-2021-0289 Michael & Ashley Green

Applicant: Michael & Ashley Green

Katie See presented the rezoning request consistent with the staff report. Mrs. See also discussed that County Council had previously denied a proposed text amendment to allow manufactured homes in the RN District, which was the ultimate intent of the rezoning application.

Commissioner Hinson asked for clarification as to what was before them last month and denied by County Council. Mrs. See stated that a text amendment was before them last month and disapproved by County Council.

Commissioner Sansbury and Mrs. See discussed the number of manufactured homes in the surrounding area. Commissioner Sansbury asked to clarify if the Commission approved the rezoning that the applicant could not put the manufactured home there. Mrs. See stated that was correct.

Commissioner Jones asked about a property down the road that is for rent and if a manufactured home could be placed there. Chairman Deese discussed that nature of that being grandfathered-in and the restrictions on manufactured housing after a certain amount of time passing.

Commissioner Levine asked if the rezoning request had been considered to be changed to another district that would allow manufactured homes. Mrs. See stated that this had been discussed with the applicant.

The applicants, Mike Green and Ashley Green, addressed the Commission and informed them that the rezoning process was new to them. They asked if they had requested a rezoning to AR or RR whether a manufactured home would have been allowed. Mr. Green informed the Commission that the process was his attempt to provide for his family.

Commissioner Hinson expressed that she understood.

Mr. Green asked if there is a chance if this gets recommended tonight.

Commissioner Levine asked whether they could delay the request and come back with a different proposal. Chairman Deese stated that County Council had already decided that manufactured housing would not be allowed in the RN District.

Mrs. See noted that RN was the recommended zoning district from staff and no AR or RR districts are located in the surrounding area. A rezoning request to either of those districts would be a form of spot zoning. She explained that the decision to move forward with the RN District came when the applicant was well into their efforts to place a manufactured home on this property.

Commissioner Levine asked if the applicant could request to rezone to a different district and asked for clarity on whether the Commission should make any motion. County Attorney DuBose stated that an alternative zoning district request would not be precluded by a denial of the RN District.

Commissioner Levine and Attorney DuBose discussed options for a zoning district that would allow for manufactured homes and the potential issues with having multiple rezoning applications underway at the same time.

Commissioner Sansbury asked if they could withdraw their application during the meeting. Mr. DuBose stated that they could but a written statement to that effect would be necessary.

Commissioner Levine and Mrs. See discussed whether there was sufficient time to have the new request heard next month. She stated that the item could be advertised in time.

Mrs. See noted that staff did receive some letters of opposition to a manufactured home on the property from neighboring property owners. Mr. Green stated that he received a letter of support from Jonathan Phipps with the Lancaster County School District.

Chairman Deese opened the public hearing and with no one signed up to speak, closed the public hearing and called for a motion.

Commissioner Levine moved to approve. Commissioner Hinson seconded. The motion to recommend approval passed 6-1 with Commissioner Neely voting against.

UDO-TA-2021-0383: INS District

Applicant: Lancaster County

Ashley Davis, Planner, presented the text amendment request consistent with the staff report.

Chairman Deese, Ms. Davis, and Commissioners Hinson and Levine discussed the issues with a small lot size and the inability to provide for septic on that land.

Chairman Deese opened the public hearing and with no one signed up to speak, closed the public hearing and called for a motion.

Commissioner Levine moved to approve, Commissioner Barnett seconded. The motion to recommend approval passed 4-3 with Commissioners Hinson, Sansbury, and Deese voting against.

Capital Improvement Plan (CIP)

Applicant: Lancaster County

Kimberly Belk, Budget Director & Interim Deputy County Administrator, presented the CIP. It is updated every five years and serves as a guide for future large scale projects. The goal is to provide a blue print for the County to follow.

Commissioner Sansbury asked for clarification on headquarter station for the fire district in Van Wyck. Mrs. Belk clarified that this would be a replacement station for the one station already in Van Wyck.

Chairman Deese called for a motion. Commissioner Sansbury moved to recommend approval. Commissioner Barnett seconded. The motion to recommend approval passed 7-0.

New Business

Rox Burhans noted that on April 1 there will be a join workshop with the City of Lancaster Planning Commission on Bypass renaming.

- He noted that the April meeting will be robust and asked if the Commission would be interested in arriving earlier or staying later.
 - Commissioners discussed their preferences and availability. The Commission unanimously agreed to have the joint workshop occur on the 1st, with the balance of the workshop items to be discussed on a subsequent meeting.
 - As no subsequent dates could be found that would work, it was decided to discuss all items on April 1st.

- Mr. Burhans noted the number of items to be on the agenda for April to include School Impact Fees. Mr. Deese asked Mr. Burhans to be sure to have the full School Impact Fee study included.

Adjournment

Commissioner Hinson made a motion to adjourn. Commissioner Barnett seconded. Meeting was adjourned at 8:01 PM.

Respectfully Submitted,

Planning Staff