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

County Administrator
Dennis E. Marstall

County Attorney
Ginny L. Merck-Dupont

Clerk to Council
Sherrie Simpson

March 13, 2023 | **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 Allen Blackmon**
4. **Approval of the Agenda**

   [deletion and additions of non-substantive matter]
5. **Special Presentations**

   a. Recognition of Employee of the Quarter - 2022 - 4th Quarter - Presented by County Administrator Dennis Marstall

   b. Request for Installation of The Charters of Freedom - Ron Lewis from Foundation Forward, Inc.

   c. Community Needs Assessment Public Hearing, Review of Community Needs List and Prioritization of Community Needs for 2023 and Review of Upcoming Community Development Block Grant (CDBG) Opportunities – Grazier Rhea, Community Development Director, Catawba Regional Council of Governments

   d. Update on the Proposed New Detention Center project and projected costs - Sheriff Barry Faile and Chad Catledge
6. **Citizens Comments**

   [Lancaster County Council welcomes comments and input from citizens who may not be able to attend Council meetings in person. Written comments may be submitted via mail to ATTN: Sherrie Simpson, Post Office Box 1809, Lancaster, SC, 29721, by email to Sherrie Simpson at ssimpson@lancastersc.net or by online submission by selecting the "Citizens Comments" quick link located on the County website homepage at https://www.mylancastersc.org/. Comments must be no longer than approximately 3 minutes when read aloud. Comments received will be acknowledged during the Citizens Comments portion of the meeting. Comments will need to be received prior to 4:00 p.m. on the day of the meeting. Please use the same link above in order to submit input/comments for Public Hearings.]

7. 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 February 15, 2023 County Council Committee Of The Whole Meeting

b. Approval of Minutes from the February 27, 2023 County Council Regular Meeting

c. 3rd Reading of Ordinance 2023-1839 regarding Rezoning Property Located at 168 Fort Mill Highway from Mixed Use District (MX) to General Business District (GB) (Applicants George Banks McGinn and Sallie Cooper)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 2.9 Acres (TM# 0008-00-007.00) Located At 168 Fort Mill Highway, Indian Land, From Mixed Use (MX) District To General Business (GB) District. ***- Planning Department Case Number: RZ-2022-2335. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. Passed 7-0 at the February 13, 2023 County Council Meeting. Passed 7-0 at the February 27, 2023 County Council Meeting. - Allison Hardin***

8. Non-Consent Agenda

a. 2nd Reading of Ordinance 2023-1840 regarding Amending the Unified Development Ordinance (UDO) regarding Section 6.4.1., Connectivity

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Section 6.4.1, Connectivity, To Modify Standards Pertaining To The Maximum Number Of Lots Which Take Access From A Road Where One End Is Permanently Closed On The Effective Date Of This Ordinance ***- Planning Department Case Number: UDO-TA-2022-2602. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the text amendment. Passed 6-1 at the February 13, 2023 County Council Meeting (Opposed: Jose Luis). - Allison Hardin***

9. Discussion and Action Items

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

a. POSTPONED UNTIL THE 3/27/2023 COUNCIL MEETING - 1st Reading of Ordinance 2023-1841 regarding Amending the Unified Development Ordinance (UDO) regarding Chapters 2 and 4 related to standards for Medium Density Residential District and Cluster Subdivision Overlay District

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Chapters 2 And 4: Standards For Medium Density Residential District And Cluster Subdivision Overlay District On The Effective Date Of This Ordinance ***- Planning Department Case Number: UDO-TA-2022-2606. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the text amendment. Motion to Postpone until the March 27, 2023 Council Meeting Passed 7-0 at the February 27, 2023 County Council Meeting. - Allison Hardin***

b. POSTPONED UNTIL THE 6/12/2023 COUNCIL MEETING - 2nd Reading of Ordinance 2022-1831 regarding Rezoning Property Located at 4263 Doby's Bridge Road, Indian Land, SC, from Low Density Residential District (LDR) to Institutional District (INS) to Allow Development of a Daycare Facility

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 4.84 Acres (TM# 0013-00-024.00) Located At 4263 Doby's Bridge Road, Indian Land, From Low Density Residential (LDR) District To Institutional (INS) District. **-**

Planning Department Case Number: RZ-2022-1759. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. Public Hearing held at the November 14, 2022 County Council Meeting but 1st Reading deferred until the January 9, 2023 County Council Meeting. Passed 5-2 at the January 9, 2023 County Council Meeting (Opposed Jose Luis and Billy Mosteller). 2nd Reading Postponed until the June 12, 2023 County Council Meeting by a vote of 6-1 (Opposed Jose Luis). - Allison Hardin

11. Miscellaneous Reports and Correspondence

12. Executive Session

[motions from Members may follow]

a. Four Items:

1. **Receipt of legal advice subject to the attorney-client privilege regarding potential fee agreements.**

2. **Receipt of legal advice subject to the attorney-client privilege regarding existing fee agreements.**

3. **Receipt of legal advice subject to the attorney-client privilege regarding existing fee agreements.**

4. **Receipt of legal advice subject to the attorney-client privilege regarding an Economic Development Discussion: Project Spider.**

13. Items Requiring a Vote Following Executive Session

14. 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://mylancastersc.org/government/lancaster_county_council/County_Council_Meetings.php

Agenda Item Summary

Ordinance # / Resolution #: N/A
Contact Person / Sponsor: Dennis Marstall / Administration
Department: Administration
Date Requested to be on Agenda: 3/13/2023

Council Action Requested:
This presentation is for information only to recognize the Employee of the Quarter. There were 3 employees nominated for Employee of the Quarter for the Fourth Quarter of 2022. The winner was selected by the Safety Committee.

Points to Consider:
The nomination form for the Employee of the Quarter will be read at the Council meeting.

Funding and Liability Factors:
The Employee of the Quarter receives $40.00 and a certificate.

Recommendation:
This item is informational only for Council and citizens.

Agenda Item Summary

Ordinance # / Resolution #: N/A
Contact Person / Sponsor: Sherrie Simpson/Clerk to Council
Department: Administration
Date Requested to be on Agenda: 3/13/2023

Council Action Requested:
Council is asked to provide feedback on whether the County would be interested in installing a Charters of Freedom setting in Lancaster County. These settings are replicas of the displays of the founding documents as seen in the National Archives in Washington, DC. These settings are built to last approximately 300 - 500 years.

Points to Consider:
The mission of Foundation Forward is to teach and preserve American history and civics, so that everyone will know that our governement is meant to serve and protect *We the People*. The founding documents included in the setting are the Declaration of Independence, the United States Constitution, and the Bill of Rights. Counties can also include the Emancipation Proclamation and the Women's Bill of Rights.

The Foundation's long-term goal is to place Charters of Freedom settings in as many communities as possible over the next 10 years. They want to bring these documents to local communities in life-sized replicas of the settings in the National Archives because they realize not everyone can get to the nation's capital to see these documents.

They ask that the setting be placed in a location central to the community, with high visibility, high foot traffic, and easy access for schoolchildren and veterans.

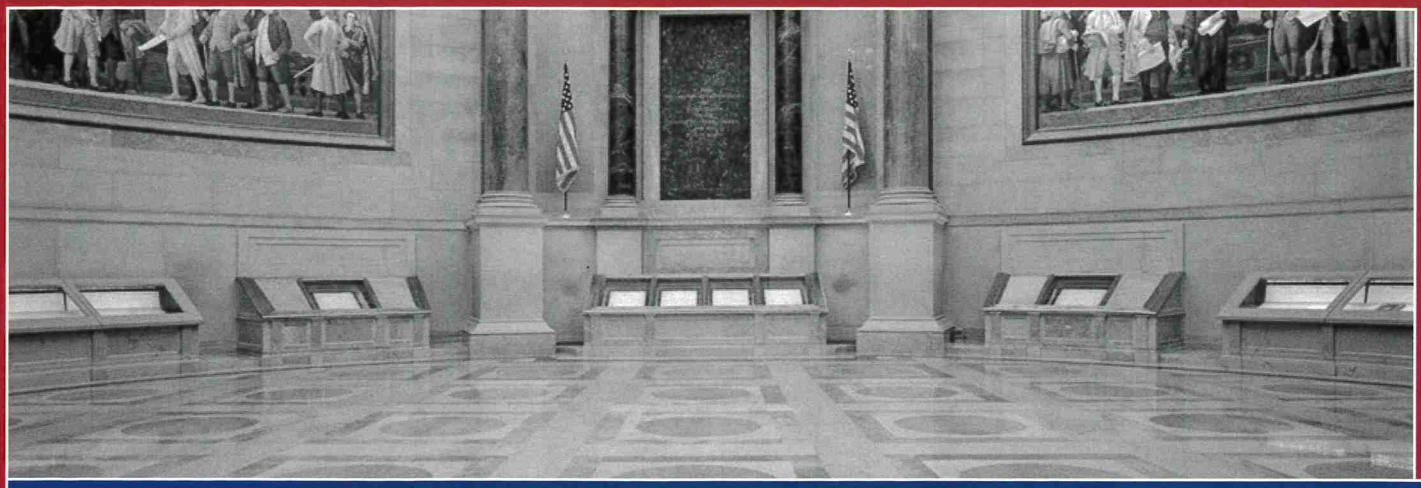
Funding and Liability Factors:
The project funding will be discussed during the Council presentation.

Recommendation:
Council is requested to provide feedback on this potential project.

ATTACHMENTS:

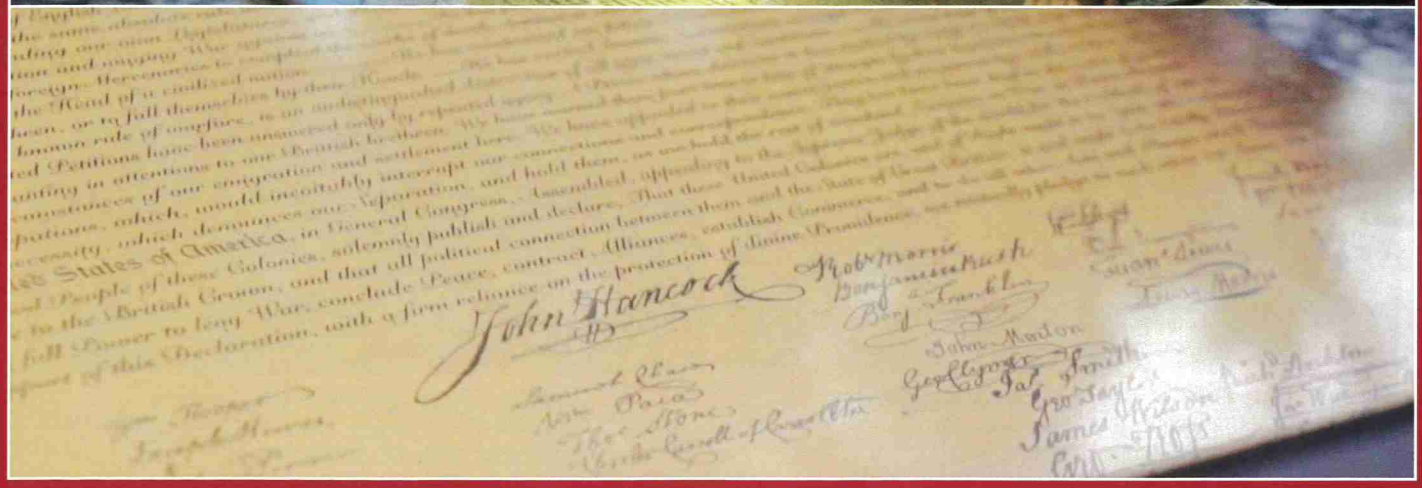
Description	Upload Date	Type
Booklet regarding The Charters of Freedom	3/9/2023	Backup Material

ACCESS ★ EDUCATION ★ COMMUNITY



THE CHARTERS OF FREEDOM

DECLARATION OF INDEPENDENCE ★ UNITED STATES CONSTITUTION ★ BILL OF RIGHTS



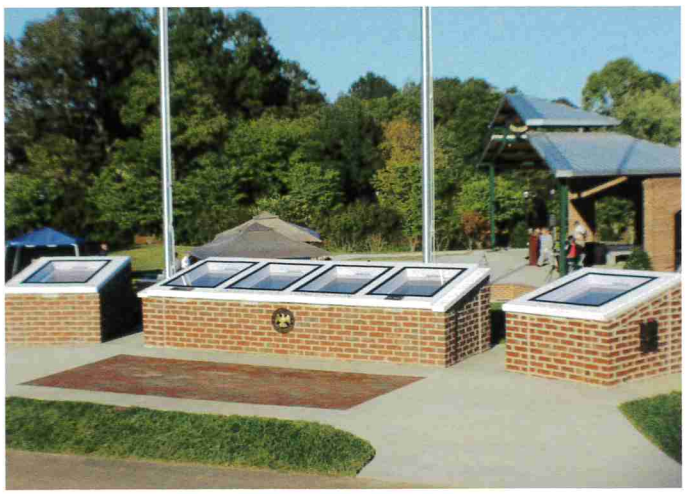
North Carolina Settings

Burke County, Morganton, North Carolina
First Charters of Freedom Setting outside of Washington, D.C.
Polished Granite. Dedicated July 2, 2014

Cherokee County, Murphy, North Carolina
Polished Granite
Dedicated September 17, 2014

Bertie County, Windsor, North Carolina
Local Brick with Cast Stone Cap and Chambers
Dedicated August 24, 2017

Caldwell County, Lenoir, North Carolina
Local Brick with Cast Stone Cap and Chambers
Dedicated July 3, 2019



Catawba County, Conover, North Carolina
Local Brick with Cast Stone Cap and Chambers
Dedicated October 9, 2019

Halifax County, Halifax, North Carolina
Local Brick with Cast Stone Cap and Chambers With Halifax Resolves on the far left. Dedicated April 12, 2019

Where history meets the future.

North Carolina Settings

Henderson County, Hendersonville, North Carolina
Special Stone Fascia with Cast Stone Cap and Chambers
Dedicated September 19, 2018

Cabarrus County, Harrisburg, North Carolina
Cast Stone Fascia with Cast Stone Cap and Chambers
Dedicated November 11, 2019

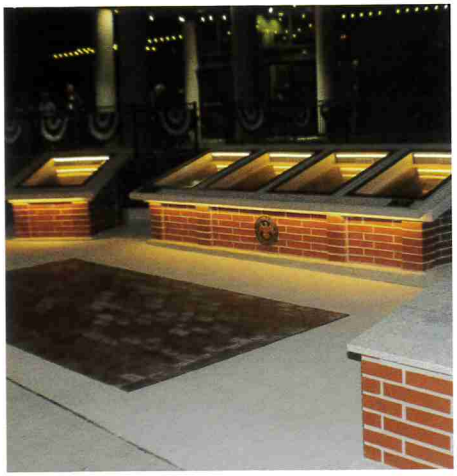
Polk County, Columbus, North Carolina
Local Brick with Cast Stone Cap and Chambers
Dedicated September 17, 2019

McDowell County, Marion, North Carolina
Local Brick with Cast Stone Cap and Chambers
Dedicated June 21, 2019

Ashe County, Jefferson, North Carolina
Local Brick with Cast Stone Cap and Chambers
Dedicated November 5, 2018

Jackson County, Sylva, North Carolina
Local Brick with Cast Stone Cap and Chambers
Dedicated May 19, 2017

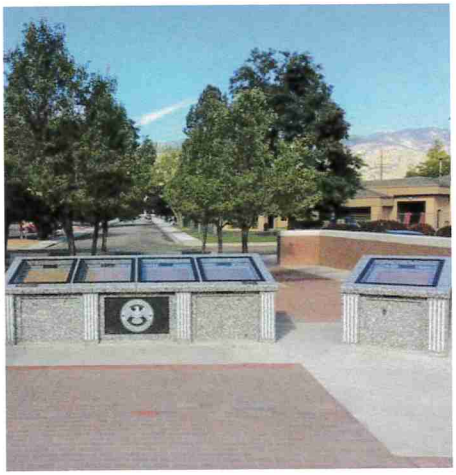
Settings Across the Country



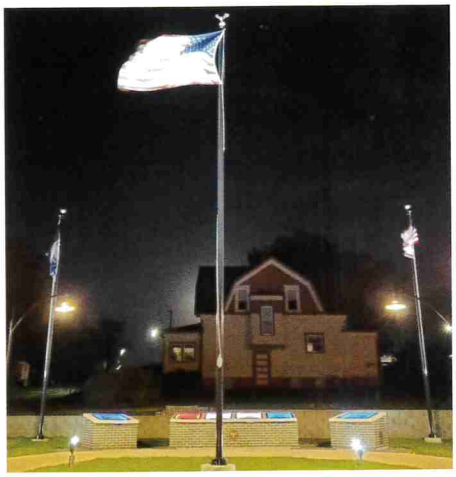
Hamilton County, Noblesville, Indiana
Local Brick with Indiana Limestone Cap and Chambers; Internally lighted with Donor Pedestals; Dedicated September 28, 2019

Richland County, Columbia, South Carolina
Polished Granite Setting
Dedicated May 26, 2016

Howard County, Kokomo, Indiana
Indiana Limestone Setting
Dedicated September 26, 2015



Carson City, Nevada
Polished Granite Setting
Dedicated June 14, 2018

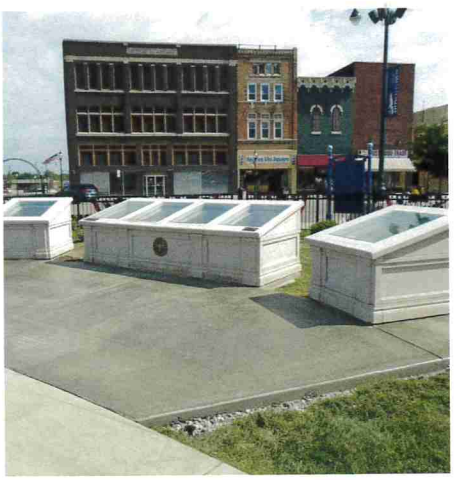


Dodge County, Uehling, Nebraska
Local Brick with Cast Stone Top and Chambers
Dedicated November 12, 2018

Clark County, Clark, South Dakota
Local Brick with Cast Stone Top and Chambers
Dedicated November 11, 2018

Hanover College, Hanover, Indiana
Indiana Limestone Setting
Dedicated September 19, 2017

Tripp County, Winner, South Dakota
Custom Concrete Fascia with Cast Stone Caps and Chambers
Dedicated September 2, 2019



Morgan County, Jacksonville, Illinois
Indiana Limestone Setting
Dedicated May 26, 2015

Where history meets the future.

Our Mission

Our Founding Fathers authored the Declaration of Independence, the United States Constitution, and the Bill of Rights. These three founding documents are known as:

The Charters of Freedom

These three documents declare:

- We are an independent people;
- We are governed as a Democratic Republic;
- We are secure in our freedom and rights as citizens of the United States of America.

Foundation Forward is an educational, nonprofit organization that builds Charters of Freedom settings in communities across the country. These settings are replicas of the displays of our founding documents as seen in the National Archives in Washington, D.C. These settings are built to last 300-500 years.

Our Mission is to teach and preserve American history and civics, so all will know how our governement is meant to serve and protect *We the People*.

Grade school children are taking field trips to their local Charters of Freedom setting to learn about American history and civics. These field trips are remarkable life experiences for our young future leaders and they love them!

Our Story

It all started in the Fall of 2011 when Vance and Mary Jo Patterson were in Washington, D.C. They decided to go to the National Archives because they had never seen the Declaration of Independence and the United States Constitution.

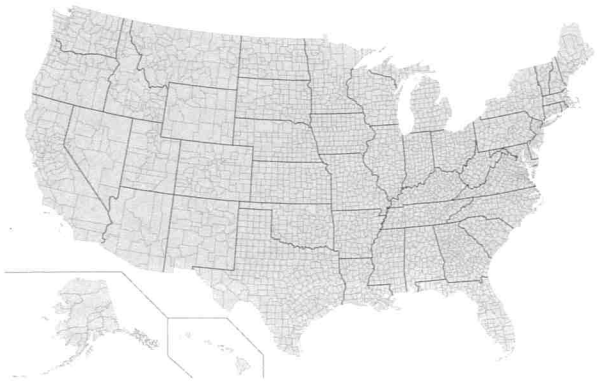
Vance recalls, "Seeing something our Founding Fathers had actually penned and then seeing their signatures, Thomas Jefferson, Benjamin Franklin, John Adams, Rutledge, Wilson, and the others, I just got goosebumps. And, then when we moved over to see the Constitution and those three words, *We the People*, I got a lump in my throat. I looked over at Mary Jo and she had tears in her eyes. It was, really, an emotional experience for us."

The next year, back home in western North Carolina, Vance was thinking about the experience and the thought came to him, "What if I could duplicate that experience we had in Washington when we saw the founding documents for the first time? What if I could bring that experience back to the citizens of Burke County?"

Two years later, on July 2, 2014, Vance and Mary Jo gifted and dedicated the first Charters of Freedom setting outside of Washington, D.C. to the children, veterans, and citizens of Burke County, on the Historic Courthouse green in downtown Morganton, NC. This was only the beginning.

In 2013, the Pattersons started Foundation Forward, Inc. a 501(c)(3) nonprofit educational project to promote civics education and preserve American history. Over 30 settings have been dedicated across the country. Locations include North Carolina, South Carolina, Kentucky, Indiana, Illinois, Nebraska, South Dakota, and as far west as Nevada.

The long-term goal is to place Charters of Freedom settings in as many communities as possible over the next 10 years.



Where history meets the future.

Access and Community

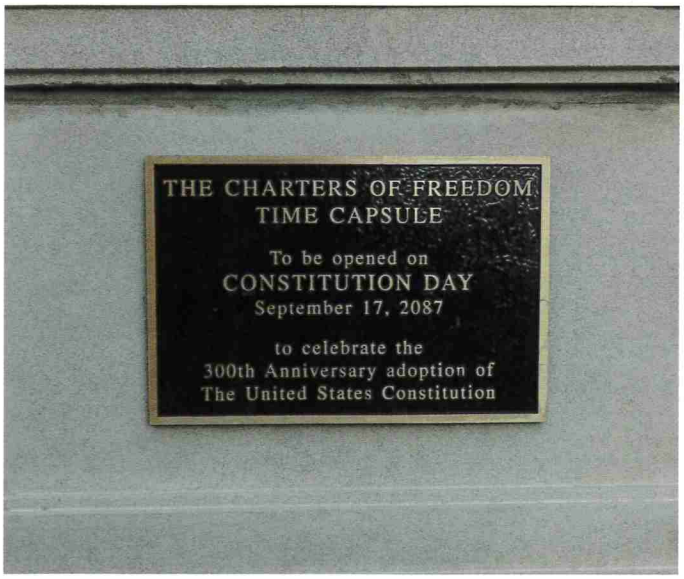
Not everyone can get to our nation's capital to see the Declaration of Independence, the United States Constitution, and the Bill of Rights. "It took me over 60 years to get to the National Archives in Washington, D.C. to see our founding documents," Founder Vance Patterson explains. "Even though it's free and open to the public, most people will never see and experience these documents in a proper setting."

The goal of Foundation Forward is to bring these documents to local communities in life-sized replicas of the settings in the National Archives. Your Charters of Freedom setting will be placed in a location central to the community, with high visibility, high foot traffic, and easy access for schoolchildren and veterans. They are built to last 300 to 500 years!

Your Charters of Freedom will be a firm basis on which to teach and preserve American history surrounding the time of our country's founding. Civics and government can be taught so all will know how our government is meant to serve and protect *We the People*.

Veterans will feel a renewed sense of pride and comfort because they swore an allegiance to the United States Constitution.

On the 300th anniversary of our United States Constitution Day, September 17, 2087, your community will participate in the opening of the vaults containing the time capsules, along with all the other communities around the country.



History Government Civics

It's amazing how many people come to the Charters of Freedom setting, read the documents and say, "That's all there is to our Constitution . . . only four pages?"

You would not believe how many people do not know that our first approved Ten Amendments are our Bill of Rights! Many citizens do not realize the First Amendment, which guarantees Freedom of Speech, Freedom of Assembly, Freedom of the Press, and the Freedom and Right to Petition the Government is only 45 words!

After the presentation dedication ceremony of Your Charters of Freedom setting, schoolteachers will begin bringing their 3rd-5th-grade classes on field trips to see these founding documents in a proper setting. While students are there, they learn about American history, at the time of our County's founding. Schoolchildren will learn about government and how it is to serve and protect, *We the People*. Students will also learn about civics and how they can participate in local, state, and national programs, to serve our Country. This is now happening in communities across the Country where students and others have their Charters of Freedom setting. The students love it!

"Our hope is that our future leaders will come from communities with their own Charters of Freedom," says Vance. "They will grow up not just talking about the Constitution and Bill of Rights in Washington, but talking about *their* Constitution and *their* Bill of Rights, the ones they grew up with, right in their home community. And they will know how government is supposed to work to protect and serve *We the People*."

Dedications and Celebrations

The dedication and gifting of the Charters of Freedom is a historic event for the community.

PRESENTATION OF COLORS

PRAYER

PLEDGE

HIGH SCHOOL BANDS & CHOIRS

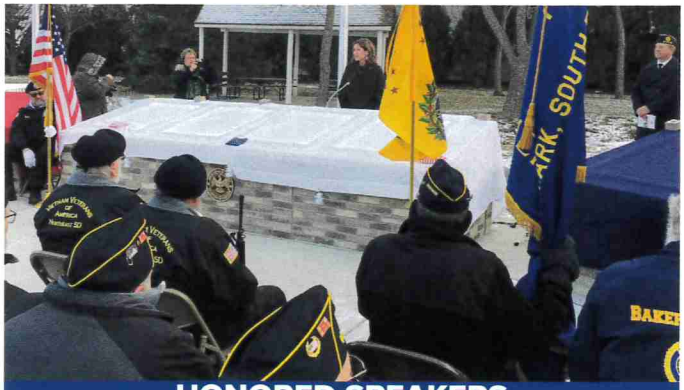
HIGH SCHOOL STUDENTS

COLLEGE STUDENTS

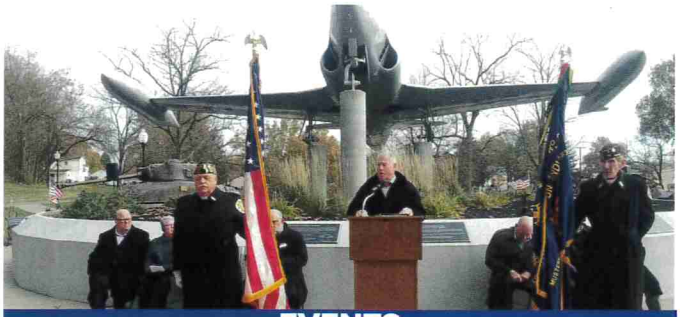
FAMILIES

DEDICATION CANNON SALUTE

SCOUTS FIRING CANNON SALUTE



HONORED SPEAKERS



EVENTS

Our Team

Vance and Mary Jo Patterson
Founders

Vance is a proud American manufacturer. Two of the companies he currently operates make industrial fans. A serial entrepreneur, he has started 21 companies and taught Entrepreneurship at the University of Oxford, England. Vance is a father of four and has been married 46 years to his wife and Foundation Forward co-founder, Mary Jo.

Perry Snider
Operations Manager - Materials, Construction, and Veterans Action

Perry is responsible for Operations, Materials, and Veterans Action. Perry organizes schedules, procures materials and coordinates operations throughout the Foundation. As a Command Sergeant Major, United States Army (retired) he has spent 11 years in Iraq and Afghanistan building and sustaining camps for the United States military.

Mike Unruh
Communications and Resources

Mike works with national organizations and businesses to promote our mission around the United States. This includes the procuring of materials and tax-deductible donations. In addition, Mike works with media outlets to communicate the principles of Foundation Forward and update the community on the progress of projects. His background includes working as a Constituent Advocate for Military and Veterans Affairs for the United States Senate.

Where history meets the future.

Our Team

David Streater, Ph.D
Director of Education

David constructs descriptive research of the Founding Fathers and develops supplemental educational materials to be shared with educators across the United States. These materials are used for field trips to local settings and assisting teachers. Dr. Streater is a criminologist with past careers in probation and parole holding officer and leadership positions, in addition to college teaching and administration. In the Navy, Dr. Streater served aboard the USS Nitro and the JAG office, NTC Orlando. David and his wife, Vivian, have been married for more than 40 years, having two sons and a granddaughter.

Ron Lewis
Facilitator, Spokesman, and Foundation Treasurer

Ron will be the first contact for those counties considering a Charters of Freedom setting in their communities. He schedules presentations and speaks on behalf of Foundation Forward. Ron also works directly with our Community Support and Out Reach Programs. Ron is a retired County Manager and Communication Officer in the United States Marines. Kay Lewis is his lovely wife and together they enjoy their three sons and three grandchildren.

Connie Snider
Office Manager

Connie manages all daily activities for the corporate office in Valdese, North Carolina. She has over 30 years of experience in office duties such as bookkeeping, accounting, banking, scheduling, filing, and working with the public and an office team. Being a part of the team is part of what makes her world go around. Connie has family in North Carolina and Florida and enjoys her time with both! She has two grown adults she raised in Florida. Connie has no grandchildren, however several grand pups, with several pups, cats, and seven baby chickens of her own.

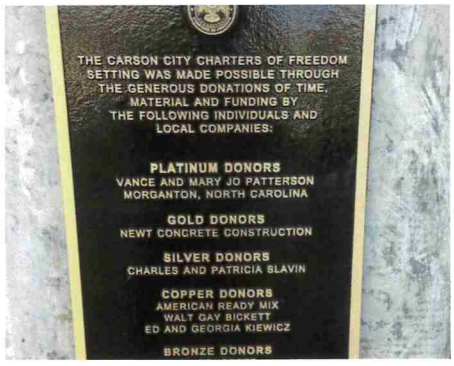
Don Ramsey
Construction Manager and Santa

Don assists community volunteers and contractors with the installation of the Charters of Freedom settings. He coordinates materials and labor from each community, and provides site plans and construction documents for each setting. Don is a graduate of North Carolina State University (the *only* State University), a father of two Eagle Scouts, and is married to Patti Ramsey since 1983.

Justin Smith
Fabrication and Construction

Justin Smith is a native of Caldwell County, North Carolina. He is the mason for Charters of Freedom. In addition, he teaches and supervises others in masonry. He has over 25 years of construction experience, and is a father of two intelligent children and a loving husband to Pamela Smith since 1998.

Founder Vance Patterson with World War II veteran Norman Mears in Brunswick County



UNITED STATES OF AMERICA
CHARTERS OF FREEDOM

Memorial Tribute for Mark Finegan

whose tireless effort brought the Charters of Freedom to Hamilton County, Noblesville, Indiana in September 2019.

All Honor To His Name.

828-522-1400
chartersoffreedom.com

Agenda Item Summary

Ordinance # / Resolution #: N/A
Contact Person / Sponsor: Grazier Rhea / Catawba Regional Council of Governments
Department: Administration
Date Requested to be on Agenda: 3/13/2023

Council Action Requested:
The County is holding its annual Public Hearing for its Needs Assessment. This hearing is to solicit public input on community needs and priorities for housing, public facilities and economic development, particularly as they relate to persons of low to moderate income. During this time, the Catawba Regional Council of Governments staff will also present the past identified community needs and receive comments concerning the current needs.

Points to Consider:
Attached is a list of prioritized needs from Lancaster County's 2022 Needs Assessment and, also, an overview of the proposed use of Community Development Block Grant funds for the 2022-2023 program year.

Funding and Liability Factors:
N/A

Recommendation:
This is the required annual Public Hearing in order to participate in Community Development Block Grant (CDBG) funding.

ATTACHMENTS:

Description	Upload Date	Type
Memorandum to County Council regarding the Needs Assessment Process	3/3/2023	Backup Material
Lancaster County, SC Prioritized Community Needs from January 2022	3/3/2023	Backup Material
Community Development Block Grant Funding 2023 - 2024	3/3/2023	Backup Material
Notice of Public Hearing Ad	3/3/2023	Public Hearing Notices
Power Point Presentation	3/7/2023	Presentation

Catawba Regional
Council of Governments

MEMORANDUM

TO: Lancaster County Council

FROM: Catawba Regional Council of Governments

DATE: February 27, 2023

SUBJECT: Needs Assessment Process

In order to apply for Community Development Block Grant funds, Lancaster County must complete a Needs Assessment. A Needs Assessment Public Hearing will be held on Monday, March 13, at 6:00 p.m. during the regularly scheduled County Council meeting in the Council Chambers.

At this hearing, Catawba Regional Council of Governments staff will present the past identified community needs and receive comments concerning the current needs, especially as they relate to the low and moderate income persons in Lancaster County.

Attached is a list of prioritized needs from Lancaster County's 2022 Needs Assessment. This can be used as a guide to identify Lancaster County's community needs for 2023, which will be updated after the hearing on March 13.

Also attached is an overview of the proposed use of Community Development Block Grant funds for the 2023-2024 program year. The next funding round for the Community Development Block Grant program is April 2023 and applications must be requested in March 2023. Infrastructure projects will be eligible in the spring funding round. Community Enrichment, Neighborhood Revitalization and Local Priorities applications will be due September 2023. Business Development and Ready to Go Public Facilities applications may be submitted at any time during the year.

For additional information, please contact Grazier Rhea, Angela Kirkpatrick, Christine Schwartz, Eleanor Mixon, or Katherine Farrand with Catawba Regional Council of Governments, at 803-327-9041.

LANCASTER COUNTY, SC
PRIORITIZED COMMUNITY NEEDS

JANUARY 2022

Lancaster County held a Needs Assessment Public Hearing on Monday, January 10, 2022, at which time the following community needs were prioritized.

1. Upgrade and extend water and sewer services in low and moderate income areas, including the Kings Circle area, the Kershaw Mill area, the Dobson School area and the Emerald Estates area.
2. Demolish vacant, dilapidated structures in low and moderate income neighborhoods.
3. Continue efforts to prepare for, respond to, and prevent the Coronavirus.
4. Seek funding to better address services and activities for the homeless, including support for a homeless shelter in Lancaster County.
5. Undertake neighborhood revitalization activities in low and moderate income areas, including the Dobson School area, Kershaw Mill area, Erwin Farm area, and Emerald Estates area to include the following:
    - Clearance and clean-up
    - Infrastructure upgrades to include, but not limited to, transportation, sidewalks, transit, water, sewer, gas, electrical, and communications to include Internet/ wireless/ broadband.
    - Housing rehabilitation
    - Activities to increase affordable housing
    - Job training and educational opportunities
    - Socioeconomic assistance
    - Franchised curbside solid waste collection in target areas
6. Promote economic development and job creation activities through provision of infrastructure to potential and expanding businesses and industries and through the provision of Workforce Development Training to residents and industries through direct county grant match funding and provision of in-kind services.
7. Construct permanent EMS and fire stations where needed to replace mobile and/or inadequate facilities.
8. Improve transportation between Lancaster's four municipalities, City of Lancaster, Town of Heath Springs, Town of Kershaw and Town of Van Wyck, including highway (US 521) and rail (L&C Railway) modes of transportation.
9. Add turning lanes for the Heath Springs Elementary School and the Andrew Jackson Middle and High Schools.

LANCASTER COUNTY, SC
PRIORITIZED COMMUNITY NEEDS

10. Improve transportation between the City of Lancaster and the Chesterfield County line on SC 9 South, a segment of the South Carolina Department of Transportation Strategic Freight Network.
11. Locate recreational facilities and social service agencies in the northern panhandle of the county. This would put these services within closer proximity to the people who use them and eliminate the need for driving into the City of Lancaster.
12. Seek funding to address housing needs, to include rehabilitation, affordable housing and down payment and closing cost assistance.
13. Undertake activities to promote fair housing opportunities for all citizens.

Catawba Regional
Council of Governments

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

2023 – 2024

The following is a summary of the proposed uses of CDBG funds for the 2023-2024 program year. These program uses are subject to change prior to final adoption by the SC Department of Commerce.

The Community Development Block Grant Small Cities Program is administered in South Carolina by the SC Department of Commerce, Office of Grants Administration. The State CDBG program will receive an estimated $19.7 million from the U.S. Department of Housing and Urban Development (HUD) in 2023.

State CDBG grants are awarded to eligible local governments that are not "entitlement areas". All local governments in the Catawba Region, with the exception of the City of Rock Hill, are eligible to apply.

All CDBG projects must address one of the three following national objectives:

- Benefit low and moderate income persons
- Eliminate slums and blight
- Address urgent community needs that pose a serious threat to the health or welfare of the community.

Three key goals for the CDBG program are to provide decent housing, economic opportunities, and a suitable living environment. Each project must meet one of the following outcomes identified by HUD:

- Affordability
- Accessibility
- Sustainability

The primary CDBG grant programs are Community Development, Business Development, and Regional Planning. There will be $16.5 million allocated for Community Development Programs, which includes five subcategories of Community Infrastructure, Community Enrichment, Neighborhood Revitalization, Local Priorities, and "Ready to Go". Following is a description of each of program.

I. Community Development

A. Community Infrastructure

Funds Available: $10,948,629

Grant Maximum: $1,000,000 (A waiver may be considered for a project addressing an urgent and compelling need, regional solution, or system-wide improvements, as well as the extent of leveraging and a reasonable CDBG cost.)

Grant Minimum: $50,000

Match: 10% of the total CDBG request, which can come from a variety of sources, including the local government, other non-Commerce grants, loans, waiver of fees, public or private investments, and documented volunteer or in-kind contributions.

Eligible Activities: Water, sewer, roads, or drainage activities.

Outcome:

Contribute to the creation of healthy, resilient, and sustainable residential communities through addressing one or more of the priorities listed in order of importance:

1. Significant improvements to existing infrastructure to address health concerns, meet required quality standards, ensure community sustainability or improve resiliency.

2. Projects that result in more viable regional infrastructure solutions or that provide new access to services near business centers where it is cost effective to address documented health threat.

3. Upgrades to infrastructure to address quality standards where there are only general health concerns or provide new services that are not near business centers when it is cost effective to address a documented health threat.

Note: Priority will not be assigned to infrastructure improvements that are necessary because of a lack of maintenance and repairs. Similarly, a priority may be not be assigned if new service is proposed for an isolated neighborhood and there is no documented health threat or the service is not cost effective given the number of households committed to benefit.

Application Requests due: **Friday, March 17, 2023, at 5:00 p.m.**

Applications due: **Monday, April 17, 2023, at 5:00 p.m.**

B. Community Enrichment

Funds Available: $3,000,000

Grant Maximum: $750,000

[Note: A waiver of the grant maximum may be considered for a large-scale brownfield cleanup and building project with significant number of beneficiaries (i.e. a county-wide health department or DSS facility).]

Grant Minimum: $50,000 ($25,000 for planning grants/ up to $50,000 for infrastructure planning grants with approval)

Match: 10% of the total CDBG request, which can come from a variety of sources, including the local government, other non-Commerce grants, loans, waiver of fees, public or private investments, and documented volunteer or in-kind contributions.

Eligible Activities:

1. **First Priority – Increasing Economic Competitiveness**
    - Brownfield projects or demolition of obsolete buildings
    - Downtown streetscape improvements where there is significant business activity and prior investment. Projects must include a plan for retail/small business support
    - Planning by professional engineers and architects for regional infrastructure, hazard mitigation, resiliency, and sustainability for eligible public infrastructure and facilities, broadband, brownfields clean up and redevelopment, or master drainage studies

2. **Second Priority – Education and Workforce Development**
    - Libraries – library facilities or services (fixed or mobile) to provide expanded library services, computer equipment or internet access especially broadband capability
    - Publicly owned facilities (except operating school facilities) that offer extended educational opportunities
    - Transportation-oriented public facilities or services to serve LMI workforce populations

3. **Third Priority – Safe and Healthy Communities**
    - Public safety facilities and services in LMI areas - police substations or other public improvements designed to address crime prevention.
    - Demolition of vacant, dilapidated residential structures to address and support crime prevention efforts in a targeted LMI neighborhood.

- Fire substations or fire trucks serving existing stations in LMI residential areas that provide significant improvement in service for in town locations or near business centers.
- Health clinic facilities or equipment in underserved areas or multi-service centers for health or related social services.
- Public facilities modifications to ensure accessibility for disabled persons or for energy efficiency improvements for CDBG-eligible public facilities that will significantly reduce operating burdens and promote sustainability (i.e., replacing windows, upgrading HVAC, etc.)
- New sidewalks in LMI areas where there is a demonstrated need for safe neighborhood foot travel and connectivity to goods or services.

Equipment for public service activities must be for new or expanded services and generally associated with a significant capital investment in facilities. Only major pieces of equipment that have a durable life of five years will be considered for funding.

Outcome:

This program is designed to fund facilities, services, and other activities that strengthen existing communities and support a high quality of life within the following state priority areas:

1. Increasing economic competitiveness, resiliency and narrowing the digital divide
2. Education and workforce development
3. Safe and healthy communities

Application Requests due: **Tuesday, August 15, 2023, at 5:00 p.m.**

Applications due: **Friday, September 15, 2023, at 5:00 p.m.**

C. Neighborhood Revitalization Program

Funds Available: $1,000,000

Grant Maximum: $750,000

Grant Minimum: $50,000

Match: 10% of the total CDBG request, which can come from a variety of sources, including the local government, other non-Commerce grants, loans, waiver of fees, public or private investments and documented volunteer or in-kind contributions.

Planning Phase

The targeted neighborhood must submit a locally funded revitalization plan (or a previously CDBG-funded Village Renaissance Plan) that identifies community needs and prioritizes

activities designed to comprehensively revitalize the neighborhood with CDBG and other funds. This plan must be approved by the Department of Commerce and should set out a realistic plan for implementation of CDBG eligible and other activities in two possible consecutive implementation phases. The plan must be submitted to the Department of Commerce with the application.

The plan shall include the following:

- Comprehensive needs assessment (qualitative and quantitative) and prioritization.
- Comprehensive strategies for revitalization that guide investments.
- Specific actions to prepare for implementation of revitalization strategies.
- Maps illustrating existing conditions, problems, and proposed solutions.
- Roles and responsibilities – neighborhood and local government involvement and commitment in planning and implementation.
- Time frame for implementation of all strategies, including phased activities.

Implementation Phases

Implementation of comprehensive neighborhood revitalization must involve multiple activities including a public safety component. Activities must be described in the plan and may include:

- Infrastructure - water, sewer, roads, drainage
- Public facilities - sidewalks, security lighting and cameras, police or fire substations, technology, multi-service centers designed to address crime risk factors, walking trails, green space, landscaping
- Housing - infrastructure or other activities to support affordable or workforce housing; limited exterior only improvements including facades, minor repairs, energy efficiency improvements, handicap accessibility
- Demolition and clearance of vacant and dilapidated properties
- Public services - crime watch program, drug or gang education, awareness or prevention programs

All implementation phases will be competitively selected with no guarantee of funding and must comply with applicable program threshold and citizen participation requirements.

Application Requests due: **Tuesday, August 15, 2023, at 5:00 p.m.**

Applications due: **Friday, September 15, 2023, at 5:00 p.m.**

D. Local Priorities Program

Funds Available: $1,000,000

Grant Maximum: $300,000

Grant Minimum: $50,000

Match: 10% of the total CDBG request, which can come from a variety of sources, including the local government, other non-Commerce grants, loans, waiver of fees, public or private investments, and documented volunteer or in-kind contributions.

Outcome:

This program is designed to meet community development needs that are not typically funded through the other CDBG programs or one of the other HUD partner programs.

Eligible Activities:

These funds will be used for alternative grant activities and partnerships that meet community development needs of eligible municipalities. Local priority projects could include historic preservation, innovation, energy conservation, parks, and trails/greenways. New or expanded public service activities are also eligible.

Projects should have significant leveraging, impact, and community support while still meeting a National Objective and all other requirements. Consideration for funding will be based on state priorities listed below:

1. **First Priority**
   - Projects that impact economic development or increase economic competitiveness
2. **Second Priority**
   - Projects that address public health and safety, quality of life, or improve the long-term sustainability of the community
3. **Third Priority**
   - Projects that address resiliency or help narrow the digital divide

Application Requests due: **Tuesday, August 15, 2023, at 5:00 p.m.**

Applications due: **Friday, September 15, 2023, at 5:00 p.m.**

E. "Ready to Go" Public Facilities Program

Funds Available: $600,000

Grant Maximum: $500,000

(Note: A wavier will be considered for infrastructure projects addressing an urgent and compelling need, regional solution, or system-wide improvements, as well as the extent of leveraging and a reasonable CDBG cost.)

Grant Minimum: $50,000

Match: 10% of the total CDBG request, which can come from a variety of sources, including the local government, other non-Commerce grants, loans, waiver of fees, public or private investments, and documented volunteer or in-kind contributions.

Eligible Activities:

The project must be an eligible public facility improvement under the Community Infrastructure or Community Enrichment Program. CDBG funds are for construction or demolition costs only. Brownfields projects may be considered if significant upfront investment of local funds has been made and all other program requirements are met. Activities leading up to bidding must be complete prior to application submission. This includes project design, environmental review, acquisition, and permits. The project must be ready to bid within 60 days of grant award.

Outcome:

This program is designed to stimulate the local economy by addressing urgent or compelling community needs, encouraging the timely implementation of CDBG eligible projects, and being cost effective.

Applications will be accepted on an ongoing basis, based on funding availability.

Program clarifications:

1. Projects must address an urgent and compelling need.
2. The project requires an upfront investment of local and other funds for planning, project design, and permitting that is substantially equivalent to the required 10% local match.
3. Projects must be eligible public facility improvements, and CDBG pays only for construction or demolition and administration.

II. Business Development Program

Funds Available: $2,000,000

Grant Maximum:

- Job creation/retention $10,000/ job

- Area economic development $500,000
- Local goods and services:
  - Service area less than 20% poverty or 70% LMI $350/LMI person
  - Service area equal/more than 20% poverty or 70% LMI $1,000/LMI person

Grant Minimum: $50,000

Match: 10% local match or other equivalent contribution required. Projects to assist businesses in the provision of goods and services must have a minimum of 25% leveraging including a 10% match from the local government.

Eligible Activities:

Infrastructure to assist new or expanding businesses that will result in the creation or retention of jobs, 51% of which must be available to low and moderate income persons.

Outcome:

Provision of financial resources for local governments to pursue opportunities that create new jobs, retain existing employment, stimulate private investment, and revitalize or facilitate the competitiveness of the local economy.

General Program Requirements:

- A unit of local government may apply for a third project if they have no more than two open grants that have not exceeded a 30-month grant period.
- A unit of local government is limited to one Neighborhood Revitalization or streetscape project at a time.
- A unit of local government is limited to one open Ready to Go project at a time.
- A unit of local government may not have more than one project for the same general target area/neighborhood open at the same time

Catawba Regional Council of Governments' staff is available to assist local governments with the development of potential CDBG projects and application preparation. If you are interested in submitting a CDBG application, contact *Grazier Rhea, Angela Kirkpatrick, Christine Schwartz, Katherine Farrand, or Eleanor Mixon* at *(803) 327-9041.*

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Monday, March 13, 2023, at 6:00 p.m. in the Lancaster County Council Chambers, second floor, Lancaster County Administrative Building, 101 North Main Street, Lancaster, SC, Lancaster County will hold a public hearing to solicit public input on community needs and priorities for housing, public facilities, and economic development. At this public hearing, Lancaster County will provide the results of its needs assessment and the activities which might be undertaken to meet identified needs, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income.

This public hearing and the matters to be discussed are subject to the provisions of Lancaster County's Citizens Participation Plan, developed in anticipation of participation in the State of South Carolina's Community Development Block Grant (CDBG) Program, providing for the participation of the citizens of Lancaster County in the planning and implementation of community and economic development projects which will involve CDBG funds.

The Citizens Participation Plan is available for review in the office of the Lancaster County Administrator, from 8:30 a.m. to 5:00 p.m. Monday through Friday. Persons with questions or comments concerning the public hearing or the Citizens Participation Plan may contact Sherrie Simpson, Clerk to Council, P.O. Box 1809, Lancaster, SC 29721 (Telephone: 803-416-9307).

Lancaster County does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Darin Robinson, Building Official, Lancaster County, P.O. Box 1809, Lancaster, SC 29721 (Telephone: 803-285-1969, has been designated to coordinate compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's regulations. Assistance will be provided to accommodate the special needs of disabled persons, upon request. A 24-hour notice for assistance is requested.

Community Development Block Grant Needs Assessment Hearing

LANCASTER COUNTY

2023

Catawba Regional Council of Governments

SERVING SINCE 1970

What is CDBG?

- Federal program funded by HUD.
- Administered in South Carolina by the SC Department of Commerce, Division of Grants Administration.
- Designed to provide assistance to units of local government in providing economic opportunities and meeting community revitalization needs, particularly for low and moderate income persons.

South Carolina Department of Commerce
Just right for business.

Community Development Block Grant

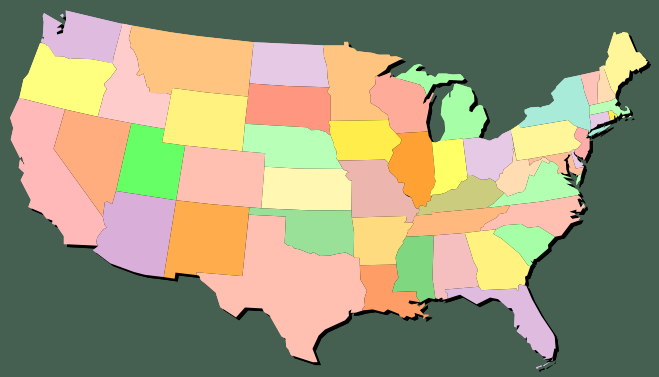
Who Can Apply?

- Units of Local Government Only
  - Towns
  - Cities
  - Counties

- Must Not be Within a CDBG Entitlement Area.
- All projects must meet a national objective and address eligible activity.

National Objectives

- Benefit Low and Moderate Income (LMI) Persons
- Aid in the Prevention or Elimination of Slums or Blight
- Meet Other Urgent Community Development Needs



Community Development Program

- Competitive
- Currently offered twice a year
- Minimum of $50,000
- Maximum depends on type of project
- Ten percent match required
- Must be eligible activity
- Must meet national objective

Community Development Program Categories

- Community Infrastructure
- Community Enrichment
- Neighborhood Revitalization
- Local Priorities
- "Ready to Go" Public Facilities
- Business Development

Community Infrastructure

- **Funds Available State-Wide:** $10,948,629
- **Grant Maximum:** $1,000,000
- **Eligible Activities:** Water, Sewer, Roads, or Drainage Activities
- **Application Requests Due:** Friday, March 17, 2023
- **Applications Due:** Monday, April 17, 2023

Community Enrichment

- **Funds Available State-Wide:** $3,000,000
- **Grant Maximum:** $750,000
- **Application Requests Due:** Tuesday, August 15, 2023
- **Applications Due:** Friday, September 15, 2023

Eligible Activities

First Priority - Increasing Economic Competitiveness

- Brownfield projects or demolition of obsolete buildings
- Downtown streetscape improvements where there is significant business activity and prior investment

Second Priority - Education and Workforce Development

- Libraries - facilities or services to provide expanded library services, computer equipment or internet access, especially broadband capabilities
- Publicly owned facilities that offer educational opportunities for adult literacy or to serve at risk LMI children or youth

Community Enrichment (Cont.)

Third Priority-Safe and Healthy Communities

- Transportation-oriented public facilities to serve LMI workforce populations
- Public safety facilities and services in LMI areas, such as police substations, or fire substations, or fire trucks that serve LMI residents
- Demolition of vacant, dilapidated residential structures to address and support crime prevention efforts in a targeted LMI neighborhood
- Health clinic facilities or equipment in underserved areas or multi-service centers for health or related social services
- Public facilities modifications to ensure accessibility for disabled persons or for energy efficiency improvements for CDBG eligible public facilities
- New sidewalks in LMI areas where there is a demonstrated need for safe neighborhood foot travel and connectivity to goods or services

Neighborhood Revitalization

- **Funds Available State-Wide:** $1,000,000
- **Grant Maximum:** $750,000
- **Application Requests Due:** Tuesday, August 15, 2023
- **Applications Due:** Friday, September 15, 2023

- **Planning Phase:** The targeted neighborhood must submit a locally funded revitalization plan that identifies community needs and prioritizes activities designed to revitalize the neighborhood with CDBG and other funds
- **Implementation Phases; Activities May Include:** Infrastructure, Public Facilities, Housing, Demolition and clearance of vacant and dilapidated properties, and Public Services.

Local Priorities Program

- **Funds Available State-Wide:** $100,000,000
- **Grant Maximum:** $300,000
- **Application Requests Due:** Tuesday, August 15, 2023
- **Applications Due:** Friday, September 15, 2023

- **Eligible Activities**
  - These funds will be used for alternative grant activities that meet community development need of eligible municipalities.
  - Special projects could include historic preservation, innovation, energy conservation, parks, and trails/greenways

"Ready to Go" Public Facilities

- **Funds Available State-Wide:** $600,000
- **Grant Maximum:** $500,000 (a waiver will be considered for infrastructure projects addressing an urgent and compelling need, regional solution or system-wide improvements, as well as the extent of leveraging and a reasonable CDBG cost)

- **Eligible Activities:** Activities must be eligible under the Community Infrastructure or Community Enrichment Program. CDBG funds are for construction or demolition costs only.

Business Development Program

- **Funds Available State-Wide:** $2,000,000
- **Grant Maximum:**
  - **Job Creation/Retention:** $10,000 per job
  - **Area economic development:** $500,000
  - **Local goods and services:**
    - Service area less than 20% poverty or 70% LMI - $350/LMI person
    - Service area equal/more than 20% poverty or 70% LMI - $1,000/LMI person

- **Eligible Activities:** Infrastructure to assist new or expanding businesses that will result in the creation or retention of jobs, 51% of which must be available to low and moderate income persons.

Is There a Match Requirement?

Must match 10% of the Grant Request

The match may be in the form of cash, non-Commerce grants, waiver of fees, public or private investments, and documented volunteer or in-kind services. A loan obtained in direct support of the CDBG project may count as a cash match.

Questions On Potential Projects ?

For Grant Assistance:

Contact Catawba Regional Council of Governments

(803) 327-9041

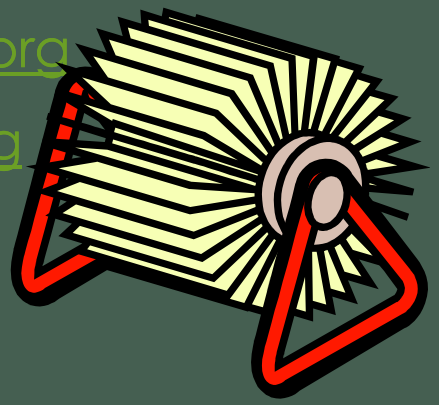
Grazier Rhea - grhea@catawbacog.org

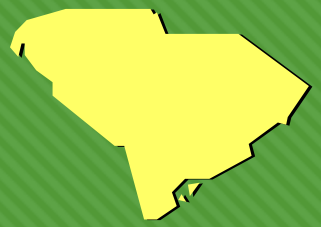
Angela Kirkpatrick - akirkpatrick@catawbacog.org

Christine Schwartz - cschwartz@catawbacog.org

Eleanor Mixon - emixon@catawbacog.org

Katherine Farrand - kfarrand@catawbacog.org





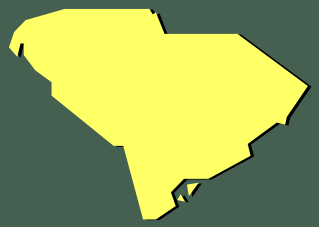
Catawba Regional Council of Governments

215 Hampton Street

P.O. Box 450

Rock Hill, South Carolina 29731

(803) 327-9041



Agenda Item Summary

Ordinance # / Resolution #: N/A
Contact Person / Sponsor: Dennis Marstall / Administration and Sheriff Barry Faile / LCSO
Department: Administration
Date Requested to be on Agenda: 3/13/2023

Council Action Requested:
Receive information and provide feedback on the components and costs for the proposed Detention Center project.

Points to Consider:
Chad Catledge will provide an update on the proposed Detention Center project outlining the components of the core facility, as well as addressing number of cells to be included, square footage of the facility, site suitability, key Department of Corrections facility standards for classification of inmates and accreditation, future expansion opportunities, construction materials and cost.

Understanding the 45 year-old nature of the current Detention Center and outdated features and components, plus the capacity constraints, the presentation will outline the need for a new detention center and limitations of renovating or expanding at the current detention center site.

Funding and Liability Factors:
The project design is estimated to cost $90 million. Partial funding of $30 million was approved for the Detention Center through the voter-adopted Capital Projects Sales Tax 3 process, with the assumption that remaining funding would be included in a Capital Projects Sales Tax 4 package.

The County has $12 million on hand from excess funds from the Capital Projects Sales Tax 2 package that has already been committed by County Council to the Detention Center project.

County Council will receive information and proposals to structure the financing of the Detention Center using funds from the various Capital Projects Sales Tax packages from the County's Financial Advisor and Bond Counsel at the March 15 COW meeting.

The financing proposals will outline a funding strategy that does not increase the County millage rate, allows bonding capacity for general obligation bond-related projects and maintains the County's sound financial position.

Recommendation:
This item is for information only for Council and citizens.

Agenda Item Summary

Ordinance # / Resolution #: N/A
Contact Person / Sponsor: Donna Greene / Deputy Clerk to Council
Department: County Clerk
Date Requested to be on Agenda: 3/13/2023

Council Action Requested:
Approve or amend the minutes from the February 15, 2023 Committee Of The Whole meeting.

Points to Consider:
The draft minutes from the February 15, 2023 Committee Of The Whole meeting are attached for Council's review and consideration.

Funding and Liability Factors:
There are no funding or liability factors regarding approval of minutes.

Recommendation:
Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 2-15-2023 Committee of the Whole Meeting	3/8/2023	Backup Material

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

Lancaster County
South Carolina

County Administrator
Dennis E. Marstall

County Attorney
Ginny L. Merck-Dupont

Clerk to Council
Sherrie Simpson

February 15, 2023 | **4:00 PM** | **101 North Main Street, Lancaster, SC 29720**

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

MINUTES

DRAFT

Council Members Present: Allen Blackmon *(via conference call)*, Brian Carnes *(via conference call)*, Terry Graham, Steve Harper, Jose Luis, Charlene McGriff, and Billy Mosteller

Staff Members/Others present: Dennis Marstall, County Administrator; Ginny Merck-Dupont, County Attorney; Sherrie Simpson, Clerk to Council; John Bodner, Assistant County Administrator; Allison Hardin, Interim Planning Director; Ashley Davis, Senior Planner; the press; various Department Heads; various Elected Officials; various employees 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 - Chairman Steve Harper

Chairman Steve Harper called the Committee of the Whole meeting to order at approximately 4:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting.

Pledge of Allegiance and Invocation - Council Member Billy Mosteller

Billy Mosteller led the Pledge of Allegiance to the American Flag and delivered the Invocation.

Approval of Agenda

Charlene McGriff moved to approve the agenda. Seconded by Terry Graham. A roll call vote was taken and the motion to approve the agenda Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nayes: None.

Citizens Comments

The following citizens signed up for Citizens Comments:

1. Jon Hardy, Lancaster, SC, spoke regarding lack of affordability for first time home buyers should the proposed Chapter 2 and 4 amendments to the Unified Development Ordinance (UDO) take effect;
2. Hal Crenshaw, Lancaster, SC, stated he was here regarding billboards and could answer any questions if needed; and
3. Garrett Crenshaw, Lancaster, SC, stated he was here regarding billboards.

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

Discussion and Action Items

Discussion regarding Amending the Unified Development Ordinance (UDO) regarding Chapters 2 and 4 related to standards for Medium Density Residential District and Cluster Subdivision Overlay District - Allison Hardin, Interim Planning Director

Allison Hardin reviewed the County power point presentation regarding amending the Unified Development Ordinance (UDO), Chapters 2 and 4 related to standards for Medium Density Residential District and Cluster Subdivision Overlay District. Steve Harper stated his concern that if this amendment is passed there will be no more single family houses. He provided a handout attached as Schedule A to the written minutes in the Clerk to Council's office. There was discussion about affordable housing and growth coming towards Lancaster, impact to traffic on Highway 521 and growth in Indian Land. Council made a point that the new UDO should address that Lancaster consisted of three different areas: Indian Land, Central area and Southern area and that these three (3) areas should be treated differently. Council discussed the possibility of cluster developments only south of Highway 5 and not north of Highway 5 and to research whether this is legal. Council requested that planning staff also get minimum lot sizes from surrounding areas, such as Marvin, Waxhaw, Weddington and Union.

Follow-up Discussion on Amending the Unified Development Ordinance (UDO) and Policy Changes regarding BillBoards - Allison Hardin, Interim Planning Director

Allison Hardin reviewed the County power point presentation on amending the Unified Development Ordinance (UDO) and policy changes regarding billboards. Council and staff discussed that current zoning and UDO does not allow billboards on Highway 521. She stated the property for billboards must be zoned commercial or industrial for billboards. She also noted that states which fail to comply with requirements of the Highway Beautification Act of 1965 would be subject to a withdrawal of federal funding for non-compliance.

Hal Crenshaw addressed Council and provided handouts, which are attached as Schedule B to the written minutes in the Clerk to Council's office.

Jose Luis left the meeting at approximately 5:23 p.m. and joined via telephone. Mr. Luis stated he is pro business and in favor of generating more sales tax to promote retail businesses. He stated he would like to move forward.

Garrett Crenshaw stated this billboard would also provide a means to make public service announcements. He noted he would never utilize the billboard in a negative way.

DRAFT

Council discussed whether the Indian Land community would want billboards on Highway 521 and that Lancaster County should not allow billboards for just one business. Council requested a preliminary ruling from South Carolina Department of Transportation so as to not jeopardize federal funding.

Follow-up Discussion on Amending the Unified Development Ordinance (UDO) regarding Minimum Parking Standards - Allison Hardin, Interim Planning Director

Allison Hardin reviewed the County power point presentation on amending the Unified Development Ordinance (UDO) regarding minimum parking standards. Council and staff discussed increasing the minimum standards but wanted to get comments from Stormwater regarding these possible changes and what issues the changes could cause.

Adjournment

Terry Graham moved to adjourn the meeting. Seconded by Billy Mosteller. A roll call vote was taken and the motion to adjourn the meeting Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nayes: None.

There being no further business, the Committee of the Whole meeting adjourned at approximately 5:56 p.m.

DRAFT

Agenda Item Summary

Ordinance # / Resolution #: N/A
Contact Person / Sponsor: Donna Greene / Deputy Clerk to Council
Department: County Clerk
Date Requested to be on Agenda: 3/13/2023

Council Action Requested:
Approve or amend the minutes from the February 27, 2023, County Council regular meeting.

Points to Consider:
The draft minutes from the February 27, 2023, County Council regular meeting are attached for Council's review and consideration.

Funding and Liability Factors:
There are no funding or liability factors regarding approval of minutes.

Recommendation:
Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 2-27-2023 County Council Regular Meeting	3/8/2023	Backup Material

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

County Administrator
Dennis E. Marstall

County Attorney
Ginny L. Merck-Dupont

Clerk to Council
Sherrie Simpson

February 27, 2023 | **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

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Council Members present: Allen Blackmon *(via teleconference call)*, Brian Carnes, Terry Graham, Steve Harper, Jose Luis, Charlene McGriff and Billy Mosteller.

Council Members absent: None.

Staff Members/Others present: Dennis Marstall, County Administrator; John Bodner, Assistant County Administrator; Ginny Merck-Dupont, County Attorney; Sherrie Simpson, Clerk to Council; Kayla Vaughn, Communications and Marketing Assistant; Allison Hardin, Interim Planning Director; Kim Belk, Budget Director; Veronica Thompson, Finance Director; Brenda Thompson, Communications and Marketing Director; Sheriff Barry Faile; Darren Player, Fire Rescue/Emergency Management Director; Stuart Barfield, Chief of Operations, Planning & Implementation/Emergency Management; Paul Moses, Airport Director; Chad Catledge, Precision Builders; various Department Heads; various elected officials; 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 County 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

Brian Carnes moved to approve the agenda. Seconded by Charlene McGriff. A roll call vote was taken and the motion to approve the agenda Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nayes: None.

Special Presentations

Dennis Marstall announced that Lancaster County has been awarded a $3 million grant for the Airport Terminal. He stated this funding was through the bi-partisan grant through the Federal Aviation Administration (FAA). Mr. Marstall also handed out the photo showing production of the mass transport unit for EMS. The photo is attached as Schedule A to the written minutes in the Clerk to Council's office.

Chairman Harper recognized Cane Creek Watershed Board for winning the South Carolina Association of Conservation Districts Outstanding Watershed District of the Year. He recognized Joe Ghent, Chairman of the Lancaster Soil and Water Conservation District; Amanda Roberts, District Manager; Daniel Griffin, USDA-NRCS District Conservationist; and Joe Clark, Cane Creek Watershed Director.

Andrew Pack, Project Director with Woolpert reviewed the County power point presentation. Council and staff discussed parking, seating for USC-Lancaster ball field, and pickle ball courts. Allen Blackmon asked about cross country trails being added. There was discussion regarding the need of a larger facility or a smaller facility. Council and staff discussed bonding for the project. They discussed installment purchase revenue bonds, which will be discussed further at the last meeting in March. Council and staff discussed a 50,000 square foot recreation center versus a 25,000 square foot recreation center. Mr. Pack will return in April with more options for the proposed recreation center.

Chad Catledge with Precision Builders reviewed the County power point presentation. Mr. Catledge stated they were looking to have figures ready for full presentation to Council at the March 13th meeting. Chairman Harper asked that operational cost estimates be included. Council and staff discussed secure transport for the magistrate's court. Mr. Catledge stated they were planning for an estimated 318 maximum beds and for a core space of 496 beds which would be located going south.

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Citizens Comments

The following citizens signed up for and spoke during Citizens Comments:

1. Kevin Garon, Indian Land, SC spoke regarding growth, and that it was too much and too fast; and
2. Tindall Yarborough, Lancaster, SC spoke regarding the need for a regional park

The following citizens submitted electronic, written comments for Citizens Comments:

1. Rebecca Hammond, Lancaster, SC sent an electronic comment regarding the need for a regional park. A written copy of the comment was placed at each Councilmembers seat and a copy is also attached as Schedule B to the written minutes in the Clerk to Council's office.

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7a.**, **7b.** and **7c.** [which are the same as Item **a.**, **b.**, and **c.** listed below]. Seconded by Charlene McGriff. A roll call vote was taken and the Consent Agenda was approved by a vote of 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nayes: None.

a. **Approval of Minutes from the January 31, 2023 County Council Retreat and Workshop Meeting**

b. **Approval of Minutes from the February 13, 2023 County Council Regular Meeting**

c. **2nd Reading of Ordinance 2023-1839 regarding Rezoning Property Located at 168 Fort Mill Highway from Mixed Use District (MX) to General Business District (GB) (Applicants George Banks McGinn and Sallie Cooper)**

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 2.9 Acres (TM# 0008-00-007.00) Located At 168 Fort Mill Highway, Indian Land, From Mixed Use (MX) District To General Business (GB) District. - ***Planning Department Case Number: RZ-2022-2335.***

Non-Consent Agenda

Resolution 1226-R2023 regarding Adoption of the Lancaster County Multi-Jurisdictional Hazard Mitigation Plan

Resolution Title: A Resolution Adopting The Lancaster County Multi-Jurisdictional Hazard Mitigation Plan As Approved By The Federal Emergency Management Agency.

Brian Carnes moved to approve Resolution 1226-R2023. Seconded by Billy Mosteller.

Stuart Barfield and Darren Player explained that the Lancaster County Multi-Jurisdictional Hazard Mitigation Plan is a team effort. Mr. Barfield stated while it is primarily worked on as Emergency Management (EM), they also work closely with a lot of other County departments that gather a lot of the data for EM, which goes into the planning process and project formulation. He stated the hazard mitigation plan looks at all the risks that are out there that could affect Lancaster County. He stated they look at the measures already in effect, and look at what can be improved. He stated the County goes through this update process every five years and that the plan is reviewed annually. He noted this was an ongoing process with the same county agency departments as well as with other outside organizations. He stated all of the jurisdictions that adopt it are eligible for Federal Disaster Recovery funds if something major happens in their county. Council recognized Stuart Barfield and Darren Player for a job well done on this plan.

A roll call vote was taken and Resolution 1226-R2023 was approved by a vote of 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nayes: None

Public Hearing and 3rd Reading of Ordinance 2023-1838 regarding Amending the Fiscal Year 2022-2023 Budget

Ordinance Title: An Ordinance To Amend Ordinance No. 2022-1803, Relating To The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2022 And Ending June 30, 2023 (FY 2022-2023), To Further Provide For Revenues And Expenditures During The Fiscal Year; And To Provide For Matters Related Thereto.

Kim Belk stated there were no changes on Ordinance 2023-1838.

Steve Harper opened the Public Hearing for Ordinance 2023-1838 at approximately 7:16 p.m.
He noted that no one signed up to speak at the Public Hearing for the Ordinance.
There were approximately 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 this Ordinance: None.
Steve Harper closed the Public Hearing at approximately 7:16 p.m.

Terry Graham moved to approve 3rd Reading of Ordinance 2023-1838. Seconded by Charlene McGriff. A roll

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call vote was taken and 3rd Reading of Ordinance 2023-1839 was approved by a vote of 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nayes: None.

2nd Reading of Ordinance 2023-1840 regarding Amending the Unified Development Ordinance (UDO) regarding Section 6.4.1., Connectivity

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Section 6.4.1, Connectivity, To Modify Standards Pertaining To The Maximum Number Of Lots Which Take Access From A Road Where One End Is Permanently Closed On The Effective Date Of This Ordinance - ***Planning Department Case Number: UDO-TA-2022-2602.***

Billy Mosteller moved to postpone item 8(c), 2nd Reading of Ordinance 2023-1840 amending the Unified Development Ordinance, Section 6.4.1., Connectivity, until the March 13, 2023 Council meeting in order to allow staff additional time to evaluate all options available to address concerns previously raised. Seconded by Charlene McGriff. A roll call vote was taken and the motion to postpone 2nd Reading of Ordinance 2023-1840 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nayes: None.

1st Reading of Ordinance 2023-1841 regarding Amending the Unified Development Ordinance (UDO) regarding Chapters 2 and 4 related to standards for Medium Density Residential District and Cluster Subdivision Overlay District

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance ("UDO") Chapters 2 And 4: Standards For Medium Density Residential District And Cluster Subdivision Overlay District On The Effective Date Of This Ordinance - ***Planning Department Case Number: UDO-TA-2022-2606.***

Brian Carnes moved to approve the 1st Reading of Ordinance 2023-1841. Seconded by Terry Graham.

Allison Hardin reviewed minimum residential lot sizes in neighboring communities. She researched Marvin, Waxhaw, and Weddington in North Carolina and Rock Hill and York in South Carolina. Her handout is attached as Schedule C to the written minutes in the Clerk to Council's office. Council and staff discussed the Planning Commission's role and single family housing, cluster developments, and medium density residential (MDR) districts. Council and staff discussed that Council needs to give staff clear and precise details about what they wanted to see in the Unified Development Ordinance. Jose Luis requested to split chapter 2 and 4 on cluster developments and vote separately on chapter 2 and send chapter 4 back to Planning staff for clarification. There was further discussion.

Jose Luis amended the motion to postpone 1st Reading of Ordinance 2023-1841 to the March 27th Council meeting. Seconded by Charlene McGriff. A roll call vote was taken and the motion to postpone 1st Reading of Ordinance 2023-1841 Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nayes: None

Discussion and Action Items

Approval of Reappointments to the Employee Grievance Committee

- Reappoint Mike Barnes to the Employee Grievance Committee to fill a three year term that would end on 12/30/2025 (2nd Term)
- Reappoint Joshua Faulkenberry to the Employee Grievance Committee to fill a three year term that would end on 12/30/2025 (2nd Term)

Brian Carnes moved to approve all reappointments as listed. Seconded by Billy Mosteller. A roll call vote was taken and the motion to approve Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nayes: None

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Status of items tabled, recommitted, deferred or held

a. POSTPONED UNTIL THE 6/12/2023 COUNCIL MEETING - 2nd Reading of Ordinance 2022-1831 regarding Rezoning Property Located at 4263 Doby's Bridge Road, Indian Land, SC, from Low Density Residential District (LDR) to Institutional District (INS) to Allow Development of a Daycare Facility

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 4.84 Acres (TM# 0013-00-024.00) Located At 4263 Doby's Bridge Road, Indian Land, From Low Density Residential (LDR) District To Institutional (INS) District. - ***Planning Department Case Number: RZ-2022-1759. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. Public Hearing held at the November 14, 2022 County Council Meeting but 1st Reading deferred until the January 9, 2023 County Council Meeting. Passed 5-2 at the January 9, 2023 County Council Meeting (Opposed Jose Luis and Billy Mosteller). 2nd Reading Postponed until the June 12, 2023 County Council Meeting by a vote of 6-1 (Opposed Jose Luis). - Allison Hardin***

There were no discussions regarding the status of items tabled, recommitted, deferred or held.

Miscellaneous Reports and Correspondence

There were no Miscellaneous Reports and Correspondence discussed during the Council meeting.

Executive Session

Two Items:

1. ***Receipt of legal advice subject to the attorney-client privilege regarding a land-use issue.***

2. ***Receipt of legal advice subject to the attorney-client privilege regarding a potential intergovernmental agreement.***

Brian Carnes moved to go into Executive Session. Seconded by Charlene McGriff. A roll call vote was taken and the Motion Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, MrGriff, Mosteller; Nayes: None. At approximately 8:11 p.m., Council went into Executive Session for two (2) items listed above.

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 9:05 p.m. Charlene McGriff moved to come out of Executive Session. Seconded by Terry Graham.

Items Requiring a Vote Following Executive Session

Upon returning to open session, Ginny Merck-Dupont noted, for the record, that during Executive Session, Council discussed two items: receipt of legal advice subject to the attorney-client privilege regarding a land use issue and receipt of legal advice subject to the attorney-client privilege regarding a potential intergovernmental agreement. She stated no decisions were made and no votes were taken.

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A roll call vote was taken to come out of Executive Session and the Motion Passed 7-0. Ayes: Blackmon, Carnes, Graham, Harper, Luis, McGriff, Mosteller; Nayes: None

Adjournment

Jose Luis moved to adjourn the Council meeting. Seconded by Allen Blackmon. The motion to adjourn Passed 7-0.

There being no further business, the regular meeting of County Council adjourned at approximately 9:06 p.m.

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Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2023-1839 / Planning Case Number: RZ-2022-2335
Contact Person / Sponsor: M. Blaszyk / Planning
Department: Planning
Date Requested to be on Agenda: 3/13/2023

Council Action Requested:
Application by George Banks McGinn and Sallie Cooper to rezone approximately 2.9 acres located at 168 Fort Mill Highway (TM # 0008-00-007.00) from Mixed Use (MX) to General Business (GB) district, to develop as a commercial property.

Points to Consider:
The subject parcel opted out of the 2020 mass MX rezoning, which rezoned 42 parcels from MX zoned districts to other zoning districts to remain conforming with the Unified Development Ordinance. This was in hopes of being bought by the nearby Capital Club project. The owner is now looking to rezone the parcel since the property acquisition failed to occur.

Funding and Liability Factors:

Recommendation:
The item received unanimous approval at the January 17th Planning Commission meeting. The Planning Commission briefly discussed concerns for traffic with future development of the site.

Staff also recommends approval.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2023-1839	2/9/2023	Ordinance
Staff Report	1/10/2023	Planning Staff Report
Application	1/3/2023	Exhibit
Plat	1/3/2023	Exhibit
Location Map	1/3/2023	Exhibit

STATE OF SOUTH CAROLINA (
(ORDINANCE NO. 2023- 1839
COUNTY OF LANCASTER (

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE APPROXIMATELY 2.9 ACRES (TM# 0008-00-007.00) LOCATED AT 168 FORT MILL HIGHWAY, INDIAN LAND, FROM MIXED USE (MX) DISTRICT TO GENERAL BUSINESS (GB) DISTRICT.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) George Banks McGinn and Sallie E. Cooper, applied to rezone a parcel of property (TM# 0008-00-007.00) owned by George Banks McGinn and Sallie E. Cooper, totaling 2.9 acres, more or less, located at 168 Fort Mill Highway, Indian Land, from Mixed Use (MX) District to General Business (GB) District.

(b) On January 17, 2023, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by unanimous vote, recommended approval of the rezoning request.

(c) 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 proposed GB District is compatible with the comprehensive plan and with surrounding zoning designations.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from Mixed Use (MX) District to General Business (GB) District, for the following property as identified by tax map numbers or other appropriate identifiers:

Tax Map No. (0008-00-007.00)

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 _____, 2023.

LANCASTER, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

ATTEST:

_____
Sherrie Simpson, Clerk to Council

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

Approved as to form:

_____
Virginia Merck-Dupont, County Attorney

PROPOSAL:	Request to rezone 2.9 acres of property
PROPERTY LOCATION:	168 Fort Mill Hwy/ Hwy 160 (TM # 0008-00-007.00)
CURRENT ZONING DISTRICT:	Mixed Use (MX) District
PROPOSED ZONING DISTRICT:	General Business (GB) District
APPLICANT:	George Banks McGinn and Sallie Cooper
COUNCIL DISTRICT:	District 4, Jose Luis
STATUTORY NOTICES:	Sign(s) posted 12/28/2022 at 168 Fort Mill Hwy Hearing notice published 12/31/2022 in The Lancaster News Mailed notices 12/28/2022 Posted agenda in lobby [1/10/2023]

OVERVIEW:

Proposal

The applicant has requested to rezone a parcel 2.9 acres in size. The intent is to develop the property to be utilized for its highest and best use.

Site Information

The parcel proposed to be rezoned is currently a non-conforming residential use; there is a home on the property. It was zoned MX in 2016; likely in association with the adjacent Capital Club apartment commmunity.

Summary of Adjacent Zoning and Uses

The properties are surrounded predominantly by MDR and GB zoned properties.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	MX	Apartments
South	Lancaster County	RB	Lowe's; Queensgate outparcels
East	Lancaster County	GB	Mixed retail and non-conforming residential
West	Lancaster County	MX, GB	Apartments; non-conforming residential

Parcel History:

Mass MXX District Rezoning

In 2020, there was a County-initiated rezoning request to rezone 42 parcels that were zoned Mixed Use : MX, IMX, or RMX to be rezoned to General Business (GB), Regional Business (RB), Low Density Residential (LDR), Rural Neighborhood (RN), and Insitutional (INS). The purpose of the prior rezoning action was to bring these parcels into conformance with current zoning regulations as described in the

Lancaster County UDO. These parcels were located near the intersections of Doby's Bridge Rd and Charlotte Hwy, Fort Mill Hwy and Charlotte Hwy, and Springdale Rd and Williams Estate Dr.

The parcels that had been zoned to the mixed-use districts were envisioned to be developed by large scale developers for inclusion within master planned developments. MX zoned properties require a minimum of 25-highland acres to develop. By 2020, many of these properties were for sale individually and many no longer met the minimum development size of 25-acres.

Tax Map Number 0008-00-007.00, which is the subject property for the current rezoning application opted out of the prior mass rezoning and is now looking to be rezoned General Business. In 2020, the owner hoped the Capital Club apartment community (which is zoned MX) would purchase the property for a future expansion and is no longer the case.

ANALYSIS & FINDINGS:

Zoning Districts
As previously noted, the subject property is currently in the MX District. Pursuant to UDO Chapter 2.3, the MDR District "*… is established as a pedestrian-scaled, mixed-use district which caters to the everyday needs of nearby neighborhoods, stressing accessibility by automobiles, bicycles, and pedestrians. This district accommodates an active, pedestrian-friendly area of community-scale commercial, residential, office, and civic uses in both vertically mixed-use, as well as free-standing buildings. Retail should be placed at street level, with residential uses in rear or upper stories*."

Requested GB

UDO Chapter 2.3 describes the requested GB District *"… is generally located on thoroughfares and provides opportunities for the provision of offices, services, and retail goods in proximity to generally auto-dependent, community neighborhoods. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development."*

Compatibility with Surrounding Area
As noted previously, the subject property is predominately surrounded by GB, MX, and RB Zoning Districts. The surrounding uses are primarily Commercial, Mixed Use, and Residential.

Non-Conformance Status

The property's use is currently residential in nature. If the rezoning were to be approved (changing the zoning district to General Business) the home on the property would remain legal non-conforming if it remains on the site as a residence. This legal non-conforming status means that no major changes can occur to the residence that would further expand its non-conformance.

RELATIONSHIP TO PUBLIC PLANS

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 Walkable 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 covers the upper half of the Panhandle, terminating at Waxhaw Highway (Route 75). The Neighborhood Mixed Use Future Land Use Category and Walkable Neighborhood Community Type are intended to be compatible with the existing suburban character of the area

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

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

The parcels' location also falls under one of the County's Specialty Centers, specifically a Pedestrian Center. The Pedestrian Center corresponds to the Community Type of Walkable Activity Center. The adopted Comprehensive Plan states that The Community Type "Walkable Activity Center" is synonymous with the Place Type "Mixed-Use Activity Center." 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 uses organized around a network of walkable streets, and it is supported by transit options. The Comprehensive Plan further establishes several possible land use considerations representing typical development in this category which are depicted in the table below.

The 3 Pedestrian Specialty Centers are located at the intersections of Fort Mill Highway and 521, between 521 and Henry Harris Road (North of Cross Ridge and South of Thousand Oaks Road), and North of Shelley Mullis Road and South of Cross Ridge. The Pedestrian Specialty Centers and Walkable Activity Center Community Type are, by default, intended to be compatible with the existing character of the area.

The requested GB District is consistent with the Pedestrian Specialty Centers Category.

Walkable Activity Center: Land Use Considerations		
Condominium / Apartment	Professional Office	Movie Theatre
Live/Work Unit	Government Building	Pocket Park
Community-wide Commercial	Church/School	Farmers' Market
Restaurant	Library	

INFRASTRUCTURE CONSIDERATIONS

Transportation

A Traffic Impact Analysis (TIA) may be required with the future Civil Plan submittal if the use of the site generates more than 50-peak hour trips.

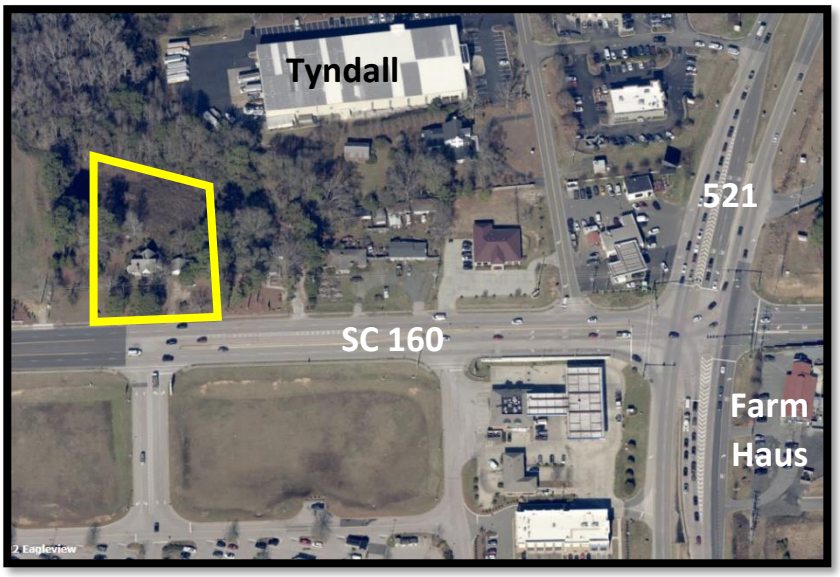
Public Utilities

The Lancaster County Water and Sewer District (LCWSD) is currently serving the site with water fed by a 12-inch line off S.C 160. The site does not currently have access to sewer. A developer would have to work with LCWSD on sewer access.

Public Schools

Not applicable.

PHOTOS OF PROJECT AREA:



An Ariel view of the subject property is visible on the left-hand side of the photo above.

Facing subject parcel

Facing West on S.C. 160

Facing East on S.C. 160

Facing out from subject parcel (Lowes is beyond)

STAFF RECOMMENDATION:

Staff recommends **Approval** of the request to rezone 2.9 acres (TM # 0008-00-007.00) from Mixed Use (MX) District to General Business (GB) District, pursuant to the following findings of fact:

1. That the subject project consists of the following parcel: TM # 0008-00-007.00);
2. That the subject property is currently zoned MX District and proposed to be rezoned GB District;
3. That the subject property has a Future Land Use designation of Neighborhood Mixed Use, and a Community Type of Walkable Neighborhood;
4. That the subject property has a Specialty Center designation of Pedestrian Center, and a Community Type of Walkable Activity Center; and
5. That the proposed GB District is generally consistent with the surrounding area which is comprised of GB, RB, and MX Zoning Districts.

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map

STAFF CONTACT:

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

Lancaster County
South Carolina

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

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

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

GENERAL INFORMATION

Property Address 1608 Fort Mill Hwy

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

Current Zoning MX Current Use Vacated Residential Dwelling

Proposed Zoning GB Total Acres +/- 2.9 acs

Project Description Future Commercial Development (TBD)

Surrounding Property Description Retail, Apartments

CONTACT INFORMATION

Applicant Name George Banks McGinn, Sallie Cooper

Address 1825 Shady Pine Circle

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.

George Barker McGhee — 11/2/22

Applicant — Date

George Barker McGhee — 11/2/22

Property Owner(s) — Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. Submit Application

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

2. Planning Commission

- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes a recommendation to the County Council.

3. County Council

2006000339
DEED
RECORDING FEES $11.00
EXEMPT
PRESENTED & RECORDED:
01-09-2006 02:54 PM
JOHN LANE
REGISTER OF DEEDS
LANCASTER COUNTY, SC
By: CANDICE KIRKLEY DEPUTY
BK:DEED 316
PG:200-204

RECORDED THIS 13th DAY OF JANUARY, 2006
IN BOOK O PAGE M-01

Cheryl L. Morgan
Auditor, Lancaster County, SC

LANCASTER COUNTY ASSESSOR
Tax Map:
0008 00 007 00

LE TO REAL ESTATE
ROBERT H. BREAKFIELD
Attorney at Law
DEED PREPARED ONLY
NO TITLE SEARCH

KNOW ALL MEN BY THESE PRESENTS, That I, **GRACE McGINN** (hereinafter referred to as the "Grantor") in consideration of the sum of **Love and Affection** to me in hand paid at and before the sealing of these Presents by **SALLIE E. COOPER and GEORGE BANKS McGINN** of 1825 Shady Pine Circle, Fort Mill, SC, 29715 (hereinafter referred to as the "Grantee") (the receipt whereof is hereby acknowledged) have granted, bargained sold and released and by these Presents do grant, bargain, sell and release unto the said Grantee, their heirs and assigns, RESERVING TO HERSELF A LIFE ESTATE, the following described property, to wit:

PROPERTY DESCRIPTION

Please see attached legal description

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

TO HAVE AND TO HOLD, all and singular the said premises before mentioned unto the said Grantee, their heirs and assigns forever.

And the said Grantor hereby binds herself and her heirs and assigns, to warrant and forever defend all and singular the said Premises unto the said Grantee, their heirs

Witness my Hand and Seal this 5 day of Dec in the year of our Lord Two Thousand and Five and in the two hundred and twenty-ninth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Tammy D Ford

Robert H Bryant

Grace B. McGinn
Grace McGinn

STATE OF SOUTH CAROLINA)
)
COUNTY OF)

PERSONALLY APPEARED before me the undersigned witness and made oath that _he saw GRACE McGINN, sign, seal, and as her act and deed, deliver the within written Deed for the uses and purposes therein mentioned and that _he, with the other witness, whose signature appears above, witnessed the execution thereof.

Tammy D Ford
Witness

SWORN to before me this
5 day of Dec, 2005.

Robert H Bryant
Notary Public for South Carolina
My Commission Expires: 08-04-2015

PROPERTY DESCRIPTION

All that interest in that certain parcel or land lying and being in Lancaster County, South Carolina and being more particularly described as follows: Lots 10, 11, 12, 13 and 14 on South Carolina Highway No. 160, in Pleasant Valley section of the Indian Land Township, and more particularly described in a map surveyed December 29, 1947, by L. E. Carothers, Surveyor, and recorded in the Public Records of Lancaster County, South Carolina.

This being a portion of the entire property conveyed by Deed of S. E. Bailes and wife, Mrs. S. E. Bailes to W. C. McGinn, Jr. and wife, Grace McGinn dated March 16, 1950, recorded in Deed Book A-4, Page 602.

DERIVATION:
Deed of Sallie E. Cooper and George Banks McGinn to Grace McGinn, recorded January 9, 2006 in Book 316 at Page 193 in the Office of the Clerk of Court for York County, South Carolina.

STATE OF SOUTH CAROLINA)
) AFFIDAVIT
COUNTY OF Lancaster)

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

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

2. The property being transferred is located in Lancaster County, bearing Tax Map Number _____ and was transferred by Grace McGinn to Sallie E. Cooper & George Banks McGinn on December 5, 2005.

3. Check one of the following: The deed is

(a) ___ subject to the deed recording fee as transfer for consideration paid or to be paid in money or money's worth in the amount of $_____.

(b) ___ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.

(c) ✓ exempt from the deed recording fee because (See Information): #8, Love & Affection

(If exempt, skip items 4-7 and go to item 8.)

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information):

(a) ___ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of $_____.

(b) ___ The fee is computed on the fair market value of the realty which is _____.

(c) ___ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.

5. Check Yes _____ or No _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is: _____.

6. The deed recording fee is computed as follows:

(a) Place the amount listed in item 4 above here: $_____

(b) Place the amount listed in item 5 above here: $_____

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

Robert H Bengel

SWORN to before me this 9th day of Jan., 2006

Patricia Davis

Notary Public for S.C.

My commission expires: 1-21-2009

INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty after the transfer and remaining on the land, tenement, or realty before the transfer and in determining fair market value under the provisions of the law. Taxpayers may elect to use the fair market value for property tax purposes

Exempted from the fee are deeds,

(1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;

(2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;

(3) that are otherwise exempted under the laws and Constitution of this State or of the United States;

(4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);

(5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interest in the realty that are being exchanged in order to partition the realty;

(6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;

(7) that constitute a contract for the sale of timber to be cut;

(8) transferring realty to a corporation, partnership, or a trust in order to become, or as, a stockholder, partner or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;

(9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family trust" is a trust in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, siblings, brothers, children, stepchildren, and the spouses and lineal descendants of any the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);

(10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;

(11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership; and,

(12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed.

(13) transferring realty subject to a mortgage to the mortgagee whether by deed in lieu of foreclosure executed by the mortgagor or deed executed pursuant to foreclosure proceedings;

(14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty;

(15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16U.S.C. Section 79(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.

LANCASTER COUNTY ASSESSOR
Tax Map:
0008 00 007 00

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)
)
IN THE MATTER OF:)
GRACE B. MCGINN)
(Decedent))

IN THE PROBATE COURT

DEED OF DISTRIBUTION
(Real Property Only)
NOT A WARRANTY DEED

CASE NUMBER: 2016ES2900511

RECORDED THIS 11th DAY OF OCTOBER, 2017 IN BOOK 0 PAGE 0

Susan D. Hunter Wallace
Auditor, Lancaster County,

The undersigned states as follows:

Decedent died on SEPTEMBER 4, 2016; and probate of the Estate is being administered in the Probate Court for LANCASTERCounty, South Carolina, in File #2016ES2900511.

I/We was/were appointed Personal Representative (s) on OCTOBER 26, 2016.

2017014969
DEED OF DISTRIBUTION
RECORDING FEES $10.00
PRESENTED & RECORDED:
10-06-2017 03:29 PM
JOHN LANE
REGISTER OF DEEDS
LANCASTER COUNTY, SC
By: CANDICE PHILLIPS DEPUTY
BK:DEED 1087
PG:274-276

Decedent owned real property described as follows:

Tax Map Number: 0008-00-007

Street/Property Address:

Legal Description: SEE ATTACHED LEGAL DESCRIPTION

☐ Additional sheet(s) for additional property(ies) is attached (check if applicable)

This transfer is made pursuant to:

In accordance with the laws of the State of South Carolina, the Personal Representative(s) does/do hereby release all of the Personal Representative's(s') right, title and interest, including statutory and/or testamentary powers, over the real property described to the beneficiaries named below:

Name:	GEORGE BANKS MCGINN	Name:	____
Address:	1825 SHADY PINE CIRCLE FORT MILL, SC 29715	Address:	____ ____
Name:	SALLIE COOPER	Name:	____
Address:	10 SHADED WAY ROUND ROCK, TX 78664	Address:	____ ____

□ Additional sheet(s) for names of additional beneficiaries is attached (check, if applicable)

IN WITNESS WHEREOF, the undersigned, as Personal Representative(s) of the above Estate, has executed this Deed of Distribution, on this 28 day of SEPTEMBER, 2017.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Witness: Patricia Davis

Print Name: PATRICIA DAVIS

Witness : _____

Print Name: ROBERT H. BREAKFIELD

Estate of: GRACE B. MCGINN
Signature of Personal
Representative: X George Banks McGinn

Print Name: GEORGE BANKS MCGINN

If applicable,
Signature of Co-Personal
Representative: _____

Print Name: ____

STATE OF SOUTH CAROLINA)
)
)

ACKNOWLEDGMENT

COUNTY OF YORK

I, KELLY S. SUMWALT, Notary Public, a notary for the State of South Carolina do hereby certify that GEORGE BANKS MCGINN, as Personal Representative(s) of the Estate of GRACE B. MCGINN, personally appeared before me this day and acknowledged the due execution of the foregoing Deed of Distribution.

Witness my hand and seal this the 28 day of September, 2017.

Legal Description

All that interest in that certain parcel or land lying and being in Lancaster County, South Carolina and being more particularly described as follows: Lots 10, 11, 12, 13, and 14 on South Carolina Highway No. 160, in Pleasant Valley Section of the Indian Land Township, and more particularly described in a map surveyed December 29, 1947, by L.E. Carouthers, Surveyor, and recorded in the Public Records of Lancaster County, South Carolina.

This being a portion of the entire property conveyed by Deed of S. E. Bailes and wife, Mrs. S. E. Bailes to W. C. McGinn, Jr. and wife, Grace McGinn dated March 16, 1950, recorded in Deed Book A-4, page 602.

DERIVATION: This being the identical property conveyed to Grace McGinn by deed of Sallie E. Cooper and George Banks McGinn, recorded January 9, 2006 in Deed Book 316, page 193, Office of the Clerk of Court for Lancaster County, SC.

Federal Stamp $ 1.10

State Doc. Stamp $ 2.00

The R. L. Bryan Company, Columbia, S. C. 29226

STATE OF SOUTH CAROLINA,
COUNTY OF LANCASTER.

TITLE TO REAL ESTATE—A-4

KNOW ALL MEN BY THESE PRESENTS, THAT

We, S. E. Bailes and wife, Mrs. S. E. Bailes of Eustis, Florida

of the State aforesaid in consideration of the sum of

Six hundred and twenty-five and no/100 DOLLARS

to us in hand paid at and before the sealing of these presents by W. C. McGinn, Jr. and Wife, Grace

of the State aforesaid the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said W. C. McGinn, Jr. and wife, Grace, the following described property, to wit:

All that certain parcel of land lying and being in Lancaster County, South Carolina andbeing more particularly described as follows: Lots 10, 11, 12, 13 and 14 on South Carolina Highway No. 160, in Pleasant Valley Section of the Indian Land Township, and more particularly described in a map surveyed December 29, 1947, by L. E. Carothers, Surveyor, and recorded in the Public Records of Lancaster County, South Carolina.

TOGETHER with all and singular, the Rights, Members, Hereditaments, and Appurtenances to the said Premises belonging, or in any wise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned, unto the said W. C. McGinn, Jr. and wife, Grace, their Heirs and Assigns forever.

AND We do hereby bind ourselves, our Heirs Executors and Administrators, to warrant and forever defend, all and singular, the said Premises unto the said W. C. McGinn, Jr. and wife, Grace, their Heirs and Assigns, against ourselves and our Heirs, Executors, Administrators and Assigns and all other persons whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS Our Hands and Seals this 4th day of February in the year of our Lord one thousand nine hundred and Forty-eight and in the one hundred and Seventy-second year of the Sovereignty and Independence of the United States of America.

Signed, sealed and delivered in the presence of

Ruth A. Wirth

J. R. Ashmore

S. E. Bailes (L.S.)

Mrs. S. E. Bailes (L.S.)

THE STATE OF SOUTH ~~CAROLINA~~ FLORIDA
COUNTY OF ~~LANCASTER~~ LAKE

PERSONALLY appeared before me Ruth A. Wirth and made oath that she saw the within-named S. E. Bailes and Mrs. S. E. Bailes sign, seal, and as their Act and Deed deliver the within-written Deed; and that with J. R. Ashmore witnessed the execution thereof.

Sworn to before me, this 4th day of March, 19 48

Ruth A. Wirth

J. R. Ashmore

N. P. for Florida (L.S.)

My comm. exp. Sept. 14, 1949

Notary Public for South Carolina Florida

THE STATE OF SOUTH CAROLINA

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Witness #1

George Dark McGee
Sallie M Cooper
By:
Its:

Witness #2

STATE OF South Carolina **ACKNOWLEDGMENT**

)

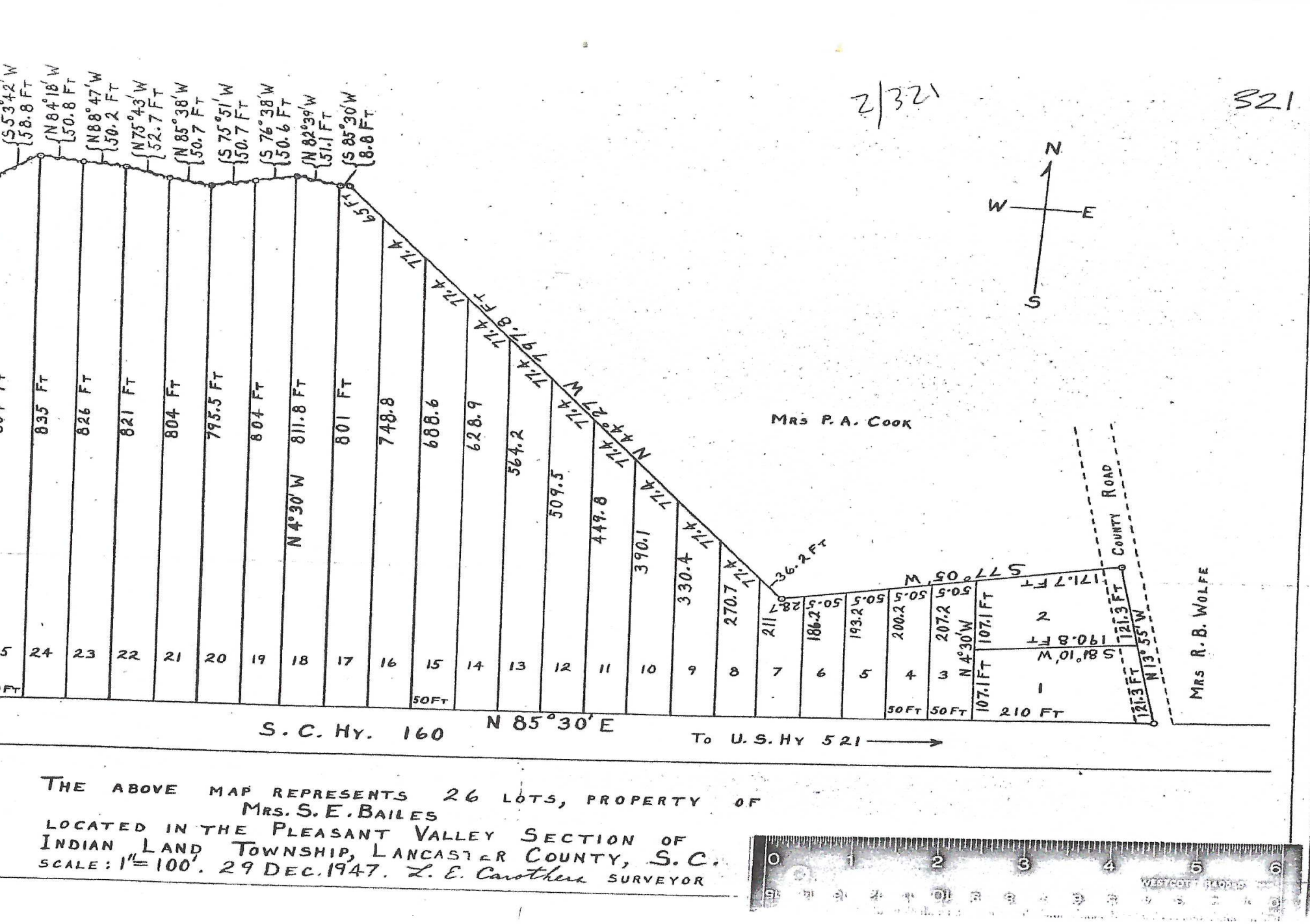
COUNTY OF York)

I, Kelly M Clark, a Notary Public for the State of South Carolina, do hereby certify that George B. McGee + Sallie M. Cooper, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and seal this 4th day of Sept 2020.

Kelly M Clark (SEAL)
Notary Public for State of South Carolina
My commission expires: 4/28/2027

KELLY M. CLARK NOTARY PUBLIC MY COMMISSION EXPIRES 4/28/2027 SOUTH CAROLINA



THE ABOVE MAP REPRESENTS 26 LOTS, PROPERTY OF MRS. S. E. BAILES LOCATED IN THE PLEASANT VALLEY SECTION OF INDIAN LAND TOWNSHIP, LANCASTER COUNTY, S. C. SCALE: 1" = 100'. 29 DEC. 1947. L. E. Carothers SURVEYOR

STATE OF SOUTH CAROLINA	)	**REQUEST TO BE REMOVED FROM ORDINANCE 2020-1686 AND RELEASE OF CLAIMS** D.B. MS
	)	
	)	
COUNTY OF LANCASTER	)	

The undersigned is the owner of real property identified by Tax Map No. 0008-00-007.00 (168 Foxx Mill Hwy) and subject to Lancaster County initiated rezoning bearing Planning Commission Case No. RZ-020-1614 and Ordinance 2020-1686.

The undersigned acknowledges that their property currently has a mixed-use zoning designation, but the property does not meet the minimum acreage required for development of the property as a mixed-use property. The undersigned acknowledges that he/she/it has requested that Lancaster County remove the property from the aforesaid rezoning ordinance as the undersigned believes that there is a reasonable and foreseeable possibility that a developer will purchase the property and combine it with adjacent properties for a development project. The undersigned understands and acknowledged that, unless rezoned or combined with adjacent properties, the subject property is not capable of development as a mixed-use property with its current zoning designation. The undersigned acknowledges and agrees that the pending rezoning application by Lancaster County would remedy the nonconformity of the property and allow marketability and development under a new zoning designation.

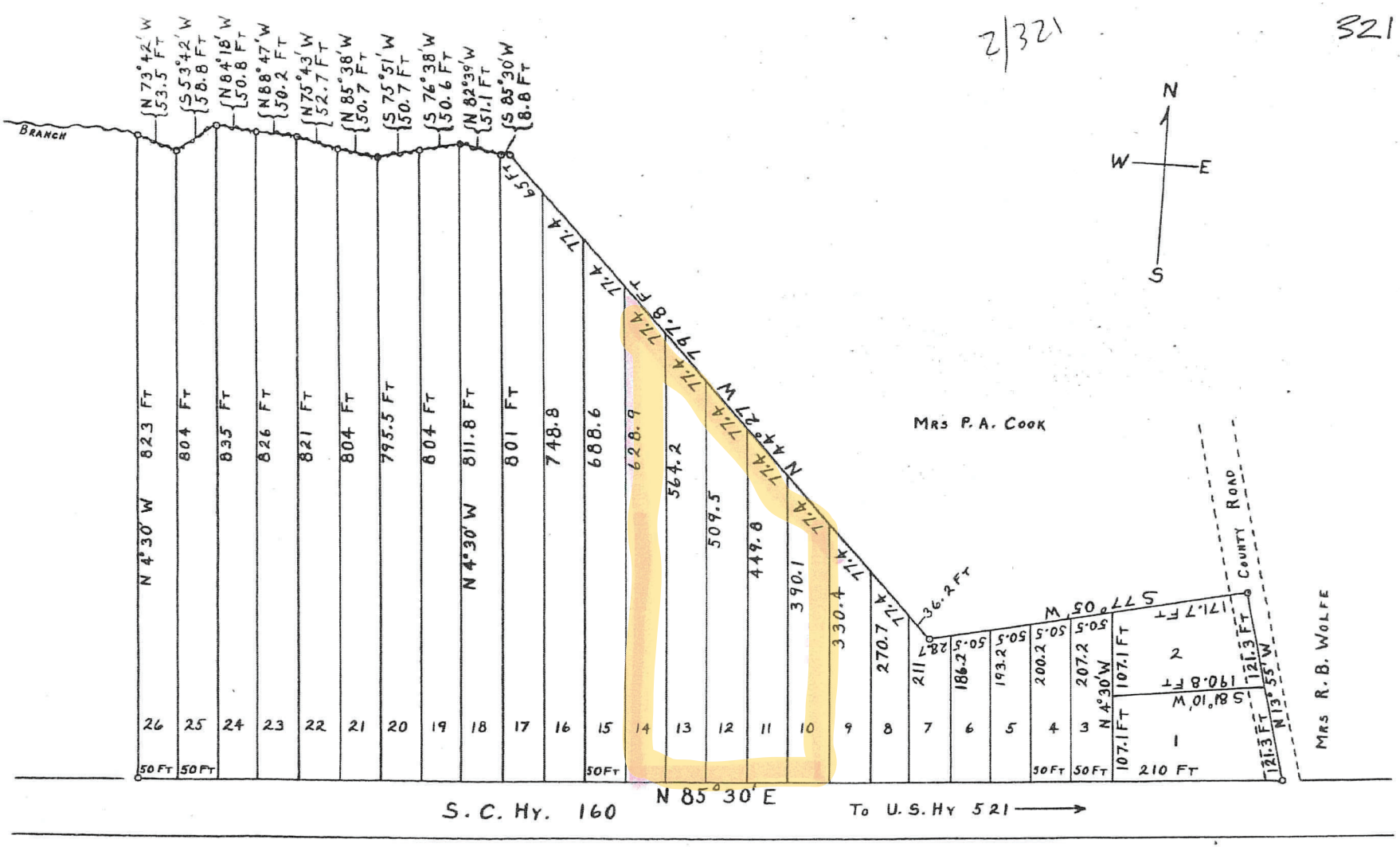
D.B.M

The undersigned, having requested removal from the rezoning ordinance that would remedy the property's nonconformity, on behalf of himself/herself/itself and its successors and assigns, hereby releases Lancaster County from all causes of action and claims for damages, whether present or future, know or unknown, that arise from the property's current zoning designation. The undersigned acknowledges that Lancaster County has agreed to remove the property from the pending rezoning ordinance at the undersigned's request and that the request is voluntarily made without duress or coercion.

The undersigned agrees and acknowledges that the zoning designation of the real property may be revisited periodically by Lancaster County and, if the property remains in non-conformity for a period of time greater that eighteen (18) months, Lancaster County may contact the undersigned to discuss a potential rezoning of the real property. The undersigned acknowledges that Lancaster County has agreed to waive rezoning fees associated with a future rezoning application of the subject property, if such rezoning is needed, to bring the subject property into compliance with applicable development standards.

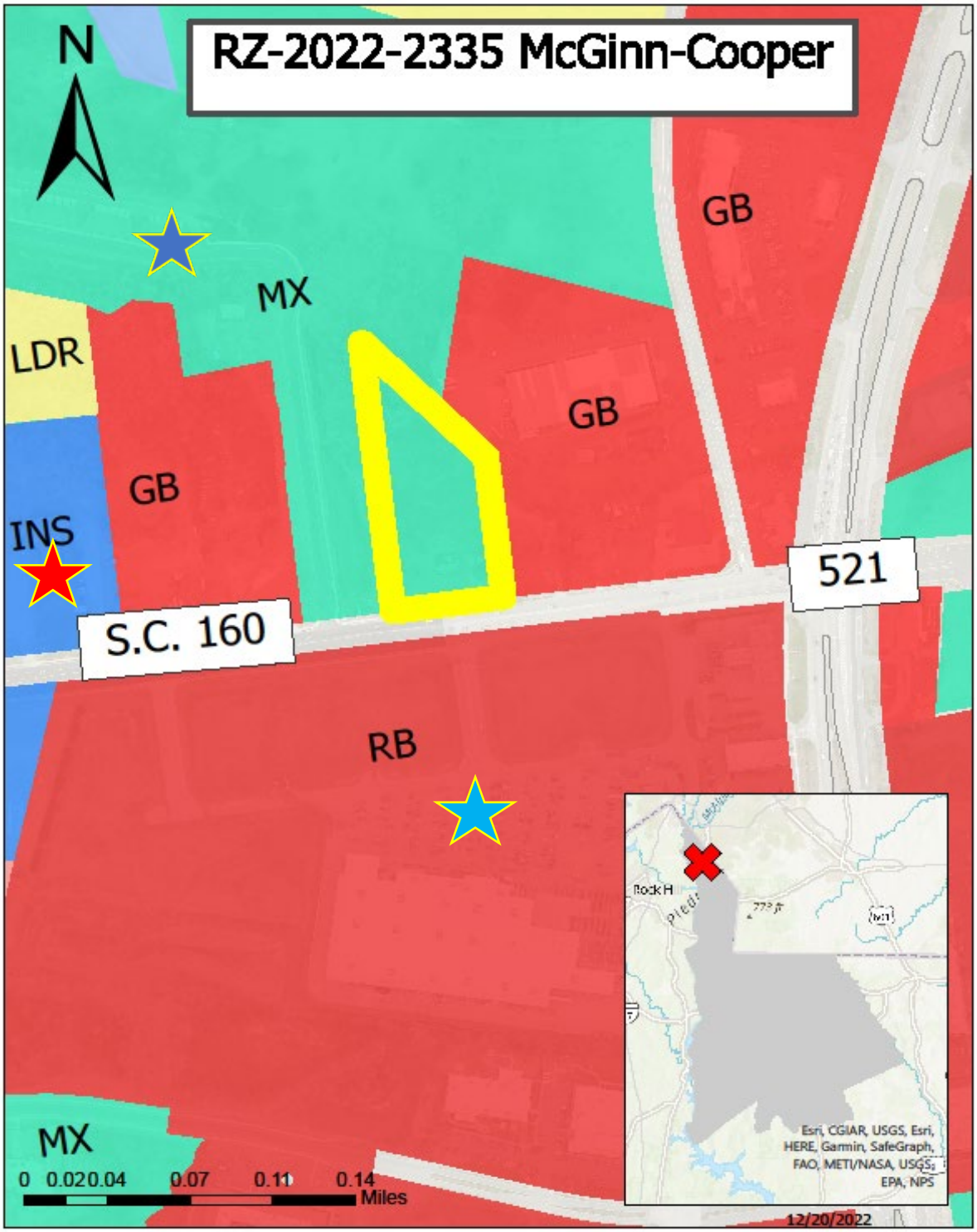
2/321

321



THE ABOVE MAP REPRESENTS 26 LOTS, PROPERTY OF MRS. S. E. BAILES LOCATED IN THE PLEASANT VALLEY SECTION OF INDIAN LAND TOWNSHIP, LANCASTER COUNTY, S.C. SCALE: 1" = 100'. 29 DEC. 1947. L. E. Carothers SURVEYOR

TAX PARCEL 008-00-007.00



Lancaster County
South Carolina

Proposal:
Rezoning: MX to GB

Subject Property

Capital Club Apartments

Pleasant Hill Methodist Church

Lowe's

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2023-1840 / Planning Case Number: UDO-TA-2022-2602 Section 6.4
Contact Person / Sponsor: A. Davis / Planning
Department: Administration
Date Requested to be on Agenda: 3/13/2023

Council Action Requested:
Application by Lancaster County to amend the Unified Development Ordinance Section 6.4.1, Connectivity, to modify standards pertaining to the maximum number of lots which take access from a road where one end is permanently closed.

Currently, Lancaster County allows a maximum of 20 lots to access off of a dead end road pursuant to UDO section 6.4.1.D.1. As written, this standard applies to not only new construction but all existing dead-end roads within the County. Following concerns from constituents and a failed request to a variance from these regulations (VAR-2022-2006), County Council directed Planning Staff to prepare a text amendment which would provide relief to property owners on roads which existed prior to the adoption of the current UDO.

Points to Consider:
It should be noted that there are other factors which determine whether or not a property can be subdivided (how many times the lot has been previously divided, lot size, zoning compliance, etc.). While this text amendment may provide relief and the ability to subdivide to some residents, it does not guarantee that all lots located on existing roads may now be subdivided.

Funding and Liability Factors:
N/A

Recommendation:
Planning Commission unanimously recommended **approval** of the text amendment as proposed.

Some commissioners expressed concerns about public safety access to the roads most effected by this amendment; including concerns with road widths, adequate turnarounds, and overall road conditions.

At the 2/13/23 Council meeting, an alternative option regarding road category was discussed, and a summary of the option has been included at the beginning of this report.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance No. 2023-1840	3/8/2023	Ordinance
Exhibit 1 to Ordinance 2023-1840: Proposed Language	1/9/2023	Exhibit
Updated Planning Staff Report	3/8/2023	Planning Staff Report
Application	1/10/2023	Exhibit

STATE OF SOUTH CAROLINA)
) **ORDINANCE NO. 2023-1840**
COUNTY OF LANCASTER)

AN ORDINANCE

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE ("UDO") SECTION 6.4.1, CONNECTIVITY, TO MODIFY STANDARDS PERTAINING TO THE MAXIMUM NUMBER OF LOTS WHICH TAKE ACCESS FROM A ROAD WHERE ONE END IS PERMANENTLY CLOSED ON THE EFFECTIVE DATE OF THIS ORDINANCE

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

Section 1. Findings and Determinations.

The Council of Lancaster County ("Council) finds and determines that:

(a) Lancaster County initiated a full rewrite of the Unified Development Ordinance (UDO) in October 2021 to address substantive issues with the UDO, has retained a UDO consultant to assist in the full rewrite of the UDO, and the full rewrite is expected to take another twelve (12) to eighteen (18) months to complete.
(b) Development interest and activity in Lancaster County continues to increase and development project are often presented to the Council that comply with technical requirements of the UDO, but do not fully realize the development policy goals of Lancaster County.
(c) To address issues with development standards within the current UDO, Lancaster County directed its UDO consultants to develop an interim ordinance to address some of the larger issues associated with development projects that have been processed with the current UDO.
(d) It is necessary and prudent to amend the UDO with this interim ordinance text amendment prior to the full UDO rewrite to ensure that high quality development projects occur in Lancaster County and that, prior to full UDO rewrite, development projects better achieve the development policy goals of Lancaster County.
(e) The current Lancaster County UDO allows a maximum of 20 lots to access off of a dead-end road pursuant to Section 6.4.1.D.1. As written, this standard applies to not only new construction, but all existing dead-end roads within the County.
(f) The text amendment would exempt roads which were developed prior to November 28, 2016 from the following connectivity standards: block length; block width; through-block connectivity; maximum length of a dead end road; and number of lots which may access off of a dead end road. This exemption would not apply to an extension of an existing road in conjunction with new development.
(g) The text amendment provides relief and the ability to subdivide for some properties, however, it does not guarantee that all lots located on existing roads may now be subdivided as additional factors including, but not limited to, how may times the lot has been previously divided, lot size, zoning compliance, etc. will be considered.

(h) The text amendment is consistent with the applicable provisions of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as applicable provisions of South Carolina Code, Title VI.
(i) Lancaster County Planning Commission considered the proposed text amendment at its meeting on January 17, 2023 and by a unanimous vote recommended approval of the proposed text amendment.

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

Ordinance 2016-1442 (Unified Development Ordinance), is amended as set forth in the "Interim Ordinance - Exhibit 1" attached hereto and incorporated herein by reference.

Section 3. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2023.

LANCASTER COUNTY, SOUTH CAROLINA

_____
Steve Harper, Chair, County Council

_____
Billy Mosteller, Secretary, County Council

ATTEST:

_____
Sherrie Simpson, Clerk to Council

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

Approved as to form:

_____
Virginia Merck-Dupont, County Attorney

6.3 REQUIRED IMPROVEMENTS FOR ALL DEVELOPMENT

All development which does not qualify as a Minor Subdivision according to the criteria in Chapter 9 shall be required to install or construct the improvements specified in the table below. The developer shall be responsible for the installation and construction of required improvements according to the provisions of this ordinance and the South Carolina Department of Transportation (SCDOT) Access and Roadside Management Standards (ARMS) manual, except as may otherwise be specifically provided herein or by County policy or agreement.

	Zoning Districts														
Required Improvements	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	LI	HI	All Others
Underground Drainage*	-	-	-	-	-	-	-	X	X	X	X	X	X	X	X
Curb and Gutter*	-	-	-	-	-	-	-	X	X	X	X	X	X	X	X
Public Water and Hydrants	-	-	-	-	-	-	X	X	X	X	X	X	X	X	X
Public Sewer	-	-	-	-	-	-	X	X	X	X	X	X	X	X	X
Street Lights	-	-	-	-	-	-	-	X	X	X	X	X	X	X	X
Street Trees	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Paved Streets	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Street Signs (All)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Underground Wiring	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Park/Open Space	X	-	-	-	X	X	X	-	-	-	-	X	-	-	X
Sidewalks (also see 6.7.1)*	-	-	-	-	-	X	X	X	X	X	X	X	-	-	X

* Administrator may wave required improvements with use of approved Low Impact Development Infrastructure.

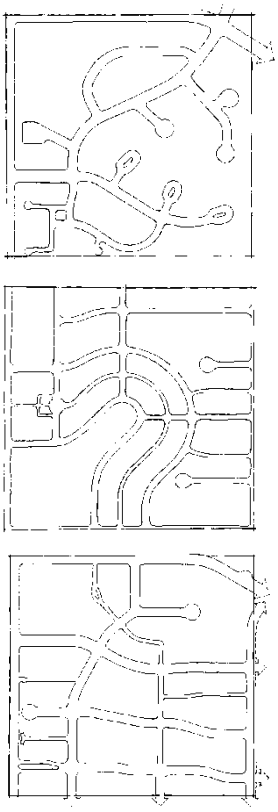
6.4 CONNECTIVITY

6.4.1 GENERAL

The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets. The proposed street system shall be designed to provide vehicular interconnections in order to facilitate internal and external traffic movements in the area, improve access/egress for neighborhoods and communities, provide faster response time for emergency vehicles, and improve the connections between neighborhoods and communities. Street arrangements shall not be such as to cause hardship to the owner of adjoining property in platting their own land and providing convenient access to it.

All roads constructed prior to the adoption of this ordinance (adoption date: 11-28-2016) are exempt from the regulations found in sections 6.4.1.A through 6.4.1.D.

In the event that an existing road is extended in conjunction with new development all of the following standards shall apply.



The images at left illustrate three conceptual subdivision layouts. The top image is an example of a poor layout with too few connections and many dead ends. The lower two images show improved street layouts with the required connections and a network of streets. (Diagrams courtesy of Fort Collins, Colorado)

A. Block Lengths: Block lengths shall adhere to the standards in the following table:

	Minimum Block Length	Maximum Block Length
Rural & Transitional Districts*	240 feet	1,000 feet
Neighborhood Mixed Use Districts*	240 feet	600 feet

**District classifications are outlined in Chapter 2.*

B. Block Width: Blocks shall have sufficient width to provide for 2 tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic.

C. Through-Block Connections: A pedestrian/bicycle accessway shall be required near the center and entirely across any block in excess of 800 feet in length where deemed essential by the Administrator to provide adequate access to any school, shopping center, church, park, or transportation facility (such as a greenway, sidewalk, or bike lane). Such connections shall be owned and maintained by an approved homeowner's association.

D. Cul-de-Sac: In general, streets with one end permanently closed shall be avoided unless the design of the subdivision and the existing or proposed street system in the surrounding area clearly indicates that a through street is not essential at the location of the proposed cul-de-sac. In instances where permanent dead-end streets or cul-de-sacs are permitted, they must adhere to the following requirements:

1. **Maximum Length:** 800 feet, measured from the point of street centerline intersection to the center point of the cul-de-sac, and no more than 20 lots.
2. **Turnaround Dimensions:** The closed end of such streets shall be designed with turnaround dimensions in accordance with Appendix C, MSSD.
3. **Cul-de-sac Connections:** For the purposes of meeting the connectivity index requirements in Section 6.4.3.A, credit for 1 additional segment shall be given when a pedestrian/bicycle accessway is provided between the following:
   a. Two permanent cul-de-sacs, or
   b. A cul-de-sac and any school, shopping center, church, park, or transportation facility (such as a greenway, sidewalk, bike lane, etc.)

E. Street Jogs Prohibited: Street jogs with centerline offsets of less than 150 feet shall not be permitted.

F. Reserve Strips Prohibited: Reserve strips and non-access easements adjoining street rights-of-way for the purpose of preventing access to or from adjacent property, and half-streets, except those required to prevent access to thoroughfares, shall not be permitted.

G. Street Width Transition: Where a proposed street extends an existing street of a different width than what is required by this section, the width transition shall be made within the first block of the proposed development, but in no instance less than the distance specified by the standards of the South Carolina Department of Transportation (SCDOT). Said standards are those contained in the latest edition of "A Policy on Geometric Design of Highways and Streets" by the American Association of State Highway and Transportation Officials (AASHTO).

H. Access to Major or Minor Thoroughfares: Where a subdivision borders an existing or proposed Major or Minor Thoroughfare, no direct driveway access shall be permitted to such facilities from the lots within the subdivision.

PROPOSAL:	Amend Unified Development Ordinance Section 6.4: Connectivity
APPLICABLE CHAPTER(S):	Chapter 6
APPLICANT:	Lancaster County
STATUTORY NOTICES:	Hearing notice published 12/31/2022 in The Lancaster News And 1/11/2023 in Carolina Gateway Posted agenda in lobby 1/10/2023

PROJECT SUMMARY & PROPOSAL:
Currently, Lancaster County allows a maximum of 20 lots to access off of a dead end road pursuant to UDO section 6.4.1.D.1. As written, this standard applies to not only new construction but all dead roads within the County. Following concerns from constituents and a failed request to a variance from these regulations (VAR-2022-2006), County Council directed Planning Staff to prepare a text amendment which would provide relief to property owners on roads which existed prior to the adoption of the current UDO.

UPDATE SINCE 2/27/2023

Public input during the 2/13/23 County Council meeting indicated that the current proposal would not fully help at least one of the families who have property impacted by section 6.4.1.D.1. Staff proposed a delay to evaluate an alternative and/or addition to the proposed amendment that would exempt rural subdivisions from certain regulations, using a street hierarchy to ensure fair applicability.

BACKGROUND:
The current UDO separates rules for streets between rural and other uses in two ways.

6.4.1.A. – block lengths are different for rural and transitional districts (max 1,000 ft) than neighborhood mixed use districts (max 600 ft).
6.14 and Appendix C, MSSD incorporate different parameters for rights-of-way and pavement, based on the road being urban or rural

Road Type	*Right-of-Way (feet)*	*Pavement (feet)*
Local (Urban)	50	22
Local (Rural)	60	22
Collector (Urban)	60	24
Collector (Rural)	66	24
Commercial/Arterial (Urban)	60	26
Commercial/Arterial (Rural)	66	26

Additionally, the current UDO already limits some land uses by access to the basic road descriptions in the code. Some examples:

- Manufacture home sites (in parks) shall only have direct access to internal park streets. (5.2.7.C.11)
- Residential care facilities may not have more than 16 units unless they have access to collector or arterials streets. (5.2.8.C)
- Campground sites are not allowed to have direct vehicular access to a road (5.3.3.B).
- Restricted personal services are required to access from an interior street in their development, not an exterior local, collector, or arterial road. (5.4.6.A.3)
- Racetracks and outdoor theaters are required to have direct access to a collector or arterial street as their primary access. (5.5.8.C and 5.5.13.C)
- Sports arenas/stadiums are required to have primary access on collector or higher streets. (5.6.6.A)
- Restricted industry, junkyards, warehouse storage, and landfills are required to have access on a major or minor thoroughfare. (5.9.1.F, 5.9.3.G, 5.9.13.F, et al)
- Wholesaling and distribution is required to have access to an arterial or major collector road. (5.9.14.A)

These examples show where different regulations are in place that are based on adjacent road categorizations. This mechanism could be evaluated as a potential option for rural farm subdivisions.

OPTION:

If the UDO had a list of road types that were categorized by unique attributes (annual average daily traffic counts, width of right-of-way and travel lanes, number of lanes, etc), the type of road could be used to determine what types of review would be applied.

For instance: Subdivision of property into lots 10 acres or greater where no new street is involved already has special consideration in the UDO; the length of road requirement and restriction on number of lots could be exempted for this type of subdivision in rural zones as a consideration to maintain farmlands in family ownership. This ties into a goal in the current *Comprehensive Plan*: "Retain farm lands and rural open spaces and improve urban planning."

BENEFITS:

- There is potential to help those working to keep farmland in family ownership.
- To date, the UDO contains references to several road types that are undefined in the code. A full accounting and hierarchical list would be an asset for code interpretation.
- The proposal could help move forward objectives in the *Comprehensive Plan.*

- Better data organization helps create better maps and a better understanding of the status of road infrastructure in the County.

CHALLENGES:

- This type of ordinance would take a wider review. Staff would need input from Public Works and Stormwater as the descriptions were created, in order to ensure no accidental issues were created with other programs and/or codes.
- Staff would need to evaluate existing data from GIS, Public Works, and other sources to determine what information was already available and what would need to be created.
- Technical drawings of the design profiles for new road categories would need to be created and adopted as part of Appendix C, Manual of Specification and Standard Details (MSSD).
- Additional staff would be needed to field-verify data collected and enter the data into a database for future reference.
- Additional staff may be needed to measure and ensure accurate road categorization for each applicable subdivision application.
- The time involved in this type of proposal would further delay those families who wish to subdivide the property sooner rather than later.

NEXT STEPS:

If the Council wishes to move forward with a road hierarchy project, they could direct staff to begin work on defining and designing a more robust list of street types, and create recommendations for regulations that would align with the levels of service. This project would include the Planning Commission and a public hearing, and could be incorporated into the UDO rewrite.

If Council wishes to grant the next reading of the current proposal (**UDO-TA-2022-2602**), it would not be in conflict with the road hierarchy project. The current proposal (see next page) helps those who want to subdivide off of existing roads, but does not help those who would need to create additional road length in order to access new lots. A public hearing for this item was held, and the Planning Commission recommended approval. This recommendation has not changed.

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

PROPOSAL:	Amend Unified Development Ordinance Section 6.4: Connectivity
APPLICABLE CHAPTER(S):	Chapter 6
APPLICANT:	Lancaster County
STATUTORY NOTICES:	Hearing notice published 12/31/2022 in The Lancaster News And 1/11/2023 in Carolina Gateway Posted agenda in lobby 1/10/2023

PROJECT SUMMARY & PROPOSAL:
Currently, Lancaster County allows a maximum of 20 lots to access off of a dead end road pursuant to UDO section 6.4.1.D.1. As written, this standard applies to not only new construction but all dead roads within the County. Following concerns from constituents and a failed request to a variance from these regulations (VAR-2022-2006), County Council directed Planning Staff to prepare a text amendment which would provide relief to property owners on roads which existed prior to the adoption of the current UDO.

OUTLINE OF TEXT AMENDMENT:
The following sections of the UDO are proposed to be amended: 6.4.1

With the addition of the following language:

> *All roads constructed prior to the adoption of this ordinance (adoption date: 11-28-2016) are exempt from the regulations found in sections 6.4.1.A through 6.4.1.D.*
>
> *In the event that an existing road is extended in conjunction with new development all of the following standards shall apply.*

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 ~~strikethrough~~ font. The proposed language in context of the relevant section 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.

This amendment would exempt roads which were developed prior to November 28th, 2016 from the following connectivity standards: block length, block width, through-block connectivity, maximum length of a dead end road, and number of lots which may access off of a dead end road. This exemption would not apply to an extension of an existing road in conjunction with new development.

It should be noted that there are other mitigating factors which determine whether or not a property can be subdivided (how many times the lot has been previously divided, lot size, zoning compliance, etc.). So while this text amendment may provide relief and the ability to subdivide to some residents it does not guarantee that all lots off of existing roads may now be subdivided.

STAFF RECOMMENDATION:
Staff recommends **approval** of the proposed text amendment.

ATTACHMENTS:

1. Proposed Text Amendment

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

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

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

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

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended 6.4.1

Current Text See attached

Proposed Text See attached

Description of Need for Proposed Text Request from County Council

☐ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name LANCASTER COUNTY

Address 101 N. Main Street

City Lancaster State SC Zip 29720 Phone 803-265-6005

Fax _____ Email planning@lancastersc.net

APPLICATION CERTIFICATIONS

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

Dennis E Marstall, County Administrator — 1 / 10 / 2023

Applicant — 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 20222602 Date Received _____ Receipt Number _____

Amount Paid NA Check Number _____ Cash Amount _____

Received By JLB Planning Commission Meeting Date January 17, 2023

SCHEDULE/PROCESS

1. **Submit Application**
   - The deadline for this application is at least 30 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.

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.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2023-1841 / Planning Case Number: UDO-TA-2022-2606 - POSTPONED TO THE 3/27/23 COUNCIL MTG
Contact Person / Sponsor: Allison Hardin / Planning
Department: Planning
Date Requested to be on Agenda: 3/13/2023

Council Action Requested:
Application by Lancaster County to amend Unified Development Ordinance Chapters 2, 4, and related provisions regarding standards for Medium Density Residential (MDR) District and Cluster Subdivision Overlay (CSO) District.

Growth management has been an active discussion with the County Council over the course of the last several months. With the previously proposed Interim Ordinance being disapproved, active discussion and citizen engagement has occurred prompting the County Council to initiate proposed changes to the Medium Density Residential (MDR) Zoning District and its associated Cluster Subdivision Overlay District (CSOD).

The underlying intent of the amendments (as understood by staff) include: 1) Decreasing density of residential developments, 2) Increasing residential lot sizes, 3) Increasing useable open space acreage in neighborhoods, 4), Breaking up residential block faces, and 5) Expanding driveway parking within neighborhoods.

The proposed amendments are also a recognition that additional rezonings may be forthcoming in association with the Cane Creek Basin Sewer Extension Project (i.e. Roselyn) and wishing to be better prepared for future growth in this area prior to completion of the full rewrite of the UDO.

Points to Consider:
Whether or not Council wishes to address shortcomings of the MDR and Cluster Subdivision Overlay District in the areas of density, lot sizes, open space, driveway parking, and related topics prior to adoption of the full UDO Rewrite.

Funding and Liability Factors:
Not applicable.

Recommendation:
The Planning Commission considered this item at their January meeting and unanimously recommended **approval.** The recommendation reflected support for Version 2 of the amendment. A memo has been prepared to better explain the two versions of the amendment and is attached.

Planning Commissioners did express some concern with the proposed changes regarding how density is calculated and its impact on the financial feasibility of projects. The proposed changes were requested by County Council and only permit 50% of environmentally encumbered land to be considered within density calculations. The current UDO allows all gross acreage to be included in the density calculation.

Staff also recommended approval of the proposed amendments. Staff shares Planning Commission's concern regarding changes to density calculations.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2022-1831 / Planning Case Number: RZ-2022-1759 - POSTPONED UNTIL THE 6/12/2023 MEETING
Contact Person / Sponsor: M. Blaszyk / Planning
Department: Planning
Date Requested to be on Agenda: 3/13/2023

Council Action Requested:
Application by King's Mountain Self-Storage LLC to rezone 4.84 acres (TM# 0013-00-024.00) located at 4263 Doby's Bridge Road, Indian Land, from Low Density Residential (LDR) to Institutional (INS) district, to allow development of a daycare facility.

Points to Consider:
The property is adjacent to other parcels zoned Institutional (Indian Land Elementary School)
The proposed INS District is generally consistent with the surrounding area which is comprised of INS and LDR Districts.
Lancaster County Water and Sewer District may require an off-site waterline extension. The applicant intends to serve the site with an onsite septic system.
Staff has received several phone calls from concerned residents about potential traffic issues.

Funding and Liability Factors:
Not applicable

Recommendation:
Planning Commission unanimously recommended **approval** during their September 2022 meeting. A brief discussion occurred related to the viability of a potential septic system and the prior history of the property (prior dumping activity).

Staff also recommended approval**.**

This item was deferred by Council at the November 14th, 2022 First Ordinance Reading to January 9, 2023. The deferral was made to provide the applicant more time to demonstrate how site access and onsite parking/circulation will be successfully employed relative to the curving alignment of Dobys Bridge Road. The applicant has worked with a traffic and civil engineer to develop an updated concept plan addressing these concerns. The applicant has also coordinated with SCDOT staff for preliminary feedback on their proposed site access. These efforts have shifted the proposed site access further eastward when compared to the original concept plan shared in November.

The updated (non-binding) concept plan is attached.