

Council Members

District 1: Terry Graham
District 2: Charlene McGriff
District 3: Billy Mosteller
District 4: Jose Luis
District 5: Steve Harper
District 6: Allen Blackmon
District 7: Brian Carnes

**County Administrator**

Dennis E. Marstall

County Attorney

Ginny L. Merck-Dupont

Clerk to Council

Sherrie Simpson

January 11, 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**

**JOINT MEETING FOR PLANNING COMMISSION
AND COUNCIL COMMITTEE OF THE WHOLE
MEETING AGENDA**

1. **Call to Order - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance and Invocation - Council Member Billy Mosteller**
4. **Approval of Agenda**
[deletion and additions of non-substantive matter]
5. **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 before the meeting. Please use the same link above in order to submit input/comments for Public Hearings.]

6. **Discussion and Action Items**
 - a. Review of the New Unified Development Ordinance Draft Module One - Presented by Kelly Cousino with White and Smith
 - b. Update on Countywide Inventory of Nuisance Properties - Shannon Catoe
 - c. Update on the Airport Terminal and Lighting Vault Project - Ken Holt with Holt Consulting
7. **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 #:

Contact Person / Sponsor: Rox Burhans / Development Services Director

Department: Planning

Date Requested to be on Agenda: 1/11/2023

Issue for Consideration:

The UDO Consultant (Kelly Cousino with White and Smith) will be presenting the first module for the full UDO Rewrite Project. Council received an introduction of this material at the September 12, 2022 Committee meeting. The first module addresses the Introduction Chapter, Zoning Districts, and Use Regulations.

The draft UDO material was distributed to Council prior to the Christmas holiday. A working copy of Chapter 13 Definitions has also been included to help define any ordinance terminology. Council will be provided an opportunity to ask questions and otherwise provide feedback on this material.

The Planning Commission will also attend the Committee of the Whole meeting and will be provided an opportunity to provide feedback. A project Stakeholder Committee meeting will also be held to review the material at noon on January 11, 2023.

Points to Consider:

Information only

Funding and Liability Factors:

Information only

Council Options:

Information only

Recommendation:

Information only

ATTACHMENTS:

Description	Upload Date	Type
Draft UDO Chapter 1 Introduction	1/2/2023	Backup Material
Draft Chapter 2 Zoning Districts	1/2/2023	Backup Material
Draft Chapter 3 Use Regulations	1/2/2023	Backup Material
Working Draft Definitions	1/2/2023	Backup Material



UNIFIED DEVELOPMENT ORDINANCE UPDATE

CHAPTER 1: INTRODUCTION
PUBLIC REVIEW DRAFT | 12-21-22

Prepared By:

WHITE &
SMITH, LLC
PLANNING AND
LAW GROUP

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1 INTRODUCTION

1.1 HOW TO USE THIS UDO¹

1.1.1 LAND DEVELOPMENT IN LANCASTER COUNTY

- A. This Unified Development Ordinance (“UDO”) is an important set of local laws adopted by Lancaster County Council that applies to the development and use of land in unincorporated areas of Lancaster County.
- B. This UDO provides standards for the subdivision and development of undeveloped land and for the redevelopment of developed land. It also provides standards for the use of land for residences, commerce, manufacturing, public purposes, and other use categories.
- C. The type of development or use of land that may occur on a particular parcel depends on the zoning district in which the parcel is located. Each parcel’s zoning district is shown on the Zoning Map provided for in [Section 2.3: Zoning Map](#).
- D. This UDO will provide certainty for residents of the County, including landowners, tenants, neighbors, developers, County staff, and elected and appointed officials in determining what types of land uses and development may occur in a particular area or on a specific parcel.

1.1.2 HOW TO READ THIS UDO

1.1.2.1 How This UDO is Organized

- A. **Generally.** The UDO organizes content into numbered chapters and sections, as well as numbered paragraphs in each section. The titles of chapters, sections, and paragraphs are intended to help the reader locate the desired topic.
- B. **Levels of Organization.** The UDO includes the following levels of organization, which are numbered and cited in accordance with Table 1.1.2.1-1: *How This UDO is Organized*.

¹ This new section provides a brief overview of the purpose and organization of the UDO to orient the reader to this UDO.

1. *Chapters.* Chapters are the highest level of organization of the UDO. Each chapter addresses a separate, general topic relating to land use and development.
2. *Sections.* Sections are the second highest level of organization of the UDO. Each section addresses a distinct topic relating to land use and development.
3. *Subdivisions.* If necessary, subdivisions within a particular section will provide a third and fourth level of detail for a distinct topic.
4. *Paragraphs.* Sections are subdivided into paragraphs organized in a hierarchy to improve readability and help the user locate specific content.

Table 1.1.2.1-1: How This UDO is Organized

ORGANIZATION LEVEL	NUMBERING CONVENTION	EXAMPLE CITATION
Chapter	1	Chapter 1
Section	1.1	Section 1.1
Third-Level Subdivision	1.1.1	1.1.1
Fourth-Level Subdivision	1.1.1.1	1.1.1.1
First-Level Paragraph	A.	1.1.1.1.A.
Second-Level Paragraph	1.	1.1.1.1.A.1.
Third-Level Paragraph	(a)	1.1.1.1.A.1(a)
Fourth-Level Paragraph	(1)	1.1.1.1.A.1(a)(1)
Fifth-Level Paragraph	(i)	1.1.1.1.A.1(a)(1)(i)

C. *Description of Chapters.*²

1. Chapter 1: *Introduction* contains basic information on the purpose of the UDO. It sets the stage for the remainder of the document.
2. Chapter 2: *Zoning Districts* establishes the County’s base, flexible use, overlay, and legacy districts. Dimensional standards for each zoning district are included. These standards include requirements for residential density, height, setbacks, and lot coverage.
3. Chapter 3: *Use Regulations* establishes the uses allowed in each district. It states which uses are permitted; which uses are allowed subject to certain conditions, known as “conditional uses;” which uses are allowed in limited

² These chapter descriptions will be updated once the complete UDO is drafted to ensure they accurately reflect the content of each chapter.

situations, known as “special exception uses;” and which uses are prohibited. This Chapter includes a table showing the permitted, conditional, and special exception uses in all districts. Some overlay zoning districts, such as the McWhirter Field Aviation Overlay District, also include use lists that supersede the use tables in Chapter 3.

4. Chapter 4: *Landscaping and Open Space* establishes standards that provide for protection of trees, buffers around rivers and streams, landscaping, and open space as part of the development process.
5. Chapter 5: *Parking and Loading* establishes standards for parking lots and drives as part of the development process.
6. Chapter 6: *Outdoor Lighting* establishes standards for outdoor lighting as part of the development process.
7. Chapter 7: *Signs* establishes standards for signs as part of the development process.
8. Chapter 8: *Architectural Design Standards*³...
9. Chapter 9: *Subdivision and Site Design* establishes standards for the subdivision of land, the design of individual development sites, and the construction of infrastructure in accordance with the goals and strategies of the Comprehensive Plan.
10. Chapter 10: *Procedures* explains how projects and applications are reviewed. This Subchapter provides information on the County’s administrative framework and procedural workflows. It also explains the enforcement procedures and penalties the County can use to enforce this UDO.
11. Chapter 11: *Administration* establishes the agencies and bodies involved in administering the UDO and/or references Lancaster County Code and state statutes relating to administration of the UDO..
12. Chapter 12: *Nonconformities and Vested Rights* explains how an existing “nonconformity,” or a use, structure, or condition that does not meet the terms of the current UDO, will be allowed to continue or be required to change. This Chapter also describes an applicant’s “vested right” to develop a project based on the standards that were in place at the time of the application process.

³ A description will be added once the scope of the architectural design standards is determined.

13. Chapter 13: *Definitions and Acronyms* provides the UDO's "glossary." It defines terms and phrases used in the UDO and the uses allowed in the zoning districts.
14. Chapter 14: *Submittal Requirements* provides the information applicants need to have a complete application that the County can process. Application checklists are maintained in the [Lancaster County UDO Administrative Manual](#).

1.1.2.2 Purpose Statements

Many sections of the UDO include a purpose statement. Where they appear, purpose statements describe the public policy reasons supporting a particular set of regulations. Purpose statements guide County staff and elected and appointed officials in applying and interpreting this UDO. Purpose statements do not provide substantive standards.

1.1.3 DETERMINING THE REGULATIONS FOR A SPECIFIC SITE

- A. **Determine the Site's Zoning District(s).** Find the site's zoning district on the [Lancaster County GIS map](#). Every site has a base zoning district classification. Some sites also have an overlay zoning district classification.
- B. **Review the Zoning District Purpose and Standards.**
 1. Review the purpose of the zoning district in [Section 2.4: Base Zoning Districts](#). Dimensional standards (e.g., lot area, height, and setbacks) for the base zoning districts are consolidated into tables in [Section 2.5: Base Zoning District Dimensional Standards](#).
 2. If the site is also located in an overlay district, review the regulations for that district in [Section 2.7: Overlay Zoning Districts](#). Overlay district standards may enhance or relax otherwise applicable base district dimensional and development standards.
- C. **Review the Use Regulations.** The use table in [Section 3.2: Use Table](#) specifies the allowed uses for each site, based on the zoning district in which the site is located. Uses are either permitted, conditional, special exception, or prohibited.
- D. **Review the Applicable Development and Design Standards.**
 1. [Chapter 4: Landscaping & Open Space](#), [Chapter 5: Parking & Loading](#), [Chapter 6: Outdoor Lighting](#), [Chapter 7: Signs](#), [Chapter 8: Architectural Design Standards](#), and [Chapter 9: Subdivision & Site Design](#) specify development standards that

apply to subdivisions, new development, redevelopment, and the establishment of new uses.

2. The applicability of development and design standards varies and may apply by zoning district (base or overlay) or land use type.
3. Further, the applicability of individual development standards is based on the nature of the proposed development. For example, a change from one commercial use to another may only require compliance with the off-street parking ratios in Chapter 5, but construction of a new principal structure requires compliance with all applicable development standards unless otherwise specified in Chapters 4 through 9.

1.1.4 DETERMINING WHICH PROCEDURES APPLY

- A. **Generally.** Many of the permits and approvals required by this UDO are triggered by a change in the use or development characteristics of a parcel. In order to determine which standards and procedures apply, the applicant should consider the type of change they intend for the parcel.
- B. **Substantive Standards Identify Procedures.** If a substantive standard for a use or land development activity requires a specific permit or approval, the standard will refer to the application or procedure required to apply for the necessary permit or approval.
- C. **Authorized Procedures.** Chapter 10: *Procedures* provides a description of each procedure authorized by this UDO.
 1. Section 10.1: *General Provisions* includes provisions applicable to some or all of the specific procedures. The subsequent sections establish the requirements for each specific procedure.
 2. Each specific procedure includes a process workflow. This starts with a subdivision entitled “Applicability,” which describes the situations where a particular procedure is required. If the section applies, the reader should then consult the following subdivisions, which describe how an application is initiated, how an application is processed, the criteria for review, and cross-references other relevant parts of the UDO.
- D. **Common Situations.** The common activities specified in Table 1.1.4-1 may require a permit or approval pursuant to this UDO. Additional County permits, such as building permits, or permits from other local, state, or federal agencies may also be required.

Table 1.1.4-1: Common UDO Procedures		
SITUATION	PROCEDURE	CROSS-REFERENCE
Initiation of a new use on a lot if allowed in district	Zoning Permit	Section 10.4.1
Rezoning to a new district if the prospective use is not allowed in current district	Rezoning	Section 10.4.3
Construction of a new structure on an existing lot	Zoning Permit	Section 10.4.1
Subdivision of new lots from an existing lot	Plat and Construction Plan Approval	Section 10.3

1.2 GENERAL PROVISIONS⁴

1.2.1 TITLE⁵

These development ordinances and the zoning map delineating the location of zoning districts for the use of land for trade, industry, housing, recreation, and other uses, and assigning uses to zones or zoning districts each with design and development standards, are known as the Lancaster County Unified Development Ordinance, or UDO.

1.2.2 PURPOSE⁶

- A. The regulations contained in the UDO have been adopted in accordance with the Comprehensive Plan for Lancaster County, South Carolina in order to:
 1. Promote a strong, diverse economy that supports a wide variety of businesses and enterprises;
 2. Provide sustainable, well-managed growth that maintains quality of life, protects open space and environmental quality, retains the natural character of the region, and maximizes the efficiency of the infrastructure investments;

⁴ This section re-organizes various sections in current Section 1.1: Legal Provisions. The draft relocates Sections 1.2, 1.3, and 1.4 to other chapters based on staff input.

⁵ This section carries forward the provisions of current 1.1.1: *Title*. It specifies that this UDO is the “Lancaster County Unified Development Ordinance” as provided in the Assessment (p. 11) and also makes several revisions for style and clarity.

⁶ This section carries forward the provisions of current 1.1.4: *Purpose*.

3. Promote a safe and healthy environment with good air and water quality;
 4. Encourage community and stakeholder collaboration in development decisions that are predictable, fair, and cost effective;
 5. Preserve open space, farmland, and historic, cultural, and natural resources;
 6. Strengthen and direct development towards existing communities;
 7. Encourage a mix of land uses with compact building design and walkable neighborhoods;
 8. Protect property values;
 9. Create a range of housing opportunities and choices; and
 10. Foster distinctive, attractive communities with a strong sense of place.
- B. In the furtherance of the purposes specified in 1.2.2.A, above, this UDO regulates, among other aspects of zoning and land development, the:
1. Use of buildings, structures, and land;
 2. Density and intensity of development;
 3. Size, location, height, bulk, orientation, and other elements of buildings and structures;
 4. Size of yards and open spaces;
 5. Amount of off-street parking required for land uses;
 6. Type and amount of landscaping required; and
 7. Subdivision of land.

1.2.3 AUTHORITY⁷

- A. The development regulations contained in this UDO have been adopted pursuant to the authority conferred by the South Carolina Code of Laws, as amended, including

⁷ This section carries forward and simplifies the provisions of current 1.1.2: *Authority*. New text in 1.2.3.B generally recognizes the County's authority under South Carolina statutes to take actions in addition to those expressly stated in the UDO.

Title 6, [Chapter 29](#) (South Carolina Local Government Comprehensive Planning Enabling Act of 1994), and other applicable law.

- B. In some cases, the statutes of SC may authorize action by the County consistent with or in addition to the UDO.

1.2.4 APPLICABILITY⁸

- A. **Applicability to Unincorporated Areas of County.** The provisions of this UDO apply within the boundaries of Lancaster County, South Carolina and outside of the incorporated jurisdictions within the County.
- B. **Applicability to Incorporated Areas Adopting this UDO.** Incorporated jurisdictions within the County may adopt or provide for this UDO to apply within their municipal boundaries as provided by applicable law.

1.2.5 RELATIONSHIP TO COMPREHENSIVE PLAN⁹

- A. **Plan Implementation.** The UDO is intended to help implement the Comprehensive Plan for Lancaster County and any plans, policies, and resolutions incorporated by reference into that document.
- B. **UDO and Comprehensive Plan Amendments.** Any amendments to, or actions pursuant to, this Ordinance should be in accordance with the Comprehensive Plan. The Comprehensive Plan for Lancaster County may be amended, and this Unified Development Ordinance and the incorporated Zoning Map may be amended to reflect those changes.
- C. **Plans and Policies.** In accordance with South Carolina Code of Laws, Title 6, Chapter 29, as amended, all development plans and subdivision master plans shall be in accordance with all adopted plans and policies (including comprehensive plans, transportation plans, neighborhood plans, open space and greenway plans, corridor plans, or any other plan adopted by the Lancaster County Council).

⁸ This section carries forward the provisions of current 1.1.3: *Jurisdiction* but removes the reference to the zoning map, which is addressed in Chapter 2: *Zoning Districts* as recommended in the Assessment (p. 11). Paragraph B was added based on staff input asking for clarification of applicability of the UDO to smaller townships that use the UDO.

⁹ This section carries forward the provisions of current 1.1.5: *Consistency with All Adopted Plans and Policies*, with revisions as suggested in the Assessment (p. 11) to clarify that adopted plans are advisory and not mandatory in nature and re-organizes the paragraphs to accentuate this fact.

- D. **Variations to Adopted Plans.** The Comprehensive Plan is intended to guide the development of Lancaster County. However, specific alignments, locations, or areas of public facilities noted in any adopted plan may be varied as provided in this UDO.
- E. **Conflicts with Adopted Plans.** In the event of a conflict or inconsistency between this UDO and any adopted plan, the requirements of this UDO take precedence.

1.2.6 RELATIONSHIP TO OTHER REGULATIONS

1.2.6.1 Required Conformance with This Ordinance and Other Laws¹⁰

- A. **Structures and Uses.** No land or structure shall be used or occupied, and no structure or parts shall be constructed, erected, altered, or moved, unless in conformity with all of the regulations herein specified for the zoning district in which it is located and all other applicable local, state, and federal laws.
- B. **Subdivisions.** From and after the adoption of this UDO, no real property lying within the unincorporated areas of Lancaster County shall be subdivided except in conformance with all applicable provisions of the UDO. In addition, after the effective date of the UDO, no plat for subdivision of land within the unincorporated areas of Lancaster County shall be certified for recording by the Administrator until it has been submitted and approved in accordance with the provisions of the UDO.
- C. **Nonconformities.** All existing lots of record, established uses, and structures in existence prior to the adoption of this UDO that are rendered nonconforming by this UDO will be evaluated by the standards of **Chapter 12: Nonconformities & Vested Rights**.

1.2.6.2 Transitional Provisions¹¹

The following transitional provisions apply to various activities, actions, and other matters pending or occurring as of the effective date of this Ordinance.

¹⁰ This section significantly revises the provisions of current 1.1.6: *Required Conformance with this Ordinance and Other Laws*. The deleted portions of Paragraph C on nonconformities will be relocated to one unified treatment in Chapter 12: *Nonconformities & Vested Rights* as recommended by staff. Paragraph D on vested rights also will be relocated to one unified vested rights section in Chapter 12: *Nonconformities & Vested Rights* as recommended by staff.

¹¹ This section significantly revises the provisions of current 1.1.7: *Transitional Provisions*. The revisions remove all substantive vested rights regulation to relocate this issue to one unified vested rights section in Chapter 12: *Nonconformities & Vested Rights* as recommended by staff.

- A. **Continuation of Permits and Approvals Issued under Previous Ordinances.** The ongoing validity of an approval or permit issued for a building, development, or use of property prior to the effective date of this UDO, will be evaluated by the standards of **Chapter 12: Nonconformities & Vested Rights**.
- B. **Continuation of Violations.** Any violation of any previous ordinance of Lancaster County shall continue to be a violation under this Ordinance and shall be subject to the penalties set forth at the time of the violation, unless the use, development, construction, or other activity is consistent with the express terms of this UDO.
- C. **Completion of Current Development Plans under Previous Ordinances.** Development plans approved under previous ordinances will be evaluated by the standards of **Chapter 12: Nonconformities & Vested Rights**.

1.2.6.3 Conflict with Other Laws¹²

- A. **Most Restrictive Standard Governs.** This Ordinance is not intended to abrogate any other law, ordinance, or regulation. However, wherever the requirements of this Ordinance are in conflict with other requirements of laws of the United States or the State of South Carolina, or with other lawfully adopted County rules, regulations, ordinances, or policies, the most restrictive, or that imposing the highest standards, shall govern.
- B. **Text Takes Precedence.** In the event of a conflict or inconsistency between the text of the UDO and any caption, figure, illustration, or map contained herein, the text controls.

1.2.7 PRIVATE RESTRICTIONS¹³

- A. **Effect on Private Restrictions.**
 - 1. Except as hereinafter provided, these regulations shall not be deemed to interfere with, abrogate, annul, or otherwise affect in any manner whatsoever any easement, covenants, or other agreements between parties.
 - 2. Where the regulations of this UDO are more restrictive or impose higher standards or requirements than such easement, covenant, or other private

¹² This section carries forward paragraphs A and C of current 1.1.8: *Conflict with Other Laws*. Paragraph B has been moved to 1.2.7: *Private Restrictions*.

¹³ Paragraph A carries forward current 1.1.8(B). The new provisions of Paragraph B incorporate S.C. Code § [6-29-1145](#), which was adopted in 2007 and requires planning agencies to evaluate private covenants in permit applications.

agreement, then the requirements of this Ordinance shall govern. However, the easement, covenant, or other private agreement continues to apply.

3. Unless easements, deed restrictions, covenants, or other contracts directly involve Lancaster County as a party in interest, the County is not responsible for enforcing such private agreements.

B. Review of Applications.

1. The Development Services Division will request information on applications about the existence of any recorded covenants, conditions, or restrictions on the property that are contrary to, conflict with, or otherwise prohibit the permitted activity as required by S.C. Code Ann. [§ 6-29-1145](#).
2. If the Development Services Division receives actual notice of a restrictive covenant in conflict with the permitted activity, the Division will not issue a permit or approval governed by this UDO until the applicant provides confirmation of a release from the covenant. However, this limitation does not apply to:
 - (a) An authorization to build or place a structure on a tract or parcel of land; and
 - (b) A restriction concerning the type of structure that may be built or placed on a tract or parcel of land.
3. This Section is intended to give effect to the requirements of S.C. Code Ann. [§ 6-29-1145](#) and will be interpreted according to its terms.

1.2.8 SEVERABILITY¹⁴

It is the legislative intent that, in adopting this Ordinance, all of its provisions shall be liberally construed to protect and preserve the peace, health, safety, and general welfare of Lancaster County. It is the further legislative intent of the County Council that this Ordinance shall stand, notwithstanding the invalidity of any part, and that, should any provision of this Ordinance be held to be unconstitutional or invalid, such holding shall not be construed as affecting the validity of the remaining provisions.

¹⁴ This section carries forward the provisions of current 1.1.9: *Severability*.

1.2.9 EFFECTIVE DATE¹⁵

The provisions of this UDO shall become effective _____, 2024.

¹⁵ This section provides for an effective date based on the provisions of current 1.1.11: *Effective Date*, which will be updated with a current date of applicability.



UNIFIED DEVELOPMENT ORDINANCE UPDATE

CHAPTER 2: ZONING DISTRICTS
PUBLIC REVIEW DRAFT | 12-21-22

Prepared By:

WHITE &
SMITH, LLC
PLANNING AND
LAW GROUP

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2 ZONING DISTRICTS¹

2.1 INTRODUCTION²

- A. This Chapter establishes base districts, flexible districts, overlay districts, and legacy districts to implement a comprehensive zoning framework for the County.
- B. This Chapter defines the context of each zoning district and specifies standards for each district.
- C. This Chapter also establishes Development Areas that provide distinct development standards that are appropriate for the rural and suburban land use contexts that exist in the County.

2.2 DISTRICTS ESTABLISHED³

- A. **Generally.** This Section establishes the following district types:
 - 1. *Base Districts.* Base districts are established to comprehensively regulate all land use within the unincorporated areas of the County by providing appropriate use and development standards.
 - 2. *Mixed Use Districts.* Mixed use districts are designed to create walkable, mixed-use environments whereas the base districts are more reflective of the existing, primarily automobile-dependent configuration of development in the County.
 - 3. *Overlay Districts.* Overlay districts establish additional standards that supplement the base districts. Overlay districts are established to manage certain environmentally sensitive or visually important geographic areas by imposing additional design, use, or other standards; to protect important

¹ This Chapter consolidates zoning district material that is currently located in Chapters 1 (Introductory Provisions), 2 (District Standards), and 4 (Overlay Districts). It also relocates all use regulation, including the Use Table in Section 2.5.3 into Chapter 3: *Use Regulations*. The changes are based on the recommendations of the Assessment (p. 22).

² This section completely revises current 2.1: *Introduction* as recommended by the Assessment (p. 14), by introducing the chapter with several paragraphs to improve readability by briefly explaining where to find information about districts and development standards."

³ This section significantly revises the provisions of current 1.3: *Zoning Districts* and 2.3: *Districts* and 4.1: *General Provisions* by consolidating all district types into this section as recommended in the Assessment (p. 14). Each district will be described in its own section below.

transportation resources, including McWhirter Field and major road corridors, by imposing additional use, height, and setback standards; and to apply different development standards based on community context.

4. *Legacy Districts.* Legacy districts are established to preserve existing standards for areas that are currently zoned in a legacy base zoning district. Parcels are not eligible for rezoning to a legacy district.
- B. **Base Zoning Districts.** The base zoning districts listed in Table 2.2-1: *Zoning Districts* are established and applied to property as set forth on the Official Zoning Map.
 - C. **Overlay Districts.** The overlay zoning districts listed in Table 2.2-1: *Zoning Districts* are established and applied to property as set forth on the Official Zoning Map.
 - D. **Legacy Districts.** The legacy zoning districts listed in Table 2.2-1: *Zoning Districts* are continued and applied to property as set forth on the Official Zoning Map.

Table 2.2-1: Zoning Districts	
District Type	District Names
Base	Agricultural Residential District (AR) Rural Residential District (RR) Rural Neighborhood District (RN) Rural Business District (RUB) Low Density Residential District (LDR) Medium Density Residential District (MDR) Multi-Family Residential District (HMFR) Neighborhood Business District (NB) General Business District (GB) Regional Business District (RB) Institutional District (INS) Open Space Preservation District (OSP) Light Industrial District (LI) Heavy Industrial District (HI) Mining District (M)
Overlay	Carolina Heelsplitter Overlay District Highway Corridor Overlay District McWhirter Field Aviation Overlay District Transportation Corridor Preservation Overlay District
Legacy	Planned Development District (PDD)

2.3 ZONING MAP⁴

- A. **Zoning Districts.** The boundaries of each zoning district in this UDO are shown on a map entitled "Lancaster County Official Zoning Map" which is hereby made a part of this Ordinance.
- B. **Administration and Maintenance of Zoning Map.**
 - 1. The Official Zoning Map shall be maintained in the Lancaster County Development Services Division and will be revised by the Planning Director based on map amendments approved pursuant to this UDO and applicable law.
 - 2. The Planning Director shall separately maintain the digital files that comprise the map. All map amendments will also be contained within these digital files.
- C. **Public Access.** The current Official Zoning Map may be accessed by the public on the internet: [Lancaster County Planning Map](#).

2.4 BASE ZONING DISTRICTS⁵

2.4.1 OPEN SPACE PRESERVATION DISTRICT (OSP)

The Open Space Preservation District is established to preserve and protect environmentally sensitive lands (e.g., floodways, wetlands) and properties that are already under public ownership and/or otherwise restricted for use for passive or active recreational use.

⁴ This section revises the provisions of current 1.2.1: *Official Zoning Map* and 2.2.1: *Zoning Map* to clarify that the Official Zoning Map identifies all zoning districts as recommended in the Assessment (p. 14) and also clarifies who is responsible for updating the Map and provides a link to the internet-accessible Map based on staff feedback.

⁵ This section carries forward the provisions of 1.3.1 *General Use Zoning Districts* and 2.3 *Districts*. The section for each district includes the description from 2.3 Table with revisions as shown. This re-organization is recommended in the Assessment (p. 11). This revision relocates the Manufactured Home (MH) and Professional Business (PB) districts to Section 2.9: *Legacy Districts*.

2.4.2 AGRICULTURAL RESIDENTIAL DISTRICT (AR)

The Agricultural Residential District is established as a district in which the principal uses of the land are restricted due to lack of available utilities, unsuitable soil types, steep slopes, or for the protection of prime agricultural lands.

2.4.3 RURAL RESIDENTIAL DISTRICT (RR)⁶

The Rural Residential District is established as a district where the principal use of the land is for large rural living tracts of property with an abundance of open space, agricultural lands, and a high degree of separation between buildings.

2.4.4 RURAL NEIGHBORHOOD DISTRICT (RN)

The Rural Neighborhood District is established to protect the residential character of communities and neighborhoods in the rural area at a density up to 1.0 dwelling unit per acre. The district is intended to promote rural living, protect farmland, and to maintain low residential density.

2.4.5 RURAL BUSINESS DISTRICT (RUB)

The Rural Business District is established for rural crossroads that represent the small nodes of commercial activity along rural highways. This district accommodates small-scale businesses, such as gas stations, convenience stores, or restaurants, and serves some daily needs of the surrounding rural population.

2.4.6 LOW DENSITY RESIDENTIAL DISTRICT (LDR)

The Low Density Residential District is established to allow the development of new single-family residential subdivisions and to maintain previously developed or approved single-family residential subdivisions, along with their related recreational, religious, and educational facilities at a density up to 1.5 dwelling units per acre. Intended to act as a transitional zoning district between rural living and urban development, these regulations are further intended to

⁶ The current Manufactured Home District (MH) is proposed to be consolidated with the Rural Residential District (RR). The same dimensional and density standards apply in both districts. Consolidation of these two districts will require rezoning of most MH-zoned parcels to RR. Rezoning will generally expand the allowed uses for properties currently zoned MH, but will remove manufactured home parks as an allowed use. Existing manufactured home parks are proposed for rezoning to the Agricultural Residential District (AR), since AR allows manufactured home parks as a special exception use. The MH District is currently comprised of approximately 445 parcels totaling approximately 897 acres.

discourage any use that would be detrimental to the predominately residential nature of the areas included within the district.

2.4.7 MEDIUM DENSITY RESIDENTIAL DISTRICT (MDR)

The Medium Density Residential District is established to allow the development of new single-family residential subdivisions and to maintain previously developed or approved single-family residential subdivisions, along with their related recreational, religious, and educational facilities at a density up to 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.

2.4.8 MULTI-FAMILY RESIDENTIAL DISTRICT (MFR)⁷

The Multi-Family Residential District is established to serve as a transitional zoning district between suburban and urban developments at a density up to 8.0 dwelling units per acre. The regulations accommodate a variety of housing types, including detached single-family, townhouses, duplexes, triplexes, fourplexes, and multi-family. These regulations are further intended to discourage any detrimental effects to any predominately single-family residential areas adjacent to the MFR District.

2.4.9 INSTITUTIONAL DISTRICT (INS)

The Institutional District is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses, governmental and health facilities, public and private utility infrastructure, and complementary office and low intensity commercial uses. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on neighboring residential areas.

2.4.10 NEIGHBORHOOD BUSINESS DISTRICT (NB)⁸

The Neighborhood Business District is generally located on thoroughfares and provides opportunities for the provision of neighborhood services that serve as an acceptable transition to generally auto-dependent neighborhoods.

⁷ This district may be renamed.

⁸ The current Professional Business District (PB) is proposed to be consolidated with the Neighborhood Business District (NB). Both districts serve a similar purpose and are intended for locations near residential neighborhoods with uses that are generally compatible with nearby residences. Both districts

2.4.11 GENERAL BUSINESS DISTRICT (GB)

The General Business 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.

2.4.12 REGIONAL BUSINESS DISTRICT (RB)

The Regional Business District is generally located on the major thoroughfares in the community and provides opportunities for the provision of offices, services, and retail goods to meet the needs of the surrounding region. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development until such time the transportation network is retrofitted to accommodate more urban development patterns.

2.4.13 BUSINESS AND TECHNOLOGY DISTRICT (BT)

The Business and Technology District is established to accommodate employment generating industries of regional and statewide importance, such as corporate headquarters, clean manufacturing facilities, research and development facilities, and financial services. This specialized district also accommodates business and professional offices, office support services, and similar uses that are generally compatible with nearby residential, retail, and service uses.

2.4.14 LIGHT INDUSTRIAL DISTRICT (LI)

The Light Industrial District is established for activities that can be operated in a relatively clean and quiet manner and that will not be obnoxious to adjacent residential or business districts. This includes warehousing and wholesaling activities with limited contact with the general public. It is designed to prohibit most heavy industry, which should be properly segregated, and to prohibit any other use that would substantially interfere with the development of light industrial establishments in the district. Limited opportunities for retail sales and services are also provided.

have the same dimensional standards, except for front setbacks. Consolidation will require rezoning of all PB-zoned parcels to NB. Rezoning will generally expand allowed uses for properties currently zoned PB, but will remove residential uses (other than live-work). The PB District is currently comprised of approximately 43 parcels totaling approximately 133 acres.

2.4.15 HEAVY INDUSTRIAL DISTRICT (HI)

The Heavy Industrial District is established to accommodate those industrial, manufacturing, or large-scale utility operations that, by their nature, may create some nuisance and that are not properly associated with, nor compatible with, residential, commercial, and service establishments. Retailing and display of manufactured items may be permitted in certain instances when it is conducted on the same building site as the principal use.

2.4.16 MINING DISTRICT (M)

The Mining District is established for large-scale operations that extract and process mineral materials. This district may create some nuisance that is not properly associated with, nor compatible with, residential, commercial, and service establishments. This district should be carefully and thoughtfully located due to the potential negative impacts associated with the allowed uses.

2.5 BASE ZONING DISTRICT DIMENSIONAL STANDARDS

2.5.1 APPLICABILITY⁹

The provisions of this Section shall apply generally to all development unless modified by an applicable overlay district (see Section 2.7: *Overlay Zoning Districts*), by a mixed use district (see Section 2.6: *Mixed Use Districts*), or via an administrative adjustment (see 10.4.5: *Administrative Adjustments*).

2.5.2 DIMENSIONAL STANDARDS TABLES¹⁰

The following tables outline the primary dimensional standards for each base zoning district in Lancaster County. For development on infill lots and additions to existing development, the standards in Section 2.5.3: Infill Lot Standards also apply.

The dimensional standards for accessory structures do not apply to incidental structures. For the purposes of this Section, an “incidental structure” is a structure that is not designed or intended for occupancy by humans or animals or for storage of materials and equipment. Examples of incidental structures include fences, walls, pump houses, and water troughs.

⁹ This section significantly revises the provisions of 1.4.1 *Applicability* to provide for the general applicability of these district standards.

¹⁰ This section combines the provisions of 2.4 *District Standards Table* and the High Density Residential (HDR) standards of 3.5 *Urban District Development Standards* with significant changes recommended in the Assessment. Specific changes include streamlining the tables by 1) removing the rows with standards that apply to developments or subdivisions, rather than individual lots (e.g., Development/District Exterior Setback/Buffer, Open Space, Park Space); 2) removing the rows for parking standards (p. 19); and 3) adding dimensional standards for different building types.

2.5.2.1 Rural Districts Dimensional Standards

Table 2.5.2-1: Rural Districts Dimensional Standards										
Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max per lot) ¹¹	Height (max)	Density (max)
		Lot Area	Lot Width ¹²	Front	Side (Corner)	Side (Interior)	Rear			
AR	Principal Residential Buildings ¹	1.0 ac	130 ft	40 ft	20 ft	20 ft	25 ft	35%	35 ft	1 du/ac
	Principal Non-Residential Buildings ¹³	21,780 sf	100 ft	40 ft	40 ft	15 ft or 35 ft ²	25 ft or 35 ft ²	35%	60 ft	n/a
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Same as front setback for principal structure	5 ft	5 ft	35%	35 ft	n/a

¹¹ The revision changes the previous pervious surface minimum to the more common impervious surface maximum as recommended by the Assessment (p. 20). The maximum impervious surface coverage in RR, RN, and RUB is proposed to be reduced from 50% to 40% to align with peer communities.

¹² Lot width measurement changed from linear feet to feet based on staff input.

¹³ Proposed here is to add dimensional standards specific to non-residential buildings. Currently, all principal buildings in the district are subject to the same dimensional standards.

Table 2.5.2-1: Rural Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max per lot) ¹¹	Height (max)	Density (max)
		Lot Area	Lot Width ¹²	Front	Side (Corner)	Side (Interior)	Rear			
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	35%	35 ft	n/a
	Principal Residential Buildings ¹	1.0 ac	130 ft	40 ft	20 ft	20 ft	25 ft	40%	35 ft	1 du/ac
	Principal Non-Residential Buildings ¹	21,780 sf	100 ft	40 ft	40 ft	15 ft or 35 ft ²	25 ft or 35 ft ²	40%	60 ft	n/a
RR	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Same as front setback for principal structure	5 ft	5 ft	40%	25 ft	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	40%	25 ft	n/a

Table 2.5.2-1: Rural Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max per lot) ¹¹	Height (max)	Density (max)
		Lot Area	Lot Width ¹²	Front	Side (Corner)	Side (Interior)	Rear			
RN	Principal Residential Buildings	1.0 ac	130 ft	40 ft	20 ft	20 ft	25 ft	40%	35 ft	1 du/ac
	Principal Non-Residential Buildings ¹	21,780 sf	100 ft	40 ft	40 ft	15 ft or 35 ft ²	25 ft or 35 ft ²	40%	60 ft	n/a
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Same as front setback for principal structure	5 ft	5 ft	40%	25 ft	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	40%	25 ft	n/a

Table 2.5.2-1: Rural Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max per lot) ¹¹	Height (max)	Density (max)
		Lot Area	Lot Width ¹²	Front	Side (Corner)	Side (Interior)	Rear			
RUB	Principal Buildings ¹⁴	21,780 sf ¹⁵	100 ft ¹⁶	40 ft	40 ft ¹⁷	20 ft ³	25 ft ³	40%	35 ft	1 du/ac
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	40%	25 ft	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	40%	25 ft	n/a

Key: min = minimum required | max = maximum allowed | ft = feet | sf = square feet | du/ac = dwelling units per acre

¹ Chapter 3: Use Regulations includes additional standards that apply to manufactured homes and manufactured home parks.

¹⁴ This table maintains the requirement for interior side and rear setbacks to be at least equal to the height of the building when the lot is adjacent to a single-family residential use or district. The County could consider instead specifying a set setback from single-family residential uses and districts (e.g., 50 ft).

¹⁵ Proposed here is to reduce the minimum lot size from 1 acre to 21,780 square feet (0.5 acre) to better accommodate small office and service uses per staff input.

¹⁶ Proposed here is to reduce the minimum lot width from 130 feet to 100 feet to better align with the proposed minimum lot area.

¹⁷ Proposed here is to increase the side (corner) setback from 20 ft to 40 ft to match the district's front setback.

Table 2.5.2-1: Rural Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max per lot) ¹¹	Height (max)	Density (max)
		Lot Area	Lot Width ¹²	Front	Side (Corner)	Side (Interior)	Rear			

² The greater setback applies when the lot line is adjacent to a lot in containing a detached single-family dwelling. The lesser setback applies when the lot line is adjacent to any other use..

³ For any nonresidential building or structure located immediately adjacent to a single-family residential use or district, the setback distance shall be determined as follows: the developer shall provide internal side and rear setbacks equal to or greater than the height of the building. At no time shall the setback be less than indicated in this table.

2.5.2.2 Residential Districts Dimensional Standards

Table 2.5.2-2: Residential Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max Per Lot)	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
LDR	Detached Single-Family Dwellings	29,040 sf	90 ft	40 ft	20 ft	20 ft	25 ft	55%	35 ft	1.5 du/ac

Table 2.5.2-2: Residential Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max Per Lot)	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
	Non-Residential Structures	1 ac	100 ft	40 ft	40 ft	15 ft or 35 ft ¹	25 ft or 35 ft ¹	55%	35 ft	n/a
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Same as front setback for principal structure	5 ft	5 ft	55%	25 ft ¹⁸	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	55%	25 ft	n/a
MDR	Detached Single-Family Dwellings	10,000 sf	70 ft	35 ft ¹⁹	15 ft	10 ft	25 ft	55%	35 ft	2.5 du/ac

¹⁸ The accessory structure height is changed from stories to feet for clarity and consistency as recommend in the Assessment (p. 20) and by staff input. The proposed height (25 feet) is sufficient to accommodate a two-story structure with a pitched roof (e.g., a finished room over a garage). Twenty-five feet will help ensure accessory structures remain ancillary and subordinate to the principal structure. However, the County could consider a lower height if desired (15 feet to 25 feet is common for accessory structures).

¹⁹ The front setback in MDR is increased from 30 feet to 35 feet per staff input.

Table 2.5.2-2: Residential Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max Per Lot)	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
	Non-Residential Structures	21,780 sf	100 ft	35 ft	35 ft	15 ft or 35 ft ¹	25 ft or 35 ft ¹	55%	35 ft	n/a
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	5 ft	5 ft	55%	25 ft ²⁰	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	55%	25 ft	n/a

²⁰ The accessory structure height is changed from stories to feet for clarity and consistency as recommend in the Assessment (p. 20) and by staff input. The proposed height (25 feet) is sufficient to accommodate a two-story structure with a pitched roof (e.g., a finished room over a garage). Twenty-five feet will help ensure accessory structures remain ancillary and subordinate to the principal structure. However, the County could consider a lower height if desired (15 feet to 25 feet is common for accessory structures).

Table 2.5.2-2: Residential Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max Per Lot)	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
MFR	Detached Single-Family Dwellings	6,000 sf	50 ft	25 ft	15 ft	10 ft	20 ft	60%	40 ft	6 du/ac
	Duplex Dwellings	10,000 sf	50 ft	35 ft	25 ft	10 ft	25 ft	60%	40 ft	6 du/ac
	Townhouse Dwellings	1,800 sf	18 ft	10 ft or 25 ft ²	15 ft	0 ft or 10 ft ³	25 ft or 10 ft ⁴	65%	40 ft	6 du/ac
	Triplex and Fourplex Dwellings	21,780 sf	100 ft	35 ft	25 ft	15 ft	25 ft	60%	40 ft	8 du/ac
	Multi-Family	2 ac	100 ft	40 ft	40 ft	25 ft	25 ft	65%	45 ft	8 du/ac
	Non-Residential Structures	21,780 sf	100 ft	35 ft	35 ft	15 ft or 35 ft ¹	25 ft or 35 ft ¹	65%	45 ft	n/a
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	5 ft	5 ft	Same as principal structure	25 ft	n/a

Table 2.5.2-2: Residential Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max Per Lot)	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	Same as principal structure	25 ft	n/a

Key: min = minimum required | max = maximum allowed | ac = acres | sf = square feet | ft = feet | du/ac = dwelling units per acre | n/a = not applicable

¹ The greater setback applies when the lot line is adjacent to a lot in containing a detached single-family dwelling. The lesser setback applies when the lot line is adjacent to any other use..

² The lesser setback applies when the townhouse is alley-served and parking is accommodated to the rear of the building. The greater setback applies when the townhouse is not alley-served and parking is accommodated at the front of the building.

³ The minimum setback between individual townhouse dwelling units is 0 ft. The minimum setback between an end townhouse unit and its side lot line is 10 ft.

⁴ The greater setback applies when the townhouse is alley-served and parking is accommodated to the rear of the building. The lesser setback applies when the townhouse is not alley-served and parking is accommodated at the front of the building.

2.5.2.3 Business District Dimensional Standards

Table 2.5.2-3: Business Districts Dimensional Standards										
Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min) ²¹				Impervious Surface (max per lot) ²²	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
NB	Principal Buildings	n/a	100 ft	35 ft ²³	25 ft	10 ft or 25 ft ¹	10 ft or 25 ft ¹	75%	40 ft	n/a
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	75%	25 ft	n/a

²¹ Proposed here is to eliminate the provision allowing for greater building height in GB and RB if setbacks are increased and replace it with an enhanced setback when a lot in this district is located adjacent to a lot in a residential district.

²² The revision changes the previous pervious surface minimum to the more common impervious surface maximum as recommended by the Assessment (p. 20). Proposed is to increase the impervious surface maximum from 75% to 80% in GB and 85% in RB per staff input.

²³ The front setback in NB is increased from 25 feet to 35 feet per staff input.

Table 2.5.2-3: Business Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min) ²¹				Impervious Surface (max per lot) ²²	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	75%	25 ft	n/a
GB	Principal Buildings	n/a	100 ft	50 ft	50 ft	15 ft or 35 ft ¹	15 ft or 35 ft ¹	80%	60 ft	n/a
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	80%	25 ft	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	80%	25 ft	n/a

Table 2.5.2-3: Business Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min) ²¹				Impervious Surface (max per lot) ²²	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
RB	Principal Buildings	n/a	100 ft	50 ft	50 ft	15 ft or 35 ft ¹	15 ft or 35 ft ¹	85%	60 ft	n/a
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	85%	25 ft	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	85%	25 ft	n/a
BT	Principal Buildings	n/a	150 ft	50 ft	50 ft	25 ft or 50 ft ¹	25 ft or 50 ft ¹	85%	70 ft	n/a

Table 2.5.2-3: Business Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min) ²¹				Impervious Surface (max per lot) ²²	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	85%	25 ft	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	85%	25 ft	n/a

Key: min = minimum required | max = maximum allowed | ft = feet

¹ The lesser setback applies when the lot line is adjacent to a lot zoned for or containing a non-residential use. The greater setback applies when the lot line is adjacent to a lot zoned for or containing a residential use.

2.5.2.4 Industrial Districts Dimensional Standards

Table 2.5.2-4: Industrial Districts Dimensional Standards ²⁴										
Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min) ²⁵				Impervious Surface (max per lot) ²⁶	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
LI	Principal Buildings	n/a	n/a	40 ft	35 ft	35 ft or 75 ft ¹	35 ft or 75 ft ¹	n/a	70 ft	n/a
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	n/a	35 ft	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	n/a	35 ft	n/a
HI	Principal Buildings	n/a	n/a	50 ft	35 ft	35 ft or 100 ft ¹	35 ft or 100 ft ¹	n/a	80 ft	n/a

²⁴ This table proposes to increase accessory structure setbacks (currently 5 feet) to match principal structure setbacks. Five feet is a very small setback, particularly when accessory structures can be 35 feet in height (the current maximum) which is equivalent to a two- or three-story building.

²⁵ Proposed here is to eliminate the provision allowing for greater building height if setbacks are increased and replace it with an enhanced setback when a lot in this district is located adjacent to a lot in a residential district.

²⁶ The revision changes the previous pervious surface minimum to the more common impervious surface maximum as recommended by the Assessment (p. 20).

Table 2.5.2-4: Industrial Districts Dimensional Standards²⁴

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min) ²⁵				Impervious Surface (max per lot) ²⁶	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
M	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	n/a	35 ft	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	n/a	35 ft	n/a
	Principal Buildings	n/a	n/a	50 ft	35 ft	35 ft or 100 ft ¹	35 ft or 100 ft ¹	n/a	70 ft	n/a
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	n/a	35 ft	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	n/a	35 ft	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Same as front setback for principal structure	Same as principal structure	Same as principal structure	n/a	35 ft	n/a

Key: min = minimum required | max = maximum allowed | ft = feet

¹ The lesser setback applies when the lot line is adjacent to a lot zoned for or containing a non-residential use. The greater setback applies when the lot line is adjacent to a lot zoned for or containing a residential use.

2.5.2.5 INS and OSP Districts Dimensional Standards

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max per lot) ²⁸	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
INS	Principal Buildings	10,000 sf	100 ft	40 ft	35 ft	35 ft or 50 ft ¹	35 ft or 50 ft ¹	n/a	50 ft ²⁹	2.5 units/acre ³⁰

²⁷ This table proposes to increase accessory structure setbacks (currently 5 feet) in the INS District to match principal structure setbacks. Five feet is a very small setback, particularly when accessory structures can be 35 feet in height (the current maximum) which is equivalent to a two- or three-story building.

²⁸ The revision changes the previous pervious surface minimum to the more common impervious surface maximum as recommended by the Assessment (p. 20).

²⁹ Proposed here is to eliminate the provision allowing for greater building height if setbacks are increased and replace it with an enhanced setback when a lot in this district is located adjacent to a lot in a residential district.

³⁰ Density is added based on a staff comment that there is no density established for the INS Districts, but this district permits residential care facilities which refers back to this table for allowed density. The proposed standard for the INS district matches the MDR district. ³¹ This section is revised based on current 1.4.4 *Infill Lot Standards* with significant changes, including 1) limits applicability to residential districts; 2) revises the front setback standard for clarity based on the Assessment p. 13 and staff recommendations; 3) updates the terminology by replacing “yards” with “setbacks;” 4) changes the setback waiver to a build-to requirement to preserve character; 5) eliminates the lot width exception; and 6) eliminates the garage addition exception for front yard setbacks based on staff input. This Section may be further revised to allow lot width and/or area reductions for lot subdivisions in infill areas (which will be defined based on geography or other parameters). The allowed setback reductions may be revised to provide for a setback reduction for nonconforming lots, rather than requiring setbacks to align with those of existing buildings. This Section may be relocated to Subsection 10.4.5: *Administrative Adjustments* and/or to Chapter 12: *Nonconformities & Vested Rights*.

Table 2.5.2-5: INS and OSP Districts Dimensional Standards²⁷

Zoning District	Building Type	Lot Dimensions (min)		Setbacks (min)				Impervious Surface (max per lot) ²⁸	Height (max)	Density (max)
		Lot Area	Lot Width	Front	Side (Corner)	Side (Interior)	Rear			
	Accessory Structures (600 sf or less)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	n/a	35 ft	n/a
	Accessory Structures (more than 600 sf)	n/a	n/a	n/a	Shall not be located between the street and the wall line of the principal structure	Same as principal structure	Same as principal structure	n/a	35 ft	n/a
OSP	Principal Buildings	n/a	n/a	n/a	n/a	n/a	n/a	n/a	35 ft	n/a
	Accessory Structures	n/a	n/a	n/a	n/a	n/a	n/a	n/a	35 ft	n/a

Key: min = minimum required | max = maximum allowed | ft = feet

¹ The lesser setback applies when the lot line is adjacent to a lot zoned for or containing a non-residential use. The greater setback applies when the lot line is adjacent to a lot zoned for or containing a residential use.

2.5.3 INFILL LOT STANDARDS³¹

- A. **Established Front Setbacks.** New principal buildings on nonconforming lots in residential districts must be built so that the front façade abuts the established setback for the street.
1. Established setback means the setback of one of the buildings on a lot adjacent to the new building, or, if there is not an adjacent building, then the average front setback on the principal street the lot fronts on, as established by three or more buildings within the same district and within three hundred feet on each side of the lot along the same side of the street.
 2. If an established setback cannot be calculated because there are not a sufficient number of existing buildings, then the front setback will be the standard front setback for the base zoning district.
- B. **Established Side Setbacks.**
1. For new principal and accessory buildings on nonconforming lots, the side setbacks shall be no less than the average of the established side setback for the immediately adjacent lots on the same side of the street.
 2. If an established side setback cannot be calculated because there are no buildings on the adjacent lots, then the side setback will be the standard for the base zoning district.

Figure 2.5.3-1: Infill Lot Setbacks³²
<add graphic once standard is complete>

³¹ This section is revised based on current 1.4.4 *Infill Lot Standards* with significant changes, including 1) limits applicability to residential districts; 2) revises the front setback standard for clarity based on the Assessment p. 13 and staff recommendations; 3) updates the terminology by replacing “yards” with “setbacks;” 4) changes the setback waiver to a build-to requirement to preserve character; 5) eliminates the lot width exception; and 6) eliminates the garage addition exception for front yard setbacks based on staff input. This Section may be further revised to allow lot width and/or area reductions for lot subdivisions in infill areas (which will be defined based on geography or other parameters). The allowed setback reductions may be revised to provide for a setback reduction for nonconforming lots, rather than requiring setbacks to align with those of existing buildings. This Section may be relocated to Subsection 10.4.5: *Administrative Adjustments* and/or to Chapter 12: *Nonconformities & Vested Rights*.

³² A graphic will be added to illustrate infill lot measurements after the standard is complete.

2.6 MIXED USE DISTRICTS

County Council has expressed interest in revising these districts to better serve their intended purpose. These districts are currently under review by staff and the consultant team.

2.7 OVERLAY ZONING DISTRICTS³³

2.7.1 CAROLINA HEELSPLITTER OVERLAY DISTRICT³⁴

2.7.1.1 Purpose

- A. The Carolina Heelsplitter Overlay District (CHO) is hereby established to preserve the natural habitat of the Carolina Heelsplitter (*Lasmigona decorata*), which is a federally recognized endangered species. This overlay district is created to help protect the natural habitat of the Carolina Heelsplitter and, therefore, maintain the existing populations of Carolina Heelsplitter located in Lancaster County.
- B. The Carolina Heelsplitter's natural habitat is in waters that are cool, clean, and well-oxygenated. Stable, silt free stream bottoms appear to be critical to the continuation of the species. Typically, stable areas occur where the stream banks are well-vegetated with trees and shrubs. Similar to other freshwater mussels, the Carolina Heelsplitter feeds by siphoning and filtering food particles from the water in the creek, stream, or river in which they are located.
- C. The decline in the numbers of Carolina Heelsplitter is related to changes in their natural environment. These changes can occur from clear-cutting trees and other vegetation near creek, stream, and river banks which increases erosion and silt in these water bodies. Some activities that can cause this to occur are residential, commercial, and industrial development and road construction and maintenance.
- D. The discharge of pollutants into these water bodies, habitat alterations from impoundments and uncontrolled stormwater, as well as other human-made changes can negatively impact the natural habitat of the Carolina Heelsplitter. Any one of

³³ This section carries forward current 4.2.2: Carolina Heelsplitter Overlay; 4.3.2 Highway Corridor Overlay; 4.3.1: Carolina Thread Trail Overlay; and 2.1 McWhirter Field Aviation Overlay; with changes noted; adds a new Transportation Corridor Overlay; and eliminates 4.4.1: Cluster Subdivision Overlay, and 4.4.2: Equestrian Oriented Subdivision Overlay.

³⁴ This section carries forward the provisions of current 4.2.2: Carolina Heelsplitter Overlay District, with significant revisions intended to reorganize, clarify, and implement the development and review standards by Lancaster County and the United States Fish and Wildlife Service as provided in the Assessment (p. 32) and staff input.

these activities or a combination of these activities can negatively impact the Carolina Heelsplitter's natural habitat, which has contributed to the decline of the species.

- E. A number of studies have shown that stream habitat and water quality degradation occurs with increased coverage by impervious surfaces in a watershed.

2.7.1.2 Applicability

- A. **Six Mile Creek Drainage Basin.** The CHO standards of this Section apply to the Six Mile Creek drainage basin, as designated by the United States Geologic Survey (USGS) hydrographic unit code (HUC) 03050103030010.
- B. **Exemption for Portions of Property Outside Six Mile Creek Drainage Basin.** The CHO is defined by the Six Mile Creek watershed boundary, not property (parcel) boundaries. The CHO District Standards apply to the portion of parcels located within the overlay district but do not apply to the portion of the parcel outside the Six Mile Creek watershed boundary

2.7.1.3 Definitions

The following definitions apply to the CHO District:

- A. **Best management practices (BMPs).** Practices that include but are not limited to those defined in the South Carolina Department of Health and Environmental Control (SCDHEC) Stormwater Management BMP Handbook.
- B. **Carolina Heelsplitter Overlay District.** An overlay district that imposes certain restrictions and limitations on development in the Six Mile Creek drainage basin.
- C. **Development.** The creation of impervious surfaces or any land development.
- D. **Impervious Surface.** A hard surface that slows or prevents water from infiltrating the soil and/or causes water to run off surface more rapidly or in greater quantities than under natural conditions. Impervious surfaces include, but are not limited to, asphalt and concrete surfaces, building footprints, sidewalks, rooftops, patios, pools, sport surfaces, garages, carports, sheds, driveways, parking lots, streets, and compacted roadways. Those surfaces excluded from the measurement of impervious surface include, but are not limited to, landscaped areas, grass fields, golf courses, playgrounds, agricultural fields, and non-compacted roads. Advanced building materials such as a porous concrete and porous asphalt, under laid with sand or similar materials to match infiltration characteristics of surrounding lands, would also be considered porous.

- E. **Intermittent Streams.** Streams that generally have defined natural watercourses that do not flow year-round, but beyond periods of rainfall and with greater frequency than similarly located ephemeral streams. Designation of a stream as intermittent shall be confirmed by using stream delineation techniques as outlined in the document titled "U.S. Army Corps of Engineers Jurisdictional Determination Guidebook". For the purposes, hereof, the term "intermittent stream" shall not include any waters that the U.S. Army Corps of Engineers has determined or shall determine are not subject to its jurisdiction.
- F. **Land Development.** Development activities that cause a change in land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, manufactured home parks, or similar developments for sale, lease, or any combination of owner and rental characteristics.
- G. **Perennial Streams.** Blue lined streams indicated on a USGS 1:24,000 topographical map. Designation of a stream as perennial shall be confirmed by using stream delineation techniques as outlined in the document titled "U.S. Army Corps of Engineers Jurisdictional Determination Guidebook." For the purposes, hereof, the term "perennial stream" shall not include any waters that the U.S. Army Corps of Engineers has determined or shall determine are not subject to its jurisdiction.
- H. **Riparian buffer.** An area of natural vegetation that is adjacent to a body of water and that is managed to maintain the integrity of stream channels and shorelines; to reduce the impact of upland sources of pollution by trapping, filtering, and converting sediments, nutrients, and other chemicals; and to supply food, cover, and thermal protection to fish and other wildlife.
- I. **Riparian Buffer Impact.** Any activity that causes changes in the land characteristics for land located within 200 feet of any perennial stream or 100 feet of any intermittent stream.

2.7.1.4 Development Standards

- A. **Standards Applicable to All Land Development.** All land development in the CHO District must comply with the following standards:
 - 1. Adherence to ordinary requirements for development approval or permitting;
 - 2. Maintenance of a native forested buffer, and no disturbance of the natural vegetation within a distance of 200 feet of the edge-of-bank for perennial streams or within 100 feet of any intermittent stream within the basin. The 100-foot or 200-foot native forested buffer shall be measured from the top of

the bank on either side of the intermittent/perennial creek or stream and wraps around the head of the stream at the intermittent/ephemeral breakpoint;

3. A fence is allowed in the buffer areas, if the fence is either part of an agricultural practice or does not impede the re-growth of natural vegetation;
4. A trail is allowed in the buffer area and may be constructed of pervious or impervious materials;
5. Curb and gutter are not required within the CHO. The use of grass swale, etc. is encouraged, and the use of sidewalks is optional; and
6. A pond requires a 100-foot riparian buffer only if it is an integral part of a stream and the stream section immediately below the pond is classified as perennial. Other types of ponds, such as catch basins and stormwater ponds that only drain out intermittently, do not require a riparian buffer.

B. Developments of Minor Impact.

1. Developments of Minor Impact involve land development in which the existing riparian buffer is not disturbed and result in the creation of:
 - (a) Less than 8,000 square feet of new impervious surface (gravel roads located outside of the riparian buffer and trails located inside or outside the riparian buffer are excluded from this calculation); or
 - (b) Land development projects with 10% or less impervious surface.
2. All land developments of minor impact may proceed as of right but must comply with the standards of Paragraph A.

C. Developments that Must Fully Comply.

1. Developments that must fully comply involve land developments that result in the creation of:
 - (a) 8,000 or more square feet of new impervious surface (gravel roads located outside of the riparian buffer and trails located inside or outside the riparian buffer are excluded from this calculation); or
 - (b) Any land development project with more than 10% impervious surface or that disturbs existing riparian buffers.
2. Developments that must fully comply may only proceed upon satisfaction of the following requirements:

- (a) The purchase of credits from the Carolina Heelsplitter Conservation Bank as provided in §2.7.1.5: Carolina Heelsplitter Conservation Bank; and
- (b) Compliance with the standards of Paragraph A.

D. Agricultural Practices.

- 1. The CHO standards do not apply to agricultural practices, except for clear cutting and grading that removes vegetation within the riparian buffer, as defined in this Section, or the prevention of re-growth of the natural vegetation within these areas.
- 2. Where riparian buffers have been impacted due to agricultural practices, these areas must be allowed to revert to their natural state in the event of any transition of land use.

2.7.1.5 Carolina Heelsplitter Conservation Bank³⁵

- A. **In General.** The United States Fish and Wildlife Service (FWS) administers applications requiring the purchase of credits from the Carolina Heelsplitter Conservation Bank . The purchase of credits is intended to offset water quality and hydrologic impacts to the Carolina Heelsplitter and its habitat.
- B. **Credit Determination.** The determination of the extent of credits required will be made by the FWS office in Charleston, South Carolina, on a case-by-case basis.
- C. **Credit Discounts.** Credit discounts can be given to projects at the discretion of the FWS. Examples of activities that may qualify for discounts are:
 - 1. Pre- and post-construction stormwater BMPs planned for and/or implemented in excess of SCDHEC permit requirements;
 - 2. Projects with minimal site grading;
 - 3. Projects incorporating low impact development practices; and
 - 4. Projects with total impervious surface of less than 20%.
- D. **Procedures.**

³⁵ This section is a significant revision of Section 4.2.2.B.2.f to address a staff concern to clarify that the role of the Planning Commission was in establishing the CHO District credit criteria and that continuous review of individual projects is not needed.

1. Credits shall be purchased through procedures established by the FWS.
 2. When the grading permit for the project is obtained from SCDHEC, after site plan or subdivision plat approval by Lancaster County, the applicant must provide proof that the required credits were purchased before the County will issue any building permits. This shall be done by providing the County a credit affidavit dated on or before the issuance of the grading permit by SCDHEC.
- E. **Penalties.** If the credits were not purchased at the time the grading permit was issued, then a 20% per year penalty shall be added to the cost of the credits for the project. For example, if two credits were required for a project and the cost of these original two credits was not paid to the mitigation bank at the time of the issuance of the grading permits, then the new payment to the mitigation bank would be the cost of the two original credits plus the cost of the original two credits multiplied by 20%. The penalty shall be prorated on a monthly basis.
- F. **Exemptions from Credit Purchase Requirement.**
1. The requirement to purchase credits from the Carolina Heelsplitter Conservation Bank does not apply to the installation, maintenance, or operation of water and sewer services by Lancaster County Water and Sewer District.
 2. Although not subject to the purchase of credits, all projects conducted by the Lancaster County Water and Sewer District are required to be submitted to the U. S. Fish and Wildlife Service for review and assurance of appropriate BMPs and other regulations applicable in the CHO.

2.7.2 CHARACTER AREAS OVERLAY³⁶

2.7.2.1 Purpose

- A. In order to provide appropriate standards for preserving the County's rural quality of life while also accommodating existing and future development of auto-oriented

³⁶ This new overlay district categorizes all lots as suburban or rural to implement a new framework that will provide distinct development standards for different areas of the County based on the suburban or rural character of the area. This implements the recommendations of the Assessment (pgs. 9-10). The consultant team is continuing to work with the County to define the applicability and geographic boundaries of each character area.

commercial and industrial areas, this overlay district establishes Rural and Suburban Character Areas.

- B. Where appropriate, this UDO provides distinct development standards for each of these Character Areas.

2.7.2.2 Applicability

This overlay district designates all lots in unincorporated Lancaster County as part of either the Suburban or Rural Character Area.

2.7.2.3 Boundaries

- A. The areas depicted in <insert map color> on the map in Figure 2.7.2.3-1: *Character Areas Map* are part of the Suburban Character Area.
- B. The areas depicted in <insert map color> on the map in Figure 2.7.2.3-1: *Character Areas Map* are part of the Rural Character Area.

Figure 2.7.2.3-1: Character Areas Map
<insert map once Character Area boundaries are defined>

2.7.3 HIGHWAY CORRIDOR OVERLAY DISTRICT³⁷

2.7.3.1 Purpose and Intent³⁸

- A. The Highway Corridor Overlay District is established to preserve and enhance corridors that serve as major gateways leading to, from, and within Lancaster County.

³⁷ This section significantly revises and reorganizes the provisions of current 4.3.2 *Highway Corridor Overlay District* with revisions based on the Assessment (p. 34) and staff input. Specific changes include 1) eliminating build-to line and 25 ft. setback standards; 2) eliminating references to generally applicable standards in other parts of the UDO; 3) providing a phased approach for nonconforming structures; and 4) relocating the primary content for the overlay in Paragraphs D (Nonconforming Situations), F (Building Vernacular, Materials, Sidewalks and Pedestrian Amenities), G (Parking and Vehicular Access), H (Signs), I (Lighting), J (Landscaping, Buffer Yard, and Screening Requirements) to the appropriate chapter providing that type of development standard to ensure the consistency of standards across and between districts. The revision deletes the content of current Paragraphs C (Uses), E (Design Review), K (Impervious Surface), L (Open Space and Tree Preservation), O (Typical Corridor Cross Section), and Appendix B – *Highway Corridor Overlay District*.

³⁸ This section carries forward the content of current 4.3.2(A) with minor revisions.

- B. As both commercial and residential land uses exist along such corridors, there is a desire of the residents of Lancaster County to provide standards relative to connectivity, aesthetic appearance, and safety along major gateways.
- C. The land use recommendations and design requirements contained in the Highway Corridor Overlay District are the result of a community-wide effort. As such, the intent of this district is to provide unified land development regulations that promote a sense of place and create consistency along significant corridors by improving the visual character of adjacent development³⁹.

2.7.3.2 District Boundaries and Applicability⁴⁰

- A. **District Boundaries.**
 - 1. County Council designates the following highways (the designated highways) for the applicability of the Highway Corridor Overlay District:
 - (a) US Highway 521 from SC Highway 75 (Waxhaw Highway) northward to the North/South Carolina state line; and
 - (b) SC Highway 160 from US Highway 521 westward to the York/Lancaster County line.
 - 2. The HCO District includes:
 - (a) All parcels that front on the designated highways;
 - (b) All parcels that are developed as part of a common plan with a parcel that fronts on the designated highways; and
 - (c) All parcels that front on another public street that intersects the designated highway and that are located less than 500 feet from that street's intersection with the designated highway.
 - 3. The boundaries of the HCO District are shown on the Zoning Map.
- B. **Applicability.**

³⁹ Appendix B (HCO Supplementary Diagrams) was removed based on staff input.

⁴⁰ This section proposes to reduce the HCO applicability from the current standard of 1,000 ft. in 4.3.2(B) to a new standard that will apply only to lots fronting on the highway corridor and intersecting streets within 500 ft. of the highway as recommended in the Assessment (p. 34).

1. The HCO District development regulations, as set forth throughout this UDO, apply to all uses on the properties zoned Highway Corridor Overlay District except for detached single-family dwellings uses. The development regulations applicable to single family housing are the development regulations of the underlying zoning district.
2. For successive expansions of existing nonconforming structures, the development standards applicable to the HCO District will apply based on the cumulative percentage change in gross square foot floor area compared to the square footage floor area of the original nonconforming structure.

2.7.3.3 Development Standards⁴¹

Development standards for lots subject to the HCO are specified in Chapter 4: *Landscaping & Open Space*, Chapter 5: *Parking & Loading*, Chapter 6: *Outdoor Lighting*, Chapter 7: *Signs*, Chapter 8: *Architectural Design Standards*, and Chapter 9: *Subdivision & Site Design*.

2.7.4 McWHIRTER FIELD AVIATION OVERLAY DISTRICT⁴²

2.7.4.1 Purpose and Intent⁴³

- A. The McWhirter Field Aviation Overlay District (MFAO) is established to set height and land use limitations for airport safety within the vicinity of McWhirter Field in accordance with the most recent Airport Layout Plan.
- B. The intent of the McWhirter Field Aviation Overlay is to promote the health, safety, and general welfare of the residents of Lancaster County.
- C. The requirements of this Ordinance pertain to the compatibility of land uses within the vicinity of McWhirter Field as well as height considerations of structures and natural vegetation such as trees.

⁴¹ All development standards for the HCO District are proposed to be relocated to the chapters noted in order to establish

⁴² This section significantly revises current 4.2.1 *McWhirter Field Aviation Overlay District*. Key changes include revising the Overlay to conform with the most recent draft of the Model Ordinance included as Appendix F to the FAA's Advisory Circular (AC) 150/5190-4B: Airport Land Use Compatibility Planning, which addresses height and land use controls surrounding airports as recommended in the Assessment (pp. 30-31). All zones and use standards have been updated to meet the FAA's guidance in the Advisory Circular Draft. The consultant team is currently working with staff to ensure the proposed changes are acceptable to the Airport Administrator.

⁴³ This section carries forward the current 4.2.1.A. with minor revisions.

- D. All applicable requirements meet the Code of Laws of South Carolina, as amended, and are adopted under authority granted by South Carolina Code of Laws, Title 55, §§ [55-9-240](#) and [55-9-260](#), as amended.

2.7.4.2 District Boundaries and Applicability⁴⁴

The McWhirter Field Aviation Overlay standards set out in this Section are applicable to the area designated on the map entitled McWhirter Field Aviation Overlay District Map (the Overlay District Map) as incorporated with the Official Zoning Map as maintained by the Lancaster County Development Services Division.

2.7.4.3 Airport Overlay Zones⁴⁵

Airport overlay zoned established by this Ordinance include along the land lying in the runway primary surface, the runway protection zone, the approach surface, transitional surface, horizontal surface, conical surface, and landfill exclusion zone (Zone F). These zones are identified as A, B, C, D, E, and F and are defined under the definition section, Table Airport Overlay Zones 2.7.4.3-1: *Dimensions for Airport Overlay Zones* and in the Overlay District Map.

Table Airport Overlay Zones2.7.4.3-1: Dimensions for Airport Overlay Zones				
Zone	Inner Width	Outer Width	Length	Height or Slope
A (Runway 6) (Runway Protection Zone – Begins 200 ft. past end of runway)	500 ft.	1,010 ft.	1,700 ft.	Not applicable
A (Runway 24) (Runway Protection Zone – Begins 200 ft. past end of runway)	1,000 ft.	1,750 ft.	2,500 ft.	Not applicable
B (Runway 6) (Approach zone - Begins 200 ft. past end of runway)	1,000 ft.	3,500 ft.	10,000 ft.	34:1

⁴⁴ This section revises current 4.2.1.B. as noted.

⁴⁵ This section completely replaces current 4.2.1.D&E. with the standards of the FAA’s Advisory Circular Draft.

Table Airport Overlay Zones2.7.4.3-1: Dimensions for Airport Overlay Zones

Zone	Inner Width	Outer Width	Length	Height or Slope
B (Runway 24) (Approach zone – Begins 200 ft. past end of runway)	1,000 ft	16,000 ft.	60,000 ft. ¹	50:1
C (Transitional Surface)	6,404 ft.	19,900 ft. (approximate)	1,050 ft. (variable)	7:1
D radius (Horizontal Surface)	Begins at outer width of transitional surface	10,000 ft.		150 ft. above airport elevation
E radius (Conical Surface)	Begins at edge of horizontal surface	4,000 ft.		20:1
F (Exclusion zone for solid waste landfills)	Begins at edge of runway	6 mi.		Not applicable

¹ For purposes of the McWhirter Field Aviation Overlay District, the Runway 24 Approach Zone is truncated at the beginning of the Conical Zone.

Source: Airport Layout Plan Update - Airport Layout Plan (ALP) & Airport Airspace Drawing Dated March 2006 on file with FAA & SC Aeronautics Commission.

Note: Should Airport Layout Plan be updated in the future and approved by FAA & SC Aeronautics Commission, data contained within this Table may change.

2.7.4.4 Airport Zone Height Limitations and Lighting Requirements ⁴⁶

- A. **Height Limitations.** Unless provided for in this Ordinance, no structure, object, natural vegetation or terrain shall be erected, altered, allowed to grow, or maintained within any airport zone established by this MFAO to a height in excess of the applicable height limitations established by Table Airport Overlay Zones2.7.4.3-1: *Dimensions for Airport Overlay Zones* and in the Overlay District Map .
- B. **Tree Removal.** If a tree is determined to be an airport hazard, Lancaster County will coordinate with the property owner(s) to bring such tree into conformance with this ordinance.

⁴⁶ This section significantly revises current 4.2.1.D. with the standards of the FAA's Advisory Circular Draft.

- C. **Lighting.** Lighting and marking requirements will be determined through an FAA 7460-1 airspace analysis. The owner of any structure, object, natural vegetation, or terrain is hereby required to install, operate, and maintain such markers, lights, and other aids to navigation necessary to indicate to the aircraft operators in the vicinity of an airport the presence of an airport hazard.

2.7.4.5 Land Use Limitations in Airport Overlay⁴⁷

- A. **Use Table.**⁴⁸ Land use in the MFAO District must conform to the use standards in Table 2.7.4.5-1: *McWhirter Field Overlay District Use Limitations* unless otherwise provided for in this Ordinance.
- B. **Compatible Uses.** Land uses defined below as compatible (C) shall be issued a permit if they follow all provisions of this Ordinance.
- C. **Uses Not Compatible.** Those land uses identified as ‘not compatible’ (NC) are prohibited within the designated zone.
- D. **Additional Review.** Land uses identified as ‘additional review’ (AR) will be evaluated by the Planning Director for potential impacts on the airport regarding noise, concentration of people, height, visual restrictions, wildlife attractions, flammable substances, and electrical, navigational, or radio interference.

Table 2.7.4.5-1: McWhirter Field Overlay District Use Limitations						
Land Uses	Zone A	Zone B	Zone C	Zone D	Zone E	Zone F
Single Family	NC	AR	NC	AR	C	C
Multi-Family, Group Living Uses	NC	NC	NC	AR	C	C
Permitted uses in “B” Business Districts	NC	AR	AR	C	C	C
Permitted uses in “I” Industrial and “M” Mining Districts	NC	AR	AR	AR	C	C
Basic Utility Uses (i.e., utility substation facilities, electrical substations, water and sewer lift stations, water towers)	NC	NC	NC	AR	C	C

⁴⁷ This section completely replaces current 4.2.1.E. with the standards of the FAA’s Advisory Circular Draft.

⁴⁸ The draft replaces the two, somewhat conflicting land use tables with the table included in the most recent guidance provided by the FAA in Draft Advisory Circular 150/5190-4B as recommended in the Assessment (pp. 30-31).

Table 2.7.4.5-1: McWhirter Field Overlay District Use Limitations

Land Uses	Zone A	Zone B	Zone C	Zone D	Zone E	Zone F
Sanitary Landfills	NC	NC	NC	NC	NC	NC
Solar Power, Generation Equipment, Wind Generation, Wind Farms	NC	NC	NC	AR	AR	C
Communication Transmission Facilities	NC	NC	NC	AR	AR	C
Outdoor Storage, Signs, and Displays	NC	AR	AR	AR	C	C
General Community Service	NC	AR	AR	AR	C	C
Daycare Uses	NC	NC	NC	AR	C	C
Detention Facilities (i.e., prisons, jails, probation centers, juvenile detention homes, halfway houses)	NC	NC	NC	AR	C	C
Educational Facilities	NC	NC	NC	AR	C	C
Hospitals	NC	NC	NC	AR	C	C
Religious Assembly Uses	NC	NC	NC	AR	C	C
Communication Transmission Facility Uses (i.e., broadcast, wireless, point to point, emergency towers and antennas)	NC	NC	NC	AR	AR	C
Parking Uses (i.e., ground lots, parking structures)	AR	C	AR	C	C	C
Transportation Uses (i.e., highways, interstates, local and county roads)	AR	C	C	C	C	C
Utility Uses (i.e., solar power generation equipment, wind generators, wind farms)	NC	NC	NC	AR	AR	C
Farms – plant and animal with no residential	AR	AR	AR	C	C	C
Farms – Resident-related (i.e., single-family home, mobile home if converted to real property and taxed)	NC	AR	NC	AR	C	C
Grain Bins, Bulk Fuel, Grain Elevator	NC	NC	NC	AR	AR	C

Table 2.7.4.5-1: McWhirter Field Overlay District Use Limitations

Land Uses	Zone A	Zone B	Zone C	Zone D	Zone E	Zone F
Human-Made Water Retention, Detention, Wetlands	NC	NC	NC	AR	AR	C
Commercial Recreational Uses (i.e., facilities used for physical exercise, recreation, or culture)						
Outdoor Recreation	NC	AR	NC	AR	C	C
Indoor Recreational Facilities	NC	AR	NC	AR	C	C
Parks	NC	AR	NC	C	C	C
Key: C = Compatible AR = Additional Review Required NC = Not Compatible						

2.7.4.6 Other Land Use Requirements⁴⁹

- A. **Notice and Disclosure.** New residential subdivisions located within MFAO Land Use Zones A, B, B, C, and D require a Residential Fair Disclosure Statement on all filed subdivision plats. The Residential Fair Disclosure Statement should state:

“This subject property and residential structures shown on this plat are located within the McWhirter Field Aviation Overlay District. Information regarding the McWhirter Field Aviation Overlay District can be received from the Lancaster County Development Services Division and is described fully in Section 2.7.4 of the Lancaster County’s Unified Development Ordinance.”

- B. **Avigation Easement.** Lancaster County may request an avigation easement from the applicant or owner prior to the issuance of a permit for any development or activity located in the Overlay District Map Zone A or Zone B. The avigation easement by the property owner(s) will be on a form prescribed by the Lancaster County Airport Advisory Committee, and recorded in a form acceptable to Lancaster County.

2.7.4.7 Nonconformities⁵⁰

- A. **Nonconforming Uses – Regulations Not Retroactive.**

1. This regulation shall not be construed to require the alteration of any lot or removal, lowering, or other change or alteration of any structure or tree not

⁴⁹ This section changes the contract/sale notice requirement in current 4.2.2.E.3. to a requirement that the notice be set out on all filed plats, as recommended by the Assessment (p. 35).

⁵⁰ This section carries forward current 4.2.1.F. with revisions noted. The FAA Advisory Circular does not address existing nonconformities but provides for variances for new structures and uses.

conforming to the regulations as of the effective date of this ordinance, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction or intended use of any property or structure for which the construction or alteration was started or for which a building permit was acquired prior to the effective date of this Ordinance.

2. Notwithstanding the preceding provision of this Section, the owner of any existing nonconforming structure or tree is hereby required to allow the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Lancaster County Airport Committee to indicate to the operators of aircraft in the vicinity of the airport the presence of such obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the McWhirter Field. Reference [FAA Advisory Circular 70/7460-1M](#), or successor advisory circulars, for further guidance.
- B. **Existing Structures.** Except as specifically provided in this section, it is not permissible for any person to engage in any activity that causes an increase in the extent of nonconformity of a nonconforming situation. Physical alteration of structures or the placement of new structures on open land is unlawful if they result in an increase in the total amount of space devoted to a nonconforming use or greater nonconformity with respect to land use limitation.
- C. **Abandoned Structures.** Whenever the Planning Director determines that a nonconforming structure has been abandoned or more than 80% demolished (or damaged more than 80% of the current County tax value), physically deteriorated, or decayed, no permit shall be granted that would allow such structure to otherwise deviate from the height and land use regulations.
- D. **Temporary Structures.** Temporary structures constructed or erected incidental to a development, and solely used for the designated purpose of the structure, can only remain while needed and for a maximum of one year.

2.7.4.8 Procedural Requirements⁵¹

- A. **Zoning Permit Required – Existing Uses.** Before any existing use or structure may be replaced or substantially altered within any area of the Overlay District Map, a Zoning Permit shall be secured authorizing such replacement, change, or repair. No such permit shall be granted that would allow the establishment or creation of an

⁵¹ This section carries forward current 4.2.1.G. and 1) adds an exemption for accessory structures that are eight feet or less in height; 2) removes the requirement for the Airport Committee to approve permits in the overlay; and 3) clarifies the required permit is a Zoning Permit.

airport hazard or permit a nonconforming use when the application for a permit is made. Except as indicated, all applications for a Zoning Permit for replacement, change, or repair of an existing structure shall be granted.

B. Zoning Permit Required – Future Uses.

1. No change shall be made in the use of land or increasing or establishing a structure unless a Zoning Permit has been applied for and granted by the Planning Director, except that accessory structures not exceeding eight feet in height may be constructed on existing residential lots without a permit. Each application shall indicate the purpose for which the permit is desired, with sufficient particularity to allow the Planning Director to determine whether the resulting use or structure would conform to the regulations prescribed in this Ordinance.
2. No Zoning Permit for a use or structure inconsistent with the provisions of this Ordinance shall be granted unless a variance has been approved in accordance with [Chapter 10: Procedures](#).

C. Permit Applications. A Zoning Permit application shall be submitted to the Development Services Division for all new and modified uses and structures controlled by this ordinance. A Zoning Permit application, as required in this Section, shall also accompany a preliminary plat application.

D. FAA Review.

1. Before submitting any application to Lancaster County requesting approval of human-made structures that also require filing a notice with the FAA under Part 77, §77.9, of Title 14 of the Code of Federal Regulations, or in successor federal regulations, the applicant shall first submit an FAA form 7460-1, “Notice of Proposed Construction or Alteration,” to the FAA for a review of impacts to airspace in the vicinity of the Airport.
2. The applicant shall include a copy of the FAA’s findings in the application. If the FAA determines an adverse impact to the Airport’s airspace may occur, the FAA decision will serve as a governing height limitation for such a human-made structure.

E. Review by County Airport Administrator. The Planning Director may seek input from the Airport Administrator prior to acting on an application for development in the MFAO.

2.7.5 TRANSPORTATION CORRIDOR PRESERVATION OVERLAY DISTRICT⁵²

2.7.5.1 Purpose

The Lancaster County Council finds the need for additional setbacks for funded road improvements identified in the Capital Projects Sales Tax Programs or the Rock Hill-Fort Mill Area Transportation Study (RFATS) Long Range Transportation Plan to:

- A. Assist in the preservation of public health, safety, and welfare and to aid in the harmonious, orderly, and beneficial development of the county in accordance with the Comprehensive Plan;
- B. Provide for the preservation and protection of corridors where transportation improvements are scheduled to occur; and
- C. Minimize impacts associated with road widening and new road construction.

2.7.5.2 Applicability

This Section applies to all land within Lancaster County that abuts or is located within corridors identified within the Capital Projects Sales Tax Programs or the RFATS Long Range Transportation Plan that are planned and funded for improvements.

2.7.5.3 Location

The corridors subject to the TCP-O and the extent of each preservation setback are set forth in [Lancaster County Preserved Transportation Corridors](#), a document maintained and kept on file with the Lancaster County Development Services Division.

2.7.5.4 Minimum Preservation Setback

- A. **Relation to Generally Required Setback.** When determining the cumulative setback requirement for property within the identified corridors, the setback requirement provided in this Section is in addition to the setback requirement of the zoning district, if applicable, in which the property is located.

⁵² This new section adopts preservation standards for corridor development and widening planned by the Rock Hill-Fort Mill Area Transportation Study (RFATS) Long Range Transportation Plan (LRTP) and the County's Capital Projects Sales Tax. It is based on similar provisions adopted by York County (§§ 155.230-.233 in the [York County Zoning Code](#)) and Greenville County (Transportation Corridor Preservation Ordinance, [Ordinance No. 4326](#)).

- B. **Protection from Encroachment.** No building, structure, or facility shall be erected, constructed, reconstructed, moved, added to, or structurally altered within the limits of the Minimum Preservation Setback as defined in § 2.7.5.3: *Location* for any proposed street or highway improvement included within the Capital Projects Sales Tax Programs and/or the RFATS Long Range Transportation Plan.
- C. **Establishment of Setbacks.**
 - 1. When a future right-of-way alignment for a funded road improvement has been established by the appropriate reviewing agency, the setback and bufferyard requirements shall be applied to the approved right-of-way alignment.
 - 2. Where an alignment for expanding an existing road or highway has not been determined, the Planning Director, in coordination with appropriate agencies, shall establish an approximate alignment based on the existing street centerline. The setback and bufferyard requirements shall be applied to the approximate alignment.

2.7.5.5 Utilities

Utilities installed to serve new development in a Preserved Transportation Corridor shall be located in a manner that will not require their relocation as part of the improvement project identified in the Capital Projects Sales Tax Programs or the RFATS Long Range Transportation Plan.

2.8 LEGACY DISTRICTS⁵³

2.8.1 GENERAL PROVISIONS

- A. No land shall be rezoned to a legacy zoning district. The County anticipates that all lots eventually will be rezoned out of legacy districts. A rezoning may only be initiated in accordance with the procedure specified in Chapter 10: *Procedures*. Landowners are encouraged to rezone land from a legacy zoning district classification.
- B. The boundaries of existing legacy zoning districts shall not be expanded.
- C. Development in a legacy zoning district is subject to all requirements of that district and all other applicable regulations of the County Code, including this UDO.

⁵³ Carries forward current district descriptions from 2.3 *Districts*.

2.8.2 PLANNED DEVELOPMENT DISTRICT (PDD)⁵⁴

- A. **Purpose.** The Planned Development District option was available in previous versions of the zoning ordinance or UDO. As specified in Section 2.8.1: *General Provisions*, no new PDDs may be added to the Official Zoning Map, nor may any boundary of an existing PDD be modified.
- B. **District Standards.** Refer to Table 2.8.2-1 *Legacy Planned Development Districts (PDD)*, for PDD district numbers, names, ordinance numbers, and development agreement ordinance numbers, as applicable.

Table 2.8.2-1: Legacy Planned Development Districts (PDD)			
District No.	District Name	PDD Ordinance No.	Development Agreement Ordinance No.
2	Bear Creek Landing / Edgewater	#322, #348, #356	#961
5	Bailes Ridge	#458, #491	Not Applicable
8	Walnut Creek / Edenmoor	#504, #710, #772	#732
9	Food Lion / Cobblestone	#514, #574	Not Applicable
11	Bridgemill	#537, #778	#776
13	Hanover Crossing	#592, #896	Not Applicable
16	Reid Pointe	#629, #1224	Not Applicable
18	Sun City Carolina Lakes	#631, #644, #660, #687, #691, #1389	#685, #864
20	Wallace Tract	#645, #659, #688, #878, #798	#814
21	Cambridge / Ansley Park	#650, #796	#2015-1378*
23	Rosemont	#725	Not Applicable
26	U.S. Trust / Collins Road	#1346	#960, #1150
27	Avondale	#2015-1386, #2015-1369	#2015-1370

* Applies to a portion of PDD-21

⁵⁴ This section carries forward current 1.3.3: Legacy District, with changes noted.



UNIFIED DEVELOPMENT ORDINANCE UPDATE

CHAPTER 3: USE REGULATIONS
PUBLIC REVIEW DRAFT | 12-21-22

Prepared By:

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3 USE REGULATIONS¹

3.1 GENERAL PROVISIONS

3.1.1 PURPOSE²

- A. **In General.** The purpose of this Chapter is to promote the public health, safety, morals, and general welfare, and to protect and preserve places and areas of historical, cultural, and architectural importance and significance through the regulation of uses. There are certain uses that create impacts on surrounding property or the community which may be constructed, continued, or expanded provided they mitigate impacts of their design and operation. These regulations are adopted in accordance with the comprehensive plan and are designed to:
1. Ensure compatibility so that different uses may be located in proximity to one another without adverse effects to either;
 2. Preserve property values by ensuring that the adverse effects resulting from nearby uses are minimized;
 3. Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations;
 4. Ensure that new development is compatible with surrounding development in use, character, and size;
 5. Provide for land uses that serve important public needs, such as affordable housing and employment generators;
 6. Promote infill housing and retail and residential development;
 7. ; and
 8. Encourage retail development in neighborhood and regional centers in appropriate locations.
- B. **Regulation of Land Use.** This Chapter:

¹ This Chapter significantly updates and combines the use table in current Chapter 2 with the use regulations in current Chapter 5.

² This section carries forward the first two sentences of current 5.1: *Applicability* and significantly expands the text to describe the common purposes of use regulations.

1. Establishes the land uses allowed in each zoning district;
2. Establishes supplemental regulations for conditional and special exception uses, which have unique operational characteristics or impacts; and
3. Establishes regulations for accessory and temporary uses.

3.1.2 APPLICABILITY³

- A. **In General.** This Chapter regulates uses in all zoning districts throughout unincorporated areas of Lancaster County.
- B. **Conditional and Special Exception Uses.** When uses are listed in the Use Tables in this Chapter as uses requiring a Conditional Use (CU) permit or uses requiring a Special Exception (SE), they shall comply with the additional criteria set forth in this Chapter for that use in addition to other applicable criteria contained in this Unified Development Ordinance.
- C. **Principal Uses.** Sections 3.2 to 3.12 apply to all principal uses, buildings, and structures.
- D. **Accessory Uses.** Section 3.11.8I: *Accessory Uses and Structures* applies to all accessory uses, buildings, and structures.
- E. **Temporary Uses.** Section 3.14: *Temporary Uses and Structures* applies to all temporary uses, buildings, and structures.

3.1.3 ZONING PERMIT REQUIRED⁴

- A. **Zoning Permit Required for All Principal Uses.** Before a change in use or the establishment of a new principal use, an applicant must receive a Zoning Permit issued by the Administrator (See [Chapter 12: Zoning Procedures](#)).
- B. **Permits for Special Exception Uses.** The establishment of a new special exception use or the expansion of an existing nonconforming use that requires a special exception requires approval by the Board of Zoning Appeals to obtain a Zoning Permit from the Administrator (See [Chapter 12: Zoning Procedures](#)).
- C. **Permits for Conditional Uses.** Before a change in use or the establishment of a new conditional use, an applicant must receive a Conditional Use Permit issued by the

³ This section carries forward the provisions of current 5.1: *Applicability* and adds treatment for principal, accessory, and temporary uses.

⁴ This new section clarifies the applicable requirements for permitting of uses.

Administrator to obtain a Zoning Permit from the Administrator (See [Chapter 12: Zoning Procedures](#)).

- D. **Permits for Accessory Uses.** Before a change in use or the establishment of a new accessory use that requires conditional use review under this Section, an applicant must receive a Conditional Use Permit issued by the Administrator to obtain a Zoning Permit from the Administrator (See [Chapter 12: Zoning Procedures](#)).
- E. **Permits for Temporary Uses.** Before a change in use or the establishment of a new temporary use, an applicant must receive a Temporary Use Permit issued by the Administrator (See [Chapter 12: Zoning Procedures](#)).
- F. **Other Permits**
 - 1. *Proof of Permits to be Provided with Application.* The applicant for any permit under this Chapter shall submit one complete digital copy of all final approvals to operate from any other required local, state, and/or federal permitting agencies. All approvals must be demonstrated to be up-to-date and in effect.
 - 2. *Permit Not Issued at Time of Application.* In cases where final permitting agency approval is not issued without evidence of all necessary local zoning approvals, the applicant shall provide one complete digital (PDF) copy of the application submitted to all permitting agencies. Once final approval is received, the applicant shall provide one complete digital copy of the permit to the UDO Administrator prior to the start of operations.

3.2 USE TABLE⁵

3.2.1 INTRODUCTION⁶

Section 3.2.5: *Use Table* establishes the categories of uses for each district. The description of the codes for the regulation of a particular use is specified in Section 3.2.3: *Interpretation of Use Table*. These standards apply to all base zoning districts, [except for the ***insert reference to planned development district approach***](#).

⁵ This section significantly revises the discussion of the use table current 2.5.

⁶ This new section introduces the Use Table.

3.2.2 USE CATEGORIES⁷

All uses permitted in this Ordinance have been divided into 10 general categories and are generally defined as follows:

- A. **Agriculture.** Premises for growing crops, raising animals, harvesting timber, and harvesting fish and other animals from a farm, ranch, or their natural habitat and all related functions.
- B. **Automotive.** Uses and premises dedicated to the sale, maintenance, servicing or storage of automobiles and other motorized vehicles.
- C. **Civic/Institutional.** Premises available for organizations dedicated to religion, government, education, social service, health care, and other similar functions.
- D. **Entertainment/Recreation.** Premises that provide facilities or services for a variety of cultural, entertainment, and recreational activities, such as athletic and performance venues, museums, and amusement, sports, and recreation establishments.
- E. **Infrastructure.** Uses and structures dedicated to transportation, communication, and utilities.
- F. **Lodging.** Premises available for short-term human habitation, including daily and weekly rental.
- G. **Manufacturing/Wholesale/Storage.** Premises available for the creation, assemblage, storage, and repair of goods, along with the wholesaling of goods and the storage of goods or materials.
- H. **Office/Service.** Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component (less than 50% of the gross square footage).
- I. **Residential.** Premises available for long-term human habitation by means of ownership and rental but excluding short-term leasing or rental of less than a month's duration.
- J. **Retail/Food Service.** Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.

⁷ This section carries forward the provisions of current 2.5.1: *Use Categories* with significant reorganization of categories. Primarily, the current Commercial/Entertainment, Civic, and Educational, Institutional categories are reorganized into new Retail/Food Service, Entertainment/Recreation, and Civic/Institutional categories.

3.2.3 INTERPRETATION OF USE TABLE⁸

- A. **Abbreviations in Use Table.** Table 3.2.3-1: *Interpretation of Use Table* describes the abbreviations that regulate the uses that may occur in each district.

Table 3.2.3-1: Interpretation of Use Table		
Use Table Entry	Abbreviation Meaning	Description
-	Not permitted	The use may not occur in the district under any circumstances.
P	Permitted	The use is allowed in the district with a Zoning Permit.
CU	Conditional Use	The use is allowed in the district with a Conditional Use Permit.
SE	Special Exception	The use is allowed in the district with Special Exception approval by the Board of Zoning Appeals.

- B. **Conditional Uses (CU).**⁹ Conditional Uses are uses that are generally compatible with other land uses permitted in a zoning district but that, because of their unique characteristics or potential impacts on the surrounding neighborhood or the County as a whole, require additional consideration in their location, design, configuration, or operation at the particular location proposed.
- C. **Special Exception Uses (SE).** Special Exception Uses are uses that may have an adverse impact on the surrounding neighborhood or the County as a whole due to their unique and intrusive characteristics, requiring individual consideration in their location, design, configuration, or operation at the particular location proposed.
- D. **Procedures.** Approval procedures for all uses are in Chapter 10: *Procedures*.

⁸ This section carries forward the current provisions of 2.5.2(A): *Interpretation of Use Matrices* and 5.1: *Applicability*, including 5.1.2: *Conditional Use*; 5.1.3: *Special Exception*; and 5.1.5 : *Conflict With Other Regulations* with significant additions and changes.

⁹ The power to provide individual conditions has been eliminated to comply with the requirement in S.C. Code Ann. § 6-29-720(C)(6) that the conditions must be set forth “in the text of the ordinance.”

3.2.4 UNLISTED USES¹⁰

- A. **Uses Not Listed.** In the event that a particular use is not listed in the Use Tables, and such use is not listed as a prohibited use and is not otherwise prohibited by law, the Administrator shall determine whether a materially similar permitted, conditional, or special exception use exists in this Chapter.
- B. **Information on the Proposed Use.** The burden is on the applicant to establish that the unlisted proposed use is materially similar to an expressly listed use. The applicant shall submit verification that shows the proposed use is similar to another permitted, conditional, or special exception use and could be allowed.
- C. **Review of Unlisted Uses.** The Administrator will determine whether a proposed use is materially similar to another listed use in the zoning district and could be allowed or is not similar and is, therefore, prohibited. Depending on this determination, one of the following is authorized:
1. If the proposed use is materially similar to a permitted use, then the applicant may proceed with any application necessary to establish the use.
 2. If the proposed use is materially similar to a conditional use, then the applicant may proceed with any application necessary to establish the use subject to the conditions specified in this Chapter.
 3. If the proposed use is materially similar to a special exception use, then the applicant may submit a special exception application (see [Article 16: Zoning Procedures](#)).
 4. If the proposed use is not materially similar to a permitted use, conditional use, or special exception use, then the Zoning Administrator shall deny the proposed use and notify the applicant in writing.
- D. **Standards for Determination of Materially Similar Uses.** A use is materially similar to another listed use when it is sufficiently similar in nature and impact. In making the determination of whether or not a use is materially similar, the Administrator may refer to any of the following factors as guidance:
1. Whether the use has similar visual, traffic, environmental, and impacts as an expressly listed use. The Administrator may refer to empirical studies or generally accepted planning or engineering sources in making this determination;

¹⁰ This section carries forward the current provisions of 2.5.2(B)&(C): *Interpretation of Use Matrices* with significant clarification of the evaluation of unlisted uses.

2. Whether the use is within the same industry classification as another allowed use. In making this determination, the Administrator may refer to the [North American Industry Classification Manual](#) ("NAICS"). If the use is not defined in the NAICS, the Administrator may refer to dimensions described in the American Planning Association's [Land-Based Classification Standards](#); and
3. Whether the use is consistent with the purpose statement of the zoning district in which it would be allowed.

3.2.5 USE TABLE¹¹

3.2.5.1 Agricultural Uses

Table 3.2.5-1: Agricultural Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Agriculture and Crop Production/ Harvesting, Outdoor	P	P	P	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	
Agriculture and Crop Production/ Harvesting, Indoor	P	P	P	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	
Agricultural Support Services	P	P	-	P	-	-	-	-	P	-	-	-	-	P	P	-	-	-	-	-	P	
Animal Production/ General Farms	CU	CU	CU	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.3.1
Animal Production Facilities, Non-Swine	SE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.3.2
Animal Production Facilities, Swine	SE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.3.3

¹¹ This section carries forward the provisions of current 2.5.3: *Use Table* with 1) significant reorganization of the categories and some updates to use districts; 2) the addition of a new “Multifamily Residential” District (MFR) and “Business and Technology” District (BT); 3) the deletion of the Manufactured Housing (MH) and Professional Business (PB) Districts. The use categories are revised so that the current Commercial/Entertainment, Civic, and Educational, Institutional categories are reorganized into new Retail/Food Service, Entertainment/Recreation, and Civic/Institutional categories. Many new uses are added to the categories. All accessory uses are moved to section 3.13: Accessory Uses And Structures. The individual tables based on use category will be consolidated into a single table.

Table 3.2.5-1: Agricultural Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Commercial Stables ¹²	P	P	SE	P	SE	-	-				-	P	-		-	-	-	-	-	-	-	
Ecotourism ¹³	CU	CU	CU	CU	-	-	-	-	-	-	-	CU	-	-	-	-	-	-	-	-	-	3.3.4
Farmer's Markets	SE	SE	-	P	-	-	-	P	P	P	-	-	P	P	-	-	-	-	-	-	-	3.3.5
Forestry	P	P	P	P	P	P	P	-	P	P	P	P	-	P	P	P	-	-	-	-	-	
Gardens (Community and Private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	P	
Slaughterhouses	SE	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	3.3.6
Wineries	CU /SE	CU /SE	CU /SE	CU /SE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.3.7

Key: P = Permitted | CU = Conditional Use | SE = Special Exception Use

¹² The Commercial Stables and Riding Stables uses are combined here and changed to the Riding Stable districts. Assessment p. 22: "Some existing uses could be consolidated in the table. ... "Commercial stables," an agricultural use, are separately categorized from "riding stables," a commercial/entertainment use. Riding stables are not defined and appear to fall within the definition of commercial stables. The uses are allowed in different districts. These uses should be combined, or a definition added for "riding stables" to clarify how this use is distinct from "commercial stables."

3.2.5.2 Automotive Uses

Table 3.2.5-2: Automotive Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	RET
Fleet Service Facility, Private	-	-	-	SE	-	-	-	-	SE			-	-	CU	CU	-	-	-	-	-	CU	
Fleet Service Facility, Public	-	-	-	SE	-	-	-	-	CU	CU	CU	-	-	CU	CU	-	-	-	-	-	CU	
Parking Lot/Structure – Principal Use	-	-	-	-	-	-	CU	-	CU	CU	CU	-	CU	CU	CU	-	-	-	-	CU	CU	
Truck Stop	-	-	-	-	-	-	-	-	-	SE	-	-	-	SE	-	-	-	-	-	-	-	3.4.1
Vehicle Rental/Leasing/Sales	-	-	-	CU	-	-	-	-	CU	CU	-	-	-	-	-	-	-	-	-	CU	CU	3.4.2
Vehicle Rental/Leasing/Sales – Office Only									P	P				P	P					P	P	
Vehicle Services – Minor Repair/Maintenance	-	-	-	CU	-	-	-	-	CU	CU	-	-	-	CU	CU	-	-	-	-	CU	CU	3.4.4
Vehicle Services – Major Repair/Body Work	-	-	-	SE	-	-	-	-	SE	CU	-	-	-	P	P	-	-	-	-	-	-	3.4.5
Vehicle Washing Facilities	-	-	-	CU	-	-	-	-	CU	CU	-	-	-	CU	CU	-	-	-	-	-	-	3.4.3

Key: P = Permitted | CU = Conditional Use | SE = Special Exception Use

3.2.5.3 Civic/Institutional Uses

Table 3.2.5-3: Civic/Institutional Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Cemeteries, Columbaria, Mausoleums	P	P	CU	CU	CU	CU	CU	CU	CU	CU	CU	-	-	-	-	-	-	CU	-	-	CU	3.5.1
Conference/ Convention Center	-	-	-	-	-	-	-	-	P	P	P	-	-	P	-	-	-	-	-	P	P	
Cultural or Community Facility	-	-	-	P	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-	P	P	
Rural Event Venue	CU	CU	SE	CU	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.5.2
Banquet Hall	-	-	-	-	-	-	-	SE	P	P	SE	-	-	-	-	-	-	-	-	SE	P	
Places of Assembly - Large	CU	CU	CU	CU	SE	SE	SE	CU	CU	CU	CU	-	-	CU	-	-	-	CU	-	CU	CU	
Places of Assembly - Small	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	
Public Safety Station	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	P	-	-	-	P	P	
Child/Adult Day Care Center ¹⁴	-	-	-	-	-	-	CU	CU	CU	CU	CU	-	-	-	-	-	-	-	-	CU	CU	3.5.3
College/University	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	P	P	

¹⁴ Staff comment: "Section 2.5.3: Consider allowing "Child/Adult Day Care Home (6 or more persons)" in PB District as a Permitted with Review tier use."

Table 3.2.5-3: Civic/Institutional Uses

Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Community Support Facility	-	-	-	CU	-	-	-	-	CU	CU	CU	-	-	-	-	-	-	-	-	-	-	3.5.4
Correctional Institution	-	-	-	-	-	-	-	-	-	-	CU	-	-	SE	SE	-	-	-	-	-	-	3.5.5
Day Treatment Center	-	-	-	-	-	-	-	-	CU	CU	CU	-	-	CU	-	-	-	-	-	-	-	3.5.6
Medical Facility, Small	-	-	-	P	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-	P	P	
Medical Facility, Large	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	P	P	
Hospital	-	-	-	-	-	-	-	-	P	P	P	-	-	P	-	-	-	-	-	-	-	
Schools – Elementary and Secondary	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	-	-	-	-	-	CU	CU	CU	CU	CU	3.5.7
Schools – Vocational/Technical	-	-	-	P	-	-	-	P	P	P	P	-	-	P	P	-	-	-	-	P	P	
Government Offices	-	-	-	P	-	-	-	P	P	P	P	-	-	P	-	-	-	-	-	-	-	
Post Office	-	-	-	P	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-	P	P	

Key: P = Permitted | CU = Conditional Use | SE = Special Exception Use

3.2.5.4 Entertainment/Recreation Uses

Table 3.2.5-4: Entertainment/Recreation Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Amusements, Indoor	-	-	-	P	-	-	-	-	P	P	-	-	-	P	-	-	-	-	-	P	P	
Amusements, Outdoor	-	-	-	CU	-	-	-	-	CU	CU	-	-	-	CU	-	-	-	-	-	-	-	3.6.1
Fairgrounds	-	-	-	P	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	P	
Night Club	-	-	-	-	-	-	-	-	-	CU	-	-	-	-	-	-	-	-	-	-	-	3.6.2
Private Recreation Facilities	-	-	-	CU	-	-	-	-	CU	CU	CU	-	-	SE	-	-	-	-	-	CU	CU	3.6.3
Public Recreation Facilities	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	-	-	-	-	CU	CU	CU	CU	CU	3.6.4
Racetrack	-	-	-	-	-	-	-	-	-	-	-	-	-	-	CU	-	-	-	-	-	-	3.6.5
Shooting Range, Indoor	-	-	-	CU	-	-	-	-	CU	CU	-	-	-	CU	CU	-	-	-	-	-	-	3.6.6
Shooting Range, Outdoor	SE	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	SE	-	-	-	-	-	3.6.7
Sports Arena/Stadium	-	-	-	-	-	-	-	-	-	SE	SE	-	-	SE	-	-		-	-	-	SE	3.6.8
Studio – Dance, Fitness, Martial Arts, Music, Arts	P	-	-	P	-	-	-	P	P	P	P	-	-	P	-	-	-	-	-	P	P	

Table 3.2.5-4: Entertainment/Recreation Uses

Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Theater, Indoor Movie or Live Performance	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	P	P	
Theater, Outdoor (Amphitheater)	SE	-	-	SE	-	-	-	-	-	SE	SE	SE	-	-	-	-	-	-	-	SE	SE	3.6.9

Key: P = Permitted | CU = Conditional Use | SE = Special Exception Use

3.2.5.5 Industry/Wholesale/Storage Uses

Table 3.2.5-5: Industry/Wholesale/Storage Uses

Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI ¹⁵	HI ¹⁶	M	UR	HDR	RMX	MX	IMX	REF
Artist Studio/Light Manufacturing Workshops	SE	SE	-	P	-	-	-	-	P	P	-	-	P	P	P	-	-	-	-	P	P	3.7.2
Contractor's Offices	-	-	-	SE	-	-	-	-	CU	CU	-	-	-	CU	CU	CU	-	-	-	-	-	3.7.3
Alcohol Production, Large	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	P	

¹⁵ Staff comment: "Section 2.5.3: Consider the creation of limited opportunities for retail sales and display of manufactured products for businesses in the LI and HI Districts (this is referenced in the description of these districts, but not implemented)."

¹⁶ Staff comment: "Section 2.5.3: Consider the creation of limited opportunities for retail sales and display of manufactured products for businesses in the LI and HI Districts (this is referenced in the description of these districts, but not implemented)."

Table 3.2.5-5: Industry/Wholesale/Storage Uses

Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	L ¹⁵	H ¹⁶	M	UR	HDR	RMX	MX	IMX	REF
Alcohol Production, Small	-	-	-	CU	-	-	-	-	CU	CU	-	-	P	P	P	-	-	-	-	-	P	3.7.1
Computer and Electronic Products Manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	
Electrical Equipment, Appliance, and Component Manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	
Electronic and Precision Instrument Repair and Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	
Industry, Light, unless otherwise listed ¹⁷	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	

¹⁷ Assessment p. 24: "Stakeholders pointed out that certain light industrial land uses may be appropriate in the business and mixed use districts and should be allowed, potentially with use conditions. This is another area where the expansion of a single land use into multiple uses may be beneficial. The UDO defines "light industrial" as "facilities [that] are typically designed for a range of primarily indoor industrial uses such as fabrication, manufacturing, assembly, processing, and bulk storage which have low impacts on surrounding properties." Some light industrial uses may generate significant truck traffic that may not be appropriate in the business and mixed use districts. Other light industrial uses may function more like a professional office building, which the business and mixed use districts allow." Staff comment: "Section 2.5.3: Consider allowing light industrial uses in business and mixed use districts (GB, RB, MX and IMX) as "Permitted with Review" or as a "Conditional Use.""

Table 3.2.5-5: Industry/Wholesale/Storage Uses

Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	L ¹⁵	H ¹⁶	M	UR	HDR	RMX	MX	IMX	REF
Industry, Heavy, unless otherwise listed	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	
Industry, Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	3.7.4
Junkyard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	3.7.5
Materials Recovery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	
Medical Equipment and Supplies Manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	
Mining - Major In-Depth Resource Extraction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	CU	-	-	-	-	-	3.7.6
Mining - Minor Surface Resource Extraction	CU	CU	CU	CU	-	-	-	-	CU	CU	CU	-	-	CU	CU	CU	-	-	CU	CU	CU	3.7.6
Pharmaceutical and Medicine Manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	
Printing and Related Support Activities	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	
Research and Development Facilities	-	-	-	-	-	-		-	P	P	-	-	P	P	P	-	-		-	-	P	

Table 3.2.5-5: Industry/Wholesale/Storage Uses

Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	L ₁₅	H ₁₆	M	UR	HDR	RMX	MX	IMX	REF
Storage – Outdoor Storage Yard	-	-	-	-	-	-	-	-	SE	SE	-	-	-	CU	CU	-	-	-	-	-	-	3.7.8
Storage – Vehicle, Boat & RV	-	-	-	CU	-	-	-	-	CU	CU	-	-	-	CU	CU	-	-	-	-	-	CU	3.7.7
Storage – Self Service	-	-	-	-	-	-	-	-	CU	CU	-	-	-	CU	CU	-	-	-	-	-	-	3.7.9
Storage – Self Service Climate Controlled	-	-	-	-	-	-	-	-	CU	CU	-	-	-	CU	CU	-	-	-	-	-	-	3.7.9
Storage – Warehouse Indoor	-	-	-	-	-	-	-	-	CU	CU	-	-	CU	CU	CU	-	-	-	-	-	CU	3.7.10
Storage – Warehouse Indoor, Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	-	-	-	-	-	-	3.7.4
Wholesaling and Distribution	-	-	-	-	-	-	-	-	-	SE	-	-	-	P	P	-	-	-	-	-	P	3.7.11
Wholesaling and Distribution, Restricted	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	-	-	-	-	-	-	

Key: P = Permitted | CU = Conditional Use | SE = Special Exception Use

3.2.5.6 Infrastructure Uses

Table 3.2.5-6: Infrastructure Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Airstrip/Airport	-	-	-	-	-	-	-	-	-	-	CU	-	CU	-	CU	-	-	-	-	-	-	3.8.1
Landfill – Class One	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	-	-	-	-	-	-	3.8.2
Landfill – Class Two	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	-	-	-	-	-	-	3.8.2
Landfill – Class Three	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	3.8.2
Waste/Recycling Convenience Site	-	-	-	CU	-	-	-	-	-	-	CU	-	-	CU	CU	-	-	-	-	-	-	3.8.3
Public Recycling Collection Stations	-	-	-	CU	-	-	-	-	-	-	CU	-	-	CU	CU	-	-	-	-	-	-	
Public Transportation Facilities	-	-	-	P	-	-	-	-	-	P	-	-	-	P	P	-	-	-	-	-	-	
Small Wireless Facilities	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	3.8.6
Solar Farms	CU	-	-	-	-	-	-	-	-	-	-	-	-	-	CU	CU	-	-	-	-	-	3.8.5
Utilities – Class 1 & 2	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utilities – Class 3	SE	SE	-	-	-	-	-		-	-	SE	-	-	P	P	-	-	-	-	-	-	

Table 3.2.5-6: Infrastructure Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Waste Transfer Facility	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	-	-	-	-	3.8.4
Wireless Communication Facility (200' and Over)	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	SE	SE	-	-	-	-	-	3.8.7
Wireless Communication Facility (60.01' to 199.99')	SE	SE	SE	SE	SE	SE	SE	CU	CU	CU	CU	-	CU	CU	CU	CU	SE	SE	SE	SE	SE	3.8.7
Wireless Communication Facility (Up to 60.00' or Concealed)	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	-	CU	CU	CU	CU	CU	CU	CU	CU	CU	3.8.7

Key: P = Permitted | CU = Conditional Use | SE = Special Exception Use

3.2.5.7 Lodging Uses

Table 3.2.5-7: Lodging Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Bed and Breakfast Inn	CU	CU	CU	CU	SE	-	CU	CU	-	-	SE	-	-	-	-	-	CU	CU	-	CU	CU	3.9.1

Table 3.2.5-7: Lodging Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Boarding or Rooming House	-	-	-	-	-	-	CU	-	-	-	SE	-	-	-	-	-	-	-	-	-	-	3.9.2
Campground	SE	SE	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	-	-	-	3.9.3
Dormitories and Fraternity/Sorority Houses	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	
Hotel/Motel	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	P	P	

Key: P = Permitted | CU = Conditional Use | SE = Special Exception Use

3.2.5.8 Office/Service Uses

Table 3.2.5-8: Office/Service Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
ATM	-	-	-	P	-	-	-	P	P	P	P	-	P	P	P	-	-	-	-	P	P	
Banks, Credit Unions, Financial Services	-	-	-	P	-	-	-	P	P	P	P	-	P	P	-	-	-	-	-	P	P	
Business Support Services	-	-	-	P	-	-	-	P	P	P	P	-	P	P	-	-	-	-	-	P	P	
Communications and Information	-	-	-	-	-	-	-	-	P	P	P	-	P	P	-	-	-	-	-	-	-	

Table 3.2.5-8: Office/Service Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Data Centers	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	
Dry Cleaning and Laundry Services	-	-	-	P	-	-	-	P	P	P	-	-	-	P	-	-	-	-	-	P	P	
Funeral Homes	-	-	-	P	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	P	P	
Kennels, Indoor	CU	CU	CU	CU	-	-	-	CU	CU	CU	CU	-	-	CU	-	-	-	-	-	CU	CU	3.1 0.1
Kennels, Outdoor	CU	CU	SE	SE	-	-	-	-	-	CU	-	-	-	CU	-	-	-	-	-	-	-	3.1 0.2
Non-Depository Financial Institutions	-	-	-	-	-	-	-	-	CU	CU	-	-	-	-	-	-	-	-	-	-	-	3.1 0.3
Office, General	-	-	-	P	-	-	-	P	P	P	P	-	P	P	P	-	-	-	-	P	P	
Personal Services	-	-	-	P	-	-	-	P	P	P	P	-	-	P	-	-	-	-	-	P	P	
Personal Services, Restricted	-	-	-	-	-	-	-	-	CU	SE	-	-	-	-	-	-	-	-	-	-	-	3.1 0.4
Professional Services	-	-	-	P	-	-	-	P	P	P	-	-	P	P	-	-	-	-	-	P	P	
Veterinary Clinic	-	-	-	P	-	-	-	P	P	P	-	-	-	P	-	-	-	-	-	P	P	-

Key: P = Permitted | CU = Conditional Use | SE = Special Exception Use

3.2.5.9 Residential Uses

Table 3.2.5-9: Residential Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Dwelling - Single Family Detached	P	P	P	-	P	P	P	-	-	-	-	-	-	-	-	-	P	-	P	P	-	
Dwelling - Duplex	-	-	-	-	-	-	CU	-	-	-	-	-	-	-	-	-	-	CU	-	-	-	
Dwelling – Triplex, Fourplex	-	-	-	-	-	-	CU	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.1 1.3
Dwelling - Townhome	-	-	-	-	-	-	CU	-	-	-	-	-	-	-	-	-	P	P	P	P	P	3.1 1.9
Dwelling - Multifamily	-	-	-	-	-	-	CU	-	-	-	-	-	-	-	-	-	-	CU	CU	CU	-	3.1 1.1
Dwelling – Multifamily Age-Restricted	-	-	-	-	-	-	P	-	-	-	SE	-	-	-	-	-	-	-	-	-	-	3.1 1.2
Cottage Courts	-	-	-	-	-	-	CU	-	-	-	-	-	-	-	-	-	P	-	P	CU	-	3.1 1.4
Halfway Homes	-	-	-	-	-	-	SE	-	SE	-	SE	-	-	-	-	-	-	-	-	-	-	3.1 1.5
Live-Work Units	-	-	-	CU	-	-	CU	CU	-	-	-	-	-	-	-	-	-	-	CU	CU	CU	3.1 1.6
Manufactured Home	CU	CU	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.1 1.7
Manufactured Home Park	SE	SE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

Table 3.2.5-9: Residential Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Residential/Family Care Home (5 or fewer residents)	P	P	P	-	P	P	P	-	-	-	-	-	-	-	-	-	-	P	P	P	P	
Residential Care Facilities (6 or more residents)	-	-	-	CU	-	-	CU	-	CU	CU	CU	-	-	-	-	-	-	-	-	CU	CU	3.1 1.8

Key: P = Permitted | CU = Conditional Use | SE = Special Exception Use

3.2.5.10 Retail/Food Service Uses

Table 3.2.5-10: Retail/Food Service Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Alcoholic Beverage Sales Store	-	-	-	P	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	P	-	
Bar/Tavern/Brew Pub	-	-	-	SE	-	-	-	SE	CU	CU	-	-	-	-	-	-	-	-	-	CU	-	3.1 2.1
Drive-Thru/Drive-In Facility	-	-	-	CU	-	-	-	SE	CU	CU	-	-	-	-	-	-	-	-	-	CU	CU	3.1 2.2
Food Truck	-	-	-	CU	-	-	-	CU	CU	CU	CU	-	CU	CU	CU	P	-	-	-	CU	CU	3.1 2.3
General Commercial, Large	-	-	-	-	-	-	-	-	CU	CU	-	-	-	-	-	-	-	-	-	CU	CU	

Table 3.2.5-10: Retail/Food Service Uses																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	RET
General Commercial, Small ¹⁸	-	-	-	P	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	P	P	
Outdoor Sales - Large Product Rental/Sales/Repair	-	-	-	-	-	-	-	-	-	SE	-	-	-	CU	CU	-	-	-	-	-	-	3.1 2.4
Outdoor Sales - Nurseries & Landscape Products	P	P	P	P	-	-	-	CU	CU	CU	-	-	-	P	P	-	-	-	-	-	P	3.1 2.5
Outside Sales Lot	-	-	-	CU	-	-	-	-	-	CU	-	-	-	CU	CU	-	-	-	-	CU	CU	
Pawnshops	-	-	-	CU	-	-	-	-	CU	CU	-	-	-	-	-	-	-	-	-	-	-	3.1 2.6
Restaurant	-	-	-	CU	-	-	-	CU	CU	CU	CU	-	P	-	-	-	-	-	-	CU	CU	3.1 2.7
Sexually Oriented Business/Adult Establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	-	-	-	-	-	3.1 2.8
Small Equipment Repair/Rental	-	-	-	P	-	-	-	-	P	P	-	-	-	P	-	-	-	-	-	P	P	

Key: P = Permitted | CU = Conditional Use | SE = Special Exception Use

¹⁸ This draft separates the “General Commercial” use into “Large” and “Small” classifications to allow smaller retail uses in closer proximity to residential areas. The threshold for “Large” is proposed to be 5,000 sf.

3.3 AGRICULTURE USE CONDITIONS¹⁹

3.3.1 Animal Production, General Farms ²⁰²¹

- A. **Setbacks.** Minimum setback requirements for keeping any horse, mule, pony, cow, sheep, goat, swine, or other livestock, including poultry, by a fence shall be 100 feet from any septic tank or private water supply intended for human consumption.
- B. **Waste Lagoons.** Waste lagoons shall not be permitted within a flood hazard area.
- C. **Best Management Practices.** Best management practices shall be applied in using and maintaining structures for livestock including stables, so as to eliminate or minimize nuisances and adverse impacts to the maximum extent possible.
- D. **Prohibited Animals.** Exotic animals, as defined in County Code Chapter 6, [Article III: Exotic Animals](#), are prohibited in agricultural and rural districts and all other zoning districts in Lancaster County.
- E. **Other Permits Required.** The applicant for animal production, general farms, must obtain and shall submit a copy of the permit issued by SCDHEC for agricultural animal facilities, if a permit is required by law, with any application for animal production use under this UDO.

3.3.2 ANIMAL PRODUCTION FACILITIES, NON-SWINE²²

The applicant for an Animal Production Facility, Non-Swine, must obtain and shall submit a copy of the permit issued by SCDHEC for agricultural animal facilities, if a permit is required by law, with any application for Animal Production use under this UDO.

¹⁹ This section carries forward the provisions of current 5.10: *Agriculture Uses* with the exception of Roadside Stands, which is moved to Temporary Uses and Backyard Pens/Coops, which are moved to Accessory Uses. New regulations are added for Ecotourism and Slaughterhouses.

²⁰ The district applicability listing for all uses has been removed. This information is better provided in the Use Table and elimination of this ensures consistency, especially if changes are made over time.

²¹ This section carries forward the provisions of current 5.10.1 with changes noted. DHEC Regulation 61-43 (<https://scdhec.gov/agricultural-laws-regulations>) provides siting (separation from water supply, waters of the state, floodplain) standards for swine and other animal operations that are generally stricter than these requirements. However, these standards include exceptions for smaller operations, so the separation standards are maintained. The revision also clarifies that the applicant must obtain and provide necessary permits from DHEC prior to zoning approval.

²² This section is completely revised to eliminate specific references to state law. The revision also clarifies that the applicant must obtain and provide necessary permits from DHEC prior to zoning approval.

3.3.3 ANIMAL PRODUCTION FACILITIES, SWINE²³

A. Separation Requirement.

1. The minimum separation distance between swine operations shall be five miles including swine facilities located in adjacent counties to Lancaster County.
2. Except for the owner's residence or facilities used as part of the operation, including housing for farm labor, the minimum separation requirement between swine facilities and the following uses is:

Table 3.3.3-1: Separation Requirements for Animal Production	
Uses	Separation Requirements
Residential Use	1/2 mile
Commercial and Industrial Uses Public Parks and Recreational Facilities Public Waters Sources and Surface Water Intakes Religious Institutions	1 mile
County Industrial Parks Incorporated Municipal Limits within County Public or Private Schools and Education Facilities	2 miles

B. Waste Lagoons. All animal waste lagoons involved in swine operations shall be sited a minimum of 1,500 feet from:

1. The property line on which the lagoon is located;
2. Any water supply (public or private), stream, or watercourses; and
3. The centerline of any public road.

C. Submittal Requirements. At a minimum, the applicant shall submit the following in conjunction with a Conditional Use or Special Exception application:

1. A copy of the permit issued by SCDHEC for agricultural animal facilities, if a permit is required by law; and

²³ This section carries forward the provisions of current 5.10.3 with changes noted. DHEC Regulation 61-43 (<https://scdhec.gov/agricultural-laws-regulations>) mandates siting standards for swine production facilities based on the size of the operation. The section is revised to require that the applicant must obtain and provide necessary permits from DHEC prior to zoning approval.

2. Proof of liability insurance in amount of \$1,000,000.00 per occurrence during the life of operation by current owner/operator for cleanup efforts due to an accident or natural disaster causing seepage or overflow of animal waste from operation.

3.3.4 ECOTOURISM²⁴

- A. **Lot Size.** The minimum lot size for ecotourism uses is 10 acres.
- B. **Parking.** All parking must be on-site. Parking is prohibited in the street right-of-way.
- C. **Operation Standards.**
 1. Agritourism uses shall not be operated earlier than 8:00 a.m. nor later than 10:00 p.m.
 2. Sanitary facilities shall be provided for patrons.

3.3.5 FARMER'S MARKETS²⁵

- A. **Setbacks.** Minimum setbacks shall be 15 feet from any property line.
- B. **Signs.** Signs shall meet the standards of **Chapter 6: Signs**. Off-premises signs are prohibited.
- C. **Encroachment Permit Required.** A driveway encroachment permit is required from the SCDOT or Lancaster County, as appropriate. Vehicle parking shall be accommodated without interfering with the safe flow of traffic on adjacent roads.
- D. **Operation and Merchandise.**
 1. Farmer's Markets may sell produce and other natural products such as flowers, firewood, and seafood.
 2. Farmer's Markets must be operated by a governmental agency, non-profit agency, or one or more farm producers.

²⁴ This section sets out new regulations for Ecotourism use.

²⁵ This section carries forward the regulations of current 5.10.5 but has limited the use to permanent farmers markets. Roadside Stands have been moved to a temporary use.

3. At least 50 percent of the vendors must be farmers, fishermen, and other agricultural producers who sell produce, eggs, plants, flowers, local seafood, and other value-added farm products such as jams, jellies, and honey.

3.3.6 SLAUGHTERHOUSES²⁶

A. **Applicability.**

1. This Section applies to the commercial butchering, slaughtering, or processing of domesticated animals as an agricultural support services use.
2. This Section does not apply to the processing of any wild game, which is a use included in Agricultural Support Services.

- B. **Separation Requirement.** Except for the owner's residence or facilities used as part of the operation, including housing for labor, the minimum separation requirement between slaughterhouses and the following uses is:

Table 3.3.6-1: Separation Requirements for Slaughterhouses	
Uses	Separation Requirements
Residential Use	One-half mile
Commercial and Industrial Uses Public Parks and Recreational Facilities Public Waters Sources and Surface Water Intakes Religious Institutions	One mile
County Industrial Parks Incorporated Municipal Limits within County Public or Private Schools and Education Facilities	Two miles

- C. **Buffers and Screening.** Exterior storage areas, including animal storage areas, loading and unloading, and vehicle and trailer storage areas, must be screened from adjacent property and public rights of way by a Class C buffer. Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- D. **Access.** The site shall have direct access to either a collector or arterial street.
- E. **Operation Standards.**

²⁶ This section adds use regulations for slaughterhouses, which is a new use recommended by County Staff.

1. The slaughter of animals shall take place inside a closed building in a confined area to prevent the transmission of sound associated with the slaughter to the outside.
2. Disposal of waste shall be in accordance with all applicable laws and regulations, including all sewage, processed and unprocessed animal parts, manure, entrails, blood, hides and bones. At a minimum, waste shall be disposed of within 48 hours of being produced. Waste shall be stored in airtight containers and shall be confined in fully enclosed structures. Manure from holding areas shall be removed from the site daily or stored in a manner to control odor
3. The facility must have all necessary federal, state and county permits and approvals, and comply with all state and federal health and safety regulations.
4. The maximum area (indoor, outdoor, or combination of both) for the keeping or slaughtering of animals shall not exceed sixty percent (50%) of the individual lot or parcel site.
5. Animals shall be enclosed in gated enclosures with a minimum height of six feet.
6. Live animals may be held on the site for no more than twenty-four (24) hours.

3.3.7 WINERIES²⁷

- A. **Lot Size.** The minimum lot size for Winery uses is five acres.
- B. **Other Permits Required.** The applicant shall provide a copy of an approved permit from the State of South Carolina Department of Revenue, Alcohol Beverage Licensing. All winery uses shall also comply with applicable agency requirements such as SCDHEC requirements.
- C. **Permits Required.**
 1. Wineries without tasting rooms are a conditional use.
 2. Wineries that include tasting rooms require a Special Exception Permit granted by the Board of Zoning Appeals.
- D. **Operational Standards.**

²⁷ This section carries forward the provisions of current 5.10.6 with changes to clarify the meaning.

1. Publicly accessible areas for sale of wine and wine consumption, such as tasting room and accessory retail, is limited to a maximum of 1,500 square feet.
2. Daily tours and sale and consumption of wine to the general public are limited to Monday thru Saturday from 10:00 AM to 7:00 PM;
3. Unless the facility is also approved as a Rural Event Venue, events, including festivals, are limited to 5 temporary use permits per calendar year, with each event lasting no more than 7 consecutive days.

3.4 AUTOMOTIVE USE CONDITIONS²⁸

3.4.1 TRUCK STOPS²⁹

- A. **Location Standard.** Truck stop use must be located on an arterial street.
- B. **Accessory Uses.**
 1. Accessory uses directly related to the maintenance and fueling of vehicles including, but not limited to, truck and trailer washing, fuel pumps, and garages for minor repair may be allowed.
 2. Other accessory uses including, but not limited to, office, restaurant, shower facilities, and convenience retail may be allowed if such facilities are completely within the truck stop facility.
- C. **Outdoor Vehicle Storage.**
 1. No vehicles awaiting work or pick-up shall be located closer than five feet to any adjoining property line, within a required landscape area, or in any right-of-way.
 2. Outside storage of junk vehicles or parts is prohibited.
- D. **Vehicle Bays.** Vehicle bays that are not set perpendicular to the street must be screened from direct view by a hedge or other landscaping. Bays facing the street

²⁸ This section carries forward the provisions of current 5.8: *Automotive Uses*. The revision moves drive-thrus and electric vehicle charging stations to accessory uses, moves heavy equipment/manufactured home sales to an expanded Outdoor Sales - Large Products use.

²⁹ This section provides new Truck Stop standards based on staff input.

- must also incorporate awnings, windows, or other articulation/ornamentation sufficient to reduce the impact of the repair bays on the street.
- E. **Noise.** No noises resulting from the repair or maintenance of a motor vehicle shall be audible at or beyond the property line between 8:00 PM and 7:00 AM. Intercom/sound systems shall not be audible at or beyond the property line.
 - F. **Repair Work.** All repair work shall be conducted entirely within an enclosed structure. Truck wash activities may be done outside when all requirements of stormwater management are met.
 - G. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
 - H. **Accessory Structure Location.** Accessory structures, such as self-service vacuum cleaners, air pumps, and other self-service structures, must be set back 50 feet from the property line of any residential use and 25 feet from any right-of-way.
 - I. **Truck Wash Allowed as Accessory Use.**
 - 1. A one-bay truck wash is allowed as an accessory use.
 - 2. The truck wash shall meet the setbacks for the principal use and not exceed 900 square feet in area.
 - 3. The truck wash bay shall not be oriented toward the public right-of-way.
 - 4. Truck washes are required to have operational recycled water systems where a minimum of 50% of water utilized is recycled.

3.4.2 VEHICLE RENTAL/LEASING/SALES³⁰

- A. **Parking and Outdoor Vehicle Display.**
 - 1. Vehicle Rental/Leasing/Sales uses must provide paved surfaces for vehicle sales displays, vehicle storage, and customer parking, including all access and driving surfaces. These areas must comply with all applicable off-street parking standards in [Chapter 5: Parking & Loading](#), except:

³⁰ This section significantly revises current 5.8.5 including 1) eliminating CU permit for non-franchise lots; 2) increasing standards for vehicle display and parking; 3) relocating fence and buffer standards; and 3) eliminating MX district restriction on non-franchise dealership.

- (a) Vehicular display parking spaces may be 8 feet by 18 feet, but adequate customer parking must be provided according to the standards in [Chapter 5: Parking & Loading](#); and
 - (b) Smaller parking spaces than otherwise would be required for automobiles may be used for smaller vehicles, such as golf carts, motorcycles, and all-terrain vehicles.
 2. Vehicles displayed for sale or awaiting work or pick-up may not be located:
 - (a) Closer than 10 feet to any adjoining property line;
 - (b) Within a required landscape area;
 - (c) Within an ADA accessible route; or
 - (d) Within any public rights-of-way.
 3. Drive aisles must be at least 22 feet wide.
- B. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- C. **Additional Standards in the MX and IMX Districts.**
 1. In new construction or renovation to a building that amounts to greater than 50% increase in gross floor area, vehicle bays shall not face the street or shall be screened from direct view by landscaping.
 2. Outdoor air compressors must be contained in a sound-dampening enclosure.

3.4.3 VEHICLE WASHING FACILITIES³¹

- A. **Applicability.**
 1. This Section applies to car, truck, and other vehicle washing facilities as a principal use on a lot.
 2. Accessory use of car wash facilities is controlled by 3.4.4: *Vehicle Services – Minor Repair/Maintenance*.

³¹ This new section regulates Vehicle Washing Facilities as a principal use. It is currently allowed only as an accessory use to gas stations.

- B. **District Setbacks Apply.** All vehicle wash facilities must comply with the setbacks for the principal building or use for the district.
- C. **Operation Standards.** Car washes are required to have operational recycled water systems where a minimum of 50% of water utilized is recycled.
- D. **Additional Standards in the MX and IMX Districts.** Outdoor air compressors must be contained in a sound-dampening enclosure.

3.4.4 VEHICLE SERVICES – MINOR REPAIR/MAINTENANCE³²

- A. **Outdoor Vehicle Storage.**
 - 1. No vehicles awaiting work or pick-up shall be located closer than 10 feet to any adjoining property line, within a required landscape area, or in any right-of-way.
 - 2. Vehicles awaiting work or pick-up may not be stored longer than 14 days.
 - 3. Outside storage of junk vehicles or parts is prohibited, unless a permit for an outdoor storage yard is also obtained.
- B. **Vehicle Bays.** Vehicle bays that are not set perpendicular to the street must be screened from direct view by a hedge or other landscaping. Bays facing the street must also incorporate awnings, windows, or other articulation/ornamentation sufficient to reduce the impact of the repair bays on the street.
- C. **Noise.** No noises resulting from the repair or maintenance of a motor vehicle shall be audible at or beyond the property line between 8:00 PM and 8:00 AM. Intercom/sound systems shall not be audible at or beyond the property line.
- D. **Repair Work.** All repair work shall be conducted entirely within an enclosed structure. Car wash activities may be done outside when all requirements of stormwater management are met.
- E. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- F. **Minor Self-Service Equipment.** Accessory structures, such as self-service vacuum cleaners, air pumps, and other self-service structures, must be set back 50 feet from the property line of any residential use and 15 feet from any right-of-way.

³² This section carries forward current 5.8.6 with minor revisions as noted, including clarifying fencing standards to conform with the rental/sales/leasing standards.

G. **Car Wash Allowed as Accessory Use.**

1. A one-bay car wash is allowed as an accessory use.
2. The car wash shall meet the setbacks for the principal use and not exceed 900 square feet in area.
3. The car wash bay shall not be oriented toward the public right-of-way.
4. Car washes are required to have operational recycled water systems where a minimum of 50% of water utilized is recycled.

H. **Additional Standards in the MX and IMX Districts.** Outdoor air compressors must be contained in a sound-dampening enclosure.

3.4.5 VEHICLE SERVICES – MAJOR REPAIR/BODY WORK³³

A. **Outdoor Vehicle Storage.**

1. No vehicles awaiting work or pick-up shall be located closer than 10 feet to any adjoining property line, within a required landscape area, or in any right-of-way.
2. Outside storage of junk vehicles or parts is prohibited, unless a permit for an outdoor storage yard is also obtained.

B. **Vehicle Bays.** Vehicle bays that are not set perpendicular to the street must be screened from direct view by a hedge or other landscaping. Bays facing the street must also incorporate awnings, windows, or other articulation/ornamentation sufficient to reduce the impact of the repair bays on the street.

C. **Noise.** No noises resulting from the repair, maintenance, or body work of a motor vehicle shall be audible at or beyond the property line between 8:00 PM and 8:00 AM. Intercom/sound systems shall not be audible at or beyond the property line.

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

E. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).

³³ This section carries forward current 5.8.6 with minor revisions, including clarifying fencing standards to conform with the rental/sales/leasing standards.

3.5 CIVIC AND INSTITUTIONAL USE CONDITIONS³⁴

3.5.1 CEMETERIES, COLUMBARIA, AND MAUSOLEUMS³⁵

A. **Applicability.**

1. This Section applies to commercial or non-profit operation of cemeteries, columbaria, and mausoleums.
2. This Section does not apply to private, non-commercial burial sites on lots in the AR, RR, and RN districts. This use is allowed in those districts.
3. Cemeteries, Columbaria, and Mausoleums are only allowed in the RN, LDR, MDR, NB, and RB districts if it is part of an approved Places of Assembly use on the same lot or an adjacent lot.

B. **Minimum Lot Size.** A minimum of three contiguous acres is required to establish a cemetery, columbarium, or mausoleum not located on the same tract of land as a religious institution.

C. **Setbacks.**

1. The minimum setback required for all burial plots, columbaria, mausoleums, and any other structures is the greater of 30 feet from any exterior property line or the required district setback. This requirement does not apply where the adjacent property contains an existing cemetery.
2. Gatehouses and fences are excluded from the setback requirement if they meet the sight triangle requirement for driveways in [Chapter 9: Subdivision & Site Design](#).

D. **Buffers and Screening.** Where graves or burial plots are closer than 50 feet to an adjacent street, a semi-opaque screen that will attain a mature height of at least three feet shall be provided between the street and the cemetery. Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).

³⁴ This section carries forward the provisions of current 5.6: *Civic Uses* & 5.7: *Educational/Institutional Uses*.

³⁵ This section carries forward the standards of current 5.6.1 with revisions to exempt family cemeteries in the AR and RR districts and for clarity.

3.5.2 RURAL EVENT VENUES³⁶

- A. **Applicability.**
 - 1. This Section applies to all Rural Event Venues.
 - 2. Banquet Hall uses are controlled by 3.12.7: Restaurants and Banquet Halls
- B. **Minimum Lot Size.** All Rural Event Venues must be located on a lot of at least five acres in size.
- C. **Separation Distance.** Outdoor gathering areas, including parking areas, decks, patios, gazebos, fire pits, and docks, shall be located at least 200 feet from any dwelling units not located on the same parcel as the event venue, whether or not such dwelling units are located in the incorporated or unincorporated area of Lancaster County.
- D. **Vehicular Access.** Vehicular access must allow adequate width, vertical clearance, and construction to support emergency vehicles.
- E. **Parking.**
 - 1. Rural Event Venues are considered commercial uses and must provide parking based on the bar/tavern/brewpub measure as required in **Chapter 5: Parking and Loading**.
 - 2. In the AR, RR, RN, and RUB Districts, parking areas may be constructed of gravel. However, handicap parking spaces shall be constructed in accordance with the version of the Americans with Disabilities Act Standards for Accessible Design (ADA Standards) in effect at the time of the permit application.
- F. **Operation Regulations.**
 - 1. *On-Site Management.*
 - (a) An on-site manager shall be present and available for the duration of all events occurring at the event venue.

³⁶ This section carries forward the current standards of 5.6.2 with significant revisions. Important changes include 1) a change in the scope to regulate a newly defined “Rural Event Venue” to match current use conditions; 2) providing requirements for separation of outdoor gathering areas; and 3) outlining required management of the facility and hours of operation.

- (b) Up-to-date contact information for the on-site manager shall be included on the venue's website, on marketing materials for the venue, and in the venue's operational plan.
- (c) Updated contact information shall be provided to the Administrator anytime the on-site manager's contact information changes.

2. *Hours of Operation for Outdoor Gathering Areas.*

- (a) With the exception of required parking areas, outdoor gathering areas associated with a Rural Event Venue must cease operation between 11:00 PM and 8:00 AM.
- (b) Amplified music or other sound in any outdoor areas must cease operation between 11:00 PM and 8:00 AM.

3. *Venue Capacity.* The maximum number of users a Rural Event Venue may accommodate at one time shall be limited to the maximum capacity of the venue, as determined by applicable building code, fire code, and/or parking requirements.

G. *Operations Plan.*

- 1. An operational plan for all Rural Event Venues shall be submitted with the permit application describing generally how the facility will operate. Substantive changes to the operational plan or substantive changes in the actual operation of the venue that vary from the approved plan shall require additional approval.
- 2. The operational plan submitted with the permit application shall include, at a minimum, the following items:
 - (a) Maximum capacity of the facility, based on building code, fire code, and/or parking requirements;
 - (b) Contact information for the on-site facility manager;
 - (c) Whether the venue will operate seasonally or year-round;
 - (d) Type(s) of events anticipated/marketed;
 - (e) Anticipated annual number of events; and
 - (f) How solid waste will be disposed of (private vs. public collection).

3.5.3 CHILD/ADULT DAY CARE CENTER³⁷

- A. **Applicability.** This Section applies to Child/Adult Day Care Center uses. Where such uses are part of a public or private recreation facility offering community recreational opportunities to a wide range of age groups or residents, the day-care center may be considered part of the “recreation facility” as provided for and regulated by this Ordinance.
- B. **Compliance with State Requirements.** Child/Adult Day Care Centers shall meet all state licensure requirements.
- C. **Parking Area, Vehicular Circulation, and Drop-Off and Pick-Up.** The parking areas and vehicular circulation for the use shall be designed to:
 - 1. Ensure the safety of children and adult clients as they arrive at and leave the facility;
 - 2. Provide a designated pickup and delivery area configured so that children and adult clients do not have to cross vehicular travel lanes to enter or exit the center and traffic congestion is minimized.
- D. **Child Day Care.** In addition to the regulations for both child and adult day care uses, child day care facilities shall also comply with the following:
 - 1. *Outdoor Play Areas.* Outdoor play areas shall be provided and shall be safely segregated from parking, loading, or service areas;
 - 2. *Buffering.* Buffers, screening, and fencing must be provided as required in **Chapter 4: Landscaping and Open Space**.

3.5.4 COMMUNITY SUPPORT FACILITY³⁸

- A. **Applicability.** Any Community Support Facility that includes facilities providing overnight shelter are subject to the following additional standards.
- B. **Temporary Shelter Only.** Lodging facilities are limited to temporary shelter for no more than 20 individuals for a period not to exceed 90 days per person.

³⁷ This section significantly revises the current language of 5.7.2. Changes include 1) eliminating the 6+ person threshold to accommodate smaller commercial facilities; 2) coordinating the parking standards for child and adult uses; 3) adding an applicability section to clarify the distinction between this use and recreation facilities.

³⁸ This section carries forward 5.7.3 with minimal changes.

- C. **Separation Requirement.** No Community Support Facility with lodging facilities may be located within 1,320 feet of another such use unless as part of an accessory use to an existing religious institution.

3.5.5 CORRECTIONAL INSTITUTION³⁹

- A. **County Jail Permitted in the INS District.** The only Correctional Institution allowed in the INS district is the Lancaster County Detention Center as operated by the Lancaster County Sheriff's Office and the South Carolina Department of Corrections.

3.5.6 DAY TREATMENT CENTERS⁴⁰

- A. **Separation Requirement.** Centers shall be located at least 100 feet from any building in residential use.
- B. **Hours of Operation.** Centers shall not operate to serve consumers/clients on-site between the hours of 9:00 PM and 6:00 AM.

3.5.7 SCHOOLS – ELEMENTARY AND SECONDARY⁴¹

- A. **For Schools in All Zoning Districts.** Connectivity (vehicular, pedestrian, and bicycle) to surrounding residential areas is required. Where a full vehicular connection is impractical, a multi-use trail connection shall be provided for pedestrian and bicycle accessibility.
- B. **For Schools in the AR, RR, RN, RUB, and LDR Zoning Districts.**
 - 1. To encourage walking and bicycle accessibility by students to schools, the applicant shall provide direct connections in its pedestrian and bicycle circulation system to and between local destinations, such as residential areas, parks, and other schools.
 - 2. Accommodation may include the construction of on-site sidewalks, multi-use trails/paths, or greenways to connect to existing networks.

³⁹ This section carries forward 5.7.4 with minimal changes.

⁴⁰ This section carries forward 5.7.5 with minimal changes.

⁴¹ This section revises current 5.7.7 to relocate buffer standards and adds detail to the connectivity requirements for pedestrian and bicycle circulation.

3.6 ENTERTAINMENT AND RECREATION USE CONDITIONS⁴²

3.6.1 AMUSEMENTS, OUTDOOR⁴³

- A. **Separation Requirement.** Outdoor Amusements shall be located at least 250 feet from any LDR, MDR, MFR, HDR, and UR districts or existing residential use.
- B. **Operational Standards.**
 - 1. Lights and loudspeaker systems shall not be operated between the hours of 11:00 PM and 8:00 AM.
 - 2. Facility usage is limited to indoor activities between the hours of 11:00 PM and 6:00 AM.
 - 3. No equipment, machinery, or mechanical device of any kind (other than customary HVAC systems) may be operated within 200 feet of any residentially zoned property except as needed for routine maintenance of the grounds or facility.
 - 4. Adequate provisions in the design of the facility shall be made for the disposal of waste products and the control of noise associated with the use.

3.6.2 NIGHT CLUB⁴⁴

- A. **Separation Requirement.** All new Night Clubs in the RB district shall be located no closer than 500 feet to all Residential uses and all Civic/Institutional uses listed in Section 3.2.5: *Use Table*, or other existing night clubs.
- B. **Minimum Net Floor Area.** All Night Clubs shall have a minimum net floor area of 1,200 square feet.

3.6.3 PRIVATE RECREATION FACILITIES⁴⁵

- A. **Applicability.**

⁴² This new category includes use regulations from the previous Commercial/Entertainment and Civic use categories.

⁴³ This section carries forward 5.5.1 with minor changes.

⁴⁴ This section carries forward 5.5.4.B with some changes that eliminate flexibility on setting the hours of operation because S.C. enabling act requires conditional use standards to be set out in the code.

⁴⁵ This section carries forward 5.6.4 with minor changes.

1. Golf courses that are a part of a residential development are exempt from these requirements.
 2. Restaurant or bar uses in conjunction with a Private Recreation Facility require a separate permit as required based on the district..
- B. **Connectivity to Surrounding Neighborhoods.** Outdoor Recreation Facilities shall be connected to adjacent neighborhoods to the extent practical via street connections, driveways, or pedestrian/bicycle paths.
- C. **Operational Standards.**
1. Lights and loudspeaker systems shall not be operated between the hours of 11:00 PM and 8:00 AM.
 2. No equipment, machinery, or mechanical device of any kind (other than customary HVAC systems) may be operated within 200 feet of any residentially zoned property except as needed for routine maintenance of the grounds or facility.
 3. Adequate provisions in the design of the facility shall be made for the disposal of waste products and the control of noise associated with the recreational use.

3.6.4 PUBLIC RECREATION FACILITIES⁴⁶

- A. **Applicability.** Golf courses that are a part of a residential development are exempt from these requirements.
- B. **Connectivity to Surrounding Neighborhoods.** Such facilities shall be connected to adjacent neighborhoods to the extent practical via street connections, driveways, or pedestrian/bicycle paths.
- C. **Operational Standards.** Such facilities shall conform to the following operational standards except for athletic tournaments, festivals, and other special instances allowed as a temporary use pursuant to Section 3.14.
1. Lights and loudspeaker systems shall not be operated between the hours of 11:00 PM and 8:00 AM.
 2. No equipment, machinery, or mechanical device of any kind (other than customary HVAC systems) may be operated within 200 feet of any

⁴⁶ This section carries forward 5.6.5 with minor changes.

residentially zoned property except as needed for routine maintenance of the grounds or facility.

3. Adequate provisions in the design of the facility shall be made for the disposal of waste products and the control of noise associated with the recreational use.

3.6.5 RACETRACK⁴⁷

- A. **Purpose.** Motorized race and testing tracks are declared by this Ordinance to be incompatible with residential development. Additionally, such uses have the potential of negatively impacting many nonresidential uses
- B. **Separation Distance.** Racetrack uses shall not be located within one mile of residential uses and all civic/institutional uses listed in Section 3.2.5: *Use Table*.
- C. **Access.** The site shall have direct access to either a collector or arterial street.

3.6.6 SHOOTING RANGE, INDOOR⁴⁸

- A. **Applicability.** This use includes the shooting of firearms at, or in conjunction with, both for-profit and non-profit facilities. It does not include incidental target practice by individuals on private property.
- B. **Noise Mitigation.** The facility shall be designed such that sound generated at the facility shall not be audible at or beyond the property line.
- C. **Shot Containment.** The range shall be designed to provide a totally controlled shooting environment that includes impenetrable walls, floors, and ceilings; adequate ventilation and lighting systems; and acoustical treatment for sound attenuation suitable for the range's approved use.
- D. **Design.** The design of the facility shall be guided by the design standards recommended by the National Rifle Association (NRA) for the appropriate caliber firearm(s) or weapon(s) being used on the site as described in "The NRA Range Source Book," published by the NRA, insofar as they do not conflict with any of the specific requirements contained in this Section. Detailed plans for site layout, backstops, and baffles (when used for noise mitigation) shall be submitted with the Conditional Use or Special Exception application.

⁴⁷ This section carries forward 5.5.8 with minor changes.

⁴⁸ This section carries forward 5.5.11 with minor changes. This revision removes archery uses from this regulation.

- E. **Lead Recovery.** Firing range wastes are regulated under the Resource Conservation and Recovery Act (RCRA) and 40 Code of Federal Regulations (CFR) 260-266. These measures shall be complied with.
- F. **Range Supervision.** A range supervisor, approved by the owner/manager, shall be present at all times when the range is open for business.

3.6.7 SHOOTING RANGE, OUTDOOR⁴⁹

- A. **Applicability.**
 - 1. This use includes the shooting of firearms at, or in conjunction with, both for-profit and non-profit facilities. It does not include incidental target practice by individuals on private property.
 - 2. The temporary use of land for a turkey shoot is controlled by 3.14.8.7: *Turkey Shoots*.
- B. **Separation Requirement.** Outdoor Shooting Ranges shall be located at least 2,640 feet from all Residential uses and all Civic/Institutional uses listed in Section 3.2.5: *Use Table*. In addition, the range itself may not cross or penetrate any public utility easement.
- C. **Noise Mitigation.** The facility shall be designed such that sound generated at the facility will not exceed the following levels (in decibels) at or beyond the property line, as certified by a registered architect or engineer:

Table 3.6.7-1: Noise Mitigation Limits	
Use	Decibel Level
Residential Use	55 dB
Institutional Use	55 dB
Commercial Use	65 dB
Public Use	65 dB
Public Right-of-Way	65 dB
Industrial Use	75 dB

- D. **Shot Containment.** The range shall be designed to contain the bullets, shot, or other projectiles on the range facility.

⁴⁹ This section carries forward 5.5.12 with minor changes. This revision removes archery uses from this regulation. Archery ranges have been added to public and private recreation facilities to ensure that they are permitted in appropriate districts.

E. **Hours of Operation.** Facility usage is limited to indoor activities between the hours of 10:00 PM and 8:00 AM.

F. **Design.**

1. The design of the facility shall be guided by the design standards recommended by the National Rifle Association (NRA) for the appropriate caliber firearm(s) or weapon(s) being used on the site as described in “The NRA Range Source Book,” published by the NRA, insofar as they do not conflict with any of the specific requirements contained in this section. Detailed plans for site layout, backstops, and baffles (when used for noise mitigation) shall be submitted with the Conditional Use or Special Exception application.
2. A site plan sealed by a South Carolina registered engineer must be submitted attesting that the proposed shooting range plan complies with all applicable safety and design standards for outdoor firing range provisions and live fire shoot houses set out in Section 4, Outdoor Range Design; Section 6, Live Fire Shoot House; and Attachments 1-2 through 120, of the [Range Design Criteria](#) (June 2012) as published by the U.S. Department of Energy’s Office of Health, Safety, and Security for the type of shooting range proposed; except that Section 4.b(10), the words “or administrative” in the first sentence of Section 4.c(7), the second sentence of Section 4.c(7), and Section 6.a(1) do not apply to outdoor shooting ranges under this Ordinance.
3. The detailed site plan must show the boundary of the subject property in its entirety and depict the location of all discernible, existing uses and structures within 300 feet of the subject property’s boundary.
4. Surface danger zones must be located entirely on the subject property and must be designed to contain all projectiles and debris caused by the type of ammunition, targets, and activities to be used or to occur on the property. The layout of the proposed range with the accompanying safety fans must be delineated on the required site plan. All firing stations must be set back at least 180 feet from all boundaries of the subject property.

G. **Buffers and Security.**

1. Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#). The security fence must include locking gates.
2. A sign, at least two square feet in area but not greater than six square feet, warning that a firing range is inside the fence shall be posted every 50 feet along the fence. These signs shall not count against any sign allotment as provided in [Chapter 7: Signs](#).

3.6.8 SPORTS ARENA/STADIUM⁵⁰

- A. **Applicability.** This Section applies to Sports Arena/Stadium use in general. However, venues located on the campus of elementary or secondary schools are exempt.
- B. **Access.** Primary access to all Sports Arenas/Stadiums shall be to a collector or arterial street.
- C. **Operational Standards.**
 - 1. Lights and loudspeaker systems shall not be operated between the hours of 11:00 PM and 8:00 AM.
 - 2. No equipment, machinery, or mechanical device of any kind (other than customary HVAC systems) may be operated within 200 feet of any residentially zoned property except as needed for routine maintenance of the grounds or facility.
 - 3. Adequate provisions shall be made for the disposal of waste products associated with the recreational use.

3.6.9 THEATER, OUTDOOR⁵¹

- A. **Applicability.**
 - 1. This Section applies to Outdoor Theaters as a principal use.
 - 2. This Section does not apply to Outdoor Theaters that are smaller than 250 seats and included as part of another approved use, such as convention centers, places of assembly, schools, and campgrounds.
- B. **Separation Requirement.** The performance and audience areas for any Outdoor Theater shall be located a minimum of 200 feet from any adjacent property zoned LDR, MDR, MFR, HDR, UR, or RMX.
- C. **Access.** Primary access to all Outdoor Theaters in the AR, RR, RB, MX, and IMX districts shall be to a collector or arterial street.

⁵⁰ This section carries forward 5.6.6 with significant changes. The previous threshold for the use of 4,000 spectators has been removed, but an exemption for school stadiums has been added.

⁵¹ This section carries forward 5.5.13 with some changes, including an exception for outdoor theaters smaller than 250 seats associated with another use.

- D. **Operational Standards.** Lights and loudspeaker systems shall not be operated between the hours of 11:00 PM and 8:00 AM.

3.7 INDUSTRY/WHOLESALE/STORAGE USE CONDITIONS⁵²

3.7.1 ALCOHOL PRODUCTION, SMALL⁵³

- A. **Maximum Gross Floor Area.** The gross floor area for Small Alcohol Production use may not exceed 5,000 square feet.
- B. **Tasting Rooms and Indoor Entertainment.** If the Alcohol Production facility provides areas for tasting of product or indoor entertainment, including features such as dance floors, stages, or other areas for music and live entertainment, then the facility must provide parking for these areas using the bar/tavern/brewpub measure as required in [Chapter 5: Parking and Loading](#).
- C. **Outdoor Areas.** Outdoor areas at Alcohol Production facilities for seating, music, live entertainment, or outdoor games must comply with the following standards:
1. The outdoor area must be designed and located so as not to obstruct the movement of pedestrians along sidewalks or through areas intended for public use.
 2. Use of the outdoor areas for seating, music, live entertainment, or outdoor games must not reduce required parking below the minimum required by this UDO.
 3. Alcohol Production facilities must provide parking for outdoor areas using the bar/tavern/brewpub measure as required in [Chapter 5: Parking and Loading](#).
 4. Lights and loudspeaker systems for the outdoor areas shall not be operated between the hours of 11:00 PM and 8:00 AM.
 5. Facility usage is limited to indoor activities between the hours of 11:00 PM and 8:00 AM.

⁵² This section carries forward the provisions of current 5.9: *Industry/Wholesale/Storage Uses*.

⁵³ This new section regulates Small Alcohol Production facilities, which includes breweries and distilleries but focuses more on the “brew-pub” type use to allow this use in more districts than industrial-capacity alcohol production facilities.

3.7.2 ARTIST STUDIO/LIGHT MANUFACTURING WORKSHOPS⁵⁴

- A. **Separation Requirement.** Artist Studio/Light Manufacturing Workshops shall be located a minimum of 50 feet from any adjacent property zoned LDR, MDR, MFR, HDR, UR, or RMX.
- B. **Location Standards.** Artist Studio/Light Manufacturing Workshops may be located in the principal building on a lot or in an accessory structure in the side or rear yard of a lot with a principal building.
- C. **Operational Standards.**
 - 1. All operations for an Artist Studio/Light Manufacturing Workshops must occur indoors or in an outdoor location screened from the public right-of-way and adjacent lots by buildings, topography, natural features, or a buffer as provided in [Chapter 4: Landscaping and Open Space](#).
 - 2. The facility shall not be operated between the hours of 11:00 PM and 7:00 AM.

3.7.3 CONTRACTOR'S OFFICES⁵⁵

- A. **Applicability.** This Section applies to Construction Services as a principal use.
- B. **Separation Requirement.** All Construction Services uses must be located a minimum distance of 100 feet from the LDR, MDR, MFR, HDR, and UR Districts.
- C. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- D. **Junk, Salvage, and Scrap Materials Prohibited.** The storage of junk vehicles, scrap metal, or other salvage or waste materials is prohibited.

⁵⁴ This new use regulation is intended to minimize the impacts of this use on rural areas.

⁵⁵ This new section adds use regulations for a new "Contractor's Offices" use to cover operations by building contractors.

3.7.4 INDUSTRY, RESTRICTED; STORAGE – WAREHOUSE INDOOR, RESTRICTED; WHOLESALING AND DISTRIBUTION, RESTRICTED; AND MATERIALS RECOVERY ⁵⁶

A. **Applicability.** This Section applies to the following Restricted uses:

1. Industry, Restricted;
2. Storage Warehouse Indoor, Restricted;
3. Wholesaling and Distribution, Restricted; and
4. Materials Recovery facilities.

B. **Purpose.**

1. The Lancaster County Council finds it necessary to set forth the appropriate special requirements by which the restricted uses may be established within the unincorporated areas of Lancaster County.
2. The restricted uses regulated by this Section have serious objectionable operational characteristics, particularly when they are located near residential areas or educational, religious, or recreational uses.
3. The County Council finds that the regulation of these uses is necessary to ensure potential adverse effects do not contribute to the blighting of surrounding neighborhoods and to protect the quality of life in Lancaster County.

C. **Minimum Lot Size.**

1. Industry, Restricted shall be sited on a lot at least 10 acres in size.
2. Storage Warehouse Indoor, Restricted; Wholesaling and Distribution, Restricted; and Materials Recovery facilities shall be site on a lot at least five acres in size.

⁵⁶ This section carries forward 5.9.1 with significant changes to combine Industry, Restricted; Storage Warehouse Indoor, Restricted; Wholesaling and Distribution, Restricted; and the new Materials Recovery facilities use. Revisions are made to relocate requirement for buffer yards and to address staff comments to eliminate redundant fire code compliance in section 5.9.1; to eliminate 12-foot height limitation so that standard 35-foot district accessory structure height and additional setback rules would control; to eliminate the 300-foot separation requirement from another industrial use because industrial uses are compatible with this use; and to replace the 500-foot separation requirement from floodplains and wetland with a requirement to construct a berm to protect these areas.

D. Storage of Hazardous Materials.

1. Exterior storage of hazardous materials not contained in vehicles for transportation, permanent on-site storage vessels, or containers shall be maintained so as to not create environmental hazards that may pose a threat to ground or surface water quality, air quality, wildlife, or humans.
2. All exterior storage of hazardous materials shall be arranged carefully to provide adequate spacing between incompatible substances as approved by the Fire Marshal.

E. Required Setbacks.

1. Restricted uses shall maintain a 300-foot setback from the property line to all structures or roadways, except fences, road or driveway access to the site, utilities access, inspection wells, and access routes to inspection wells.
2. Such uses shall also maintain a 300-foot setback from public roads and sidewalks, except fences, road or driveway access to the site, utilities access, inspection wells, and access routes to inspection wells on both properties.

F. Separation Requirements.

1. Such uses shall not be located closer than 2,640 feet to any of the following:
 - (a) LDR, MDR, MFR, HDR, NB, INS, UR, RMX, MX, and IMX Districts;
 - (b) All Residential uses and all Civic/Institutional uses listed in Section 3.2.5: *Use Table* .
 - (c) All essential public facilities, such as public drinking water intakes, water treatment plants, fire and police stations, or other similar uses.
2. Such uses shall not be located closer than 1,320 feet to any highway access points (on-ramps/off-ramps), except as required to gain immediate access to the facility from a road. The waiver of separation requirements allowance in **Section 10.4: Zoning Procedures** does not apply to this requirement.
3. Such uses shall not be located closer than 600 feet to another Restricted, use unless they are separated by at least:
 - (a) A six-foot high berm;
 - (b) A six-foot high chain-link fence; and

- (c) The required 300-foot setback is maintained from the property line to all structures or roadways except those necessary for road or driveway access to the site, utilities access, inspection wells, and access routes to inspection wells on both properties.

G. Buffers and Screening.

1. Buffers, screening, and fencing must be provided as required in **Chapter 4: Landscaping and Open Space**.
2. A six-foot high berm shall encompass the entire property where it adjoins with other properties, except on the frontage or address side of the property where it adjoins a road.
3. A berm shall be constructed to prevent any runoff of water or other liquids into any creeks, floodplains, or wetland areas on or contiguous to the site.

H. Vehicular Access. Vehicular access to the site shall be provided on:

1. A collector or arterial road;
2. A road that only accesses parcels within the RB, INS, BT, LI, HI, PDD, or IMX Districts; or
3. A road improved to necessary industrial capacity as determined by the Administrator.

I. Reclamation Plan Required. The applicant shall file with the Emergency Management Department, Fire Rescue Department, and Register of Deeds a reclamation plan for the site facilities and location. The plan shall indicate:

1. Any anticipated hazardous materials, secondary materials, spent materials or sludges, or other products which will require reclamation; and
2. The name of the applicant, or other entity approved by Lancaster County Council, as the owner and which shall remain the owner and be liable for the site forever, or until Lancaster County Council approval is given to release this requirement.

3.7.5 JUNKYARD⁵⁷

- A. **Applicability.** These requirements do not apply to Storage — Outdoor Storage Yard use.
- B. **Minimum Lot Size.** The minimum lot size for sites used only for the storage of scrap metals, junk vehicles, and other salvage materials is five acres.
- C. **Separation Requirements.**
 - 1. All junkyard uses must be located at least 2,640 feet from the LDR, MDR, MFR, HDR, and UR Districts.
 - 2. All junkyards shall be sited a minimum of 500 feet from any public or private water supply.
- D. **Location.** No such facilities shall be located over creeks or in special flood hazard areas or wetland areas or block a natural drainage-way so that water is impounded.
- E. **Setbacks.** The setbacks in the following table apply along all property lines and public rights-of-way for all junkyard storing activities, including parking, access roads, buildings, and storage and disposal areas.

Table 3.7.5: Setback Requirements for Junkyards		
	Adjacent District	Required Setback
Sites used only for the storage of scrap metals, junk vehicles, and other salvage materials	AR, RR, RN, RMX, MX, IMX, INS, OSP	100 feet
	RUB, NB, GB, RB, BT	50 feet
	LI, HI, M	50 feet

- F. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- G. **Combustible Materials.** All gas and oil shall be drained from vehicles stored or placed in any junkyard.
- H. **Vehicular Access.** Vehicular access to the site shall be provided on:

⁵⁷ This section carries forward 5.9.2 with minor changes.

1. A collector or arterial road;
 2. A road that only accesses parcels within the RB, INS, BT, LI, HI, PDD, or IMX Districts; or
 3. A road improved to necessary industrial capacity as determined by the Administrator.
- I. **Reclamation Plan Required.** The applicant shall file in the office of the Register of Deeds, prior to issuance of a Certificate of Occupancy, a reclamation plan for the reuse of the site. Such plan shall indicate that the applicant, or other entity approved by the Lancaster County Council, shall remain the owner and be liable for the site forever, or until County Council approval is given to release this requirement.
- J. **Burning Prohibited.** No waste, junk, scrap materials, or any vehicle, including automobiles and trucks, shall be burned on the premises.
- K. **Automobile Salvage Records Required.** Records shall be kept on each motor vehicle or motor vehicle engine salvaged and stored on-site. Records shall be kept for three years and shall be available for inspection by the County staff during operating hours. Each record shall show the following:
1. Description of item;
 2. Person or corporation from whom obtained; and
 3. Vehicle Identification, if any.

3.7.6 MINING – MAJOR RESOURCE EXTRACTION AND MINOR RESOURCES EXTRACTION⁵⁸

- A. **Applicability.** This Section applies to all Mining uses.

⁵⁸ The proposed revision to current sections 5.9.5 to 5.9.7 significantly updates the standards for mining by clarifying that all mining operations must comply with section 3.7.6, that all Major Resources Extraction use must comply with section 3.7.6.1, and that all Minor Resources Extraction use must comply with section 3.7.6.2. This revision was necessary to clarify that the use regulations apply to all Major and Minor Resource Extraction uses. Under the current version, Major Resource Extraction of less than five acres and Minor Resource Extraction of more than five acres are not regulated. The revision also requires a minimum lot size of five acres for Major Resource Extraction. In addition, the definitions of Major and Minor Resource Extraction in Chapter 13 have been revised to set 12 feet as the extraction depth to distinguish these two uses.

- B. **Minimum Lot Size.** The minimum lot size for Major and Minor Resource Extraction use is five acres.
- C. **Separation Requirement.** All outdoor storage yards must be located a minimum distance of 500 feet from all Residential uses and all Civic/Institutional uses listed in Section 3.2.5: *Use Table*.
- D. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- E. **Submittal Requirements.**
 - 1. *SCDHEC Mining Permit.* The applicant must obtain and shall submit a copy of the permit issued by SCDHEC or other state agency, if a permit is required by law, with any application for Mining use under this UDO. The mining permit shall have been issued within six months of the date prior to the request for the Conditional Use or Special Exception.
 - 2. *Reclamation Plan.* A copy of the reclamation plan as required by SCDHEC shall accompany the application for Mining use.
 - 3. *Blasting License.* If explosives are to be used at the site, the applicant shall provide a copy of the approved application regarding blasting activities and shall comply with all applicable requirements of S.C. Code Ann. Regs. 71-8302 *et seq.* as they may be amended from time to time.
- F. **Blasting Operations.**
 - 1. To protect against damage to structures from vibration, in all blasting operations the maximum peak particle velocity measured in any three mutually perpendicular directions shall not exceed one inch per second at the immediate location of any dwelling, public building, school, religious institution, or commercial or institutional building. The minimum distance shall be determined by the weight distance formula adopted under S.C. Code Ann. Regs. 89-150 E-G as they may be amended from time to time or any SCDHEC approved alternative methods of determining compliance such as seismographic monitoring.
 - 2. Blasting operations shall be conducted in compliance within the 250-foot contiguous property setback requirements of S.C. Code Ann. Regs. 89-150 H as it may be amended from time to time, or in compliance with any variance or other approval issued by SCDHEC. For the purposes of this subsection, a contiguous property shall not include parcels under the ownerships, lease, or control of the applicant, or where the property owner has signed a written waiver of this setback requirement.

3. In accordance with the requirements of S.C. Code Ann. Regs. 89-150 I, as it may be amended from time to time, the SCDHEC mining permit shall specify a minimum blasting separation distance between the nearest point of blasting and any off-site structures in existence as of the date of the completed SCDHEC mine permit application.
 4. Neither the maximum peak particle velocity requirement nor the minimum separation distance requirement apply:
 - (a) To structures within the permitted area;
 - (b) Within any area that is owned, leased, or controlled by the operator; or
 - (c) To any structure for which the owner has executed a waiver of damage claim.
- G. **Vehicular Access.**
1. The primary site access must be located on:
 - (a) A collector or arterial road;
 - (b) A road that only accesses parcels within the RB, INS, BT, LI, HI, PDD, or IMX Districts; or
 - (c) A road improved to necessary industrial capacity as determined by the Administrator.
 2. Access roads and easements shall maintain a minimum travel surface of 22 feet and have a width of 30 feet at the entrance intersection with a collector or arterial street.
 3. An area on the site shall be provided to accommodate vehicles entering the site so that no traffic waiting to enter the site will be backed up onto any public or private right-of-way or easement. This area shall be designed to handle the anticipated traffic.
- H. **Height.** No equipment shall exceed 35 feet in height above the average natural grade at the equipment's base.
- I. **Hours of Operation.** The hours of operation are limited to 6:30 AM to 6:30 PM, Monday through Saturday.

- J. **Stormwater.** The site shall be designed so that the quantity and quality of runoff reaching any surface water, on-site, or discharging off-site, is controlled through Lancaster County approved Best Management Practices (BMP).

3.7.6.1 Mining – Major Resource Extraction

- A. **Applicability.** This Section applies to Major Resource Extraction uses.
- B. **Noise.** A berm shall be constructed at the site to ensure that the maximum noise at the property line does not exceed 65 decibels. The berm shall be located outside of the required buffer area.
- C. **Groundwater.** If groundwater is encountered, the following shall be demonstrated in the application:
1. Probable maximum pumping rates and cone of depression impacts on surrounding public and private wells and the long-term water table;
 2. The disposal method for pumped water and its effect on water quality and flooding; and
 3. A study shall be completed prior to application submittal to ensure pumping during the active use of the site does not result in groundwater contamination. Monitoring wells shall be installed to monitor any groundwater pumping. If groundwater contamination, Lancaster County shall require the mine to be closed immediately and require the mine operator/landowner to undertake corrective action and pay for any damages resulting from the operation. The mine operator shall be strictly liable for any harm to adjacent lands if provided by applicable law.
- D. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- E. **Additional Submittal Requirements.** The following plans shall be submitted as part of the application:
1. *Truck Routing Plan.* A truck routing plan shall be included as part of a traffic impact analysis, which ensures:
 - (a) Truck traffic through existing residential areas is mitigated or avoided to the maximum extent practicable;
 - (b) The capacity of all truck route roads to carry traffic from the site to arterial or collector roads is evaluated; and

- (c) Any substandard roads are brought up to adequate standards, both before and after mining activities, as determined by the Administrator or South Carolina Department of Transportation (SCDOT).
2. *Operations Plan.* An operations plan shall identify:
- (a) The specific types of activities necessary for successful operation of the use;
 - (b) Specific technologies that will be incorporated into the use;
 - (c) Potential impacts on adjacent lands and proposed mitigation measures;
 - (d) The size of the operation;
 - (e) The number of employees; and
 - (f) The operating hours of the use.
3. *End Use Plan.* An end use plan shall be submitted that demonstrates the restoration of the site after completion of the mining/excavation use. The end use plan shall address the following:
- (a) The ground surface on the site is restored to a condition permitting one of the following uses: agricultural, residential, recreation, or non-residential;
 - (b) If recreation is identified as the restored use, its management is established in the end use plan;
 - (c) Risks from any sub-surface materials to future restored use(s) is identified and mitigated;
 - (d) If surface water will be present, likely chemical water quality shall be identified; and
 - (e) Where permanent water bodies are created as a result of surface mining, littoral shelves and wetland vegetation are encouraged to promote water quality and natural habitat.
4. *Final Excavation Plan.* Where surface water features remain, or a depressed area is created during mining/excavation, a final excavation plan shall be submitted that is consistent with the end use plan and approved as part of the Certificate of Completion. The final excavation plan shall demonstrate that sufficient land will remain unexcavated or that the excavation will be

done in a manner that allows the development to conform to this Chapter's requirements without variances.

3.7.6.2 Mining – Minor Resource Extraction

- A. **Applicability.** This Section applies to Minor Resource Extraction uses
- B. **Maximum Depth of Excavation.** Land shall be excavated no deeper than 12 feet below the existing grade.
- C. **Noise.** Maximum noise level at the property line shall not exceed 65 decibels.
- D. **Engineer's Report Required for Disturbance Greater than 10,000 Square Feet.** Any excavation resulting in land disturbance of 10,000 square feet or more shall provide a certified engineer's report ensuring that drainage and runoff do not adversely impact the property or surrounding properties.
- E. **Truck Routing Plan and Road Impacts.**
 - 1. A truck routing plan shall be submitted that ensures that truck traffic through residential areas is avoided or mitigated to the extent practicable.
 - 2. Any roads brought to substandard condition due to work on the site as determined by SCDOT or the County must be brought up to standard or, at a minimum, the roads must be returned to their initial conditions.

3.7.7 STORAGE – VEHICLES, BOATS, AND RECREATIONAL VEHICLES (PRINCIPAL USE)⁵⁹

- A. **Applicability.**
 - 1. This Section applies to indoor and outdoor Storage for Vehicles, Boats, and Recreational Vehicles as a principal use.
 - 2. Outdoor Storage Yards as an accessory use are regulated by Section 3.13.6.12: *Storage – Outdoor Storage Yard (Accessory Use)*.
- B. **Parking and Storage Surfaces.** Outdoor Storage of Vehicle, Boat, and RV uses must provide paved surfaces for drive aisles. Storage areas enclosed within a fence as provided in [Chapter 4: Landscaping and Open Space](#) may be surfaced in gravel.

⁵⁹ This new section regulates vehicle, boat, and recreational vehicle storage.

- C. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- D. **Junk, Salvage, and Scrap Materials Prohibited.** The storage of junk vehicles, scrap metal, or other salvage or waste materials is prohibited.

3.7.8 STORAGE – OUTDOOR STORAGE YARD (PRINCIPAL USE)⁶⁰

- A. **Applicability.**
 - 1. This Section applies to Outdoor Storage Yards as a principal use.
 - 2. Outdoor Storage Yards as an accessory use are regulated by Section 3.13.6.12: *Storage – Outdoor Storage Yard (Accessory Use)*.
- B. **Separation Requirement.** All Outdoor Storage Yards as a principal use must be located a minimum distance of 300 feet from the LDR, MDR, MFR, HDR, and UR Districts.⁶¹
- C. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- D. **Junk, Salvage, and Scrap Materials Prohibited.** The storage of junk vehicles, scrap metal, or other salvage or waste materials is prohibited.

3.7.9 STORAGE – SELF-SERVICE AND STORAGE – SELF-SERVICE - CLIMATE CONTROLLED⁶²

- A. **Applicability.**
 - 1. This Section applies to Storage – Self-Service and Storage – Self-Service – Climate Controlled uses.

⁶⁰ This section significantly updates current 5.9.10. Changes include 1) Elimination of height and stacking requirements for stored materials – district standards will now apply; 2) restricts of requirement to drain fluids from vehicles stored in lot to those stored for more than 30 days to allow incidental storage of vehicles associated with the operation; 3) elimination of requirement that use not cause environmental damage-this is a generally applicable principle of law. In addition, a new accessory use of outdoor storage has been added to address specific concerns with outdoor storage as an accessory use.

⁶¹ Staff comment: “section 5.9.10: Concerned that 300-ft separation from residential may be punitive. Could envision residentially zoned property backing up to an industrial business with a yard. What separation is more typical? This use should require an opaque screen.”

⁶² The proposed section revises current 5.9.11 adds significant building design criteria to minimize the impact of this use and clarifies the allowable commercial activities by tenants.

2. Outdoor Storage Yards as a principal use (see 3.7.8) and Storage – Vehicles, Boats, and RVs (see 3.7.7) are regulated separately.
 3. Outdoor Storage Yards as an accessory use are regulated by 3.13.6.12: *Storage – Outdoor Storage Yard (Accessory Use)*.
 4. If outdoor storage use is included in the Self-Service Storage facility, the area for outdoor storage cannot exceed 50% of the gross floor area of the Self-Service Storage facility.
- B. **Permitted Commercial Activities.** The owner or operator of any Self-Service Storage facility, or portion thereof, shall not conduct any type of commercial activity except for the following:
1. Leasing of the storage units;
 2. Rental or sale of moving supplies;
 3. Rental or sale of moving equipment (the rental or sale of any moving trailers, trucks, or other vehicles is only allowed in districts that also permit Vehicle Rental/Sales/Leasing); and
 4. Auctions or other sales of property that occur on a strictly temporary basis.
- C. **Sale of Goods and Commercial Activities.** A lessee of a Self-Service Storage facility, or portion thereof, shall not sell or offer for sale any item of personal property or conduct any type of commercial activity of any kind whatsoever other than storage of goods, except in auctions organized by the owner or operator of the facility that occur on a strictly temporary basis.
- D. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- E. **Standards for Buildings with Exterior Entrances to Storage Units.**
1. *Screening of Storage Unit Entrances.* The entrances to individual storage units shall be designed or screened in such a manner that they are not readily visible from:
 - (a) Any public right-of-way adjacent to the lot; and
 - (b) Any adjacent residential use lot.
 2. *Maximum Height.* The maximum building height is 20 feet.
- F. **Buildings with Interior Entrances to Storage Units.**

1. *Primary Entrances.* All storage units shall be accessed through one or more primary entrances, which may be separate from the management office entrance.
 2. *Minimum Transparency.*
 - (a) Street-facing building walls shall include windows or glass doors such that at least 15% of the street-facing wall plane is transparent.
 - (b) All other building walls shall include windows or translucent cladding materials that closely resemble windows such that at least 7.5% of each wall provides either transparency or the illusion of transparency when viewed from abutting lots.
 3. *Customer Loading Area.* The customer loading area, including adequate turnaround space for emergency apparatus, shall be:
 - (a) Located to the side or rear of the building; and
 - (b) Designed or screened in such a manner that it is not readily visible from:
 - (1) Any public right-of-way adjacent to the lot and
 - (2) Any adjacent residential use lot.
- G. **On-Site Circulation.**
1. Drive aisles shall be at least 22 feet in width.
 2. The site design shall provide sufficient drive aisle width, turning radii, and vertical clearance for access by fire and emergency apparatus.
- H. **Accessory Dwellings.** One accessory dwelling unit for a resident manager or security personnel only is allowed on the premises in an independent, detached structure. No portion of any Self-Service Storage facility shall be used, on a temporary or permanent basis, as a dwelling unit.

3.7.10 STORAGE – WAREHOUSE, INDOOR STORAGE⁶³

- A. **Temporary Storage.** Storage of goods within motor truck trailers, utility trailers, or similar structures is prohibited for Indoor Warehouse Storage use except as

⁶³ The proposed section revises current 5.9.12 to clarify allowable commercial activities and storage of goods in trailers.

temporary storage of less than 30 days, for unloading and loading. Storage in such trailers may only occur behind the rear façade of the building.

- B. **Sale of Goods and Commercial Activities.** It is unlawful for any owner, operator, or lessee of any warehouse or portion thereof to offer for sale, or to sell any item of personal property, or to conduct any type of commercial activity of any kind whatsoever other than leasing of the storage units and storage of goods.
- C. **Dwellings Prohibited.** No portion of any storage warehouse shall be used, on a temporary or permanent basis, as a dwelling.

3.7.11 WHOLESALING AND DISTRIBUTION⁶⁴

The use shall have direct access on:

- A. A collector or arterial road;
- B. A road that only accesses parcels within the RB, INS, BT, LI, HI, PDD, or IMX Districts; or
- C. A road improved to necessary industrial capacity as determined by the Administrator.

3.8 INFRASTRUCTURE USE CONDITIONS⁶⁵

3.8.1 AIRSTRIP/AIRPORT

Private Airstrip/Airports shall provide the Administrator a copy of the Federal Aviation Administration (FAA) Form 7480 with the Conditional Use or Special Exception application.

3.8.2 LANDFILLS – CLASSES ONE, TWO, AND THREE⁶⁶

- A. **Applicability.** This Section applies to all Class One, Two, and Three Landfills, except that these requirements do not apply to the following uses or activities:
 - 1. Class Two Landfill facilities operated in association with an active building permit on the same or an adjacent parcel for the disposal of building

⁶⁴ This section carries forward the provisions of current 5.9.14 with limited changes.

⁶⁵ This section carries forward the provisions of current 5.11: *Infrastructure Uses*.

⁶⁶ This section combines the standards for Class One, Two, and Three Landfills (current 5.9.3, 5.9.4 & 5.9.16) for consistency and brevity. Changes in the standards are made when they are inconsistent, and the more restrictive standard now applies to all three uses.

materials, land clearing debris, and yard waste resulting from the active site preparation or construction on the site. Such facilities are subject to any applicable State requirements; and

2. Storage -Outdoor Storage Yard use.
- B. **Development Standards.** Table 3.8.2-1: *Landfill Development Standards* sets out the development standards for each class of Landfill use. Additional requirements for each standard are provided below.
1. **Minimum Lot Area.** The minimum lot area for all Landfills is set out in Table 3.8.2-1: *Landfill Development Standards*.
 2. **Separation Requirement.** The minimum separation requirement for all Landfills is set out in Table 3.8.2-1: *Landfill Development Standards*. Landfill Facilities must be separated the required distance from lots in the LDR, MDR, MFR, HDR, and UR Districts or property that contains a conforming residential use and all civic/institutional uses listed in Section 3.2.5: *Use Table*.
 3. **Setbacks.** A 100-foot setback shall apply along all property lines and public or private rights-of-way for all facilities, including parking, buildings, and disposal areas.
 4. **Buffers and Screening.** The minimum buffer requirement for all Landfills is set out in Table 3.8.2-1: *Landfill Development Standards*. These buffers are required along all property lines and public or private rights-of-way regardless of the adjacent zoning district or use. Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).

Table 3.8.2-1: Landfill Development Standards			
Standard	Class One	Class Two	Class Three
Minimum Lot Area	15 acres	150 acres	250 acres
Separation Requirement	Not adjacent	1,000 feet	2,640 feet
Setbacks	100 feet	100 feet	100 feet
Buffers and Screening	Type B buffer	Type C buffer	Type C buffer

- C. **Location.** No such facilities shall be located within a special flood hazard area or wetland area or block a natural drainage-way so that water is impounded.

- D. **Vehicular Access.** Vehicular access to the site shall be provided on
1. A collector or arterial road;
 2. A road that only accesses parcels within the RB, INS, BT, LI, HI, PDD, or IMX Districts; or
 3. A road improved to necessary industrial capacity as determined by the Administrator.
- E. **Burning Prohibited.** Burning is prohibited on the premises.
- F. **SCDHEC Permit.** The applicant must obtain and shall submit a copy of the permit issued by SCDHEC, if a permit is required by law, with any application for Composting Facility use under this UDO.
- G. **Hours of Operation.** Facilities may only operate between the hours of 7:00am and 7:00pm; however, any grinding operations shall not occur after 5:00pm.
- H. **Reclamation Plan Required for Class Two and Three Facilities.** A reclamation plan is required for all Class Two and Class Three Landfills. The applicant shall file in the office of the Register of Deeds, prior to issuance of a Certificate of Occupancy, a reclamation plan for the reuse of the site. Such plan shall indicate that the applicant, or other entity approved by the Lancaster County Council, shall remain the owner and be liable for the site forever, or until County Council approval is given to release this requirement.

3.8.3 WASTE/RECYCLING CONVENIENCE SITES⁶⁷

- A. **Only Residential and Office Waste Accepted.** Only residential and office waste shall be accepted by this use. Commercial, industrial, automotive, and other similar waste shall not be accepted.
- B. **Buffers and Screening.**
1. A 50-foot wide buffer with 100% opacity is required around the entire property excluding the entrance.
 2. Trash bins shall not be visible from any neighboring property or right-of-way.

⁶⁷ This section revises current 5.9.9 to relocate the buffer requirement and to remove the height limitation for light poles adjacent to residential uses in favor of adding a general standard for this issue with the lighting standards in Chapter 6: *Outdoor Lighting*.

3. Buffers, screening, and fencing must be provided as required in **Chapter 4: Landscaping and Open Space**.

3.8.4 WASTE TRANSFER FACILITY⁶⁸

- A. **Minimum Lot Size.** The minimum lot size for Waste Transfer Facilities is two acres.
- B. **Buffers and Screening.**
 1. A 50-foot wide buffer with 100% opacity is required around the entire property excluding the entrance.
 2. Buffers, screening, and fencing must be provided as required in **Chapter 4: Landscaping and Open Space**.
 3. Trash storage areas and vehicles shall not be visible from any neighboring property or right-of-way.
- C. **Location.** No such facilities shall be located in special flood hazard area or wetland area or block a natural drainage-way so that water is impounded.
- D. **Vehicular Access.** Vehicular access to the site shall be provided on:
 1. A collector or arterial road;
 2. A road that only accesses parcels within the RB, INS, BT, LI, HI, PDD, or IMX Districts; or
 3. A road improved to necessary industrial capacity as determined by the Administrator.

3.8.5 SOLAR FARMS⁶⁹

- A. **Purpose.**
 1. The purpose of this Section is to provide standards for fixed-panel photovoltaic and parabolic solar farms consisting of ground-mounted solar panels that capture energy from the sun and convert it to electricity.

⁶⁸ This new use is added based on staff input.

⁶⁹ This section carries forward the standards of current 5.11.4 but relocates buffers and screening standards and provides additional specifications for information to be submitted when a proposed solar farm is located in the McWhirter Field Aviation Overlay. The revision adds significant standards for decommissioning and reclamation of a solar farm.

2. These systems allow the flow of rainwater between each module and the growth of vegetation beneath the arrays, thereby limiting the impacts of stormwater runoff with minimal disturbance to the existing ground and grading of the site.
 3. Based on typical solar farm design, the use is low intensity with minimal trip generation, low amounts of impervious cover, and low emissions, thus the use is compatible with rural agricultural areas and industrial uses.
- B. **Applicability.**
1. This Section applies to Solar Farms as a principal use.
 2. Section 3.13.6.10: *Solar Energy Systems* applies to Solar Energy Systems as an accessory use.
 3. Central tower solar farms are prohibited.
- C. **Setbacks.**
1. Solar farms shall be set back from adjacent street right-of-way at least 50 feet. No portion of the system area may encroach into the required setbacks.
 2. Solar power plant structures must be set back 150 feet from the property line with any adjacent residential uses or a lot within the LDR, MDR, MFR, HDR, and UR Districts.
- D. **Height.** Structures shall not exceed 20 feet in height.
- E. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- F. **Construction and Operation.** The design, construction, and operation of the facility shall minimize soil disturbance to the maximum extent possible and shall not substantially alter drainage from the site nor prohibit continued use of the site for wildlife passage.
- G. **Installation and Design.**
1. *Approved Solar Components.* Electric solar energy system components must have a UL listing and must be designed with anti-reflective coating(s).
 2. *Lighting.* Lighting of the solar facility and accessory structures is limited to the minimum necessary for the facility.

3. *Glare.* No facility shall produce glare that would constitute a nuisance to occupants of neighboring properties or person traveling neighboring roads.
 4. *Noise.* The facility shall be designed such that sound generated at the facility shall not be audible at or beyond the property line.
 5. *Warning Signs.* Clearly visible warning signs shall be placed on the fence or facility perimeter to inform individuals of potential voltage hazards.
- H. **FAA Hazard Review.** For proposed Solar Farm use located within the McWhirter Field Aviation Overlay, the applicant shall submit a Federal Aviation Administration (FAA) Form 7460, provide the Administrator a copy with the Conditional Use Permit application, shall supplement the application with any determination or response provided by the FAA.
- I. **Decommissioning Plan.** A decommissioning plan that details the planned shut down or removal of a solar farm from operation must address the following items and be signed by both the party responsible for decommissioning and the landowner, if different, and shall be recorded in the Lancaster County Register of Deeds prior to the issuance of a building permit. The applicant shall submit an unsigned decommissioning plan for staff review to ensure compliance with the requirements below prior to any party signatures and recordation of the document in the Register of Deeds:
1. List the type of panels, storage facilities, and materials to be installed at the site;
 2. Restoration plan to properly restore or stabilize the property for future use;
 3. Removal of solar panels, buildings, cabling, electrical components, roads, and any other associated facilities;
 4. Defined conditions upon which decommissioning will be initiated (i.e., end of land lease, no power production for 12 months, abandonment, etc.);
 5. The timeframe for completion of decommissioning activities. The maximum time permitted for decommissioning and restoring the site shall be six months;
 6. Description of any agreement (e.g., lease) with landowner regarding decommissioning and acknowledgment by the land owner, that he or she shall be held ultimately responsible for decommissioning;
 7. The identification of the party currently responsible for decommissioning;

8. Estimated cost of site restoration prepared by an engineer licensed to practice in South Carolina; and
9. Plans for periodically updating the decommissioning plan.

J. Performance Guarantee.

1. The performance requirements ensure that costs associated with the restoration or stabilization of a site can be preserved for future use after a solar farm has been discontinued:
2. Prior to issuance of a building permit, the applicant must provide the County with a performance guarantee in the form of a bond, irrevocable letter of credit and agreement, or other financial security acceptable to the County in the amount of 125% of the estimated decommission cost minus the salvageable value, or \$50,000, whichever is greater. Estimates shall be determined by an engineer licensed to practice in South Carolina.
3. All performance bonds must renew automatically; provide a minimum 90-day notice to the County prior to cancellation; be approved by the Administrator; and be provided by a company on the U.S. Department of Treasury's Listing of Certified Companies.
4. The County will request a new engineer's estimate of probable cost of decommissioning every five years from the initial submission. The bond, letter of credit, or other financial security acceptable to the county shall be adjusted upward or downward, as necessary.

K. Abandonment.

1. *Cessation of Operations.* Any solar farm that ceases to produce energy on a continuous basis for 12 months will be considered abandoned. Such a facility will be considered abandoned unless the current responsible party (or parties) with ownership interest in the solar farm provides substantial evidence to the Administrator of the intent to maintain and reinstate the operation of that facility.
2. *Notification to Restore the Site.* Upon determination of abandonment, the Administrator will notify the party (or parties) responsible that they must remove the solar farm and properly restore or stabilize the property for future use within six months of the notice.
3. *Remedies of Failure to Restore Site.* If the responsible or parties fail to comply after six months from the date of notice has passed, the County may pursue all actions available at law or in equity.

3.8.6 SMALL WIRELESS FACILITIES⁷⁰

3.8.6.1 Purpose

These Small Wireless Facilities (SWF) Regulations are adopted for the following purposes:

- A. To promote public safety by preventing interference with the use of streets, sidewalks, traffic light poles, or other utility poles, and other public ways;
- B. To ensure that the design and appearance of the facilities are compatible with surrounding land uses;
- C. To ensure traffic safety by preventing visual and physical obstructions that are hazardous to vehicular and pedestrian traffic;
- D. To prevent interference with the operations of existing facilities located in rights-of-way or on public property;
- E. To preserve the character of neighborhoods where facilities are installed;
- F. To preserve the integrity, dignity, and aesthetic quality of the natural, cultural, and scenic resources and developed environments;
- G. To promote the most efficient use of existing structures for collocating Small Wireless Facilities, and to properly site new Small Wireless Facilities;
- H. To facilitate the deployment of Small Wireless Facilities pursuant the Federal Telecommunications Act of 1996, as amended, and the South Carolina Small Wireless Facilities Deployment Act, as amended; and

⁷⁰ This new Subsection adopts standards for Small Wireless Facilities, which are not clearly regulated in the current UDO. The federal Telecommunications Act of 1996, FCC regulations and rulings, and the South Carolina Small Wireless Facilities Deployment Act all significantly limit and preempt a local government's authority regulate Small Wireless Facilities. These federal and state authorities 1) require local governments to allow right-of-way deployments in all districts subject only to administrative review; 2) provide time limitations on application review; 3) set the application submittal requirements and review standards; 4) limit aesthetic controls to designated design, historic, or underground districts; 5) set maximum application fees. While some of these limitations only apply to facilities in the right-of-way, uniform standards and procedures are adopted for installation in the right-of-way and on private property. Fifth Generation (5G) wireless operates over a much smaller area, and the industry estimates that one facility is needed for every 50-75 users. Therefore, the locations of these facilities are very different than traditional macro-cell wireless towers that serve more users over a much larger area. The Small Wireless Facilities Deployment Act took effect in September 2020 and will require many communities to re-evaluate their approach to small wireless implementation. The application and review standards adopted in this section are mandated by the Small Wireless Facilities Deployment Act.

- I. To otherwise promote the public health, safety, and general welfare.

3.8.6.2 Applicability

- A. **In General.** These Regulations apply to all Small Wireless Facilities, either installed on a new pole or collocated on an existing pole or wireless support structure, including those located on private property and in rights-of-way.
- B. **Applicable Only to Small Wireless Facilities.** Nothing in these Regulations limits the County's powers with respect to wireless facilities that are not SWF or to communications facilities that are used for purposes other than installation of SWF.

3.8.6.3 Permitting

- A. **Permitted Use.** Small wireless facilities, either installed on a new pole or collocated on an existing pole or wireless support structure, are permitted on both private property and in rights-of-way in all zoning districts and are subject to the administrative review and supplemental regulations contained in this UDO.
- B. **Small Wireless Permit.** A Small Wireless Permit is required to collocate SWF and to install a new, modified, or replacement pole or support structure associated with a SWF in the right-of-way and on private property.
- C. **Application Requirements.**⁷¹ The application shall be made by the applicant, or its duly authorized representative as noted in a notarized statement from the applicant, and shall contain the following:
 1. The applicant's name, address, telephone number, and email address, including emergency contact information for the applicant;
 2. The names, addresses, telephone numbers, and email addresses of all consultants, if any, acting on behalf of the applicant with respect to the filing of the application;
 3. A general description of the proposed work and the purposes and intent of the proposed facility. The scope and detail of such description shall be appropriate to the nature and character of the physical work to be performed, with special emphasis on those matters likely to be affected or impacted by the physical work proposed;

⁷¹ These are the statutory requirements for application submittals under the S.C. Small Wireless Facilities Deployment Act.

4. Detailed construction drawings regarding the proposed use of the right-of-way;
5. To the extent the proposed facility involves collocation on a pole, decorative pole, or support structure, a structural report performed by a duly licensed engineer in South Carolina evidencing that the pole, decorative pole, or support structure will structurally support the collocation, or that the pole, decorative pole, or support structure may and will be modified to meet structural requirements, in accordance with applicable codes;
6. For any new aboveground facilities, visual depictions, or representations if such are not included in the construction drawings;
7. Information indicating the approximate horizontal and vertical locations, relative to the boundaries of the right-of-way, of the SWF for which the application is being submitted;
8. If the application is for the installation of a new pole or replacement of a decorative pole, a certification that the wireless provider has determined after diligent investigation that it cannot meet the service objectives of the application by collocating on an existing pole or support structure on which:
 - (a) The wireless provider has the right to collocate subject to reasonable terms and conditions; and
 - (b) Such collocation would be technically feasible and would not impose significant additional costs. The wireless provider shall certify that it has made such a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and shall provide a written summary of the basis for such determination;
9. If the SWF will be collocated on a pole or support structure owned by a third party, other than a County pole, a certification that the wireless provider has permission from the owner to collocate on the pole or support structure;
10. An affirmation that the applicant is, on the same date, submitting applications for other required permits identified in the list of required permits the County maintains pursuant to Paragraph 3.8.6.3E.3;
11. Any additional information reasonably necessary to demonstrate compliance with the criteria set forth in Section 3.8.6.5: *Review of Applications*; and
12. For any applicant that is not a wireless services provider, an attestation that a wireless services provider has requested in writing that the applicant

collocate the SWF or install, modify, or replace the Pole at the requested location.

- D. **Information Updates.** Any amendment to information contained in an application shall be submitted in writing to the County within 10 business days after the change necessitating the amendment.
- E. **Compliance with Other Requirements.**
 - 1. Prior to Small Wireless Permit approval, SWF proposed in a right-of-way must receive an encroachment permit from the respective entities that control the right-of-way.
 - 2. The applicant shall not be required to obtain or pay for a separate building permit, as the permit granted under this Section constitutes the building permit for the SWF and poles.
 - 3. The County will publish and keep current a list of each additional permit that is required for the collocation of a SWF or the installation of a new, modified, or replacement pole.

3.8.6.4 Consolidated Applications

- A. **Limitations on Consolidated Applications.** An applicant seeking to collocate SWF may submit a single consolidated application, provided that such a consolidated application shall be:
 - 1. For a geographic area no more than two miles in diameter; and
 - 2. For no more than 30 SWFs.
- B. **Permitting of Consolidated Applications.** The applicant may receive a single permit for the collocation of multiple SWFs with a consolidated application.
- C. **Effect of Denial.** The denial of one or more SWFs in a consolidated application will not delay processing of any other SWF in the same consolidated application. Solely for purposes of calculating the number of SWF in a consolidated application, a SWF includes any pole on which such SWF will be collocated.

3.8.6.5 Review of Applications

- A. **Factors for Review.**⁷² The applicant must consider the following factors, and the Administrator may deny an applicant's proposed collocation of a SWF or a proposed installation, modification, or replacement of a pole, decorative pole, or support structure if the proposed collocation, installation, modification, or replacement:
1. Interferes with the safe operation of traffic control or public safety equipment;
 2. Interferes with sight lines or clear zones for transportation or pedestrians;
 3. Interferes with compliance with the Americans with Disabilities Act or similar federal or State standards regarding pedestrian access or movement;
 4. Requests that ground-mounted SWF equipment be located more than seven and one-half feet in radial circumference from the base of the pole, decorative pole, or support structure to which the wireless antenna is to be attached, provided that the County shall not deny the application if a greater distance from the base of the pole, decorative pole, or support structure is necessary to avoid interfering with sight lines or clear zones for transportation or pedestrians or to otherwise protect public safety;
 5. Fails to comply with the height limitations permitted by this Regulation or (if applicable) in the Design Manual, or with the reasonable and nondiscriminatory horizontal spacing requirements of for new poles set out in this Regulation;
 6. Designates the location of a new pole, decorative pole, or support structure for the purpose of collocating a SWF within seven feet in any direction of an electrical conductor, unless the wireless provider obtains the written consent of the power supplier that owns or manages the electrical conductor;
 7. Fails to comply with applicable codes;
 8. Fails to comply with the requirements applicable to the aesthetic, stealth, and concealment requirements contained in this Regulation or with the requirements applicable to review districts;
 9. Fails to comply with laws of general applicability that address pedestrian and vehicular traffic and safety requirements; or

⁷² These are the statutory bases for rejection of application under the S.C. Small Wireless Facilities Deployment Act.

10. Fails to comply with laws of general applicability that address the occupancy or management of the right-of-way and that are not otherwise inconsistent with this article.

3.8.6.6 Effect of Permit

- A. **Timing of Installation.** Installation or collocation for which a permit is granted pursuant to this Regulation must be completed within one year of the permit issuance date unless the County and the applicant agree to extend this period, or a delay is caused by the lack of commercial power or by the lack of communications facilities to be provided to the site by an entity that is not an affiliate, as that term is defined in 47 U.S.C. Section 153(2), of the applicant.
- B. **Effect and Term of Permit.** Approval of an application authorizes the applicant to:
 1. Undertake the installation or collocation; and
 2. Subject to applicable relocation requirements and the applicant's right to terminate at any time, operate and maintain the SWF and any associated pole covered by the permit for a period of ten years, which may be renewed for equivalent durations so long as the installation or collocation is in compliance with the criteria set forth in this ordinance and the permit.
- C. **Conditions and Obligations.** Any conditions contained in a permit, including without limitation conditions designed to reduce the visibility of the SWF and associated pole, or to make any portion of the same appear to be something other than a SWF, shall apply for the entirety of the permit term and shall include a duty to maintain and replace components as necessary to ensure continued compliance.
- D. **Interference with Existing Infrastructure.** An applicant for a new installation or collocation in the right-of-way must not install, maintain, modify, operate, repair, or replace any SWF, support structures, or poles in a manner that interferes with any existing infrastructure, equipment, or service including, but not limited to, infrastructure, equipment, or service used to provide communications, electric, gas, water, sewer, or public safety services.
- E. **Imminent Risk to Public Safety.** If the County determines that a wireless provider's activity in the right-of-way pursuant to this Ordinance creates an imminent risk to public safety, the County may provide written notice to the wireless provider and demand that the wireless provider address such risk. If the wireless provider fails to reasonably address the risk within twenty-four hours of the written notice, the County may take or cause action to be taken to reasonably address such risk and charge the wireless provider the reasonable documented cost of such actions.

- F. **Indemnity.** With regard to SWF, poles, and support structures that are subject to this Regulation, the wireless provider shall indemnify and hold the County and its officers and employees harmless against any claims, lawsuits, judgments, costs, liens, losses, expenses, or fees, to the extent that a court of competent jurisdiction finds that the negligence of the wireless provider while siting, installing, maintaining, repairing replacing, relocating, permitting, operating, or locating SWF, poles, and support structures pursuant to this Regulation caused the harm.

3.8.6.7 Siting in Residential Districts

- A. **Residential Districts.** This Section applies to applications for SWF in the following Residential zoning districts: RR, RN, LDR MDR, MFR, UR, HDR, and RMX.
- B. **Site Selection.** For applications to place poles in residential zoning districts to deploy SWF, the County may propose an alternate location in the right-of-way within 150 feet of the location set forth in the application, and the applicant shall use the County's proposed alternate location unless the location is not technically feasible or imposes significant additional costs. If the applicant does not agree to the alternative location, the applicant shall certify that it has made such a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and it shall provide a written summary of the basis for this determination.

3.8.6.8 Design Standards

- A. **Cabinet Size.** Cabinets serving SWF must meet both of the following standards:
1. Each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and
 2. All other wireless equipment associated with the SWF, whether ground or pole mounted, is cumulatively no more than 28 cubic feet in volume.
- B. **Maximum Height of Poles.** New or replacement poles for SWF shall not exceed the greater of the following height limitations:
1. 50 feet above ground level; or
 2. No more than 10 feet in height above the tallest existing pole in place as of September 29, 2020, located within 500 feet of the new pole in the right-of-way of the same road.
- C. **Maximum Height of Small Wireless Facilities.** New SWF (including any related antennas) may not extend more than 10 feet above an existing pole in place as of September 29, 2020, or for SWF (including any related antennas) on a new pole, above the height permitted for a new pole pursuant to this Regulation.

- D. **Types of Poles.** Small wireless facilities may be installed on a pole specifically designed for that purpose or on an existing utility pole used for infrastructure such as power distribution, cable television, streetlights or stoplights, with permission from the owner of the existing pole.

3.8.6.9 Decorative Poles

- A. **In General.** An applicant may be permitted to collocate on or replace decorative poles when necessary to deploy a SWF.
- B. **Conditions for Use of Decorative Poles.** Collocation on or replacement of decorative poles is subject to the following conditions:
1. A replacement must be with a decorative pole that reasonably conforms to the design aesthetics of the original decorative pole, provided these requirements are technically feasible.
 2. For applications to collocate SWF on decorative poles or to replace decorative poles to deploy SWF, the County may propose an alternate location in the right-of-way within 150 feet of the location set forth in the application. The applicant shall use the County's proposed alternate location unless the location is not technically feasible or imposes significant additional costs. The applicant shall certify that it has made such a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and it shall provide a written summary of the basis for such determination.

3.8.6.10 Collocation on County Poles

- A. **Annual Rate.** The rate to collocate a SWF on a County pole shall be \$50 per year. The County reserves the right to require a pole attachment agreement to further define the terms and conditions of attachments to County poles. The rates specified in this Regulation shall not apply to poles owned, or operated and accounted for as an asset of, a County electric utility.
- B. **Make-Ready Work.** The applicant is responsible to reimburse the County for make-ready work or to undertake the make-ready work, as provided by this Regulation. The rates, fees, terms, and conditions for make-ready work to collocate on a County pole will be nondiscriminatory, competitively neutral, commercially reasonable, and in compliance with this Regulation.
1. The County will provide a good faith estimate for any make-ready work necessary to enable the pole to support the requested collocation by a wireless provider, including pole replacement, if necessary, within 60 days after receipt of a complete application. Alternatively, the County may require

the wireless provider to perform the make-ready work and notify the wireless provider of such within the sixty-day period. If the wireless provider or its contractor performs the make-ready work, the wireless provider shall indemnify the County for any negligence by the wireless provider or its contractor in the performance of such make-ready work and the work shall otherwise comply with applicable law.

2. Make-ready work performed by or on behalf of the County, including any pole replacement, will be completed within 60 days of written acceptance of the good faith estimate by the applicant. The County may require replacement of the pole if it demonstrates that the collocation would make the pole structurally unsound.

3.8.6.11 Maintenance, Repair, and Other Changes Not Requiring a Permit

- A. **Routine Maintenance and Changes.** A small wireless permit shall not be required for the following, but encroachment permits may be required for work within the right-of-way:
 1. Routine maintenance;
 2. The replacement of a SWF with another that is substantially similar or smaller; or
 3. The removal of antennas or antenna equipment from an existing SWF.
- B. **Micro Wireless Facilities.** A permit shall not be required for the installation, placement, maintenance, operation, or replacement of micro wireless facilities that are suspended on cables that are suspended between existing poles or support structures that are in compliance with applicable codes by a wireless provider that is authorized to occupy the right-of-way and that is remitting a consent, franchise, or administrative fee pursuant to S.C. Code Ann. § 58-9-2230.
- C. **Special Situations Requiring Permits.** Notwithstanding the foregoing, the County may require that prior to performing any activity described above, an applicant must apply for and receive a permit for work that requires excavation or closure of sidewalks or vehicular lanes within the right-of-way for such activity.
- D. **Repair of Damage.** A wireless provider shall repair all damage to the right-of-way directly caused by the activities of the wireless provider in the right-of-way and shall return the right-of-way to its functional equivalence before the damage. If the wireless provider fails to repair damage to the right-of-way in compliance with this division within 30 calendar days after written notice, the County may repair such damage and charge the applicable party the reasonable, documented cost of such

repairs; provided, however, that the wireless provider may request additional time to make such repairs, and the County shall not unreasonably deny such a request.

3.8.6.12 Discontinuation of Use

A wireless provider shall notify the County at least 30 days before its abandonment of a SWF. Following receipt of such notice, the County may direct the wireless provider to remove all or any portion of the SWF if the County determines that such removal is in the best interest of the public safety and public welfare. If the wireless provider fails to remove the abandoned facility within 90 days after such notice, the County may undertake to do so and recover the actual and reasonable expenses of doing so from the wireless provider, its successors, or assigns.

3.8.6.13 Removal and Relocation

The SWF must be removed or relocated at the wireless services provider's expense at the request of the County or the South Carolina Department of Transportation for the purpose of road maintenance, construction, or other work within the right-of-way adjacent to the wireless facility.

3.8.7 WIRELESS COMMUNICATIONS FACILITY⁷³

3.8.7.1 Applicability

This Section regulates all Wireless Communications Facilities, including broadcasting, towers, support structures, antennas, broadcast receiving facilities, and equipment, and any combination thereof, except the following:

⁷³ This section significantly revises the process for approval of communication towers and antennas in 5.11.5 for substance and clarification of standards. FCC Regulations have mandated substantive and procedural standards for local governments in the approval of Wireless Communications Facilities. These regulations require a local government to approve proposed changes that do not "substantially change" an existing communications tower. The FCC has interpreted "substantial" change to be specific changes in dimensions, and the required factors for a "substantial" change are listed in section 3.8.7.4. This distinction is also the basis for the new major/minor modification framework. FCC regulations also require a local body to comply with specific deadlines to review applications depending on the extent of the increase, and the minor modifications, major modifications, and new facilities categories capture three different FCC-mandated review deadlines. Staff review will be conducted for modifications, and Special Exception review will continue for new towers. These and other FCC procedural requirements will also be included in Chapter 10: *Procedures*. In addition, the proposed section significantly revises the screening and landscaping requirements to coincide with other buffer requirements. Design standards have been revised to give the applicant flexibility in the type of tower (monopole, lattice) that is proposed."

- A. Small Wireless Facilities (see Section: 3.8.6 Small Wireless Facilities);
- B. Facilities not exceeding 100 feet in height necessary to protect the public safety in a declared state of emergency or natural disaster;
- C. Receiving antennas and satellite dishes for televisions service;
- D. AM and FM radio receivers;
- E. Amateur (HAM) radio receivers and transmitters;
- F. Citizen band (CB) radio receivers and transmitters;
- G. Facilities that qualify as accessory structures in Section 3.13.4B: *Wireless Communication Equipment*.

3.8.7.2 Location Standards

- A. **Permitted Locations.** The following Wireless Communications Facilities may be permitted, as outlined in Section 3.2.5: Use Table if they meet the supplemental use standards in this Section.

Table 3.8.6: Wireless Communication Facility Standards ⁷⁴				
Height of Proposed Facility	Use Allowance	Permitted Districts	Other Permitted Locations (in any district)	Additional Standards
60' or Less or Concealed	CU	All Districts except OSP	Government facilities; Public parks and utility structures; Within any building or structure whose primary purpose is not to support communications equipment, such that the facility is completely concealed.	Reduced setbacks apply (See Section 3.8.7.7.)

⁷⁴ This table is updated to 1) clearly state that the Conditional Use Permit applies to towers less than 60 feet tall; and 2) move camouflage requirements to section 3.8.7.9B: *Applicability*. This requirement applies to Communication Towers but does not apply to communications equipment on facilities located in the public right-of- way (such as Small Wireless Facilities, telephone poles, and light standards) or electric power company easements.

Table 3.8.6: Wireless Communication Facility Standards ⁷⁴				
Height of Proposed Facility	Use Allowance	Permitted Districts	Other Permitted Locations (in any district)	Additional Standards
60.01' – 199.99'	CU	NB, GB, RB, BT, INS, LI, HI, M	n/a	
60.01' – 199.99'	SE	AR, RR, RN, RUB, LDR, MDR, MFR, UR, HDR, RMX, MX, IMX	n/a	
200' and Over	SE	LI, HI, M	n/a	n/a

3.8.7.3 Required Permits

- A. **Modifications to Existing Facilities.** Modifications to existing Wireless Facilities and Collocation of Wireless Communications Facilities on an existing tower or structure requires a Conditional Use Permit issued by the Administrator.
- B. **New Wireless Communications Facilities.** New Wireless Communications Facilities require a Conditional Use Permit or Special Exception approval by the Board of Zoning Appeals based on the requirements in Table 3.8.6: Wireless Communication Facility Standards.
- C. **FAA Review.** Any tower that exceeds 200 feet in height generally must also be reviewed by the FAA.

3.8.7.4 Standards for Modifications to Existing Towers

- A. **Major Modifications.** Major modifications are changes to existing communications towers or communications antennas that result in a substantial change to the existing

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- A. **Requirement.** A Wireless Communications Facility with a tower requires security fencing at least six feet in height that completely encloses the base of the tower.

Design. This table carries forward current district location/siting regulations. FCC Regulations prevent location limitations that effectively prohibit provision of telecom services. Location restrictions may not be effective depending on the actual mapping of districts, availability of sites, and topography. However, it appears that communications towers are allowed in the overwhelming majority of districts by number and area.

structure. Major modifications to existing towers require a conditional use permit approved by the Administrator.

- B. **Minor Modifications.** Minor modifications are modifications to existing communications towers, existing communications antennas, or the colocation of new communications antennas that result in a material change to the facility or support structure but are of a level, quality, or intensity that is less than a substantial change. A conditional use permit for a minor modification may be approved by the Administrator.
- C. **Substantial Change.** For the purposes of this Section, a substantial change to an existing structure occurs when:
1. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;
 2. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
 3. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
 4. It entails any excavation or deployment outside of the current site, except that, for towers other than towers in the public rights-of-way, it entails any excavation or deployment of transmission equipment outside of the current site by more than 30 feet in any direction. The site boundary from which the 30 feet is measured excludes any access or utility easements currently related to the site;
 5. It would defeat the concealment elements of the eligible support structure; or

6. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in Subparagraphs 1 through 4, above.

3.8.7.5 Review of Modifications to Existing Towers

A. Minor Modifications.

1. *Changes Requiring Approval.* Minor modifications to existing towers and new collocations on structures require a Conditional Use Permit issued by the Administrator reviewed in accordance with the standards set forth in this Section.
2. *Standard for Approval of Minor Modifications.*
 - (a) An application meeting the standards for a minor modification will be approved by the Administrator if the applicant demonstrates that the application meets the definition of a minor modification provided in Section 3.8.7.4: *Standards for Modifications to Existing Towers*.
 - (b) An application that is determined not to meet the standards for a minor modification shall be reviewed as a major modification.

B. Major Modifications.

1. *Changes Requiring Approval.* Major modifications to existing towers and new collocations on structures require a Conditional Use Permit issued by the Administrator reviewed in accordance with the standards set forth in this Section.
2. *Standard for Approval of Major Modifications.* An application meeting the following standards for a major modification will be approved by the Administrator:
 - (a) The additional loading on the tower caused by the proposed changes does not exceed the tower's design as previously submitted; or
 - (b) Changes will be made to the tower's design and construction to safely accommodate the additional antenna(s).

3.8.7.6 New Wireless Communication Facilities

- A. **Special Exception Permit Required.** The construction of new Wireless Communication Facilities requires a Special Exception Permit approved by the Board of Zoning Appeals.
- B. **Collocation Preferred.** In order to maximize the use of towers and to reduce the number of towers needed to serve the community, the following co-location requirements shall apply to all users, except accessory uses to a residence. In an effort to further the purpose stated above, Lancaster County encourages co-location on its facilities.
 - 1. *Collocation Defined.* Co-location is an arrangement that reduces the construction of new towers or support structures and means:
 - (a) Mounting or installing an antenna facility on a pre-existing structure; or
 - (b) Modifying a structure for the purpose of mounting or installing an antenna facility on that structure.
 - 2. *Showing of Necessity.* The applicant for a new Wireless Communications Facility must show that proposed antenna(s) and/or equipment cannot be accommodated on a previously approved tower due to one or more of the following reasons:
 - (a) The planned equipment would exceed the structural capacity of previously approved towers, considering their existing and planned use, and those towers cannot be reinforced to accommodate the planned or equivalent equipment at a reasonable cost;
 - (b) The planned equipment would cause radio frequency interference with other existing or planned equipment for these towers, and the interference cannot be prevented at a reasonable cost;
 - (c) Previously approved towers do not have space on which the planned equipment can be placed so it can function effectively and reasonably in parity with the existing and/or planned equipment of the present user(s);
 - (d) Co-location on existing towers would perpetuate an existing gap in network coverage such that a new tower is required to prevent the prohibition of the provision of personal wireless services; or

- (e) Other reasons which make it impractical to place the planned equipment on previously approved towers. Such reasons shall be explained and documented in detail.

3. *Future Collocations.*

- (a) Where a new tower is proposed and sufficient reasons for a new tower exist, the applicant must show that the tower will provide the capacity future collocation of other equipment (including the number and type of antennas that it can accommodate).
- (b) Approval of a new tower based on prospective future collocation opportunities will be conditioned on space being made available to such future users at a reasonable fee and any necessary costs of adapting the facilities to the proposed future use.

- C. **Site Plan Review.** A site plan demonstrating compliance with these regulations and meeting the requirements of this Section must be submitted to, reviewed, and approved by the TRC.

3.8.7.7 **Separation Requirement**

- A. **Separation Distance.** New Wireless Communications Facilities shall not be closer than 2,640 feet to an existing Facility.
- B. **Exception.** The separation requirement may be waived if the applicant shows that
 - 1. The existing facilities within the separation area are not suitable for collocation of the proposed facility based on the factors for collocation in 3.8.7.6B.2; and
 - 2. The separation requirement would perpetuate an existing gap in network coverage such that a new tower is required to prevent the prohibition of the provision of personal wireless services.

3.8.7.8 **Setbacks**

- A. **Towers Not Exceeding 60 Feet with Concealment.** For towers that are 60 feet or less in height that are entirely concealed by a building or structure, setbacks shall be the same as for any principal or accessory structure in the district.
- B. **Towers Not Exceeding 60 Feet in Height.** For towers that are 60 feet or less in height, the setback is:

1. Equal to the engineer-approved guy point distances for guy-wire-supported towers, or
 2. Equal to one-half the tower height for self-supporting towers; or
- C. **For Monopole Towers.** For a steel monopole tower with a base diameter greater than or equal to one foot, the setback is a distance equal to the lesser of the height of the tower or the lowest engineered break point measurement, if the tower is designed with break point engineering, provided that a professional engineer certifies the break point.
- D. **For all Other Towers.** The minimum setback from any property line for all other towers shall be:
1. Equal to the height of the tower; or
 2. Equal to the fall zone determined by an engineer certified by the State of South Carolina in a letter which includes the engineer's signature and seal.
 - (a) The applicant/owner of the proposed tower shall own or lease the entire fall zone area. No habitable structures are allowed in the certified fall zone.
 - (b) To show this requirement has been met, the applicant shall provide the County with a sealed site plan clearly delineating the leased or owned or easement area and a lease agreement or deed or easement. These documents subsequently must be recorded with the Lancaster County Register of Deeds.
- E. **Accessory Structures.** Standard district setbacks apply to accessory structures. Accessory structures are allowed to be constructed within the setback or fall zone of a tower. Such structures include, but are not limited to, storage, maintenance, and equipment buildings.

3.8.7.9 Screening and Security

- A. **Applicability.** The screening requirement does not apply to wireless communications equipment located on facilities in the right-of-way or electric power company easements.
- B. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in **Chapter 4: Landscaping and Open Space**. **Applicability.** This requirement applies to Communication Towers but does not apply to communications equipment on facilities located in the public right-of-way (such as Small Wireless Facilities, telephone poles, and light standards) or electric power company easements.

- C. **Requirement.** A Wireless Communications Facility with a tower requires security fencing at least six feet in height that completely encloses the base of the tower.

3.8.7.10 Design Standards

- A. **Site Preparation.** Site location and development shall preserve the pre-existing character of the site as much as possible. Existing vegetation should be preserved or improved, and disturbance of the existing topography of the site should be minimized, unless such disturbance would result in less visual impact of the site on the surrounding area. The effectiveness of visual mitigation techniques should be evaluated, taking into consideration the site as built.
- B. **Freestanding Towers.**
1. *Monopole Design.* Freestanding towers up to 200 feet in height must be of monopole design.
 2. *Blending Color Required.* Freestanding towers shall be constructed and colored to blend with the area and the background against which they are most commonly seen, such as with a galvanized grey finish or other contextual or compatible color.
 3. *Camouflage Required in HC-O.*
 - (a) In the HC-O district, freestanding towers shall incorporate camouflage design and construction techniques. The camouflage design techniques selected shall be consistent with the context of other features in the immediate vicinity, such as the architecture of buildings or species of trees.
 - (b) Camouflage design is an approach to hiding, blending, or disguising communication towers such that the tower appears to be a tree, church steeple, or other architectural or landscape feature.
- C. **Antennas Mounted on Structures.** Antennas mounted on the side of a building or other structure shall be painted to match the color of the building or structure or the background against which they are most commonly seen.
- D. **Accessory Structures.** If an accessory equipment shelter or other accessory structure is present, it must blend with the surrounding building(s) in architectural character or color.

3.8.7.11 Signs

- A. **Identification Sign.** One sign no more than two square feet in area must be placed in a visible location on the required fencing or other prominent location identifying the owner's name, street address, an all-hours emergency telephone number, and the owner's identification number for the tower. The sign may also identify other users of the tower.
- B. **Other Signs.** No other signs more than two square feet in area shall be installed on the tower or security fencing.

3.8.7.12 Lighting

- A. **Lighting Permitting if Required by FAA.** Towers shall not be artificially lighted unless required by the Federal Aviation Administration or other federal or state authority and shall not exceed the required lighting.
- B. **Use of Strobe Lights.** To the extent required by the FAA, strobe lights may be used for nighttime lighting.
- C. **Documentation of Standards.** If the tower is to have lights, the applicant shall submit documentation from the FAA setting out any standards or requirements for the lighting required by the FAA.
- D. **Lighting of the Site.** Site lighting may be placed in association with an approved accessory structure but must be shielded to prevent light trespass on adjacent lots. Site lighting must remain unlit except when authorized personnel are present.

3.8.7.13 Abandonment

- A. **Removal Required.** Any tower that ceases to be used for wireless communications as permitted by this Ordinance for a period of more than six months is considered abandoned and shall be removed by the owner of the Wireless Communication Facility.
- B. **Time for Removal.** The removal of an abandoned facility shall occur within 180 days of the end of such six-month period.
- C. **Site Reclamation.** After removal of the Wireless Communications Facility, the owner of the facility shall plant vegetation to blend with the existing surrounding vegetation.

3.8.7.14 Accessory Outdoor Storage.

Outdoor storage in conjunction with these uses is permitted only in the LI and HI districts.

3.9 LODGING USE CONDITIONS⁷⁵

3.9.1 BED AND BREAKFAST INNS⁷⁶

- A. **Applicability.**
1. This Section applies to Bed and Breakfast Inn uses.
 2. If the use includes a Rural Event Venue or Banquet Hall, the regulations of 3.5.2: Rural Event Venues or 3.12.7: Restaurants and Banquet Halls
- B. **Use as a Residence Required.** The owner or manager of a Bed and Breakfast must live on the lot where the Bed and Breakfast is located. The use of the dwelling unit for the Bed and Breakfast is incidental and subordinate to its use as a principal residence.
- C. **Use Limited to Principal Structure.** The Bed and Breakfast shall be operated in the principal structure on the lot and not in any accessory structure. The owner or manager may live in an accessory dwelling if accessory dwellings are permitted in the district.
- D. **Exterior Alterations.** Exterior additions or alterations may be made to the building for the express purpose of creating or maintaining a Bed and Breakfast, but additions of new habitable areas may only be made on the rear of the principal building. Alterations must not change the overall character of the building from a residential building in the context of the surrounding neighborhood.
- E. **Short-Term Use.** The guest rooms shall be offered primarily to transient persons for rental or lease by the day or week. Maximum length of stay is limited to 14 days in any 30-day period of time. The property owner or full-time manager shall keep a current guest register including names, address, and dates of occupancy of all guests. These records shall be available for inspection by the Building Official and Administrator.
- F. **Signs.** The Bed and Breakfast may display signs consistent with the district allowances and standards in [Chapter 7: Signs](#).

⁷⁵ This section carries forward the provisions of current 5.3: *Lodging Uses*.

⁷⁶ This section carries forward current 5.3.1 with the following changes: 1) allows use in a newly constructed building; 2) adds a requirement that owner reside on the lot but may reside in an accessory dwelling; 3) allows alterations consistent with residential character and additions at the rear of the building; 4) reduces the parking requirement from one space per guest to one per room; and 5) eliminates an additional sign allowance for this use. Signs will be addressed separately in Chapter 7.

3.9.2 BOARDING OR ROOMING HOUSE⁷⁷

- A. **Separation Requirement.** All boarding or rooming houses shall be located at least 1,000 feet from any Family Care Home, Residential Care Facility, Fraternity or Sorority House, Halfway Home, and other Boarding or Rooming House.
- B. **Number of Units.** The use must comply with the density standards for the district.
- C. **Development Standards.**
 - 1. Parking areas are prohibited within the front yard.
 - 2. All of the lot area which is not used for parking, sidewalks, buildings, utility structures, or site access must be landscaped and maintained.

3.9.3 CAMPGROUND⁷⁸

- A. **Campground Use.**
 - 1. *Principal Use.* Campground use is limited to temporary occupancy by travel trailers, tents, and recreational vehicles (RVs) by campers, vacationers, tourists, visitors, or the traveling public.
 - 2. *Additional Uses.* Accessory uses, including a retail store for guests, laundry, recreational facilities, snack shop, office, and security watchmen structure are also permitted. One modular or site built office building is allowed within the campground to be used as an office or residence for the persons responsible for the operation and maintenance of the campground.
- B. **Dimensional Standards.**

Table 3.9.3: Dimensional Standards for Campgrounds	
Standard	Requirement
Minimum Lot Size	20 acres
Minimum Open Space ¹	40% of total property
Minimum Street Frontage	350 feet
Maximum Density	15 campsites/acre
Minimum Campsite Size	900 square feet/travel trailer; 500 square feet/tent

⁷⁷ This section carries forward 5.3.2 with limited changes.

⁷⁸ This section carries forward 5.3.3 with limited changes.

Table 3.9.3: Dimensional Standards for Campgrounds	
Standard	Requirement
Minimum Campsite Setback	50 feet from property lines
Minimum Separation between Travel Trailers or Tents	20 feet
Maximum Primitive Campsites ²	25% of the total number of tent campsites
Minimum Water Facilities	1 per 15 campsites
Minimum Sewer Hook Ups	1 per 15 trailer campsites
Minimum Garbage Containers	1 per 15 campsites
Minimum Service Buildings	1 per 15 campsites without individual hook-ups. At least 1 per campground use.

Notes:

¹ Open space areas shall be maintained in a natural state, including trees and open grassed areas. Site amenities, including streams, ponds, other natural areas, and open play areas are encouraged and may be included in the required percentage. Outdoor play facilities may also be counted in required percentage.

² Primitive tent campsites are those campsites without electrical, water, or sewer hook-ups.

C. Service Buildings and Garbage Containers.

1. A Service building and garbage container shall be located no more than 350 feet to any primitive tent campsite.
2. Service buildings must include lighted public restrooms and shower facilities with hot water.
3. Such service buildings shall be maintained in a clean and sanitary condition and in good repair at all times.

3.10 OFFICE/SERVICE USE CONDITIONS

3.10.1 KENNELS, INDOOR⁷⁹

A. General Operation Standards.

⁷⁹ This section carries forward 5.4.3 with limited changes.

1. *Indoor Use.* The clinic or kennel must be within a completely enclosed building with no outside facilities for animals except as provided below in Subparagraph 2.
2. *Outdoor Uses Allowed.* An outdoor area for the supervised therapy and exercise of animals is permitted when such area complies with all of the following requirements:
 - (a) The area must meet the setback requirements for principal buildings along all property lines. However, no setback is required if the adjacent uses are exclusively nonresidential;
 - (b) The area shall be located in the rear yard only and must be enclosed by a fence not less than six feet in height that complies with the requirements of fencing in [Chapter 4: Landscaping and Open Space](#).
 - (c) The maximum size of such area shall be 2,000 square feet;
 - (d) No more than four animals shall be present in the area at one time;
 - (e) The area may be used only between the hours of 8:00 AM and 6:00 PM daily, except in cases of documented emergencies; and
 - (f) Any animals present in the area shall be accompanied by a human supervisor in the area at all times.
- B. **Noise.** The or kennel shall be designed so that sound emitted through the exterior walls, roofs, and enclosed areas where animals are treated or kept will not exceed 45 decibels as certified by a registered architect or engineer.
- C. **Disposal of Waste.** Animal wastes shall not be stored within 150 feet of any property line or surface waters unless located indoors.

3.10.2 KENNELS, OUTDOOR⁸⁰

- A. **Minimum Lot Size.** The minimum lot size for such uses in the RB and LI Districts is two acres.
- B. **General Standards.**

⁸⁰ This section carries forward 5.4.3 with limited changes.

1. Outdoor areas used for exercising or training animals shall be securely fenced with a fence not less than six feet in height that complies with the requirements of fencing in [Chapter 4: Landscaping and Open Space](#).
 2. Outside runs shall not be permitted in the front yard.
 3. The kennel building shall be of masonry construction.
- C. **Disposal of Waste.** Animal wastes shall not be stored within 150 feet of any property line or surface waters unless located indoors.
- D. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- E. **Separation Distances.** Any outdoor buildings or pens housing animals, or any animal exercise area, shall be located no closer than:
1. 500 feet from any existing residential use or lots in the LDR, MDR, MFR, HDR, and UR Districts; and
 2. 150 feet from any public street or non-residential use.

3.10.3 NON-DEPOSITORY FINANCIAL INSTITUTION⁸¹

- A. **Purpose.**
1. County Council finds that Non-Depository Financial Institutions tend to have a blighting and/or deteriorating effect upon surrounding areas when these uses are clustered in close proximity.
 2. These Non-Depository Financial Institutions must be dispersed from other similar uses to minimize their adverse impacts.
- B. **Separation Requirements.** The minimum separation distance from one Non-Depository Financial Institutions facility to another Non-Depository Financial Institutions facility is 500 feet.

⁸¹ This new use regulation separates out a use from Personal Services, Restricted and expands it to other non-depository financial institutions.

3.10.4 PERSONAL SERVICES, RESTRICTED⁸²

A. **Purpose.**

1. County Council finds that some personal service establishments that may tend to have a blighting and/or deteriorating effect upon surrounding areas when these uses are clustered in close proximity.
2. These personal service uses include tattooing, body piercing, huka or hookah facilities, and similar services.
3. These personal service use must be dispersed from other similar uses to minimize its adverse impacts.

B. **Separation Requirements.**

1. A Personal Services, Restricted, facility shall be a minimum of 1,000 feet from all Residential uses, all and all Civic/Institutional uses listed in Section 3.2.5: *Use Table*.
2. The minimum separation distance from one Personal Services, Restricted, facility to another Personal Services, Restricted, facility is 500 feet.

C. **Other Permits Required.** The applicant for Personal Services, Restricted, use must obtain and shall submit a copy of the permit issued by SCDHEC and other government agencies for the operation of the facility, if a permit is required by law, with any application for Personal Services, Restricted, use under this UDO.

3.11 RESIDENTIAL USE CONDITIONS⁸³

3.11.1 DWELLING – MULTIFAMILY⁸⁴

A. **MFR District.** The standards of this Paragraph apply to Multifamily Dwelling uses in the MFR District.

⁸² This section significantly revises current 5.4.6. Changes include: 1) eliminating requirement for access from an interior road to accommodate use on single-use sites; and 2) clarifying the requirements for separation distance and other permits.

⁸³ This section carries forward the provisions of current 5.2: *Residential Uses*. The revision removes regulations for duplexes because the standards have all been relocated to the development standards chapters.

⁸⁴ This section significantly revises current 5.2.2, including 1) addition of use regulations for a new more flexible conventional multifamily format; 2) elimination of block face building location limitation in the

1. *Building Size.* Individual building footprints shall not exceed 10,000 square feet.
 2. *Common Buildings and Common Areas.*
 - (a) Uses contained in the common building shall be accessory to the residential uses. Use examples include, but are not limited to, management and leasing offices, recreation and gathering areas, laundry facilities, and storage areas.
 - (b) The common buildings shall not:
 - (1) Be designed or used as a dwelling, including temporary or guest lodging; or
 - (2) Cumulatively exceed 10% of the area of the open space area in the Development.
 - (c) Where the Multifamily Dwelling building has common entrances for multiple units, common areas for accessory uses, such as management and leasing offices, recreation and gathering areas, laundry facilities, and storage areas, may be located in the same building with the residential uses.
 3. *Parking.* Where desired, the developer may construct carports, detached garages, or other detached covered enclosed parking structures to serve the dwelling units.
 4. *Buffers and Screening.* Buffers, screening, and fencing must be provided as required in **Chapter 4: Landscaping and Open Space**.
 5. *Access.* Vehicular access to the site must be located on an arterial or collector road.
- B. **RB and HDR Districts.** The standards of this Paragraph apply to Multifamily Dwelling uses in the RB and HDR Districts.
1. *Building Type.* Individual building footprints shall not exceed 15,000 square feet, except that building footprints may be up to 25,000 square feet in cases where at least 25% of the ground floor is reserved for neighborhood commercial uses served by their own exterior entrance.

RB and HDR Districts. Note that additional standards (density, open space, parking and circulation, landscaping) are controlled by other sections and are not included here. Open space, parking, and circulation, etc. will each be addressed in separate sections.

2. *Density.* Developments are limited to a density of 8.0 dwelling units per acre.
- C. **MX Districts.** Multifamily uses are limited to the second and higher floors in vertical mixed-use buildings only.

3.11.2 DWELLING – MULTIFAMILY AGE RESTRICTED⁸⁵

- A. **Applicability.**
 1. This Section applies to Multifamily Age-Restricted use.
 2. If Independent Living Facilities are included as a part of a Residential Care Facility use in which more than 75% of the units are Independent Living Facilities, then the use will be treated as a Multifamily Age-Restricted use.
- B. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).
- C. **Setbacks.** Principal Buildings in Residential Care Facilities containing four or more beds must be set back at least 30 feet from side and rear property lines.
- D. **Licensing.** The applicant for Residential Care Facilities use must obtain and shall submit a copy of any permit issued by SCDHEC, if a permit is required by law, with any application for Residential Care Facility use under this UDO.
- E. **Number of Units.** Multifamily Age-Restricted use must comply with the density standards for the district.
- F. **Development Standards.** To the extent practical, the facility shall provide access connectivity (vehicular and pedestrian) to adjacent neighborhoods.
- G. **Accessory Uses.** The following accessory uses are permitted: congregate dining facilities, recreational and social facilities, health care facilities and similar services, gift shops, snack shops, banks, and barber/beauty shops for residents.

3.11.3 DWELLING –TRIPLEX AND FOURPLEX⁸⁶

- A. **Separation Requirement.** Triplex and Fourplex Dwellings shall not be located on lots immediately adjacent to a lot with another Triplex And Fourplex Dwelling.

⁸⁵ This new use is added to clarify the distinction between Residential Care Facilities and Independent Living Facilities to better regulate senior apartments.

⁸⁶ This section significantly revises the current regulations in 5.2.3. Changes include: 1) eliminating regulation of tri- and fourplex dwellings as a large-scale development type; 2) restricting tri-and

- B. **Off-Street Parking.** If the Triplex or Fourplex Dwelling includes a garage, it shall either be detached or shall be facing the side or rear lot line. Detached garages shall be located in the rear yard.
- C. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).

3.11.4 COTTAGE COURTS⁸⁷

- A. **Maximum Number of Cottage Dwellings.** A cottage court may contain up to the maximum number of dwellings specified in Table 3.11.4-1: *Maximum Number of Dwellings Allowed in a Cottage Court*.

Table 3.11.4-1: Maximum Number of Dwellings Allowed in a Cottage Court	
Zoning District	Maximum Number of Dwellings
MFR, UR, RMX, MX	4

- B. **Dimensional Standards.**
 - 1. *Minimum Lot Size.*
 - (a) A cottage court on a single lot must comply with the minimum area for the district specified in Chapter 2: *Zoning Districts*.
 - (b) When cottage court dwellings are located on fee simple lots, the district minimum lot size does not apply.
 - 2. *Maximum Dwelling Size.* A cottage dwelling may have the maximum dimensions and floor area specified in Table 3.11.4-2: *Maximum Dwelling Size*.

Table 3.11.4-2: Maximum Dwelling Size		
Zoning District	Maximum Dimensions	Maximum Gross Floor Area
MFR, UR, RMX, MX	50 ft (length), 40 ft (width)	1600 Square Feet

- 3. *Setbacks.*

quadrplex dwellings from being located on adjacent lots; 3) adding an off-street parking requirement and location. The intent of these changes is to regulate tri- and quadrplex dwellings as a use that must be located on a separately platted lot. Multiple three- and four-family dwelling format buildings located on one lot will be treated as Multifamily use.

⁸⁷ This new section adds standards for the cottage court development type.

- (a) Cottage court dwellings must comply with the minimum setback for the district specified in Chapter 2: *Zoning Districts* along the perimeter of a cottage court lot.
- (b) Individual cottage dwellings within a cottage court shall be spaced at least six feet apart, measured from building wall to building wall.

Insert Graphic on Site Configuration

C. **Parking.**

- 1. Off-street parking spaces shall be provided as specified in Chapter 5: *Parking & Loading*.
- 2. Where desired, the developer may construct carports, detached garages, or other detached covered enclosed parking structures to serve the dwelling units in the cottage court.

D. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in Chapter 4: *Landscaping and Open Space*.

E. **Common Building.**

- 1. Uses contained in the common building shall be accessory to the residential uses in the cottage court. Use examples include, but are not limited to, recreation and gathering areas, laundry facilities, and storage areas.
- 2. The common building shall not:
 - (a) Be designed or used as a dwelling, including temporary or guest lodging; or
 - (b) Exceed 20% of the area of the courtyard.

3.11.5 HALFWAY HOMES⁸⁸

A. **Separation Requirement.** No such use may be located within 2,640 feet of:

- 1. Lots in the LDR, MDR, MFR, HDR, and UR Districts; and
- 2. A Family Care Home, Residential Care Facility, Boarding or Rooming House.

⁸⁸ This section carries forward 5.2.5 with changes to add a separation distance to certain residential districts.

- B. **Maximum Number of Residents.** Halfway Homes shall accommodate a maximum of 10 residents per use and a maximum of two residents per bedroom.

3.11.6 LIVE-WORK UNITS⁸⁹

- A. **Limitations on Use.** The non-residential component of a Live-Work Unit shall be a use allowed within the applicable zone by Section 3.2.5: *Use Table*. A Live-Work Unit shall not be established or used in conjunction with any of the following uses:
1. Sexually Oriented Business/Adult Establishment;
 2. Personal Services, Restricted;
 3. Vehicle Services – Major and Minor;
 4. Drive-Thrus;
 5. Home Occupation in the residential portion of the Unit;
 6. Any use or activity that creates noise, vibration, glare, fumes, fire hazard, odors, dust, or electrical or communication interference detectable to the normal senses outside the unit.
- B. **Design Standards.**
1. The maximum total size of a Live-Work Unit is 4,000 square feet.
 2. The work area shall occupy 50% or less of the total Unit.
 3. The non-residential area function is limited to the first or main floor only.
- C. **Limitation on Employees.** A maximum of five workers or employees who are not residents of the Unit are allowed to occupy the non-residential area at any one time.
- D. **Single Occupant.** The same occupant shall occupy the work area and living area.

⁸⁹ This section significantly revises current 5.2.5 by adding new use limitations and allowing a larger floor area for the use.

3.11.7 MANUFACTURED HOMES⁹⁰

- A. **Applicability.** The standards of this Section apply to Manufactured Homes on individual lots and those located in Manufactured Home Parks.
- B. **Standards for All Manufactured Homes.**
1. Manufactured Homes must meet or exceed the construction standards promulgated by the U.S. Department of Housing and Urban Development authorized under the National Manufactured Housing Construction and Safety Standards Act of 1974 and have a HUD label attached.
 2. Each manufactured home shall be set up in accordance with the requirements of the current edition of the South Carolina Manufactured Housing Board Regulations for Manufactured Homes (South Carolina Code of Regulations, [Chapter 79](#)) and Uniform Standards Code for Manufactured Housing and Regulations (S.C. Code Title 40, [Chapter 29](#)), as amended) or in accordance with the manufacturer's specifications, whichever is stricter. In the case of a conflict with the standards in this Section, the state or manufacturer specifications control.
 3. All wheels, axles, lights, and other mechanisms designed for transporting the manufactured home, excluding the tongue, must be removed.
 4. Skirting, steps, decks, or porches for manufactured homes shall be installed before final inspection and shall be properly maintained.
 5. All manufactured homes shall have a permanent foundation and shall be tied down per manufacturers' instructions. Underpinning shall:
 - (a) Consist of a continuous brick or masonry curtain, fiber cement siding, or vinyl wall combined with masonry piers or similar piers;
 - (b) Remain un-pierced except for required ventilation and access;
 - (c) Be installed under the perimeter of the manufactured home; and
 - (d) Conform to the home's exterior dimensions.

⁹⁰ This section revises current 5.2.7 to 1) reference the definition from the current code that requires HUD-compliant construction (verified by the label); 2) changes the age limit to the effective date of the HUD certification program; 3) updates the density calculation; 4) moves the open space requirement to the development standards in Chapter 4; 5) clarifies the limitation on additions to a Manufactured Home; and 6) eliminates the prohibition on "Class C" Manufactured Homes (singles wide manufactured before July 1, 1996).

6. Manufactured homes shall be permanently connected to local utilities or be served with an approved septic tank or well.
 7. Each manufactured home stand and space/lot shall be graded to provide adequate storm drainage away from the structure.
 8. Each manufactured home space or lot shall have a permanent address, approved by the Administrator, that is clearly visible from the street directly in front of the home. If the length of the access drive is greater than 50 feet, the address must be visible from the access drive also.
- C. **Age Limit.** Manufactured homes built earlier than 30 years of the current year shall not be permitted. Existing manufactured homes older than 30 years may remain, but, if removed, such manufactured homes shall be replaced with those built no earlier than 30 years from the current year.
- D. **Standards for Manufactured Home Parks.**
1. *Applicability.* All Manufactured Homes within a Manufactured Home Park must meet the Standards for All Manufactured Homes in this Section.
 2. *Minimum Lot Size.* A Manufactured Home Park must be located on a site containing at least five contiguous acres under single ownership or control.
 3. *Buffers and Screening.* Buffers, screening, and fencing must be provided as required in **Chapter 4: Landscaping and Open Space**.
 4. *Uniform Setup Required.* The operator/manager of a Manufactured Home Park shall designate and enforce a uniform type of underpinning for all Manufactured Homes in the community.
 5. *Parking.* A minimum of two automobile parking spaces surfaced with four inches of gravel shall be provided adjacent to each Manufactured Home space, but shall not be located within any public right-of-way or public easement or within any street.
 6. *Circulation.* All streets within a Manufactured Home Park shall comply with the standards set forth in **Chapter 9: Subdivision and Site Design** and **Appendix C, Manual of Specification and Standard Details (MSSD)**, including the following:
 - (a) Roadways in Manufactured Home Parks shall have a minimum travel width of 22 feet exclusive of parking.
 - (b) All roadways in Manufactured Home Parks shall be paved.

- (c) All on-site roadway intersections shall be provided with a streetlight and one interior light shall be provided for each 400 feet of street length.
- 7. *Density.* The maximum density for a Manufactured Home Park shall not exceed three units per acre, based on total net acreage. Each lot or space within the park shall contain at least 14,520 square feet and shall be at least 80 feet in width. No more than one Manufactured Home shall be erected on one space.
- 8. *Setbacks.* Each Manufactured Home site shall be at least 30 feet from any other Manufactured Home or property line and at least 30 feet from the edge of any drive that provides common circulation. Accessory structures shall be at least 10 feet from any Manufactured Home other than the home to which the building is accessory and only one accessory structure per Manufactured Home is allowed.
- 9. *Utilities.* Manufactured Homes shall be permanently connected to local utilities or be served with an approved septic tank or well and provided screened refuse disposal facilities.
- 10. *Site Preparation.* Each Manufactured Home stand and space/lot shall be graded to provide adequate storm drainage away from the structure.
- 11. *Access.* Manufactured Home sites shall only have direct access to internal Park streets.
- 12. *Tree Preservation.* Existing trees and other natural site features shall, to the extent feasible, be preserved. Variations in the street pattern, block shapes, and location of manufactured home stands shall be employed as methods to preserve existing trees and other natural site features.
- 13. *Storage of Homes Prohibited.* No storage of unoccupied or damaged Manufactured Homes is permitted.
- 14. *Identification Sign and Lot Numbers.*
 - (a) A permanent Park identification sign displaying the name of the Park and a permanent Park directory sign displaying the address for and direction to each Manufactured Home in the Park shall be erected at each entrance to the park. The required entrance and directory signs may be combined on one sign.
 - (b) All spaces within a Manufactured Home Park shall be serially numbered for emergency services and mailing address purposes.

These numbers shall be displayed in the front of the Manufactured Home on the driveway side with four-inch lettering.

15. Civic and open space shall be provided in accordance with **Chapter 4: Landscaping and Open Space**.
16. Additions of heated square footage to a Manufactured Home are prohibited. Accessory structures, such as steps and porches may be added to a Manufactured Home.

3.11.8 RESIDENTIAL CARE FACILITIES (6 OR MORE RESIDENTS)⁹¹

- A. **Applicability.**
 1. This Section applies to Residential Care Facilities serving six or more person.
 2. Independent Living Facilities may be included as a part Residential Care Facility use, but the Independent Living Facilities may not exceed 75% of the units in the development to qualify as a Residential Care Facility.
- B. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in **Chapter 4: Landscaping and Open Space**.
- C. **Setbacks.** Principal Buildings in Residential Care Facilities containing four or more beds must be set back at least 30 feet from side and rear property lines.
- D. **Licensing.** The applicant for Residential Care Facilities use must obtain and shall submit a copy of any permit issued by SCDHEC, if a permit is required by law, with any application for Residential Care Facility use under this UDO.
- E. **Number of Units.** Unless located and having access on a collector or arterial street, a residential care facility shall not contain more than 16 units.
- F. **Maximum Density.**
 1. The maximum gross density for residential care facilities shall not exceed the number of units per acre requirement for the district in which the development is located.

⁹¹ This section updates current 5.2.7 by 1) relocating buffer standards; 2) adding a 30' side and rear setback to accommodate concerns with the bulk of these facilities; 3) clarifying the application requirement for state permits; and 4) creating a limitation on the percentage of units that can be Independent Living.

2. The following constitute 1 dwelling unit for the purposes of calculating the density:
 - (a) Each dwelling in a duplex, townhouse, garden apartment, and apartment building,
 - (b) Every 4 beds in a residential personal care unit, and
 - (c) Every 6 beds in a skilled nursing facility.
 - (d) The maximum gross density for Independent Living Facilities, as defined herein, is 16.5 units per acre.
- G. **Development Standards.** To the extent practical, the facility shall provide access connectivity (vehicular and pedestrian) to adjacent neighborhoods.
- H. **Separation Requirement.** Residential care facilities shall be located at least 1,000 feet from any other Residential Care Facilities, Fraternity/Sorority Houses, or Boarding or Rooming Houses.
- I. **Accessory Uses.** The following accessory uses are permitted: congregate dining facilities, recreational and social facilities, health care facilities and similar services, gift shops, snack shops, banks, and barber/beauty shops for residents.

3.11.9 TOWNHOMES⁹²

- A. **Subdivision Required.** Each Townhome development or phase thereof requires subdivision plat approval in accordance with [Chapter 10: Procedures](#).
- B. **Façade Width.** Each Townhome unit shall have a minimum façade width of 20 feet.
- C. **Setbacks.**
 1. The district minimum setback applies to an end Townhome unit as follows:
 - (a) The setback applies to the original boundary of the subdivision parcel;
 - (b) The setback applies to any lot line within the Townhome subdivision.
 2. Interior units side setbacks for interior units are reduced to 0 feet.

⁹² This section proposes a new set of use regulations for townhomes. Note that additional standards (density, open space, parking and circulation, landscaping) are controlled by other sections and are not included here. Open space, parking, and circulation, etc. will each be addressed in separate sections.

Insert Graphic on Setbacks and Unit Types

D. Common Buildings.

1. Uses contained in the common building shall be accessory to the residential uses. Use examples include, but are not limited to, management and leasing offices, recreation and gathering areas, laundry facilities, and storage areas.
2. The common building shall not:
 - (a) Be designed or used as a dwelling, including temporary or guest lodging; or
 - (b) Cumulatively exceed 10% of the area of the open space area for the development.

E. Buffers and Screening. Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).

F. Utilities Required. Townhome developments may only be located on a lot with public water and sewer access and sufficient capacity to service the proposed number of units.

G. Parking.

1. Vehicular access to 75% of the units in a development must have vehicular access from the rear alley. No more than 25% of the units may have vehicular access to the front of the building.
2. Off-street parking spaces shall be provided as specified in Chapter 5: [Parking & Loading](#).
3. Where desired, the developer may construct carports, detached garages, or other detached covered enclosed parking structures to serve the dwelling units.

H. Access.

1. Vehicular access to a single-phase development must be located on an arterial or collector road.
2. Vehicular access to a multi-phased development requires that all phases provide access to an arterial or collector road. However, individual phases may access the arterial or collector road via local roads within the development.

3.12 RETAIL AND FOOD SERVICE USE CONDITIONS⁹³

3.12.1 BAR/TAVERN/BREW PUB⁹⁴

- A. **Separation Requirement.** All new Bar/Tavern/Brew Pub use in the GB and RB districts shall be located at least 500 feet from all Residential uses and all Civic /Institutional uses listed in Section 3.2.5: *Use Table* or another existing Bar/Tavern/Brew Pub.
- B. **Minimum Net Floor Area.** All Bar/Tavern/Brew pub uses shall have a minimum gross floor area of 1,500 square feet.
- C. **Outdoor Seating Areas.** Outdoor areas or seating, music, live entertainment, or outdoor games may not exceed 50% of the gross floor area of the building.
- D. **Operational Standards.** If the Bar/Tavern/Brew pub includes outdoor seating areas, the following operational standards shall apply:
 - 1. Lights and loudspeaker systems for the outdoor seating area shall not be operated between the hours of 11:00 PM and 8:00 AM.
 - 2. Facility usage is limited to indoor activities between the hours of 11:00 PM and 8:00 AM.

3.12.2 DRIVE-THRU/DRIVE-IN FACILITY⁹⁵

- A. **Applicability.** This Section applies to drive-thru or drive-in facilities for restaurant and service uses, such as banks, credit unions, and financial services, and dry cleaning establishments.
- B. **Location.**

⁹³ This section carries forward the provisions of current 5.5: *Commercial/Entertainment Uses*.

⁹⁴ This section carries forward 5.5.2 with significant changes to limit outdoor use based on the size of the building. The revision eliminates flexibility in setting the hours of operation because S.C. Enabling Act requires conditional use standards to be set out in the code. Hours of operation can be reasonably restricted, but they can't be left to absolute discretion.

⁹⁵ This section significantly revises current 5.8.1. Changes include adjusting the location of drive thru operations based on the elimination of the parking layers from the current UDO and removing limitations on drive through operation configurations in the LI and HI districts.

1. *NB Districts.* In Neighborhood Business Districts, drive-thru/drive-in facilities are limited to designated parking space(s) for picking up carryout orders only.
2. *HC-O, MX, and IMX Districts.* Customer order boards, drive-thru service windows, vehicle queuing/stacking areas, and similar facilities shall be located :
 - (a) Behind the rear of the building, opposite the principal street frontage; or
 - (b) On the side of the building at least 20 feet behind the principal street facing.
 - (c) Such facilities shall not be located on any portion of the building facing a street frontage.
3. *GB and RB Districts.* Customer order boards, drive-thru service windows, vehicle queuing/stacking areas, and similar facilities facing any street frontage or on any portion of the building facing a street frontage must be screened from the street by a masonry wall with a minimum height of three feet and a Type B buffer.

3.12.3 FOOD TRUCKS⁹⁶

- A. **Number of Food Trucks per Lot.** Food Trucks can only be located on a lot containing a principal building or use and the maximum number of Food Trucks per lot is limited as follows:
 1. Maximum of two Food Trucks on lots of ½ acre or less;
 2. Maximum of three Food Trucks on lots between ½ acre and 1 acre; and
 3. Maximum of four Food Trucks on lots greater than 1 acre.
- B. **Separation Distances.** While serving food, the Food Truck must be located:
 1. At least 250 feet from the main entrance to any eating establishment or similar food service business located off the lot where the owner has allowed service; and

⁹⁶ This section carries forward 5.5.3 with significant changes. Primarily, the changes now require the food truck operator (rather than a lot owner) to obtain the permit and comply with all standards. This change better meets the nature of this mobile use.

2. At least 250 feet from any outdoor dining area of any eating establishment or similar food service business located off the lot where the owner has allowed service.
- C. **Operation Standards.**
1. *Location.*
 - (a) Food Trucks must not locate less than five feet from:
 - (1) The edge of any driveway or sidewalk;
 - (2) Utility boxes and vaults;
 - (3) Handicapped ramp;
 - (4) Building entrance, exit or emergency access/exit way; or
 - (5) Emergency call box.
 - (b) Food Trucks must not locate within any area of the lot that impedes, endangers, or interferes with pedestrian or vehicular traffic.
 - (c) Food Trucks must not locate within 15 feet of clearance from any a fire hydrant.
 2. *Parking.*
 - (a) Food Trucks and associated seating, if any, must not occupy parking spaces required to fulfill the minimum requirements of the principal use, unless the principal use's hours of operation do not coincide with those of the food truck business.
 - (b) Such trucks and seating must not occupy parking spaces that may be leased to other businesses and uses to fulfill their minimum parking requirements and not occupy any handicap accessible parking spaces.
 3. *Storage and Seating.*
 - (a) Outdoor seating areas associated with a food trucks vending operation are only permitted on lots two acres or greater in size.
 - (b) Food Trucks and associated outdoor seating must be removed from all permitted locations during impermissible hours of operation and must not be stored, parked, or left overnight on any street or sidewalk.

4. *Signs.* A food truck may display no more than two A-frame free-standing signs.
5. *Noise.* No audio amplification is allowed as part of the Food Truck's vending operation.
6. *Hours of Operation.* Hours of operation are limited to the hours between 7:00 AM and 11:00 PM unless the designated location on the lot accommodating the Food Truck is located within 150 feet of the property line of a single-family or two-family dwelling in which case the hours of operation are limited to the hours between 8:00 AM and 8:00 PM.
7. *On-Site Management.* The food truck operator or their designee must be present at all times except in cases of an emergency.
8. *Waste Disposal.* The food truck operator is responsible for the proper disposal of waste and trash associated with the operation. Operators must remove all waste and trash from their approved location at the end of each day or as needed to maintain the health and safety of the public. The operator must keep all areas within five feet of the truck and any associated seating area clean of grease, trash, paper, cups, or cans associated with the vending operation. No liquid waste or grease is to be disposed in tree pits, storm drains, or onto the sidewalks, streets, or other public space. Under no circumstances can grease be released or disposed of in a sanitary sewer system.
9. *Area of Operations.* With the exception of allowable outdoor seating areas, all equipment required for the operation must be contained within, attached to, or within three feet of the Food Truck.
10. *Compliance with Other Regulations.* All food preparation, storage, and sales/distribution made in compliance with all applicable County, State and Federal Health Department sanitary regulations.

D. Permit Required.

1. *Generally.* A Conditional Use permit must be obtained by the food truck operator. This permit must be renewed annually. If at any time evidence is provided that the food truck use violates these regulations, the permit will be cancelled by the Administrator and void and a violation issued.
2. *Exception for Temporary Event.* A Conditional Use permit is not required for a food truck operator serving food at a special event allowed under 3.14: Temporary Uses And Structures.

3.12.4 OUTDOOR SALES - LARGE PRODUCT RENTAL/SALES/REPAIR⁹⁷

A. **Applicability.**

1. This Section applies to the principal use for retail sales of products that are generally displayed outdoors due to their large size or all-weather construction, such as heavy equipment, buses, trucks exceeding 20,000 pounds of gross vehicle weight, manufactured homes, prefabricated storage buildings or sheds, construction equipment, and commercial and industrial equipment, and recreational vehicles.
2. The principal use of Outdoor Sales - Nurseries and Landscape Products is regulated by 3.12.5.
3. Outdoor Sales, Accessory use is regulated by 3.13.6.9.

B. **Setbacks.**

1. Outdoor display of merchandise shall be set back at least 50 feet from any right-of-way line.
2. Outdoor display of merchandise shall not encroach into the required building setbacks.

C. **Outdoor Storage.** Outdoor storage of inventory and good awaiting repair or pick-up must comply with 3.13.6.12: Storage – Outdoor Storage Yard (Accessory Use).

3.12.5 OUTDOOR SALES - NURSERIES AND LANDSCAPE PRODUCTS⁹⁸

A. **Applicability.**

1. These standards are intended to regulate Nurseries and Landscape Product sales use that is conducted on an everyday basis as the principal use of the lot, either within a permanent open-air structure, an uncovered outdoor sales area, or on private pedestrian walkways.

⁹⁷ This section significantly revises 5.8.3 to 1) apply to many types of large products sold in an outdoor format; 2) relocate buffer requirements, 3) replace “vehicles” with “merchandise;” 4) cross-reference outdoor storage requirements.

⁹⁸ This new section adds nursery and landscape product sales as a principal use of the lot and requires that the merchandise display areas comply with decreased setbacks. The current 5.5.5 has been moved to Outdoor Sales, Accessory.

2. Outdoor Sales of larger products is permitted pursuant to the standards in 3.12.4: *Outdoor Sales - Large Product Rental/Sales/Repair*.
 3. Outdoor sales as an accessory use are permitted pursuant to the standards in Section 3.13.6.9: *Outdoor Sales, Accessory*.
 4. Outdoor sales that are temporary or seasonal in nature, or that are intended to be located in parking areas, are allowed pursuant to the standards in Section 3.14: *Temporary Uses And Structures*.
- B. **Required Setbacks.** The display areas for merchandise must be set back 10 feet from the right-of-way of any public street.
- C. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).

3.12.6 PAWNSHOPS⁹⁹

All new Pawnshops shall be located at least 400 feet from any existing Pawnshop.

3.12.7 RESTAURANTS AND BANQUET HALLS¹⁰⁰

- A. **Applicability.** This Section applies to Restaurant and Banquet Hall Uses.
- B. **Outdoor Areas.** Outdoor areas at restaurants and banquet halls for seating, music, live entertainment, or outdoor games must comply with the following standards:
1. The outdoor area must be designed and located so as not to obstruct the movement of pedestrians along sidewalks or through areas intended for public use.
 2. Use of the outdoor areas for seating, music, live entertainment, or outdoor games must not reduce required parking below the minimum required by this UDO.
 3. Restaurants and Banquet Halls must provide parking for outdoor areas using the bar/tavern/brewpub measure as required in [Chapter 5: Parking and Loading](#).

⁹⁹ This section carries forward 5.5.7 with limited changes.

¹⁰⁰ Use regulations for restaurants in 5.5.9 are significantly increased to better regulate restaurants that provide outdoor seating or indoor entertainment more consistent with use as a bar.

4. Lights and loudspeaker systems for the outdoor areas shall not be operated between the hours of 11:00 PM and 8:00 AM.
 5. Facility usage is limited to indoor activities between the hours of 11:00 PM and 8:00 AM.
- C. **Indoor Entertainment Areas.** If the restaurant or Banquet Halls provides areas for indoor entertainment, including features such as dance floors, stages, or other areas for music and live entertainment, then the restaurant must provide parking for these areas using the bar/tavern/brewpub measure as required in **Chapter 5: Parking and Loading**.

3.12.8 SEXUALLY ORIENTED BUSINESS/ADULT ESTABLISHMENT¹⁰¹

- A. **Purpose.**
1. The Lancaster County Council finds that it is necessary to set forth the appropriate special requirements by which Sexually Oriented Business/Adult Entertainment may be established within the County's zoning jurisdiction.
 2. Sexually Oriented Businesses/Adult Entertainment, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when they are located near residential areas or educational, religious, or recreational uses.
 3. Studies have shown that lower property values and increased crime rates tend to accompany and are brought about by the concentration of adult establishments.
 4. The County Council finds that the regulation of these uses is necessary to ensure that these adverse effects do not contribute to the blighting of surrounding neighborhoods and to protect the quality of life in Lancaster County.

¹⁰¹ This section carries forward 5.5.10 with changes to eliminate the separation requirement to commercial, office, and industrial parks, which were poorly defined and likely to significantly limit available locations. Court decisions require adequate alternative avenues for sexually oriented businesses. This generally means that a reasonable number of sites be available for the use. While a complete spatial analysis of available land for sexually oriented business has not been undertaken, it appears there are few, if any, sites available. The use is only allowed in the HI district as an SE use. The 1 mile separation distance from residential, civic/institutional, and office park use may significantly decrease the available sites for this use. There are also no areas where sexually oriented businesses can locate by-right, which is generally recommended and can be revised if acceptable to the Council.

5. It is not the intent of the County Council in adopting this section to suppress any activities protected by the First Amendment, but rather to enact a content neutral standard that addresses the secondary effects that adult establishments have on the County.
- B. Separation Requirements.**
1. Such uses shall be located at least 5,280 feet from all of the following:
 - (a) All Residential uses and all Civic/Institutional uses listed in Section 3.2.5: *Use Table*; and
 - (b) Other Adult Establishments.
 2. Such uses shall be located at least 1,320 feet from any highway access points (on-ramps/off-ramps). The waiver of separation requirements allowance in **Section 10.4: *Zoning Procedures*** is not applicable to this requirement.
- C. Buffers and Screening.** Buffers, screening, and fencing must be provided as required in **Chapter 4: *Landscaping and Open Space***.
- D. Signs and Displays.**
1. No obscene printed material, slide, video, photograph, written text, live show, or other obscene visual display shall be visible from outside the walls of the establishment, nor shall any live or recorded voices, music, or sounds be heard from outside the walls of the establishment.
 2. The sale or distribution of any material or related item shall be made from within the building premises (excluding mail order or catalogue sales) and shall not be displayed, exhibited, or sold in areas visible to the public from a public street or park.
- E. Location.**
1. No more than one Adult Establishment shall be located on a parcel or in the same building, structure, or portion thereof.
 2. No other principal or accessory use shall occupy the same parcel, building, structure, or portion thereof with any Adult Establishment.

3.13 ACCESSORY USES AND STRUCTURES¹⁰²

3.13.1 PURPOSE¹⁰³

- A. The purpose of this Section is to establish standards for accessory uses and structures in Lancaster County's land use jurisdiction. Except as provided elsewhere in this UDO, it is unlawful for any person to erect, construct, enlarge, move, or replace any accessory use or structure regulated by this Section without first obtaining a permit from the Administrator if one is required by this Chapter.
- B. Section 3.13.5-1: *Accessory Use Table* establishes the categories of uses for each district. The description of the codes for the regulation of a particular use is specified in Section 3.2.3: *Interpretation of Use Table*. These standards apply to all base zoning districts, except for the ***insert reference to planned development district approach***.

3.13.2 APPLICABILITY¹⁰⁴

- A. **Accessory Uses and Structures.** Accessory uses and structures may only be used for purposes permitted in the district in which they are located.
- B. **Not for Dwelling Purposes.** Accessory structures shall not be used for dwelling purposes except as approved Accessory Dwelling Units (see Section 3.13.6.3: *Dwelling-Accessory*).

3.13.3 EXEMPTIONS¹⁰⁵

The following accessory uses are exempt from the locational requirements and the setback requirements due to their nature as essential elements to be located near lot boundaries or adjacent to streets or sidewalks, due to their minor size and character, and due to their customary and accepted usage as accessory uses ::

¹⁰² This section carries forward the provisions of current 1.4.7: *Accessory Uses and Structures*.

¹⁰³ This section carries forward 1.4.7 with limited changes.

¹⁰⁴ This section carries forward 1.4.7.A. with limited changes.

¹⁰⁵ This section carries forward the exceptions of 1.4.7.D. with the following changes 1) deletes limitation on 100 square foot gatehouse restriction in favor of conflicting 250 square foot gatehouse size; 2) relocates sign setbacks to the sign ordinance; 3) removes exception for two uses or structures in favor of a blanket exception for customary minor structures and seven-foot fences; and 4) adds general language to indicate the purposes of exempting certain uses and structures.

- A. Transit shelters and bicycle racks may be located in the front or side setback as necessary;
- B. Backflow preventers and other customary utility structures may be located in the front setback;
- C. Neighborhood gatehouses, including security gatehouses, may be located in the front setback if they do not have a footprint greater than 250 square feet;
- D. Fences not exceeding seven feet in height;
- E. Customary minor structures, including utility poles; mailboxes; flagpoles; playground equipment; landscape features; driveways; parking areas; commercial and industrial equipment and fixtures; and retaining walls less than four feet in height.

3.13.4 GENERAL DEVELOPMENT STANDARDS¹⁰⁶

- A. **Accessory Structure Development Standards.** The development standards in Table 3.13.4-1: *Accessory Structure Development Standards* apply to all accessory uses and structures not exempted under Section 3.13.3: *Exemptions*.

Table 3.13.4-1: Accessory Structure Development Standards					
Standards	Single-Family/Two-Family Lots – Less than ¼ Acre	Single-Family/Two-Family Lots – Between 1/4 to ½ Acre	Single-Family/Two-Family Lots – ½ Acre to 2 Acres	All Other Uses and Lots Between 2 and 10 Acres	Lots Larger than 10 Acres
Permitted Location	Side/rear yard only	Side/rear yard only	Side/rear yard only	Permitted in all yards	Permitted in all yards
Setbacks	5 ft.	5 ft.	10 ft.	30 ft. front setback No side or rear setback	30 ft. front setback No side or rear setback
Maximum Number Permitted	1	2	3	4	No maximum
Separation from Other Accessory Structures	7.5 ft.	7.5 ft.	N/A	N/A	N/A

¹⁰⁶ This section carries forward the provisions of current 1.4.7.B. with significant expansion of the lot size categories and adds setback clarification.

Table 3.13.4-1: Accessory Structure Development Standards					
Standards	Single-Family/Two-Family Lots – Less than ¼ Acre	Single-Family/Two-Family Lots – Between 1/4 to ½ Acre	Single-Family/Two-Family Lots – ½ Acre to 2 Acres	All Other Uses and Lots Between 2 and 10 Acres	Lots Larger than 10 Acres
Maximum Building Footprint	600 sq. ft.	750 sq. ft. per structure; Aggregate area no greater than 75% of the principal structure	1500 sq. ft. per structure; Aggregate area no greater than 75% of the principal structure	1500 sq. ft. per structure; Aggregate area no greater than 75% of the principal structure	No maximum
Key: ft = feet sq. ft. = square feet					

- B. **Wireless Communication Equipment.** The following types of equipment are allowed as accessory structures if they are “related to” and “customarily incidental” to the principal use or structure but must comply with the setbacks in Table 3.13.4-1: *Accessory Structure Development Standards*:

1. Television satellite dishes;
2. Antennas and their support structures (including combinations of the two) 60 feet in height or less; and
3. Antennas and their support structures (including combinations of the two) more than 60 feet in height, but less than 100 feet if such structures are accessory to a residence.

3.13.5 ACCESSORY USE TABLE¹⁰⁷

- A. **Use Table.** Table 3.13.5-1: *Accessory Use Table* establishes the categories of uses for each district. The description of the codes for the regulation of a particular use is specified in Section 3.2.3: *Interpretation of Use Table*.
- B. **Unlisted Uses.** An accessory use not listed in the Accessory Use Table is allowed without a permit if it is customarily incidental to the principal use.

Table 3.13.5-1: Accessory Use Table																						
Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Agritourism	CU	CU	CU	CU	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.13.6.1
Apiculture (Bee Keeping)	P	P	P	-	CU	-	-	CU	-	-	P	P	-	-	-	-	-	-	-	-	P	
Backyard Pens/Coops	P	P	P	P	P	CU	-	-	-	-	CU	-	-	-	-	-	-	-	-	-	CU	3.13.6.2
Child/Adult Day Care Home (6 or fewer persons)	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	-	-	-	-	-	CU	CU	CU	CU	CU	3.13.6.3
Crematoria	-	-	-	-	-	-	-	-	-	CU	-	-	-	CU	-	-	-	-	-	-		3.13.6.4
Dwelling/ Accessory	CU	CU	CU	-	CU	CU	CU	-	-	-	-	-	-	-	-	-	CU	CU	-	-	-	3.13.6.5

¹⁰⁷ This section adds a new accessory use table that clarifies allowances for all accessory uses by district.

Table 3.13.5-1: Accessory Use Table

Land Use	AR	RR	RN	RUB	LDR	MDR	MFR	NB	GB	RB	INS	OSP	BT	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
Dwelling – Accessory, Tiny Homes	CU	CU	CU	-	-	-	CU	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3.13.6.6
Electric Vehicle Charging Stations, Private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Electric Vehicle Charging Stations, Public	CU	CU	CU	CU	CU	CU	P	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	3.13.6.7
Home Occupations	CU	CU	CU	CU	CU	CU	P	-	-	-	-	-	-	-	-	-	CU	CU	CU	CU	CU	3.13.6.8
Outdoor Sales, Accessory	-	-	-	CU	-	-	-	CU	CU	CU	CU	-	-	CU	CU	-	-	-	-	CU	CU	3.13.6.9
Private Recycling Collection Stations	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	
Solar Energy Systems	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	3.13.6.1 0
Stables	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Storage – Outdoor Storage Containers	CU	-	-	-	-	-	-	-	CU	CU	-	-	-	CU	CU	-	-	-	-	-	-	3.13.6.1 1
Storage – Outdoor Storage Yard	-	-	-	-	-	-	-	-	CU	CU	-	-	-	CU	CU	-	-	-	-	-	-	3.13.6.1 2

3.13.6 ACCESSORY USES WITH SPECIFIC REQUIREMENTS¹⁰⁸

3.13.6.1 Agritourism¹⁰⁹

- A. **Lot Size.** The minimum lot size for the entire parcel is 10 acres.
- B. **Accessory to Active Agricultural Use.** Agritourism use must be accessory to an operation engaged in active agricultural or animal production.
- C. **Parking.** All parking must be on-site. Parking is prohibited in the street right-of-way.
- D. **Operation Standards.**
 - 1. Agritourism uses shall not be operated earlier than 8:00 a.m. nor later than 10:00 p.m.
 - 2. Sanitary facilities, including toilets, lavatories, and refuse collection, shall be provided for patrons.

3.13.6.2 Backyard Pens/Coops¹¹⁰

- A. **Applicability.** These regulations apply to the keeping of animals in Residential Districts for personal use. These regulations do not pertain the keeping of animals in Agricultural Districts or to the keeping of dogs or cats as pets.
- B. **Standards for Animals.**
 - 1. *Permitted Animals.*
 - (a) The following small animals may be kept in the permitted Residential Districts except the MDR District subject to the provisions in this Section: poultry, rabbits, goats, pot-bellied pigs, miniature horses, and bees.
 - (b) In the MDR District, only chickens, rabbits, and bees may be kept.

¹⁰⁸ This section provides the regulations for specific accessory uses.

¹⁰⁹ This section provides new agritourism standards based on a request from staff to create agritourism standards.

¹¹⁰ This section includes significant revisions to 5.10.4 for the keeping of livestock in residential districts, including the clarification that the animals are for personal use, clarifying the types of animals allowed, adding bees, allowing animals on smaller lots, and providing increased allowances for animals on lots based on best practices for animal husbandry.

2. *Prohibited Animals.* The following animals are prohibited:
 - (a) Animals not permitted in Paragraph 1, above;
 - (b) Animals raised for a commercial use; and
 - (c) Exotic animals, as defined in County Code Chapter 6, [Article III: Exotic Animals](#) and other non-domesticated animals are not allowed in the residential districts or any other zoning district in Lancaster County.
- C. **Location.** Permitted animals shall only be kept behind the principal building on residential lots.
- D. **Enclosure.**
 1. Small animals shall be kept in a fenced area or other enclosure sufficient to prevent their encroachment on neighboring properties.
 2. Bees shall be kept in a hive.
- E. **Number of Animals Allowed.**

Table 3.13.6.2-1: Backyard Animal Allowances ¹¹¹		
Lot Size	Number of Animals Allowed	Number of Bee Hives Allowed
Less than ½ acre	Maximum of 3 small animals	Maximum of 2
Less than 1 acre	Maximum of 4 small animals	Maximum of 4
1 to 2 acres	Maximum of 10 small animals	Maximum of 8
2 to 3 acres	Maximum of 20 small animals	Unlimited
Greater than 3 acres	Additional animals shall be permitted at the rate of 10 small animals per acre not to exceed 50 small animals	Unlimited

¹¹¹ Four animals are generally a minimum best practice for social or heard animals, including chickens. Other limits are increased in rough proportion per acre at the rate of 10 per acre as provided in the current standards.

3.13.6.3 Child/Adult Day Care Home (6 Or Fewer Persons)¹¹²

- A. **Compliance with State Requirements.**
 - 1. Child Care Homes shall meet the certification requirements of the South Carolina Department of Social Services' Family Day Care Home Regulations ([S.C. Code Ann. Regs. 114-528](#)).
 - 2. Adult Day Care Homes shall meet the certification requirements of the South Carolina Department of Health and Environmental Control's "Standards for Licensing Day Care Facilities for Adults" ([S.C. Code Ann. Regs. 61-75](#)).
- B. **Location.** Child/Adult Day Care Homes are allowed only in a private residence occupied by the authorized operator.
- C. **Separation Requirement.** All Child/Adult Day Care Homes shall be located at least 500 feet from another Child/Adult Day Care Home.

3.13.6.4 Crematoria¹¹³

- A. **Applicability.** Crematoria are only allowed as an accessory to an approved Funeral Home use.
- B. **General Standards.**
 - 1. *Other Permits Required.* The applicant for Crematoria use must obtain and shall submit a copy of the permit issued by SCDHEC and other government agencies for the operation of the facility, if a permit is required by law, with any application for Crematoria use under this UDO. The use shall comply with all applicable public health and environmental laws and rules.
 - 2. *Emissions Information.* The applicant shall submit to the Administrator a certification or report by SCDHEC that either all air quality regulations have been complied with or that no permits are required.
 - 3. *Flood Hazard Locations Prohibited.* This use is prohibited within a Special Flood Hazard Area (SFHA).

¹¹² This section updates current 5.7.1 to increase the number of people under care to 6, which is the standard number of participants for a SCDSS's Family Child Care Home.

¹¹³ This section carries forward 5.4.1 with changes from a principal use to an accessory use for funeral homes.

3.13.6.5 Dwelling – Accessory¹¹⁴

- A. **Number of Accessory Dwellings.** Only one accessory dwelling is permitted per lot.
- B. **Placement on the Lot.**
 - 1. On lots two acres in size or smaller, a detached accessory dwelling shall be sited to the rear of the principal building.
 - 2. If the lot exceeds two acres in size, the accessory dwelling may be sited to the side or rear of the principal building.
- C. **Compatibility.**
 - 1. The accessory dwelling shall meet all applicable design standards for the zoning district in which it is located.
 - 2. The accessory dwelling shall be clearly subordinate (size, etc.) to the main structure. The maximum size is the lesser of 50% of the heated living area of the principal dwelling or 1,000 square feet.
 - 3. The exterior of the accessory dwelling shall be similar to the primary residence in material, color, and roof alignment and pitch.
- D. **Manufactured Housing, Campers, Recreational Vehicles, Etc. Prohibited For Use.**
 - 1. Manufactured housing, campers, travel trailers, and recreational vehicles (including tiny homes on wheels) are not permitted for use as an accessory dwelling, except as a temporary use when a primary dwelling unit on the same lot is under construction or rehabilitation (see Section 3.14.8.6).
 - 2. Upon issuance of Certificate of Occupancy for the primary dwelling unit, the accessory dwelling shall be removed within 60 days.
- E. **Outside Entrance.** If located within the principal dwelling, the accessory dwelling unit may have a private outside entrance, but such an entrance shall be located along the side or rear of the principal dwelling.

¹¹⁴ This section carries forward the standards of current 5.2.4 with minor changes. Changes include 1) eliminating building code compliance, which is mandated by other ordinances; and 2) elimination of the requirement that off-street parking conform to the parking standards of the UDO. Typically, ordinary driveway parking is sufficient to accommodate an accessory dwelling unit.

- F. **Accessory Dwelling Unit Features.** The unit must contain complete kitchen facilities, including a stove or cook top, bedroom, and a full bath, including lavatory, water closet, and tub or shower (or combination).

3.13.6.6 Dwelling – Accessory, Tiny Homes¹¹⁵

- A. **Applicability.**
1. These regulations apply to all Tiny Homes. A Tiny Home is only allowed as an Accessory Dwelling and is subject to the general requirements of 3.13.6.5; in addition to the requirements of this Section.
 2. A Tiny Home on Wheels (THOW) is considered a Recreational Vehicle and not allowed as an accessory dwelling.
- B. **Permanent Foundation Required.** A Tiny Home must be permanently placed on a foundation that meets Building Code requirements.
- C. **Compliance with Building Codes.** All Tiny Homes must comply with:
1. All applicable requirements of the adopted International Residential Code; and
 2. The most recent edition of Appendix Q of the International Residential Code for One- and Two-Family Dwellings.

3.13.6.7 Electric Vehicle Charging Stations¹¹⁶

- A. **General.**
1. Private (restricted-access) electric-vehicle (EV) charging stations are permitted by right as an accessory use to all uses in all zoning districts without conditional use approval.
 2. Public EV charging stations are permitted as accessory uses to allowed nonresidential uses in all zoning districts and in the MFR and HDR Districts.
- B. **Parking.**

¹¹⁵ This new section adopts basic standards for Tiny Homes and requires a permanent foundation. Tiny Homes can be an accessory dwelling unit. Tiny Homes on Wheels are treated as recreational vehicles and may not be a permanent residence.

¹¹⁶ This section revises current 5.8.2 to eliminate review for private EV stations and allows public stations in more districts based on staff input.

1. Electric vehicle charging stations may be counted toward satisfying minimum off-street parking space requirements.
 2. Public electric vehicle charging stations must be reserved for parking and charging electric vehicles and may not exceed 10% of the required parking for the use.
- C. **Equipment.** Vehicle charging equipment must be designed and located so as to not impede pedestrian, bicycle, or wheelchair movement or create safety hazards on sidewalks.

3.13.6.8 Home Occupation¹¹⁷

- A. **Applicability.** The permitting requirements of this Section do not apply to a Home Occupation use that:
1. Will occur entirely indoors with no outdoor storage;
 2. Involves no customer or client visits to the home; and
 3. Will not include retail sales.
- B. **General Standards.**
1. Any internal or external modifications, either permanent or accessory, that will make the dwelling appear less residential, either in nature or function, are prohibited. The dwelling and site must remain residential in appearance and characteristics.
 2. The home occupation must be conducted within the dwelling or permitted accessory structure. It shall not exceed 25% of the gross floor area of the dwelling or 500 square feet, whichever is greater.
 3. The home occupation shall not be operated by any person other than residents living in the dwelling and shall not employ more than one non-resident of the dwelling for employment at the dwelling.
 4. No equipment, material, or process shall be used in any home occupation that produces or emits any additional noise; increased vibration; intensified lighting or glare; smoke, dust, or other particulate matter; excessive heat or humidity; blight or unsightliness; gas, fumes, or odor; increased electrical

¹¹⁷ This section carries forward the provisions of current 5.4.2 with several changes. Important changes include 1) elimination of the permitting requirement for certain indoor work-from-home type uses; and 2) elimination of the additional sign allowance. Signs will be addressed the Sign Ordinance.

interference; or any other nuisances, hazards, or objectionable conditions detectable at the boundary of the lot, if the occupation is conducted in a detached dwelling unit, or outside the dwelling unit, if conducted in an attached dwelling unit. Explosive or highly flammable materials and toxic or hazardous waste are prohibited.

5. Hours of operation for clients and operation of mechanical or electrical equipment shall be limited to the hours between 7:00 a.m. to 8:00 p.m.

C. Traffic, Parking, and Vehicles.

1. No vehicular traffic may be generated by the home occupation business in greater volumes than would reasonably be expected in the residential neighborhood, nor may it create unreasonable parking or traffic congestion for the residents of the immediate neighborhood. Any parking or traffic of such character, intensity, or continued duration that substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities shall be considered unreasonable.
2. Commercial vehicles and semi-tractor trailers shall not access a property from a shared driveway. If parked or stored within 100 feet of any property or right-of-way line, commercial vehicles or trailers shall be fully screened by a solid wood or vinyl fence, or masonry wall, berm, or opaque evergreen landscaping.
3. Any parking associated with the home occupation shall occur on the premises and not within a public or private right-of-way. Any parking in the front yard shall be as per the requirements of [Section 5.3: Parking Lot Design](#), and screened in accordance with the requirements of Paragraph 3.13.6.8C.2, above, regardless of distance from any property or right-of-way line. Additional parking may be provided in the side and rear yards.

D. Additional Standards for Specific Types of Home Occupations.

1. *Personal Services.* Personal services, including cosmetic services, salons, barber shops, and non-permanent makeup services, but not including nail salons, is allowed if they comply with all of the following:
 - (a) The use meets all applicable state requirements;
 - (b) Any exterior entrance/exit to an area of the principal building is located on the side or rear of the building;
 - (c) Only incidental sales of cosmetic and hair products is allowed on the premises;

- (d) No more than one barber/styling chair and no more than two hair drying chairs are allowed;
 - (e) All barber/styling chairs and hair drying chairs shall be located together in either the main dwelling or within an accessory building, and shall not be split between said buildings; and
 - (f) All service professionals shall include copies of their State professional licenses (if applicable) in the home occupation application submittal.
- 2. *Group Instruction Services.* Group instruction services, including but not limited to teaching art, dance, music, and tutoring may be provided if the group does not exceed four persons at any one time. Additionally, adequate parking must be provided onsite for both the residents of the dwelling and the maximum number of clients receiving instructional services.
- 3. *Independent Contractors.* Independent contractors include, but are not limited to, electric or plumbing contractors, landscapers and similar businesses that have employees and require the storage of commercial vehicles or equipment on the property. These businesses are allowed if they comply with all of the following:
 - (a) The property upon which the home occupation will be located is zoned AR, RN, RR, or LDR District;
 - (b) When located within an accessory building(s), the floor area of the home occupation shall not cumulatively exceed 3,000 square feet or 75% of the gross floor area of the principal dwelling, whichever is greater;
 - (c) Any goods or materials, but not vehicles or equipment, associated with the home occupation shall be stored entirely within an enclosed structure on the premises, or screened from view of any street, public or private right-of-way, or adjacent property by an opaque evergreen screen or fence.
- 4. *Retail Sales.* Onsite retail sales conducted directly from the home (not including internet sales business) shall be limited to the sale of handmade items grown or produced on-site such as: arts and crafts, clothing, foodstuffs, furniture, or jewelry.
- E. **Prohibited Home Occupations.** The following are prohibited as home occupations due to the nature of their operation having the tendency to impair the use and value of surrounding properties in a residential district:

1. Automotive uses (See Section 3.2.5);
2. Entertainment/Recreation uses (See Section 3.2.5),;
3. Civic/Institutional uses (See Section 3.2.5), except for those provided in Paragraph D of this Section and Child/Adult Day Care Home (5 or fewer persons);
4. Halfway Homes;
5. Industry/Wholesale/Storage uses (See Section 3.2.5) except for Artist Studio/Light Manufacturing Workshops;
6. Infrastructure uses (See Section 3.2.5),;
7. Lodging uses (See Section 3.2.5);
8. Retail/Food Service uses (See Section 3.2.5), except for those specific retail uses permitted by Paragraph D of this Section;
9. Office/Services uses (See Section 3.2.5), except for Personal Services permitted by Paragraph D of this Section, Business Support Services, and Professional Services; and
10. Residential Care Facilities.

F. Grandfathered Home Occupations.

1. Home occupation permits issued prior to the effective date of this Section are grandfathered. However, any subsequent home occupation permit issued at the same address must be in conformance with these standards.
2. Any expansion of a grandfathered home occupation shall be in compliance with the standards of this Section.
3. Any change of a grandfathered home occupation to a different home occupation requires the new home occupation to comply with the standards of this Section.

3.13.6.9 Outdoor Sales, Accessory¹¹⁸

A. **Applicability.**

1. These standards are intended to regulate Outside Sales and rental uses that are conducted as an accessory use on an everyday basis on a lot with a principal building or use, either within a permanent open-air structure or an uncovered outdoor sales area, or on sidewalks.
2. This Section does not apply to specific uses for which the use regulations in this Chapter provides a different standard.
3. This Section does not apply to Outdoor Sales as a principal use, including Vehicles (see 3.4.2), Large Products (3.12.4), and Nurseries and Landscape Product Sales (see 3.12.5).
4. This Section does not apply to Outdoor Sales that are temporary or seasonal in nature and are allowed pursuant to the standards in Section 3.14: *Temporary Uses And Structures*.

B. **Size Limitation.** Outdoor Sales shall not take up an area greater than 40% of the total building area of the principal building.

C. **Setbacks and Location Standards.**

1. *In General.* Outdoor Sales areas shall generally be located to the side or rear of the principal structure.
2. *Required Parking.* Outdoor Sales areas must not reduce required parking below the minimum required by this UDO.
3. *Site Plan Review.* All Outdoor Sales areas must be designated on the site plan submitted for review for the applicable permit and must be maintained in a contained and organized manner.
4. *GB, RB, LI, and HI Districts.* In the GB, RB, LI, HI Districts, Display of merchandise for Outside Sales maybe located in the front of the primary façade , but Outdoor Sales areas shall be no closer than 50 feet to a street unless such displays are located on a private sidewalk abutting the principal structure and adequate pedestrian clearance on the sidewalk is maintained (minimum of five feet).

¹¹⁸ This section significantly updates current 5.5.5. The current section provides for outdoor sales as a principal use. Important changes include: 1) expanded area allocations for outside sales; 2) adding LI and HI outside sales use; and 3) requiring a buffer for this use. Adds use in LI an HI districts

5. *INS, MX, and IMX Districts.* Display of merchandise for Outdoor Sales in the front of the primary façade shall not extend more than 12 feet from the front face of the building. Such displays may be located on a private sidewalk provided that adequate pedestrian clearance on the sidewalk is maintained (minimum of five feet).
 6. *Outdoor Sales on Sidewalks.*
 - (a) Merchandise for sale may be placed on the sidewalk in front of the establishment provided that a minimum adequate pedestrian clearance of five feet is maintained
 - (b) Sidewalk sale shall not take up an area greater than 25% of the total building area of the primary use within the associated permanent structure.
 - (c) Display areas for merchandise shall not extend more than 20 feet from the front façade of the principal building.
- D. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in [Chapter 4: Landscaping and Open Space](#).

3.13.6.10 Solar Energy Systems¹¹⁹

- A. **Building-Mounted Solar Energy Systems.**
1. Building-mounted solar energy systems may be mounted on principal and accessory structures.
 2. All applicable setback regulations apply to building-mounted solar energy systems. Systems mounted on principal structures may encroach into interior side and rear setbacks in accordance with [Section 11.3: Rules of Interpretation & Measurement](#).
 3. Only building-integrated or flush-mounted solar energy systems may be installed on street-facing building elevations, except in the AR, RN, and RR Districts.
 4. Solar energy systems may not extend more than three feet above the applicable maximum building height limit for the subject building type or more than five feet above the highest point of the roofline, whichever is less, except in the AR, RN, and RR Districts.

¹¹⁹ This section carries forward 5.11.3 with limited changes.

B. Ground-Mounted Solar Energy Systems.

1. In residential zoning districts, ground-mounted solar energy systems may not be located in a required street setback or street yard area.
2. Ground-mounted solar energy systems may be located within required interior side and rear setbacks.
3. Ground-mounted solar energy systems may not cover more than 20% of the lot.
4. Ground-mounted solar energy systems are subject to applicable accessory structure height and lot coverage regulations.

3.13.6.11 Storage – Outdoor Storage Containers¹²⁰

A. Prohibition on Use of Conex Containers. The use of Conex Containers for outdoor storage of goods or materials or the outdoor storage of empty Conex Containers is generally prohibited.

B. Exceptions.

1. Conex Containers are allowed for storage use in the AR, LI, and HI Districts.
2. Conex Containers are allowed for seasonal storage use in the GB and RB Districts, but the period of this storage use may not exceed 90 days.

C. Number of Containers Allowed.

1. Industry/Wholesale/Storage uses may have one Conex Container per 25,000 square feet of gross floor area. Containers may not be stacked more than two high.
2. All other uses may have one Conex Container per lot.

D. Buffers and Screening. Conex Containers allowed by this Section must be screened from a public right-of-way and adjacent lots by buildings, topography, natural features, or a buffer as provided in [Chapter 4: Landscaping and Open Space](#). Conex containers must not be visible from off the site.

¹²⁰ This new section prohibits Conex (shipping) Containers generally except in the AR, LI, and HI Districts and for seasonal use in the GB and RB districts.

3.13.6.12 Storage – Outdoor Storage Yard (Accessory Use)¹²¹

A. **Applicability.**

1. This Section applies to Outdoor Storage Yards as an accessory use.
2. Outdoor Storage Yards as a principal use are regulated by Section 3.7.7:
Storage – Vehicles, Boats, and Recreational Vehicles (Principal Use)

B. **Applicability.**

1. This Section applies to indoor and outdoor Storage for Vehicles, Boats, and Recreational Vehicles as a principal use.
2. Outdoor Storage Yards as an accessory use are regulated by Section 3.13.6.12:
Storage – Outdoor Storage Yard (Accessory Use).

C. **Parking and Storage Surfaces.** Outdoor Storage of Vehicle, Boat, and RV uses must provide paved surfaces for drive aisles. Storage areas enclosed within a fence as provided in **Chapter 4: Landscaping and Open Space** may be surfaced in gravel.

D. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in **Chapter 4: Landscaping and Open Space**.

E. **Junk, Salvage, and Scrap Materials Prohibited.** The storage of junk vehicles, scrap metal, or other salvage or waste materials is prohibited.

1. *Storage – Outdoor Storage Yard (Principal Use).*

F. **Buffers and Screening.** Buffers, screening, and fencing must be provided as required in **Chapter 4: Landscaping and Open Space**.

G. **Location Standards.**

1. *For Automotive and Industry/Wholesale/Storage Uses.* Outdoor Storage areas for Automotive and Industry/Wholesale/Storage uses shall be located to the side or rear of the principal structure.

¹²¹ This section significantly updates current 5.9.10 as an accessory use. Changes include 1) elimination of the 300 foot separation requirement that applies to outdoor storage yards as a principal use; 2) elimination of height and stacking requirements for stored materials – district standards will now apply; 3) removal of requirement to drain fluids from vehicles; 4) and elimination of requirement that use not cause environmental damage-this is a generally applicable principle.

2. *For Retail/Food Service Uses.* Outdoor Storage areas for Retail/Food Service Uses shall be located to the rear of the principal structure.
 3. *Required Parking.* Outdoor Storage areas must not reduce required parking below the minimum required by this UDO.
 4. *Site Plan Review.* All Outdoor Storage areas must be designated on the site plan submitted for review for the applicable permit.
- H. **Junk, Salvage, and Scrap Materials Prohibited.** The storage of junk vehicles, scrap metal, or other salvage or waste materials is prohibited.
- I. **Exceptions For Uses Adjacent to Railroads.** Those businesses directly adjoining a railroad right-of-way or rail spur shall be exempt from the buffer and screening requirements in this Section for those property boundaries that directly adjoin the railroad right-of-way, except that a chain-link fence extending from the ground to a height of not less than six feet is still required.

3.14 TEMPORARY USES AND STRUCTURES¹²²

3.14.1 PURPOSE¹²³

The purpose of this Section is to establish standards for temporary uses and structures. Except as provided elsewhere in this UDO, it is unlawful for any person to erect, construct, enlarge, move, or replace any temporary use or structure without first obtaining a permit from the Administrator if one is required by this Section.

3.14.2 PERMIT REQUIRED¹²⁴

All permitted temporary uses listed in this Section require a Zoning Permit that shall be reviewed and issued by the Administrator subject to the requirements of this Section.

3.14.3 EXEMPTIONS¹²⁵

The following uses are exempt from the requirements of this Section:

¹²² This section carries forward the provisions of current 5.12: *Other Uses*.

¹²³ This new section adds a purpose statement for the temporary use regulations.

¹²⁴ This section carries forward current 5.12.1 with limited changes.

¹²⁵ This section carries forward current 5.12.1.E. with changes to add exemptions for protests and private events and expand the exemption for events in public parks.

- A. Annual Fairs on Public Property. Fairs or other special recreational or entertainment events at County parks and similar locations that usually occur on an annual basis and are held in the following locations are allowed at these locations and are hereby exempt from the provisions of this Section:
1. Public parks;
 2. School or college grounds, if authorized by the School Superintendent or College President; and
 3. State Parks.
- B. Lawful picketing and demonstrations;
- C. Weddings, receptions, parties, and similar private, non-commercial events held on private property; and
- D. Events at approved Rural Event Venues and Banquet Halls.

3.14.4 TEMPORARY USE TABLE¹²⁶

Table 3.14.4-1: *Temporary Uses Allowed in All Districts* and Table 3.14.4-2: *Temporary Uses Limited to Specific Districts* establishes the categories of uses for each district. These standards apply to all base zoning districts, except for the ***insert reference to planned development district approach, if any is needed here***.

A. **Temporary Uses Allowed in All Districts.**

Table 3.14.4-1: Temporary Uses Allowed in All Districts		
Use	Maximum Duration for Each Use or Event (per site)	Permitted Location(s)
Yard or garage sales	2 days – 6 days per year maximum	Any lot with an occupied residential dwelling – No temporary use permit required
Civic/cultural events (sponsored by a governmental agency, non-profit group, or places of assembly)	30 days per year maximum – no renewal for 3 months – per sponsoring organization	All districts
Seasonal Sales, including Christmas trees, pumpkins, and fireworks	45 consecutive days – no renewal within 1 year	All districts

¹²⁶ This section carries forward current 5.12.2 & 3 with some changes to combine and simplify use categories. The temporary use of annual flea markets has been eliminated.

Table 3.14.4-1: Temporary Uses Allowed in All Districts

Use	Maximum Duration for Each Use or Event (per site)	Permitted Location(s)
Roadside Stands	120 consecutive days	All districts, subject to the requirements in 3.14.8.2
Temporary uses associated with construction (including contractor's office, equipment/storage sheds, security watchman temporary office/residence, and mobile office space for displaced workers during construction)	During construction period, 1 year permit – annual renewal if warranted	All districts, subject to requirements in 3.14.8.1
Temporary real estate office	See 3.14.8.4below	All districts, subject to requirements in 3.14.8.4
Temporary relocation mobile homes for displaced residents	1 year, except by extension when authorized by the Administrator	Within a designated redevelopment or a disaster area, subject to requirements in 3.14.8.5
Temporary use recreational vehicle or travel trailer	1 year – up to 1 year extension when authorized by the Administrator	All districts, subject to requirements in 3.14.8.6

Table 3.14.4-2: Temporary Uses Limited to Specific Districts

Use	Maximum Duration for Each Use or Event (per site)	Permitted Districts
Annual fairs, festivals, carnivals, special recreational or entertainment events, and similar types of events	14 days – no renewal within 3 months	NB, GB, RB, INS, and MX
Outdoor bazaars, tent sales	3 days – no renewal within 6 months	NB, GB, RB, INS, and MX
Special sales or seasonal flea markets ¹	5 days – no renewal within 6 months	NB, GB, RB, INS, and MX
Temporary food vendors on private property	5 days – no renewal within 3 months	NB, GB, RB, INS, and MX
Turkey Shoots	30 days – no renewal within 1 month	AR, RR, LI, HI

Notes:

¹ When conducted exclusively as part of the permanent business or industrial use on the same lot, a Temporary Use Permit is not required. See additional standards in Section 3.14.8.2.

3.14.5 TEMPORARY USES NOT LISTED¹²⁷

- A. **Review of Unlisted Uses.** If a Temporary Use Permit is sought for a use other than a specific use listed in the table above, the Administrator shall have the authority to determine which of the use categories above most closely resembles the use or activity in question.
- B. **Determination of Unlisted Uses.**
 - 1. In the event a particular use is not listed, and such use is not listed as a prohibited use and is not otherwise prohibited by law, the Administrator shall determine whether a materially similar use exists in this Section.
 - 2. If the Administrator determines that a materially similar use does exist, the regulations governing the similar use shall apply to the particular unlisted use. The Administrator's decision shall be recorded in writing.

3.14.6 GENERAL DEVELOPMENT STANDARDS FOR TEMPORARY USES¹²⁸

- A. **Separation Requirement.** Except for yard sales, Christmas tree sales, and produce stands, a temporary use shall not be located at least 100 feet from a dwelling unit unless the owners of such properties provide written consent of the temporary use to the Administrator.
- B. **Public Safety Plan.** Events that are expected to attract more than 100 participants in simultaneous attendance must provide a public safety plan for security prior to receiving a Temporary Use Permit. This plan must include:
 - 1. Description of the proposed event and associated activities;
 - 2. Anticipated number of attendees/participants;
 - 3. Emergency access and public safety plan specifying emergency routes and addressing security arrangements;
 - 4. Letter(s) of coordination from other departments or agencies, as applicable, including, but not limited to the Sheriff's Office and Fire Department.

¹²⁷ This section carries forward current 5.12.5 with limited changes.

¹²⁸ This section carries forward current 5.12.1 with changes including an increased public safety plan for larger events.

- C. **Sanitation.** The sponsor, owner, or manager of any temporary use is responsible for ensuring the site remains free of debris or waste upon the conclusion of each day's sale or use.
- D. **Parking.** The proposed site must provide adequate parking to serve the proposed use or activity in accordance with the requirements of the UDO.
- E. **Fire Marshall Review.** The Fire Marshall will review all public safety plans for fire code compliance.
- F. **Limitation on Use.** No more than one temporary use is allowed per lot at any given time.

3.14.7 PROPERTY OWNER CONSENT REQUIRED¹²⁹

- A. The applicant proposing a temporary use must obtain permission from the property owner to operate at the proposed location.
- B. For temporary uses that requires a Temporary Use Permit, the applicant shall provide with the Temporary Use Application written permission from the property owner to operate at the proposed location.

3.14.8 TEMPORARY USES WITH SPECIFIC REQUIREMENTS¹³⁰

3.14.8.1 Temporary Uses Associated with Construction

- A. **Use Requires Additional Permits.** A contractor's office, equipment/storage shed, security watchman's office/residence, or mobile office space for displaced workers may be placed in any district temporarily on the site of construction for a development for which a Zoning Permit and Building Permit have been issued.
- B. **Temporary Offices.** Temporary offices for displaced office workers are allowed only on the construction site and for the specific purpose of providing temporary relocation office space required during construction activities involving renovation, expansion, or reconstruction of an existing facility.
- C. **Separation Requirements.** Such uses shall be located at least five feet from other structures and 15 feet from adjacent property lines.

¹²⁹ This new section adds a requirement for property owner consent.

¹³⁰ This section carries forward current 5.12.4 with the addition of roadside stands and turkey shoots and the elimination of annual weekend flea markets.

- D. **Duration of Use.** Placement of such a temporary use is limited to a period of time determined by an estimated project completion date with the option of an extension of up to one year as if approved by the Administrator. All temporary construction buildings and trailers shall be placed on the site no earlier than 45 days prior to construction and shall be completely removed from the site within 30 days of issuance of a Certificate of Occupancy or completion of the project, whichever comes first.

3.14.8.2 Roadside Stands¹³¹

- A. **Owner Consent Required.**
1. Roadside Stands must receive written permission from the property owner. If the use is located on public property, the applicant must receive written permission from the governmental agency.
 2. The written permission of the property owner shall be required prior to issuance of a permit for a Roadside Stand.
- B. **Setbacks.** Minimum setbacks shall be 25 feet from any property line or right-of-way.
- C. **Signs.** Signs shall meet the standards of **Chapter 6: Signs**. Off-premises signs are prohibited.
- D. **Encroachment Permit Required.** A driveway encroachment permit is required from the SCDOT or Lancaster County, as appropriate. Vehicle parking shall be accommodated without interfering with the safe flow of traffic on adjacent roads.
- E. **Temporary Structures.** All display stands, shelters, and other elements associated with the roadside stand shall be temporary and moveable. Permanent structures are prohibited.
- F. **Operation and Merchandise.**
1. Roadside Stands may sell produce and other natural products such as flowers, firewood, and seafood.
 2. Roadside Stands must be operated by a governmental agency, non-profit agency, or one or more farm producers.

¹³¹ This section relocates and revises current 5.10.05 significantly for clarity and to limit the use regulations to temporary roadside stands. A new permitted principal use of “farmers’ markets” has been created to allow permanent use, as opposed to the seasonal use of roadside stands.

3.14.8.3 Special Sales or Seasonal Flea Markets

A. **Applicability.**

1. Special Sales and Seasonal Flea Markets generally require a Temporary Use Permit.
2. When such uses are conducted exclusively as part of a business or industrial use on their lot, parking area, or private sidewalk, a temporary use permit is not required.

B. **Duration of Use.** Such uses shall be limited to five days and may only be renewed every six months.

C. **Permanent Use Required.** Such uses shall be conducted or authorized by an existing permanent business or industrial use that is in a permanent structure.

D. **Location of Event.** Such uses are allowed on parking areas on the same lot as the permanent business or industrial use or on adjacent property with parking areas that serve the permanent business or industrial use. Such uses may be conducted within the front yard.

E. **Temporary Structures and Vehicles.** Such uses may include temporary tents, other similar structures, or vehicles used for purposes of displaying and selling merchandise, including utility or truck-trailers or trucks.

3.14.8.4 Temporary Real Estate Office

A. **Applicability.**

1. A construction trailer, temporary modular unit, or model dwelling unit may be used as a real estate sales office in a new residential development of 20 or more units or lots in a residential subdivision.
2. Temporary real estate offices in a construction trailer, temporary modular unit, or model dwelling unit are allowed in any new construction project in any district, provided that such structure shall be used for the sale of units within that project only.

B. **Number.** Only one temporary office per builder or developer shall be allowed.

C. **Duration.** Temporary real estate offices in construction trailers or temporary modular units may remain on the site for no more than one year or until 80% of the units for the project are completed, whichever occurs first.

3.14.8.5 Temporary Relocation Housing.

Residents displaced as a result of a natural or human-made disaster, or a publicly sponsored redevelopment project in a neighborhood or area, are allowed temporary relocation housing in a temporary dwelling, such as a mobile home or recreational vehicle if they meet the following requirements:

- A. May occupy designated disaster areas or redevelopment project areas only. Mobile homes are only allowed to occupy redevelopment project areas;
- B. Are permitted for not more than two years;
- C. Shall be properly installed according to state and local requirements;
- D. Shall be located at least 30 feet from one another or other structures;
- E. Shall be accessible to public service and emergency vehicles as determined and approved by the Administrator; and
- F. Adequate provision shall be made for parking and waste management in compliance with County ordinances and policies.

3.14.8.6 Temporary Recreational Vehicle or Travel Trailer

- A. **Applicability.** This use is for a single temporary recreational vehicle or travel trailer (RV) located on a residential site during construction/rehabilitation of the principal building when occupied by owners of the site. This is an administratively issued Temporary Use Permit.
- B. **Use Requires Additional Permits.** The applicant must have an active building permit for the principal building on the property to qualify for a permit to use a recreational vehicle or travel trailer. A waiver may be granted by the County Administrator for the active building permit due to issues with financing, insurance, and material shortages. Progress towards completion of the project is essential in order to continue to hold this permit, and lack thereof over a period of three months or more is sufficient grounds for revocation of this temporary use permit.
- C. **Description of Use.** The RV may be used for dwelling purposes including, but not limited to, sleeping and major cooking activities.
- D. **Duration.** The initial permit shall cover one year (unless revoked for reasons stated above). A one-year extension may be authorized by the Administrator when circumstances merit same.

- E. **Location.** The RV shall be located completely on private property and shall not impede access by emergency vehicles to the property or any adjoining properties.
- F. **Owner Occupancy.** The RV shall be occupied by the owner of record of the property on which it is located.
- G. **Sanitation.** Use of public utilities and disposal of waste generated by the RV shall comply with all applicable County ordinances and policies.

3.14.8.7 Turkey Shoots¹³²

- A. **Minimum Lot Size.** A turkey shoot shall be on a site of not less than five acres.
- B. **Distance to Adjacent Property.** The site must be designed so that the distance to any adjacent property measured from the firing point or points in the direction of fire is not less than 200 yards; or an earthen backstop not less than 20 feet in height shall be provided beyond the target line but within 200 feet of the target line.
- C. **Targets and Firing Points.** Targets and firing points must not be located closer than 50 feet to a side property line.
- D. **Firearms Used.** Shotguns only shall be fired.
- E. **Hours of Operation.** The use of firearms is prohibited between the hours of 10:00 P.M. and 8:00 A.M.
- F. **Duration of Permit.** The duration of the permit shall not exceed 30 consecutive days.
- G. **Additional Application Requirements.** The applicant must submit a site plan or sketch indicating all firing points, targets, and property lines.

¹³² This section establishes new regulations for temporary use of turkey shoots.

UDO CHAPTER 13: DEFINITIONS & ACRONYMS

WORKING DRAFT | LAST SAVED: 2022-12-21

LANCASTER COUNTY, SC UNIFIED DEVELOPMENT ORDINANCE UPDATE

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13 DEFINITIONS¹

13.1 PURPOSE²

For the purpose of interpreting this ordinance, certain words, concepts, and ideas are defined herein. Except as defined herein, all other words used in this ordinance shall have their everyday meaning as determined by their dictionary definition.

Section 10.3 includes all definitions listed on the Use Table in Section 2.5.3. Section 10.4 are all definitions more general in nature and includes definitions specific to the mixed-use districts in Chapter 3; the aviation regulations in Chapter 4; and the floodplain and stormwater regulations in Chapter 8.

13.2 ACRONYMS³

(A, B, C)

ATM Automated Teller Machine

BFE Base Flood Elevation

BMP Best Management Practice

CLOMR Conditional Letter of Map Revision

(D, E, F)

DBH Diameter at breast height

DHEC See **SCDHEC**

ERU Equivalent Residential Unit

FAA Federal Aviation Administration

FAR Federal Aviation Regulation

¹ This Chapter carries forward the provisions of current Chapter 10: *Definitions*. This is a working document that will continue to be updated throughout the UDO update process.

² The section carries forward the provisions of current 10.1: *Intent*.

³ New section.

FCC Federal Communications Commission

FEMA Federal Emergency Management Agency

FHBM Flood Hazard Boundary Map

FIRM Flood Insurance Rate Map

(G, H, I)

HVL Highly volatile liquid

HQAR High quality aquatic resources

(J, K, L)

LAG Lowest adjacent grade

LID Low impact development

LOMA Letter of Map Amendment

LOMR Letter of Map Revision

LOS Level of Service

(M, N, O)

MSL Mean sea level

NAVD North American Vertical Datum

NGVD Nations Geodetic Vertical Datum

NPDES National Pollution Discharge Elimination System

(P, Q, R)

(S, T, U)

SCDHEC South Carolina Department of Health and Environmental Control

SCDOT South Carolina Department of Transportation

SFHA Special Flood Hazard Area

SOB Sexually oriented business

THOW Tiny home on wheels

TRC Technical Review Committee

USDA United States Department of Agriculture

USGS United States Geologic Survey

(V, W, X, Y, Z)

WSE Water surface elevation

13.3 DEFINITIONS⁴

(A)

ABUTTING Having common property lines. Property separated by a street or alley is not considered abutting.

ACCELERATED EROSION Any increase over the rate of natural erosion as a result of land-disturbing activity.

ACCESSORY STRUCTURE (APPURTENANT STRUCTURE) Structures that are located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory Structures should constitute a minimal investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

ACCESSORY USE A use that is clearly incidental to and customarily found in connection with a principal building or use, is subordinate to and serves a principal building or use and is subordinate in area, extent and purpose to the principal building or principal use served.

ACTIVE USE A use other than parking.

⁴ The section carries forward the provisions of current 10.3 & 10.4: *Definitions, Use Type & Definitions, Generally*. Assessment p. 62:

“During the UDO revision, existing definitions should be comprehensively reviewed and revised, if needed, to ensure clarity and consistency with the rest of the UDO.”

“The revised UDO should combine all definitions into a single section. The individual definitions specify whether the term is a “use type” so there is no need to further clarify this by placing use type definitions in a separate section.”

“While the list of definitions is extensive (also a best practice to improve clarity in the UDO), staff identified a number of missing terms that are foundational to the UDO, including principal structure, property lines, setbacks, yards, and different types of lots. The revised UDO should incorporate definitions for all of these terms.”

“Staff noted the various definitions of height, building height, story height should be assimilated into a singular cohesive definition.”

“Definitions should not include use conditions, and most of the UDO definitions do not. Where a definition does include use conditions (e.g., independent living facilities), those should be consolidated with other use conditions in Chapter 5.”

Staff comment: “Need a comprehensive review of use definitions and general definitions to ensure necessary words or phrases are suitably defined. Use of industry standard guides such as APA Planners Dictionary and similar resources is fine, if appropriate.” “Combine the definitions in 10.3 with those in 10.4.”

ADDITION (TO AN EXISTING BUILDING) An extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction regardless as to whether the addition is a substantial improvement or not. Where a firewall or load-bearing wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction.

ADEQUATE DOWNSTREAM STORMWATER CAPACITY A stormwater management system shall be considered to have adequate downstream stormwater capacity if the system can be shown to store or convey up to and including the 100-year stormwater runoff without increasing damage to adjoining properties or to a point downstream known to the Administrator or designee to be a restriction causing significant backwater.

ADEQUATE EROSION CONTROL MEASURE, STRUCTURE, OR DEVICE One which controls the soil material within the land area under responsible control of the person conducting the land-disturbing activity.

ADMINISTRATOR The Planning Director, the Zoning Official, the Public Works Director, Building Official, Fire Marshal, or Emergency Services Director and their subordinate staffs are collectively referred to as the Administrator for the purpose of enforcing the provisions contained in this ordinance.

AFFILIATE A person that directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control of another person.

AGRICULTURAL & CROP PRODUCTION/ HARVESTING A property used primarily for the production and activities relating or incidental to the production and harvesting of crops, fruits, nuts, vegetables, and horticultural products, such as ornamental and flowering plants or sod.

AGRICULTURAL PRACTICES These practices include normal farming, silviculture and ranching activities such as gardening, plowing, seeding, cultivating, harvesting for the production of food, fiber, forest products, nursery stock and livestock; maintenance of agricultural drain tiles, irrigation and drainage ditches; maintenance of farm roads and other access areas for farm vehicles and equipment use.

AGRICULTURAL STRUCTURE A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Agricultural structures are not exempt from the provisions of this ordinance.

AGRICULTURAL SUPPORT SERVICES/~~NURSERIES~~ Nursery, orchard, forestry, or farm supply and support services including, but not limited to: equipment dealers, support uses for agricultural, harvesting, and/or animal production, processing of wild game, seasonal packing sheds, etc.

AGRITOURISM Farm-related enterprises that operate for the enjoyment and education of the public and that combine tourism and agriculture such as agriculture cultural centers; hay rides, corn mazes, and petting zoos (farm animals only).

AIRPORT McWhirter Field.⁵

AIRPORT OBSTRUCTION Any living or human-made structure or tree which obstructs the aerial approaches of the airport exceeding the maximum height of structures permitted in the airport operation area or is otherwise hazardous to its use for landing or taking off.

AIRPORT OPERATION AREA All airport zones established in this Ordinance.

AIRPORT OVERLAY ZONES Zones intended to place height and land use conditions on land impacted by airport operations while retaining the existing underlying zone. The Title 14 Code of Federal Regulations Part 77 (14 CFR Part 77) Surfaces and runway protection zones have been combined to create five airport overlay zones. The five specific zones create a comprehensive area focused on maintaining compatible land use around airports.

AIRSTrip/AIRPORT A surface used for take-off and landing of aircraft and the buildings, passenger/freight terminals, airplane hangars, and other accessory uses directly associated with that function.⁶

ALCOHOLIC BEVERAGE SALES STORE The retail sales of beer, wine, and/or other alcoholic beverages for off-premise consumption as a primary use.

ALCOHOL PRODUCTION, LARGE.BREWERY A facility more than 5,000 square feet of gross floor area that is used for producing beer, cider, mead, spirits, and other alcoholic beverages for human consumption, except for wine. A licensed facility, as allowed by SC Code Title 61, Chapter 4 as amended, that offers samples of beer to consumers on its licensed premises. The entire brewing process must take place on the licensed premises. Samplings and sales by consumers must be held in conjunction with a tour by the consumer of the facility.

DISTILLERY A facility used for the commercial purpose of the production of liquors and similar beverages. The facility may incorporate all aspects of production including aging, storage, bottling, wholesale sales, warehousing, and administrative office functions. Retail sales, tasting facilities, tours, and event facilities may be permitted as part of the facility operations.

ALCOHOL PRODUCTION, SMALL. A facility 5,000 square feet or less of gross floor area that is used for producing beer, cider, mead, spirits, and other alcoholic beverages for human consumption, except for wine. The facility may incorporate all aspects of production including aging, storage, bottling, wholesale sales, warehousing, and administrative office functions.

⁵ Need to resolve duplicate definition of *airport* and *airstrip/airport*.

⁶ Need to resolve duplicate definition of *airport* and *airstrip/airport*.

Retail sales, tasting facilities, tours, and event facilities may be permitted as part of the facility operations.

ALLEY Alleys are intended to provide indirect, limited access to the rear of properties but not to accommodate through traffic. Utilities, either above ground or underground, may be located in alleyways to provide service connections to rear elevations.

AMUSEMENTS, INDOOR Establishments that provide commercial recreation activities completely within an enclosed structure such as video arcades, skating rinks, roller rinks, pool halls, and bowling alleys.

AMUSEMENTS, OUTDOOR Establishments that provide commercial recreation activities primarily outdoors such as miniature golf establishments; go-cart facilities; theme parks, carnivals, fairgrounds, and midways; paintball parks; and water rides.

ANIMAL PRODUCTION/GENERAL FARMS The raising, breeding, feeding, and/or keeping of animals for the principal purpose of commercially producing products for human use or consumption, including, but not limited to: cattle, pigs, sheep, goats, fish (aquaculture), rabbits, and poultry. This does not include Animal Production Facilities. The animals are generally raised in an open range pasture environment. Establishments primarily engaged in the farm raising and production of aquatic animals or plants in controlled or selected aquatic environments are included in this subsector.

ANIMAL PRODUCTION FACILITY, NON-SWINE The raising, breeding, feeding, and/or keeping of domesticated animals, except swine, ~~turkeys and/or chickens~~ in confinement at high stocking density for the purpose of commercially producing meat, milk, or eggs for human consumption. The animals are generally raised in total confinement or captivity. Examples of domesticated animals include turkeys, chickens, cattle, and goats. These type Animal Production establishments tend to have a blighting and/or deteriorating effect upon surrounding properties.

ANIMAL PRODUCTION FACILITY, SWINE The raising, breeding, feeding, and/or keeping of pigs in confinement at high stocking density for the purpose of commercially producing meat, milk, or eggs for human consumption. The animals are generally raised in total confinement or captivity. These type Animal Production establishments tend to have a blighting and/or deteriorating effect upon surrounding properties.

ANTENNA A transmitting and/or receiving device used in telecommunications that radiates or captures radio and/or television signals.

ANTENNA Communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services, and similar equipment used for the transmission or reception of surface waves.

APARTMENT BUILDING A building type that accommodates 12 or more attached dwelling units vertically and horizontally integrated.

APARTMENT COURT A building type that accommodates 12 or more dwelling units vertically and horizontally integrated and organized around a courtyard that fronts a primary street.

APIARY The assembly of 1 or more colonies of bees at a single location.

APICULTURE (BEE KEEPING) The keeping of bees on a large scale with commercial services ranging from selling equipment and supplies, pollination services, honey bee removal, honey bee breeding, queen breeding, etc.

APPEAL A request for a review of the local floodplain administrator's interpretation of any provision of this ordinance.

APPLICABLE CODES Uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization, or local amendments to those codes that are of general application and address public safety, and are consistent with this article.

APPLICANT Any person, firm or governmental agency who owns property or the duly appointed representative that wishes to develop that property and one who executes the necessary forms to procure a permit to carry out such development from the County.

APPROACH AND RUNWAY PROTECTION ZONE MAP The Approach and Runway Protection Zone Map is compiled from the criteria in 14 CFR Part 77, "Objects Affecting Navigable Airspace." It shows the five-airport overlay zones affected by the Airport Overlay Zoning Ordinance, and includes the layout of runways, airport boundaries, elevations, and area topography. Applicable height limitation areas are shown in detail.

AREA OF SHALLOW FLOODING A designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths of 1 foot to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

AREA OF SPECIAL FLOOD HAZARD The land in the floodplain within a community subject to a one percent or greater chance of being equaled or exceeded in any given year.

ARTIST STUDIO/LIGHT MANUFACTURING WORKSHOP The assembly, fabrication, production, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and are visually undifferentiated from an office building or a residentially-scaled garage. These typically involve the work of artisans or craftsman.

AS-BUILT DRAWINGS As-built surveys, drawings, or plans must be prepared by a land surveyor licensed in the state of South Carolina. Horizontal survey datum control shall be based upon, and referenced to, South Carolina State Plane, NAD83 HARN, International Feet coordinates. Vertical survey datum control shall be based upon, and referenced to, the North America Vertical Datum of 1988 (NAVD 88).

ATM Self-service machines used by banking customers for financial transactions, including deposits, withdrawals, and fund transfers, without face-to-face contact with financial institution personnel. These machines may be located at or within banks, or in other locations.

ATTIC A habitable or uninhabitable space within a building situated within the structure of a pitched roof and above the uppermost story.

AVENUE Avenues serve as connectors between neighborhoods and area centers. As such, they are used both in residential and commercial areas, often terminating at prominent buildings or plazas. Avenues may also circulate around squares or neighborhood parks.

AVIGATION EASEMENT Ownership of the right of imposition upon such property of overflight, excessive noise, vibration, smoke, dust, vapors, and particulates due to the operation of aircraft to and from the airport. Also includes the right to remove airport obstructions on said properties.

AWNING/CANOPY A wall-mounted, cantilevered structure providing shade and cover from the weather for a sidewalk.

AWNING / CANOPY SIGN A sign where graphics or symbols are painted, sewn or otherwise adhered to the awning material as an integrated part of the awning itself.

(B)

BACKYARD PENS/COOPS The long-term keeping of poultry, rabbits, and other similar small creatures in backyards as accessory uses to existing residential structures. Large animals may be allowed depending on size of lot.

BALCONY A platform projecting from the wall of a building with a railing along its outer edge, often with access from a door or window.

BANKS, CREDIT UNIONS, FINANCIAL SERVICES Establishments that engage in financial transactions that create, liquidate, or change ownership of financial instruments. Banks, credit unions, and savings institutions may perform central banking functions, accept deposits, and lend funds. In addition to banks and credit unions, financial services institutions may include: credit agencies, trust companies, holding companies, savings and loan institutions, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies, and investment companies.

BANQUET HALL An establishment which is rented by individuals or groups to accommodate private functions including, but not limited to, banquets, weddings, anniversaries, and other celebrations. Publicly owned facilities are not included in this definition. The establishment may include kitchen facilities for the preparation or catering of food, the sale of alcoholic beverages for on-premises consumption only during scheduled events that are not open to the general public, and outdoor gardens or reception facilities.

BAR/TAVERN/BREW PUB⁷ Any establishment, whether public or operated as a private club, including cocktail lounges, taverns, and the like, serving an adult clientele whose primary business (51% of gross income) is the sale of alcoholic beverages, including beer and wine, for consumption on the premises, and where the purchase of food is at the option of the customers and not required by the operator. The sale of alcoholic beverages, beer, and wine must be licensed by the State Alcoholic Beverage Commission. A business where alcoholic beverages are sold for on-site consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a brewpub.

BASE FLOOD The flood having a one percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE) A determination as published in the flood insurance study of the water surface elevations of the base flood.

BASEMENT Means any enclosed area of a building that is below grade on all sides.

BASIN Sub-watershed area within the County of Lancaster.

BASIN PLAN Study and evaluation of an individual drainage basin's stormwater management, flood control, and restoration/mitigation needs.

~~**BED AND BREAKFAST HOMES (UP TO 8 ROOMS)** A private home containing not more than 8 guest rooms that offers bed and breakfast accommodations to guests.~~

~~**BED AND BREAKFAST INN (UP TO 12 ROOMS)** A private home containing not more than 8 guest rooms between 9 and 12 guest rooms that offers bed and breakfast accommodations to guests.~~

BEE Any stage of the common domestic honey bee, *apis mellifera* species.

⁷ Staff comment: "Need to distinguish restaurants (i.e. bar/grills) that serve alcohol from bar/tavern uses. ABC has seating and cooking facility requirements for on-premises hard alcohol establishments."

BEST MANAGEMENT PRACTICES (BMPs) means design, construction, and maintenance practices and criteria for stormwater facilities that minimize the impact of stormwater runoff rates and volumes, prevent erosion and capture pollutants.

~~**BILLIARD/POOL HALL** Any place where one or more billiard or pool tables are operated or maintained, except for private family use, whether such place is a social club or a business enterprise operated for profit.~~

BLANK WALL AREA A portion of the exterior façade of the building that does not include substantial material change (paint color is not considered a substantial change); windows or doors; or columns, pilasters, or other articulation greater than 12 inches in depth.

BLOCK⁸

BOARDING OR ROOMING HOUSE A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit.

BORROW A fill material which is required for on-site construction and is obtained from other locations.

BOULEVARD Boulevards provide multi-lane access to commercial and mixed-use developments. Boulevards also serve to carry regional traffic throughout the County.

BRACKET SIGN A sign attached to the ground by one or more support structures that is not higher than 5 feet and hangs from a bracket or support.

~~**BREWERY** A licensed facility, as allowed by SC Code Title 61, Chapter 4 as amended, that offers samples of beer to consumers on its licensed premises. The entire brewing process must take place on the licensed premises. Samplings and sales by consumers must be held in conjunction with a tour by the consumer of the facility.~~

BUFFER An area of predominantly vegetated land to be left open, adjacent to drainageways, wetlands, lakes, ponds, or other surface waters for the purpose of eliminating or minimizing adverse impacts to such areas.

BUILD-TO ZONE The area on the lot where a certain percentage of the front building façade must be located, measured as a minimum and maximum setback range from the edge of the right-of-way.

BUILDING See Structure. Note: differentiate from structure.

BUILDING ELEMENT A component of a building as described in **Chapter 3**.

⁸ Staff comment: "Define block."

BUILDING ELEVATIONS Scaled, two-dimensional drawings used in development applications to accurately represent proposed building heights, floor levels, and building materials. These drawings typically illustrate each elevation (or façade) visible from a public street or civic space.

BUILDING FAÇADE The face of a building that delineates the edge of conditioned floor space.

BUILDING FLOOR AREA The gross floor area of an individual structure built for support, shelter or enclosure for any occupancy, or storage.

BUILDING OFFICIAL

BUILDING TYPE A building type defined by its form and function in [Section 3.1](#).

~~**BUILT-UPON AREA (BUA)** That portion of a development project that is covered by impervious or partially impervious surface including, but not limited to, buildings; pavement and gravel areas such as roads, parking lots, and paths; and recreation facilities such as tennis courts. "Built-upon area" does not include a wooden slatted deck, the water area of a swimming pool, or pervious or partially pervious paving material to the extent that the paving material absorbs water or allows water to infiltrate through the paving material.~~

BUSINESS SUPPORT SERVICES These establishments provide any of the following: document preparation, telephone answering, telemarketing, mailing (except direct mail advertising), court reporting, and steno typing. They may operate copy centers, which provide photocopying, duplicating, blueprinting, or other copying services besides printing. They may provide a range of support activities, including mailing services, document copying, facsimiles, word processing, on-site computer rental, tax preparation, legal services, and office product sales.

BYPASS means to route tributary drainage area runoff around and not through a stormwater control structure.

(C)

CABINET SIGN A sign that is mounted on the face of a building or on the ground that is typically rectangular in shape and provides for internal illumination and changing the message of the sign by replacing a single transparent or translucent panel.

CAMPGROUND A lot, tract, or parcel of land upon which campsites for trailers, tents, or RV's are permitted for the purpose of temporary habitation for the travelling or vacationing public.

CANOPY SIGN A sign placed on a canopy so that the display surface is parallel to the plane of the wall.

CARRIAGE HOUSE A rear detached accessory dwelling unit located at grade or above a garage that is associated with a detached house building type.

CEMETERY, COLUMBARIUM, AND MAUSOLEM A parcel of land used for internment of the dead in the ground or in a columbarium or mausoleums.

CERTIORARI A writ seeking supervisory judicial review. Appeals “in the nature of certiorari” means that the Court will review the case based on the record as presented to and acted on by the board or commission conducting the original review hearing, and review whether or not the board or commission followed proper procedures. In such reviews, the Court cannot hear or consider new evidence or testimony not already contained in the record.

CHANGE OF USE⁹

CHANGEABLE SIGN A permanent sign, or portion thereof, that is specifically designed to allow periodic changes in the informational content or display by manual or electric (electrically illuminated or mechanically driven changeable segments) means.

CHANNEL MODIFICATION Alteration of a stream channel by changing the physical dimensions or materials of its bed or banks. Channel modification includes damming, rip-rapping or other armoring, widening, deepening, straightening, relocating, and lining and significant removal of bottom or woody vegetation of the channel. Channel modification does not include the clearing of dead or dying vegetation, debris, or trash from the channel.

CHEMICAL STORAGE FACILITY A building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

CHILD/ADULT DAY CARE HOME (56 OR LESS-Fewer PERSONS) Supervision or care provided on a regular basis as an accessory use within a principal residential dwelling unit, by a resident of the dwelling, for five or less children/adults).

CHILD/ADULT DAY CARE CENTER (~~6 OR MORE than 6~~ PERSONS) An individual, agency, or organization providing supervision or care on a regular basis for children or adults who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adults; and who are not residents in the center; designed and ~~approved-licensed to accommodate more than six children or adults at a time based on~~ in accordance with State regulations; not an accessory to residential use.

CIVIC BUILDING A building type that accommodates specifically identified civic uses.

⁹ Staff comment: “Define change of use.” Should this a substantive standard instead?

CIVIC SPACE Improved space set aside for public use and recreation that is comprised of one or more of the following typologies (as described in [Chapter 3](#)) Green, Square, Playground, and Community Garden.

COLLEGE/UNIVERSITY Junior colleges, colleges, universities, and professional schools with physical structures (excluding online and remote programs). These establishments furnish academic or technical courses and grant degrees, certificates, or diplomas at the associate, baccalaureate, or graduate levels in a campus setting.

COLLOCATE OR COLLOCATION To install, mount, maintain, modify, operate, or replace Small Wireless Facilities on or adjacent to a support structure or pole.

COLONY A hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.

COMMERICAL STABLES Stabling, training, feeding of horses, mules, donkeys, or ponies, or the provision of riding facilities for use other than by the resident of the property, including riding academies. Also includes any structure or place where such animals are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch, or similar purpose.

COMMERCIAL STREET Main streets are intended to provide access to neighborhoods and high-density residential and commercial areas.

COMMUNICATIONS AND INFORMATION A use classification for establishments that produce or distribute information, including publishing, motion pictures and sound recording, telecommunications and broadcasting, and information services and data processing industries.

COMMUNICATIONS FACILITY The set of equipment and network components, including wires, cables, surface wave couplers, and associated facilities used by a cable operator, as defined in 47 U.S.C. Section 522(5); a provider of "video service" as defined in Section 58-12-300(10); a telecommunications carrier, as defined in 47 U.S.C. Section 153(51); a provider of information service, as defined in 47 U.S.C. Section 153(24); or a wireless services provider to provide communications services, including cable service, as defined in 47 U.S.C. Section 522(6); telecommunications service, as defined in 47 U.S.C. Section 153(53); an information service, as defined in 47 U.S.C. Section 153(24); wireless service; surface wave communication, or other one-way or two-way communications service.

COMMUNICATIONS NETWORK A network used to provide communications service.

COMMUNICATIONS SERVICE Cable service as defined in 47 U.S.C. Section 522(6), information service as defined in 47 U.S.C. Section 153(24), telecommunications service as defined in 47 U.S.C. Section 153(53), or wireless service.

COMMUNICATIONS SERVICE PROVIDER A cable operator, as defined in 47 U.S.C. Section 522(5); a provider of information service, as defined in 47 U.S.C. Section 153(24); a telecommunications carrier, as defined in 47 U.S.C. Section 153(51); or a wireless provider.

COMMUNITY SUPPORT FACILITY A non-profit or government facility providing personal assistance to individuals in need; such assistance to individuals may include temporary shelter, food services provisions, counseling, instruction, medical services, and other incidental services. This definition ~~is does not intended to be inclusive of include~~ Transitional Shelters ~~which are regulated as separate temporary uses.~~

COMPENSATORY STORAGE An excavated, hydraulically equivalent volume of storage used to offset the loss of natural flood storage capacity when artificial fill or structures are placed within a regulatory floodplain.

COMPLETION OF CONSTRUCTION OR DEVELOPMENT No further land-disturbing activity is required on a phase of a project except that which is necessary for establishing a permanent ground cover.

COMPREHENSIVE PLAN A document adopted by Lancaster County Council in accordance with S.C. Code Title 6, Chapter 29, Article 3, to address elements considered critical, necessary, and desirable to guide the development and redevelopment of its area of jurisdiction. The Comprehensive Plan includes an inventory of existing conditions, a statement of needs and goals, and implementation strategies with timeframes. When used in this Ordinance, Comprehensive Plan means the mostly recently adopted version of the plan and any amendments thereto.

COMPUTER AND ELECTRONIC PRODUCTS MANUFACTURING Establishments that manufacture computers, computer peripherals, communications equipment, and similar electronic products, and establishments that manufacture components for such products.¹⁰

CONDITIONAL APPROVAL REGULATORY FLOODWAY MAP Preconstruction approval by the Federal Emergency Management Agency of a proposed change to the regulatory floodway map and/or BFE. This pre-construction approval, pursuant to this part, gives assurance to the property owner that once an appropriate use is constructed according to permitted plans, the regulatory floodway map and/or BFE can be changed, as previously agreed, upon review and acceptance of as-built plans.

CONDITIONAL LETTER OF MAP REVISION (CLOMR) A letter which indicated that the Federal Emergency Management Agency will revise base flood elevations, flood insurance rate zones, flood boundaries or regulatory floodway and/or BFE as shown on an effective flood

¹⁰ This definition is derived from the 2022 NAICS description of computer and electronic product manufacturing (NAICS 334).

hazard boundary map or flood insurance rate map, once the as-built plans are submitted and approved.

CONFERENCE/CONVENTION CENTER A commercial facility for public assembly including, but not limited to auditoriums, conference facilities, convention centers, exhibition halls, and the like.

CONEX CONTAINER (ALSO ISO CONTAINER) A modular storage container with a steel or metal exterior that is available in standard dimensions and is widely used by commercial shipping operators.

CONICAL SURFACE (ZONE E) The conical surface extends upward and outward from the periphery of the horizontal surface at a slope of 20 feet horizontally for every one-foot vertically (20:1) for a distance of 4,000 feet. It is the outermost zone of the overlay areas and has the least number of land use restriction considerations.

CONSTRUCTION DOCUMENTS A component of a site plan or other development application that includes the full and complete set of engineered drawings necessary for final permitting and construction.

CONTRACTORS OFFICES Establishments that are primarily engaged in the construction of buildings or engineering projects, such as site preparation, new construction, additions, alterations, or maintenance and repairs. This definition includes general contractors, homebuilders, and specialty building trades or subcontractors. The operations of these establishments generally are managed at a fixed place of business where offices are located and equipment and materials may be stored, but the construction operations are usually performed off-site.

CONTROL STRUCTURE A structure designed to control the rate of flow that passes through the structure, given a specific upstream and downstream water surface elevation.

CORRECTIONAL INSTITUTION Government establishments generally designed for the confinement, correction, and rehabilitation of offenders sentenced by a court.

COTTAGE COURT A development building type with ~~5 to 9~~ individual detached houses organized around a common courtyard that fronts a primary street.

COUNTY Lancaster County.

COUNTY COUNCIL The County Council of Lancaster County.

COUNTY POLE A pole owned, managed, or operated by or on behalf of the County, provided however, that a County pole shall not include any pole, support structure, electric transmission structure, or equipment of any type that is part of a County owned or County controlled electric plant or system for furnishing of electricity to the public for compensation.

CREMATORIA Establishments for the preparation of the dead through cremation in a furnace. This definition includes crematoria for the internment of animal remains.

CRITICAL FACILITY A facility that is critical to the community's public health and safety, is essential to the orderly functioning of a community, store or produce highly volatile, toxic or water-reactive materials, or house occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical facilities include jails, hospitals, schools, fire stations, nursing homes, wastewater treatment facilities, water plants, and gas/oil/propane storage facilities.

CROWN SIGN A wall sign extending not more than 3 feet located on the upper horizontal band of a building at least 55 feet in height.

CULTURAL OR COMMUNITY FACILITY Facilities designed to promote cultural advancement and serve the community such as live theater, dance, or music establishments; art galleries, studios and museums, or similar facility; and libraries.

(D)

DAM Any artificial barrier, together with appurtenant works, including, but not limited to, dams, levees, dikes or floodwalls for the impoundment or diversion of water or other fluids where failure may cause danger to life or property.

DAMAGE A measurable rise in flood heights on property currently subject to flooding, flooding of property currently not subject to flooding unless it is contained within the streambanks or a deed or plat restricted area or increases in velocity to the point where the rate of land lost to erosion and scour is significantly increased.

DATA CENTER A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Key components of a data center include routers, switches, firewalls, storage systems, servers, and application-delivery controllers. Typical supporting equipment includes back-up batteries and/or power generators, cooling units, fire suppression systems, and enhanced security features.

DAY TREATMENT CENTER A state-licensed facility providing behavioral health treatment programs, outpatient care, substance abuse treatment and treatment of mental or nervous disorders. Consumers, or patients, may be residents of their own home, a substitute home, or a group care setting. The day treatment is provided in a setting separate from the consumer's residence.

DECORATIVE POLE A County pole that is specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than a SWF, public safety devices, or specially designed informational or directional signage or temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory municipal rules or codes.

DEED OR PLAT RESTRICTION Permanent easements, covenants, deed restricted open spaces, outlots, reserved plat areas, and conservation easements dedicated to meet the requirements of this article, or public road rights-of-way that contain any part of the stormwater management system of a development.

DEPRESSIONAL STORAGE AREAS Nonriverine depressions where stormwater collects.

DESIGN STORM A selected storm event, described in terms of the probability of occurring once within a given number of years, for which stormwater or flood control improvements are designed and built.

DETACHED HOUSE A building type that accommodates one dwelling unit on an individual lot with yards on all sides along with a rear accessory dwelling unit at grade or above a garage.

DETENTION FACILITY A human-made structure for the temporary storage of stormwater runoff with controlled release during or immediately following a storm.

DETENTION VOLUME SAFETY FACTOR A multiplication factor applied to a development's detention volume when the detention facility is constructed on-stream.

DEVELOPED COMMERCIAL/INDUSTRIAL PROPERTY Developed property which does not serve the primary purpose of providing permanent dwelling units for single-family detached units, regardless of the zoning district in which such property is located. Such property shall include all multi-residential and nonresidential property, including, but not limited to, duplexes, apartment buildings and complexes, condominiums, boardinghouses, commercial properties, industrial properties, parking lots, recreational, institutional, and governmental facilities, hotels, offices, schools and other educational facilities, theaters and other facilities for performances, and churches and other religious institutions.

DEVELOPED PROPERTY Real property which has been altered from its natural state by the addition and attachment of any improvements such as buildings, structures, or other impervious area. For new construction, property shall be considered developed property upon final approval of site improvements by the County.

DEVELOPED RESIDENTIAL PROPERTY Developed property which serves the primary purpose of providing a permanent dwelling unit, regardless of the zoning district in which such property is located, for single-family detached units and duplexes, and which may or may not have accessory uses related to the purpose of providing permanent dwelling facilities.

DEVELOPMENT Any human-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

DEVELOPMENT FLOOR AREA The total building floor area of any construction projects simultaneously developed by a single developer.

DIAMETER BREAST HEIGHT (DBH) The diameter of a tree as measured at a point 4.5 feet above the tree's base.

DIRECTIONAL/IDENTIFICATION SIGN A sign used to display only the name, address, crest, trademark, and/or profession of the business, individual, family, organization or enterprise occupying the premises, or the name of the building on which the sign is displayed.

DISCHARGE POINT A point at which stormwater runoff leaves a tract of land.

DISPOSAL Defined as in South Carolina Code of Laws, Title 44.

~~**DISTILLERY** A facility used for the commercial purpose of the production of liquors and similar beverages. The facility may incorporate all aspects of production including aging, storage, bottling, wholesale sales, warehousing, and administrative office functions. Retail sales, tasting facilities, and event facilities may be permitted as part of the facility operations.~~

DISTURBANCE An area where the land surface has been cleared, grubbed, compacted, or otherwise modified to alter stormwater runoff, volumes, rates, flow direction, or inundation duration.

DORMITORY A building used as group living quarters for a student body or religious order as an accessory use for a college, university, boarding school, convent, monastery or other similar public, semi-public use. These are measured in terms of lodging units: a lodging unit is a furnished room of a minimum 200 square feet that includes sanitary facilities and may include limited kitchen facilities

DRAINAGE AREA The land area above a given point that contributes stormwater to that point.

DRAINAGEWAY A natural or artificial stream, closed conduit, or depression that carries surface water.

DRIVE-THRU/DRIVE-IN FACILITY A primary or accessory facility where goods or services may be obtained by motorists without leaving their vehicles. These facilities include drive-through bank teller windows, dry cleaners, fast-food restaurants, drive-through coffee, photo stores, pharmacies, etc. Does not include: Automated Teller Machines (ATMs), gas stations or other vehicle services, which are separately defined.

DRY CLEANING & LAUNDRY SERVICES Coin-operated laundries, dry cleaning pick-up stores without dry cleaning equipment, or dry cleaning stores that do not provide cleaning services to other collection stations or stores.

DRY DETENTION FACILITY A dry detention facility is a detention facility designed to drain completely after temporary storage of stormwater flows and to normally be dry over the majority of its bottom area.

DWELLING or DWELLING UNIT A building or structure, or part of a building or structure, providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation and meeting the habitability requirements of the International Residential Code.

DWELLING-ACCESSORY A dwelling unit either detached or attached, such as a garage apartment or cottage, designed for occupancy by one or two persons, located on a lot with an existing single family dwelling.

DWELLING – ~~FOUR FAMILY (QUADRAPLEX)~~ Four dwelling units, including modular homes, attached side by side or one on top of another and sharing common walls or common floors and ceilings.

DWELLING-MULTIFAMILY A building or portion thereof containing three or more dwelling units on a single lot where each unit has a separate entrance from the outside or through a common vestibule. A multifamily structure where dwelling units are available for lease or rent for less than one month shall be considered lodging.

DWELLING-MULTIFAMILY AGE RESTRICTED A building or portion thereof containing three or more independent living facility dwelling units on a single lot. Multifamily Age Restricted use requires that the development's residents are restricted by age to be available only for residents 55 and over.

DWELLING-SINGLE FAMILY DETACHED A free standing building designed for and/or occupied by one household. These residences may be individually owned or owned by rental or management companies. Also includes factory-built, modular housing units that comply with International Residential Code.

DWELLING – ~~THREE FAMILY (TRIPLEX)~~ Three dwelling units, including modular homes, attached side by side or one on top of another sharing common walls or common floors and ceilings.

DWELLING-TOWNHOME A building with two or more residential units, located side by side, with common walls between the units and where each unit has a separate entrance from the outside and occupies a separate lot. Townhomes typically have one primary yard (rear) and a small front setback to provide some landscaping.

DWELLING-DUPLEX TWO FAMILY A two-unit building located on a single lot that is divided horizontally or vertically, and each unit has a separate entrance from the outside or through a common vestibule.

(E)

ECOTOURISM Organized, educational and mainly outdoor recreation with or without lodging that invites participants to learn about and promote ecological preservation, conservation, and sustainability. This use shall include at least two of the following characteristics:

- 1) Located near or within a wilderness setting, park, or protected area;
- 2) Interpretive educational program with or without guides;
- 3) Outdoor activities; or
- 4) Cultural experiences.

ELECTRIC VEHICLE CHARGING STATION, PRIVATE One or more electric vehicle charging spaces that are not held open to the general public that are served by electric vehicle chargers or other charging equipment allowing charging of electric vehicles.

ELECTRIC VEHICLE CHARGING STATION, PUBLIC One or more electric vehicle charging spaces that are held open to the general public that are served by electric vehicle chargers or other charging equipment allowing charging of electric vehicles.

ELECTRICAL EQUIPMENT, APPLIANCE, AND COMPONENT MANUFACTURING Establishments that manufacture products that generate, distribute, and use electrical power, such as electric lamp bulbs, lighting fixtures, and parts; small and major electrical appliances and parts; electric motors, generators, transformers, and switchgear apparatus; and batteries, wire, and wiring devices.¹¹

ELECTRONIC AND PRECISION INSTRUMENT REPAIR AND MAINTENANCE Establishments primarily engaged in repairing and maintaining one or more of the following:

- (1) Consumer electronic equipment;
- (2) Computers;
- (3) Office machines;
- (4) Communication equipment; and
- (5) Other electronic and precision equipment and instruments, without retailing these products as new.¹²

¹¹ This definition is derived from the 2022 NAICS description of electrical equipment, appliance, and component manufacturing (NAICS 335).

¹² This definition is from the 2022 NAICS description of electronic and precision instrument repair and maintenance (NAICS 8112).

ELEVATED BUILDING A non-basement building built to have the lowest floor elevated above the ground level by means of solid foundation perimeter walls, pilings, columns, piers, or shear walls parallel to the flow of water.

ELEVATION CERTIFICATE A form published by the Federal Emergency Management Agency that is used to certify the elevation to which a building has been constructed.

EMERGENCY OVERFLOW The structure in a stormwater management system designed to protect the system in the event of a malfunction of the primary flow structure or a storm event greater than the system design. The emergency overflow capacity initiates at the facility design high water level or base flood elevation.

ENCLOSED¹³

ENCROACHMENT¹⁴ The advance or infringement of uses, fill, excavation, buildings, permanent structures, or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

ENERGY DISSIPATOR A structure or a shaped channel section with mechanical armoring placed at the outlet of pipes or conduits to receive and break down the energy from high velocity flow.

ENVIRONMENTAL SURVEY A component of a development application that identifies forest stands or trees of a uniform size and species; specimen trees of varying sizes and species, particularly free standing or open-grown or field grown trees; a distinctive tree line or forest edge; existing watercourses; previously documented Federally and State recognized endangered species habitats; and historic or culturally significant areas.

EQUIVALENT RESIDENTIAL UNIT (ERU) The total impervious area of a typical single-family residential property, and is determined as the median impervious area of a representative sample, as determined by Lancaster County, of all developed residential properties in the single-family residential category. The equivalent residential unit is 2.389 square feet.

EROSION The wearing away of land surfaces by the action of wind, water, gravity, or any combination thereof.

EROSION AND SEDIMENT CONTROL PLAN A plan for the control of soil erosion and sediment resulting from land disturbing activity.

¹³ Staff comment: "Define enclosed."

¹⁴ Staff comment: "Definition of encroachment doesn't seem to take Section 1.4.5 into account."

~~**RURAL EVENT VENUE/BANQUET HALL** An establishment which is rented by individuals or groups to accommodate private functions including, but not limited to, banquets, weddings, anniversaries, and other celebrations. The establishment may include:~~

- ~~1) Kitchen facilities for the preparation or catering of food,~~
- ~~2) The sale of alcoholic beverages for on-premises consumption only during scheduled events that are not open to the general public, and~~
- ~~3) Outdoor gardens or reception facilities.~~

~~Civic uses are not included in this definitions.~~

A commercial facility in a rural area rented to individuals, groups, or organizations and used to host gatherings such as weddings, receptions, parties, meetings, and conferences. A rural event venue may be comprised of a permanent structure(s), temporary structure(s), uncovered outdoor gathering area(s), or any combination of these features. This definition does not include banquet halls, places of assembly, or publicly owned facilities.

EXECUTIVE ORDER 11988 (FLOODPLAIN MANAGEMENT) Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

EXISTING CONSTRUCTION Means, for the purposes of determining rates, structures for which the start of construction commenced before January 6, 1983.

EXISTING LOT Any tract of land, less than five acres, for which an approved plat has been recorded at the Lancaster County Register of Deeds office, or which is shown on a preliminary subdivision plat that has been approved by the Lancaster County Planning Commission as of the effective date of the UDO.

EXISTING MANUFACTURED HOME PARK OR MANUFACTURED HOME

SUBDIVISION A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before January 6, 1983.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs).

(F)

FABRICATION SHOPS The assembly, fabrication, production or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and are visually undifferentiated from an office building. This shall not include uses that require deliveries by trucks with more than two axles more frequently than once a day.

FAIRGROUNDS A facility that includes buildings and outdoor areas for animal shows and judging, carnivals, circuses, community meetings, concerts, food booths and stands, games, rides, rodeos, sales and auctions, storage, and theaters, but does not include racetracks or motorized contests of speed.

FALL ZONE Provides for adequate setbacks on all sides of a tower to prevent its fall from encroaching on adjoining properties.

FAMILY A single individual or collective body of persons in a domestic relationship based upon blood, marriage, adoption, or legal custody, living as a separate, independent housekeeping unit, or a group of not more than ~~3~~three unrelated persons, all living together as a separate housekeeping unit.

FARMERS' MARKETS A permanent establishment for the retailing or wholesaling of agricultural products including, but not limited to, vegetables, fruits, meats, eggs, dairy products, grains, and prepared foods. ———At least 50 percent% of the vendors must be farmers, fishermen, and other agricultural producers who sell produce, eggs, plants, flowers, local seafood, and other value-added farm products such as jams, jellies, and honey.

~~**FARMERS' MARKETS/ROADSIDE STANDS.** A Seasonal Sales establishment, operated primarily in the open air, for the distribution of agricultural products including, but not limited to, vegetables, fruits, meats, eggs, dairy products, grains, and prepared foods.~~

FEE The annual monetary amount charged to a property owner of record of real property for the services provided by the stormwater utility system and program.

FEMA The Department of Homeland Security, Federal Emergency Management Agency and its regulations codified as 44 CFR 59-79. The following documents are incorporated by reference and may be used by the local floodplain administrator to provide further guidance and interpretation of this article as found on FEMA's website at www.fema.gov:

- 1) All FEMA technical bulletins.
- 2) All FEMA floodplain management bulletins.
- 3) FEMA 348 protecting building utilities from flood damage.

FINAL PLAT The final map, drawing, or chart on which the subdivider's plat of subdivision is presented for approval and which, if approved by the Planning Department, will be submitted to the Register of Deeds for recording.

FLAG Any fabric, banner, or bunting containing distinctive colors, patterns, insignia, logo or symbols of any nation, government, any religious, civic or fraternal organization, any educational or cultural facility, or other entity.

~~OPERATIONS, MAINTENANCE, AND FLEET SERVICE FACILITY, PRIVATE~~ A facility owned and/or operated by the ~~government~~ a business establishment or individual for the purpose of storage, maintenance, and/or fueling of fleet vehicles; storage of equipment and supplies in warehouses or outdoor storage yards; and/or the dispatching and training of field employees.

~~OPERATIONS, MAINTENANCE, AND FLEET SERVICE FACILITY, PUBLIC~~ A facility owned and/or operated by the government for the purpose of storage, maintenance, and/or fueling of fleet vehicles; storage of equipment and supplies in warehouses or outdoor storage yards; and/or the dispatching and training of field employees.

FLOOD A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation of runoff of surface waters from any source.

FLOOD FREQUENCY A period of years, based on a statistical analysis, during which a flood of a stated magnitude may be expected to be equaled or exceeded.

FLOOD HAZARD BOUNDARY MAP (FHBM) An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

FLOOD INSURANCE The insurance coverage provided under the national flood insurance program.

FLOOD INSURANCE RATE MAP (FIRM) An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY The official report provided by the Federal Emergency Management Agency which contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

FLOOD PRONE AREA See "Floodplain."

FLOOD ZONE A geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

FLOODING The grade situated below the 100-year BFE of either a FEMA mapped stream or, as determined from a hydrological/hydraulic analysis, below the Q100 BFE elevation of an unmapped stream or conduit.

FLOODPLAIN or FLOOD PRONE AREA Any land area susceptible to being inundated by water from any source.

FLOODPLAIN MANAGEMENT The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

FLOODPLAIN REGULATIONS Included in Chapter 8 and through the UDO zoning and, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

FLOODPLAIN STUDY A study, formally adopted by the County, excluding base flood determinations performed for a specific development site that examines, analyzes, evaluates, or determines the hydraulic and hydrologic characteristics of flood hazards for a basin or partial basin area. To be used as a regulatory instrument the study shall, at a minimum, meet the FEMA criteria specified in Guidelines and Specifications for Flood Hazard Mapping Partners, most current version.

FLOODPROOFING Any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitation facilities, or structures with their contents.

FLOODPROOFING CERTIFICATE A form published by the Federal Emergency Management Agency that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

FLOOD-RESISTANT MATERIAL Any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood resistant. Please refer to Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, dated 8/08, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

FLOODWAY The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

FOOD TRUCK A licensed, motorized vehicle mobile food unit which is temporarily stored on privately-owned lot where food items are sold to the general public.

FORECOURT An open area at grade or within 30 inches of grade, that serves as an open space, plaza, or outdoor dining area.

FORESTRY Perpetual management, harvesting, replanting, and enhancement of forest resources for ultimate sale or use of wood products, subject to S.C. Forestry Commission BMPs.

FRATERNITY/SORORITY HOUSE A structure used to provide housing for fraternal or sisterhood organization members while such persons are attending college. These are measured in terms of lodging units: a lodging unit is a furnished room of a minimum 200 square feet that includes sanitary facilities and may include limited kitchen facilities

FREEBOARD A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FRONTAGE¹⁵

FRONTAGE LANDSCAPE AREA A required landscaped area along any public street right-of-way.

FUNCTIONALLY DEPENDENT USE A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

FUNERAL HOMES Establishments for preparing the dead for burial or internment and conducting funerals (i.e., providing facilities for wakes, arranging transportation for the dead, and selling caskets and related merchandise).

(G)

¹⁵ Staff comment: "Define frontage."

GALLERY A covered passage extending along the outside wall of a building supported by arches or columns that is open on ~~3~~three sides.

GARDEN (COMMUNITY AND PRIVATE) An exterior area for the small-scale production of vegetables and flowering plants for personal or small commercial use. This definition includes community and private gardens. This definition does not include crop production and nurseries.

GARDEN APARTMENT A building type that accommodates 3 to 12 attached dwelling units vertically and horizontally integrated.

GAS Natural gas, flammable gas, or gas ~~which~~that is toxic or corrosive.

GAS PUMP ISLAND/CANOPY SIGN A sign attached to or painted on a gas pump island or canopy.

GENERAL BUILDING A building type that typically accommodates commercial uses.

GENERAL COMMERCIAL, SMALL-A place of business with 5,000 or less square feet of floor area providing the sale and display of goods or sale of services directly to the consumer, with goods available for immediate purchase and removal from the premises by the purchaser.

GENERAL COMMERCIAL, LARGE A place of business with more than 5,000 square feet of floor area providing the sale and display of goods or sale of services directly to the consumer, with goods available for immediate purchase and removal from the premises by the purchaser.

GENERAL COMMUNITY SERVICE Note- undefined use category (probably non-profit?) from the FAA's draft circular 150/5190-4B model ordinance.

GOVERNMENT OFFICE A room or group of rooms used to conduct the affairs of a local, state, or federal government or government agency.

GOVERNMENT SIGN Any sign, symbol, or device erected and maintained by a federal, state, county, or municipal government, or any such governmental agency, for traffic control, for designation of or direction to any school, hospital, historical site, or public service, property, or facility, or for legal notices.

GROSS FLOOR AREA The sum in square feet of the horizontal area of all floors of the building measured from the exterior walls or from the centerline when two buildings or units abut. Gross floor area includes basement floor area when more than 50% of the basement height is above the established curb level or above the finished lot grade level where the curb has not been established. Elevator shafts, stairwells, floor space used for mechanical equipment, attics, balconies and mezzanines, enclosed porches and floor area devoted to accessory uses is included in the calculation of gross floor area. However, the following is not included: any space devoted exclusively to on-site parking; or outdoor loading, display, storage, utility service

areas; and uninhabited enclosed space on tops of roofs; or attic space having head room of less than 7'6".

GROUND COVER Any natural vegetative growth or other material which renders the soil surface stable against accelerated erosion.

GROUND FLOOR The floor of a building that is at or nearest to the level of the ground around the building. It does not include the floor of the basement.

GROUND FLOOR ELEVATION The height of the finished ground floor measured from the top of the abutting sidewalk.

GROUND/FREESTANDING SIGN A sign erected ~~which~~ that is wholly independent of any building for support and is for support and is permanently affixed to or constructed upon the lot on which it is located.

GROUND SIGN, LARGE A sign attached along its entire width to a continuous pedestal that is between ~~5~~ five and 10 feet in height.

GROUND SIGN, SMALL A sign attached along its entire width to a continuous pedestal that is no higher than ~~5~~ five feet.

(H)

HABITABLE STRUCTURES A building or part thereof, designed to be used for human habitation as a residence or lodging regularly or intermittently, or any place of business which is regularly or intermittently inhabited or occupied by the general public: Habitable Structures include but are not limited to the following use types occupied by the general public: residential, lodging, office/service, commercial/entertainment, civic, educational/institutional, automotive, and industrial. Habitable Structures do not include: barns, storage buildings, utility/toolsheds, playhouses, doghouses, and garages and pool houses without sleeping quarters, etc.

HALFWAY HOMES A place where persons are aided in readjusting to society following a period of imprisonment, hospitalization, or institutionalized treatment related to a criminal offense. This term excludes residential/family care homes and residential care facilities.

HAZARD TO AIR NAVIGATION An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.

HAZARDOUS WASTE MANAGEMENT FACILITY A facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste as defined in South Carolina Code of Laws, Title 44.

LARGE PRODUCT HEAVY EQUIPMENT/MANUFACTURED HOME

RENTAL/SALES/REPAIR Establishments ~~which that~~ may have showrooms, open lots, or garages for selling, renting, leasing, repairing, servicing, alteration, restoration, towing, painting, and/or finishing of heavy equipment, ~~such as~~ buses, trucks, manufactured homes, prefabricated storage buildings or sheds, construction equipment, and commercial and industrial equipment, and recreational vehicles ~~and/or boats or other marine craft~~.

HEIGHT¹⁶ The vertical distance from the ground elevation to the highest point of a structure or tree, including any appurtenance thereon expressed as feet above mean sea level (MSL).

HEIGHT, BUILDING The highest point of a pitched or flat roof measured from average grade.

HEIGHT LIMITATIONS No structure or tree shall be erected, altered, allowed to grow, or maintained in any airport surface zone, with a height in excess of the height established for such zone. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation.

HEIGHT, STORY The height of story measured from the top of the finished floor to the ceiling above.

HIGH QUALITY AQUATIC RESOURCES (HQAR) means waters of the United States or waters of the state that are determined to be critical due to their uniqueness, scarcity, function, and/or value.

HIGHEST ADJACENT GRADE The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

HIGHLY VOLATILE LIQUID (HVL) A hazardous liquid which will form a vapor cloud when released to the atmosphere and which has a vapor pressure exceeding 276 kPa (40 psia) at 37.8°C (100 °F).

HISTORIC STRUCTURE Any structure that is:

- 1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI)) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

¹⁶ Staff comment: "The various definitions of height, building height, story height need to be assimilated into a singular cohesive definition."

- 3) Individually listed on a State inventory of historic places;
- 4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (a) by an approved State program as determined by the Secretary of Interior, or (b) directly by the Secretary of Interior in states without approved programs. Some structures or districts listed on the State or local inventories MAY NOT be "Historic" as cited above, but have been included on the inventories because it was believed that the structures or districts have the potential for meeting the "Historic" structure criteria of the DOI. In order for these structures to meet NFIP historic structure criteria, it must be demonstrated and evidenced that the South Carolina Department of Archives and History has individually determined that the structure or district meets DOI historic structure criteria.

HIVE A structure intended for the housing of a bee colony.

HOME OCCUPATION An occupation or profession conducted within a dwelling unit by a resident that is incidental to the primary use of the dwelling as a residence. Home Occupations are small and quiet businesses generally invisible from the frontage requiring little parking, little or no signage, and having only one or two employees and provide services such as professional services, music instruction, and hair styling. For the purposes of this ordinance, telecommuting shall not constitute the establishment of a home occupation.

HORIZONTAL SURFACE (ZONE D) The horizontal surface is a horizontal plane located 150 feet above the established airport elevation and begins at the edge of the transitional surfaces and primary surface for a distance of 5,000 feet for visual approach runways.

HOSPITAL A health care facility and related facilities the purpose of which is to provide for care, treatment, testing for physical, emotional, or mental injury, illness, or disability, and overnight boarding of patients, either on a for-profit or not-for-profit basis; but not including group homes. The facility must be licensed by the South Carolina Department of Health and Environmental Control (SCDHEC).

HOTEL/MOTEL Establishments providing lodging and short-term accommodations for travelers. They may offer a wide range of services including overnight sleeping space, food services, convention hosting services, and/or laundry services. Entertainment and recreation activities may also be included. Extended-stay hotels are included in this category. This definition includes "inns." These are measured in terms of lodging units: a lodging unit is a furnished room of a minimum 200 square feet that includes sanitary facilities and may include limited kitchen facilities.

HYDRAULICALLY EQUIVALENT COMPENSATORY STORAGE Compensatory storage placed between the proposed normal water elevation and the proposed 100-year flood elevation. All storage lost or displaced below the existing ten-year flood elevation is replaced below the proposed ten-year flood elevation. All storage lost or displaced above the existing ten-year flood elevation is replaced above the proposed ten-year flood elevation.

HYDROLOGIC AND HYDRAULIC CALCULATIONS Engineering analysis which determines expected flood flows and flood elevations based on land characteristics and rainfall events.

HYDROPHYTIC VEGETATION Plant life typically adapted for life in saturated soil conditions or water.

(I)

ILLICIT DISCHARGE Any discharge or dumping of material into the stormwater management system, a floodprone area, or a water of the U.S./state that is not composed entirely of stormwater, except for discharges allowed under a National Pollution Discharge Elimination System (NPDES) permit or nonpolluting flows.

IMPERVIOUS SURFACE¹⁷ Impervious surface area includes any material which reduces and prevents absorption of stormwater into previously undeveloped land. This includes but is not limited to, buildings, roads, pavement, gravel surfaces, etc. Items not considered to be "impervious" include the water area of a swimming pool and wooden slatted decks.

IMPERVIOUS SURFACE AREA means a surface which, because of its composition or compacted nature, impedes or prevents natural infiltration of water into the soil, including but not limited to roofs, decks, driveways, patios, sidewalks, parking areas, tennis courts, streets, or compacted gravel surfaces.

IMPERVIOUS SURFACE AREA RATIO The ratio of impervious surface to total parcel area.

IMPROVED SITE AREA The sum of the horizontal area of the outside portion of the site and includes any space devoted to on-site parking; outdoor loading, display, storage, utility service, decorative areas and landscaped areas that are part of the original site plan approval.

INDEPENDENT LIVING FACILITIES Age-restricted (55 and over) attached congregate living facilities (not a single-family dwelling), with paid or volunteer staff that provide assistance to more than 6 individuals. Independent Living Facilities are designed for persons 55 years of age and older who do not require full-time health and support services, such as medical and nursing care, central dining, and transportation service, to be located on-site. Each living unit within an Independent Living Facilities shall be physically accessible to older persons. Independent Living Facilities shall consist of controlled access to the building, interior elevators, and conditioned corridors. This term excludes residential/family care homes and halfway homes. The site shall have reasonable access to either an arterial or collector road.

INDUSTRY, RESTRICTED A facility that involves the use, storage, production, or processing of any hazardous materials or substances in quantities subject to the reporting requirements of

¹⁷ Staff comment: "Definition of new impervious surface forgot to insert the date."

The Emergency Planning and Community Right-to-Know Act (EPCRA) also known as SARA Title III of 1980 (Sections 311-312, 42 U.S.C. §§ 11021-11022) and/or any facility ~~which~~that uses, stores, produces, or processes dangerous goods and/or hazardous substances that are covered by separate regulations, standards, or codes which are classified on the basis of immediate physical or chemical hazards, such as fire, explosion, corrosion and toxicity, and are in sufficient quantities such that accidental release or explosion may affect life, health, property or the environment beyond the immediate perimeter of the facility. These include: flammable gases, flammable liquids, flammable solids (self-reactive and related substances; and desensitized explosives), substances liable to spontaneous combustion, substances that when in contact with water emit flammable gases, oxidizing substances, organic peroxides, toxic substances, radioactive and corrosive substances.

INDUSTRY, HEAVY Typically the largest facilities in a community, these structures house complex operations and allow for intense manufacturing and industrial uses that have high impacts to neighboring properties with extensive outdoor activities. (~~Ord. No. 2018-1529, 8.27.18~~)

INDUSTRY, LIGHT These facilities are typically designed for a range of primarily indoor industrial uses such as fabrication, manufacturing, assembly, processing, and bulk storage which have low impacts on surrounding properties. (~~Ord. No. 2018-1529, 8.27.18~~)

IN-KIND REPLACEMENT (CULVERT) An in-kind culvert replacement has an equivalent cross-sectional area, shape, roughness coefficient, and inlet and outlet elevations; or the replacement may be shown to have an equivalent hydraulic capacity using appropriate engineering calculations.

INCREASED COST OF COMPLIANCE (ICC) Applies to all new and renewed flood insurance policies effective on and after June 1, 1997. The NFIP shall enable the purchase of insurance to cover the cost of compliance with land use and control measures established under Section 1361. It provides coverage for the payment of a claim to help pay for the cost to comply with State or community floodplain management laws or ordinances after a flood event in which a building has been declared substantially or repetitively damaged.

(J)

JUNKYARDS Any land or structure used for storing, dismantling, reconditioning, collecting, purchasing, or selling of scrap metal or other discarded goods and materials, including the collection, dismantlement, and salvage of two or more inoperative vehicles, boats, or other types of machinery or equipment.

(K)

KENNELS, INDOOR Establishments for the boarding and grooming of pets, including dog day care facilities that do not allow overnight boarding or keep unsupervised animals outside.

KENNELS, OUTDOOR A use or structure intended and used for the breeding or accommodation of small domestic animals for sale or for the training, or overnight boarding, of animals for persons other than the owner of the lot, but not including a veterinary clinic in which the overnight boarding of animals is necessary for or accessory to the testing and medical treatment of the physical disorders of animals.

(L)

LAKE OR NATURAL WATERCOURSE A natural or artificial body of water encompassing an area of two or more acres which retains water throughout the year. Any stream, river, brook, swamp, sound, bay, creek, run, branch, canal, waterway, estuary, and any reservoir, lake or pond, natural or impounded in which sediment may be moved or carried in suspension, and which could be damaged by accumulation of sediment.

LAND DEVELOPMENT ACTIVITY Define to include all development

LAND DISTURBING ACTIVITY Any activity which results in changes in the volume or flow rates of rainfall runoff, soil erosion from water or wind; or the movement of sediments into state waters or onto land within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land.

LANDFILL – CLASS ONE – COMPOSTING FACILITY A Composting Facility, as defined in South Carolina Code of Laws, Title 44, as amended, is a facility used to provide aerobic, thermophilic decomposition of the solid organic constituents of solid waste to produce a stable, humus-like material. The operations of ~~Such a facility shall consist of~~ include the grinding or composting of source separated organic residual wastes. These wastes shall include only yard trimmings, leaves, grass clippings, woodchips, trees, stumps, and other land-clearing debris, ~~but~~ Waste shall under no circumstances not include food waste, masonry materials, road spoils, paving material, solid waste from agricultural or silvicultural operations, scrap metal, vehicles, or other scrap materials. ~~(Ord. No. 2021-1708, 04.12.21)~~

LANDFILL - CLASS TWO - CONSTRUCTION AND DEMOLITION DEBRIS A land use for the disposal of ~~Discarded~~ solid wastes resulting from construction, remodeling, repair, and demolition of structures, road building, and land clearing. The wastes include, but are not limited to, bricks, concrete, and other masonry materials, soil, rock, lumber, road spoils, paving material, and tree and brush stumps, Allowed waste ~~but~~ does not include solid waste from agricultural or silvicultural operations or municipal solid waste.

LANDFILL - CLASS THREE A solid waste disposal facility, as defined in South Carolina Code of Laws, Title 44, as amended, for municipal solid waste, industrial solid waste, sewage sludge, hazardous or nonhazardous solid waste incinerator ash, scrap metal, vehicles and other ~~scrap~~

~~materials nonhazardous waste.~~ These establishments also include recycling and resource recovery facilities that operate in conjunction with landfills. ~~This definition is not intended to be inclusive of Outdoor Storage Yards, or landfills classified as Land Clearing Debris and Yard Waste facilities operated in association with an active building permit on the same or adjacent parcel. This definition is not inclusive of the outdoor storage of lumber, pipe, brick, mulch, soil, gravel, sand and similar nonhazardous materials.~~

LAND USE COMPATIBILITY The use of land adjacent to McWhirter Field that does not endanger the health, safety, or welfare of the owners' occupants or users of the land.

LAND USE PLAN A comprehensive plan prepared by the County Council upon recommendation of the Planning Commission which indicates the general locations recommended for the various functional classes of public works, places, and structures and for the general physical development of the Lancaster County and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

LANDSCAPED ISLAND A landscaped area placed at the ends of all parking bays or aisles (other than perimeter parking bays or aisles) or where required along traffic channels.

LANDSCAPED PROTRUSION An extension from the outer perimeter of a parking lot that extends from the perimeter into the parking lot.

LANE Lanes are small traveled ways intended to provide direct access to the front of a limited number of single-family structures. Lanes are limited in the number of lots served. Generally, they are very short; often less than 400 feet. Items including, but not limited to, traffic carrying capacity, topography, and connectivity, shall be a consideration when permitting a lane in lieu of a street.

LARGE PARKING LOT A parking lot where the number of parking spaces exceeds 100.

LATERAL ADDITION Improvements that increase the building footprint square footage. If the common wall is demolished as part of the project, then the entire structure must be elevated. If only a doorway is knocked through the existing structure, then only the additional has to be elevated.

LETTER OF MAP AMENDMENT (LOMA) The official determination by FEMA that a specific structure is not in a special flood hazard area; amends the effective flood hazard boundary map (FHBM) or flood insurance rate map (FIRM).

LETTER OF MAP REVISION (LOMR) A letter issued by FEMA that revises base flood elevation, flood insurance rate zones, flood boundaries or regulatory floodways as shown on an effective flood hazard boundary map or flood insurance rate map.

LEVEL OF SERVICE (LOS) A qualitative assessment of a transportation facility's operating conditions indicating the extent or degree of service provided by, or proposed to be provided by, the facility based on and related to the operational characteristics of the facility.

LIMITED STORAGE An area used for storage and intended to be limited to incidental items that can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE, and A1-A30 zone it must meet the requirements of Article IV.A.4 of this ordinance. If the area is located below the base flood elevation in a V, VE and V1-V30 zone it must meet the requirements of Article IV.F of this ordinance.

LITTORAL ZONES Such zones are described as follows:

- 1) The littoral zone is that portion of a wet detention pond which is designed to contain rooted aquatic plants. The littoral area is usually provided by extending and gently sloping the sides of the pond down to a depth of two to three feet below the normal water level or control elevation. Also, the littoral zone can be provided in other areas of the pond that have suitable depths (i.e., a shallow shelf in the middle of the lake).
- 2) The littoral zone is established with native aquatic plants by planting and/or the placement of wetland soils containing seeds of native aquatic plants. A specific vegetation establishment plan must be prepared for the littoral zone. The plan must consider the hydroperiod of the pond and the type of plants to be established.

LIVE-WORK UNIT An attached residential building type with a small commercial enterprise on the ground floor and a residential unit above or behind with a common tenant in both spaces (no dual occupancy is permitted). Live-work units exist as variations of either the Detached House building type or the Townhome building type and shall be subject to their applicable requirements.

LOCAL GOVERNMENT Any county, incorporated village, town or city, or any combination of counties, incorporated villages, towns, and cities.

LOT A portion of a subdivision or any other parcel of land intended as a unit for transfer or ownership or for development or both. The word lot includes plot, parcel, or tract.

LOT AREA The area included within the rear, side, and front lot lines. Lot area does not include existing or proposed right-of-way, whether dedicated or not dedicated to public use.

LOT, CORNER¹⁸

¹⁸ Staff comment: "Define corner lot."

LOT DEPTH The distance between the front and rear property lines measured along a line midway between the side property lines.

LOT, INFILL¹⁹

LOT OF RECORD A lot which is a part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds of Lancaster County; or a lot described by metes and bounds in a deed of conveyance which has been recorded in the Lancaster County Registry; or a lot on which the building or buildings and improvements for a condominium or townhouse development are to be located; or a residential site where a condominium unit or townhouse development is to be located, which said description shall be contained in a duly recorded declaration creating and establishing a condominium unit or townhouse ownership.

LOT, THROUGH²⁰

LOT WIDTH The distance between the two side lot lines measured at the primary street property line along a straight line or along the chord of the property line on a curvilinear lot.

LOW IMPACT DEVELOPMENT (LID) A stormwater management strategy concerned with maintaining or restoring the natural hydrologic functions of a site to achieve natural resource protection objectives and fulfill environmental regulatory requirements.

LOWEST ADJACENT GRADE (LAG) Is an elevation of the lowest ground surface that touches any deck support, exterior walls of a building or proposed building walls.

LOWEST FLOOR The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this eOrdinance.

(M)

MAIN A distribution line that serves as a common source of supply for more than one service line.

MANUFACTURED HOME A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

¹⁹ Staff comment: "Define infill lots."

²⁰ Staff comment: "Define through lot."

MANUFACTURED HOME PARK The location of two or more manufactured or mobile homes on a parcel of land shall constitute a manufactured home park.²¹

MANUFACTURED HOME PARK OR SUBDIVISION A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

NEW MANUFACTURED HOME PARK OR SUBDIVISION, NEW A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after January 6, 1983.

MANUFACTURED (MOBILE) HOUSING A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. This definition is not inclusive of Recreational Vehicles.

MANUFACTURED HOUSING-CLASS A A manufactured home constructed after July 1, 1998 that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development authorized under the National Manufactured Housing Construction and Safety Standards Act of 1974 that were in effect at the time of construction, and has a HUD label attached.

MANUFACTURED HOUSING-CLASS B A double-wide manufactured home constructed to meet or exceed the construction standards promulgated by the US Department of Housing and Urban Development authorized under the National Manufactured Housing Construction and Safety Standards Act of 1974 that were in effect at the time of construction and has a HUD label attached, but does not meet the criteria of a Class A Manufactured Home.

MANUFACTURED HOME-CLASS C A single-wide manufactured home constructed to meet or exceed the construction standards promulgated by the US Department of Housing and Urban Development authorized under the National Manufactured Housing Construction and Safety Standards Act of 1974 that were in effect at the time of construction and has a HUD label attached, but does not meet the criteria of a Class A Manufactured Home.

MARKET VALUE shall be determined based on:

- 1) An independent appraisal by a professional appraiser. The appraisal must exclude the value of the land and not use the income capitalization approach which bases value on the use of the property, not the structure; or

²¹ Consolidate definitions of *manufactured home park* and *manufactured home park or subdivision*.

2) Detailed estimates of the structure's actual cash value. The replacement cost for a building, minus a depreciation percentage based on age and condition.

MARQUEE SIGN Three dimensional signs projecting from the side of a building (typically theatres, arenas, and hotels) which may extend above the roof line and/or incorporate changeable type.

MASTER PLAN A component of a development application that provides a detailed two-dimensional drawing illustrating all required site features, including buildings, parking areas, streets locations, street sections, rights-of-way, property lines and setbacks, required or proposed watercourse buffers, site landscaping and lighting (in conceptual form), and all related development calculations.

MATERIALS RECOVERY An industrial facility that is not a salvage yard and in which recoverable resources, such as newspapers, magazines, books, and other paper products, glass, metal cans, and other products are recycled, reprocessed, and treated to return such products to a condition in which they may again be used for production.

MEAN SEA LEVEL Means, for the purpose of this ordinance, the Nations Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which the base flood elevations shown on a community's Flood Insurance Rate Maps (FIRM) are shown.

MEDIAN ISLAND A landscaped area in the center between 2 back-to-back parking rows in a parking bay.

MEDICAL CLINIC Facilities that provide outpatient ambulatory or outpatient health care such as emergency medical clinics; ambulatory surgical centers dialysis centers outpatient family planning services; community health centers and clinics; and blood and organ banks.

MEDICAL EQUIPMENT AND SUPPLIES MANUFACTURING Establishments primarily engaged in manufacturing medical equipment and supplies. Examples of products made by these establishments are surgical and medical instruments, surgical appliances and supplies, dental equipment and supplies, orthodontic goods, ophthalmic goods, dentures, and orthodontic appliances.²²

MEDICAL FACILITIES, SMALL A use classification that includes doctor offices, dentist offices, urgent care facilities, and similar facilities concerned with the diagnosis, treatment, and care of human beings that are 10,000 square feet or less in gross floor area.

MEDICAL FACILITIES, LARGE A use classification that includes hospitals, medical office buildings, long-term/institutional care facilities, and similar facilities concerned with the

²² This definition is from the 2022 NAICS description of medical equipment and supplies manufacturing (NAICS 3391).

diagnosis, treatment, and care of human beings that are more than 10,000 square feet in gross floor area.

MICRO WIRELESS FACILITY A small wireless facility that is not larger in dimension than ~~twenty-four~~24 inches in length, ~~fifteen~~15 inches in width, and ~~twelve~~12 inches in height; and any exterior antenna that is no longer than ~~eleven~~11 inches.

MINING MAJOR RESOURCE EXTRACTION²³ (MINING AT DEPTH) The mining or extraction of any minerals, ore, fossil fuels, or other materials from beneath the surface of the earth for processing, sale, or any other commercial purpose. This use includes the extraction of any materials more than 12 feet below the existing grade, including quarries to mine, extract, or remove limestone, minerals, or bedrock materials if they extend more than 12 feet below the existing grade.

MINING MINOR RESOURCE EXTRACTION (SURFACE) Extractive uses such as surface mining for sand, gravel, clay, and topsoil for processing, sale, or any other commercial purpose and any other such use. This use includes extraction of materials that does not extend more than 12 feet below the existing grade. Quarrying is not permitted.

~~NAICS Code NAICS Industry Sector~~

~~211 Oil and Gas Extraction~~

~~212 Mining (except Oil & Gas)~~

~~213 Mining Support Activities~~

MITIGATION Measures taken to eliminate or minimize damage from development activities, such as construction in wetlands or regulatory floodplain filling, by replacement of the resource.

MIXED USE BUILDING A multi-story building type that typically accommodates ground floor retail uses with upper-story residential or commercial use.

MONUMENT SIGN A type of ground freestanding sign having the entire bottom of the sign affixed to the ground, not elevated on poles, pylons, etc. The widest dimension of a monument sign is at its base.

MULTI-TENANT COMMERCIAL DEVELOPMENT Any planned concentration of multiple commercial uses in one building or lot, or in multiple buildings or lots that are divided by a shared party wall, which utilize shared parking.

²³ The revision of the mining definitions is intended to clarify the treatment of quarries and sets the limit at 12 feet as provided in the use regulations for Mining. Under the proposed text, extraction of more than 12 feet (including quarries) are Major Resource Extraction and not Minor Resource Extraction.

(N)

NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929 As corrected in 1929, elevation reference points set by National Geodetic Survey based on mean sea level.

NATURAL EROSION The wearing away of the earth's surface by water, wind, or other natural agents under natural environmental conditions undisturbed by man.

NATURAL, WHEN USED IN REFERENCE TO STREAMS AND CHANNELS Those streams and channels formed by the existing surface topography of the earth prior to changes made by man. A modified stream and channel which has regained natural characteristics over time as it meanders and reestablishes vegetation may be considered

~~**NAUTICAL MILE** A distance of 6,076 feet and one and three eighths (1 3/8) inches.~~

NETWORK INTERFACE DEVICE The telecommunications demarcation device and cross connect point demarcating the boundary with any wireline backhaul facility and which is on or adjacent to the pole or support structure supporting the small wireless facility.

NEW CONSTRUCTION Structures for which the "start of construction" commenced on or after January 6, 1983 and includes any subsequent improvements to such structures.

NEW IMPERVIOUS SURFACE Area ~~which that~~ is created after the effective date (insert date)

~~**NEW MANUFACTURED HOME PARK OR SUBDIVISION** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after January 6, 1983.~~

NIGHT CLUB A facility whose primary business (51% of gross income) is the sale of alcoholic beverages, including beer and wine, for consumption on the premises, for on-site consumption where the purchase of food is at the option of the customers and not required by the operator serving alcoholic beverages for on-site consumption, and providing entertainment, examples of which include live music, ~~and/or~~ dancing, comedy, etc. Night club ~~Does not~~ include sexually oriented/adult businesses.

NONCONFORMING BUILDING OR DEVELOPMENT Any legally existing building or development which fails to comply with the current provisions of this ~~e~~Ordinance.

NONCONFORMITY Any building, structure, use, sign, light source, or other development feature which was erected legally, but which does not comply with subsequently enacted restrictions and regulations.

NONCONFORMING NON-ENCROACHMENT AREA The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1 foot as designated in the Flood Insurance Study report.

NONCONFORMING STRUCTURE Any structure or tree which does not conform to this Ordinance as of the effective date of these regulations.

NONCONFORMING USE Any structure or use of land which is inconsistent with the provisions of this Ordinance as of the effective date of these regulations.

NON-DEPOSITORY FINANCIAL INSTITUTION An establishment that provides short-term, high-interest personal lending services. These institutions include check cashing establishments (not including incidental check cashing), motor vehicle title lenders, ~~pawnbrokers~~, payday lenders, deferred presentment services, bail bonding, and other businesses with similar business models and land use impacts. This definition does not include banks, credit unions, savings and loan associations, precious metals dealers, or similar uses.

NONRIVERINE REGULATORY FLOODPLAIN Regulatory floodplains not associated with streams, creeks, or rivers, such as isolated depressional storage area or lakes.

NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD) The datum listed as the reference datum on flood insurance rate maps should be used for elevation certificate and floodproofing certificate completion.

NUCLEUS COLONY A small colony used for educational purposes, queen maintenance and rearing, or for use in the capture and future integration of a swarm into a viable colony. A nucleus colony is comprised of significantly fewer bees than a conventional colony and is contained in a structure that is approximately one-half the size of a normal hive.

NURSERIES & GARDEN CENTERS Industries in the Nursery and Garden Center subsector grow and sell plants mainly to be transplanted to another lot. The subsector comprises establishments, such as orchards, greenhouses, and nurseries, primarily engaged in retailing plants, vines, or trees and their seeds.

(O)

OFFICE, GENERAL A use classification for general business enterprises that provide a variety of standard administrative services but do not fall into another specific use classification, including flexible office space provided to multiple persons or firms. These establishments ~~are~~ typically employ -white-collar and professional workers and may be corporate headquarters, independent enterprises, or part of conglomerates with varied lines of business.

OFF-PREMISES SIGN A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises on which the sign is located.

ON-PREMISES SIGN A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided on the premises where the sign is located.

ON-STREAM DETENTION A detention facility constructed in whole or in part on a jurisdictional watercourse.

OPEN SPACE An area, land or water set aside and protected from development which may be left in a generally unimproved state without human-made structures and reserved for enjoyment in its unaltered state.

ORDINARY HIGH-WATER MARK The point on the bank or shore established by the fluctuations of water and indicated by physical characteristics. Distinctive marks may be present, such as by erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other such recognized characteristics.

OUTDOOR AMENITY SPACE A predominately outdoor, open, and uncovered area that serves as an outside amenity for occupants of a development.

~~**OUTDOOR/OUTSIDE SALES, ACCESSORY USE**~~ The retail sale of goods and products outside of a permanent primary structure that are clearly secondary to the function contained in that structure. They are typically located within permanent open-air structures, uncovered outdoor areas, and/or on public or private sidewalks. Sale items include, but are not limited to, landscape materials, lawn and garden supplies, and produce.

~~**OUTSIDE SALES, SIDEWALK SALES**~~ The retail sale of goods and products outside of a permanent primary structure that are clearly secondary to the function contained in that structure and are located exclusively on public sidewalks. Sale items include, but are not limited to, produce,

~~**OUTDOOR SALES – LARGE PRODUCT RENTAL/SALES/REPAIR**~~ Establishments that may have showrooms, open lots, or garages for selling, renting, leasing, repairing, servicing, alteration, restoration, towing, painting, or finishing of products that are generally displayed outdoors due to their large size or all-weather construction, such as heavy equipment, buses, trucks exceeding 20,000 pounds of gross vehicle weight, manufactured homes, prefabricated storage buildings or sheds, construction equipment, and commercial and industrial equipment, and recreational vehicles.

OUTDOOR SALES - NURSERIES AND LANDSCAPE PRODUCTS NURSERIES &

GARDEN CENTERS Industries Establishments primarily engaged in retail sales of nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod, as well as materials for use in landscaping, such as pine straw, mulch, rock, stone, and pavers

~~**OUTSIDE STORAGE** The storage of any material for a period greater than 48 hours, including items for sale, lease, processing, and repair (excluding vehicles for sale) outside the principal or accessory buildings on a property. Storage of construction materials on an active job site may not be defined as outside storage.~~

OWNER Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide.

OWNERSHIP PARCEL Any legally described parcel of land. This includes contiguous lots or parcels of land, owned in whole, or in part, by the same property owner.

(P)

PARENT means an affiliate that directly, or indirectly through ~~1~~one or more intermediaries, controls another person.

PARKING AISLE A single row of parking spaces.

PARKING BAY Two parking aisles located in a back-to-back configuration.

PARKING LOT/STRUCTURE-PRINCIPAL USE A stand-alone parking lot or structure (deck/garage) that is available for public or private use, but that is not accessory to another use.

PAWNSHOPS Premises operated by a pawnbroker who is engaged in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders. (Subject to South Carolina Code of Laws, Title 40, Chapter 39)

PEDESTRIAN SHED, LINEAR A pedestrian shed that is based on a one-quarter (1,320 feet) radius around a series of block lengths. Linear pedestrian sheds are useful in planning neighborhood main streets or neighborhoods with multiple nodes.

PEDESTRIAN SHED, STANDARD A pedestrian shed that is based on a one-quarter mile (1,320 feet) radius around a node. Standard pedestrian sheds are useful in planning neighborhoods.

PENINSULA, PROTRUSION OR AREAS THAT CHANNEL TRAFFIC All areas other than parking spaces or pedestrian walkways where traffic flow or direction is channeled or otherwise guided within the parking lot.

PERENNIAL STREAM Any stream displayed as a solid blue line on the most recent maps published by the U.S. Geological Survey, approved by the Army Corps of Engineers, or appearing on a map of perennial streams and wetlands approved by the Lancaster County Council.

PERIMETER LANDSCAPE AREA A landscaped area around a principle building that front upon a public street.

PERSON Any individual or group of individuals, firm, partnership, association, corporation, or any other entity including local government.

PERSON CONDUCTING LAND-DISTURBING ACTIVITY Any person who may be held responsible for violation unless expressly provided otherwise by this ~~e~~OOrdinance.

PERSONAL SERVICES Cosmetic services such as hair and nail salons, barber shops, clothing alterations, shoe repair, weight loss centers and non-permanent makeup services.

PERSONAL SERVICES, RESTRICTED A personal service establishment that may tend to have a blighting and/or deteriorating effect- upon surrounding areas and that may need to be dispersed from other similar uses to minimize its adverse impacts, including ~~cheek-cashing services and~~ tattooing, body piercing, huka or hookah facilities, and similar services. These uses may also include accessory retail sales of products related to the services provided. The use does not include establishments that offer ear piercing.

PETROLEUM GAS Propane, propylene, butane, (normal butane or isobutanes) , and butylene (including isomers), or mixtures composed predominantly of these gases, having a vapor pressure not exceeding 208 psi (1434 kPa) gage at 100 °F (38 °C).

PETROLEUM PRODUCT Flammable, toxic, or corrosive products obtained from distilling and processing of crude oil, unfinished oils, natural gas liquids, blend stocks and other miscellaneous hydrocarbon compounds.

PHARMACEUTICAL AND MEDICINE MANUFACTURING Establishments primarily engaged in one or more of the following:

- (6) Manufacturing biological and medicinal products;
- (7) Processing (i.e., grading, grinding, and milling) botanical drugs and herbs;
- (8) Isolating active medicinal principals from botanical drugs and herbs; and

(9) Manufacturing pharmaceutical products intended for internal and external consumption in such forms as ampoules, tablets, capsules, vials, ointments, powders, solutions, and suspensions.²⁴

PHASE OF GRADING One of 2-two types of grading: rough or fine.

PLACES OF ASSEMBLY – LARGE Structures and land designed for 50 or more people to congregate for civic, social, and religious functions. This includes, but is not limited to, worship centers, such as churches, temples, synagogues, and mosques, and civic meeting facilities, such as alumni associations, booster clubs, scouting organizations, ethnic associations, social clubs, fraternal lodge and veterans' membership organizations.

PLACES OF ASSEMBLY – SMALL Structures and land designed for less than 50 people to congregate for civic, social, and religious functions. This includes, but is not limited to, worship centers, such as churches, temples, synagogues, and mosques, and civic meeting facilities, such as alumni associations, booster clubs, scouting organizations, ethnic associations, social clubs, fraternal lodge and veterans' membership organizations.

PLANT UNIT A specific number and type of plants required within the landscape area.

POLE A vertical pole such as a utility, lighting, traffic, or similar pole made of wood, concrete, metal, or other material that is lawfully located or to be located within a right of way including, but not limited to, a replacement pole and a County pole. A 'pole' shall not include a support structure or electric transmission structure.

POLITICAL SIGN A temporary sign used in connection with a local, state, or national election or referendum.

POLLUTANT Any substance harmful to the environment that is not authorized for discharge from a storm sewer by a SCDHEC MS4 or NPDES permit.

POND A natural or artificial body of water of less than two acres which retains water year-round.

PORCH A raised structure attached to a building, forming a covered entrance to a doorway.

PORTABLE SIGN Pedestrian-scaled non-permanent signs which are not permanently affixed to the ground, a building, or any other surface. Such signs are used to display menus, daily specials, sale announcements, and similar messages. These signs include signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

²⁴ This definition is derived from the 2022 NAICS description of pharmaceutical and medicine manufacturing (NAICS 3254).

POST-FIRM Construction or other development which started on or after January 6, 1983.

POST OFFICE Establishments conducting operations of the United States Postal Service including permanent, contract, and lease stations.

PRE-FIRM Construction or other development which started before January 6, 1983.

PRECISION INSTRUMENT RUNWAY A runway end having instrument approach procedure utilizing air navigation facilities with horizontal and vertical guidance, or area type navigation equipment, for which a straight-in precision instrument approach procedure has been approved or planned.

PRE-DEVELOPMENT Predevelopment conditions for the purpose of the UDO assume land use conditions prior to the proposed development or re-development. In such cases where development is initiated prior to receiving appropriate local, state, and federal permits, the existing land use condition will be assumed to be native forest.

PRELIMINARY PLAT A map or plat of a parcel of land which is to be or has been subdivided, containing sufficient data in order that a determination may be readily made as to the location, bearing, and length of every street and alley line, lot line, easement boundary line, and other boundary line, and meeting the required standards of this ordinance and approved following the procedures in this ordinance.

PRIMARY FAÇADE A building facade which faces a street, private drive, parking area, park or civic space.

~~**PRIMARY FRONTAL DUNE** A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and subject to erosion and overtopping from high tides and waves during coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.~~

PRIMARY SURFACE The primary surface is longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. When the runway has no specially prepared hard surface, the primary surface ends at each end of that runway. The width of the primary surface is 250 feet, or 50 feet beyond the marked edge of a turf runway.

PRINCIPAL STRUCTURE²⁵

²⁵ Staff comment: "Accessory Structure definition references "principal structure". Principal structure is not defined."

PRINTING AND RELATED SUPPORT ACTIVITIES Establishments that print products, such as newspapers, books, labels, business cards, stationery, business forms, and other materials, and perform support activities, such as data imaging, platemaking services, and bookbinding.²⁶

PRIVATE MATERIALS RECOVERY & WASTE TRANSFER FACILITIES This commercial industry comprises establishments primarily engaged in operating facilities for separating and sorting recyclable materials from nonhazardous waste streams (i.e., garbage); and/or operating facilities where commingled recyclable materials, such as paper, plastics, used beverage cans, and metals, are sorted into distinct categories.

~~**PRIVATE RECREATION FACILITIES** Indoor or outdoor uses or structures for active or passive recreation that are owned by private for profit entities. Such uses include gymnasiums, natatoriums, fitness center, athletic equipment, indoor running tracks, climbing facilities, court facilities, parks, pools, ball fields, batting cages, skateboard parks, playgrounds, greenway trails, driving ranges, tennis courts, riding stables, golf courses and their customary accessory uses including, but not limited to, maintenance sheds, clubhouses (with or without food service), restrooms, and picnic shelters.~~

PRIVATE RECYCLING COLLECTION STATIONS A center for the acceptance and temporary storage of recyclable materials in a common area in a residential or commercial development.

PROFESSIONAL SERVICES Services provided that make available the knowledge and skills of their employees to sell expertise and perform professional, scientific, and technical services to others such as legal services; accounting, tax, bookkeeping, and payroll services; architectural, engineering, and related services; graphic, industrial, and interior design services; consulting services; ~~research and development services;~~ advertising, media, and photography services; real estate services; investment banking, securities, brokerages; and insurance-related services; ~~and, medical services such as physician's and dentist's offices.~~

PROJECTING/SUSPENDED SIGN A pedestrian-scaled sign that is wholly or partly dependent upon a building for support, which projects at an angle away from the building, extending more than one foot and can be read from both sides.

PROPERTY LINES²⁷

PROPERTY LINE, FRONT²⁸

²⁶ This definition is from the 2022 NAICS description of printing and related support activities (NAICS 323).

²⁷ Staff comment: "Define property lines."

²⁸ Staff comment: "Define front property line."

PROPERTY LINE, REAR²⁹**PROPERTY LINE, SIDE INTERIOR**³⁰**PROPERTY LINE, SIDE STREET**³¹

PROPERTY OWNER OF RECORD The person identified as owner by County tax records.

PROTECTED DISTRICT The zoning district that is protected by a landscape buffer.

PUBLIC FLOOD CONTROL PROJECT A flood control project within a deed or plat restricted area, ~~which-that~~ will be operated and maintained by a public agency to reduce flood damages to existing buildings or structures. A land stewardship not-for-profit corporation, or similar entity, may also own, operate, or maintain a public flood control project. In this circumstance, there shall also be an executed agreement with a public agency to take over ownership, operation, or maintenance if the corporation dissolves or fails to meet the operation and maintenance requirements for the project area. The project shall include a hydrologic and hydraulic study of the existing and proposed conditions of the watershed area affected by the project. Nothing in this definition shall preclude the design, engineering, construction, or financing, in whole or in part, of a flood control project by persons or parties who are not public agencies.

~~**PUBLIC RECREATION FACILITIES** Indoor or outdoor uses or structures for active or passive recreation that are owned by public or semi-public entities including municipal governments, homeowner's associations, athletic associations, and youth associations. Such uses include, gymnasiums, natatoriums, fitness center, athletic equipment, indoor running tracks, climbing facilities, court facilities, parks, pools, ball fields, batting cages, skateboard parks, playgrounds, greenway trails, driving ranges, tennis courts, riding stables, and golf courses and their customary accessory uses including, but not limited to, maintenance sheds, clubhouses (with or without food service), restrooms, and picnic shelters.~~

~~**PUBLICPRIVATE RECYCLING COLLECTION STATIONS**~~ A center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. This definition is not intended to be inclusive of Materials Recovery & Waste Transfer Facilities, which are engaged in the active sorting and processing of recyclables or other waste materials.

~~**PUBLIC RECYCLING & WASTE/RECYCLING CONVENIENCE SITES COLLECTION FACILITY**~~ ~~Waste Collection and Recycling-~~ A site, location, tract of land, or building operated by a public entity that may be used for the purpose of collecting all types of residential waste and recyclables that are generated "off-site" in the local community to be transported by public

²⁹ Staff comment: "Define rear property line."

³⁰ Staff comment: "Define side interior property line."

³¹ Staff comment: "Define site [side?] street property line."

or private companies to a waste recycling, transfer, or disposal/recovery facility, permitted by South Carolina Department of Health and Environmental Control (SCDHEC) as required. This use includes County collection (convenience) centers.

PUBLIC ROAD OR TRAIL DEVELOPMENT Any development activities which take place in a public right-of-way or part thereof or easement that is administered and funded, in whole or in part, by a public agency under its respective roadway jurisdiction. A public road development located within a regulatory floodway and which has been approved by the South Carolina Department of Transportation is exempt from the hydraulic analysis requirements of the UDO. Individual recreation trail systems being constructed as part of another development project are not considered public road or trail development.

PUBLIC SAFETY STATION Facilities for federal, state, and local law enforcement and fire protection agencies, and their accessory uses including office space, temporary holding cells, equipment and evidence storage facilities, and vehicle garages. This definition is not intended to be inclusive of vehicle impoundment lots or state prison facilities.

PUBLIC SIDEWALK An improved surface paralleling a street, road, or alley that is used as a public pedestrian walkway. This sidewalk shall not include any privately installed and maintained areas located adjacent to the public sidewalk that is used primarily to provide a pedestrian linkage between the abutting property and the public sidewalk.

PUBLIC TRANSPORTATION FACILITY A facility used for the purposes of providing regular, continuing shared-ride surface transportation services to the public. **PUBLIC TRANSPORTATION FACILITIES** include bus terminals, subway terminals, trolley and cable car terminals, and railroad terminals.

~~**TRUCK STOP.** An establishment engaged primarily in the fueling, servicing, repair, or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A truck stop may also include showers or restaurant facilities primarily for the use of truck crews.~~

(Q)

(R)

RACETRACK An outdoor course prepared for horse, dog, automobile, or other vehicle racing.

RACEWAY An enclosed channel of metal or nonmetallic materials designed expressly for holding wires or cables associated with illuminating a sign.

REAL ESTATE SIGN A sign displayed for the purpose of offering for sale, lease, or rental the property on which such sign is displayed.

RECONSTRUCTION The act of rebuilding a structure.

RECREATION FACILITIES, PRIVATE Indoor or outdoor uses or structures for active or passive recreation that are owned by private for-profit entities. Such uses include gymnasiums, natatoriums, fitness center, athletic equipment, indoor running tracks, climbing facilities, court facilities, parks, pools, ball fields, batting cages, skateboard parks, playgrounds, greenway trails, driving ranges, archery ranges, tennis courts, riding stables, golf courses, marinas, and their customary accessory uses including, but not limited to, maintenance sheds, clubhouses (with or without food service), restrooms, and picnic shelters.

RECREATION FACILITIES, PUBLIC Indoor or outdoor uses or structures for active or passive recreation that are owned by public or semi- public entities including municipal governments, homeowner's associations, athletic associations, and youth associations. Such uses include, gymnasiums, natatoriums, fitness center, athletic equipment, indoor running tracks, climbing facilities, court facilities, parks, pools, ball fields, batting cages, skateboard parks, playgrounds, greenway trails, driving ranges, archery ranges, tennis courts, riding stables, ~~and~~ golf courses, marinas, and their customary accessory uses including, but not limited to, maintenance sheds, clubhouses (with or without food service), restrooms, and picnic shelters.

RECREATIONAL VEHICLE A vehicle which is:

- 1) Built on a single chassis;
- 2) 400 square feet or less when measured at the largest horizontal projection;
- 3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- 4) Designed primarily not for use as permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGISTERED PROFESSIONAL ENGINEER An engineer licensed in the state under the S.C. Code of Regulations Chapter 49.

REGULATORY FLOOD PROTECTION ELEVATION The elevation to which all structures and other development located within the special flood hazard areas must be elevated, or floodproofed if non-residential. Within such areas where base flood elevations (BFEs) have been determined, this elevation shall be the BFE plus 2.5 feet of freeboard. In such areas where no BFE has been established, this shall be 2.5 feet above the highest adjacent grade.

REMEDY A VIOLATION To bring a structure or other development into compliance with State or community floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the

structure or other affected development from flood damages, implementing the enforcement provisions of the ~~e~~Ordinance, or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

REPAIR, REMODELING OR MAINTENANCE Activities which do not result in any increases in the outside dimensions of a building or any changes to the dimensions of a structure.

REPETITIVE LOSS A building covered by a contract for flood insurance that has incurred flood-related damages on 2 occasions during a 10 year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the building at the time of each such flood event.

RESEARCH AND DEVELOPMENT FACILITIES This includes medical and testing laboratories but shall not include uses that require frequent deliveries by truck with more than two axles. This definition also includes facilities for scientific research, and the design, development, and testing of electrical, electronic, magnetic, optical, computer and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off-site, where the manufacturing activity is secondary to the research and development activities.

RESIDENTIAL/FAMILY CARE HOME (5 OR FEWER RESIDENTS) A home with support and supervisory personnel that provides room and board, personal care, and rehabilitation services in a family environment for not more than 6 resident handicapped persons and is certified by the State of South Carolina. This term excludes residential care facilities and halfway homes.

RESIDENTIAL CARE FACILITIES (6 OR MORE RESIDENTS) A staffed premises (not a single-family dwelling) with paid or volunteer staff that provides full-time care to more than 6 individuals. Residential care facilities include group homes, nursing homes, residential child-care facilities, assisted living facilities, adult care homes, congregate living facilities, continuing care facilities, skilled nursing facilities, and orphanages, and independent living facilities as defined herein. Residential Care Facilities can include independent living facilities, but the use must include care facilities to qualify as a residential care facility and not an independent living facility. This term excludes residential/family care homes and halfway homes.

RESIDENTIAL STREET Streets serve as the primary transportation network in the community. Generally, they are ~~2-two~~ to ~~6-six~~ blocks in length.

RESTAURANT Any establishment, whether open to the public or operated as a private club, whose primary business (51% of gross income) is serving food or meals prepared on the premises. When alcoholic beverages, including beer and wine, are served, menus must be available and table service provided to patrons. Any defined portion of the restaurant where alcoholic beverages, including beer and wine, are served, but the purchase of food is optional, will clearly be subordinate to the main dining area where the purchase of food is expected and

required by the operator. The sale of alcoholic beverages, including beer and wine, must be licensed by the State Alcoholic Beverage Commission. A retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited service restaurant); at their tables (full-service restaurant); and, at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars).

RETENTION FACILITIES A facility designed to completely retain a specified amount of stormwater runoff without release except by means of evaporation, infiltration, or pumping.

RETROFITTING Measures, such as floodproofing, elevation, construction of small levees, and other modifications, taken on an existing building or its yard to protect it from flood damage.

REVENUES All fees, assessments or other income received by the stormwater utility, including, but not limited to, amounts received from the investment or deposit of monies in any fund or account, and all amounts received as gifts or donations, and the proceeds from the sale of bonds to finance the stormwater management program, or any other type of funds derived from grants, charges, or loans which by purpose or effect relate to stormwater management activities.

RIPARIAN ENVIRONMENT Vegetated areas within the limits of the regulatory floodplain or floodprone area conveyance path, bordering a waterway that provides habitat or amenities dependent on the proximity to water.

RIVERINE Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

ROADSIDE DITCHES Drainage ditches within 25 feet from the edge of the outside travel lane. Section 1316 of the National Flood Insurance Act of 1968 refers to the act that provides that no new flood insurance shall be provided for any property found by the Federal Emergency Management Agency to have been declared by a state or local authority to be in violation of state or local ordinances.

~~**FARMERS' MARKETS/ROADSIDE STANDS**~~ A Seasonal Sales establishment, operated primarily in the open air, for the distribution ~~retailing~~ of agricultural products including, but not limited to, vegetables, fruits, meats, eggs, dairy products, grains, and prepared foods.

ROOF SIGN A sign which is erected, constructed, placed, or maintained upon and completely over the roof of the building to which it is attached.

RUNWAY A defined area on an airport prepared for landing and takeoff of aircraft along its length.

RUNWAY END Existing physical end of the hard-surfaced runway, having a defined coordinate and elevation.

RUNWAY PROTECTION ZONE (RPZ) (ZONE A) The area off the end of the runway end designed to provide a clear area that is free of above ground obstructions and structures to enhance the protection of people and property on the ground. Zone A is intended to provide a clear area that is free of above-ground obstructions and structures.

RUNWAY APPROACH SURFACE (ZONE B) A critical overlay surface that reflects the approach and departure areas for each runway at an airport. The approach surface is longitudinally centered on the extended runway centerline, extending outward and upward from the end of the runway. The approach slope for visual runways is 20:1 for a distance of 5,000 feet.

(S)

SCHOOLS–ELEMENTARY & SECONDARY A public or private institution for education or learning including athletic or recreational facilities, but not including lodging. This includes any school licensed by the state and that meets the state requirements for elementary and secondary education. This may include remedial after school activities.

SCHOOLS–VOCATIONAL/TECHNICAL A public or private institution for education or learning including athletic or recreational facilities, but not including lodging. These schools offer vocational and technical training in a variety of technical subjects and trades. Training may lead to job-specific certification.

SECONDARY FAÇADE A building façade which does not face a street, private drive, parking area, park, or civic space.

SECTION 1316 OF THE NATIONAL FLOOD INSURANCE ACT OF 1968 The act provides that no new flood insurance shall be provided for any property found by the Federal Emergency Management Agency to have been declared by a state or local authority to be in violation of state or local ordinances.

SEDIMENT Solid particulate matter, both mineral and organic, that has been or is being transported by water, air, gravity, or ice from its site of origin.

SEDIMENTATION The process by which sediment resulting from accelerated erosion has been or is being transported off the site of the land-disturbing activity or into a lake or natural watercourse.

SERVICE LINE A distribution line that transports gas from a common source of supply to an individual customer, to residential or small commercial customers, or to multiple residential or small commercial customers served through a meter header or manifold. A service line ends at the outlet of the customer meter or at the connection to a customer's piping, whichever is further downstream, or at the connection to customer piping if there is no meter.

SERVICE STREET A specifically designated street where special rules apply.

SETBACK³²

SETBACK, FRONT YARD³³ List this and others as “Setback, Front”, etc. so they are clustered together.

SETBACK, REAR YARD³⁴

SETBACK, SIDE INTERIOR YARD³⁵

SETBACK, SIDE STREET YARD³⁶

SEXUALLY ORIENTED BUSINESS (SOB)/ADULT ESTABLISHMENT Any establishment having a substantial portion of materials or entertainment characterized by an emphasis on sexual activities, anatomical genital areas, or the female breast as listed and defined in South Carolina Code of Laws Section 16-15-375. SOB uses and establishments include, but are not limited to, adult arcades, adult bookstores, adult cabarets, adult motels, adult motion picture theaters, adult theaters, adult video stores, escort motels, escort services, and sexual encounter centers, and any other establishment which contains activities characterized by the performance, depiction, or description of specific anatomical areas or specific sexual activities.

SHADE TREE A locally adapted species with an expected mature height of 35 feet or greater and an expected mature crown spread of at least 30 feet or greater.

SHINGLE SIGN A small projecting sign that hangs from a bracket or support and is located over or near a building entrance.

SHOOTING RANGE, INDOOR An enclosed indoor facility designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, air guns, ~~archery~~ or any other similar sport shooting. Indoor shooting range facilities are designed to offer a totally controlled shooting environment that includes impenetrable walls, floor and ceiling, adequate ventilation, lighting systems and acoustical treatment for sound attenuation suitable for the range's approved use.

³² Staff comment: “Define setback.”

³³ Staff comment: “Define front yard setback. List this and others as “Setback, Front”, etc. so they are clustered together.”

³⁴ Staff comment: “Define rear yard setback.”

³⁵ Staff comment: “Define side interior yard setback”

³⁶ Staff comment: “Define side street yard setback.”

SHOOTING RANGE, OUTDOOR A permanently located and improved area that is designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, air guns, ~~archery~~ or any other similar sport shooting in an outdoor environment.

SHOPFRONT BUILDING A single-story building type that typically accommodates ground floor retail uses

SIDEWALK SIGN A moveable sign not secured or attached to the ground or surface upon which it is located.

SIGN³⁷

SILTATION Sediment resulting from accelerated erosion which is settleable or removable by properly designed, constructed, and maintained control measures; and which has been transported from its point of origin within the site of a land-disturbing activity; and which has been deposited, or is in suspension in water.

SINGLE FAMILY RESIDENTIAL PROPERTY Developed property which serves the primary purpose of providing a permanent dwelling unit, regardless of the zoning district in which such property is located, for single-family detached units, and which may or may not have accessory uses related to the purpose of providing permanent dwelling facilities.

SITE Any lot or group of contiguous lots owned or controlled by the same person or entity, assembled for the purpose of a single development.

~~**SITE AREA**³⁸ The area included in the rear, side and front lot lines of the site. Site area does not include existing or proposed right of way, whether dedicated or not dedicated to public use.~~

~~**SITE DEPTH**³⁹ The distance between the front and rear property lines measured along a line midway between the side property lines.~~

~~**SITE WIDTH**⁴⁰ The distance between the side lot lines of the site (generally running perpendicular to a street) measured at the primary street property line along a straight line or along the chord of the property line.~~

SITE PLAN⁴¹

³⁷ Staff comment: "Reorganize sign related definitions by indicating "Sign, window, Sign, Bracket," etc so that they are clustered together. Clarify Window signs can also be installed on the outside also."

³⁸ Staff comment: "Delete definition of site area—already have lot area."

³⁹ Staff comment: "Delete definition of site depth—already have lot depth"

⁴⁰ Staff comment: "Delete definition of site width—already have lot width."

⁴¹ Staff comment: "Define site plan."

SKETCH PLAN A component of a development application that shows in simple line drawing form the proposed layout of streets, lots, buildings, civic spaces, and other features in relation to existing conditions based upon the size of the tract proposed for development.

SLAUGHTERHOUSE A commercial enterprise with a dedicated facility where livestock is slaughtered and prepared for distribution retail sales establishments such as grocery stores and butcher shops. A slaughterhouse is designed to accommodate the confinement and slaughtering of live animals and may include packing, treating, storage, or sale of the product on the premises.

SMALL EQUIPMENT REPAIR/RENTAL The repair and/or rental of small equipment as a primary use including televisions, computers, cleaning equipment, vacuum cleaners, and other equipment that can be transported by automobile, small truck/van.

SMALL WIRELESS FACILITY Radio transceivers; surface wave couplers; antennas; coaxial or fiber optic cable located on a pole or support structure, immediately adjacent to a pole or support structure, or directly associated with equipment located on a pole or support structure and within a one hundred-foot radius of the pole or support structure; regular and backup power supplies and rectifiers; and associated ancillary equipment, regardless of technological configuration, at a fixed location or fixed locations that enable communication or surface wave communication between user equipment and a communications network and that meets both of the following qualifications:

- A. Each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and
- A. All other wireless equipment associated with the small wireless facility, whether ground or pole mounted, is cumulatively no more than twenty-eight cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of the volume of all other wireless equipment associated with any such facility: electric meters, concealment elements, network interface devices, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services. The term "small wireless facility" does not include: the pole, support structure, or improvements on, under, or within which the equipment is located or collocated or to which the equipment is attached; wireline backhaul facilities; or coaxial or fiber optic cable that is between Small Wireless Facilities, poles, or support structures or that is otherwise not immediately adjacent to or directly associated with a particular antenna. For purposes of this Regulation, in order to be considered directly associated with equipment located on a pole or support structure, coaxial or fiber optic cable must not extend more than one hundred feet in radial circumference from the base of the pole or support structure to which the small wireless facility antenna is attached. No portion of a small wireless facility as defined in this Regulation may be used as a wireline backhaul facility.

SMALL WIRELESS PERMIT A written authorization, in electronic or hard copy format, required to be issued by the County to initiate, continue, or complete the collocation of a small wireless facility or the installation, modification, or replacement of a pole upon which a small wireless facility is to be collocated.

SOLAR ENERGY SYSTEM Any device or combination of devices or elements which rely upon direct sunlight as an energy source, including but not limited to any substance or device which collects sunlight for use in the heating or cooling of a structure or building, the heating or pumping of water, or the generation of electricity. A solar energy system may be used for purposes in addition to the collection of solar energy. These uses include, but are not limited to, serving as a structural member or part of the roof of a building or structure and serving as a window or wall. A solar energy system may be mounted on the building or on the ground and is not the principal use of the property.

SOLAR FARM An energy generation facility comprised of one or more freestanding, ground mounted devices that capture solar energy and convert it to electrical energy for use in locations other than where it is generated. Solar generation stations typically utilize photovoltaic solar cells, but can ~~also be combinations of light reflectors, concentrators, and heat exchangers~~ use parabolic trough systems. A solar farm is also known as a solar power plant, solar generation plant, solar power plant, or solar thermal power plant.

SPECIAL FLOOD HAZARD AREA (SFHA) The land in the floodplain subject to a 1 percent or greater chance of being flooded in any given year as determined in **Chapter 8** of this ~~Ordinance~~.

SPORTS ARENA/STADIUM, ~~(4,000 OR MORE SEATS)~~ A structure that is open or enclosed and used for games, concerts, and major events and is partly or completely surrounded by tiers of seats accommodating ~~4,000 or more~~ spectators. This use does not include venues located on the campus of elementary or secondary schools.

STORAGE – VEHICLE, BOAT, AND RV A land use for the temporary or long-term storage of vehicles, boats, and recreational vehicles in an enclosed warehouse or fenced storage yard. The facility may also provide customary services for the repair, or maintenance, and accessory sale of stored products and supplies, or services including lifting or launching services.

STORAGE-OUTDOOR STORAGE YARD A ~~The land use for the outdoor~~ storage of various materials including, but not limited to, lumber, pipe, bricks, stone, shingles, mulch, soil, sand, gravel, and other nonhazardous materials outside of a structure, ~~as a principal use~~. This definition ~~is not~~ does not include inclusive of any scrap metal, junk vehicles, or other similar salvage materials. ~~OUTSIDE STORAGE The storage of any material for a period greater than 48 hours, including items for sale, lease, processing, and repair (excluding vehicles for sale) outside the principal or accessory buildings on a property. Storage of construction materials on an active job site is may not be defined as included in the defintino of outdoor side storage.~~

STORAGE–SELF-SERVICE ~~A building containing separate enclosed storage spaces of varying sizes leased or rented on an individual basis. A facility for renting or leasing individual storage space to occupants who are to have access to the space for the purpose of storing and removing personal property. No occupant may use a self-service storage facility for residential purposes. A self-service storage facility is not a safe-deposit box or vault maintained by banks, trust companies, or other financial entities.~~

STORAGE–SELF-SERVICE CLIMATE CONTROLLED ~~A facility for renting or leasing individual indoor, climate-controlled storage space to occupants who are to have access to the space for the purpose of storing and removing personal property. No occupant may use a self-service storage facility for residential purposes. A self-service storage facility is not a safe-deposit box or vault maintained by banks, trust companies, or other financial entities.~~

STORAGE-WAREHOUSE, INDOOR STORAGE Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include warehouse, storage, self-service, or mini-storage facilities offered for rent or lease to the general public; warehouse facilities primarily used for wholesaling and distribution; or terminal facilities for handling freight.

STORAGE-WAREHOUSE, INDOOR STORAGE, RESTRICTED A facility that involves the storage of any hazardous materials or substances which would be subject to the reporting requirements of The Emergency Planning and Community Right-to-Know Act (EPCRA) also known as SARA Title III of 1980 (Sections 311-312, 42 U.S.C. §§ 11021-11022) and/or any facility which stores dangerous goods and/or hazardous substances that are covered by separate regulations, standards or codes which are classified on the basis of immediate physical or chemical hazards, such as fire, explosion, corrosion and toxicity and are in sufficient quantities such that accidental release of explosion may affect life, health, property or the environment beyond the immediate perimeter of the facility. These include: flammable gases, flammable liquids, flammable solids (self-reactive and related substances; and desensitized explosives), substances liable to spontaneous combustion, substances that when in contact with water emit flammable gases, oxidizing substances, organic peroxides, toxic substances, radioactive and corrosive substances.

STORMWATER FACILITY See Stormwater drainage, flood control and pollutant reduction in runoff.

STORMWATER MANAGEMENT SYSTEM All ditches, channels, conduits, bridges, culverts, levees, ponds, natural and human-made impoundments, wetlands, wetland buffers, riparian environment, tile, swales, sewers, BMPs or other natural or artificial structures or measures which serve as a means of draining surface and subsurface water from land.

STORMWATER PERMIT A permit established by this article and issued through the County prior to the approval of a building permit signifying conformance with provisions of this article.

STORMWATER POLLUTION PREVENTION PLAN A document which describes the best management practices (BMPs) and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

STORMWATER RUNOFF The portion of a precipitation on the land which reaches the drainage system.

STORMWATER UTILITY SERVICE FEE The monthly monetary amount charged each parcel of real property for the services provided by the stormwater utility system and program as set forth in the County schedule of rates and fees, a copy of which is located in the office of the County Clerk and is incorporated by reference herein.

STREAM A perennial or intermittent stream shall be deemed present if the feature is shown on either the most recent version of the soil survey map prepared by the Natural Resources Conservation Service of the United States Department of Agriculture (USDA) or the most recent complete version of the 1:24,000 scale (7.5 minute) quadrangle topographic maps prepared by the United States Geologic Survey (USGS).

STREAM CHANNEL Any river, stream, creek, brook, or branch in or into which surface or groundwater flows, either perennially or intermittently.

STREET – See SCDOT design manual 3.4.1 (also see Ch. 6 and comp. plan page TR2 (Road Network with map with poor distinction between collectors and arterials))

Local Roads and Streets

Collector Street

Minor Arterial Street

Principal Arterial Street

STRUCTURE⁴² A walled and roofed building that houses a principal use. This also includes any human-made object above ground including, but not limited to, buildings, towers, smokestacks, gas or liquid storage tanks, and overhead transmission lines. **Note:** Distinguish from “building.”

STUDIO—ART, DANCE, FITNESS, MARTIAL ARTS, MUSIC, ARTS Facilities for individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training

⁴² Staff comment: “Definition of structure is limited to principal uses.”

studios; gymnastics, yoga, and similar instruction; and aerobics and gymnastics studios with no other fitness facilities or equipment.

SUBDIVIDER Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other legal entity proceeding under to subdivide land hereunder for himself or for another.

SUBDIVISION All divisions of a tract or parcel of land into ~~2~~two or more lots, building sites, or other divisions when any 1 or more of those divisions is created for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets.

SUBDIVISION, MAJOR Subdivisions that include new streets, extensions of streets, requests for variances, dedication of public utilities or streets, include 11 or more acres or subdivide land into 6 or more lots, and result in an increase in the number of lots/parcels included in subdivision previously approved by Lancaster County.

SUBDIVISION, MINOR Subdivisions that do not include new streets, extensions of streets (except for improving or widening existing streets), requests for variances (except those for curb and gutter requirements), dedication of public utilities or streets, include 10 or fewer acres or subdivide land into ~~5~~five or fewer lots, and do not result in an increase in the number of lots/parcels included in subdivision previously approved by Lancaster County.

SUBSIDIARY An affiliate that is directly, or indirectly through one or more intermediaries, controlled by another person.

SUBSTANTIAL DAMAGE Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Such repairs may be undertaken successively and their costs counted cumulatively. Please refer to the definition of "substantial improvement".

SUBSTANTIAL IMPROVEMENT Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures that have incurred repetitive loss or substantial damage, regardless of the actual repair work performed.

The term does not, however, include either:

- 1) Any project of improvement to a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or,

2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Permits shall be cumulative for a period of 5 years. If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur.

SUBSTANTIALLY IMPROVED EXISTING MANUFACTURED HOME PARK OR SUBDIVISION Where the repair, reconstruction, rehabilitation, or improvement of the streets, utilities, and pads equals or exceeds 50%~~percent~~ of the value of the streets, utilities, and pads before the repair, reconstruction, or improvement commenced.

SUPPORT STRUCTURE Includes communication towers, buildings, and any other structures used to support 1 or more antennas.

SUPPORT STRUCTURE A building, billboard, or any other structure in the ROW to which a small wireless facility is or may be attached. A "support structure" ~~shall~~does not include an electric transmission structure or pole.

SWALE A vegetated channel, ditch, or low-lying or depressional tract of land that is periodically inundated by conveying stormwater from one point to another.

(T)

TECHNICAL REVIEW COMMITTEE (TRC) A staff committee established to provide technical advice on sketch plans, preliminary plats, and final plats.

TECHNICALLY FEASIBLE A deployment that, by virtue of engineering or spectrum usage, the proposed placement for a small wireless facility, or its design, concealment measures, or site location can be implemented without a material reduction in the functionality of the small wireless facility.

TEMPORARY SIGN A sign that is used in connection with a circumstance, situation, or event that has a definite beginning and end date/time. This definition does not include changeable signs.

TEMPORARY USE A land use on an individual parcel or site established for a limited and fixed period of time for a purpose which may not normally be permitted in a zoning district, or which does not meet all zoning requirements, but which is necessary in special situations.

TEN-YEAR STORM The stormwater runoff resulting from precipitation of an intensity expected to be equaled or exceeded, on the average, once in 10 years, and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.

THEATER, INDOOR (MOVIE OR LIVE PERFORMANCE) A specialized theater for showing movies or motion pictures on a projection screen or a stage for live performances. This category also includes cineplexes and megaplexes, complex structures with multiple movie theaters, each theater capable of an independent performance. This does not include Sexually Oriented Businesses/Adult Entertainment.

THEATER, OUTDOOR (AMPHITHEATER) An establishment for the performing arts with open-air seating for audiences, usually circular or oval, in which tiers of seats rise from a central open avenue.

TINY HOME A Detached Dwelling that is 600 square feet or less in Floor Area, excluding lofts. A "loft" is a floor level located more than 30 inches above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet, 8 inches and is used as a living or sleeping space.

TINY HOME COURT A Development that contains ~~3~~three or more Tiny Homes located on a single Lot.

TINY HOME ON WHEELS (THOW) A type of Recreational Vehicle that: is 400 square feet or less in area; includes basic functional areas that support normal daily routines, such as a bathroom, a kitchen, and a sleeping area; and is mounted on a wheeled trailer chassis.

TOWER, ~~(COMMUNICATIONS)~~ Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

A structure greater than 60 feet in height whose primary purpose is to support communications equipment. This definition includes tower/antenna combinations (NOT tower/antenna/building combinations) and the height measurement applies to those combinations. The foregoing notwithstanding, this definition shall not include wire supporting electric power transmission and telephone poles.

TOWER, LATTICE A guyed or self-supporting multi-sided, open, steel frame structure used to support wireless communications equipment.

TOWER, MONOPOLE A structure composed of a single spire used to support wireless communications equipment.

TOWNHOUSE A building type that accommodates ~~3~~three or more dwelling units where each unit is separated vertically by a common side wall. Units cannot be vertically mixed.

TOWNHOUSE DEVELOPMENT A townhouse development is a development consisting of ~~2~~two or more townhouses with each townhouse on its own lot separated by property lines and

constructed within a building group of townhouses with their accompanying common areas, courtyards, and accessory buildings as authorized by the condominium or townhouse development regulations of the Lancaster County Unified Development Ordinance.

TOXIC OR HAZARDOUS MATERIALS Any substance or combination of substances, which upon exposure to any organism, either directly from the environment or indirectly by ingestion through food chains, has the potential to cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, physical deformities, or other adverse health effects in such organisms or their offspring.

TRAFFIC AISLE A driveway for traffic along parking spaces.

TRAFFIC CHANNEL A driveway for traffic movement within a parking lot other than landscape islands.

TRAFFIC ISLAND Any peninsula, protrusion, or area within or along parking lots that channel traffic or separate entrance drives from parking spaces. A traffic island is not necessarily a complete "island" surrounded by other installations or constructions.

TRANSITION SECTION The reaches of the stream or regulatory floodway where water flows from a narrow cross-section to a wide cross-section or vice-versa.

TRANSITIONAL SHELTER A facility that provides temporary housing within a religious institution. Such a facility is a temporary use and is distinct from the definition for Community Support Facility.

TRANSITIONAL SURFACE (ZONE C) The transitional surface extends outward and upward at right angles to the runway centerline and extends at a slope of seven feet horizontally for each one-foot vertically (7:1) from the sides of the primary and approach surfaces. The transitional surfaces extend to the point at which they intercept the horizontal surface at a height of 150 feet above the established airport elevation.

TRANSMISSION PIPELINES Include, but not limited to, pipelines designed for the transmission of a "Gas", or "Petroleum Gas", except a "Service Line" or "Main", as those terms are defined by Title 49, Code of Federal Regulations, Section 192.3; also includes pipelines designed for the transmission of a "Hazardous Liquid", "Petroleum Product", "Highly Volatile Liquid", as defined by Title 49, Section 195.2.

TRANSPARENCY The total area of window and door opening filled with glass expressed as a percentage of the total facade area by story.

TRUCK STOP. An establishment engaged primarily in the fueling, servicing, repair, or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A truck stop may also include showers or restaurant facilities primarily for the use of truck crews.

TURKEY SHOOT A temporary use of land for firing shotguns at fixed targets as a competition, frequently awarding a turkey as the prize for the winner.

TWENTY-FIVE YEAR STORM The stormwater runoff resulting from precipitation of an intensity expected to be equaled or exceeded on the average, once in 25 years, and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.

(U)

UDO Lancaster County Unified Development Ordinance.

UNCOVERED The removal of ground cover from, on, or above the soil surface.

UNDERSTORY TREE A locally adapted species with an expected mature height of at least 15 feet and an expected mature crown spread of at least 15 feet.

UNDEVELOPED COMMERCIAL/INDUSTRIAL PROPERTY Undeveloped property located within a zoning district in which multifamily, industrial, service, or commercial uses are included as permitted uses.

UNDEVELOPED RESIDENTIAL PROPERTY Undeveloped property located in a district zoned primarily for detached single-family dwelling units, but not included as permitted uses industrial, service, and commercial uses.

UNENCLOSED⁴³

UPPER STORY Any story above the ground story or floor.

USE The principal activity or function that actually takes place or is intended to take place on a parcel.

UTILITIES Facilities or systems for the distribution of gas, electricity, steam, or water, the collection, treatment and disposal of sewage or refuse; the transmission of communications; of similar functions necessary for the provision of public services. Radio transmission facilities less than 180 feet in height for use by ham radio operators or two-way radio facilities for business or governmental communications shall be deemed accessory uses and not utilities. Utilities are divided into 3 classes:

Class 1: Distribution, transmission, and collection lines (above and below ground) including electrical, solar panels, telephone/broadband internet, natural gas, waste water collection, and

⁴³ Staff comment: "Define unenclosed."

water distribution lines; pumping stations, lift stations, and telephone/broadband switching facilities (up to 200 square feet).

Class 2: Elevated water storage tanks; above ground natural gas facilities including regulator stations and Point of Delivery stations; package treatment plants; telephone/broadband switching facilities (over 200 square feet); substations; or other similar facilities in connection with telephone, electric, natural gas, steam, and water facilities, not including cellular communication towers.

Class 3: Generation, production, or treatment facilities such as power plants, water, and sewage plants.

A utility facility, or expansion of such a facility, may not be found to be a public or private nuisance by reason of the operation of that facility if the utility facility:

- 1) is operating pursuant to and in compliance with the requisite licenses, permits, certifications, or authorizations under the applicable federal state environmental laws and county and municipal (if applicable) zoning ordinances; and
- 2) commenced operations before the landowner alleging the nuisance acquired, moved onto, or improved the affected property.

If a utility facility seeks to expand its operation or facility and maintain its protected status, then the utility facility may reasonably expand its operation or facilities without losing its protected status if it is in compliance with all county, municipal, state, and federal environmental codes, laws, or regulations at the time of expansion. This protected status of a utility facility, once acquired is assignable, alienable, and inheritable, provided the utility facility is operating for the same use as when it commenced operations or a reasonable expansion thereof as provided heretofore and the protected status may not be waived by the temporary cessation of operation for a period not to exceed two years or by diminishing the size of the operation. (Ord. No. 2019-1634, 1.27.20)

(V)

VARIANCE A grant of permission that authorizes a person, owing to conditions particular to the property, in which a literal enforcement of the UDO would result in unnecessary and undue hardship.

VEHICLE RENTAL/LEASING/SALES Establishments ~~which that~~ may have showrooms or open lots for selling, renting, or leasing vehicles. May include ~~car~~ dealers for automobiles and light trucks, ~~mobile homes~~, motorcycle, ~~ATVs~~, or boat and marine craft dealers.

VEHICLE RENTAL/LEASING/SALES, OFFICE ONLY Establishments that engage in the wholesaling that may have showrooms or open lots for of vehicles for sale, lease, or rental and

that do not have any outdoor displays of vehicles or offer vehicle repair services. ~~selling, renting, or leasing vehicles.~~ Vehicles ~~May~~ include ~~car dealers for~~ automobiles and light trucks, ~~mobile homes,~~ motorcycles, ATVs, or boat and marine craft dealers.

VEHICLE SERVICES–MAJOR REPAIR/BODY WORK The repair, servicing, alteration, restoration, towing, painting, or finishing of automobiles, recreational vehicles, boats, and other personal vehicles as a primary use. This includes major repair and body work such as collision repair, painting services, tire recapping, and other body work. This may be an accessory use to an establishment that provides vehicle rental/leasing/sales. “Vehicle Services – Minor Repair/Maintenance-” use as well as the sale of vehicle parts, food and convenience items may also be included as an incidental part of such uses.

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

VEHICLE WASHING FACILITIES A self- or full-service outdoor facility primarily engaged in cleaning, washing, or waxing automotive vehicles, such as passenger cars, trucks, vans, and trailers.

VELOCITY The average velocity of flow through the cross section of the main channel at the peak flow of the storm of interest. The cross section of the main channel shall be that area defined by the geometry of the channel plus the area of flow below the flood height defined by vertical lines at the main channel.

VETERINARY CLINIC Establishments that include services by licensed practitioners of veterinary medicine, dentistry, or surgery for animals; boarding services for pets; and grooming.

VIOLATION The failure of a structure or other development to be fully compliant with these regulations.

VISUAL APPROACH An approach to an airport conducted with visual reference to the terrain.

(W)

WALL SIGN A sign fastened to or painted on the wall of a building in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign and which does not project more than one foot from the building or structure.

WASTE Surplus materials resulting from on-site land-disturbing activities and being disposed of at other locations.

~~**WASTE COLLECTION AND RECYCLING** A site, location, tract of land, or building that may be used for the purpose of collecting all types of residential waste and recyclables that are generated "off site" in the local community to be transported by public or private companies to a waste recycling, transfer, or disposal/recovery facility, permitted by South Carolina Department of Health and Environmental Control (SCDHEC) as required. This use includes county collection (convenience) centers.~~

WASTE TRANSFER FACILITY A place or facility where nonhazardous solid waste materials are taken from a collection vehicle, temporarily stored or stockpiled, and ultimately placed in a transportation unit for movement to another facility.

WATER DEPENDENT Structures or facilities relating to the use of, or requiring access to, the water or shoreline. Examples of water-dependent uses include, but are not limited to, pumping facilities, wastewater treatment facilities, facilities and improvements related to recreation boating or commercial shipping.

WATER SURFACE ELEVATION (WSE) The height, in relation to mean sea level, of floods of various magnitudes and frequencies in the floodplains of riverine or lacustrine areas

WATERCOURSE A lake, river, creek, stream, wash, channel, or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

WATERSHED The land area above a given point on a channel that contributes stormwater to that point.

WATERSHED BENEFIT A decrease in flood damages to structures or an improvement in water quality upstream or downstream of the development site created by installation of the stormwater management system. The benefit must be beyond the benefit provided by meeting the minimum stormwater ordinance standards and stormwater technical reference manual guidance.

WATERS OF THE STATE The South Carolina Pollution Control Act defines waters of the state as: lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial limits of the state and all other bodies of surface or underground water, natural or artificial, public or private, inland or coastal, fresh or salt, which are wholly or partially within or bordering the state or within its jurisdiction. The definition includes, but is not limited to:

- 1) All waters such as lakes, rivers, streams (including intermittent streams), mudflats, wetlands, sloughs, wet meadows, or natural ponds.

- 2) All impoundments of waters not otherwise defined as waters of the state under the definition.
- 3) Tributaries of waters identified above.
- 4) Wetlands adjacent to waters identified above.

For clarification, Waste Treatment Systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act (other than cooling ponds as defined in 40 CFR 123.11(m) which also meet the criteria of this definition) are not waters of the state. It should also be noted that the following waters are generally not considered to be waters of the state:

- 1) Drainage and irrigation ditches excavated on dry land.
- 2) Artificially irrigated areas that would revert to upland if the irrigation ceased.
- 3) Artificial lakes created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stormwater storage, stock watering, irrigation, or settling basins.
- 4) Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
- 5) Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the state.

WATERS OF THE UNITED STATES Those water bodies and wetland areas that are under the U.S. Army Corps of Engineers' jurisdiction.

WET DETENTION FACILITY A wet detention facility designed to maintain a permanent pool of water at least three feet in depth after the temporary storage of stormwater runoff.

WETLAND Lands that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, under normal conditions, a prevalence of vegetation adapted for life in saturated soil conditions (known as hydrophytic vegetation). A wetland is identified based upon the three attributes:

- 1) Hydrology;
- 2) Soils; and
- 3) Vegetation as mandated by the current federal
- 4) wetland determination methodology.

WETLAND IMPACT Waters of the U.S. or state that are disturbed or otherwise adversely affected by flooding, filling, excavation, or drainage which results from implementation of a development activity.

WHOLESALE AND DISTRIBUTION Establishments engaged in transferring, loading, unloading, buying, and selling merchandise to and from retailers, contractors, trucking and freight companies, manufacturers, institutions, farms, other wholesalers, or other professional businesses. This includes establishments such as trucking terminals, goods transfer facilities, and other establishments acting as agents or brokers in buying, selling, or otherwise transferring merchandise to or from the aforementioned entities. This does not include establishments engaged in selling goods and merchandise to the public. Specific examples of these establishments include:

- 1) Agents, merchandise or commodity brokers, and commission merchants;
- 2) Assemblers, buyers, and associations engaged in the cooperative marketing of farm products;
- 3) Merchant wholesalers;
- 4) Stores primarily selling electrical, plumbing, and heating and air conditioning supplies, and equipment; and
- 5) Trucking terminals.

WHOLESALE AND DISTRIBUTION, RESTRICTED A facility that involves the storage, wholesaling or distribution of any hazardous materials or substances that are not packaged for retail sale and are one site in quantities which would be subject to the reporting requirements of The Emergency Planning and Community Right-to-Know Act (EPCRA) also known as SARA Title III of 1980 (Sections 311-312, 42 U.S.C. §§ 11021-11022) and/or any facility which stores or distributes dangerous goods and/or hazardous substances that are covered by separate regulations, standards or codes which are classified on the basis of immediate physical or chemical hazards, such as fire, explosion, corrosion and toxicity and are in sufficient quantities such that accidental release of explosion may affect life, health, property or the environment beyond the immediate perimeter of the facility. These include: flammable gases, flammable liquids, flammable solids (self-reactive and related substances; and desensitized explosives), substances liable to spontaneous combustion, substances that when in contact with water emit flammable gases, oxidizing substances, organic peroxides, toxic substances, radioactive and corrosive substances.

WILDLIFE ATTRACTING USES EXCLUSION ZONE (ZONE F) The Wildlife Attracting Uses Exclusion Zone is a horizontal buffer with a six mile radius measured from the edge of the runway surface that is established to limit wildlife attracting uses, such as solid waste landfills, in the vicinity of the airport.

WINDOW SIGN A sign affixed to the inside of a window or door or a sign placed within a building so as to plainly visible and legible through a window or door.

WINERY An agricultural production and processing facility used for ~~the growing grapes and other fruit and vegetables with the associated commercial purpose of~~ processing grapes, other fruits ~~products~~, or vegetables to produce wine or wine related spirits, excluding beer and liquor. Processing includes ~~wholesales sales~~, crushing, fermenting, blending, aging, storage, bottling, administrative office functions of wine and related promotional items. Wineries may also engage in sales and provide tasting rooms, -and winery tours may be permitted as part of the winery operations. The agricultural use without the processing and production is considered Agriculture and Crop Production/Harvesting.

WIRELESS COMMUNICATIONS Any communications using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public.

WIRELESS COMMUNICATIONS TRANSMISSION FACILITIES A tower, pole, or similar structure more than 30 feet in height erected on the ground or on a building or other structure, used primarily for the support of one or more antenna(e) which are used as support for any personal wireless services as defined in the Federal Telecommunications Act of 1996 including cellular, personal communications services (PCS), paging equipment, and similar services that currently exist or may in the future be developed. This term shall not include radio and television stations' antenna(e), residential television antenna, any antenna(e) which is part of a communication system used by a business to communicate with their employees or satellite dishes, etc.

WIRELESS INFRASTRUCTURE PROVIDER Any person, including a person authorized to provide telecommunications service in the State, acting to build or install wireless communication transmission equipment, wireless facilities, or support structures, but that is not a wireless services provider.

WIRELESS PROVIDER A wireless infrastructure provider or a wireless services provider.

WIRELESS SERVICES Any services using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public.

~~PERSONAL~~ WIRELESS SERVICES, PERSONAL Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.

WIRELESS SERVICES PROVIDER A person who provides wireless services.

WIRELINE BACKHAUL FACILITY An above ground or underground wireline facility used to transport communications between a small wireless facility network interface device and a network or another small wireless network interface device.

WORKING DAYS Days exclusive of Saturday and Sunday during which weather conditions or soil conditions permit land-disturbing activity to be undertaken.

YARD, FRONT⁴⁴ List this and others as “Yard, Front, etc.” so they are clustered together.

YARD, REAR⁴⁵

YARD, SIDE INTERIOR⁴⁶

YARD, SIDE STREET⁴⁷

⁴⁴ Staff comment: “Define front yard. List this and others as “Yard, Front, etc.” so they are clustered together.”

⁴⁵ Staff comment: “Define rear yard.”

⁴⁶ Staff comment: “Define side interior yard.”

⁴⁷ Staff comment: “Define side street yard.”

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Rox Burhans/Shannon Catoe / Development Services

Department: Planning

Date Requested to be on Agenda: 1/11/2023

Issue for Consideration:

This a follow up to the August 2022 Committee meeting whereby staff presented the results of a countywide nuisance survey.

The survey resulted in locating over 600 violations countywide.

Since that meeting, staff has developed a prioritization system and has begun to address the violations that require immediate attention.

Staff will present updates to the program including a potential prioritization system and potential County ordinance modifications., as well as future county resources needed to develop a high impact program

Points to Consider:

In order to tackle over 600 violations, it will take numerous years and additional County resources to fully address these nuisance and unfit housing units.

The first step of the program has been the identification of dwellings/units, with the second step being the identification and notification of property owners followed by abatement options and potential legal proceedings.

Currently, nuisance issues are worked in with other duties of the existing staff of the Zoning department and \$100,000 has been budgeted in each of the past two fiscal years for abatement purposes.

Council will be presented with staffing and budget considerations to develop a robust Nuisance Abatement Program.

Funding and Liability Factors:

Information only

Council Options:

Information only

Recommendation:

Information only

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 1/11/2023

Issue for Consideration:

Update on new Airport Terminal and Lighting Vault Construction Projects and status of application for additional federal construction project funding.

Points to Consider:

The presentation will review the project scope, cost and funding sources, construction timeline, and potential timeline to receive additional federal funding support.

The County executed the contract for new Airport Terminal and Lighting Vault Construction project in August 2022 with funding support from the SC Aeronautics Commission, and the federal government, via the FAA, plus County fund balance monies.

The Contractor is slated to begin work on the Terminal Lighting Project in February 2023, but has worked with the construction project consultant to delay the terminal building groundbreaking until approximately April 2023, in order to determine if more federal funding can be secured for the project.

Funding and Liability Factors:

The federal Bipartisan Infrastructure Law (BIL) provided \$5 billion in funding over five years to the FAA to support airport terminal construction and renovation projects. The County applied for funding in year one, but the terminal project was not selected. The County applied again in October for year two funding and anticipates hearing back on that funding request in February 2023.

The federal funding program could offset the County's share of the project cost from \$1 million to potentially \$2.3 million.

Council Options:

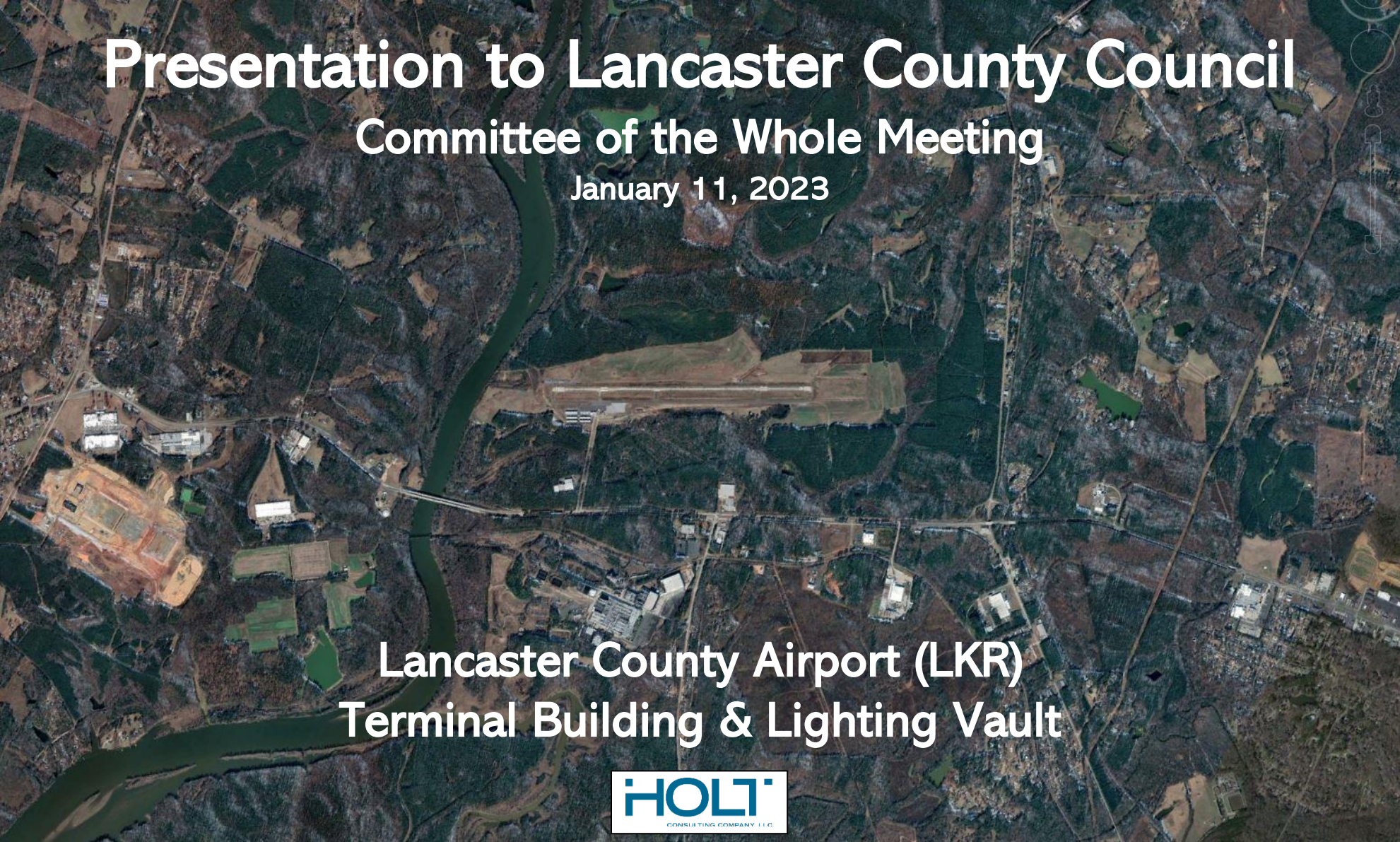
NA -- This is a project update.

Recommendation:

NA -- This is a project update.

ATTACHMENTS:

Description	Upload Date	Type
Update Presentation on the Airport Terminal Projects	1/6/2023	Presentation
Update Presentation on the Airport Terminal Projects	1/6/2023	Presentation



Presentation to Lancaster County Council

Committee of the Whole Meeting

January 11, 2023

Lancaster County Airport (LKR)
Terminal Building & Lighting Vault



NEW TERMINAL BUILDING & LIGHTING VAULT

MAJOR MILESTONES ACCOMPLISHMENTS

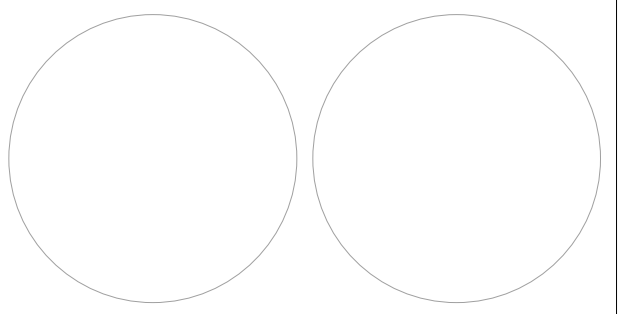
➔ TERMINAL AREA STUDY (Size & Location)	October 2020 - May 2021
➔ DESIGN (Schematic & Bid Documents)	November 2021 - February/March 2022
➔ BIDDING (Pre-Bid Conference & Bid Evaluation)	February 28, 2022 - March 31/April 21, 2022
➔ CONTRACT EXECUTION (County & Contractor)	August 12, 2022
➔ BIPARTISAN INFRASTRUCTURE LAW (Airport Terminal Program & Form 5100-144)	October 22, 2022

AIRSIDE



LANDSIDE



NEW CONSTRUCTION FOR:
**LANCASTER COUNTY AIRPORT
TERMINAL BUILDING**

286 AVIATION BLVD, LANCASTER, SC

PRELIMINARY - NOT FOR CONSTRUCTION

NEW CONSTRUCTION FOR:

PROJECT NO.

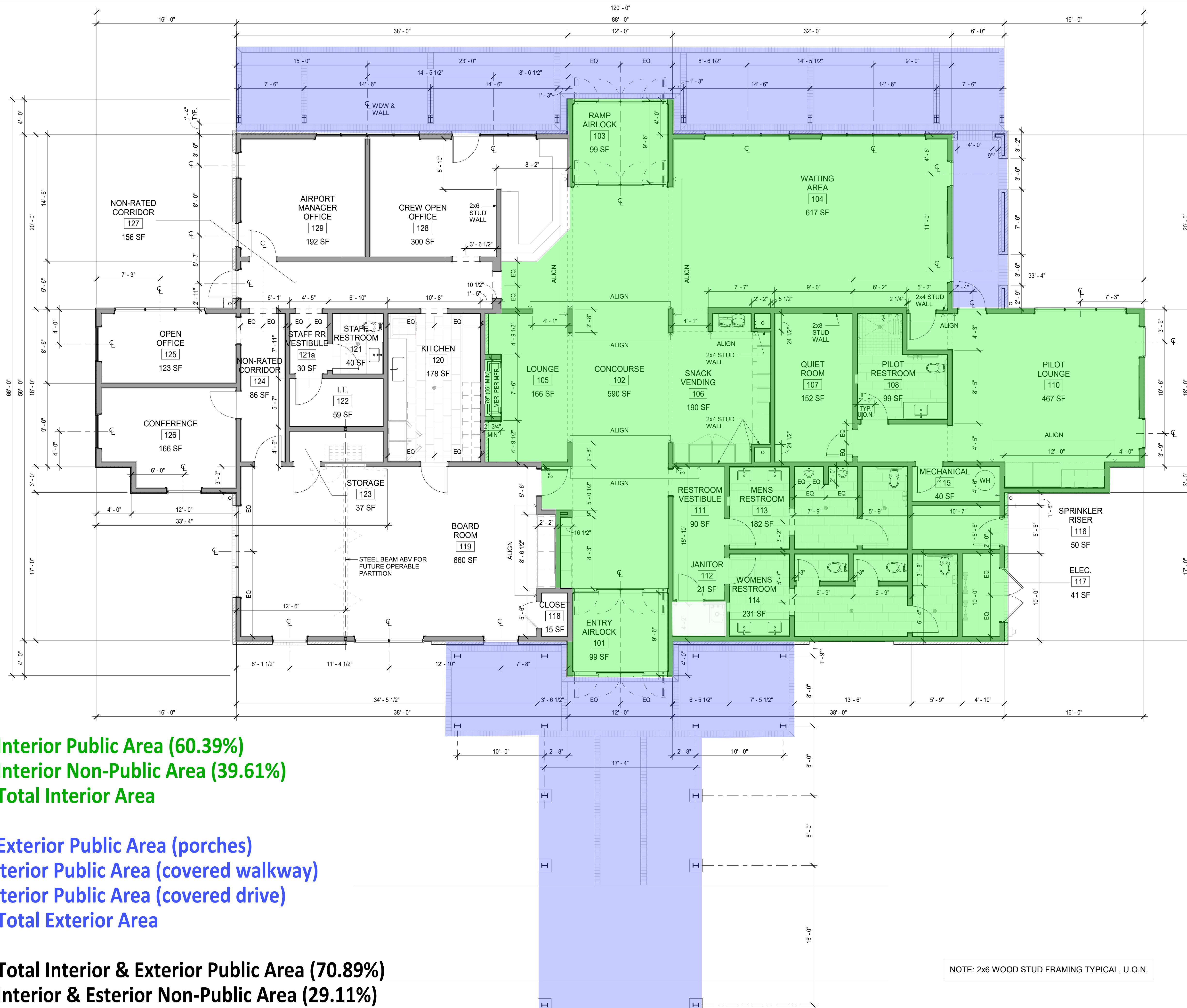
21002

DRAWN BY: Author CHECKED BY: Checker

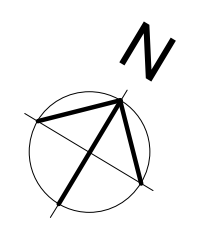
REVISION SCHEDULE
REV. NO. REV. DATECOORDINATION
DATE: 01/31/2022MAIN LEVEL
DIMENSION PLAN

A2.02

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NOTE: 2x6 WOOD STUD FRAMING TYPICAL, U.O.N.

1 MAIN LEVEL DIMENSION PLAN
3/16" = 1'-0"

3,113 SF Interior Public Area (60.39%)
2,042 SF Interior Non-Public Area (39.61%)
5,155 SF Total Interior Area

1,184 SF Exterior Public Area (porches)
120 SF Exterior Public Area (covered walkway)
555 SF Exterior Public Area (covered drive)
1,859 SF Total Exterior Area

4,972 SF Total Interior & Exterior Public Area (70.89%)
2,042 SF Interior & Exterior Non-Public Area (29.11%)
7,014 SF Total Interior & Exterior Public & Non-Public Area

LKR Terminal Building & Lighting Vault Project - Funding Components

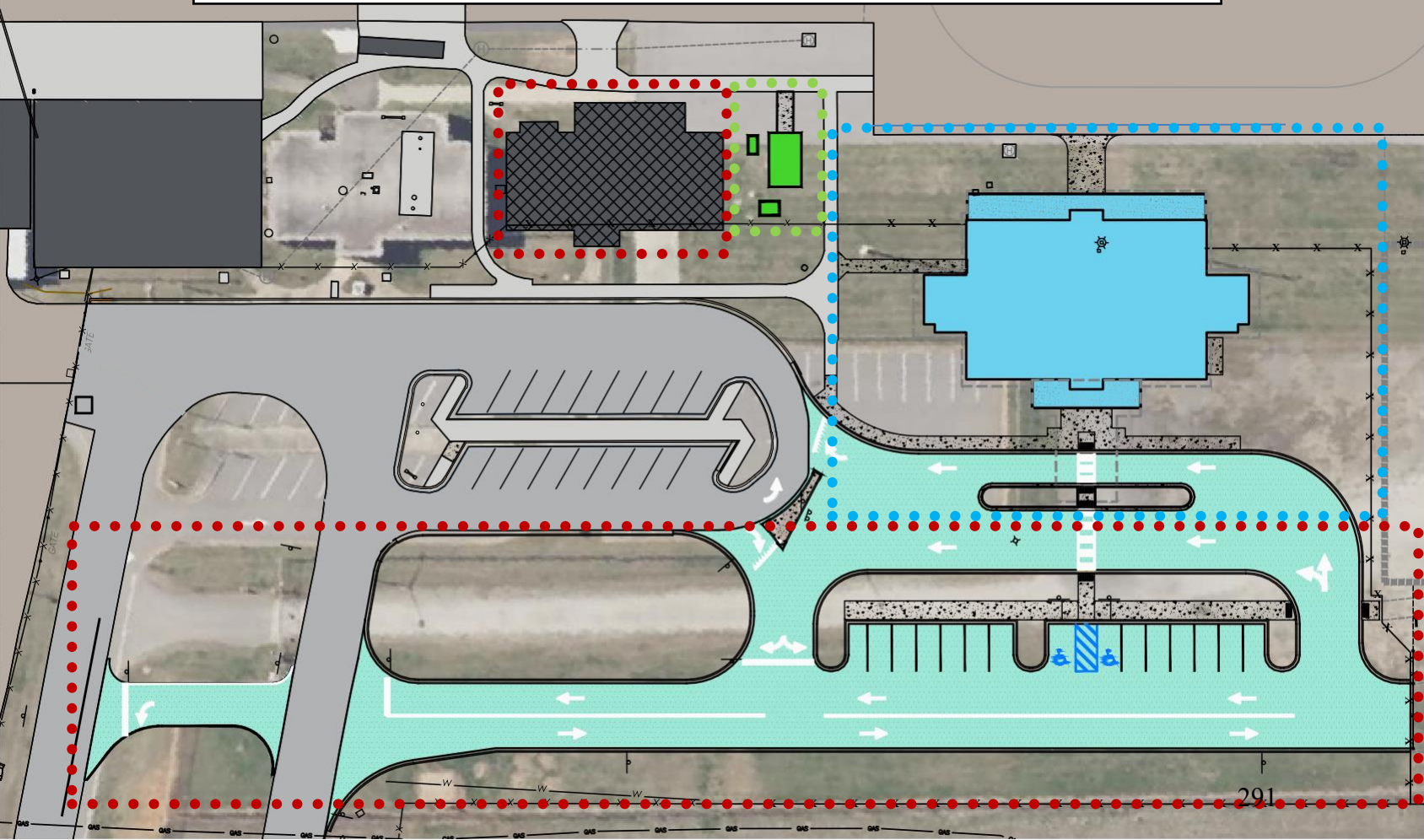
Terminal Building & Associated Site Work - Construction 8 blue dots

Lighting Vault & Associated Site Work - Construction 8 green dots

Emergency Generator (Airfield) - Acquire/Install 8 green dots

Emergency Generator (Landside) - Acquire/Install 8 green dots

Ancillary Improvements Site Work - Construction 8 red dots



LKR Terminal Building & Lighting Vault Project Cost / Funding Breakdown						
Project Components	Total Project Cost	AIP Annual Entitlement	AIP Discretionary/ State Approtionment	BIL Annual Allocation	SCAC	Lancaster County
Terminal Building & Associated Site Work - Construction	\$3,538,250	\$0	\$0	\$0	\$500,000	\$3,038,250
Lighting Vault & Associated Site Work - Construction	\$518,235	\$150,000	\$316,412	\$0	\$25,912	\$25,912
Emergency Generator (Airfield) - Acquire / Install	\$52,700	\$0	\$47,430	\$0	\$2,635	\$2,635
Emergency Generator (Landside) - Acquire / Install	\$74,100	\$0	\$0	\$0	\$0	\$74,100
Ancillary Improvements Site Work - Construction	\$1,742,586	\$0	\$0	\$159,000	\$0	\$1,583,586
Total	\$5,925,871	\$150,000	\$363,842	\$159,000	\$528,547	\$4,724,482

BIL ATP (60.39% Eligible)	Lancaster County	BIL ATP (70.89% Eligible)	Lancaster County
\$2,029,912	\$1,008,338	\$2,382,852	\$655,398
	\$2,694,571		\$2,341,630

Note: Includes bid amount plus construction phase services.

Note: \$580,000* reimbursed to the County during 2023, 2024, 2025, and 2026; net investment \$4,144,482.

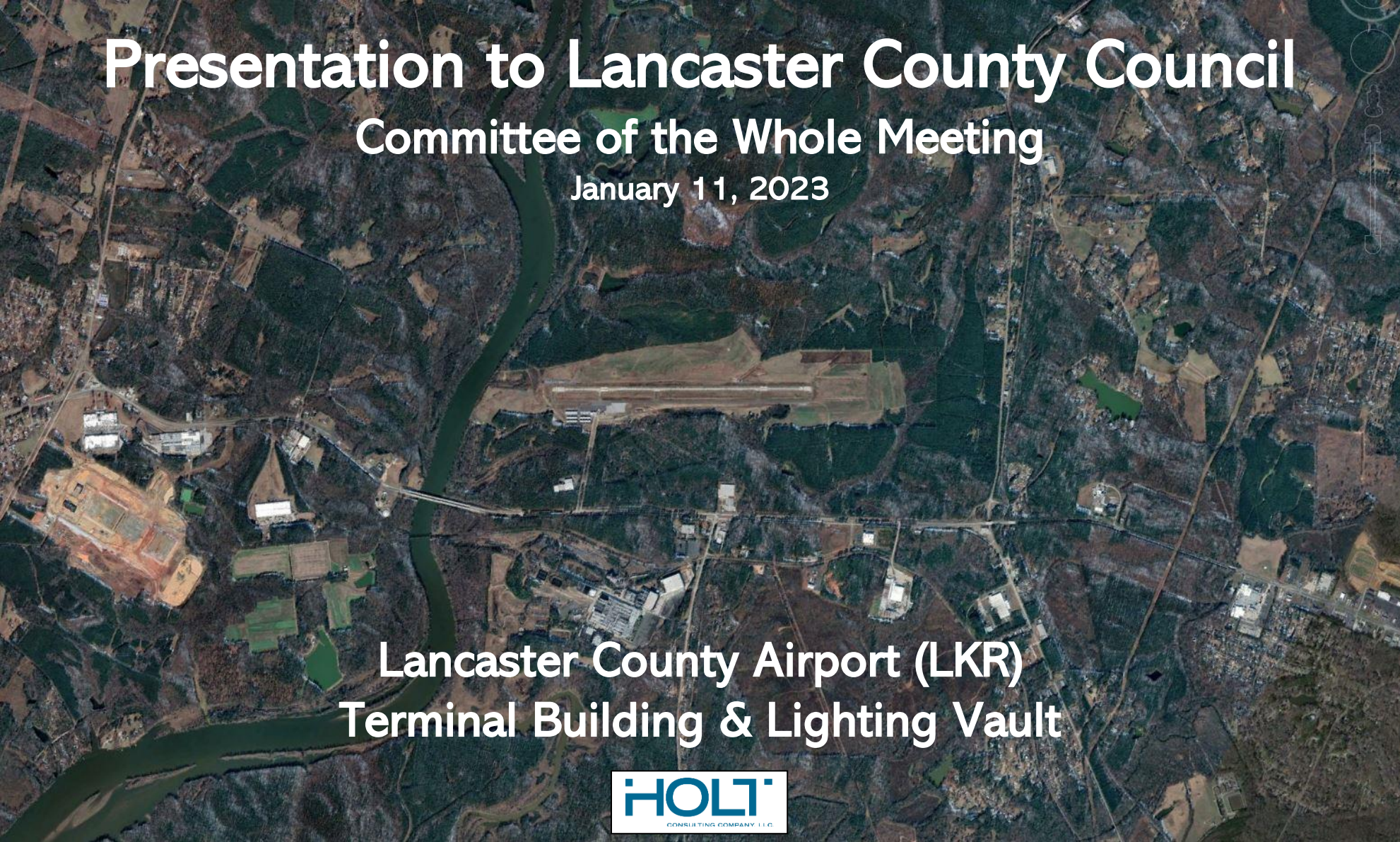
Note: BIL Airport Terminal Program (ATP) grant (95% of eligible portion) will reduce County share.

\$2,114,571 \$1,761,630

NEW TERMINAL BUILDING & LIGHTING VAULT

NEXT STEPS

✈	FAA COORDINATION (Atlanta Airports District Office & Southern Region Office)	January/February 2023
✈	GRANT APPLICATION	Late February 2023
✈	GRANT AGREEMENT	Late March 2023
✈	CONSTRUCTION NOTICE-TO-PROCEED	
	Lighting Vault	February 20, 2023
	Terminal Building	Early April



Presentation to Lancaster County Council

Committee of the Whole Meeting

January 11, 2023

Lancaster County Airport (LKR)
Terminal Building & Lighting Vault



NEW TERMINAL BUILDING & LIGHTING VAULT

MAJOR MILESTONES ACCOMPLISHMENTS

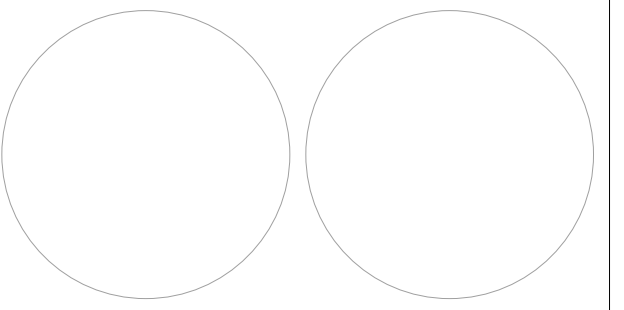
➔ TERMINAL AREA STUDY (Size & Location)	October 2020 - May 2021
➔ DESIGN (Schematic & Bid Documents)	November 2021 - February/March 2022
➔ BIDDING (Pre-Bid Conference & Bid Evaluation)	February 28, 2022 - March 31/April 21, 2022
➔ CONTRACT EXECUTION (County & Contractor)	August 12, 2022
➔ BIPARTISAN INFRASTRUCTURE LAW (Airport Terminal Program & Form 5100-144)	October 22, 2022

AIRSIDE



LANDSIDE





LANCASTER COUNTY AIRPORT TERMINAL BUILDING

286 AVIATION BLVD, LANCASTER, SC

PRELIMINARY - NOT FOR CONSTRUCTION

NEW CONSTRUCTION FOR:

PROJECT NO.

21002

DRAWN BY: Author

CHECKED BY: Checker

REVISION SCHEDULE

REV. NO.

REV. DATE

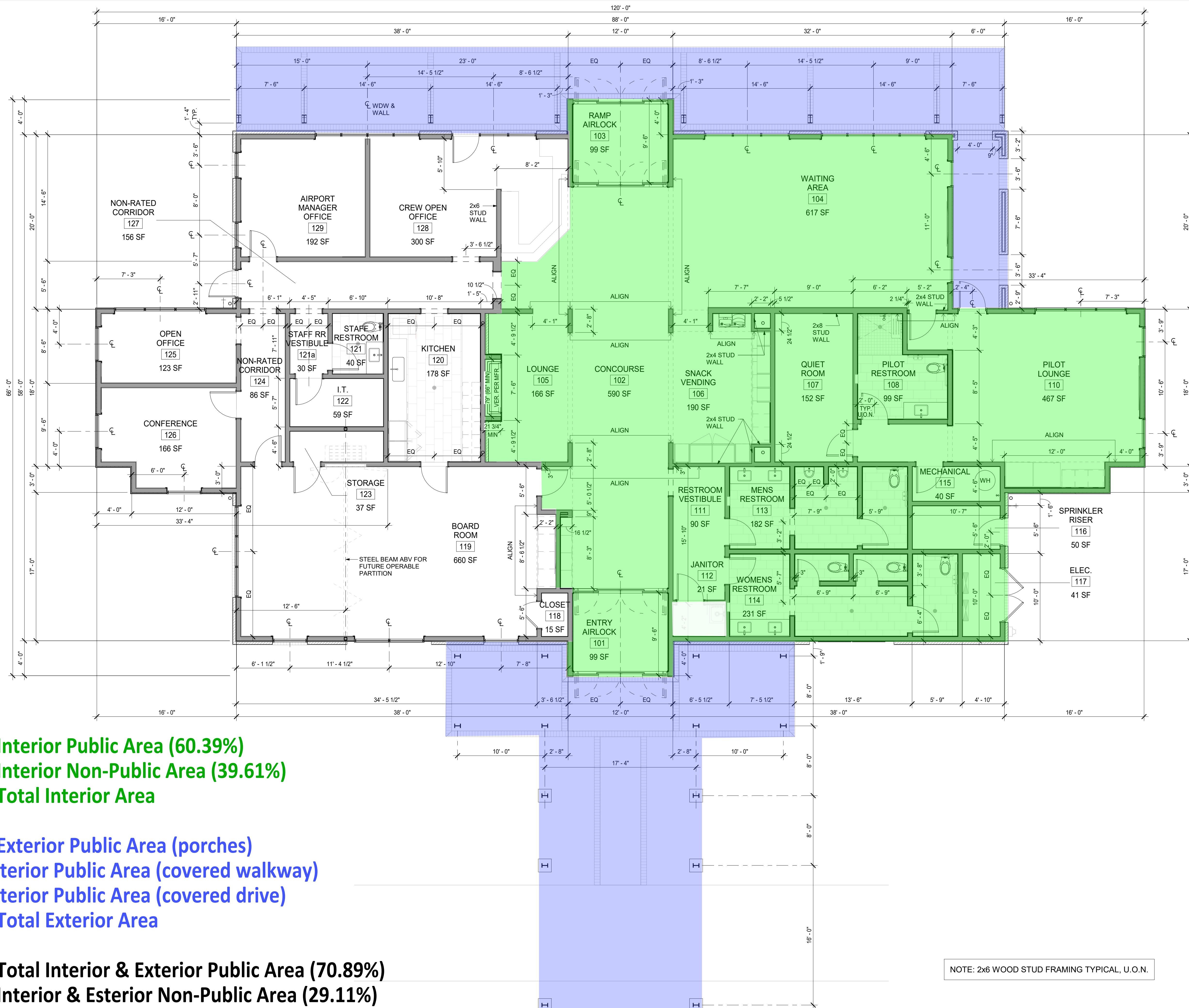
COORDINATION

DATE: 01/31/2022

MAIN LEVEL
DIMENSION PLAN

A2.02

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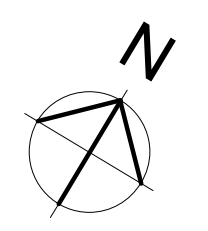


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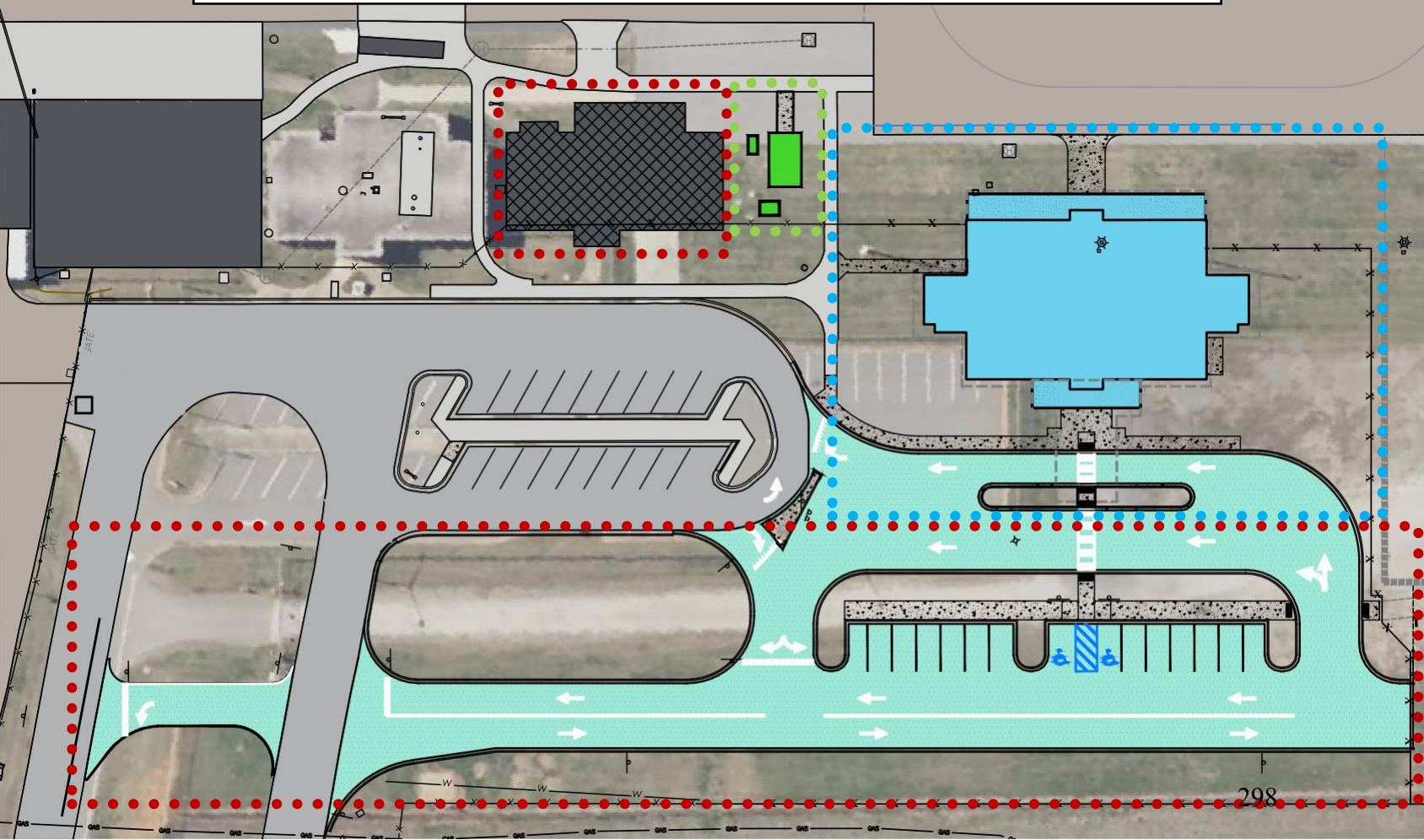
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