

Council Members

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



County Attorney
John K. DuBose III

Clerk to Council
Sherrie Simpson

January 11, 2021

6:00 PM

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

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

AGENDA

1. **Call to Order Regular Meeting - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance and Invocation - Council Member Brian Carnes**
4. **Approval of the Agenda**
[deletion and additions of non-substantive matter]
5. **Special Presentations**
 - a. Update from the Health and Wellness Commission - Presented by Katey Powell, Commission Member, and Bekah Clawson, HOPE Representative
 - b. Pending Projects Update for New Construction and Major Renovation Projects - Cathy McDaniel and Kelvin Alexander
6. **Citizens Comments**
[While in-person Citizens Comments are not currently suspended, due to public health and safety considerations and the need for continued social distancing, the County is strongly encouraging citizen input and comments be submitted in writing prior to the meeting. Comments may be submitted via mail to ATTN: Sherrie Simpson, Post Office Box 1809, Lancaster, SC, 29721, by email to Sherrie Simpson at ssimpson@lancastersc.net or by online submission by selecting the "Citizens Comments" quick link located on the County website homepage at <https://www.mylancastersc.org/> Comments must be no longer than approximately 3 minutes when read aloud. Comments received will be acknowledged during the Citizens Comments portion of the meeting. Comments will need to be received prior to 4:00 p.m. on the day of the meeting. Please use the same link above in order to submit input/comments for Public Hearings.]
7. **Consent Agenda**
[Items listed under the Consent Agenda have previously been discussed by Council and approved unanimously. As such, these items are normally voted on as a group through a single vote rather than with a Council vote for each individual item. However, any Council member may remove any item on the Consent Agenda for individual discussion and vote]

- a. Approval of Minutes from the December 14, 2020 County Council Regular Meeting
- b. Approval of Minutes from the December 30, 2020 County Council Special Meeting

8. **Non-Consent Agenda**

- a. Resolution 1131-R2021 regarding Supporting Prescribed Burns
Resolution Title: A Resolution To Support Prescribed Burns. - ***Steve Willis***
- b. Resolution 1132-R2021 regarding the Planned Recreational Facilities at the Van Wyck Community Center
Resolution Title: To Accommodate The Desire Of The Town Of Van Wyck To Proceed With The Construction Of A Town Park And Be Reimbursed Once Proceeds From Capital Project Sales Tax Number Three Are Available - ***Steve Willis***
- c. Public Hearing and 1st Reading of Ordinance 2021-1700 regarding Rezoning Property Located at 7907 Henry Harris Road (Applicant Ryan Urban)
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 19.88 Acre Tract Of Property (TMS # 0014-00-034.15), Owned By Ryan Urban, And Located At 7907 Henry Harris Road, Lancaster, South Carolina, From LDR, Low Density Residential District, To RN, Rural Neighborhood District. - ***Planning Department Case Number: RZ-020-2206. Planning Commission recommended approval by unanimous vote. - Rox Burhans***
- d. Public Hearing and 1st Reading of Ordinance 2021-1704 regarding Adopting Amendments to Elements of the Comprehensive Plan by Adoption of the Southern Panhandle Small Area Plan
Ordinance Title: An Ordinance By Lancaster County Adopting Amendments To Elements Of The Comprehensive Plan For Lancaster County, South Carolina, By Adoption Of The Southern Panhandle Small Area Plan - ***Planning Commission recommended approval by unanimous vote. - Katie See***
- e. 1st Reading of Ordinance 2021-1699 regarding the Potential Transfer of County Property to the Council on Aging
Ordinance Title: An Ordinance To Approve The Sale Of Six (6) Acres Of Land To The Lancaster County Council On Aging, Said Parcel Being Located In The City Of Lancaster, With A Tax Parcel Number Of 0082C-0A-001.06, And To Authorize County Officials To Take Such Actions As Necessary To Effectuate The Purposes Of This Ordinance. - ***Steve Willis***
- f. 1st Reading of Ordinance 2021-1712 regarding Conveyance of Surplus Property on Happy Trail
Ordinance Title: An Ordinance Authorizing Lancaster County To Sell And Convey County Owned Property Located On Happy Trail And Containing 4.57 Acres, More Or Less, By Private Sale, Being Shown On The Lancaster County Tax Maps As Parcel Number 0071-00-038.03 - ***Steve Willis/John DuBose***
- g. 1st Reading of Ordinance 2021-1713 regarding Authorizing the Execution and Delivery of a Special Source Revenue Credit Agreement with Project Smith
Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Among Lancaster County, #####, Inc., And @@@@, LLC, (Project Smith) Providing For Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund. - ***Jamie Gilbert***

9. **Discussion and Action Items**

- a. Salary Adjustment for Chief Magistrate - Steve Willis
- b. Information Only for a South Carolina Public Safety Grant for Sheriff's Office - Steve Willis/Sheriff Barry Faile
- c. Request for Committee of the Whole Meetings - Steve Willis

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

11. Miscellaneous Reports and Correspondence

12. Citizens Comments

[If Council delays until end of meeting]

13. Executive Session

a. Three Items:

1. *Economic Development Discussions: Project King and Project Creamsicle . SC Code 30-4-70(a)(5).*

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

14. Adjournment

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

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Kelvin Alexander/Facilities Project Manager; Cathy McDaniel/Procurement Director

Department: Administration

Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

This information is provided to Council as an update regarding the County's ongoing construction projects.

Points to Consider:

N/A

Funding and Liability Factors:

The funding and liability factors vary by project.

Council Options:

N/A

Recommendation:

N/A

ATTACHMENTS:

Description

Pending Projects Update_January 2021

Upload Date

1/5/2021

Type

Backup Material

Construction Project Status Update

*January 11, 2021 County Council Meeting
Prepared December 29, 2020*

UNDER CONSTRUCTION

- **Public Library System**

Main Library—Progress at Lancaster Main has been impacted by HVAC start up issues primarily related to the manufacturer. In addition, the HVAC subcontractor crews have been impacted by COVID-19 which is extending the time on the project. The floor slab contains more moisture than is allowed for a warrantable installation by flooring manufacturers. We anticipate starting moisture mitigation in early January. The moisture mitigation work at the renovation area is on the critical path to job completion and affects numerous other trades including electrostatic painting, signage, furniture installation, security, etc. The anticipated substantial completion of Lancaster Main is now late February.

Del Webb—Perception Builders engaged an installation subcontractor and are scheduling them to install the roofing the first of the year 2021. Punch list work is well underway and the project should finish up by mid-January 2021.

Kershaw—The interior punch list work is well underway and should wrap up in early January. The two main items that are outstanding are replacement window installation and parking lot asphalt work. We anticipate receipt of replacement windows in early January with installation following shortly afterward. The asphalt reclamation work started later than originally anticipated due to cold and wet weather. We have anticipated that the asphalt and related parking lot work will be complete in early to mid-January.

- **EMS HQ**

- Project contracts for both the interior renovation and paving have been signed. Contractor has 21 days to gear up and start the project.

- **Springs Boat Landing (Duke)**

- Project is substantially complete. Stormwater BMPs were removed and the areas graded. The site is now open to the public to use.



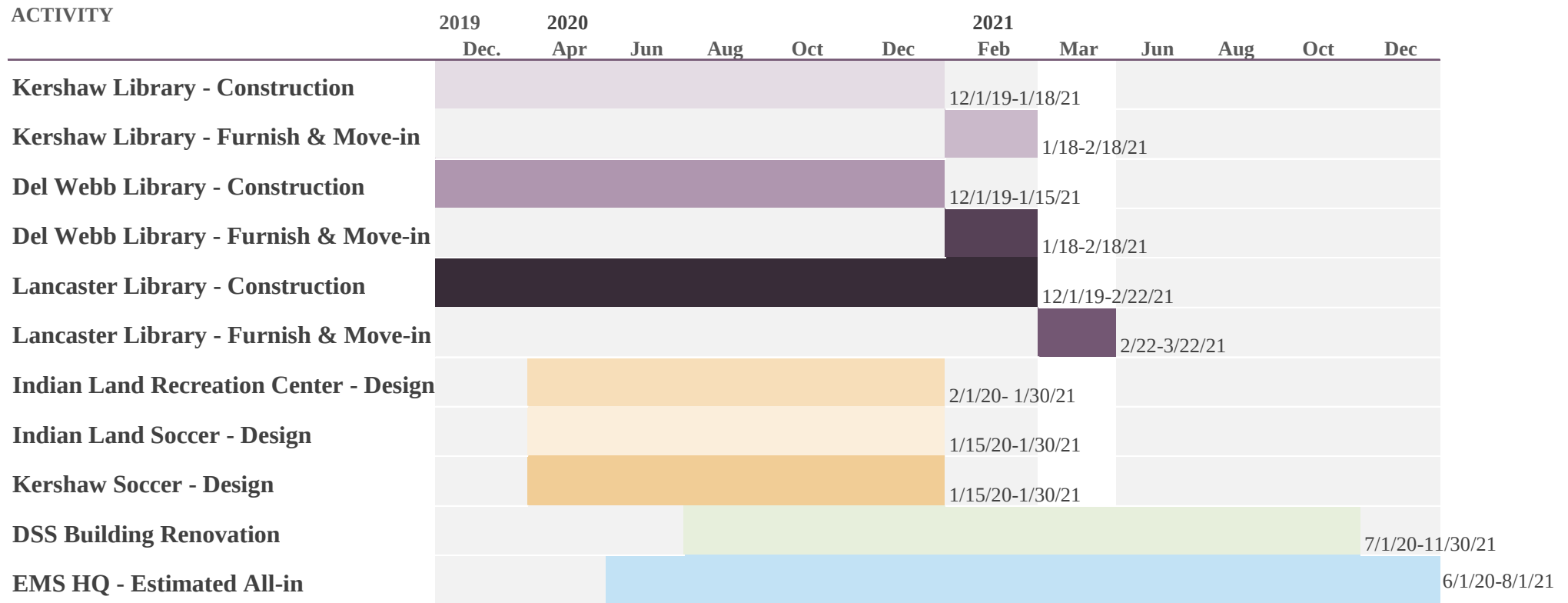
IN DESIGN PHASE

- **Heath Springs Soccer Fields**—The construction drawings were submitted to the proper AHJ's for review. The Architect plans were approved. We are waiting on final review

and approval of the civil plans. They are working to wrap up comment revisions within the next few weeks. When we get TRC Approval, we will get bid information prepared for procurement.

- **Indian Land Soccer Fields**—The construction drawings were submitted to the proper AHJ's for review. The Architect plans were approved. We are waiting on final review and approval of the civil plans. They are working to wrap up comment revisions within the next few weeks. When we get TRC Approval, we will get bid information prepared for procurement.
- **Indian Land Recreation Center Renovations**—Design Development is still ongoing per the original design plan. The civil engineering firm is complete with the sewer drawings. The Architectural plans are scheduled to be completed early to mid-January 2021.
- **DSS Building**—The 90% drawings were completed and reviewed with DSS staff. The permit set will be ready in early January. Once approved, the plans will be sent out to bid. Once bids are received, the TCP budget will be created in order to get final approval to release the contractor to proceed with the project.
- **Barnett Complex**—Due to unanticipated growth in the number of voting machines, several walls will be removed prior to the move to create a larger storage area. Voter Registration and Elections will move after completion of this work and the special election is held in January.

Lancaster County Capital Projects



Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

Approve or amend the minutes from the December 14, 2020 County Council regular meeting.

Points to Consider:

The draft minutes from the December 14, 2020 County Council regular meeting are attached for Council's review and consideration.

Funding and Liability Factors:

N/A

Council Options:

Council can approve or amend the minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 12-14-2020 County Council Regular Meeting	1/7/2021	Backup Material

Council Members

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



County Attorney
John K. DuBose III

Clerk to Council
Sherrie Simpson

December 14, 2020

6:00 PM

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

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

MINUTES

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

Council Members absent: Larry Honeycutt.

Staff Members/Others present: Steve Willis, County Administrator; Kim Belk, Interim Deputy County Administrator/Budget Director; John DuBose, County Attorney; Sherrie Simpson, Clerk to Council; Veronica Thompson, Chief Financial Officer; Rox Burhans, Development Services Director; Cathy McDaniel, Procurement Director; Kelvin Alexander, Project Manager; Robert Purser, Public Safety Communications Director; Scott Hernandez, Interim IT Director; Frannie Heizer, Burr, Forman, McNair, LLC; various Department Heads; various staff; the press; and citizens.

A quorum of Lancaster County Council was present for the meeting. The following press were notified of the meeting by e-mail in accordance with the Freedom of Information Act: *The Lancaster News*, *Kershaw News Era*, *The Rock Hill Herald*, Cable News 2, Channel 9 and the local government channel. The agenda was posted in the lobby of the County Administration Building and also on the County website the required length of time.

Call to Order Regular Meeting - Chairman Steve Harper

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

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting. He noted that Councilman Honeycutt was under the weather and would not be in attendance at the meeting.

Pledge of Allegiance and Invocation - Council Member Terry Graham

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

Approval of the Agenda

Charlene McGriff moved to approve the agenda. Seconded by Terry Graham.

Steve Willis requested that the three Economic Development Discussions be removed from Executive Session. He noted that two of the items would be covered at the Special Meeting on December 30, 2020 and that one of the items would be covered at a Council meeting in January, 2021.

Charlene McGriff moved to amend the agenda to remove the three Economic Development discussion items from Executive Session. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Honeycutt

The motion to approve the agenda as amended Passed 6-0.; Absent: Honeycutt

Special Presentations

Steve Willis recognized Vincent Sheheen with a Proclamation declaring December 14, 2020 as Vincent Sheheen Day in Lancaster County.

Grant Davis, CPA and Director of Mauldin & Jenkins provided an overview of the Comprehensive Annual Financial Report For the Fiscal year Ended June 30, 2020. He provided two handouts to Council: (1) Auditor's Discussion & Analysis (AD&A) Financial & Compliance Audit Summary June 30, 2020, which is attached as Schedule A to the written minutes in the Clerk to Council's office; and (2) Lancaster County, South Carolina Comprehensive Annual Financial Report For the Fiscal Year Ended June 30, 2020, which is attached as Schedule B to the written minutes in the Clerk to Council's office. He noted that they have issued an unmodified opinion for the County's financial statements, which is the best result you can receive. He noted that the County received an overall good report from a compliance standpoint and that things looked very sound from a financial standpoint.

Prior to the Pending Projects Update, Kim Belk informed Council that she removed EMS 4/9 and the Animal Shelter projects from the update since those projects have been substantially completed.

Cathy McDaniel provided Council with the following updates on the libraries: (1) she noted that the three libraries have IT issues and that the County has contracted with Founders Federal Credit Union for set up of IT in the libraries and she further explained that the installation dates for those set ups should be given to the County in early January; (2) she noted that the roof panels have come in for the Del Webb branch but that they have not yet been installed; (3) she explained that the weather held up the installation of the parking lot at the Kershaw branch but that hopefully that will be completed soon; and (4) she explained that there were moisture mitigation issues at the Main branch that will add additional costs to the project; however, she noted that those costs should be able to be covered by contingency fees.

Kelvin Alexander provided an update for Council on the following projects: (1) for EMS Headquarters, he explained that the bids have been sent out for the paving portion of the project and that the general contract portions of the project are still being reviewed and that the IT portion of the project has been sent out for advertisement; (2) for Springs Park, he noted that the project was ready to have the Grand Opening; (3) for Heath Springs/Indian Land soccer fields, he explained that the architectural plans for the buildings have been approved and that the Technical Review Committee was reviewing the plans for the fields; (4) for the Indian Land Recreation Center, he noted that the drawings are ongoing and that the team has met with the IT staff; and (5) for the Department of Social Services building, he explained that the project is in the design phase but that he hopes to have the drawings completed by the end of December. Council and staff discussed the contract issues regarding the EMS Headquarters project.

Citizens Comments

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

1. Mick Mulvaney, Indian Land, SC, spoke regarding Residential Improvement Districts; and
2. Sara Phillips, Lancaster, SC, thanked Council for their support of the new Animal Shelter.

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

Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **7a.**, **7b.** and **7c.** [as listed in the Agenda packet, which are the same as Item **a.**, Item **b.** and Item **c.** listed below]. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Honeycutt

a. **Approval of Minutes from the November 23, 2020 County Council Regular Meeting**

b. **3rd Reading of Ordinance 2020-1680 regarding Rezoning Property Owned by Mark Haldeman From LDR to MDR**

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 14.6 Acre Tract Of Property (TMS # 0002-00-008.00), Owned By Mark Haldeman, And Located On The West Side Of Harrisburg Road, Approximately 155 Feet North Of Lancashire Drive, Indian Land, South Carolina, From LDR, Low Density Residential District, To MDR, Medium Density Residential District.

c. **3rd Reading of Ordinance 2020-1698 regarding Amending the Unified Development Ordinance (UDO) To Allow The Cottage Court Building Type in the Mixed Use District**

Ordinance Title: An Ordinance To Amend The Unified Development Ordinance Chapters 2.5.3 And 3.4 To Allow The Cottage Court Building Type In The Mixed Use (MX) District.

Non-Consent Agenda

Resolution 1126-R2020 regarding Adding Properties Located in Chesterfield County to the Multi-County Park Agreement

Resolution Title: A Resolution To Amend The Master Multi-County Park Agreement Between Chesterfield County And Lancaster County, Dated As Of December 9, 2013, And Amended And Restated As Of November 9, 2015, Exhibits Updated Through August 27, 2018, So As To Further Update The Exhibits By Adding Property Located In Chesterfield County (US Stevia, LLC, Project Kentucky Blue; Towns Of Cheraw And Chesterfield, Carolinas Centre Industrial Park; Pageland Property, LLC, Project Parasol; Kershner Properties, LLC, Project Wilma; Douglas Machine Shop, Inc., Project Tool; Designer Construction Corporation D/B/A AXHOJ Enterprises, Project Model; And County Of Chesterfield, Belk Property Site); And To Provide For Other Matters Related Thereto.

Brian Carnes moved to approve Resolution 1126-R2020. Seconded by Terry Graham. Motion Passed 6-0.; Absent: Honeycutt

Resolution 1127-R2020 Regarding Authorization of Funding for the MIS Department

Resolution Title: A Resolution Designating The Use Of Fund Balance For The Management Information Services (MIS) Department Assessment, Technical Assistance, Updates And Improvements; And Providing For Other Matters Related Thereto.

Charlene McGriff moved to approve Resolution 1127-R2020. Seconded by Allen Blackmon.

Council and staff discussed that the IT funding should have gone to the Administration Committee before coming to Council, the budget as it relates to the required reserve threshold and whether the County would meet that threshold after the audit was conducted, how the IT budget/projects had gotten so far behind, that the IT department needed to budget for end of life for their equipment so that the County is not put in an emergency situation regarding the budget and whether some of the projects should be delayed to see what the new permanent IT Director might want. Steve Willis reviewed the current hardware needs. Council asked if the contract for IT was sent out to bid and Steve Willis explained how he determined that Founders should receive the contract as a stop gap measure until the County has time to do more analysis. Scott Hernandez, the Interim IT Director, explained that the requested projects would build a foundation for the IT program and he reviewed the immediate needs of the IT department. Council and staff discussed the security risks of having cloud based IT services and whether other Counties use cloud based IT services.

Steve Harper explained that there were two very critical items in the Resolution that need to be addressed immediately: (1) the exchange server to be hosted by Office 365; and (2) the file share and server upgrade.

Allen Blackmon moved to amend Resolution 1127-R2020 to fund the two items discussed and to fund them at the level as indicated on the spread sheet included in the agenda packet. Seconded by Brian Carnes. Motion Passed 6-0.; Absent: Honeycutt

The motion to approve Resolution 1127-R2020 as amended Passed 6-0.; Absent: Honeycutt

Resolution 1128-R2020 regarding Authorizing the Submission of a FEMA Grant Application

Resolution Title: A Resolution To Support The Application For A Building Resilient Infrastructure And Communities (BRIC) Grant Application.

Charlene McGriff moved to approve Resolution 1128-R2020. Seconded by Allen Blackmon. Motion Passed 6-0.; Absent: Honeycutt

Resolution 1129-R2020 regarding Acquiring Quick Response Vehicles for EMS

Resolution Title: A Resolution To Authorize The Use Of Remaining Capital Funds To Acquire EMS Quick Response Vehicles.

Brian Carnes moved to approve Resolution 1129-R2020. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Honeycutt

Public Hearing and 3rd Reading of Ordinance 2020-1693 regarding 9080 Northfield Drive Speculation Industrial Building Special Source Revenue Credit Agreement

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Between Lancaster County And 9080 Northfield Drive, LLC, Providing For Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund.

Steve Willis noted, for the record, that no one signed up to speak for the Public Hearing for the 3rd Reading of Ordinance 2020-1693.

Steve Harper opened the Public Hearing for the Ordinance at approximately 7:30 p.m.

There were approximately 7 citizens in attendance during the Public Hearing for this Ordinance.

No one signed up to speak or sent in written comments for the Public Hearing; however, the following speaker came forward to make comments regarding this Ordinance:

1. Evan Freeman, who lives in the northern part of the County, explained that the Northfield Drive road was already in bad shape and that adding additional traffic on the road would only make it worse. Steve Willis explained that the road was scheduled to be repaved during Capital Project Sales Tax Three.

Since no other speakers came forward, Steve Harper closed the Public Hearing at approximately 7:32 p.m.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2020-1693. Seconded by Brian Carnes. Motion Passed 6-0.; Absent: Honeycutt

Public Hearing and 3rd Reading of Ordinance 2020-1697 regarding the Cooley Group Incentive Ordinance and Agreements

Ordinance Title: An Ordinance To Authorize And Approve The Execution And Delivery Of A Fee Agreement By And Among Lancaster County, RISC, LLC, And Cooley Incorporated Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits; To Authorize And Approve The Execution And Delivery Of A Special Source Revenue Credit Agreement By And Among Lancaster County, RISC, LLC, And Cooley, Incorporated; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund.

Steve Willis noted, for the record, that no one signed up to speak for the Public Hearing for the 3rd Reading of Ordinance 2020-1697.

Steve Harper opened the Public Hearing for the Ordinance at approximately 7:34 p.m.

There were approximately 7 citizens in attendance during the Public Hearing for this Ordinance.

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

Steve Harper closed the Public Hearing at approximately 7:34 p.m.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2020-1697. Seconded by Terry Graham.

Allen Blackmon moved to amend proposed Ordinance 2020-1697 in the form of the redlined ordinance attached to the agenda package including the redlined fee in lieu of tax agreement and the redlined special source revenue credit agreement also attached to the agenda package. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Honeycutt

The motion to approve the 3rd Reading of Ordinance 2020-1697 as amended Passed 6-0.; Absent: Honeycutt

3rd Reading of Ordinance 2020-1689 regarding Rezoning Property from RN to MDR (Applicant Carolina Ventures 1, LLC)

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone A 155 Acre, More Or Less, Tract Of Property TMS No. 0019-00-027.01, Owned By E. Martin, Mary Heath Tinsley And Sarah Purvis Williams; TMS No. 0019-00-029.00, Owned By Robert D. Wilson Trust; TMS No. 0019-00-035.00, Owned By Helen W. Davis; Portion Of TMS No. 0019-00-025.00, Owned By Olin S. Wilson; And Portion Of TMS No. 0019-00-027.02, Owned By Robert L. And Phyllis W. Patton, And Located On The East Side Of Van Wyck Road And North Of The Tree Tops Residential Development, Indian Land, South Carolina, From RN, Rural Neighborhood District, To MDR, Medium Density Residential District.

Terry Graham recused himself from the discussion and vote on the 3rd Reading of Ordinance 2020-1689. His Statement of Recusal is on file with the minutes and is attached as Schedule C to the written minutes in the Clerk to Council's office. He left Chambers at approximately 7:36 p.m.

Brian Carnes moved to approve the 3rd Reading of Ordinance 2020-1689. Seconded by Billy Mosteller. Motion Passed 5-0.; Abstain: Graham; Absent: Honeycutt

Terry Graham came back into Chambers and re-joined the meeting at approximately 7:46 p.m.

3rd Reading of Ordinance 2020-1691 regarding Authorization of the Creation of the Roselyn Residential Improvement District

Ordinance Title: An Ordinance Authorizing The Creation Of The Roselyn Residential Improvement District; Approving And Authorizing The Implementation Of The Improvement Plan; Providing For The Financing Of

Improvements Within The Roselyn Improvement District By Assessment, Issuance Of Bonds, Or Other Revenues As Herein Described; Approving An Assessment Roll And Providing Notice Thereof; And Other Matters Relating Thereto.

Billy Mosteller moved to approve the 3rd Reading of Ordinance 2020-1691. Seconded by Brian Carnes.

John DuBose reviewed the exhibits/attachments to the residential improvement district ordinances.

Brian Carnes moved to amend proposed ordinance 2020-1691 in the form of the 3rd reading version of the ordinance included in the agenda package which includes all exhibits to the proposed ordinance. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Honeycutt

Allen Blackmon explained his concerns about the process, for example, that all information was not provided at the 1st Reading of the Ordinance. Attorney Frannie Heizer of Burr, Forman, McNair explained the process that has been followed for these districts. She further explained that the bond issue will come before Council at a separate time as a separate matter and that some details regarding the bond money will be dealt with during the bond issuance. She also explained that the documents were consistent with the requirements of State law. She also addressed the potential risks to the County in establishing these districts, which come when the bonds are issued. John Hardy, Lennar representative, explained how much money that Lennar has already invested in the projects.

The motion to approve the 3rd Reading of Ordinance 2020-1691 as amended Passed 5-1. Ayes: Carnes, Graham, Harper, McGriff, Mosteller; Nays: Blackmon; Absent: Honeycutt

3rd Reading of Ordinance 2020-1690 regarding Authorization of the Creation of the Harris Mill Residential Improvement District

Ordinance Title: An Ordinance Authorizing The Creation Of The Harris Mill Residential Improvement District; Approving And Authorizing The Implementation Of The Improvement Plan; Providing For The Financing Of Improvements Within The Harris Mill Improvement District By Assessment, Issuance Of Bonds, Or Other Revenues As Herein Described; Approving An Assessment Roll And Providing Notice Thereof; And Other Matters Relating Thereto.

Charlene McGriff moved to approve the 3rd Reading of Ordinance 2020-1690. Seconded by Brian Carnes.

Billy Mosteller moved to amend proposed ordinance 2020-1690 in the form of the 3rd reading version of the ordinance included in the agenda package which includes all exhibits to the proposed ordinance. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Honeycutt

Council discussed whether the growth in Indian Land needed to be incentivized by the use of a Residential Improvement District.

The motion to approve the 3rd Reading of Ordinance 2020-1690 as amended Passed 4-2. Ayes: Carnes, Harper, McGriff, Mosteller; Nays: Graham, Blackmon; Absent: Honeycutt

Discussion and Action Items

Approval of Appointment to Lancaster County Transportation Committee

- Timothy B. Cureton to the Lancaster County Transportation Committee as the District 4 Representative

Charlene McGriff moved to approve the appointment. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Honeycutt

Discussion of 911 Consoles

Steve Willis explained that the Finance Department has asked that the purchase of the 911 Consoles be put on

hold and instead be discussed/addressed during the next fiscal year's budget process.

Discussion on Replacement Fire Apparatus for Elgin Fire Department - Steve Willis/Darren Player

Steve Willis explained that the Elgin Fire Department's Engine was totaled in a motor vehicle accident and that they have insurance replacement for it, but that County staff need authorization to go out to bid for the purchase of a replacement truck.

Billy Mosteller moved to approve to send it out to bid. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Honeycutt

Request to Waive Credit Card Fees for 30 Days - Steve Willis

Steve Willis asked if Council wanted to waive credit card fees for the collection of property taxes from 12-15-2020 through 1-15-2021 so that citizens would not have to come into the County building to pay their taxes.

Charlene McGriff moved to waive credit card fees for the collection of property taxes from 12-15-2020 through 1-15-2021. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Honeycutt

Status of items tabled, recommitted, deferred or held

- a. HELD TO COMPLY WITH STATUTORY NOTICE PROVISIONS - Public Hearing and 3rd Reading of Ordinance 2020-1695 regarding Unique Loom Negotiated Fee Agreement Ordinance
Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of A Fee Agreement By And Between Lancaster County And Unique USA, Inc., Providing For The Payment Of A Fee-In-Lieu Of Taxes And The Provision Of Special Source Revenue Credits; And To Express The Intention Of Council To Provide Monies To The Economic Development Fund. - *Passed 7-0 at the November 9, 2020 County Council Meeting. Passed 7-0 at the November 23, 2020 County Council Meeting. - Jamie Gilbert*

Steve Willis explained that this item would be discussed by Council at their December 30, 2020 Special meeting.

- b. HELD TO COMPLY WITH STATUTORY NOTICE PROVISIONS - Public Hearing and 3rd Reading of Ordinance 2020-1696 regarding Unique Loom Ordinance for First Amendment to 2017 Fee Agreement
Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of The First Amendment To Special Source Revenue Credit Agreement, By And Between Lancaster County And Unique USA, Inc., So As To, Among Other Things, Amend The Jobs Commitment. - *Passed 7-0 at the November 9, 2020 County Council Meeting. Passed 7-0 at the November 23, 2020 County Council Meeting. - Jamie Gilbert*

Steve Willis explained that this item would be discussed by Council at their December 30, 2020 Special meeting.

Miscellaneous Reports and Correspondence

- a. Comprehensive Annual Financial Report (CAFR) for the fiscal year ended 2019 Qualifies for the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting

Steve Willis congratulated the Finance staff on their CAFR award.

Citizens Comments

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

Executive Session

Six Items:

1. *Three Economic Development Discussions: Project Tattoo, Project King and Project Creamsicle. SC Code 30-4-70(a)(5).*
2. *One Legal Briefing regarding a Contractual Matter: SC Code 30-4-70(a)(2).*
3. *One Legal Briefing regarding a Pending/Threatened Litigation Matter. SC Code 30-4-70(a)(2).*
4. *Discussion of Personnel Matter: Administrator's Evaluation. SC Code 30-4-70(a)(1).*

Brian Carnes moved to go into Executive Session. Seconded by Allen Blackmon. Motion Passed 6-0.; Absent: Honeycutt. At approximately 8:29 p.m., Council went into Executive Session to discuss the following items: (1) one legal briefing regarding a contractual matter pursuant to SC Code 30-4-70(a)(2); (2) one legal briefing regarding a pending/threatened litigation matter pursuant to SC Code 30-4-70(a)(2); and (3) a discussion of a personnel matter, which was the Administrator's Evaluation, pursuant to SC Code 30-4-70(a)(1). The Economic Development matters were removed from Executive Session during the Approval of the Agenda.

Council came out of Executive Session and Steve Harper called the Council meeting back to order at approximately 9:41 p.m. Allen Blackmon moved to come out of Executive Session. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Honeycutt.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council had one legal briefing on a contractual matter and had one legal briefing regarding a pending/threatened litigation matter. He explained that during Executive Session, no votes were taken and no decisions were made. He also noted that, additionally, the Administrator's Evaluation was discussed. He further noted, for the record, that there was a discussion regarding the potential closure of Hector Road by CSX Railroad and that the Administrator was looking for guidance as to whether the County consents to that potential closure.

Terry Graham moved to not close Hector Road railroad crossing. Seconded by Charlene McGriff. Motion Passed 6-0.; Absent: Honeycutt

Adjournment

Brian Carnes moved to adjourn the regular meeting of Council. Seconded by Billy Mosteller. Motion to Adjourn Passed 6-0.; Absent: Honeycutt. There being no further business, the Council meeting adjourned at approximately 9:43 p.m.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Chelsea Gardner / Deputy Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

Approve or amend the minutes from the December 30, 2020 County Council special meeting.

Points to Consider:

The draft minutes from the December 30, 2020 County Council special meeting are attached for Council's review and consideration.

Funding and Liability Factors:

N/A

Council Options:

Council can approve or amend the minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 12-30-2020 County Council Special Meeting	1/7/2021	Backup Material

Council Members

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



County Attorney
John K. DuBose III

Clerk to Council
Sherrie Simpson

December 30, 2020

4:00 PM

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

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

SPECIAL MEETING MINUTES

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

Council Members absent: Charlene McGriff.

Staff Members/Others present: Steve Willis, County Administrator; John DuBose, County Attorney; Chelsea Gardner, Deputy Clerk to Council; Jamie Gilbert, Economic Development Director; various Department Heads; various staff; the press; and citizens.

A quorum of Lancaster County Council was present for the meeting. The following press were notified of the meeting by e-mail in accordance with the Freedom of Information Act: *The Lancaster News*, *Kershaw News Era*, *The Rock Hill Herald*, Cable News 2, Channel 9 and the local government channel. The agenda was posted in the lobby of the County Administration Building and also on the County website the required length of time.

Call to Order - Chairman Steve Harper

Chairman Steve Harper called the special meeting of County Council to order at approximately 4:00 p.m.

Welcome and Recognition - Chairman Steve Harper

Chairman Steve Harper welcomed everyone to the meeting.

Pledge of Allegiance and Invocation - Council Member Billy Mosteller

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

Approval of the Agenda

Brian Carnes moved to approve the agenda. Seconded by Allen Blackmon. Motion Passed 6-0.

Citizens Comments

There were no citizens that signed up to speak during citizens comments.

Non-Consent Agenda

Resolution 1130-R2020 regarding Authorizing the Purchase of Real Property From Lennar Carolinas LLC

Resolution Title: A Resolution To Authorize The Purchase Of A 84.729 Acre Parcel Of Real Property From Lennar Carolinas, LLC, And To Approve And Authorize The County Administrator, County Attorney, And All Necessary Staff To Take All Steps Necessary To Effectuate The Purchase Of The Real Property

Steve Willis gave handouts regarding Resolution 1130-R2020 that are attached to the written minutes as Schedule A in the Clerk to Council's office. Billy Mosteller moved to approve Resolution 1130-R2020. Seconded by Brian Carnes. The motion to approve Resolution 1130-R2020 Passed 6-0.

Public Hearing and 3rd Reading of Ordinance 2020-1695 regarding Unique Loom Negotiated Fee Agreement Ordinance

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

Jamie Gilbert gave a brief explanation of Ordinance 2020-1695.

Steve Harper stated that no one signed up to speak for the Public Hearing for the 3rd Reading of Ordinance 2020-1695.

Allen Blackmon moved to approve the 3rd Reading of Ordinance 2020-1695. Seconded by Brian Carnes. Passed 6-0.

Public Hearing and 3rd Reading of Ordinance 2020-1696 regarding Unique Loom Ordinance for First Amendment to 2017 Fee Agreement

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of The First Amendment To Special Source Revenue Credit Agreement, By And Between Lancaster County And Unique USA, Inc., So As To, Among Other Things, Amend The Jobs Commitment.

Jamie Gilbert gave a brief explanation of Ordinance 2020-1696.

Steve Harper stated that no one signed up to speak for the Public Hearing for the 3rd Reading of Ordinance 2020-1696.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2020-1696. Seconded by Brian Carnes. Passed 6-0.

Status of items tabled, recommitted, deferred or held

There were no items on the agenda for discussion at the December 30, 2020 County Council Special Meeting.

Miscellaneous Reports and Correspondence

There were no items on the agenda for discussion at the December 30, 2020 County Council Special Meeting.

Citizens Comments

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

Executive Session

Two Items:

1. *Two Economic Development Discussions: Project Tattoo and Project King. SC Code 30-4-70(a)(5).*

Steve Harper noted for the record that Council will now hold Executive Session in Council Chambers so all recordings and live streaming will but cut off during that time. The recording will restart after Executive Session is over and the meeting will be continued.

Larry Honeycutt made the motion to go into Executive Session at 4:16 p.m. Seconded by Brian Carnes. Passed 6-0.

Larry Honeycutt made the motion to come out of Executive Session at 4:31 p.m. Seconded by Brian Carnes. Passed 6-0.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, one Economic Development discussion occurred, project Tattoo. Originally Project King was listed as well. He explained that, during Executive Session, no votes were taken and no decisions were made.

Adjournment

Larry Honeycutt moved to adjourn the regular meeting of Council. Seconded by Billy Mosteller. Motion to Adjourn Passed 6-0. There being no further business, the Council meeting adjourned at approximately 4:32 p.m.

Agenda Item Summary

Ordinance # / Resolution #: Resolution 1131-R2021
Contact Person / Sponsor: Steve Willis/ Administration
Department: Administration
Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

The Katawba Valley Land Trust and SC Forestry Service request Council adopt a Resolution supporting prescribed burns.

Points to Consider:

Fire Rescue has no objection. They noted the current burning ordinance was written in consultation with SC Forestry to allow for this activity.

Funding and Liability Factors:

N/A

Council Options:

Approve or reject the Resolution.

Recommendation:

Recommend approval of the Resolution.

ATTACHMENTS:

Description	Upload Date	Type
Resolution 1131-R2021	1/5/2021	Resolution
Letter from Katawba Valley Land trust	12/19/2020	Exhibit
Map of Counties with Resolution	12/19/2020	Exhibit

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

RESOLUTION 1131-R2021

**A RESOLUTION
TO SUPPORT PRESCRIBED BURNS.**

WHEREAS, the Lancaster County Council recognizes that prescribed fire provides multiple ecological, economic and cultural benefits to the citizens of Lancaster County; and

WHEREAS, prescribed fire is a traditional land management practice and public safety tool that helps prevent and lessen the severity of wildfires, reducing the loss of private property and saving lives while acting as a preventive measure saving taxpayers the cost and hazards to local government's public safety and firefighting officials who respond to wildfires; and

WHEREAS, prescribed fire is a valuable tool used by forest landowners and managers in reducing hazardous fuels, reducing the risk of destructive wildfires, preparing sites for both natural and artificial forest regeneration, improving access to and the appearance of land, and controlling detrimental insects and forest diseases; and

WHEREAS, prescribed fire is used to restore and maintain fire-dependent ecosystems, and to manage wildlife habitat for many species; and

WHEREAS, many rural economies depend on prescribed fire to manage habitat for game species such as white-tailed deer, wild turkey and bobwhite quail whose hunting economy is vital to South Carolina; and

WHEREAS, prescribed fire is used to manage for songbirds and other non-game wildlife species, and for fire-dependent plants, and is a vital tool to maintain aesthetically-pleasing landscapes, all of which bring in substantial tourism dollars to South Carolina; and

WHEREAS, the South Carolina Forestry Commission is authorized by various South Carolina state laws to control wildfires, administer burning laws, and provide other forestry assistance, and the commission promotes prescribed burning as a valuable forest management tool; and

WHEREAS, the South Carolina General Assembly passed the Prescribed Fire Act in 1994 (amended in 2012), defining prescribed fire thus, “Prescribed fire means a controlled fire applied to forest, brush, or grassland, vegetative fuels under specified environmental conditions and precautions which cause the fire to be confined to a predetermined area and allow accomplishment of the planned land management objectives.”; and

WHEREAS, prescribed fire helps keep South Carolina’s forests healthy and those forests, in turn provide ecological services such as clean air and clean water and contribute to the quality of life of the state’s citizens and to local economies; and

WHEREAS, prescribed fire practitioners provide public health benefits by burning under carefully-planned weather conditions, reducing the unplanned smoke from wildfires, thus contributing to the air quality of South Carolina by promoting healthy forests that serve as “air shed contributors;” and

WHEREAS, prescribed fire is a traditional land management tool in the South that has been practiced for thousands of years and is an integral part of South Carolina’s cultural and natural heritage.

NOW, THEREFORE, BE IT RESOLVED by the County Council that it supports the appropriate and continued use of prescribed fire in South Carolina,

AND, BE IT FURTHER RESOLVED THAT the County Council supports the South Carolina Forestry Commission, South Carolina Department of Natural Resources, Clemson University, The Nature Conservancy, the South Carolina Prescribed Fire Council and others as they strive to provide educational and technical assistance to landowners in an effort to recognize the benefits listed above,

AND, BE IT FURTHER RESOLVED THAT the County Council urges Air Quality Regulators to work closely with all state agencies and landowners in a fair and balanced approach to smoke management.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK

IT IS SO RESOLVED

by County Council this _____ day of _____, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose, III, County Attorney



Mr. Steve Willis
Lancaster County Administrator
101 N. Main Street
Lancaster, SC 29720

December 10, 2020

Dear Steve,

Formed in 2003, the South Carolina Prescribed Fire Council (PFC) is comprised of individuals representing public agencies, non-governmental organizations, and private landowners who use prescribed fire to manage their lands. Members of the PFC see a need to promote prescribed burning by informing our citizens about the important role fire plays in the stewardship of our natural resources and by fostering professionalism among practitioners of prescribed burning.

In that vein, PFC is asking South Carolina counties to adopt a voluntary, non-binding resolution to support the use of prescribed fire as a management tool. Prescribed burning is regularly conducted in Lancaster County on State Lands such as the Forty Acre Rock Heritage Preserve. The Board of the Katawba Valley Land Trust recently voted in favor to voice support of a County Resolution recognizing the continued professional use of prescribed fire.

Many South Carolina counties have adopted a resolution to support the use of prescribed fire, and you are being asked to consider the same (documents attached). A representative from the PFC can be available to speak to County Council and to address any questions they may have. I have forwarded this letter to Mr. Johnny Stowe, a SC Department of Natural Resources (DNR) employee who represents the DNR on the PFC. He would be the point of contact if you would like more information. He can be reached at StoweJ@dnr.sc.gov.

Thank you for your consideration of this request. I hope you and family have a wonderful holiday.

Sincerely,

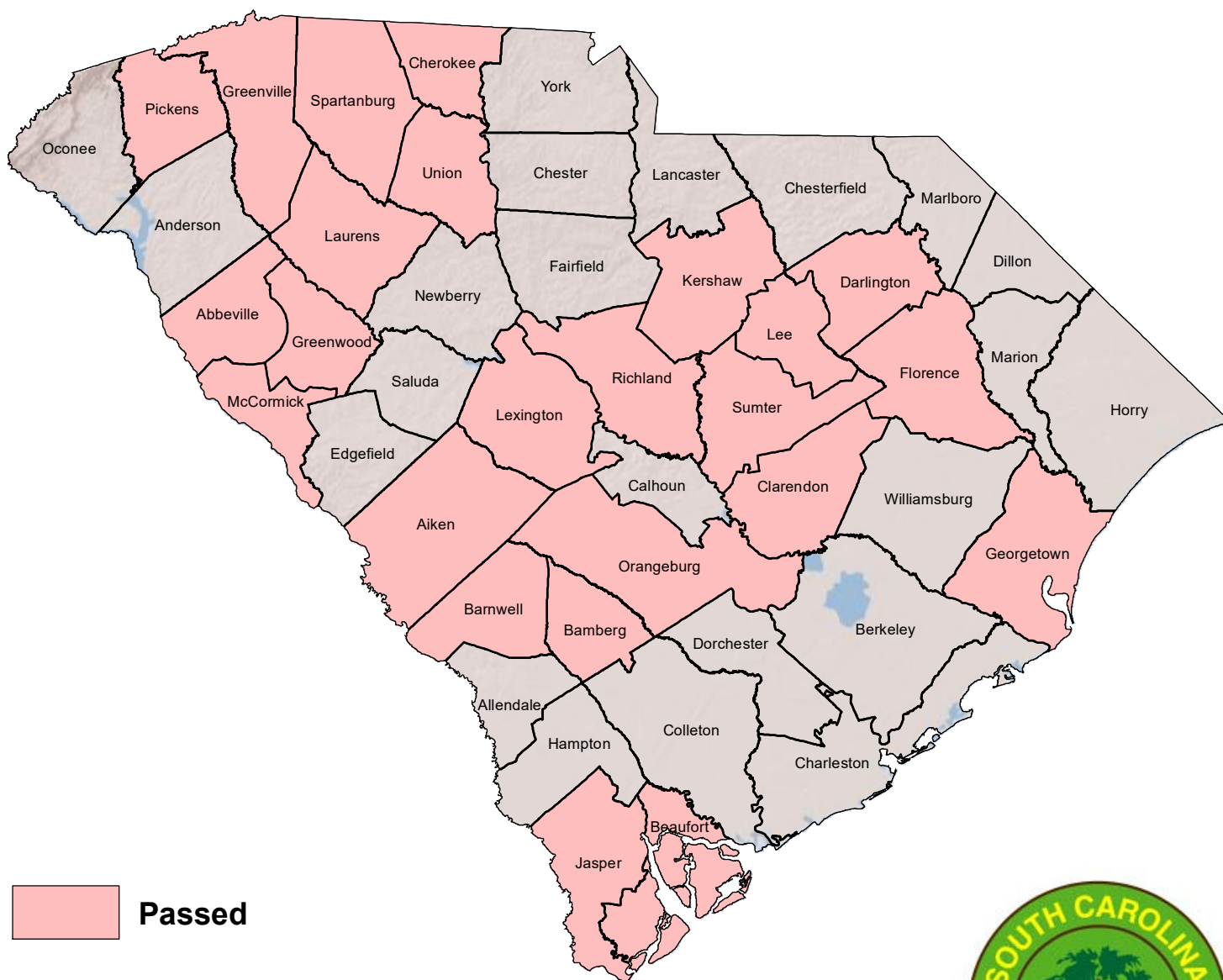
Dick

Richard W. Christie
Executive Director, Katawba Valley Land Trust

P.O. Box 1776, Lancaster, SC 29721



SC Counties with Passed Resolution in Support of Prescribed Fire (As of: 11/16/2020)



South Carolina Forestry Commission
5500 Broad River Road
Columbia, SC 29212

DISCLAIMER: This is a product of the South Carolina Forestry Commission. Reasonable efforts have been made to ensure the accuracy of this map. The SCFC expressly disclaims responsibility for damages or liability that may arise from the use of this map. Not to survey standards.

Agenda Item Summary

Ordinance # / Resolution #: Resolution 1132-R2021
Contact Person / Sponsor: Steve Willis/ Administration
Department: Administration
Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

To adopt a Resolution regarding the reimbursement to the Town of Van Wyck at such time as proceeds from Capital Sales Tax Number Three are available.

Points to Consider:

This is to simply memorialize the desire of the Town of Van Wyck to proceed with construction of the recreational facilities approved by the voters in Capital Project Sales Tax Number Three using town funds and to be reimbursed once Sales Tax funds become available.

Funding and Liability Factors:

No county funds are involved. The funding from Capital Project Sales Tax Number Three would be made available at such time as this project came up in the rotation of projects.

Council Options:

Approve or reject the Resolution.

Recommendation:

Approval of the Resolution.

ATTACHMENTS:

Description	Upload Date	Type
Resolution 1132-R2021	1/5/2021	Resolution

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

RESOLUTION 1132-R2021

TO ACCOMMODATE THE DESIRE OF THE TOWN OF VAN WYCK TO PROCEED WITH THE CONSTRUCTION OF A TOWN PARK AND BE REIMBURSED ONCE PROCEEDS FROM CAPITAL PROJECT SALES TAX NUMBER THREE ARE AVAILABLE

WHEREAS, the citizens of Lancaster County approved by referendum Capital Project Sales Tax Number Three during the November 2020 general election; and

WHEREAS, one of the projects listed in the referendum was the construction of a Community Park by constructing active and passive recreational facilities at the Van Wyck Community Center in an amount not to exceed six hundred forty seven thousand six hundred and forty dollars (\$647,640); and

WHEREAS, this project is a Pay As You Go project and Sales Tax funding for this project will not be immediately available; and

WHEREAS, the Town Council of the Town of Van Wyck desires to proceed with this project utilizing town funding with the Capital Project Sales Tax funds to serve as a reimbursement to the town.

NOW, THEREFORE, BE IT RESOLVED by the County Council that the County of Lancaster hereby consents to the proposal to reimburse the Town of Van Wyck at such point that Capital Project Sales Tax Three funds become available subject to the following conditions:

1. The Town of Van Wyck assumes all responsibility for the construction, operation, and maintenance of the Town Park.
2. The town shall submit documentation suitable to the Lancaster County Chief Financial Officer/ Financial Services Division Director showing the expenses incurred by the town for the construction of the park.

3. Reimbursement for actual documented expenses, in an amount not to exceed \$647,640, shall be made at such time as funds are available based upon the order of projects as stated in the voter referendum question.
4. Adoption of a Resolution to similar effect by the Town Council of the Town of Van Wyck.

Furthermore the County Administrator and appropriate County staff are authorized to take such actions as may be needed to carry this Resolution into effect.

IT IS SO RESOLVED

by County Council this _____ day of _____, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose, III, County Attorney

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1700 / Planning Case Number: RZ-020-2206

Contact Person / Sponsor: Katie See/Senior Planner

Department: Planning

Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

Request to rezone 7907 Henry Harris Road from Low Density Residential (LDR) to Rural Neighborhood (RN) District. The request comes in response to an active zoning violation due to a complaint received from an adjacent property owner about excessive parking in relation to the commercial stable. Upon inspection, it was determined that the existing commercial stable is not permitted in the Low Density Residential (LDR) District. Commercial stables are permitted in the requested Rural Neighborhood (RN) District.

The property is located at 7907 Henry Harris Road.

The property is surrounded predominantly by other RN, LDR, and MDR zoned properties.

Points to Consider:

The barn on the property was constructed in 1994 while the stable was built in 1998. Prior to the existing 2016 UDO, the property was zoned R-30 and the commercial stable was permitted in that district. The revised zoning map in 2016 resulted in rezoning this property to LDR, which made the stable a legal non-conforming use. The commercial stable use ceased for an extended period of time resulting in it losing its “grandfathering” status.

Should the rezoning request be approved, the commercial stable would be a permissible use subject to the owner obtaining a zoning permit and complying with the applicable UDO requirements (parking, etc.). Having the property rezoned, obtaining a zoning and/or building permit, and implementing any required improvements will resolve the active violation case.

Funding and Liability Factors:

N/A

Council Options:

Approve or deny the rezoning request.

Recommendation:

At the November 17, 2020 meeting, the Planning Commission voted unanimously to recommend approval of the request. The adjacent property owner spoke against the request.

Staff recommends approval of the request to rezone.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1700	1/5/2021	Ordinance
Staff Report	11/10/2020	Planning Staff Report
Ex 1: Application	11/10/2020	Exhibit
Ex 2: Zoning Map	11/10/2020	Exhibit

Boundary Survey	12/31/2020	Exhibit
Public Hearing Notice for Ordinance 2021-1700 (Planning Department Case Number RZ-020-2206)	1/5/2021	Public Hearing Notices

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2021-1700

COUNTY OF LANCASTER

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AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE A 19.88 ACRE TRACT OF PROPERTY (TMS # 0014-00-034.15), OWNED BY RYAN URBAN, AND LOCATED AT 7907 HENRY HARRIS ROAD, LANCASTER, SOUTH CAROLINA, FROM LDR, LOW DENSITY RESIDENTIAL DISTRICT, TO RN, RURAL NEIGHBORHOOD DISTRICT.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Ryan Urban, applied to rezone 19.88 acres, more or less, located at 7907 Henry Harris Road, Lancaster, South Carolina (TMS # 0014-00-034.15), from LDR, Low Density Residential District, to RN, Rural Neighborhood District.

(b) On November 17, 2020, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a unanimous vote recommended approval of the rezoning request.

(c) The Future Land Use Category of the subject property is Neighborhood Mixed-Use, which corresponds to the Community Type of Suburban Single-Family Neighborhood. The adopted Comprehensive Plan states that the Suburban Single-Family Neighborhood Community Type *“is formed as subdivisions or communities, with a relatively uniform housing type and density throughout. They may support a variety of single-family detached residential types, from mobile homes to large lot, low-density single-family homes to denser formats of smaller single-family homes. Homes are oriented interior to the neighborhood and typically buffered from surrounding development by transitional uses or landscaped areas. Suburban single-family neighborhoods are often found in close proximity to suburban commercial, office, and industrial centers, and help provide the consumers needed to support these centers.”*

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

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

Section 2. Rezoning.

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

Tax Map No. 0014-00-034.15

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2021.

LANCASTER, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: January 11, 2021
Public Hearing: January 11, 2021
Second Reading: January 25, 2021
Third Reading: February 8, 2021

Approved as to form:

John DuBose, County Attorney

PROPOSAL: Request to rezone approximately 19.88 acres of property (TM# 0014-00-034.15)

PROPERTY LOCATION: 7907 Henry Harris Road

CURRENT ZONING DISTRICT: Low Density Residential (LDR) District

PROPOSED ZONING DISTRICT: Rural Neighborhood (RN) District

APPLICANT: Ryan Urban

COUNCIL DISTRICT: District 7, Brian Carnes

OVERVIEW:

Proposal

The applicant has submitted a request to rezone their property located at 7907 Henry Harris Road. The request comes in response to an active zoning violation due to a complaint received from an adjacent property owner about excessive parking in relation to the commercial stable. Upon inspection, it was determined that the existing commercial stable is not permitted in the Low Density Residential (LDR) District. Commercial stables are permitted in the requested Rural Neighborhood (RN) District.

The barn on the property was constructed in 1994 while the stable was built in 1998. Prior to the existing 2016 UDO, the property was zoned R-30 and the commercial stable was permitted in that district. The revised zoning map in 2016 resulted in rezoning this property to LDR, which made the stable a legal non-conforming use. The commercial stable use ceased for an extended period of time resulting in it losing its "grandfathering" status.

Should the rezoning request be approved, the commercial stable would be a permissible use subject to the owner obtaining a zoning permit and complying with the applicable UDO requirements (parking, etc.). Having the property rezoned, obtaining a zoning and/or building permit, and implementing any required improvements will resolve the active violation case.

Site Information

The parcel to be rezoned is currently improved with a mobile home, horse stable and feed barn.

Summary of Adjacent Zoning and Uses

The property is surrounded predominantly by other RN, LDR, and MDR zoned properties.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	MDR; RN	Single-Family Residential
South	Lancaster County	PDD; LDR	Belair Neighborhood; Single-Family Residential
East	Lancaster County	RN; LDR	Single-Family Residential
West	Lancaster County	MDR; PDD	Carolina Reserve; Vacant

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject property is currently zoned LDR District. Pursuant to UDO Chapter 2.3, the LDR District *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 1.5 dwelling units per acre. Intended to act as a transitional zoning district between rural living and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.*

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

Compatibility with Surrounding Area

As noted previously, the subject property is predominately surrounded by the RN, LDR and MDR Districts. The RN District is intended to protect the residential character of neighborhoods. Currently, this area can be characterized by single-family homes on lots of varying sizes, and also within neighborhoods. Staff finds that the proposed rezoning of the property to RN District is generally compatible with the surrounding area and consistent with UDO Section 2.3.

RELATIONSHIP TO PUBLIC PLANS

Lancaster County Comprehensive Plan Consistency

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

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

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

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

INFRASTRUCTURE CONSIDERATIONS

Transportation

A Traffic Impact Analysis (TIA) is not required for this rezoning request. No improvements are required.

The subject property is located almost one mile from the intersection of Henry Harris and Jim Wilson Roads. The portion of Henry Harris Road from Shelley Mullis Road to Jim Wilson Road is maintained by Lancaster County while Jim Wilson Road is maintained by the SCDOT.

Traffic volumes are shown below:

Street	Vehicles Per Day		
	2019	2016	2013
Jim Wilson Road	6,300	5,300	3,600
Henry Harris Road	No Data Available		
Source: SCDOT Traffic Counts 2009-2019			

Public Utilities

No additional utilities are required for this request.

Public Schools

This request will not result in additional students.

The subject property is in the attendance zones of Van Wyck Elementary, Indian Land Middle and Indian Land High Schools.

PHOTOS OF PROJECT AREA:



Looking directly at property from Henry Harris Road



Looking east across Henry Harris Road from subject property



Looking north along Henry Harris Road



Looking south along Henry Harris Road

STAFF RECOMMENDATION:

Staff recommends **approval** of the request to rezone, pursuant to the following findings of fact for RZ-020-2206:

1. That the subject project consists parcel TM# 0014-00-034.15;
 2. That the subject property is currently zoned LDR District and proposed to be rezoned RN District;
 3. That the subject property has a Future Land Use designation of Neighborhood Mixed Use, and a Community Type of Suburban Single-Family Neighborhood; and
 4. That the proposed RN District is generally consistent with the surrounding area which is comprised of LDR, MDR and RN Districts.
-

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map

STAFF CONTACT:

Katie See, AICP, Senior Planner
ksee@lancastersc.net | 803-416-9395

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

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

GENERAL INFORMATION

Property Address 7907 Henry Harris Rd
City Indian Land State SC Zip 29707 Tax Parcel ID 0014-00-034.15
Current Zoning LDR Current Use Commercial Stables
Proposed Zoning Rural Neighborhood Total Acres 19.88
Project Description Commercial Stables ~~at~~ ~~ce~~ since 1997

Surrounding Property Description Single family homes, horse pastures
and barns

CONTACT INFORMATION

Applicant Name Ryan Urban
Address 1238 Ladera Dr
City Waxhaw State NC Zip 28173 Phone 704-221-9228
Fax _____ Email rgurban9@gmail.com
Property Owner Name Restless Roots Properties, LLC
Address PO Box 125
City Monroe State NC Zip 28111 Phone 704-221-9228
Fax _____ Email rgurban9@gmail.com

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

Applicant

Date 9/14/2020

Property Owner(s)

Date 9/14/2020

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. Submit Application

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

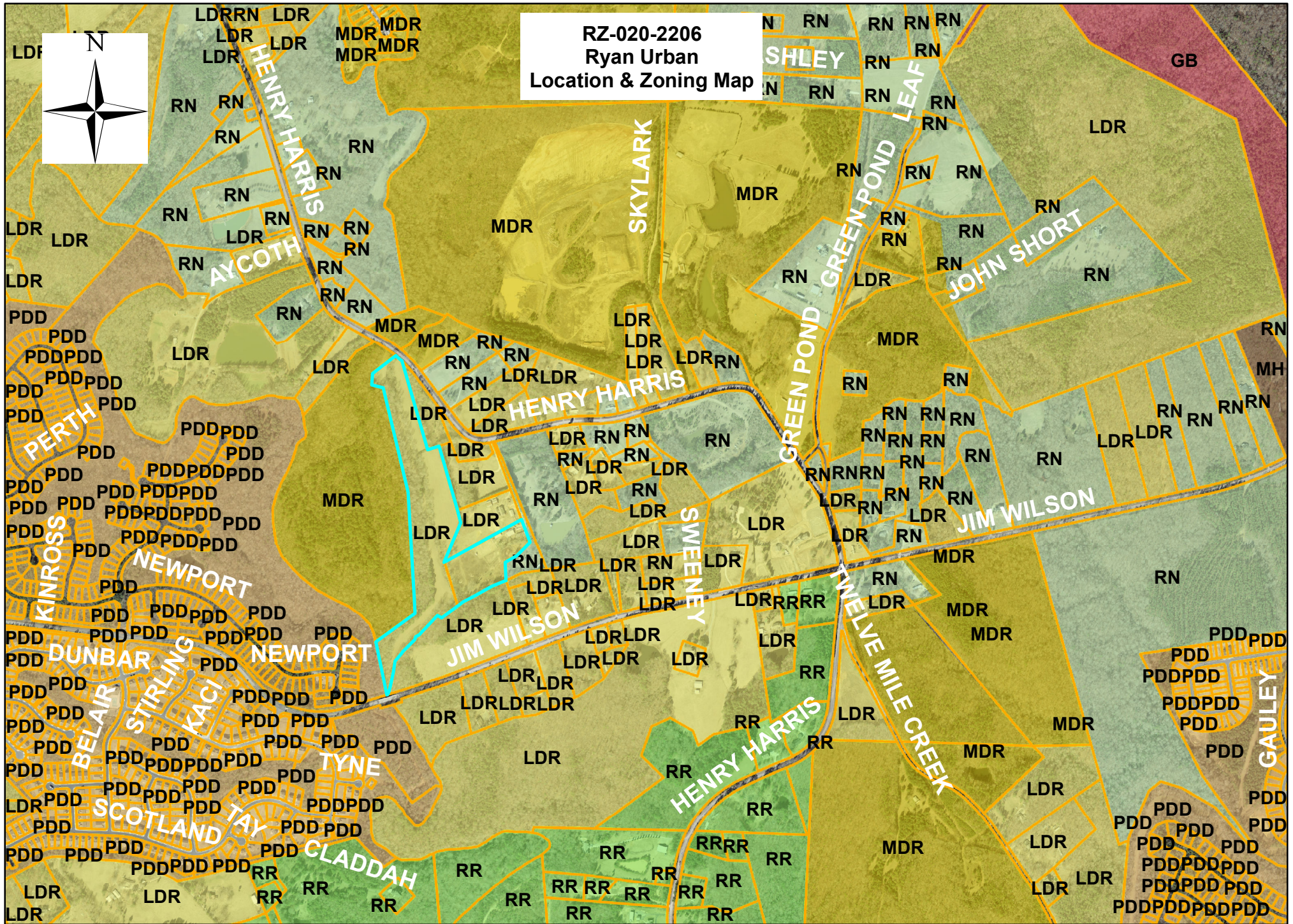
2. Planning Commission

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

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would like to request a special presentation, please notify the County Clerk @ (803) 416-9307 before 5:00pm on the first Monday of the month to make arrangements.

RZ-020-2206
Ryan Urban
Location & Zoning Map



0 800 1,600 3,200
Feet

CAROLINA GATEWAY

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

For the purpose of obtaining oral and written comments from the public regarding the following matters, the Lancaster County Planning Commission will conduct a public hearing on Tuesday, November 17, 2020 and the Lancaster County Council will conduct a public hearing on Monday, January 11, 2021. All hearings will take place at 6:00 PM at the Lancaster County Administrative Building located at 101 N. Main Street, Room 224, Lancaster, SC.

1. RZ-020-2054: Application by Provident Bayard, LLC to rezone approximately 170.32 acres of land at the southwest intersection of Shelley Mullis and Henry Harris Roads (TM #s 0013-00-055.06, 0013-00-055.00, 0013-00-055.01, 0013-00-056.01, 0013-00-055.02 and 0013-00-055.05) from Low Density Residential (LDR) and Rural Neighborhood (RN) to Medium Density Residential (MDR). This project is associated with companion Development Agreement case DA-020-2423.
2. DA-020-2423: Application by Provident Bayard, LLC to approve a Development Agreement (DA) in accordance with Unified Development Ordinance Section 9.2.18 for the parcels listed above in the companion zoning map amendment case RZ-020-2054, which proposes a residential single-family development. A copy of the DA is located in the Planning Department and may be viewed upon request.
3. RZ-020-2206: Application by Ryan Urban to rezone approximately 19.88 acres located at 7907 Henry Harris Road (TM # 0014-00-034.15) from Low Density Residential (LDR) to Rural Neighborhood (RN) in order to permit the existing stable.
4. Comprehensive Plan Amendment - Southern Panhandle Small Area Plan: Lancaster County adoption of a small area master plan for an area within unincorporated Lancaster County and the Town of Van Wyck generally located along US-521 between SC-75 and SC-5. The plan will also be adopted by reference in the Lancaster County Comprehensive Plan in accordance with Article 3, Local Planning - The Comprehensive Planning Process of the South Carolina Code of Laws.

Copies of the documents to be considered are available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Public comments may be made in person at the hearing or submitted in written format to be provided to County Council at the public hearing. Comments made in person or in writing should be limited to three (3) minutes in duration if read aloud. Written comments may be submitted either by online submission on the county website (<https://www.mylancastersc.org/index.asp?SEC={DF11C6C4-BC53-4CD5-8A07-0847EAA1F478}>), email to SSimpson@lancastersc.net, or by mail addressed to Clerk to Council at 101 N. Main Street, Lancaster, SC 29720 with the Ordinance number or other appropriate identifier clearly referenced in the communication. At the public hearing and any adjournment of it, all interested persons may be heard either in person or by their designee or by submission of written comments.

Notice was published in CAROLINA

11, 2020

Ja G. Gush

ry Public of South Carolina

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1704
Contact Person / Sponsor: Katie See/Senior Planner
Department: Planning
Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

Request to adopt the Southern Panhandle Small Area Plan.

In 2018 the County initiated the Southern Panhandle Small Area Plan, the purpose of which was to develop a vision for the planning area including future land use and transportation needs.

The planning area is generally located south of Highway 75/Waxhaw Highway, north of the intersection of Highway 5/US 521, east of Old Hickory Road and west of Union County, NC.

Points to Consider:

Funding and Liability Factors:

N/A

Council Options:

Approve or deny the Southern Panhandle Small Area Plan.

Recommendation:

At the November 17, 2020 Planning Commission meeting, the Commission voted unanimously to recommend approval of the Small Area Plan.

Staff recommends approval of the Small Area Plan.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1704	1/5/2021	Ordinance
Ex 1 to Ordinance 2021-1704	1/4/2021	Exhibit
Staff Report	11/10/2020	Planning Staff Report
Ex 1: Small Area Plan	11/10/2020	Exhibit
Public Hearing Notice for Ordinance 2021-1704	1/5/2021	Public Hearing Notices

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2021-1704

COUNTY OF LANCASTER

)

)

AN ORDINANCE

**BY LANCASTER COUNTY ADOPTING AMENDMENTS TO ELEMENTS OF THE
COMPREHENSIVE PLAN FOR LANCASTER COUNTY, SOUTH CAROLINA, BY ADOPTION
OF THE SOUTHERN PANHANDLE SMALL AREA PLAN**

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

Section 1. Findings and Determinations.

The Council finds and determines that:

- 1) the General Assembly of South Carolina enacted in 1994 an amendment to the Code of Laws of South Carolina by adding Chapter 29 to Title 6, "South Carolina Local Government Comprehensive Planning Enabling Act of 1994" (the Planning Enabling Act), and repealing all previously enacted planning Acts and Codes; and
- 2) the Planning Enabling Act requires that the local planning commission develop and maintain a planning process which will result in the systematic preparation and continued reevaluation and updating of those elements considered critical, necessary, and desirable to guide the development and redevelopment of its area of jurisdiction; and
- 3) The planning process shall include the development of a Comprehensive Plan which shall consist of a population element, an economic element, a natural resource element, a cultural resource element, a community facilities elements, a housing element, and a land use element, a transportation element, and a priority investment element; and
- 4) Upon recommendation of the Lancaster County Planning Department the Lancaster County Planning Commission has undertaken the continued reevaluation and updating of said Comprehensive Plan; and
- 5) In 2018 the County initiated the Southern Panhandle Small Area Plan, the purpose of which was to develop a vision for a planning area generally located south of Highway 75/Waxhaw Highway, north of the intersection of Highway 5/US521, east of Old Hickory Road, and west of Union County, NC, with the purpose of including future land use and transportation needs; and

- 6) On November 17, 2020, the Lancaster County Planning Commission recommended adoption by the Lancaster County Council of Southern Panhandle Small Area Plan amendment to the Comprehensive Plan for Lancaster County 2014-2024; and
- 7) Lancaster County Council held a public hearing on January 11, 2021, on the Comprehensive Plan amendments reflected on “Exhibit 1” attached hereto and incorporated herein by reference.

Section 2. Amendment of Ordinance 2014-1318

Ordinance 2014-1318 (Lancaster County Comprehensive Plan 2014-2024), is amended by the addition and inclusion of the Southern Panhandle Small Area Plan “Exhibit 1” attached hereto and incorporated herein by reference.

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

<signature page follows>

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading:	January 11, 2021
Public Hearing:	January 11, 2021
Second Reading:	January 25, 2021
Third Reading:	February 8, 2021

Approved as to form:

John DuBose, County Attorney



LANCASTER COUNTY

SOUTH CAROLINA

DRAFT
9/25/20

ACKNOWLEDGMENTS

Lancaster County Council

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

Lancaster County Planning Commission

Rosa Sansbury, District 1
Tamecca Neely, District 2
Charles Keith Deese, District 3
James Barnett, District 4
Matthew Jones, District 5
Shelia Hinson, District 6
Ben Levine, District 7

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Steve Willis, Lancaster County Administrator
Alison Alexander, Deputy County Administrator
Rox Burhans, AICP, Development Services Div Director
Katie See, AICP, Senior Planner
Robert Tefft, Senior Planner
Ashley Davis, Planner
Jamie Gilbert, Economic Development Director
Jim Kiley, GIS Director

Southern Panhandle Steering Committee

Bret Baronak, Carolina Thread Trail
Jeff Pilon, John M. Belk Endowment
Kristen E. Blanchard, Economic Dev. Board
Brad Bucy, Lancaster County Water & Sewer District
Dick Christie, Katawba Valley Land Trust
Sean Corcoran, Town of Van Wyck Mayor
Kendrick Cunningham, Duke Energy
John Dillard, CSX Transportation
Jamie Gilbert, Economic Development Director
Terry Graham, Lancaster County Council, District 1
Kevin Hall, Property Owner
Daniel Hopkins, SC Dept. of Transportation
Natalie Jackson, Our Lady of Grace Catholic Church
Kirk Johnston, Andrew Jackson State Park Ranger
Eric Lengers, Property Owner
Hans L. Lengers, Property Owner
Barrie Marsh, Osceola United Methodist Church
Sandy Martin, Duke Energy
Joe McCain, Founders Federal Credit Union
Johnny Parker, Duke Energy
Dr. Jonathan Phipps, Lancaster County School District Superintendent
Athena Rivera, Economic Development Board
Tim Thornton, Lancaster County Natural Gas Authority
Berma Tims, Resident/Business Owner
Stephen White, Lancaster County Water & Sewer District
Steve Willis, Lancaster County Administrator
Fred Witherspoon, Steele Hill AME Zion Church

Special thanks to the staff and members of Our Lady of Grace Catholic Church for hosting the Visioning Week event and Steering Committee Meetings. Thanks to Andrew Jackson State Park, the Town of Van Wyck, and Steele Hill AME Zion Church for also hosting Steering Committee meetings.

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INTRODUCTION & BACKGROUND



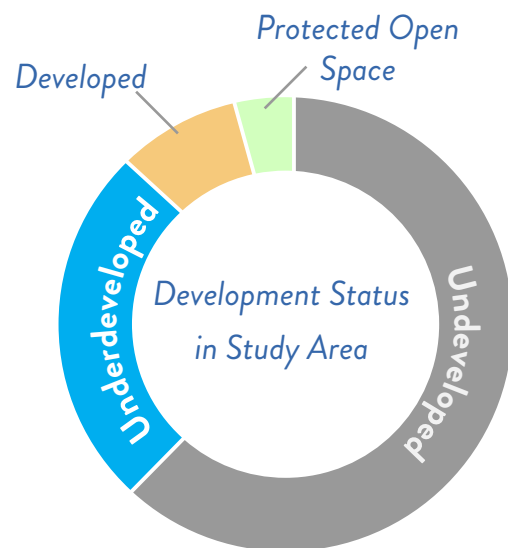
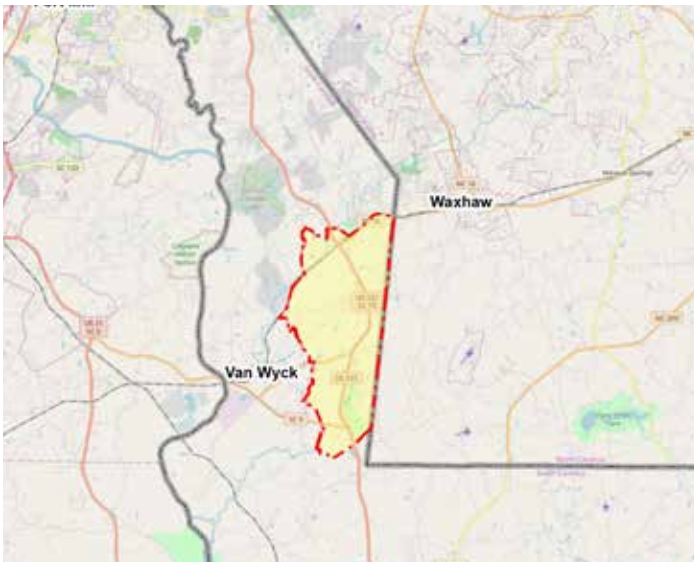


PROJECT OVERVIEW

The population of Lancaster County has grown by approximately 20% since the 2010 Census. Much of this growth has been in the Indian Land area, immediately north of the study area, but the areas of growth are expanding. In 2019, the County approved the Roselyn subdivision, an 1,850-home project on 1,800 acres—the largest residential project in Lancaster County. The site—located just south of the study area—is expected to include a County park. While the Southern Panhandle is currently dominated by low density, single-family residential homes and a rural landscape, development pressure is growing. Current zoning is primarily Rural Neighborhood, Rural Residential, and Open Space Preservation, with limited non-residential pockets. The area has many assets that make it attractive for future development, including Van Wyck Elementary School, Indian Land High School, the key US 521 and SC Highway 5 corridors, and Andrew Jackson State Park. With significant undeveloped land, County staff expects rezoning requests in the study area to continue to increase.

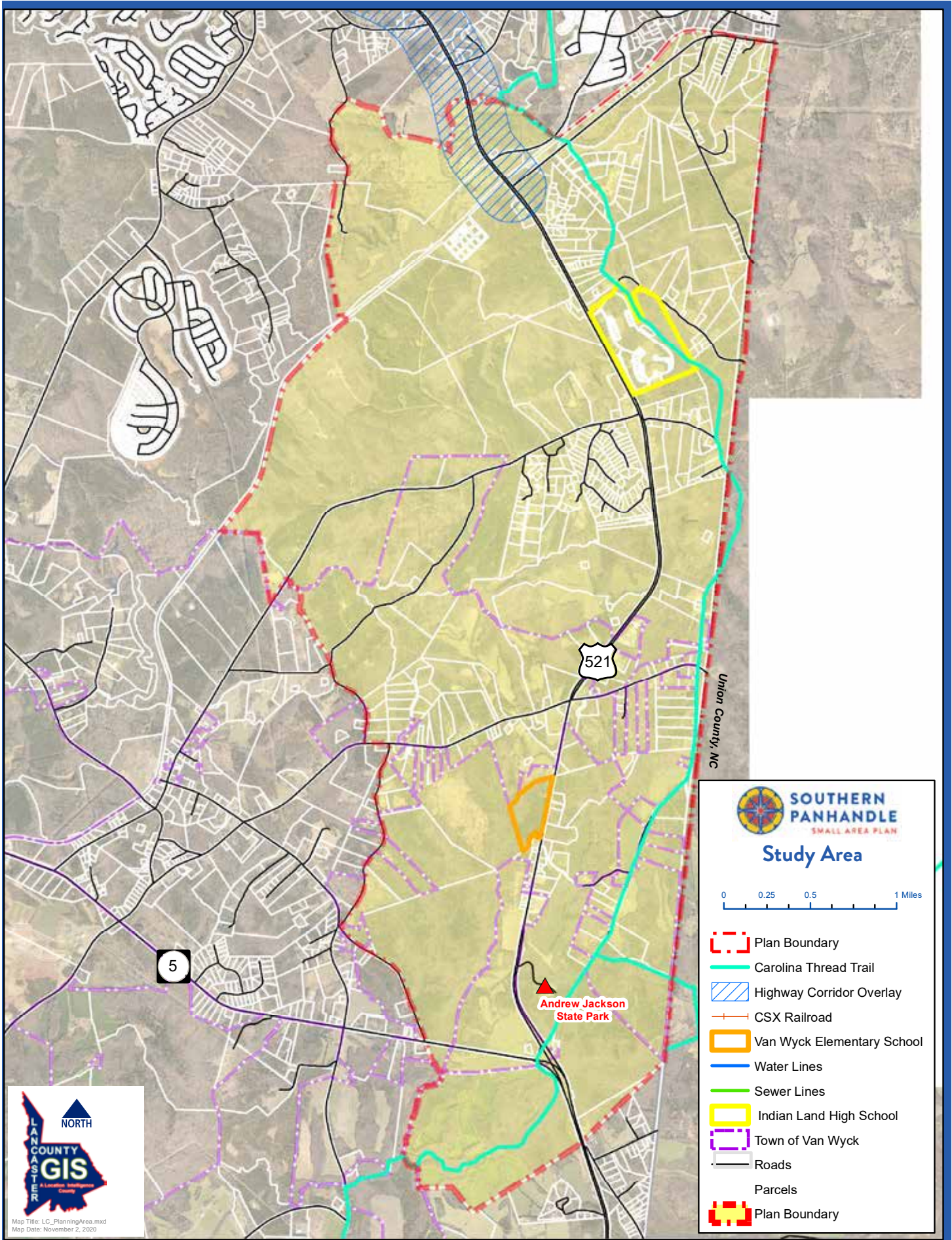
County leaders recognized a need for a Southern Panhandle Small Area Plan in order to develop a consistent vision for land use and transportation as the area grows. This plan provides the County with a guide for future growth, as well as an assessment of infrastructure needed to serve that growth. While looking to the future, the plan upholds current County goals and policies, such as maintaining a strong economy and managed growth and keeping the environment safe and healthy.

PLANNING CONTEXT



The Southern Panhandle Small Area Plan includes approximately 8,500 acres of primarily rural living. The area is located in Lancaster County south of Indian Land; west of Union County, NC; east of York County, SC; and north of the City of Lancaster. The area includes Van Wyck Elementary School, Indian Land High School, Andrew Jackson State Park, Millstone Creek Neighborhood, sections of the Carolina Thread Trail, significant undeveloped assets, and abundant natural and cultural resources. Almost 23% of the study area is within the Town of Van Wyck.

The Southern Panhandle planning area has extensive opportunities for development and redevelopment. Approximately 88% of the land is considered to be either Undeveloped or Underdeveloped. Land was considered to be underdeveloped if the parcel was not fully developed or not considered to be used to the best potential. (See Appendix B for a map of development status.)



RELATIONSHIP TO OTHER PLANS

This plan builds on a number of previous County and regional plans. The most relevant plans are shown below. Additional plans can be found in Appendix A.

Lancaster County Comprehensive Plan 2014-2024

The Plan identifies the majority of the Southern Panhandle Planning Area as Rural Living on the Future Land Use map. Rural Living includes a variety of residential types that include farmhouses, large acreage rural family dwellings, and conservation subdivisions that preserve open landscape and traditional buildings. Along the northern boundary, a new conceptual transportation corridor (Dave Lyle Boulevard extension) is shown along with the Neighborhood Mixed Use land use category.

Carolina Thread Trail Master Plan, 2011

The Carolina Thread Trail is a 15-county bi-state program to create an interconnected trail system with major regional trails. A guiding principle of the Carolina Thread Trail is “respect for the land and respect for the landowner.” The Plan includes 182 miles of trails and 41 miles of blueways. The Lancaster Panhandle Greenway segment of the trail system is 20.4 miles long and 8.3 miles of it runs through the study area. Connection and access opportunities are located at Andrew Jackson State Park, Twelve Mile Creek, and the historic Old Waxhaw Presbyterian Church / Cemetery in Union County, NC.

Recreation Needs Assessment and Strategic Recommendations, 2015

The Recreation Needs Assessment and Strategic Recommendations was completed by Clemson University to evaluate park and recreation needs in Lancaster County. The study determined a broad support for improved recreation facilities, programs, and services from a large cross-section of the community including gender, age, and ethnicity. A 100-acre multi-purpose recreation center was recommended south of the Southern Panhandle and north of the City of Lancaster next to the intersection of US 521 and Shiloh Unity Road.



Comprehensive Plan 2014-2024

Recommended by Planning Commission
October 21, 2014

Adopted by County Council
December 8, 2014

Ordinance Number 2014-1318

Town of Van Wyck

Lancaster County coordinates regularly with jurisdictions within the County. As noted previously, almost a quarter of the study area is within the Town of Van Wyck. Currently, Lancaster County staff is responsible for processing land use applications within the Town. Major applications are reviewed and approved by the Van Wyck Planning Commission and Town Council. The Town is in the process adopting their first Comprehensive Plan and will be incorporating applicable sections of the Southern Panhandle Small Area Plan.

PUBLIC OUTREACH

In keeping with the County's policy of transparency in the planning process, recommendations contained in this plan are grounded in an extensive public engagement process. The vision and planning themes reflect the values of residents from the study area and surrounding communities. A steering committee made up of key stakeholders in the area met throughout the process and helped to guide the development of the plan.

The central event of the planning process was the four-day Visioning Week at Our Lady of Grace Catholic Church. The week included a hands-on workshop where residents, property owners, and other stakeholders participated in a visual preference survey and small-group discussions about the future of the Southern Panhandle. During the week, County representatives also held one-on-one stakeholder interviews with major property owners, business owners, and relevant agency representatives. The public was invited to drop in any time during the week to share ideas and to ask questions. Common themes identified during Vision Week included the importance of preserving the area's rural lifestyle, protecting natural resources and community heritage, planning for infrastructure needs, developing trails, and establishing mixed use centers and employment areas in designated locations.

Among the area's **strengths** identified throughout the planning process were the schools, the abundant undeveloped land, location within the region, and nature trails. **Weaknesses** and **threats** included traffic conditions, infrastructure, unknowns such as the Dave Lyle Boulevard Extension, the aging population, affordability, and rapid development. The major **opportunity** identified was the ability to plan ahead for growth, as the area is currently a blank canvas.

(A more detailed description of the public engagement process and the results of a SWOT analysis can be found in Appendix C.)



EXISTING CONDITIONS

To understand the context for growth in the area, an assessment of existing conditions was conducted. The existing conditions assessment consisted of a physical analysis of the area and determination of available infrastructure and transportation needs.

Utilities

The Lancaster Water & Sewer District (LCWSD) is the utility provider in the study area. Sewer service is not yet available in most of the area though it will become available as development occurs. Capacity fees, which provide funding for facility improvements, are paid by development prior to construction.

Infrastructure, particularly sewer, is a limiting factors for development in the study area. The pipe sizes necessary for improvements within the area are dependent upon the density of proposed residential developments, how much land within a project area is improved, and the intensity of non-residential development. According to the Lancaster County Water & Sewer District (LCWSD), the most important sewer need for this study area is an equalization basin, which would allow the LCWSD to control how much sewer flow goes into the sewer station, thereby avoiding spikes in flow. The location has been identified for this basin, slightly northwest of the planning area boundary. A study was completed in 2019, but the project completion date is unknown at this time.

A pump station will be needed north of the intersection of Highway 5 and US 521. The LCWSD recently completed a sewer project that will facilitate future expansion. They coordinated with CSX and the SCDOT to extend an 18" sewer line under the railroad and Highway 75/Waxhaw Highway, which will be an advantage for development in the northern portion of the study area.

Transportation

The main transportation corridor in the Southern Panhandle is Highway 521, a four-lane divided highway. Highway 521 includes north and south bound traffic volumes and has multiple roads that intersect, including Highway 75, Steele Hill Road, Rebound Road, and Highway 5. These crossroads provide access points along Highway 521 for routes north to Indian Land and to NC and south to the City of Lancaster. At these intersection locations, transportation enhancements are needed such as traffic signals, geometric design changes, realignments, accessibility, and safety.

The Rock Hill-Fort Mill Area Transportation Study (RFATS) is the local Metropolitan Planning Organization (MPO). The Lancaster County northern panhandle is located within the northeast section of the RFATS area, whose boundaries consist of North Carolina to the north and east and the Catawba River to the west. US 521, which runs north-south, is a major arterial within the RFATS area.

The Rock Hill-Fort Mill Area Transportation Study (RFATS) region initiated a Collector Street Plan in 2017 to reduce long-term traffic congestion as additional development occurs by outlining a network of supporting streets to expand driver choice, provide alternative routes, and guide the construction of a more fully developed network of interconnected streets (RFATS Collector Street Plan, 2017). Dave Lyle Boulevard currently stretches from west of Main Street in Rock Hill to Waterford Park Drive, connecting to I-77 and US-21, and an extension of Dave Lyle Boulevard is planned within Lancaster County and the Planning Area; however it is listed on the Long Range Transportation Plan unfunded project list. The Dave Lyle Boulevard Extension Concept Plan is reflected in the Transportation Map in Appendix B.

A traffic signal was recently installed at the intersection of US 521 and Highway 75/Waxhaw Highway. This signal ties into the proposed Dave Lyle Boulevard Extension connection. The second traffic signal will be located at the intersection of US 521 and Witherspoon Drive for Indian Land High School.

The Carolina Thread Trail (CT Trail) is proposed to run through the study area predominately on the eastern side of US 521 and southwest of the intersection of US 521 and Highway 5. The CT Trail should be installed as the project area develops over time, and in accordance with the Carolina Thread Trail Master Plan and Lancaster County Unified Development Ordinance. It should connect to the existing portion currently located in the Walnut Creek residential community and park, just north of the study area boundary.

RFATS commissioned the Bike Walk plan in 2016 to guide short and long-term transportation and land use planning decisions for a safer, more accessible bicycling and walking environment (Bike Walk, 2016). The plan identified proposed network maps which include primary routes for active transportation. While the RFATS boundary limit ends at Highway 75/Waxhaw Highway, it shows the southern portion of the Carolina Thread Trail – within this study area boundary – connecting to the existing portion of the CT Trail at Highway 75/Waxhaw Highway, coming from the existing Walnut Creek CT Trail segment. This segment of the trail is proposed to be a shared use path which would ultimately run parallel to the Dave Lyle Boulevard Extension.

CSX Rail

A CSX Railroad line is located along the northern boundary of the Planning Area. The line, which carries between five and ten trains per day, includes double stack containers and provides rail service of inbound and outbound consumer goods to adjacent properties.

CSX Rail will be constructing approximately 4,000 feet of rail siding from east of Hancock Road to west of Hector Road as part of a project intended to consolidate rail crossings, eliminate rail-highway conflicts and improve emergency response time by eliminating delays due to blocked crossings by constructing a grade separated crossing along Highway 75/Waxhaw Highway. The portion of this project located within the study area consists of a siding extension for trains to dwell at a safe distance from rail-highway crossings by providing an additional track. This will accommodate the anticipated increase in train frequency and length.

Duke Energy

Duke Energy serves the Planning Area with a distribution system that meets the service needs. Major distribution system enhancements that may be necessary can be accomplished within the timelines of customer projects. Duke Energy plans to add capacity along Highway 521 upgrading 12kV lines to 24kV lines. These upgrades will be completed as new developments occur. The initial phases of the distribution enhancements will occur in the northern portion of the Planning Area and are anticipated to be completed in 2021. As the Planning Area continues to grow and develop, Duke Energy has the capacity to meet the energy demands within their stations across the region.

Natural Gas

Lancaster County Natural Gas Authority serves customers across the Planning Area. Gas main and service line extension projects are accomplished at the request of and within the timelines of customer projects. No major natural gas system upgrades or enhancements are anticipated for the Planning Area, and Lancaster County Natural Gas Authority has the capacity to meet the gas needs as growth occurs within the Planning Area.

Additional information about the study area, as well as detailed maps, can be found in Appendices A and B.



PLAN THEMES & RECOMMENDED LAND USE PLAN





VISION STATEMENT:

The Southern Panhandle Small Area Plan seeks to preserve the rural lifestyle and values of residents by ensuring that developments conserve the natural landscape, cultivate employment centers, and create efficient infrastructure through enhanced connectivity, safety, and mobility.

PLAN THEMES WITH RECOMMENDED LAND USE PLAN

RECOMMENDED LAND USE PLAN

The Recommended Land Use Plan reflects input from residents, property owners, and stakeholders from the Visioning Week held in November, 2019. Participation included drop-in discussions, one-on-one interviews, and a community evening workshop. The evening Hands-On Workshop included a diverse group of 54 individuals from the community who participated in a Visual Preference Survey and developed seven group scenarios. The consensus on the feedback received was specific on intentional growth in the Southern Panhandle that adds value and maintains the rural lifestyle of the area. The common threads heard across all the engagement opportunities are noted below.

- Maintain Rural Character and Support Local Heritage
- Focus Employment and Suburban Development in Key Areas
- Protect and Manage Tree Canopy
- Ensure Growth Does Not Detract from Andrew Jackson State Park
- Encourage Sewer and Other Infrastructure Investment in Key Growth Areas
- Protect the Natural Environment as a Key Identity Element

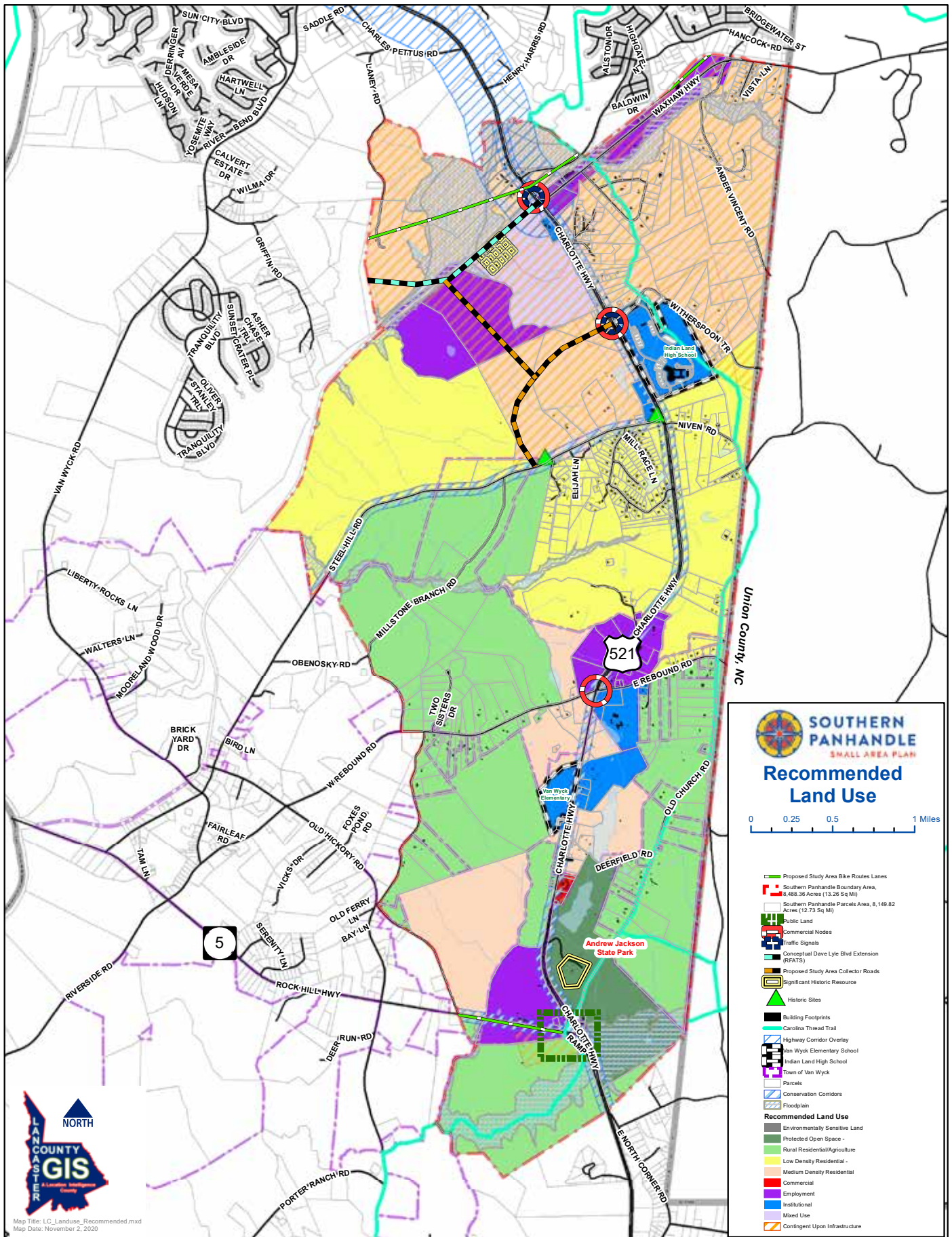
PLAN THEMES

From these common threads, four plan themes were developed and incorporated into the Recommended Land Use Plan.

- Preserve Natural Landscape
- Celebrate Rural Lifestyle
- Cultivate Employment Centers
- Create Efficient Infrastructure



Source: Uptown 101



FUTURE LAND USE CATEGORIES



Environmentally Sensitive Lands

Areas designated for protection and preservation of floodplains and wetlands.



Protected Open Space

These areas are designated for the protection of properties under public ownership, such as parks, trails, greenways, and/or properties otherwise restricted for use for passive or active recreation.



Rural Residential/Agricultural

Large tracts of property with rural living that provide an abundance of open space and forested lands. Limited to a density of one dwelling unit per acre.



Low Density Residential

Land for single-family residential subdivisions and supporting recreational, religious, and educational uses at a density of 1.5 dwelling units per acre. Conservation subdivisions are encouraged here.



Medium Density Residential

Single-family residential subdivisions and supporting recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Conservation subdivisions are encouraged here.



Commercial

Opportunities for shopping, professional services, and entertainment. These areas do not typically allow auto-oriented developments.



Employment

Employment-oriented development such as office, medical, light industrial, and service centers that are clean, quiet, and compatible with adjacent residential or business districts.



Institutional

Intended for educational facilities, government facilities, healthcare institutions, places of worship, and other similar uses.

FUTURE LAND USE CATEGORIES



Mixed Use

Designed for pedestrian walkability and as an economic activity center incorporating daily shopping, community, entertainment, housing needs, and public spaces. This can include multi-story buildings surrounded with compact moderate density housing options such as detached and attached residential uses and is connected to adjacent areas by trails and walking paths.



Conservation Corridors

Transportation corridors will be identified for the preservation of natural resources such as tree canopies, topography, and rolling hills to protect the natural beauty of the Southern Panhandle.

The design of developments must include building materials and site placement along the corridor that reflects development that is incorporated in the natural landscape and uses the rural environment as an amenity to add value and beauty. Signage and lighting for development should be discreet and attractive.

Recommended Land Use Distribution

Recommended Land Use	Acres	Sq Miles	Percentages	Total Developable Acres	Sq. Miles	Percentages
Protected Open Space	344	0.54	4%	-	0.00	4%
Rural Residential / Agriculture	2,896	4.53	34%	2,827	4.42	37%
Low Density Residential	2,094	3.27	25%	2,090	3.27	27%
Medium Density Residential	2,120	3.31	25%	1,741	2.72	23%
Commercial	34	0.05	0.4%	34	0.05	0.4%
Employment	430	0.67	5%	416	0.65	5%
Institutional	339	0.53	4%	339	0.53	4%
Mixed Use	232	0.36	3%	228	0.36	3%
Totals	8,489	13.26	100%	7,675	11.99	100%

Source: Catawba Regional Council of Governments

PLAN GOALS & IMPLEMENTATION

GOAL: RETAIN THE SOUTHERN PANHANDLE RURAL CHARACTER

Objective: Retain Significant Areas for Low-Density Residential Development and Agricultural Uses

Implementation Items:

- Cultivate development of a farmers market, local farms stands, and other agricultural supporting uses to provide an opportunity to sell local produce, bring visitors to the area, and meet the commerce needs of local farmers. **LT**
- Require rural identifying elements along major roadways with new development such as 3/4 board and post fencing, distinct signage design, and similar identifying elements. **MT**
- Encourage the establishment of community gardens within subdivision open space areas and other common areas. **ST**
- Support use of zoning districts that are consistent with the Rural Residential/Agriculture future land use classification as a means to continue the existing rural character and agricultural production in area. **C**
- Support development of agritourism uses in the Rural Residential/Agricultural future land use classification to help entertain and educate the local and regional community on the importance of agriculture. **C**

Timing Key:

C = Continuous

ST = Short Term (0 to 5-Years)

MT = Mid Term (6 to 10-Years)

LT = Long Term (Over 10-Years)

Objective: Preserve and Enhance the Southern Panhandle Culture and Heritage

Implementation Items:

- Examine opportunity for a historical marker or other remembrance tools to preserve the history of the Osceola community. **MT**
- Include the study area within any future county or state cultural resources inventories. **LT**
- Encourage the designation of historic structures in the local register. **C**
- Provide support to owners of historic structures in obtaining formal federal or state recognition of those structures. **C**

GOAL: HELP DEVELOP ANDREW JACKSON STATE PARK INTO A MAJOR REGIONAL DESTINATION

Objective: Grow the Park into a 7-Days a Week Activity Center

Implementation Items:

- Undertake joint recreation programming between Andrew Jackson State Park and the Lancaster County Parks and Recreation Department. **C**
- Take advantage of the park's centralized location in the region and abundance of natural resources to help cultivate regular use of the park by local and regional outdoor clubs for meetings and activities. These may include geocaching, archery, hiking/running, birding, biking, photography, fishing, radio controlled (RC) watercrafting, environmental activism groups, etc. **C**
- Promote adoption of the park as the home base for recreation clubs, clubs associated with Indian Land High School, and regional Girl Scout and Cub/Boy Scout troops, etc. **C**

Objective: Encourage Land Uses near Andrew Jackson State Park that Provide Supporting Goods and Services to Park Guests

Implementation Items:

- Create supplementary site and building design standards to minimize the visual obtrusiveness of commercial uses and require architectural design elements complimentary to the park and its natural features. **ST**
- Support small-scale rezonings to institutional or low-intensity commercial districts in the immediate vicinity of US-521 and SC-5 that will provide supporting goods and services such as food service, private campgrounds, fuel, etc. **C**

GOAL: CREATE A BALANCED SOUTHERN PANHANDLE LAND USE PATTERN

Objective: Develop Employment and Shopping Opportunities in Targeted Segments of the Study Area

Implementation Items:

- Create opportunities for small-scale retail development that can help provide goods and services for the local community. **MT**
- Non-residential development along US-521 and SC-5 should incorporate rural building design elements such as pitched roofs, non-masonry or EIFS building materials, and similar elements. **ST**
- Focus long-term economic development near the intersections of US-521 and SC-5 and US-521 and SC-75. **LT**
- A master planned, regional mixed-use town center and/or employment center should be considered in the far northwest portion of the Southern Panhandle study area. **LT**
- Rezoning to non-residential districts should be generally consistent with the Future Land Use Map. The timing of rezonings to non-residential districts should be contingent on the availability of public water and sewer infrastructure. **C**

Objective: Residential Densities Should be Appropriate for their Location

Implementation Items:

- Rezoning to higher-density residential districts should be generally consistent with the Future Land Use Map. Medium-density residential development should be encouraged in the vicinity of the two schools within the study area, with the exception of property located within the town limits of Van Wyck. The timing of rezonings to higher-density residential districts should be contingent on the availability of public water and sewer infrastructure. **C**
- Low/rural density residential development should occur in residential areas located away from the two schools within the study area, and should be achieved through large lot subdivisions or conservation subdivision design with an abundance of open space. **C**
- Townhomes, apartments, condominiums, and similar higher-density residential uses are appropriate when part of a master planned development within the mixed-use areas. **C**

GOAL: ESTABLISH THE NATURAL ENVIRONMENT AS A IDENTIFYING ELEMENT OF THE SOUTHERN PANHANDLE

Objective: Protect Natural Resources

Implementation Items:

- Establish policies for minimum tree retention in association with new development projects. **ST**
- Require the use of native tree and shrub species in association with required landscaping for new development. **ST**
- Establish a min. 50-ft conservation corridor along US-521 and Rebound Road to retain existing trees and natural features. Integrate cultural and heritage features within these corridors in a manner that minimizes vegetation disturbance. **ST**
- Improve the existing Lancaster County Cluster Subdivision Overlay District to retain higher quantities of useable open space. **ST**
- Evaluate existing Lancaster County environmentally sensitive area buffer standards to ensure adequate protection of critical resources. **ST**
- Incentivize the use of low-impact development techniques for stormwater management. **ST**
- For non-mixed use commercial and rural residential areas, minimize the use of curb and gutter on new roads and within parking lots. **C**
- Coordinate with the Katawba Valley Land Trust and the State of South Carolina to protect areas critical for clean water, endangered/threatened species protection, and recreational opportunities. **C**

Objective: Create and Promote Nature Based Recreation Opportunities

Implementation Items:

- Encourage the marketing and branding of the Southern Panhandle area as being a nature-based destination. **LT**
- Support implementation of the Carolina Thread Trail and the Walk-Bike RFATS Pedestrian plan for the US-521 and SC-75 corridors. **C**
- Require new major residential subdivisions, institutional uses, and larger employment

developments to create private trail systems that interlink with the Carolina Thread Trail and Andrew Jackson State Park. **C**

GOAL: SUPPORT TRANSPORTATION AND OTHER INFRASTRUCTURE INVESTMENT

Objective: Support Transportation and Utility Investment in a Manner that is Consistent with the Southern Panhandle Vision

Implementation Items:

- Implement the RFATS Collector Road Study. **LT**
- Develop a collector/minor arterial road system in the western section of the study area as the Southern Panhandle develops over time. Right-of-Way dedication and road construction (as appropriate) for the proposed Dave Lyle Boulevard Extension and the proposed Southern Panhandle study collector/minor arterial roads should be undertaken as part of development projects occurring within the general alignment areas. **LT**
- Coordinate with SCDOT on needed intersection improvements for safety and functionality as growth occurs within the Southern Panhandle. **LT**
- Support extension of public water, sewer, natural gas, and other utility infrastructure in areas of the Southern Panhandle designated for non-residential uses and medium-density residential development. **LT**
- Coordinate with Comporium Communications, the Town of Van Wyck, and other partners on developing strategies to integrate a rural broadband network within the Southern Panhandle area. **LT**
- Above-ground utility infrastructure should be constructed, sited, and/or screened in a manner that ensures it blends in with the natural landscape. **C**



APPENDIX A: EXISTING CONDITIONS





PAST PLANNING INITIATIVES

Comprehensive Economic Development Strategies for the Catawba Region, 2019

The Comprehensive Economic Development Strategies (CEDS) is an area-wide assessment of economic trends and infrastructure needs within the Catawba Region. The CEDS is a program developed by the US Economic Development Administration (US EDA) that receives activities and programs of the Catawba Regional Council of Governments in promoting economic progress within the district.

Catawba Regional Housing Assessment, 2018

The Catawba Regional Housing Assessment is an evaluation of the economic conditions and general housing affordability within each county of the region. The Housing Assessment also considers the burden of housing costs of residents including goals and new steps to address housing affordability within the Catawba Region. Initiatives include identifying potential funding sources; evaluating property options available within the region; analyzing neighborhoods; and collaborating with construction, development, and financing partners in the region.

CONNECT Our Future, 2015

The CONNECT Our Future planning process was a three-year project covering fourteen counties in North and South Carolina that developed a vision for future growth at the local and regional levels. The project included a \$4.9 million US Housing and Urban Development Sustainable Communities Grant Program and \$3 million in local in-kind public and private matching funds. From 2000 to 2008, the bi-state area was the fastest-growing area in the country. The population was projected to increase by 74% by 2050 with 1.2 million additional people and 860,000 additional jobs.

Six core values were generated by community input during the project: a strong, diverse economy; sustainable, well-managed growth; a safe and healthy environment; increased collaboration; enhanced social equity; and high-quality educational opportunities. The

top ten priorities for the CONNECT planning area were:

- Support our communities
- Maximize return on investment
- Support local farms
- Improve access to parks and open space
- Increase transportation choices
- Improve water quality
- Improve air quality
- Grow jobs closer to home
- Increase housing choices
- Reduce commuting costs

Recreation Needs Assessment and Strategic Recommendations, 2015

The Recreation Needs Assessment and Strategic Recommendations was completed by Clemson University to evaluate park and recreation needs in Lancaster County. The study determined a broad support for improved recreation facilities, programs, and services from a large cross-section of the community including gender, age, and ethnicity. A 100-acre multi-purpose recreation center was recommended south of the Southern Panhandle and north of the City of Lancaster next to the intersection of US 521 and Shiloh Unity Road.

Comprehensive Plan, 2014

The Comprehensive Plan was adopted in December 2014 and identifies the majority of the Southern Panhandle Planning Area as Rural Living on the Future Land Use Map. Rural Living includes a variety of residential types that include farmhouses, large acreage rural family dwellings, and conservation subdivisions that preserve open landscape and traditional buildings. Along the northern boundary, a new conceptual transportation corridor is shown along with the Neighborhood Mixed Use land use. The Lancaster County Comprehensive Plan also notes some areas in the Southern Panhandle planning area as Special District – Industrial use.

Carolina Thread Trail Master Plan, 2011

The Carolina Thread Trail is a 15-county bi-state program to create an interconnected trail system with major regional trails. The Carolina Thread Trail Master Plan integrates all trails and greenway areas into a comprehensive multi-use network for connecting people, places, and destinations. The plan includes benefits of trails on health, the economy, the environment, culture, and transportation. A guiding principle of the Carolina Thread Trail is “respect for the land and respect for the landowner.”

The Master Plan includes 182 miles of trails and 41 miles of blueways. The segment of the trails in the Southern Panhandle planning area is the Lancaster Panhandle Greenway segment which is 20.4 miles in length. The portion of that Greenway within the planning area is 8.3 miles in length. Connection and access opportunities are located at Andrew Jackson State Park, Twelve Mile Creek, and the historic Old Waxhaw Presbyterian Church / Cemetery in Union County, NC.



CAROLINA THREAD TRAIL AND CORRIDOR STUDY

Twelve Mile Creek Trail at Walnut Creek (upper image) and Reconfiguration options for SC 5 and US 521 from US 521 / SC 9 Corridor Study (middle and lower images)

PHYSICAL ANALYSIS

The Southern Panhandle planning area has many assets that serve as catalysts for future development. The planning area includes Van Wyck Elementary School and Indian Land High School, as well as US 521 and SC Highway 5—key corridors within the region. Also within the planning area are abundant natural resources such as the Andrew Jackson State Park. This section covers the existing conditions and the opportunities for development.

Location / Economy

The Southern Panhandle is strategically located near high growth areas of Indian Land to the north and Union County, NC to the east. The planning area is also east of York County and north of the City of Lancaster, which is experiencing relatively moderate development. The area is home to multiple industries, businesses, health facilities, and places of worship.

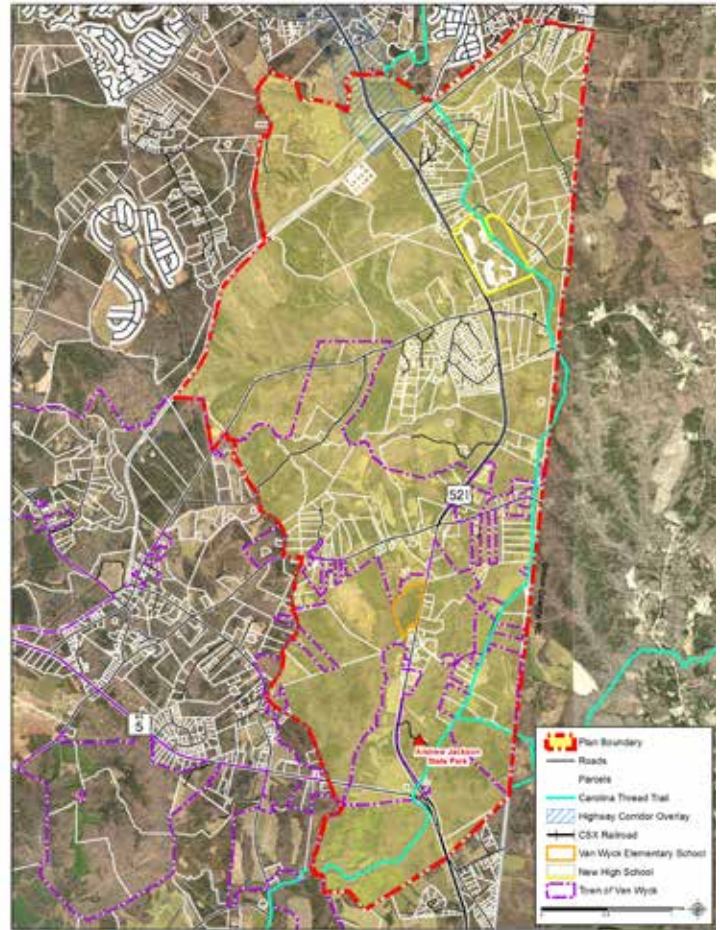
The area has been experiencing development pressures in recent years. In 2019, the County approved the Roselyn subdivision, an 1850-home project on 1,800 acres—the largest residential project in Lancaster County. The site—located just south of the study area—is expected to include a County park.

PLANNING AREA

The Southern Panhandle planning area is reflected in the aerial view to the right and includes approximately 8,200 acres and 611 parcels with 473 property owners. The planning area is centered around US 521 and is bordered to the east by Union County, NC and bordered to the west by CSX Railroad and the Town of Van Wyck. The northern boundary is the area north of Highway 75 and the southern boundary is Andrew Jackson State Park and the intersection of SC Highway 5 and US 521.

A map showing the location of existing homes in the planning area can be found in Appendix B. The US Census Bureau estimates for 2018 that 947 residents live in 353 households within the planning area. The median household income is \$44,943 and the median household value is \$250,000.

Aerial View of the Study Area



Existing Land Use Distribution

Land Use	Acres	Sq Miles	Percentages
Park / Open Space	327.54	0.51	3.88%
Working Farm	669.75	1.05	10.09%
Rural Living	7,182.03	11.22	80.23%
Large Lot Residential	109.97	0.17	1.38%
Medium Density Residential	77.39	0.12	0.74%
Civic / Institutional	66.99	0.10	2.67%
Commercial	43.70	0.07	0.42%
Industrial	49.42	0.08	0.59%
Totals	8,526.79	13.32	

Note: Right-of-way included in totals.

Traffic Counts

The Average Daily Traffic Counts in the planning area reflect the following volume of traffic for 2018:

- US 521 between SC 75 to SC 5 – 11,400
- SC 75 – 6,000
- Steele Hill Road (East) – 1,000
- Steele Hill Road (West) – 350
- West Rebound Road – 1,050

Existing Land Use

The current land use is reflected in Figure 8, Land Use and the distribution is reflected in Table 4, Existing Land Use Distribution. The planning area is predominately rural with 84% of the acres categorized as Rural Living, 8% Working Farms, and 4% Permanent Open Space. The remaining 4% of land uses are a mix of large lot and mixed density residential, professional, retail, commercial, and industrial uses. Land with some limitations is reflected in Figure 11, Environmental Constraints.

Existing Zoning Map

The existing zoning for the Southern Panhandle Planning Area can be found in Appendix B. The majority of the planning area is zoned for Rural Neighborhood, Rural Residential, and Open Space Preservation. Other zoning districts in the planning area include Low Density Residential, several types of Commercial districts, Light Industrial, and a Legacy Planned Development District.

Infrastructure

Lancaster County Water and Sewer District (LCWSD) serves the Planning Area. The entirety of the Planning Area has the potential to be served with public water; however service is generally limited to those area along major road corridors. The Catawba River Water Treatment Plant, located west of Andrew Jackson State Park in Lancaster County, is a joint venture between LCWSD and Union County, NC with a 50/50 ownership. A 500,000 gallon water tank is located on Highway 521 north of Steele Hill AME Zion Church. Currently, sewer is available only at the northeast and southeast portions of the intersection of Highway 521 and Highway 75. Sewer system enhancements by LCWSD are development-driven and performed supplementary to LCWSD's Wastewater Extension Guidelines outlined in their Water & Wastewater Developer Policy.

The Conceptual Sewer Master Plan for the Highway 521 and Highway 5 area includes a proposed Equalization Facility on approximately ten acres to the west of the Planning Area. The addition of an Equalization Facility will reduce the potential for overflows in the system or at the treatment facility, mitigate environmental damage, improve the efficiency of the treatment facility, and maximize the infrastructure sizing by equalizing peak flows. Several locations are identified for potential gravity sewer lines with sewer lift stations. LCWSD will evaluate their infrastructure sizing needs as the proposed land use plans and zoning are updated. The LCWSD sewer discharge permit for the Catawba River is 15 MGD. LCWSD's Indian Land Wastewater Treatment Facility is currently under construction for an upgrade to 5 MGD and the hydraulic capacity at the treatment facility can be increased as needed to meet the water and sewer needs as development occurs within the Planning Area.

Cultural Resources

The Southern Panhandle has many significant cultural resources that should be preserved and protected as well as celebrated and shared for future generations.

The County has not completed a historic inventory since the 1986. As of that time, the Steele Hill AME Zion Church Arbor (built in 1885) was the only structure identified as eligible to be nominated for the National Register of Historic Places. The Steele Hill Rosenwald School Building has not yet been evaluated for potential National Register eligibility. These historic African American sites should be considered for historic preservation programs provided by the South Carolina Department of Archives and History and the National Trust for Historic Preservation's African American Cultural Heritage Action Fund program.

The Steele Hill Rosenwald School was built as part of the Julius Rosenwald Building Fund, established in the early 1900s to address educational inadequacies and establish better primary schools for African Americans. Three of the seven South Carolina Rosenwald Schools are still standing. The Steel Hill School was used until the 1950s and is currently a single-family home.

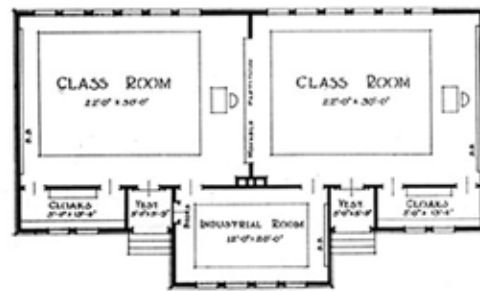
Other cultural resources include the Village of Osceola, located approximately one-half mile on the west side of US 521 at the Highway 75 intersection south of the CSX Railroad. The Village was first surveyed in 1888. Today the historic village is grown over and many of the structures are gone. The 1986 Lancaster County historic survey did not identify any National Register-eligible properties in the Osceola Community area.



STEELE HILL ROSENWALD SCHOOL

Source: Fisk University Rosenwald Fund Card File Database.

Rosenwald Two Teacher Community School Plan



FLOOR PLAN No. 20
TWO TEACHER COMMUNITY SCHOOL
TO FACE EAST OR WEST ONLY

Natural Resources

The Southern Panhandle has abundant natural resources that contribute to the rural living lifestyle of the area. Andrew Jackson State Park is 360 acres and has an 18-acre lake for boating and fishing, a pair of one-mile loop trails for walking and hiking, 25 campsites, two picnic sites, a museum, a meeting house, and an amphitheater. The park is located the southeast portion of the Southern Panhandle.

The planning area is located within the Santee River Basin. According to the SC Department of Natural Resources (SCDNR), many State Wildlife Action Plan freshwater fish species are found within the planning area.

While SCDNR does not indicate Carolina Heelsplitter in the planning area, the US Fish and Wildlife Service has identified Waxhaw Creek as a current and previous location for the endangered species, and it is still considered significant habitat. (The critical habitat is located upstream in NC). It is also a possibility that the endangered Schweinitz's Sunflower could found here. While the plan area is not currently designated as a habitat, the flower has been identified nearby.

Floodplain and wetlands may be found across the northern and southern portions of the planning area and along Millstone Branch, south of the Millstone subdivision. The Twelve Mile Creek Trail at Walnut Creek Park is located at the northern portion of the Southern Panhandle and is a part of the Carolina Thread Trail.

The **South Atlantic Conservation Blueprint** is a spatial plan that identifies priority areas for conservation across parts of six states, from southern Virginia to northern Florida. Data from the plan was considered for identification of natural resources.

A map of environmental constraints can be found in Appendix B.



ENDANGERED SPECIES

Schweinitz's Sunflower, Source: Gary Kaufmann

Carolina Heelsplitter, Source: Katawba Valley Land Trust

Collision Data

The following table includes data on number of fatal collisions, number of injury collisions, property damage only collisions, total collisions, persons killed, and persons injured at the four locations in the Southern Panhandle at the four major corridor intersections as located on pages 38 - 41. In addition, data is provided depicting the average per year for each of these categories, as well as comparative data for the entirety of Highway 521 in Lancaster County for 2018.

Collision Data, 2005 - 2019

Intersection Collision Summary Data 2005 - 2019	Fatal Collision	Injury Collision	Property Damage Only Collision	Total Collisions	Persons Killed	Persons Injured
US 521 and SC 75	1	29	92	122	3	51
US 521 and Steele Hill Road	0	7	17	24	0	7
US 521 and W. Rebound Road	1	17	69	87	2	23
US 521 and SC 5	1	18	58	77	1	31
Total	3	71	236	310	6	112
Average per Year	0.2	4.7	15.7	20.6	0.4	7.4
Total 2018 (all of US 521)	3	5	378	516	3	8

Source: South Carolina Department of Public Safety

Note: 2018 and 2019 Data is Preliminary

MAJOR CORRIDORS



Northern area, US 521, view West of CSX Railroad and Highway 75



US 521 at East Rebound Road, view North



Northern Area, Intersection of US 521 and Highway 75 and Osceola United Methodist Church



Intersection of US 521 and East and West Rebound Roads, view Northeast



Intersection area of US 521 and Steele Hill Road and Nivens Road, view North



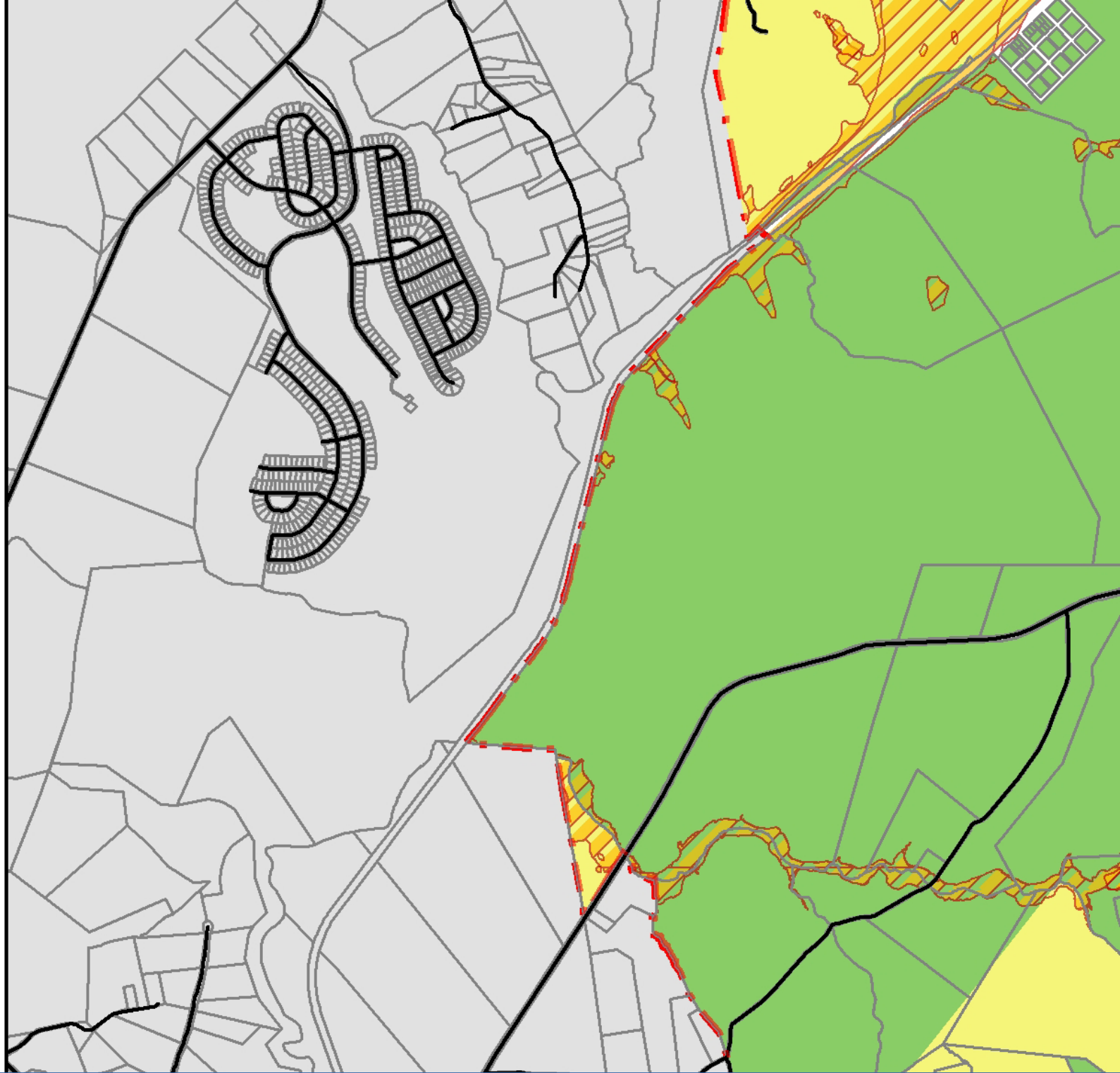
US 521, view North at Van Wyck Elementary School



Intersection area of US 521 and Steele Hill Road and Nivens Road, view South

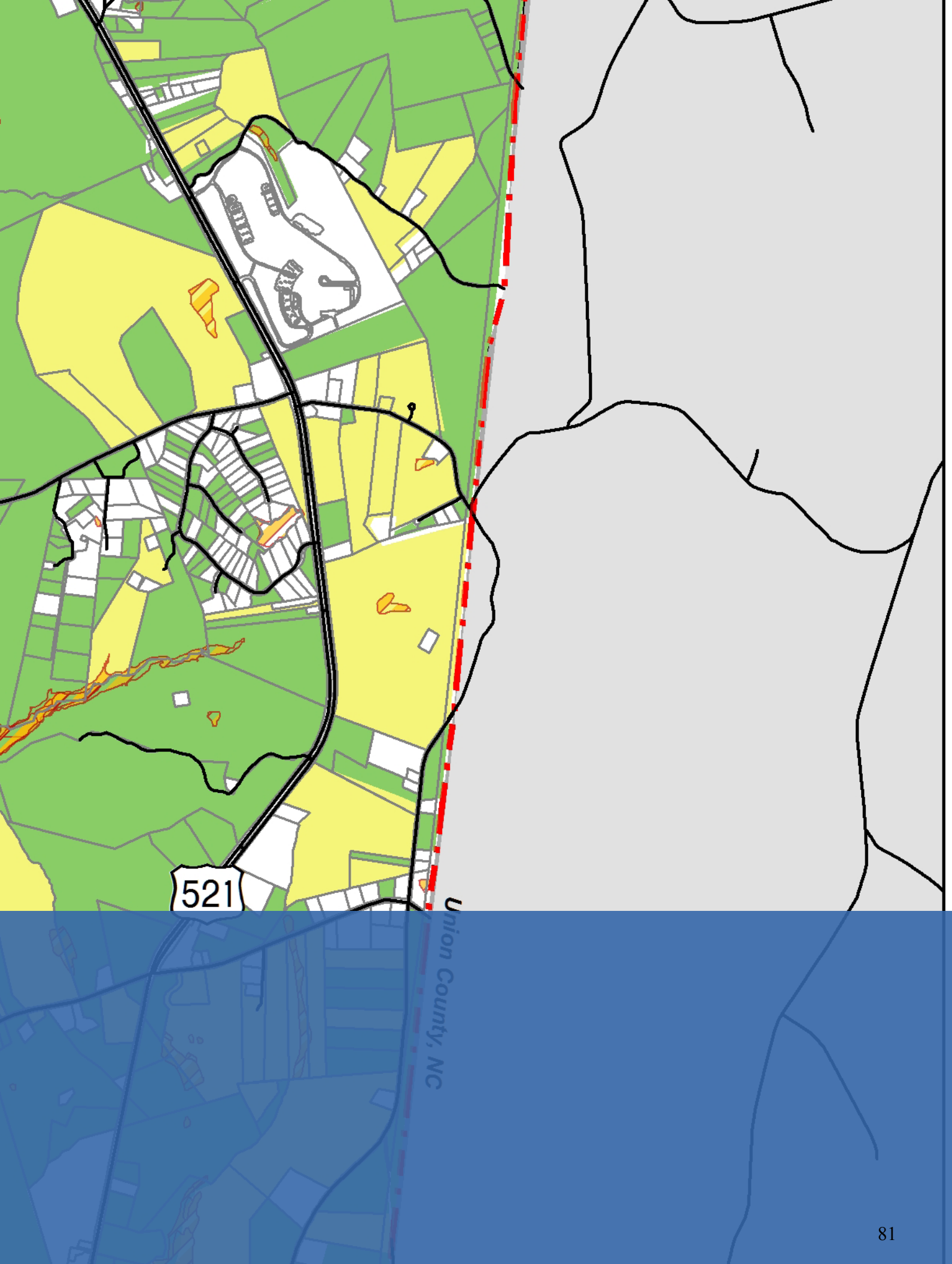


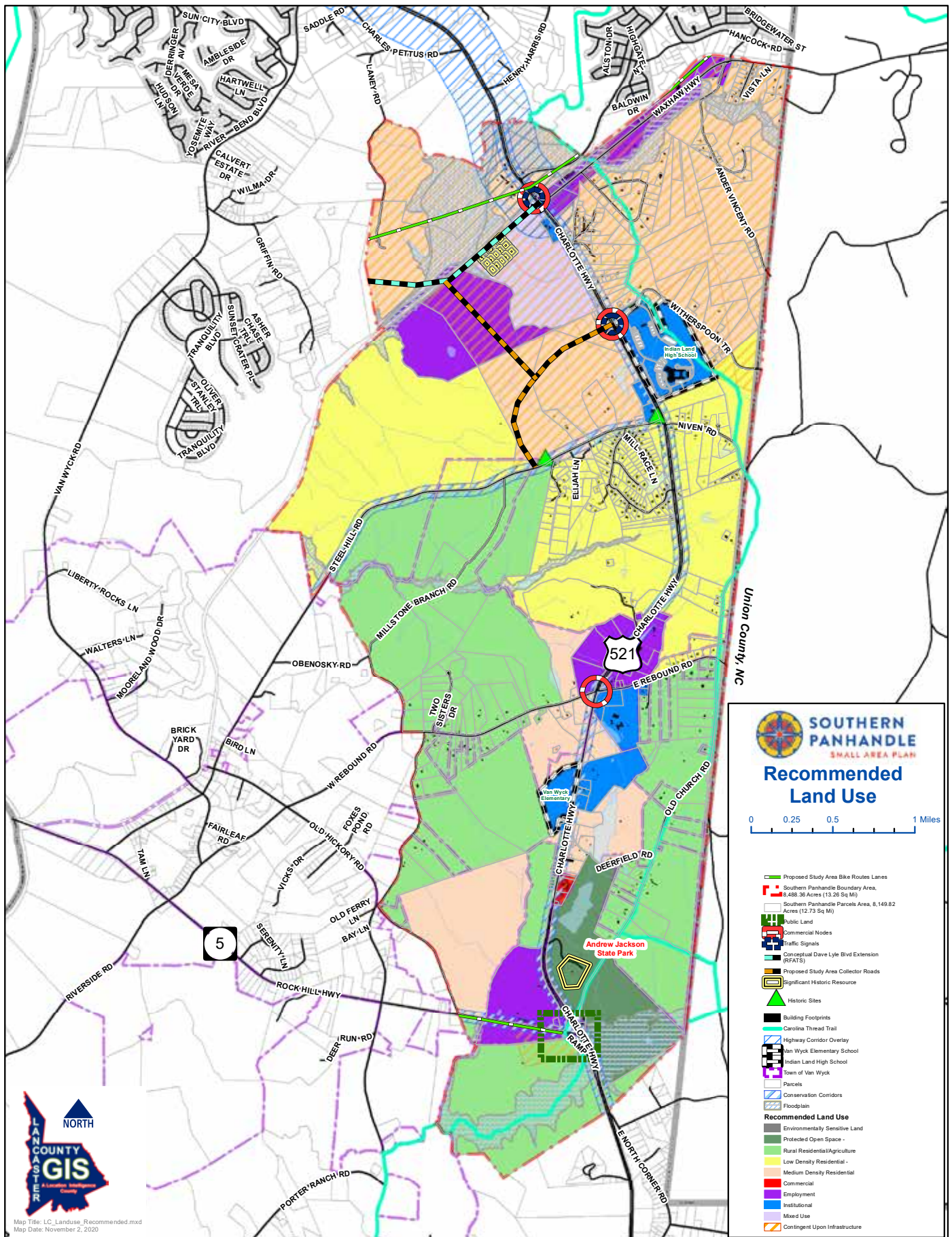
Southern area, intersection of US 521 and Highway 5, view Northwest

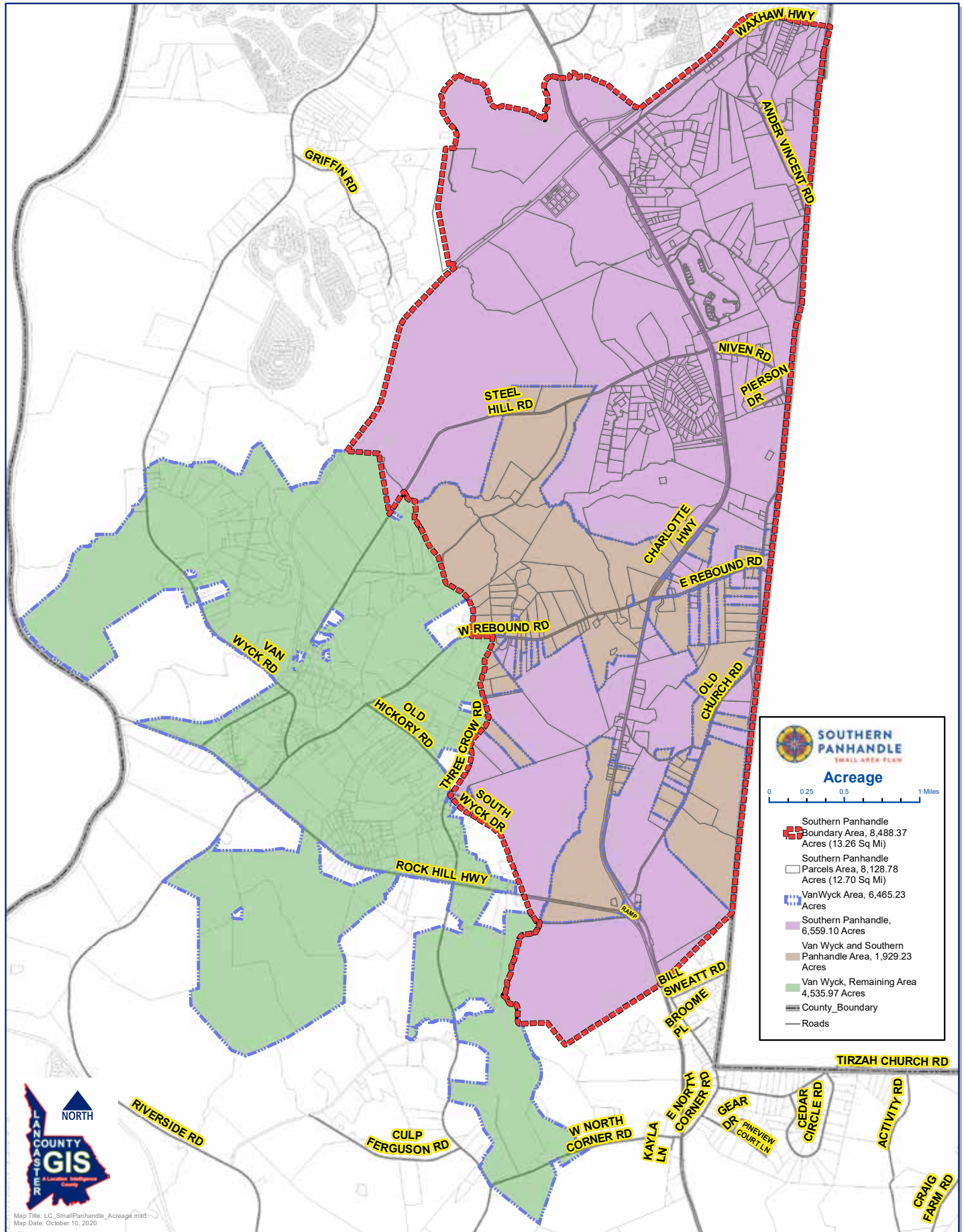


APPENDIX B: MAPS

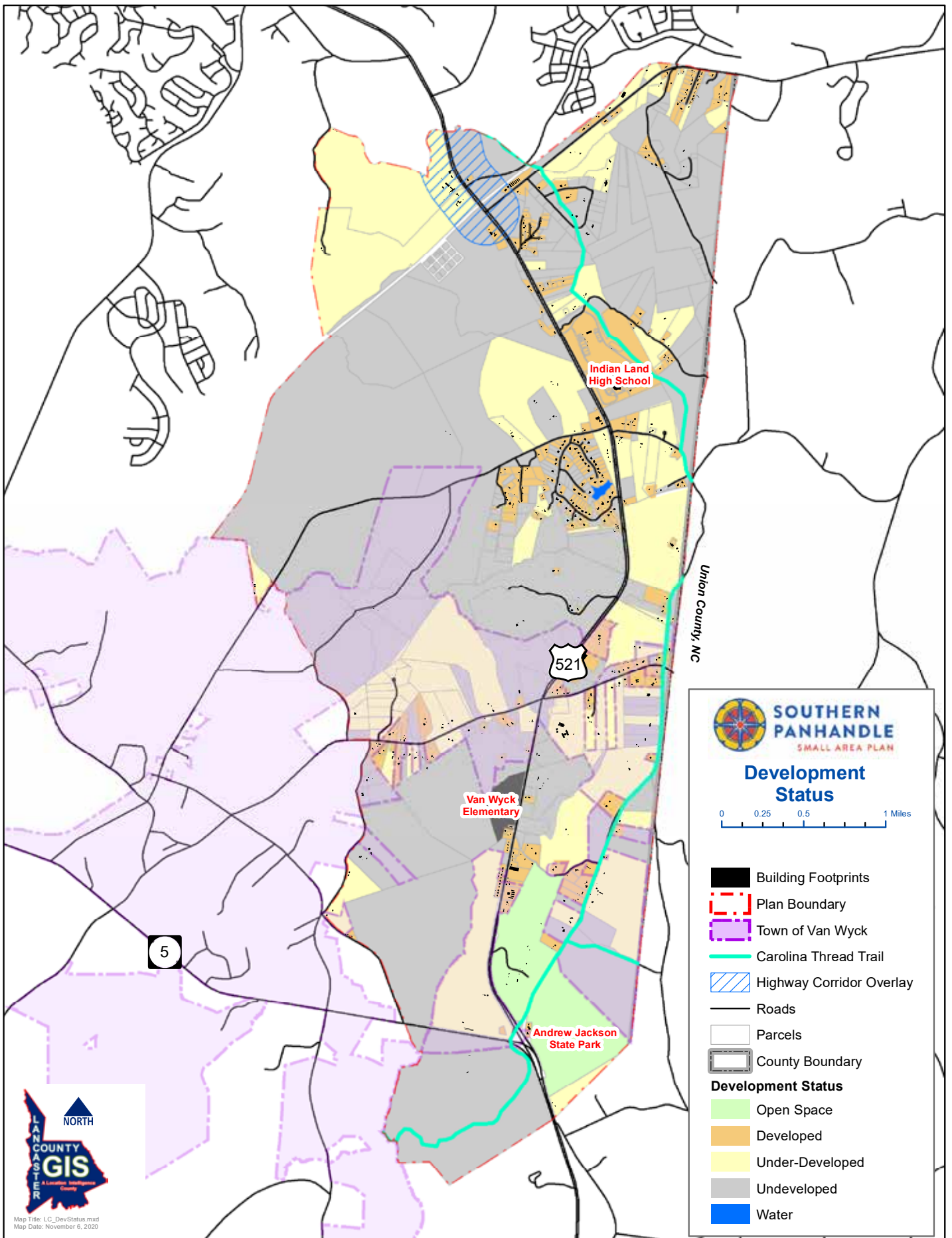


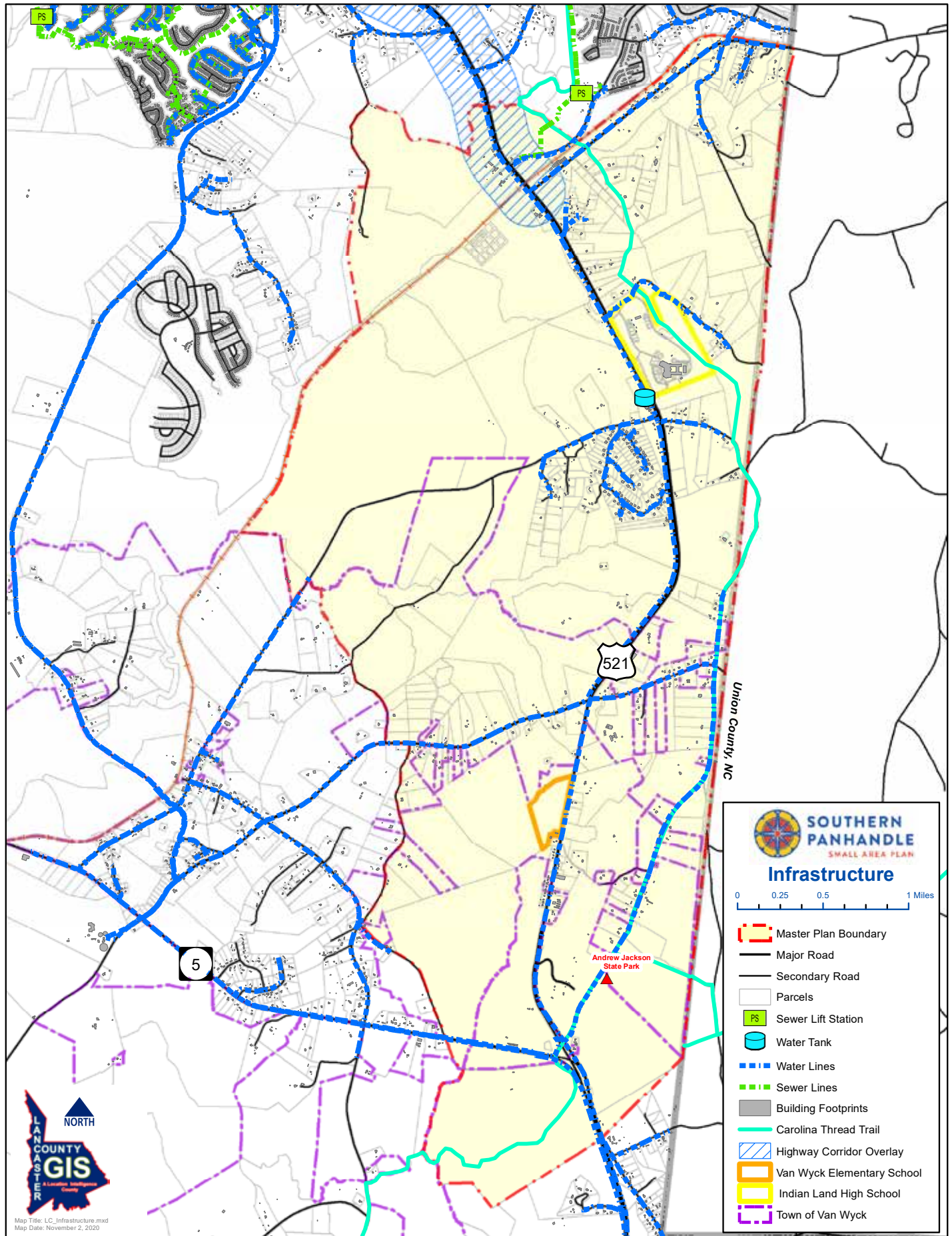


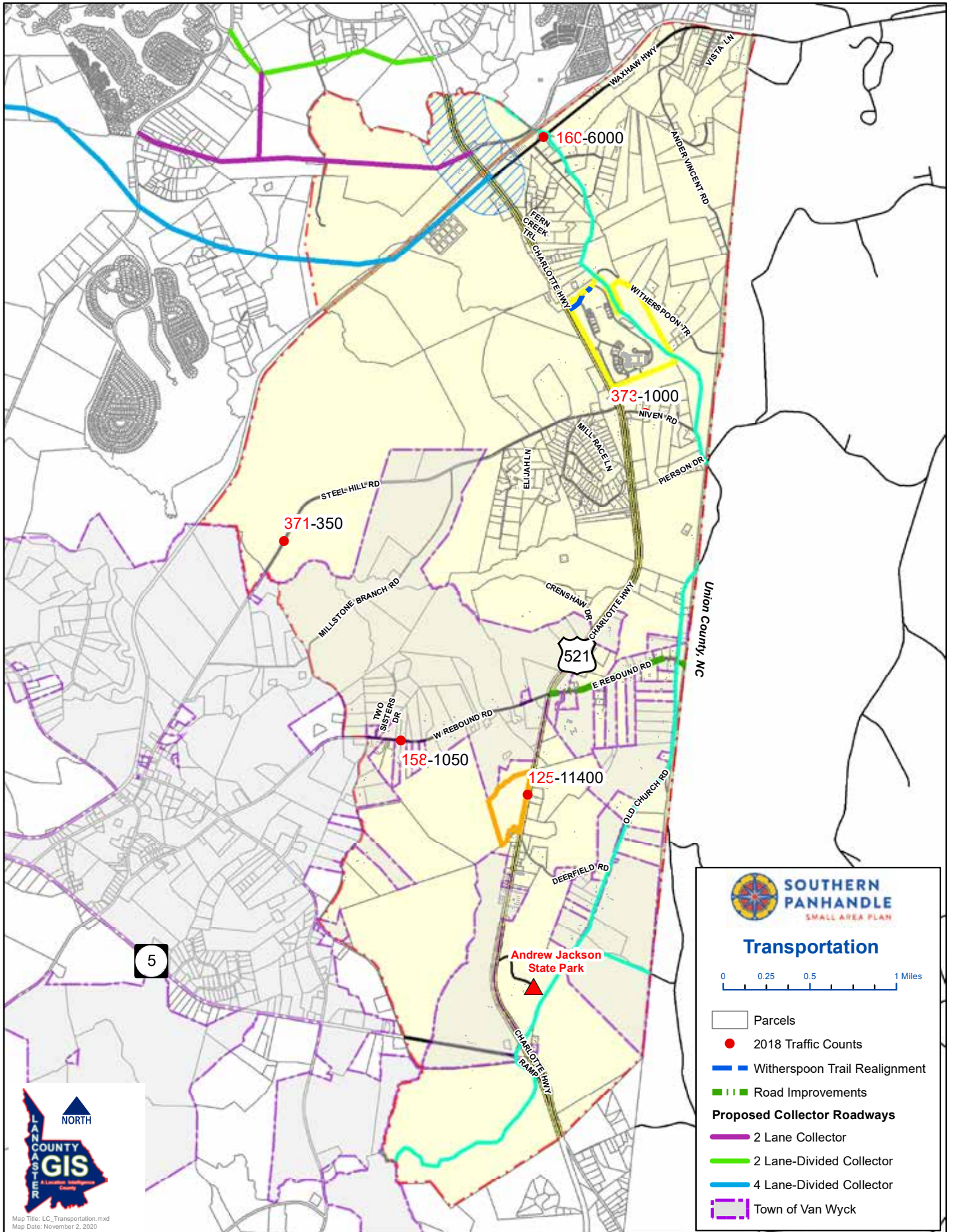


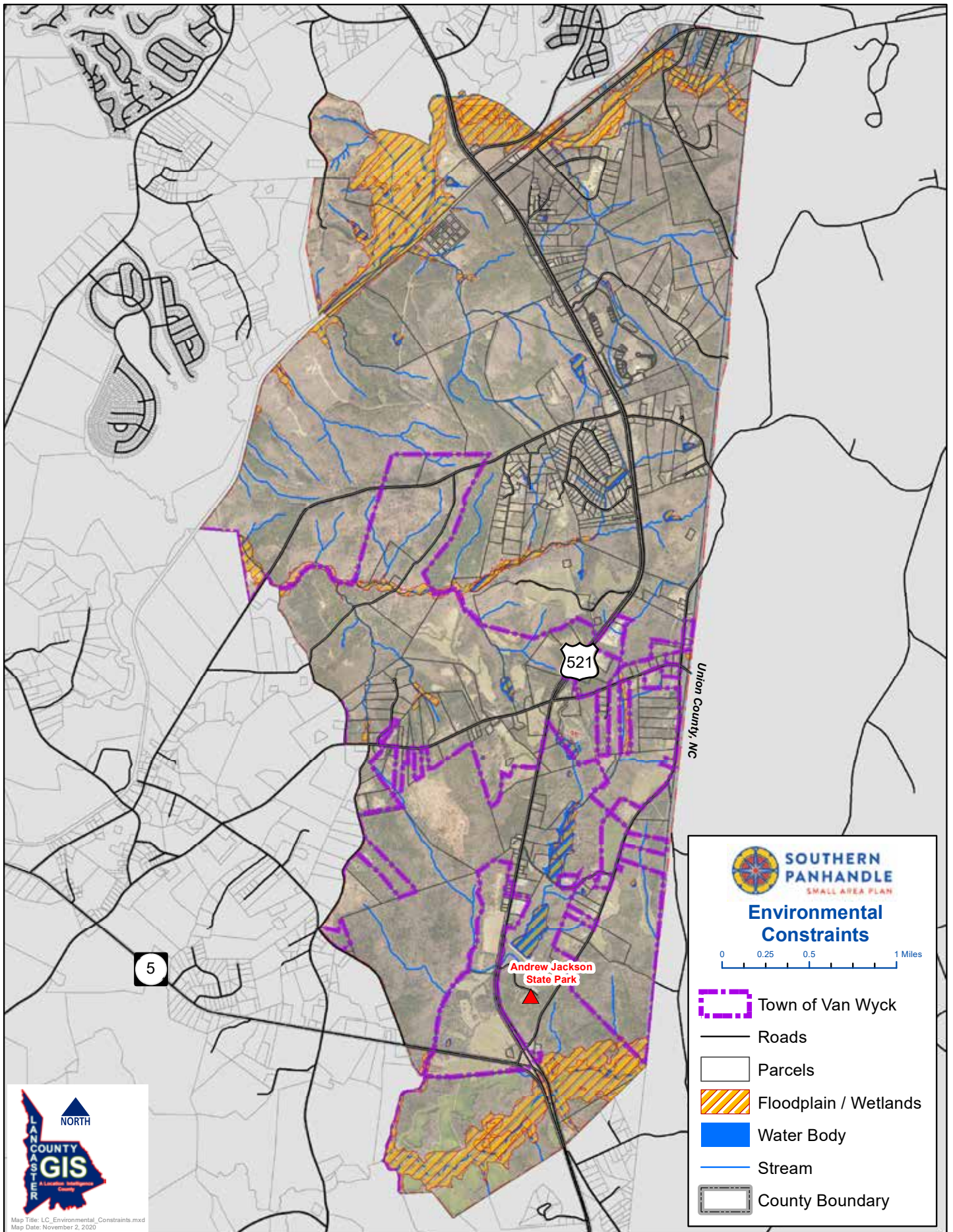


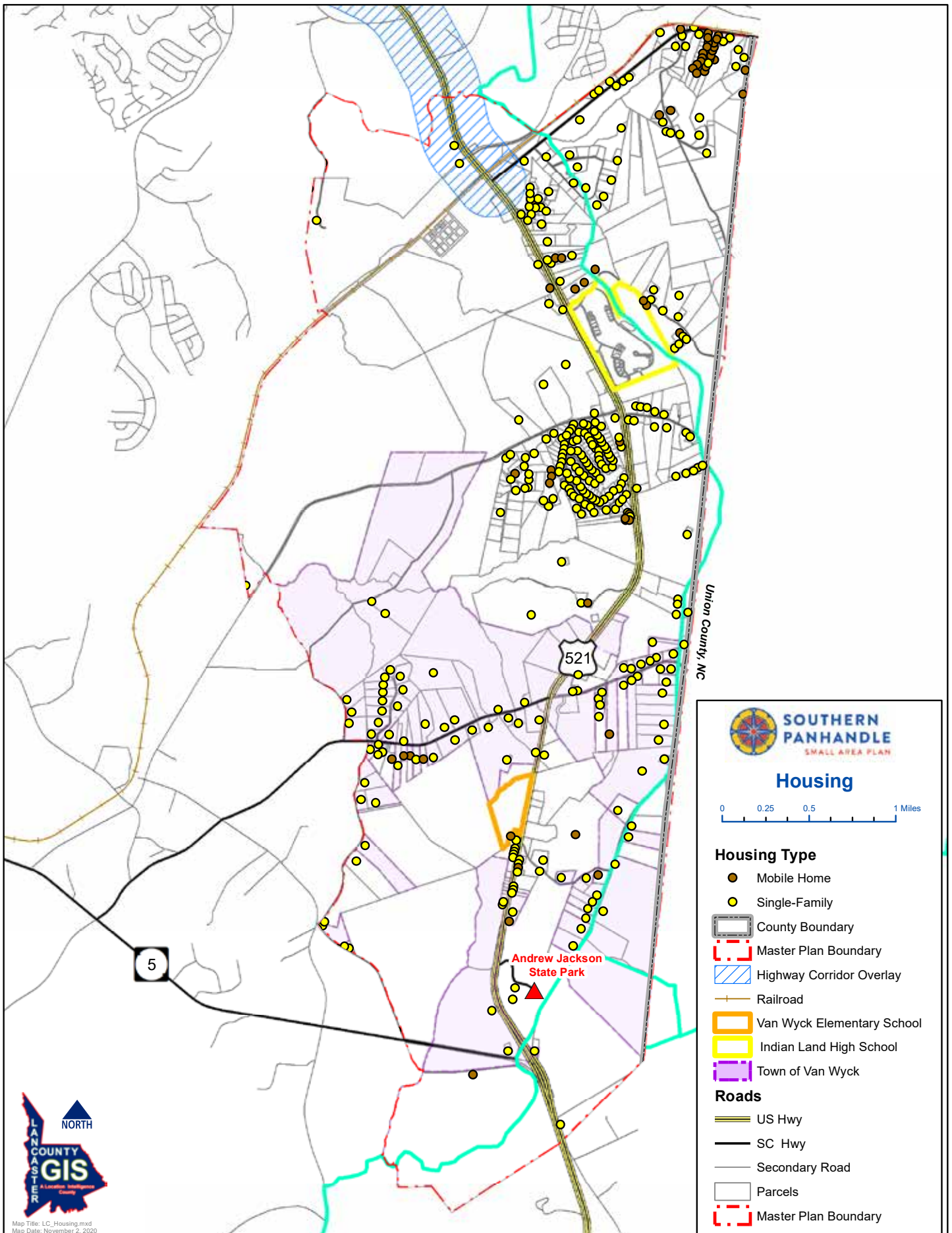
The County of Lancaster provides this data for reference only. All data must be field verified before the information is used for design/project work. The County of Lancaster is not responsible or liable for any inaccuracies. Any design using this data is at users' sole risk. Also note that information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

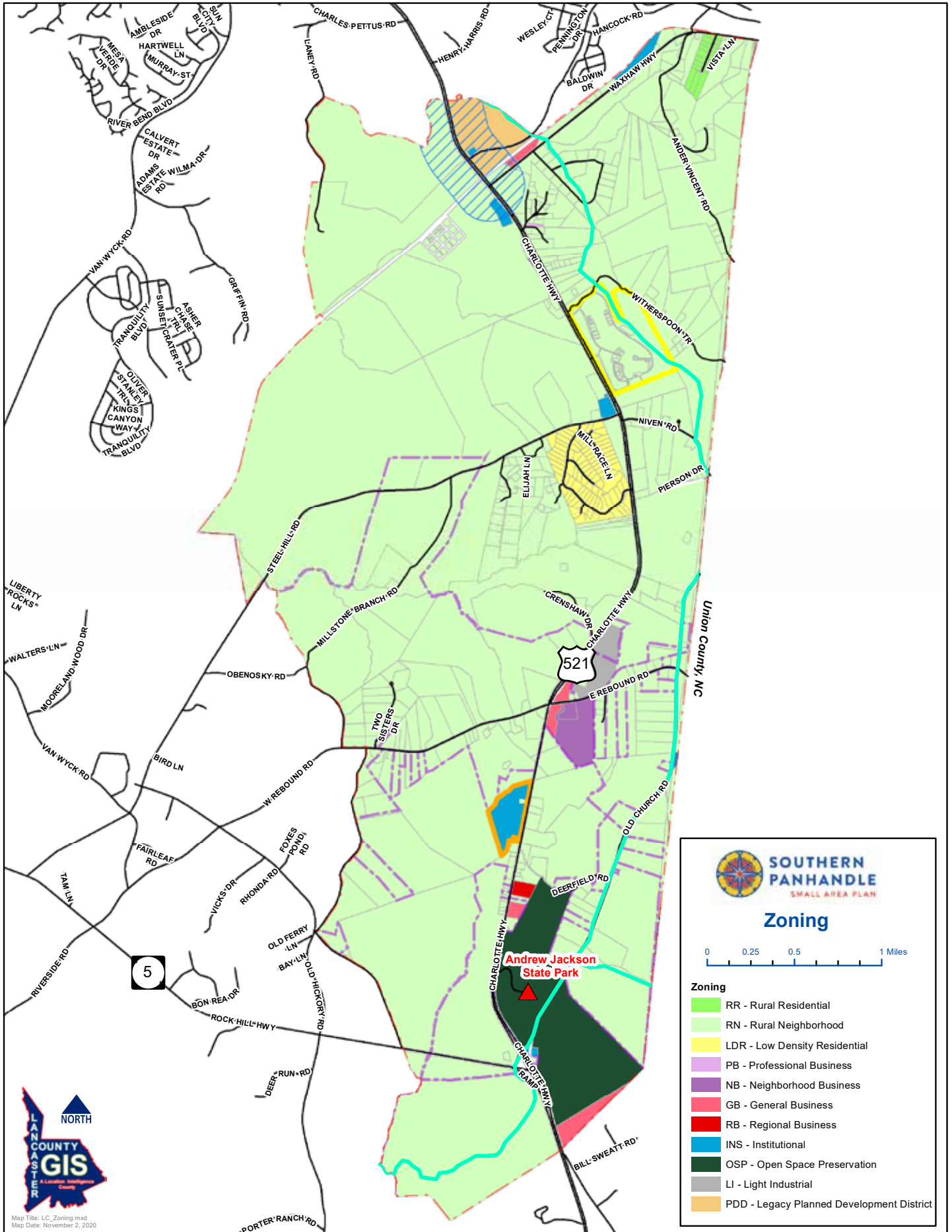


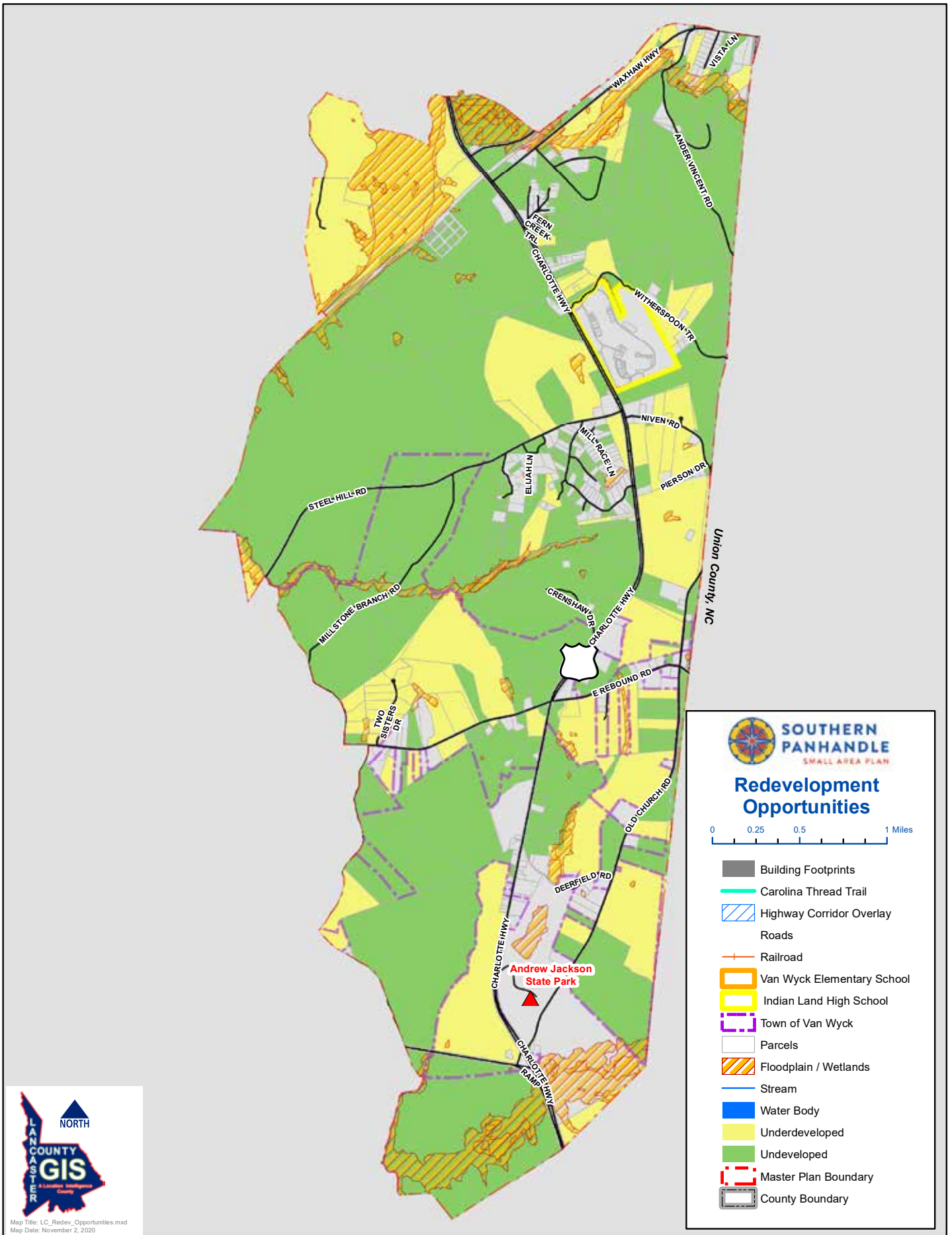








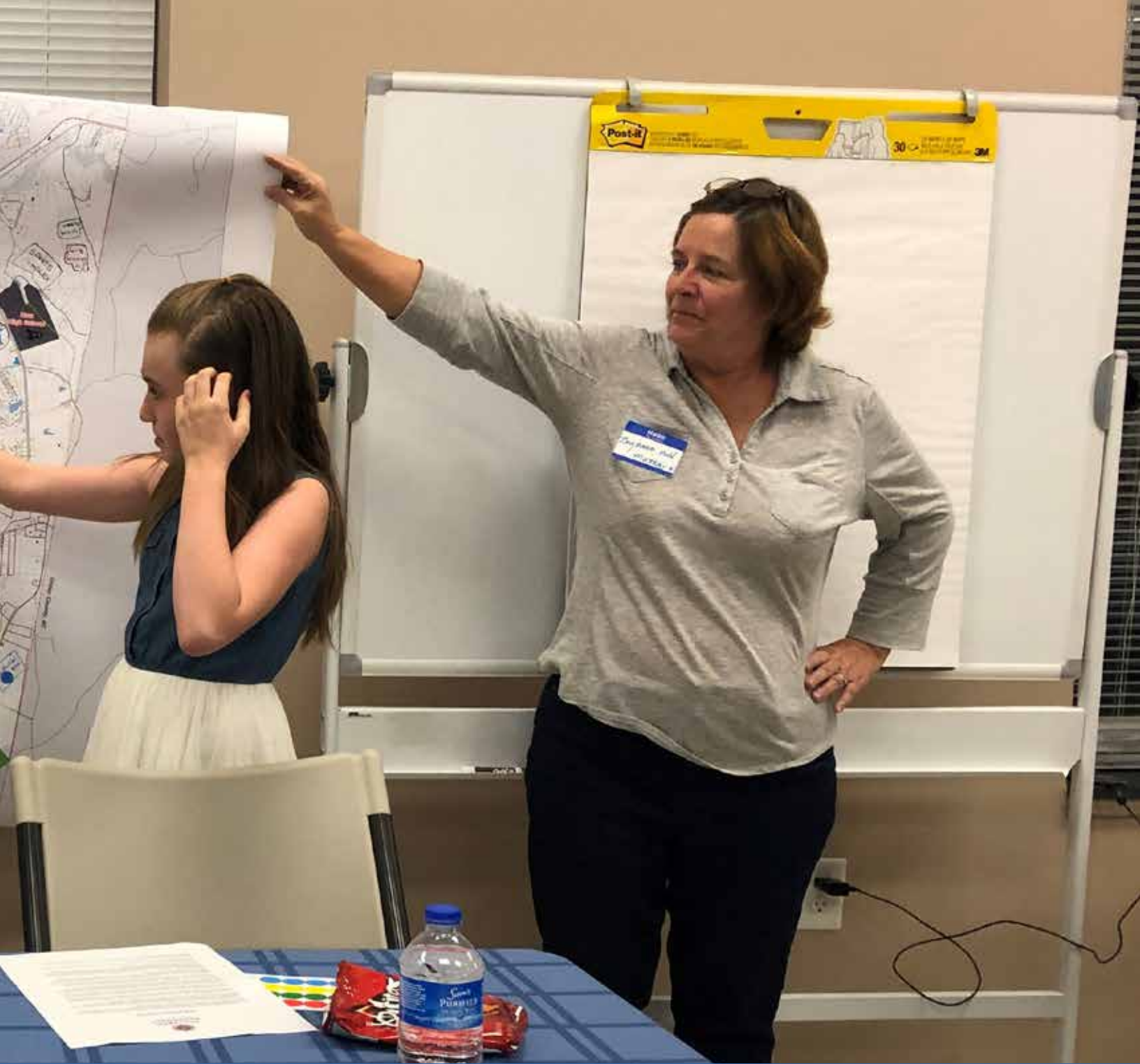






APPENDIX C: PUBLIC ENGAGEMENT





APPENDIX C

PUBLIC ENGAGEMENT

Public Participation

The Southern Panhandle Small Area Plan was developed with the participation and input from stakeholders from the planning area and the surrounding communities. The Southern Panhandle vision and planning themes reflect the values of the residents and stakeholders. Staff from the Lancaster County Planning Department and Catawba Regional Council of Governments met with residents and property owners from the Southern Panhandle. Visioning Week was held November 4 - 7, 2019 at Our Lady of Grace Catholic Church. Events included a hands-on workshop, property owner and stakeholder interviews, drop-in visits, and a Steering Committee meeting.

Steering Committee

The Steering Committee was comprised of representatives from Lancaster County, Lancaster County Economic Development, Town of Van Wyck, Andrew Jackson State Park, Lancaster County School District, Lancaster County Water and Sewer District, Lancaster County Gas Authority, CSX Transportation, SCDOT, Duke Energy, John M. Belk Endowment, Our Lady of Grace Catholic Church, Osceola United Methodist Church, Steele Hill AME Zion Church, Katawba Valley Land Trust, Carolina Thread Trail, business and property owners, and residents.

The Steering Committee met throughout the process of developing the Southern Panhandle Small Area Plan. Meetings were held throughout the planning area that included Andrew Jackson State Park, Van Wyck Community Center, Our Lady of Grace Catholic Church, and Steele Hill AME Zion Church. The Steering Committee provided direction for the development of the Small Area Plan.

Southern Panhandle Steering Committee Meeting Schedule

Meeting Date	Location	Purpose of Meeting
June 5, 2018	Andrew Jackson State Park, Meeting House	Small Area Plan Purpose and Overview, SWOT Analysis, and Vision Exercise
August 15, 2018	Town of Van Wyck Community Center	SWOT Analysis / Vision Exercise Outcomes, Planning Area Boundary, and Existing Conditions Maps
December 13, 2018	Our Lady of Grace Catholic Church, Parish Hall	Existing Conditions Report, District Name / Logo, and Planning Charrette
August 27, 2019	Steele Hill AME Zion Church, Fellowship Hall	Existing Conditions Draft Document Review and Visioning Week Schedule / Public Participation
November 7, 2019 Promotional Materials	Our Lady of Grace Catholic Church, Parish Hall	Visioning Week Outcomes, Big Ideas, Plan Themes, Vision, and Next Steps

Time	Monday Nov 4th		Tuesday Nov 5th		Wednesday Nov 6th		Thursday Nov 7th
8:00 AM			Open Planning Studio	Stakeholder Interviews	Open Planning Studio	Stakeholder Interviews	Open Planning Studio
9:00 am							Steering Committee 10:00 am
10:00 am							
11:00 am							
12:00 pm			Lunch		Lunch		Lunch
1:00 pm	Team Arrives / Studio Setup		Open Planning Studio	Major Landowners	Open Planning Studio	Major Landowners	Studio Breakdown
2:00 pm							
3:00 pm							
4:00 pm	Open Planning Studio	Major Landowners	Hands-On Visioning Workshop 5:30 pm - 8:00 pm		Open Planning Studio	Major Landowners	
5:00 pm							
6:00 pm							
7:00 pm			Closed Planning Studio				

Visioning Week Schedule

The Southern Panhandle Small Area Plan incorporated various types of community participation promotions. Postcards were mailed to all property owners within the Planning Area listing all events and opportunities for residents to participate. Letters were sent to 26 property owners with property acreage totaling 50 acres or more and providing information about the study and inviting the property owner(s) to meet with staff. The chart below lists other opportunities for residents and property owners to participate in the community engagement activities during Visioning Week.

Visioning Week Community Outreach

2019	Type of Community Outreach
Week of October 14th	Lancaster County and Catawba Regional COG Websites
October 15th	Letters Mailed to Property Owners with >50 Acres
October 16th	Press Release
October 17th	Postcard Mailed to All Property Owners
October 17th	Emails Sent to All Agencies / Organizations
Week of October 21st	Schools and Places of Worship Social Media / Websites
October 23rd	Newspaper Ad in the Carolina Gateway

VISIONING WEEK

Hands-On Workshop

The Southern Panhandle Hands-On Workshop was held on the evening of Tuesday, November 5, 2019 from 5:30 pm to 8:00 pm. Residents, property owners, and other stakeholders received information about the planning area and participated in a visual preference survey and small group discussion to brainstorm about the future of the Southern Panhandle.

Rox Burhans, AICP, Lancaster County Development Services Division Director, welcomed the 54 participants to Visioning Week and thanked them for sharing their ideas for the Southern Panhandle Small Area Plan. Cole McKinney, Catawba Regional Council of Governments, presented an overview of the project objectives. Mr. McKinney explained the importance to ensure the future integrity and economic vitality and to develop place-making strategies through proactive planning.

Kara W. Drane, AICP, Catawba Regional Council of Governments provided examples of place-making techniques, highlighted the Visioning Week schedule, and introduced the breakout session portion of the Hands-On Workshop. Participants were divided randomly by name tag “dot” color and assigned one of seven groups. Each group developed a vision documented on maps and descriptions of the future Southern Panhandle. The feedback provided by the groups were incorporated into the Southern Panhandle Small Area Plan Recommended Land Use Map. The big ideas that the groups reported included:

- Maintain Rural Community
- Protect Local Heritage
- Ensure Growth is Well-Planned
- Prevent Loss of Tree Canopy
- Protect Andrew Jackson State Park
- Plan for Transportation Enhancements
- Provide for Sewer Enhancements as Needed
- Be a Natural Retreat Destination



Visioning Week Postcard Invitation



HANDS-ON WORKSHOP

Lancaster County invites you to brainstorm with residents, property owners, and community stakeholders about the future of the Southern Panhandle!

TUESDAY, NOVEMBER 5, 2019

5:30 PM - 8:00 PM

REFRESHMENTS PROVIDED

**IF YOU ARE PLANNING TO ATTEND, PLEASE
RSVP TO: CRCOG@CATAWBACOG.ORG
OR 803.327.9041**

Drop by Our Lady of Grace to discuss your ideas, on any of the dates below, if you cannot attend the hands-on workshop.

NOV 4: 4:00 PM - 7:00 PM

NOV 5: 8:00 AM - 4:00 PM

NOV 6: 8:00 AM - 6:00 PM

NOV 7: 8:00 AM - 10:00 AM



Stakeholder Interviews

Staff from Lancaster County Planning Department and Catawba Regional Council of Governments held stakeholder interviews with major property owners, business owners, and agency representatives during Visioning Week. The purpose of the interviews was to gather information and compile different perspectives from stakeholders throughout the Southern Panhandle. The feedback provided to planners included opportunities for future growth, and all of the property owners shared personal ties and connections to the Southern Panhandle planning area.

Drop-In Visits

The public was invited to drop-in and talk with the Lancaster County Planning Department and Catawba Regional Council of Governments staff during Visioning Week to share ideas and ask questions about the Southern Panhandle Small Area Plan Project. The drop-in visits provided residents the opportunity to stop by Our Lady of Grace Catholic Church at their convenience to participate in the process and development of the small area plan. Times were available during the day and early evening.

Through Wednesday evening, a total of 95 residents engaged in the Southern Panhandle Small Area Plan Visioning Week activities:

- November 4th / Interviews and Drop-ins – 12 participants
- November 5th / Interviews and Drop-ins – 13 participants
- November 5th / Hands-On Workshop – 54 participants
- November 6th / Interviews and Drop-ins – 16 participants



Visioning Week Work Groups Report Out



SWOT ANALYSIS & VISIONING

The Steering Committee met on June 5, 2018 and the members developed a Strengths, Weaknesses, Opportunities, and Threats (SWOT) Analysis. The Steering Committee also provided one word(s) descriptions of how they envision the future Southern Panhandle planning area.

Strengths

- Schools (noted 5 times)
- Undeveloped land (noted 5 times)
- Proximity to Charlotte/Waxhaw/Rock Hill (noted 4 times)
- Capacity in water and sewer (noted 4 times)
- Highways, two major transportation arteries and proposed Dave Lyle Extension (noted 3 times)
- Access to US 521 (noted 3 times)
- Nature trails (noted 2 times)
- Rural living (noted 2 times)
- Area is strategic connection for trail from Andrew Jackson to Walnut Creek; New UDO guidelines can help facilitate trail development
- Connective roads to other communities
- CSX Rail Line for industry
- Distance to I-77
- Good park land
- Great growth – increase in land values
- Growing population and work force that is moving south
- Help shape development
- Highway 75 – Monroe Highway 5 – I-77
- Lack of negative industrial sites
- Limited curb cuts
- Location and proximity to retail and shopping



STEERING COMMITTEE MEETING, JUNE 2018

Andrew Jackson State Park



STEERING COMMITTEE MEETING, AUGUST 2018

Van Wyck Community Center

- Long-time family landowners
- Low density
- Natural beauty
- New schools
- Quality of life for active living
- State Park
- Two creeks that feed into the Catawba and water system
- Vacant properties with motivated sellers
- Working with stakeholders upfront

Weaknesses

- Traffic conditions (noted 6 times)
- Sewer limitations (noted 5 times)
- Unknowns that could impact the area – Dave Lyle Extension (noted 2 times)
- Connective road intersections could easily be overdeveloped
- Constraints with river on west and state line on east
- Current zoning and Future Land Use Map
- Difficult to get consensus
- Electric capacity
- Greenspaces being reduced
- US 521 only north/south route
- Infrastructure
- Insufficient roads – need for additional lanes and “deceleration lanes”
- Knowledge about trails/trail systems not there
- Knowledge for different modes of transportation
- Lack of services south of Rebound
- Many property owners may not be aware of CTT
- No identification of defined town – no neighborhood businesses – need to balance for existing homes
- No Master Plan – only Comprehensive Plan



STEERING COMMITTEE MEETING, AUGUST 2018

Town of Van Winkle Community Center.



STEERING COMMITTEE MEETING, DECEMBER 2018

Our Lady of Grace Catholic Church.

- Poorly maintained roads
- Road network (all residential)
- Several sewer sheds cross the region – complications
- Should be looking at the entire US 521 corridor to City of Lancaster
- Small, pocket communities
- Traffic north of Waxhaw Highway
- Transportation
- Two main roads heading north, 5 and US 521
- Utilities
- Very few residents in the area
- Vision discrepancies between various stakeholders

Opportunities

- Blank canvas (noted 3 times)
- Ability to get ahead of the growth/plan for it
- Additional opportunity for retail/commercial
- Being able to design superstreets ahead of time
- Better communication
- Create plan to support future growth for schools and community
- Creation of deceleration lanes – other road improvements to assist in traffic flow
- More industrial parcels
- Opportunity to be a conduit of growth that extends from panhandle to City of Lancaster
- Reduce curb cuts
- Relationship with Van Wyck community
- Smart, planned development and growth
- Structuring taxes to help pay for growth
- Super street
- Trails, recreational opportunities for Town of Van Wyck
- Use this plan as a template for other areas of the county
- We can learn from mistakes made from north part of county

Threats

- Aging population (noted 3 times)
- Affordability – small business owners (noted 2 times)
- Rapid development (noted 2 times)
- Balance needs of existing versus new residents (noted 2 times)
- Traffic flow and design (noted 2 times)
- Overcrowded schools – we only build schools after growth (noted 2 times)
- Andrew Jackson State Park (threat to facility)
- Congestion if we don't plan for collector road study – type of infrastructure improvements
- Cost involved
- Dense development
- Financial impact on county and property owners
- Highway 5
- Lack of balance – will not adequately plan for business development and it will be all one big chain of subdivisions with retailers mixed in – that doesn't pay the bills
- No design standards for US 521
- Not enough connections to Trail
- Preserving natural assets while being sensitive to property owners
- Repeat of a common theme of urban sprawl pitfalls
- Rezoning of property by county council
- Tax base - will taxes help support growth
- The growth is coming, like it or not
- Threats to natural areas
- Work together to prevent incorporation threats

VISIONING WORDS:

Peaceful **Responsible**
Walkable **Oasis** **Desirable**
Growth
Community
Crossroads **Well-Planned**
Beauty
Sustainability **Progressive**

Visual Preference Exercise Board 1

Southern Panhandle's Future Look

Below are various images from other communities. The images include open space, parks, trails, rural living, residential homes, town homes, and multi-family homes. Which places would you like to see in the Southern Panhandle? **For each image, indicate whether you would like to see it in the Southern Panhandle or not.**

Mostly Like		Mostly Do Not Like		Open Space and Rural Living		Residential Homes, Town Homes, and Multi-Family		Mostly Like		Mostly Do Not Like	
											
33	0					14	10				
26	0					1	20				
23	0					7	14				
24	2					11	10				
25	0					8	13				
29	0					10	14				
21	2					3	22				
27	0					2	21				

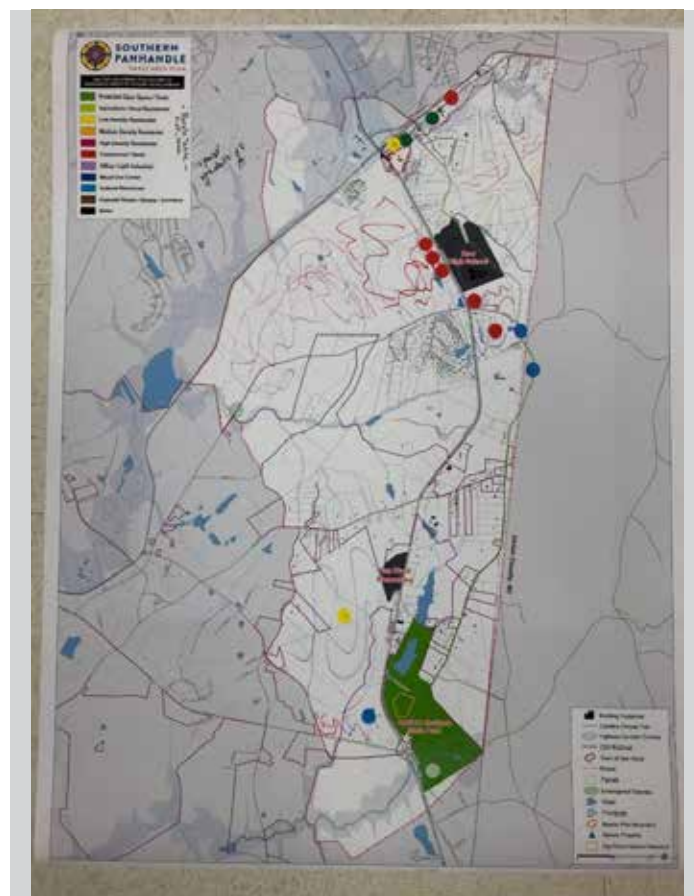
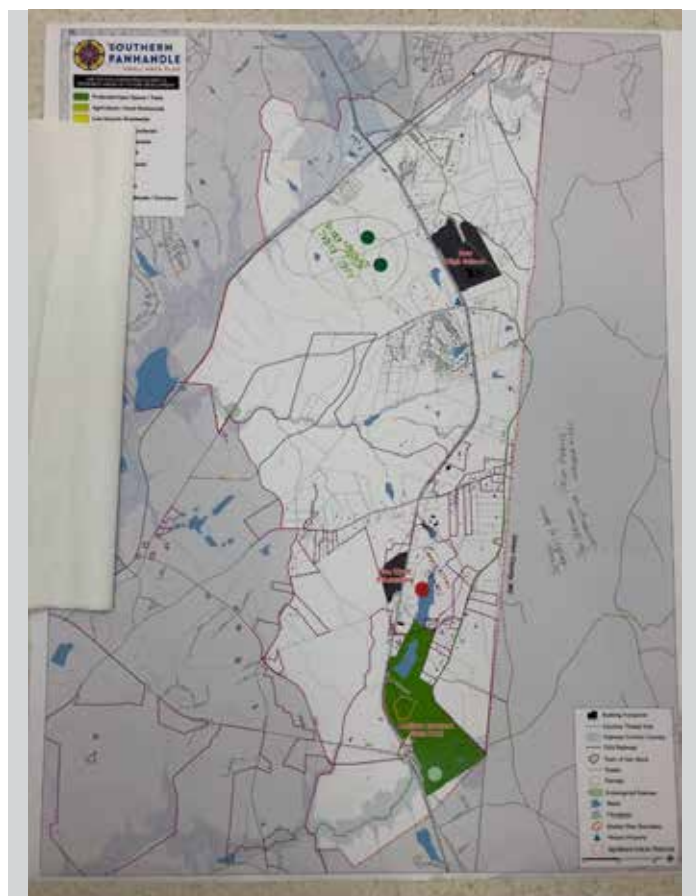
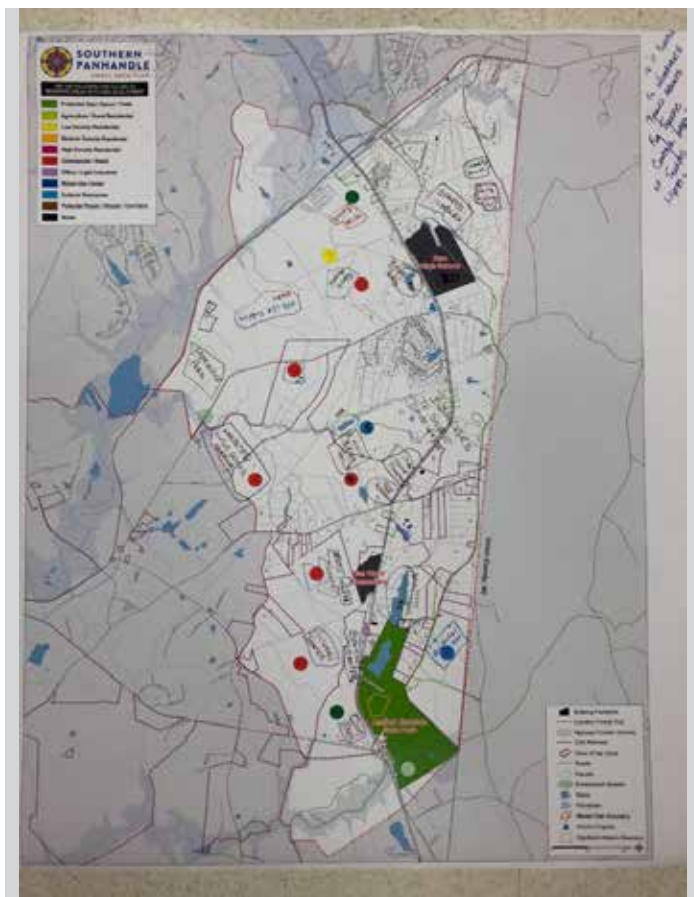
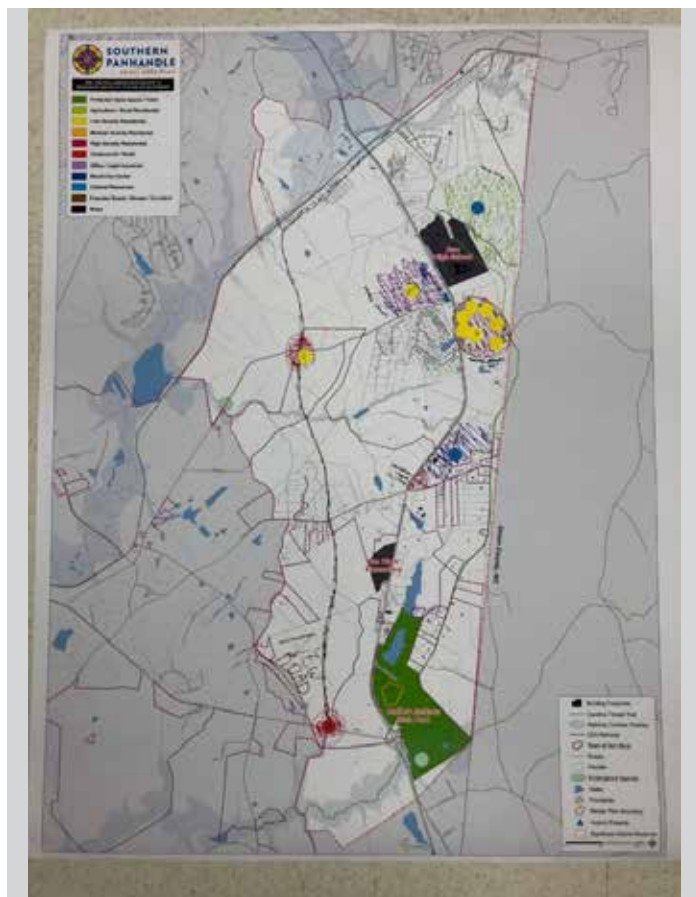
Visual Preference Exercise Board 2

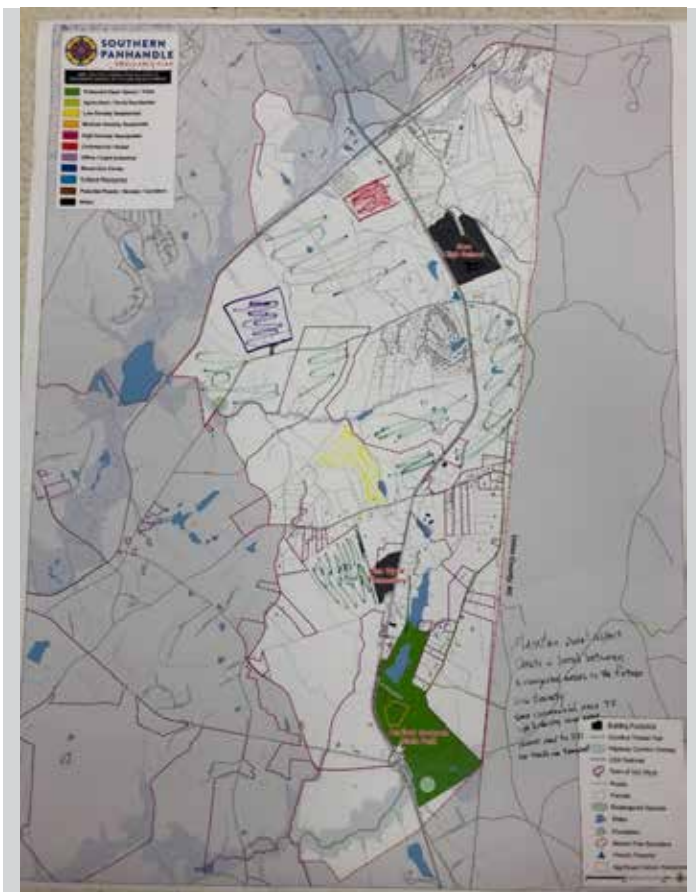
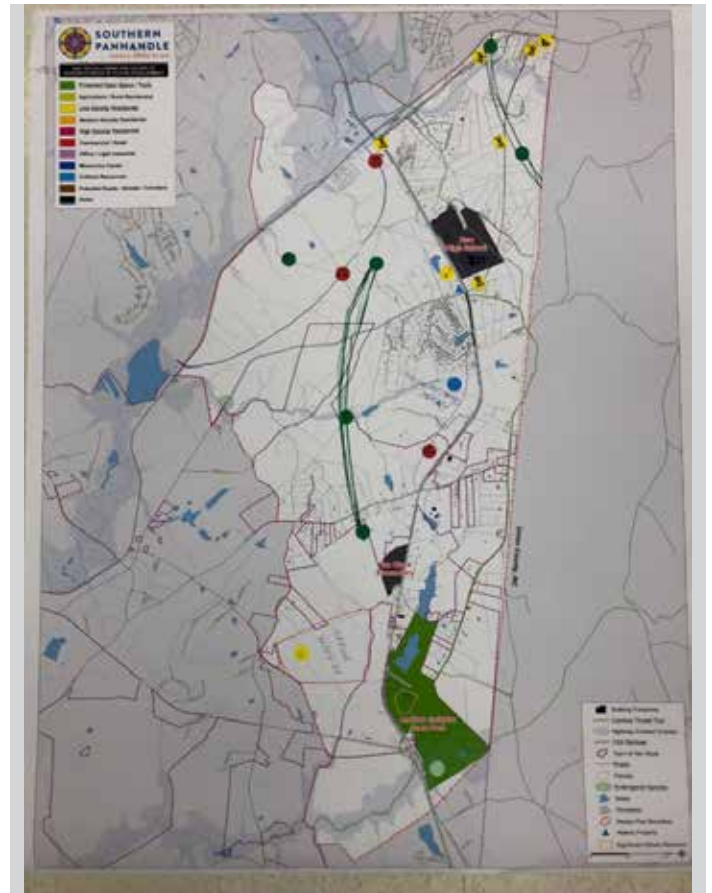
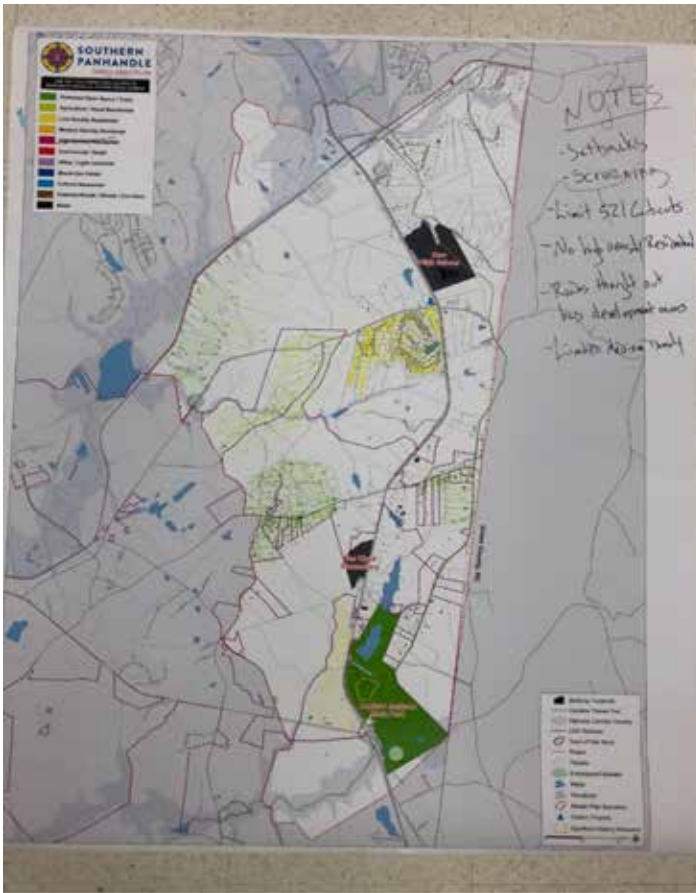
Southern Panhandle's Future Look

Below are various images from other communities. The images include commercial, retail, mixed-use, and employment. Which places would you like to see in the Southern Panhandle? For each image, indicate whether you would like to see it in the Southern Panhandle or not.

Mostly Like  Mostly Do Not Like 		Commercial and Mixed-Use	Employment Areas	Mostly Like  Mostly Do Not Like 	
2	16	 17	 25	0	30
19	3	 18	 26	12	14
17	2	 19	 27	8	17
6	17	 20	 28	15	13
24	0	 21	 29	4	14
5	18	 22	 30	6	14
18	5	 23	 31	8	12
14	7	 24	 32	7	17

WORK GROUP MAPS





TO: Planning Commission

FROM: Katie See, AICP, Senior Planner

DATE: November 9, 2020

SUBJECT: **Comprehensive Plan Amendment – Southern Panhandle Small Area Plan**

In 2018 the Planning Department initiated the Southern Panhandle Small Area Plan, the purpose of which was to develop a vision for the planning area including future land use and transportation needs. The planning area is generally south of Highway 75/Waxhaw Highway, north of the intersection of Highway 5/US 521, east of Old Hickory Road and west of Union County, NC. A steering committee was established to provide input throughout the planning process.

Vision Week was held November 4-7, 2019 in order to interview large property owners to determine plans for their property, conduct the public workshop, and provide preliminary feedback to the steering committee. The public workshop was well attended by residents and stakeholders within the planning area who learned more about the goal of the plan and worked in small groups to brainstorm about their recommendations for the plan. The maps prepared by each small group were used to prepare the recommended land use plan as well as implementation strategies within the Small Area Plan.

The key areas of focus within the plan are the Recommended Land Use Map on page 15 and the Implementation Strategies found on pages 19-21.

County Council is tentatively scheduled to hold a public hearing on January 11, 2020 for the first ordinance reading. The Town of Van Wyck will adopt elements of the Plan to incorporate into their Comprehensive Plan, rather than adopting it in its entirety.

Please feel free to contact me at 283-9394 should you have any questions before the hearing.



LANCASTER COUNTY

SOUTH CAROLINA

DRAFT
9/25/20

ACKNOWLEDGMENTS

Lancaster County Council

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

Lancaster County Planning Commission

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Natalie Jackson, Our Lady of Grace Catholic Church
Kirk Johnston, Andrew Jackson State Park Ranger
Eric Lengers, Property Owner
Hans L. Lengers, Property Owner
Barrie Marsh, Osceola United Methodist Church
Sandy Martin, Duke Energy
Joe McCain, Founders Federal Credit Union
Johnny Parker, Duke Energy
Dr. Jonathan Phipps, Lancaster County School District Superintendent
Athena Rivera, Economic Development Board
Tim Thornton, Lancaster County Natural Gas Authority
Berma Tims, Resident/Business Owner
Stephen White, Lancaster County Water & Sewer District
Steve Willis, Lancaster County Administrator
Fred Witherspoon, Steele Hill AME Zion Church

Special thanks to the staff and members of Our Lady of Grace Catholic Church for hosting the Visioning Week event and Steering Committee Meetings. Thanks to Andrew Jackson State Park, the Town of Van Wyck, and Steele Hill AME Zion Church for also hosting Steering Committee meetings.

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INTRODUCTION & BACKGROUND



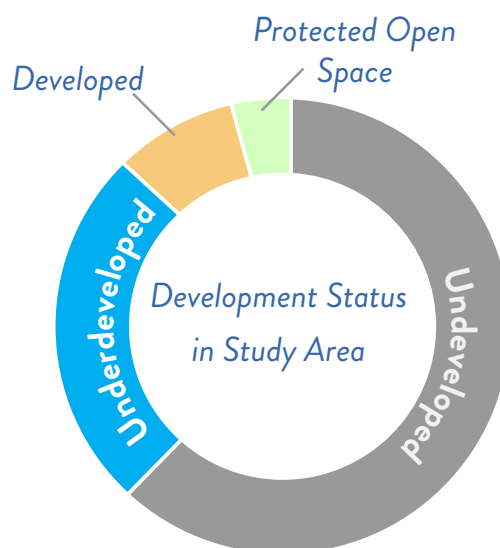
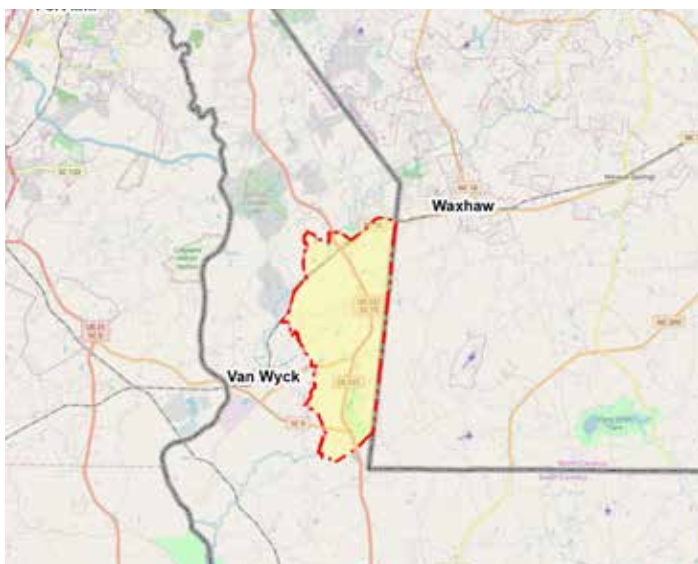


PROJECT OVERVIEW

The population of Lancaster County has grown by approximately 20% since the 2010 Census. Much of this growth has been in the Indian Land area, immediately north of the study area, but the areas of growth are expanding. In 2019, the County approved the Roselyn subdivision, an 1,850-home project on 1,800 acres—the largest residential project in Lancaster County. The site—located just south of the study area—is expected to include a County park. While the Southern Panhandle is currently dominated by low density, single-family residential homes and a rural landscape, development pressure is growing. Current zoning is primarily Rural Neighborhood, Rural Residential, and Open Space Preservation, with limited non-residential pockets. The area has many assets that make it attractive for future development, including Van Wyck Elementary School, Indian Land High School, the key US 521 and SC Highway 5 corridors, and Andrew Jackson State Park. With significant undeveloped land, County staff expects rezoning requests in the study area to continue to increase.

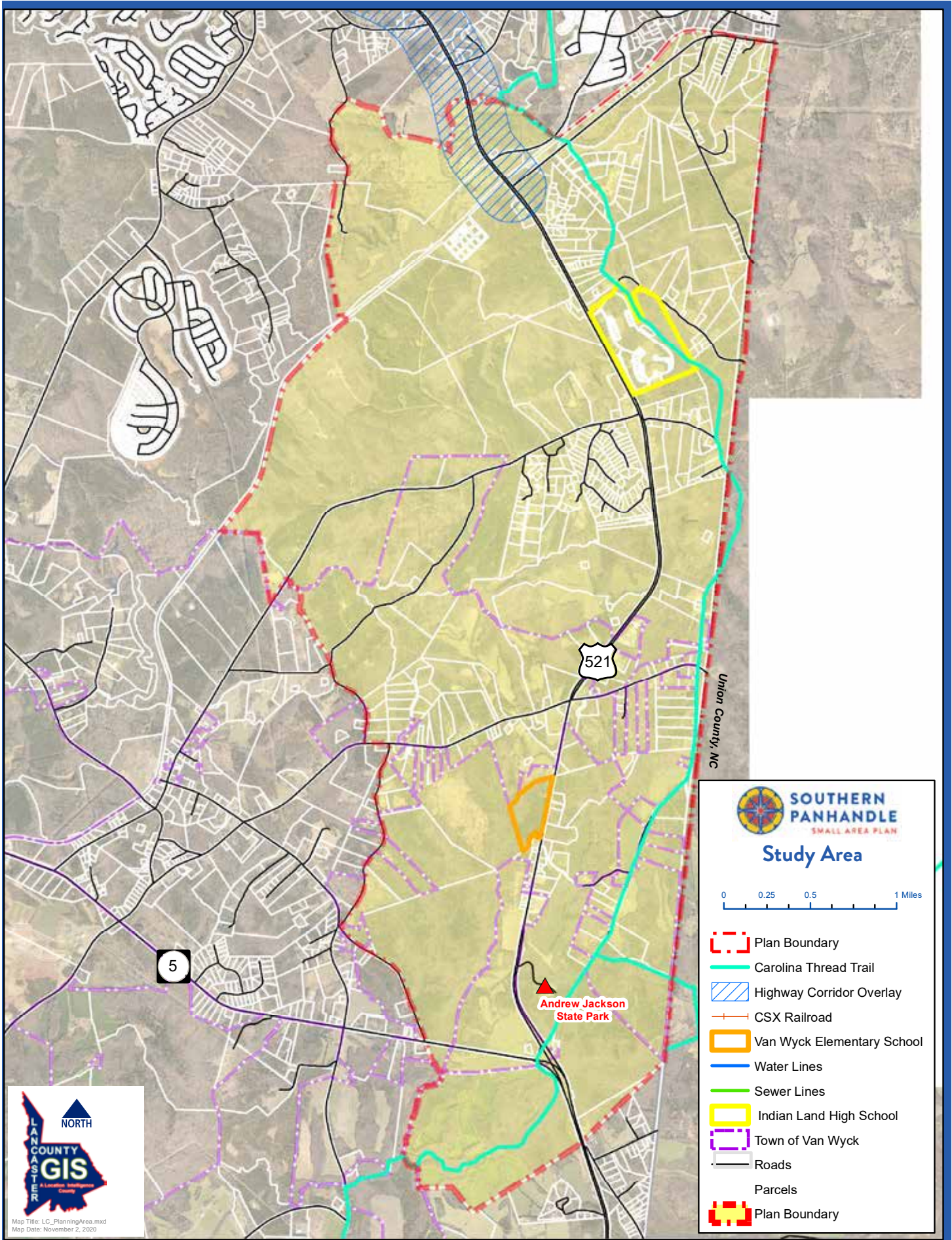
County leaders recognized a need for a Southern Panhandle Small Area Plan in order to develop a consistent vision for land use and transportation as the area grows. This plan provides the County with a guide for future growth, as well as an assessment of infrastructure needed to serve that growth. While looking to the future, the plan upholds current County goals and policies, such as maintaining a strong economy and managed growth and keeping the environment safe and healthy.

PLANNING CONTEXT



The Southern Panhandle Small Area Plan includes approximately 8,500 acres of primarily rural living. The area is located in Lancaster County south of Indian Land; west of Union County, NC; east of York County, SC; and north of the City of Lancaster. The area includes Van Wyck Elementary School, Indian Land High School, Andrew Jackson State Park, Millstone Creek Neighborhood, sections of the Carolina Thread Trail, significant undeveloped assets, and abundant natural and cultural resources. Almost 23% of the study area is within the Town of Van Wyck.

The Southern Panhandle planning area has extensive opportunities for development and redevelopment. Approximately 88% of the land is considered to be either Undeveloped or Underdeveloped. Land was considered to be underdeveloped if the parcel was not fully developed or not considered to be used to the best potential. (See Appendix B for a map of development status.)



RELATIONSHIP TO OTHER PLANS

This plan builds on a number of previous County and regional plans. The most relevant plans are shown below. Additional plans can be found in Appendix A.

Lancaster County Comprehensive Plan 2014-2024

The Plan identifies the majority of the Southern Panhandle Planning Area as Rural Living on the Future Land Use map. Rural Living includes a variety of residential types that include farmhouses, large acreage rural family dwellings, and conservation subdivisions that preserve open landscape and traditional buildings. Along the northern boundary, a new conceptual transportation corridor (Dave Lyle Boulevard extension) is shown along with the Neighborhood Mixed Use land use category.

Carolina Thread Trail Master Plan, 2011

The Carolina Thread Trail is a 15-county bi-state program to create an interconnected trail system with major regional trails. A guiding principle of the Carolina Thread Trail is “respect for the land and respect for the landowner.” The Plan includes 182 miles of trails and 41 miles of blueways. The Lancaster Panhandle Greenway segment of the trail system is 20.4 miles long and 8.3 miles of it runs through the study area. Connection and access opportunities are located at Andrew Jackson State Park, Twelve Mile Creek, and the historic Old Waxhaw Presbyterian Church / Cemetery in Union County, NC.

Recreation Needs Assessment and Strategic Recommendations, 2015

The Recreation Needs Assessment and Strategic Recommendations was completed by Clemson University to evaluate park and recreation needs in Lancaster County. The study determined a broad support for improved recreation facilities, programs, and services from a large cross-section of the community including gender, age, and ethnicity. A 100-acre multi-purpose recreation center was recommended south of the Southern Panhandle and north of the City of Lancaster next to the intersection of US 521 and Shiloh Unity Road.



Comprehensive Plan 2014-2024

Recommended by Planning Commission
October 21, 2014

Adopted by County Council
December 8, 2014

Ordinance Number 2014-1318

Town of Van Wyck

Lancaster County coordinates regularly with jurisdictions within the County. As noted previously, almost a quarter of the study area is within the Town of Van Wyck. Currently, Lancaster County staff is responsible for processing land use applications within the Town. Major applications are reviewed and approved by the Van Wyck Planning Commission and Town Council. The Town is in the process adopting their first Comprehensive Plan and will be incorporating applicable sections of the Southern Panhandle Small Area Plan.

PUBLIC OUTREACH

In keeping with the County's policy of transparency in the planning process, recommendations contained in this plan are grounded in an extensive public engagement process. The vision and planning themes reflect the values of residents from the study area and surrounding communities. A steering committee made up of key stakeholders in the area met throughout the process and helped to guide the development of the plan.

The central event of the planning process was the four-day Visioning Week at Our Lady of Grace Catholic Church. The week included a hands-on workshop where residents, property owners, and other stakeholders participated in a visual preference survey and small-group discussions about the future of the Southern Panhandle. During the week, County representatives also held one-on-one stakeholder interviews with major property owners, business owners, and relevant agency representatives. The public was invited to drop in any time during the week to share ideas and to ask questions. Common themes identified during Vision Week included the importance of preserving the area's rural lifestyle, protecting natural resources and community heritage, planning for infrastructure needs, developing trails, and establishing mixed use centers and employment areas in designated locations.

Among the area's **strengths** identified throughout the planning process were the schools, the abundant undeveloped land, location within the region, and nature trails. **Weaknesses** and **threats** included traffic conditions, infrastructure, unknowns such as the Dave Lyle Boulevard Extension, the aging population, affordability, and rapid development. The major **opportunity** identified was the ability to plan ahead for growth, as the area is currently a blank canvas.

(A more detailed description of the public engagement process and the results of a SWOT analysis can be found in Appendix C.)



EXISTING CONDITIONS

To understand the context for growth in the area, an assessment of existing conditions was conducted. The existing conditions assessment consisted of a physical analysis of the area and determination of available infrastructure and transportation needs.

Utilities

The Lancaster Water & Sewer District (LCWSD) is the utility provider in the study area. Sewer service is not yet available in most of the area though it will become available as development occurs. Capacity fees, which provide funding for facility improvements, are paid by development prior to construction.

Infrastructure, particularly sewer, is a limiting factor for development in the study area. The pipe sizes necessary for improvements within the area are dependent upon the density of proposed residential developments, how much land within a project area is improved, and the intensity of non-residential development. According to the Lancaster County Water & Sewer District (LCWSD), the most important sewer need for this study area is an equalization basin, which would allow the LCWSD to control how much sewer flow goes into the sewer station, thereby avoiding spikes in flow. The location has been identified for this basin, slightly northwest of the planning area boundary. A study was completed in 2019, but the project completion date is unknown at this time.

A pump station will be needed north of the intersection of Highway 5 and US 521. The LCWSD recently completed a sewer project that will facilitate future expansion. They coordinated with CSX and the SCDOT to extend an 18" sewer line under the railroad and Highway 75/Waxhaw Highway, which will be an advantage for development in the northern portion of the study area.

Transportation

The main transportation corridor in the Southern Panhandle is Highway 521, a four-lane divided highway. Highway 521 includes north and south bound traffic volumes and has multiple roads that intersect, including Highway 75, Steele Hill Road, Rebound Road, and Highway 5. These crossroads provide access points along Highway 521 for routes north to Indian Land and to NC and south to the City of Lancaster. At these intersection locations, transportation enhancements are needed such as traffic signals, geometric design changes, realignments, accessibility, and safety.

The Rock Hill-Fort Mill Area Transportation Study (RFATS) is the local Metropolitan Planning Organization (MPO). The Lancaster County northern panhandle is located within the northeast section of the RFATS area, whose boundaries consist of North Carolina to the north and east and the Catawba River to the west. US 521, which runs north-south, is a major arterial within the RFATS area.

The Rock Hill-Fort Mill Area Transportation Study (RFATS) region initiated a Collector Street Plan in 2017 to reduce long-term traffic congestion as additional development occurs by outlining a network of supporting streets to expand driver choice, provide alternative routes, and guide the construction of a more fully developed network of interconnected streets (RFATS Collector Street Plan, 2017). Dave Lyle Boulevard currently stretches from west of Main Street in Rock Hill to Waterford Park Drive, connecting to I-77 and US-21, and an extension of Dave Lyle Boulevard is planned within Lancaster County and the Planning Area; however it is listed on the Long Range Transportation Plan unfunded project list. The Dave Lyle Boulevard Extension Concept Plan is reflected in the Transportation Map in Appendix B.

A traffic signal was recently installed at the intersection of US 521 and Highway 75/Waxhaw Highway. This signal ties into the proposed Dave Lyle Boulevard Extension connection. The second traffic signal will be located at the intersection of US 521 and Witherspoon Drive for Indian Land High School.

The Carolina Thread Trail (CT Trail) is proposed to run through the study area predominately on the eastern side of US 521 and southwest of the intersection of US 521 and Highway 5. The CT Trail should be installed as the project area develops over time, and in accordance with the Carolina Thread Trail Master Plan and Lancaster County Unified Development Ordinance. It should connect to the existing portion currently located in the Walnut Creek residential community and park, just north of the study area boundary.

RFATS commissioned the Bike Walk plan in 2016 to guide short and long-term transportation and land use planning decisions for a safer, more accessible bicycling and walking environment (Bike Walk, 2016). The plan identified proposed network maps which include primary routes for active transportation. While the RFATS boundary limit ends at Highway 75/Waxhaw Highway, it shows the southern portion of the Carolina Thread Trail – within this study area boundary – connecting to the existing portion of the CT Trail at Highway 75/Waxhaw Highway, coming from the existing Walnut Creek CT Trail segment. This segment of the trail is proposed to be a shared use path which would ultimately run parallel to the Dave Lyle Boulevard Extension.

CSX Rail

A CSX Railroad line is located along the northern boundary of the Planning Area. The line, which carries between five and ten trains per day, includes double stack containers and provides rail service of inbound and outbound consumer goods to adjacent properties.

CSX Rail will be constructing approximately 4,000 feet of rail siding from east of Hancock Road to west of Hector Road as part of a project intended to consolidate rail crossings, eliminate rail-highway conflicts and improve emergency response time by eliminating delays due to blocked crossings by constructing a grade separated crossing along Highway 75/Waxhaw Highway. The portion of this project located within the study area consists of a siding extension for trains to dwell at a safe distance from rail-highway crossings by providing an additional track. This will accommodate the anticipated increase in train frequency and length.

Duke Energy

Duke Energy serves the Planning Area with a distribution system that meets the service needs. Major distribution system enhancements that may be necessary can be accomplished within the timelines of customer projects. Duke Energy plans to add capacity along Highway 521 upgrading 12kV lines to 24kV lines. These upgrades will be completed as new developments occur. The initial phases of the distribution enhancements will occur in the northern portion of the Planning Area and are anticipated to be completed in 2021. As the Planning Area continues to grow and develop, Duke Energy has the capacity to meet the energy demands within their stations across the region.

Natural Gas

Lancaster County Natural Gas Authority serves customers across the Planning Area. Gas main and service line extension projects are accomplished at the request of and within the timelines of customer projects. No major natural gas system upgrades or enhancements are anticipated for the Planning Area, and Lancaster County Natural Gas Authority has the capacity to meet the gas needs as growth occurs within the Planning Area.

Additional information about the study area, as well as detailed maps, can be found in Appendices A and B.



PLAN THEMES & RECOMMENDED LAND USE PLAN





VISION STATEMENT:

The Southern Panhandle Small Area Plan seeks to preserve the rural lifestyle and values of residents by ensuring that developments conserve the natural landscape, cultivate employment centers, and create efficient infrastructure through enhanced connectivity, safety, and mobility.

PLAN THEMES WITH RECOMMENDED LAND USE PLAN

RECOMMENDED LAND USE PLAN

The Recommended Land Use Plan reflects input from residents, property owners, and stakeholders from the Visioning Week held in November, 2019. Participation included drop-in discussions, one-on-one interviews, and a community evening workshop. The evening Hands-On Workshop included a diverse group of 54 individuals from the community who participated in a Visual Preference Survey and developed seven group scenarios. The consensus on the feedback received was specific on intentional growth in the Southern Panhandle that adds value and maintains the rural lifestyle of the area. The common threads heard across all the engagement opportunities are noted below.

- Maintain Rural Character and Support Local Heritage
- Focus Employment and Suburban Development in Key Areas
- Protect and Manage Tree Canopy
- Ensure Growth Does Not Detract from Andrew Jackson State Park
- Encourage Sewer and Other Infrastructure Investment in Key Growth Areas
- Protect the Natural Environment as a Key Identity Element

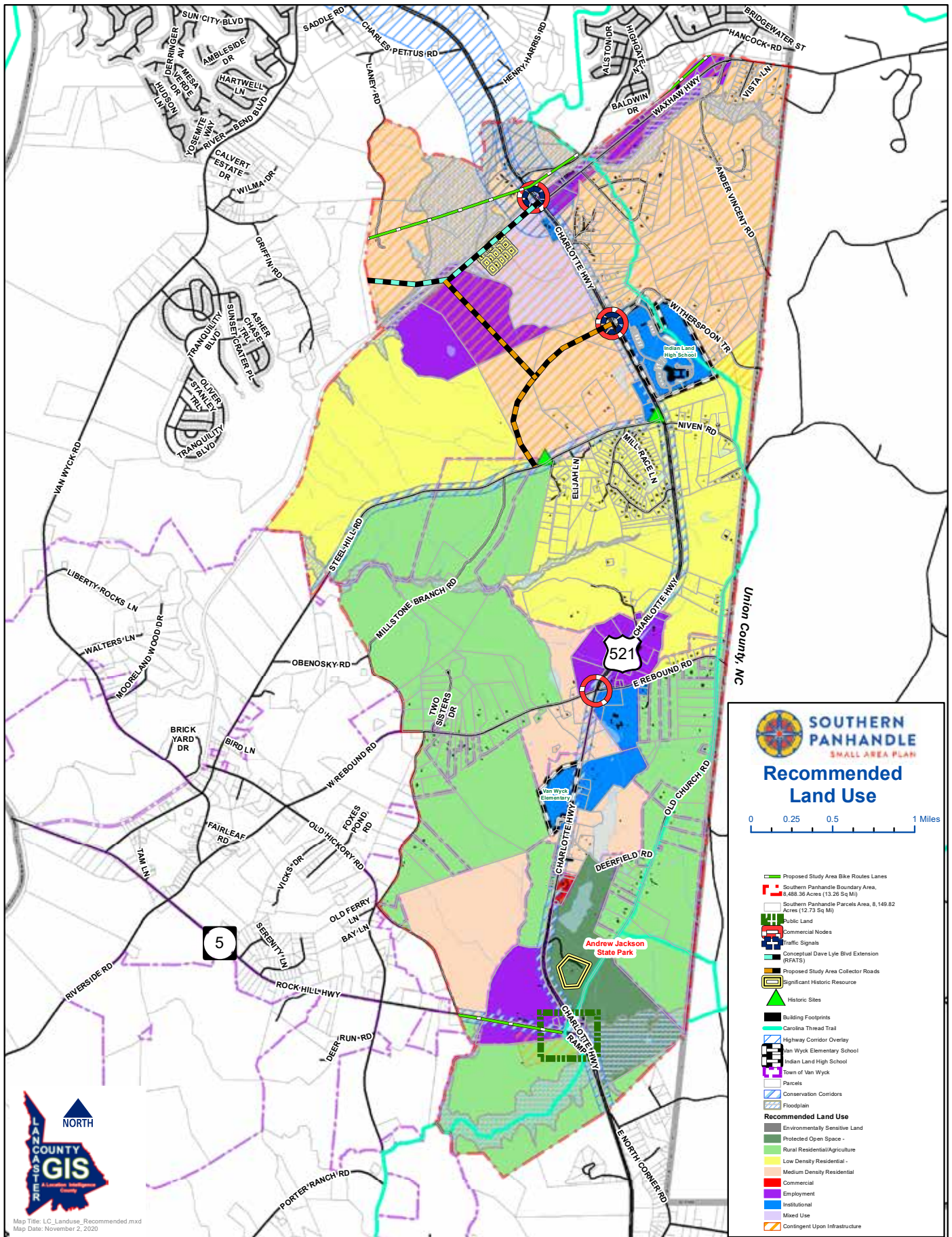
PLAN THEMES

From these common threads, four plan themes were developed and incorporated into the Recommended Land Use Plan.

- Preserve Natural Landscape
- Celebrate Rural Lifestyle
- Cultivate Employment Centers
- Create Efficient Infrastructure



Source: Uptown 101



FUTURE LAND USE CATEGORIES



Environmentally Sensitive Lands

Areas designated for protection and preservation of floodplains and wetlands.



Protected Open Space

These areas are designated for the protection of properties under public ownership, such as parks, trails, greenways, and/or properties otherwise restricted for use for passive or active recreation.



Rural Residential/Agricultural

Large tracts of property with rural living that provide an abundance of open space and forested lands. Limited to a density of one dwelling unit per acre.



Low Density Residential

Land for single-family residential subdivisions and supporting recreational, religious, and educational uses at a density of 1.5 dwelling units per acre. Conservation subdivisions are encouraged here.



Medium Density Residential

Single-family residential subdivisions and supporting recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Conservation subdivisions are encouraged here.



Commercial

Opportunities for shopping, professional services, and entertainment. These areas do not typically allow auto-oriented developments.



Employment

Employment-oriented development such as office, medical, light industrial, and service centers that are clean, quiet, and compatible with adjacent residential or business districts.



Institutional

Intended for educational facilities, government facilities, healthcare institutions, places of worship, and other similar uses.

FUTURE LAND USE CATEGORIES



Mixed Use

Designed for pedestrian walkability and as an economic activity center incorporating daily shopping, community, entertainment, housing needs, and public spaces. This can include multi-story buildings surrounded with compact moderate density housing options such as detached and attached residential uses and is connected to adjacent areas by trails and walking paths.



Conservation Corridors

Transportation corridors will be identified for the preservation of natural resources such as tree canopies, topography, and rolling hills to protect the natural beauty of the Southern Panhandle.

The design of developments must include building materials and site placement along the corridor that reflects development that is incorporated in the natural landscape and uses the rural environment as an amenity to add value and beauty. Signage and lighting for development should be discreet and attractive.

Recommended Land Use Distribution

Recommended Land Use	Acres	Sq Miles	Percentages	Total Developable Acres	Sq. Miles	Percentages
Protected Open Space	344	0.54	4%	-	0.00	4%
Rural Residential / Agriculture	2,896	4.53	34%	2,827	4.42	37%
Low Density Residential	2,094	3.27	25%	2,090	3.27	27%
Medium Density Residential	2,120	3.31	25%	1,741	2.72	23%
Commercial	34	0.05	0.4%	34	0.05	0.4%
Employment	430	0.67	5%	416	0.65	5%
Institutional	339	0.53	4%	339	0.53	4%
Mixed Use	232	0.36	3%	228	0.36	3%
Totals	8,489	13.26	100%	7,675	11.99	100%

Source: Catawba Regional Council of Governments

PLAN GOALS & IMPLEMENTATION

GOAL: RETAIN THE SOUTHERN PANHANDLE RURAL CHARACTER

Objective: Retain Significant Areas for Low-Density Residential Development and Agricultural Uses

Implementation Items:

- Cultivate development of a farmers market, local farms stands, and other agricultural supporting uses to provide an opportunity to sell local produce, bring visitors to the area, and meet the commerce needs of local farmers. **LT**
- Require rural identifying elements along major roadways with new development such as 3/4 board and post fencing, distinct signage design, and similar identifying elements. **MT**
- Encourage the establishment of community gardens within subdivision open space areas and other common areas. **ST**
- Support use of zoning districts that are consistent with the Rural Residential/Agriculture future land use classification as a means to continue the existing rural character and agricultural production in area. **C**
- Support development of agritourism uses in the Rural Residential/Agricultural future land use classification to help entertain and educate the local and regional community on the importance of agriculture. **C**

Timing Key:

C = Continuous

ST = Short Term (0 to 5-Years)

MT = Mid Term (6 to 10-Years)

LT = Long Term (Over 10-Years)

Objective: Preserve and Enhance the Southern Panhandle Culture and Heritage

Implementation Items:

- Examine opportunity for a historical marker or other remembrance tools to preserve the history of the Osceola community. **MT**
- Include the study area within any future county or state cultural resources inventories. **LT**
- Encourage the designation of historic structures in the local register. **C**
- Provide support to owners of historic structures in obtaining formal federal or state recognition of those structures. **C**

GOAL: HELP DEVELOP ANDREW JACKSON STATE PARK INTO A MAJOR REGIONAL DESTINATION

Objective: Grow the Park into a 7-Days a Week Activity Center

Implementation Items:

- Undertake joint recreation programming between Andrew Jackson State Park and the Lancaster County Parks and Recreation Department. **C**
- Take advantage of the park's centralized location in the region and abundance of natural resources to help cultivate regular use of the park by local and regional outdoor clubs for meetings and activities. These may include geocaching, archery, hiking/running, birding, biking, photography, fishing, radio controlled (RC) watercrafting, environmental activism groups, etc. **C**
- Promote adoption of the park as the home base for recreation clubs, clubs associated with Indian Land High School, and regional Girl Scout and Cub/Boy Scout troops, etc. **C**

Objective: Encourage Land Uses near Andrew Jackson State Park that Provide Supporting Goods and Services to Park Guests

Implementation Items:

- Create supplementary site and building design standards to minimize the visual obtrusiveness of commercial uses and require architectural design elements complimentary to the park and its natural features. **ST**
- Support small-scale rezonings to institutional or low-intensity commercial districts in the immediate vicinity of US-521 and SC-5 that will provide supporting goods and services such as food service, private campgrounds, fuel, etc. **C**

GOAL: CREATE A BALANCED SOUTHERN PANHANDLE LAND USE PATTERN

Objective: Develop Employment and Shopping Opportunities in Targeted Segments of the Study Area

Implementation Items:

- Create opportunities for small-scale retail development that can help provide goods and services for the local community. **MT**
- Non-residential development along US-521 and SC-5 should incorporate rural building design elements such as pitched roofs, non-masonry or EIFS building materials, and similar elements. **ST**
- Focus long-term economic development near the intersections of US-521 and SC-5 and US-521 and SC-75. **LT**
- A master planned, regional mixed-use town center and/or employment center should be considered in the far northwest portion of the Southern Panhandle study area. **LT**
- Rezoning to non-residential districts should be generally consistent with the Future Land Use Map. The timing of rezonings to non-residential districts should be contingent on the availability of public water and sewer infrastructure. **C**

Objective: Residential Densities Should be Appropriate for their Location

Implementation Items:

- Rezoning to higher-density residential districts should be generally consistent with the Future Land Use Map. Medium-density residential development should be encouraged in the vicinity of the two schools within the study area, with the exception of property located within the town limits of Van Wyck. The timing of rezonings to higher-density residential districts should be contingent on the availability of public water and sewer infrastructure. **C**
- Low/rural density residential development should occur in residential areas located away from the two schools within the study area, and should be achieved through large lot subdivisions or conservation subdivision design with an abundance of open space. **C**
- Townhomes, apartments, condominiums, and similar higher-density residential uses are appropriate when part of a master planned development within the mixed-use areas. **C**

GOAL: ESTABLISH THE NATURAL ENVIRONMENT AS A IDENTIFYING ELEMENT OF THE SOUTHERN PANHANDLE

Objective: Protect Natural Resources

Implementation Items:

- Establish policies for minimum tree retention in association with new development projects. **ST**
- Require the use of native tree and shrub species in association with required landscaping for new development. **ST**
- Establish a min. 50-ft conservation corridor along US-521 and Rebound Road to retain existing trees and natural features. Integrate cultural and heritage features within these corridors in a manner that minimizes vegetation disturbance. **ST**
- Improve the existing Lancaster County Cluster Subdivision Overlay District to retain higher quantities of useable open space. **ST**
- Evaluate existing Lancaster County environmentally sensitive area buffer standards to ensure adequate protection of critical resources. **ST**
- Incentivize the use of low-impact development techniques for stormwater management. **ST**
- For non-mixed use commercial and rural residential areas, minimize the use of curb and gutter on new roads and within parking lots. **C**
- Coordinate with the Katawba Valley Land Trust and the State of South Carolina to protect areas critical for clean water, endangered/threatened species protection, and recreational opportunities. **C**

Objective: Create and Promote Nature Based Recreation Opportunities

Implementation Items:

- Encourage the marketing and branding of the Southern Panhandle area as being a nature-based destination. **LT**
- Support implementation of the Carolina Thread Trail and the Walk-Bike RFATS Pedestrian plan for the US-521 and SC-75 corridors. **C**
- Require new major residential subdivisions, institutional uses, and larger employment

developments to create private trail systems that interlink with the Carolina Thread Trail and Andrew Jackson State Park. **C**

GOAL: SUPPORT TRANSPORTATION AND OTHER INFRASTRUCTURE INVESTMENT

Objective: Support Transportation and Utility Investment in a Manner that is Consistent with the Southern Panhandle Vision

Implementation Items:

- Implement the RFATS Collector Road Study. **LT**
- Develop a collector/minor arterial road system in the western section of the study area as the Southern Panhandle develops over time. Right-of-Way dedication and road construction (as appropriate) for the proposed Dave Lyle Boulevard Extension and the proposed Southern Panhandle study collector/minor arterial roads should be undertaken as part of development projects occurring within the general alignment areas. **LT**
- Coordinate with SCDOT on needed intersection improvements for safety and functionality as growth occurs within the Southern Panhandle. **LT**
- Support extension of public water, sewer, natural gas, and other utility infrastructure in areas of the Southern Panhandle designated for non-residential uses and medium-density residential development. **LT**
- Coordinate with Comporium Communications, the Town of Van Wyck, and other partners on developing strategies to integrate a rural broadband network within the Southern Panhandle area. **LT**
- Above-ground utility infrastructure should be constructed, sited, and/or screened in a manner that ensures it blends in with the natural landscape. **C**



APPENDIX A: EXISTING CONDITIONS





PAST PLANNING INITIATIVES

Comprehensive Economic Development Strategies for the Catawba Region, 2019

The Comprehensive Economic Development Strategies (CEDS) is an area-wide assessment of economic trends and infrastructure needs within the Catawba Region. The CEDS is a program developed by the US Economic Development Administration (US EDA) that receives activities and programs of the Catawba Regional Council of Governments in promoting economic progress within the district.

Catawba Regional Housing Assessment, 2018

The Catawba Regional Housing Assessment is an evaluation of the economic conditions and general housing affordability within each county of the region. The Housing Assessment also considers the burden of housing costs of residents including goals and new steps to address housing affordability within the Catawba Region. Initiatives include identifying potential funding sources; evaluating property options available within the region; analyzing neighborhoods; and collaborating with construction, development, and financing partners in the region.

CONNECT Our Future, 2015

The CONNECT Our Future planning process was a three-year project covering fourteen counties in North and South Carolina that developed a vision for future growth at the local and regional levels. The project included a \$4.9 million US Housing and Urban Development Sustainable Communities Grant Program and \$3 million in local in-kind public and private matching funds. From 2000 to 2008, the bi-state area was the fastest-growing area in the country. The population was projected to increase by 74% by 2050 with 1.2 million additional people and 860,000 additional jobs.

Six core values were generated by community input during the project: a strong, diverse economy; sustainable, well-managed growth; a safe and healthy environment; increased collaboration; enhanced social equity; and high-quality educational opportunities. The

top ten priorities for the CONNECT planning area were:

- Support our communities
- Maximize return on investment
- Support local farms
- Improve access to parks and open space
- Increase transportation choices
- Improve water quality
- Improve air quality
- Grow jobs closer to home
- Increase housing choices
- Reduce commuting costs

Recreation Needs Assessment and Strategic Recommendations, 2015

The Recreation Needs Assessment and Strategic Recommendations was completed by Clemson University to evaluate park and recreation needs in Lancaster County. The study determined a broad support for improved recreation facilities, programs, and services from a large cross-section of the community including gender, age, and ethnicity. A 100-acre multi-purpose recreation center was recommended south of the Southern Panhandle and north of the City of Lancaster next to the intersection of US 521 and Shiloh Unity Road.

Comprehensive Plan, 2014

The Comprehensive Plan was adopted in December 2014 and identifies the majority of the Southern Panhandle Planning Area as Rural Living on the Future Land Use Map. Rural Living includes a variety of residential types that include farmhouses, large acreage rural family dwellings, and conservation subdivisions that preserve open landscape and traditional buildings. Along the northern boundary, a new conceptual transportation corridor is shown along with the Neighborhood Mixed Use land use. The Lancaster County Comprehensive Plan also notes some areas in the Southern Panhandle planning area as Special District – Industrial use.

Carolina Thread Trail Master Plan, 2011

The Carolina Thread Trail is a 15-county bi-state program to create an interconnected trail system with major regional trails. The Carolina Thread Trail Master Plan integrates all trails and greenway areas into a comprehensive multi-use network for connecting people, places, and destinations. The plan includes benefits of trails on health, the economy, the environment, culture, and transportation. A guiding principle of the Carolina Thread Trail is “respect for the land and respect for the landowner.”

The Master Plan includes 182 miles of trails and 41 miles of blueways. The segment of the trails in the Southern Panhandle planning area is the Lancaster Panhandle Greenway segment which is 20.4 miles in length. The portion of that Greenway within the planning area is 8.3 miles in length. Connection and access opportunities are located at Andrew Jackson State Park, Twelve Mile Creek, and the historic Old Waxhaw Presbyterian Church / Cemetery in Union County, NC.



CAROLINA THREAD TRAIL AND CORRIDOR STUDY

Twelve Mile Creek Trail at Walnut Creek (upper image) and Reconfiguration options for SC 5 and US 521 from US 521 / SC 9 Corridor Study (middle and lower images)

PHYSICAL ANALYSIS

The Southern Panhandle planning area has many assets that serve as catalysts for future development. The planning area includes Van Wyck Elementary School and Indian Land High School, as well as US 521 and SC Highway 5—key corridors within the region. Also within the planning area are abundant natural resources such as the Andrew Jackson State Park. This section covers the existing conditions and the opportunities for development.

Location / Economy

The Southern Panhandle is strategically located near high growth areas of Indian Land to the north and Union County, NC to the east. The planning area is also east of York County and north of the City of Lancaster, which is experiencing relatively moderate development. The area is home to multiple industries, businesses, health facilities, and places of worship.

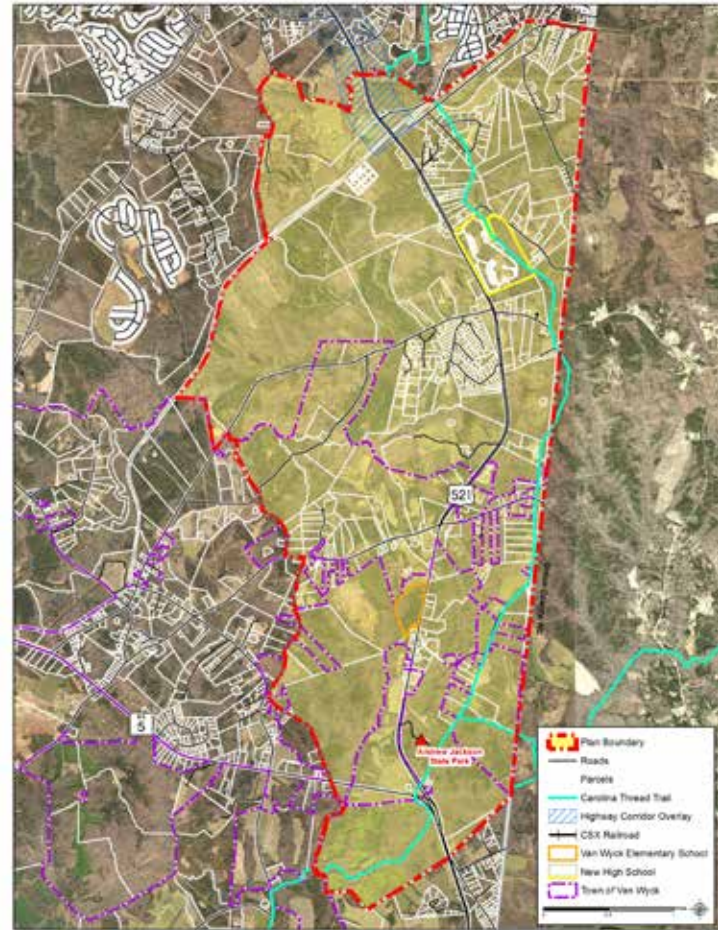
The area has been experiencing development pressures in recent years. In 2019, the County approved the Roselyn subdivision, an 1850-home project on 1,800 acres—the largest residential project in Lancaster County. The site—located just south of the study area—is expected to include a County park.

PLANNING AREA

The Southern Panhandle planning area is reflected in the aerial view to the right and includes approximately 8,200 acres and 611 parcels with 473 property owners. The planning area is centered around US 521 and is bordered to the east by Union County, NC and bordered to the west by CSX Railroad and the Town of Van Wyck. The northern boundary is the area north of Highway 75 and the southern boundary is Andrew Jackson State Park and the intersection of SC Highway 5 and US 521.

A map showing the location of existing homes in the planning area can be found in Appendix B. The US Census Bureau estimates for 2018 that 947 residents live in 353 households within the planning area. The median household income is \$44,943 and the median household value is \$250,000.

Aerial View of the Study Area



Existing Land Use Distribution

Land Use	Acres	Sq Miles	Percentages
Park / Open Space	327.54	0.51	3.88%
Working Farm	669.75	1.05	10.09%
Rural Living	7,182.03	11.22	80.23%
Large Lot Residential	109.97	0.17	1.38%
Medium Density Residential	77.39	0.12	0.74%
Civic / Institutional	66.99	0.10	2.67%
Commercial	43.70	0.07	0.42%
Industrial	49.42	0.08	0.59%
Totals	8,526.79	13.32	

Note: Right-of-way included in totals.

Traffic Counts

The Average Daily Traffic Counts in the planning area reflect the following volume of traffic for 2018:

- US 521 between SC 75 to SC 5 – 11,400
- SC 75 – 6,000
- Steele Hill Road (East) – 1,000
- Steele Hill Road (West) – 350
- West Rebound Road – 1,050

Existing Land Use

The current land use is reflected in Figure 8, Land Use and the distribution is reflected in Table 4, Existing Land Use Distribution. The planning area is predominately rural with 84% of the acres categorized as Rural Living, 8% Working Farms, and 4% Permanent Open Space. The remaining 4% of land uses are a mix of large lot and mixed density residential, professional, retail, commercial, and industrial uses. Land with some limitations is reflected in Figure 11, Environmental Constraints.

Existing Zoning Map

The existing zoning for the Southern Panhandle Planning Area can be found in Appendix B. The majority of the planning area is zoned for Rural Neighborhood, Rural Residential, and Open Space Preservation. Other zoning districts in the planning area include Low Density Residential, several types of Commercial districts, Light Industrial, and a Legacy Planned Development District.

Infrastructure

Lancaster County Water and Sewer District (LCWSD) serves the Planning Area. The entirety of the Planning Area has the potential to be served with public water; however service is generally limited to those area along major road corridors. The Catawba River Water Treatment Plant, located west of Andrew Jackson State Park in Lancaster County, is a joint venture between LCWSD and Union County, NC with a 50/50 ownership. A 500,000 gallon water tank is located on Highway 521 north of Steele Hill AME Zion Church. Currently, sewer is available only at the northeast and southeast portions of the intersection of Highway 521 and Highway 75. Sewer system enhancements by LCWSD are development-driven and performed supplementary to LCWSD's Wastewater Extension Guidelines outlined in their Water & Wastewater Developer Policy.

The Conceptual Sewer Master Plan for the Highway 521 and Highway 5 area includes a proposed Equalization Facility on approximately ten acres to the west of the Planning Area. The addition of an Equalization Facility will reduce the potential for overflows in the system or at the treatment facility, mitigate environmental damage, improve the efficiency of the treatment facility, and maximize the infrastructure sizing by equalizing peak flows. Several locations are identified for potential gravity sewer lines with sewer lift stations. LCWSD will evaluate their infrastructure sizing needs as the proposed land use plans and zoning are updated. The LCWSD sewer discharge permit for the Catawba River is 15 MGD. LCWSD's Indian Land Wastewater Treatment Facility is currently under construction for an upgrade to 5 MGD and the hydraulic capacity at the treatment facility can be increased as needed to meet the water and sewer needs as development occurs within the Planning Area.

Cultural Resources

The Southern Panhandle has many significant cultural resources that should be preserved and protected as well as celebrated and shared for future generations.

The County has not completed a historic inventory since the 1986. As of that time, the Steele Hill AME Zion Church Arbor (built in 1885) was the only structure identified as eligible to be nominated for the National Register of Historic Places. The Steele Hill Rosenwald School Building has not yet been evaluated for potential National Register eligibility. These historic African American sites should be considered for historic preservation programs provided by the South Carolina Department of Archives and History and the National Trust for Historic Preservation's African American Cultural Heritage Action Fund program.

The Steele Hill Rosenwald School was built as part of the Julius Rosenwald Building Fund, established in the early 1900s to address educational inadequacies and establish better primary schools for African Americans. Three of the seven South Carolina Rosenwald Schools are still standing. The Steel Hill School was used until the 1950s and is currently a single-family home.

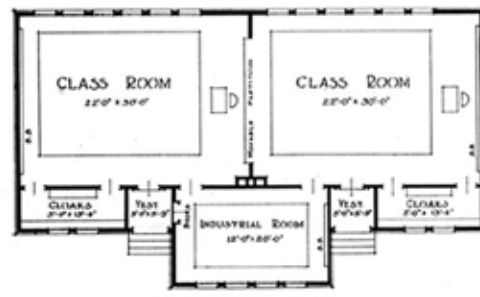
Other cultural resources include the Village of Osceola, located approximately one-half mile on the west side of US 521 at the Highway 75 intersection south of the CSX Railroad. The Village was first surveyed in 1888. Today the historic village is grown over and many of the structures are gone. The 1986 Lancaster County historic survey did not identify any National Register-eligible properties in the Osceola Community area.



STEELE HILL ROSENWALD SCHOOL

Source: Fisk University Rosenwald Fund Card File Database.

Rosenwald Two Teacher Community School Plan



FLOOR PLAN No. 20
TWO TEACHER COMMUNITY SCHOOL
TO FACE EAST OR WEST ONLY

Natural Resources

The Southern Panhandle has abundant natural resources that contribute to the rural living lifestyle of the area. Andrew Jackson State Park is 360 acres and has an 18-acre lake for boating and fishing, a pair of one-mile loop trails for walking and hiking, 25 campsites, two picnic sites, a museum, a meeting house, and an amphitheater. The park is located the southeast portion of the Southern Panhandle.

The planning area is located within the Santee River Basin. According to the SC Department of Natural Resources (SCDNR), many State Wildlife Action Plan freshwater fish species are found within the planning area.

While SCDNR does not indicate Carolina Heelsplitter in the planning area, the US Fish and Wildlife Service has identified Waxhaw Creek as a current and previous location for the endangered species, and it is still considered significant habitat. (The critical habitat is located upstream in NC). It is also a possibility that the endangered Schweinitz's Sunflower could found here. While the plan area is not currently designated as a habitat, the flower has been identified nearby.

Floodplain and wetlands may be found across the northern and southern portions of the planning area and along Millstone Branch, south of the Millstone subdivision. The Twelve Mile Creek Trail at Walnut Creek Park is located at the northern portion of the Southern Panhandle and is a part of the Carolina Thread Trail.

The **South Atlantic Conservation Blueprint** is a spatial plan that identifies priority areas for conservation across parts of six states, from southern Virginia to northern Florida. Data from the plan was considered for identification of natural resources.

A map of environmental constraints can be found in Appendix B.



ENDANGERED SPECIES

Schweinitz's Sunflower, Source: Gary Kaufmann

Carolina Heelsplitter, Source: Katawba Valley Land Trust

Collision Data

The following table includes data on number of fatal collisions, number of injury collisions, property damage only collisions, total collisions, persons killed, and persons injured at the four locations in the Southern Panhandle at the four major corridor intersections as located on pages 38 - 41. In addition, data is provided depicting the average per year for each of these categories, as well as comparative data for the entirety of Highway 521 in Lancaster County for 2018.

Collision Data, 2005 - 2019

Intersection Collision Summary Data 2005 - 2019	Fatal Collision	Injury Collision	Property Damage Only Collision	Total Collisions	Persons Killed	Persons Injured
US 521 and SC 75	1	29	92	122	3	51
US 521 and Steele Hill Road	0	7	17	24	0	7
US 521 and W. Rebound Road	1	17	69	87	2	23
US 521 and SC 5	1	18	58	77	1	31
Total	3	71	236	310	6	112
Average per Year	0.2	4.7	15.7	20.6	0.4	7.4
Total 2018 (all of US 521)	3	5	378	516	3	8

Source: South Carolina Department of Public Safety

Note: 2018 and 2019 Data is Preliminary

MAJOR CORRIDORS



Northern area, US 521, view West of CSX Railroad and Highway 75



US 521 at East Rebound Road, view North



Northern Area, Intersection of US 521 and Highway 75 and Osceola United Methodist Church



Intersection of US 521 and East and West Rebound Roads, view Northeast



Intersection area of US 521 and Steele Hill Road and Nivens Road, view North



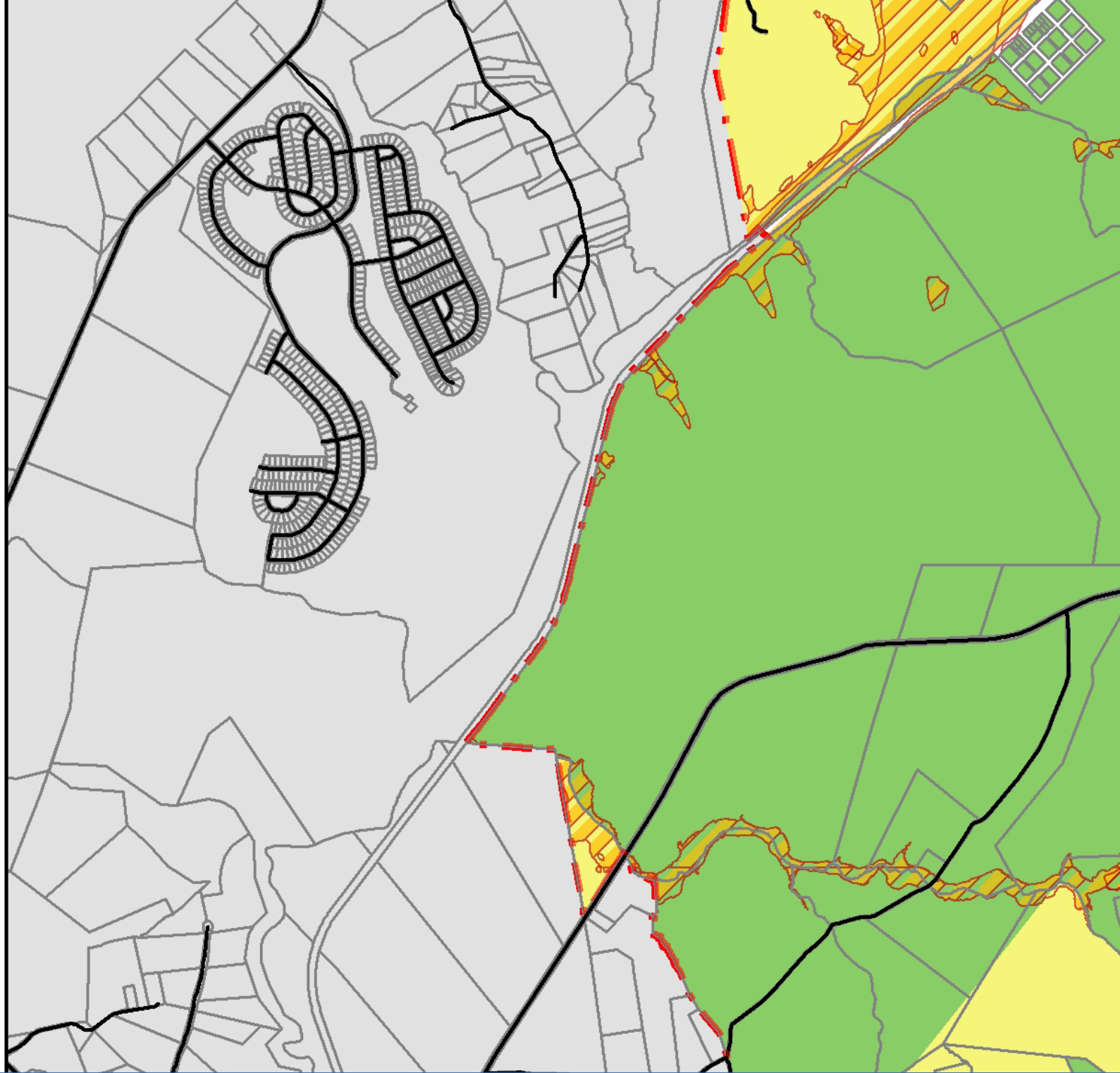
US 521, view North at Van Wyck Elementary School



Intersection area of US 521 and Steele Hill Road and Nivens Road, view South

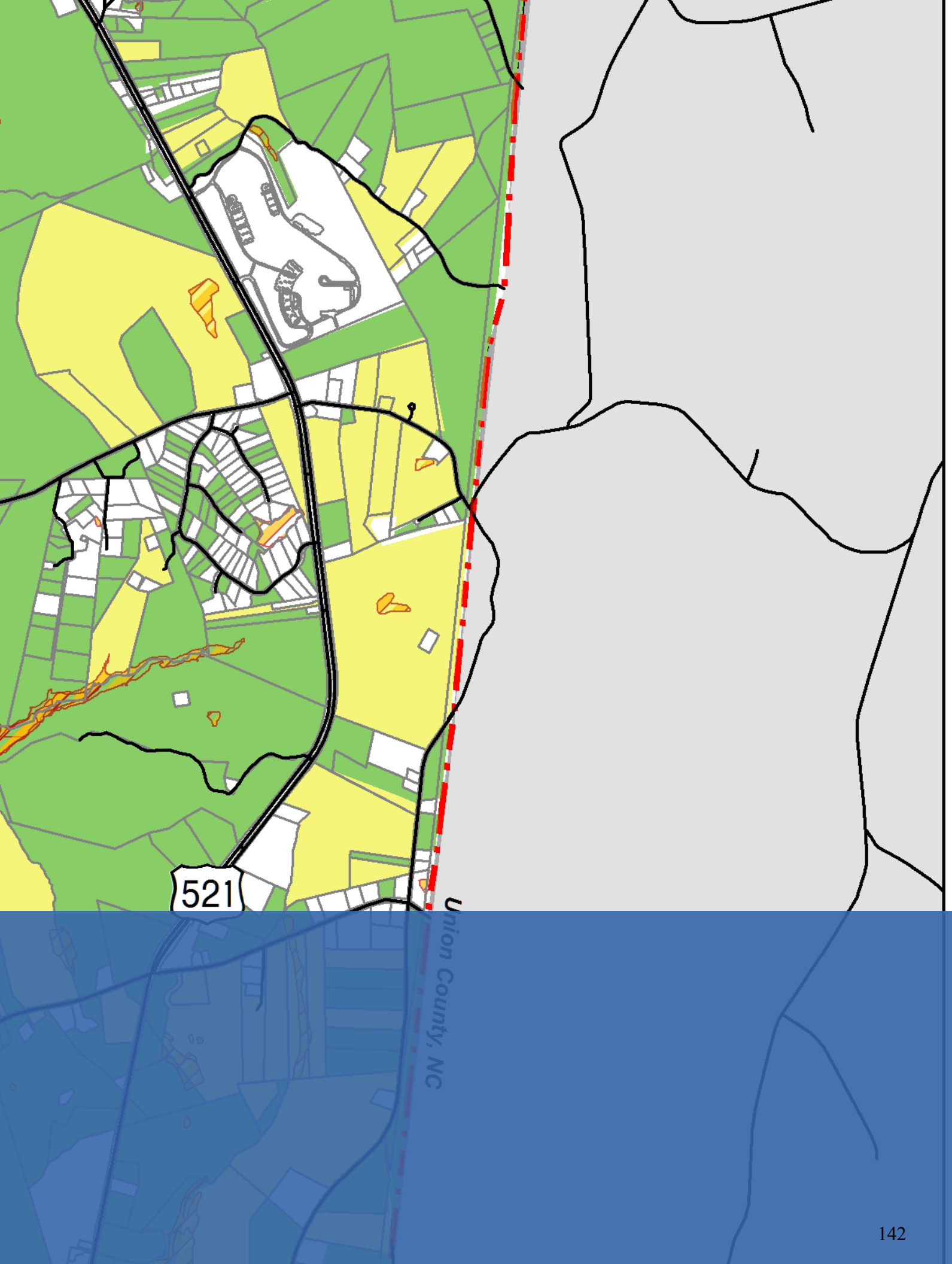


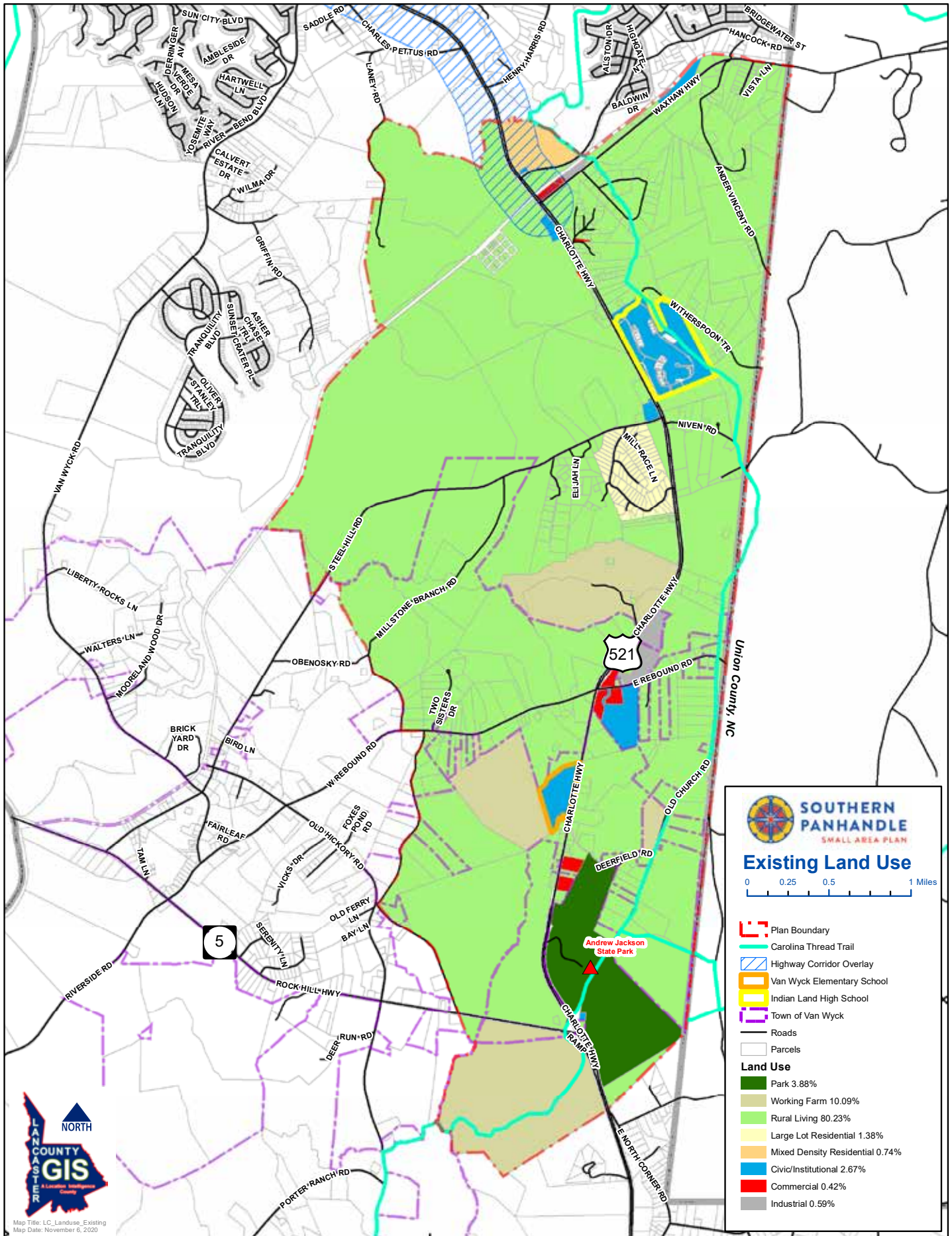
Southern area, intersection of US 521 and Highway 5, view Northwest

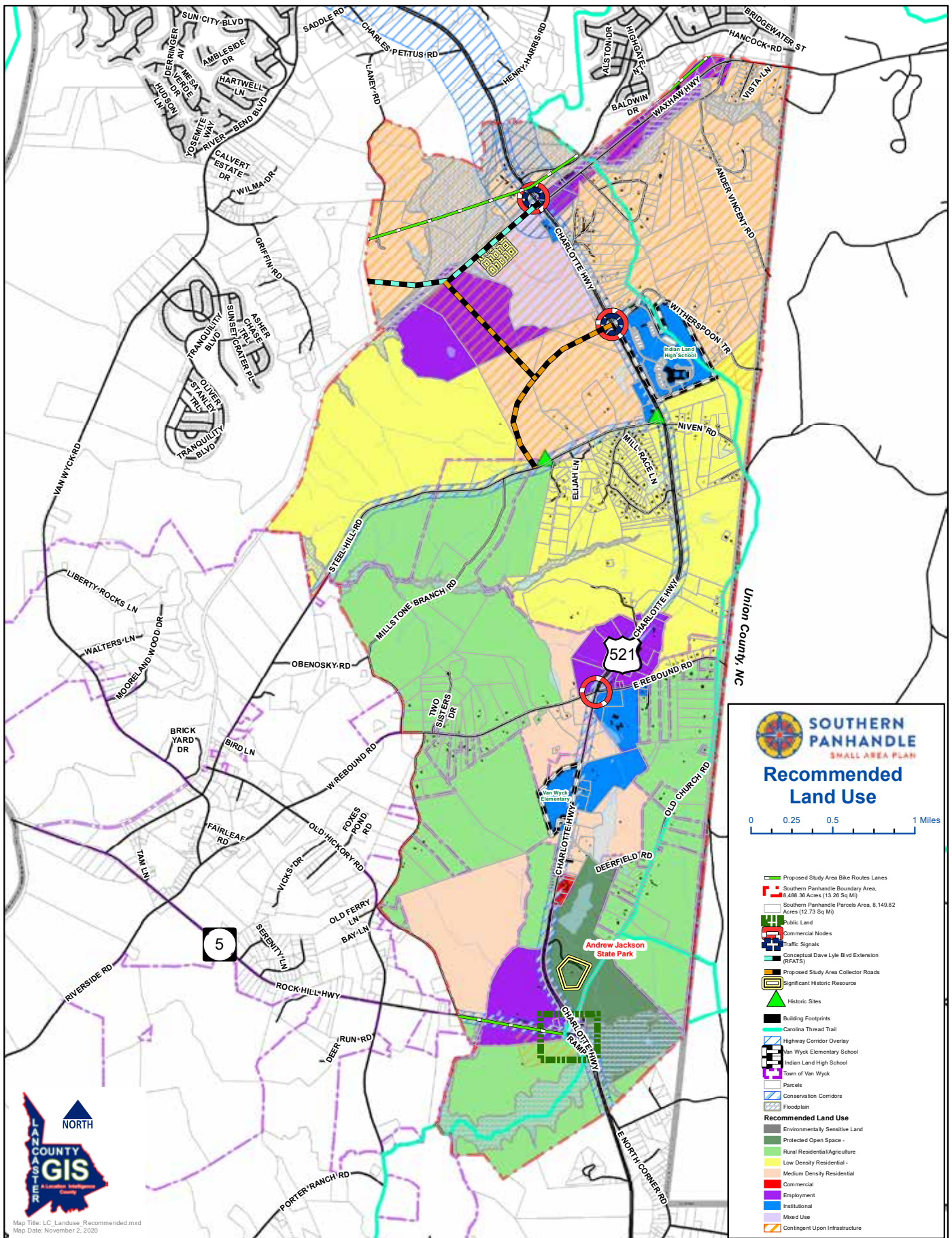


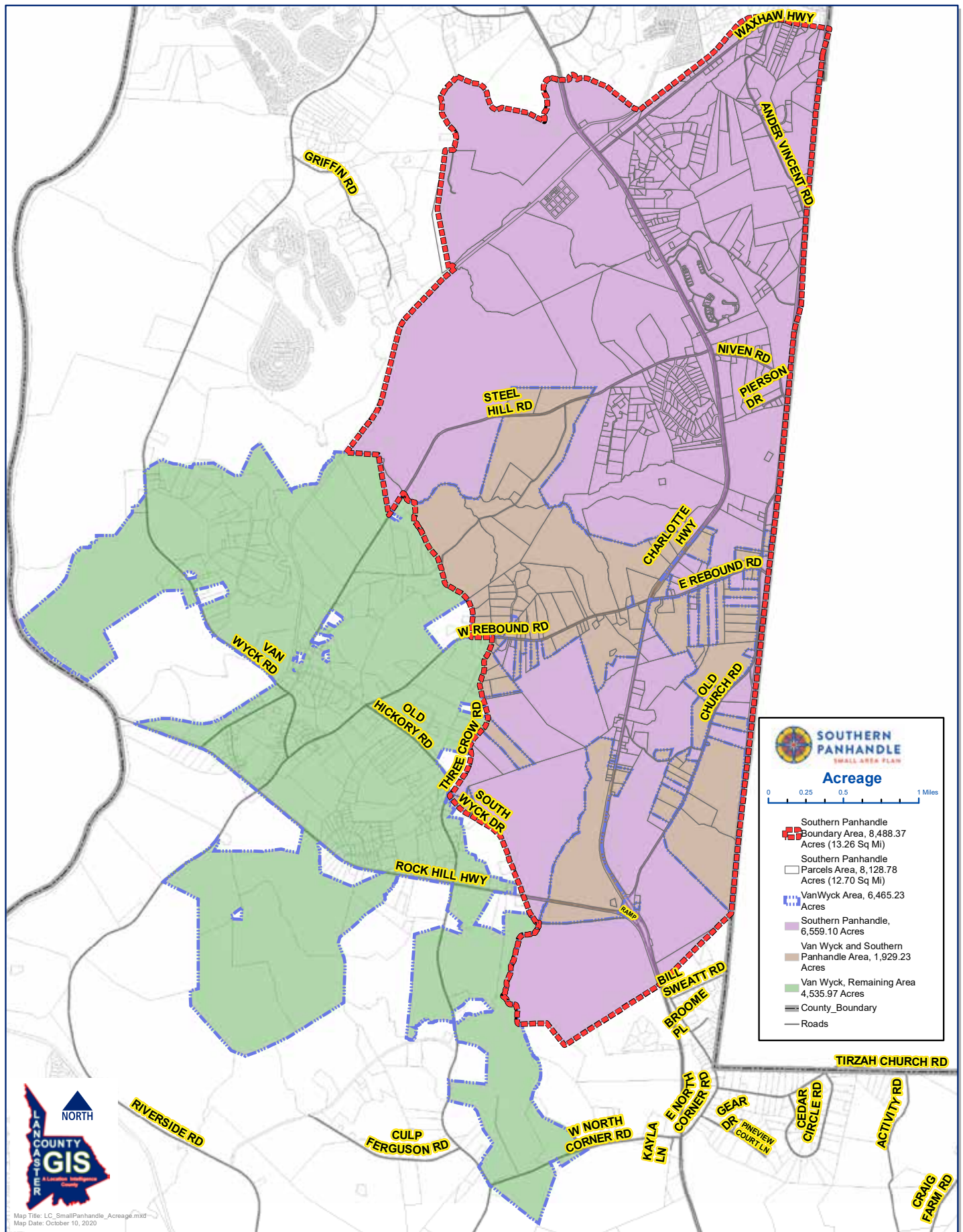
APPENDIX B: MAPS



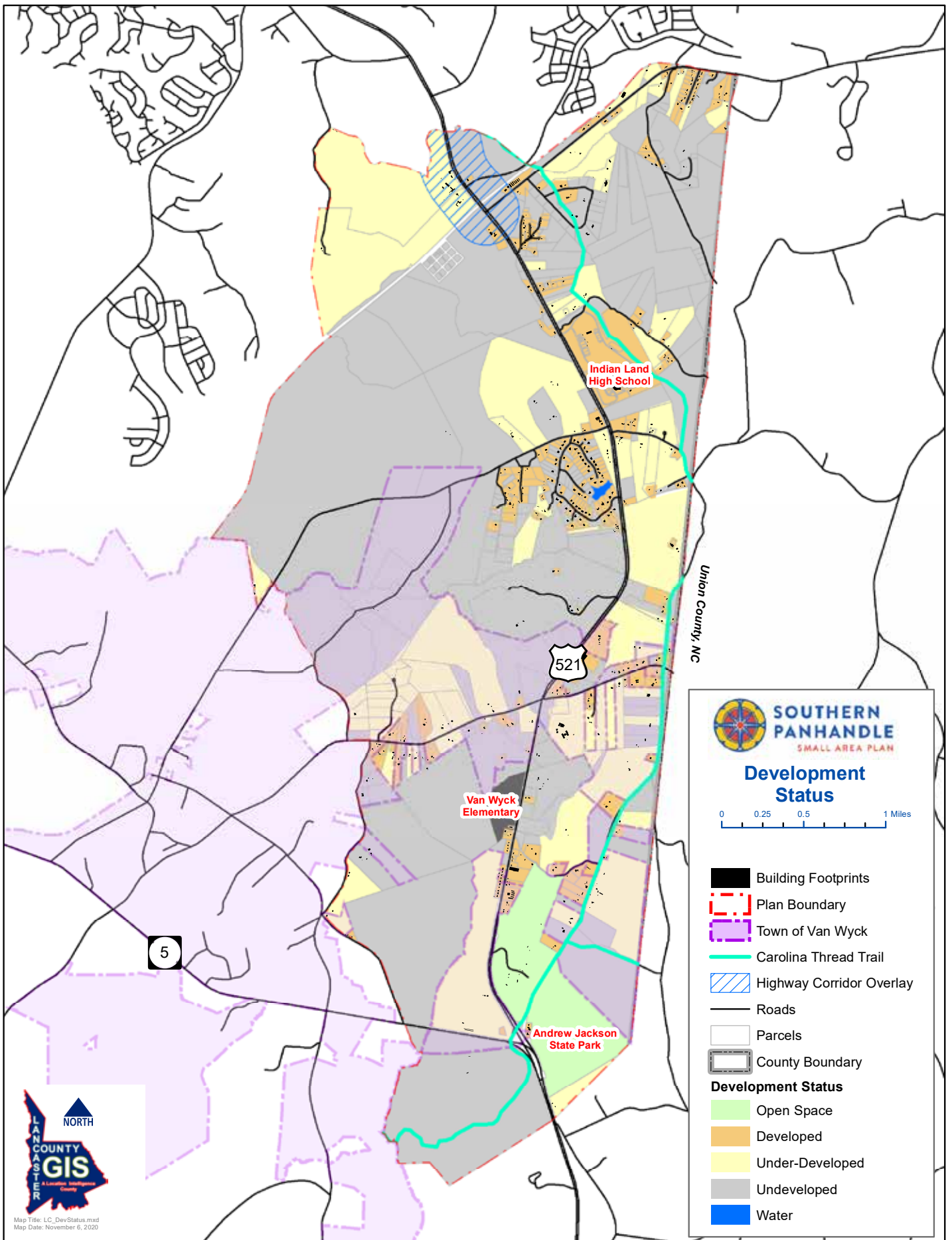


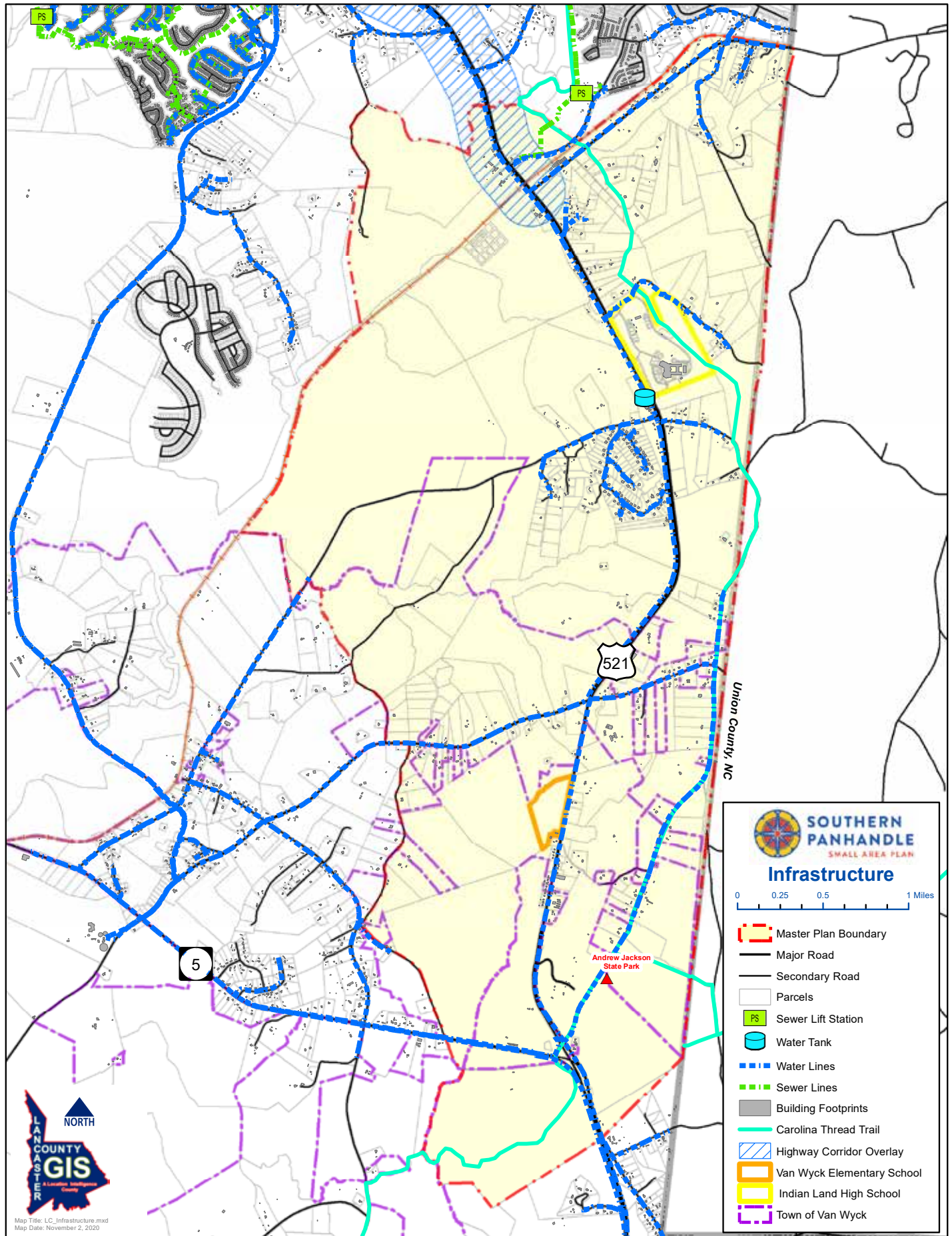


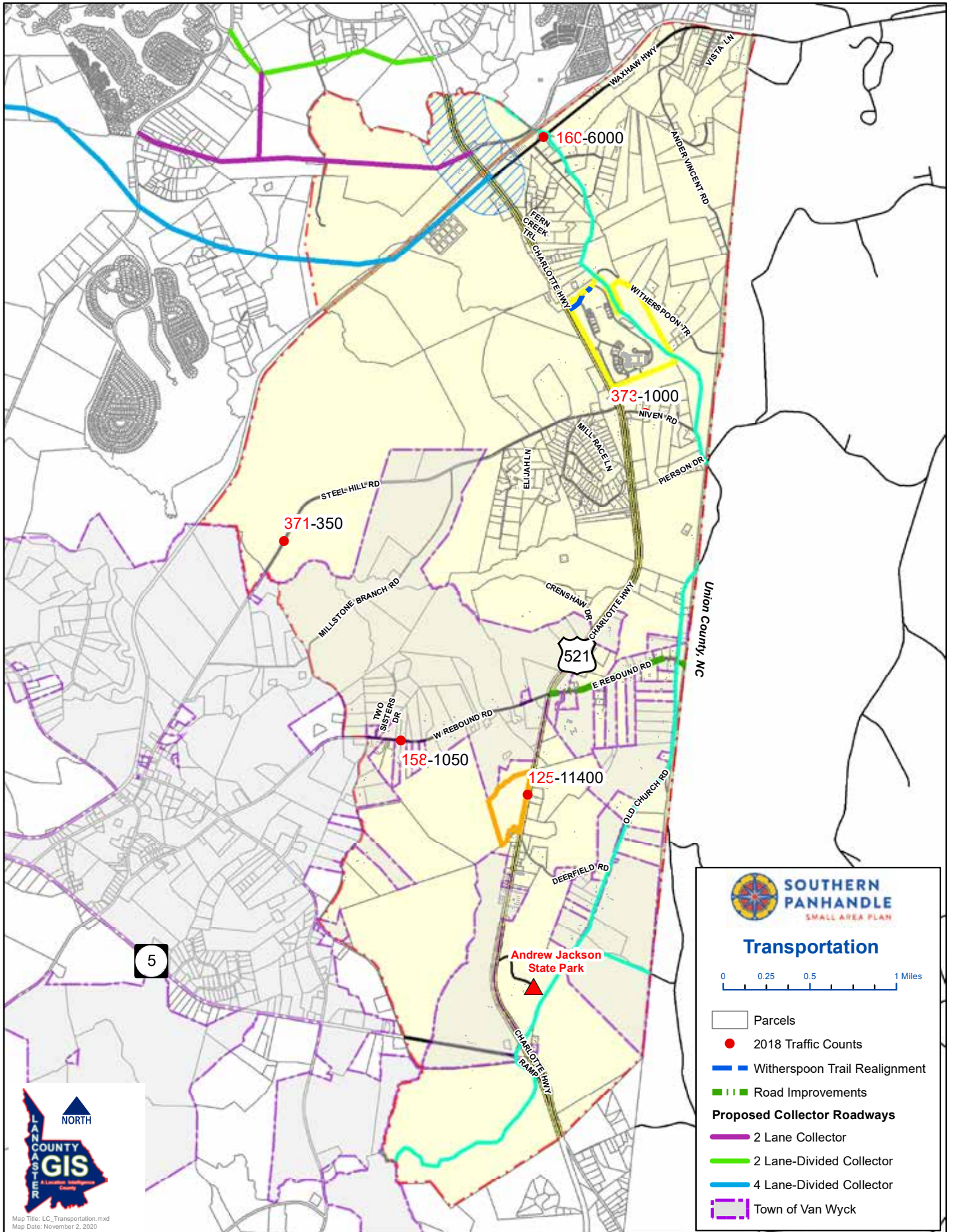


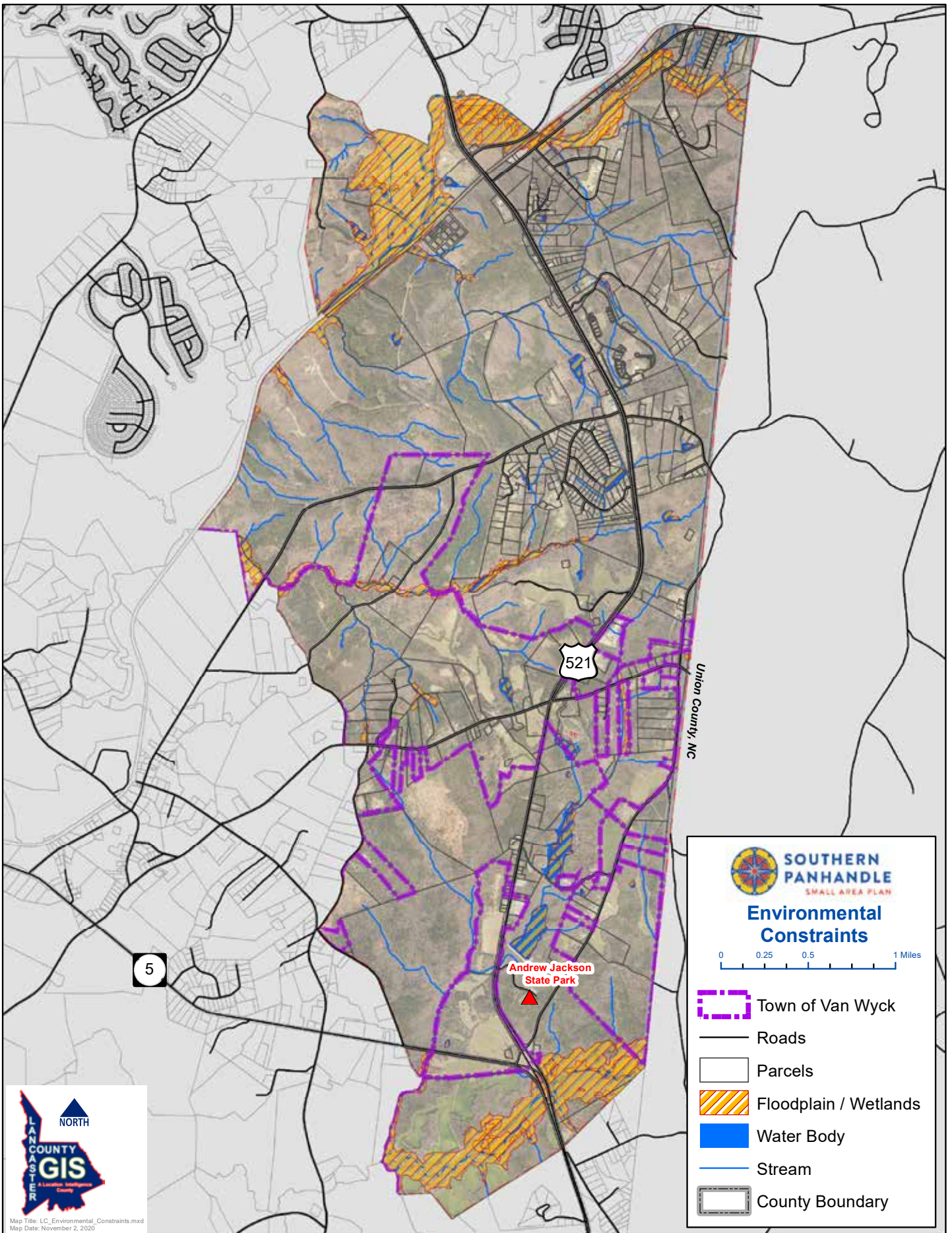


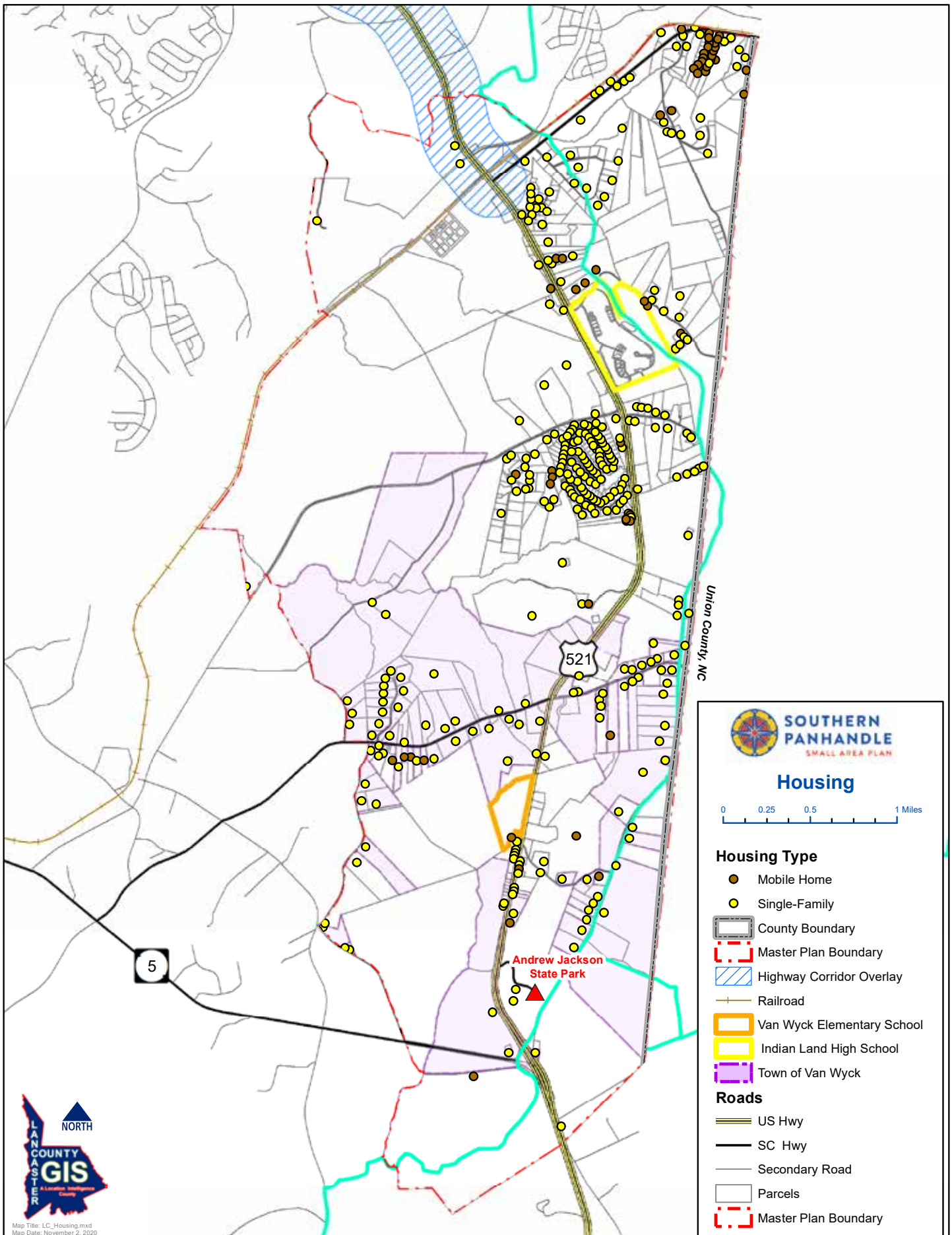
The County of Lancaster provides this data for reference only. All data must be field verified before the information is used for design/project work. The County of Lancaster is not responsible or liable for any inaccuracies. Any design using this data is at users' sole risk. Also note that information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

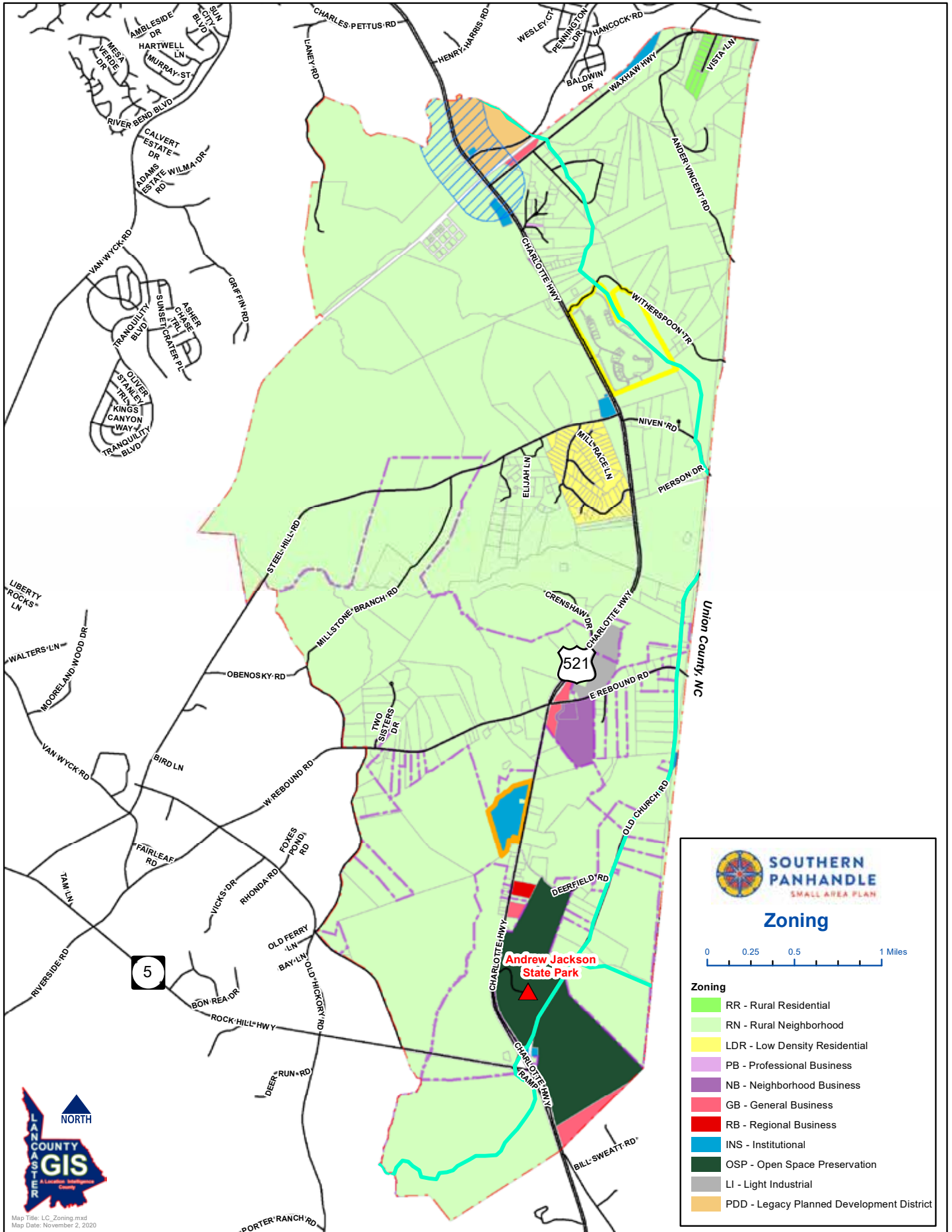


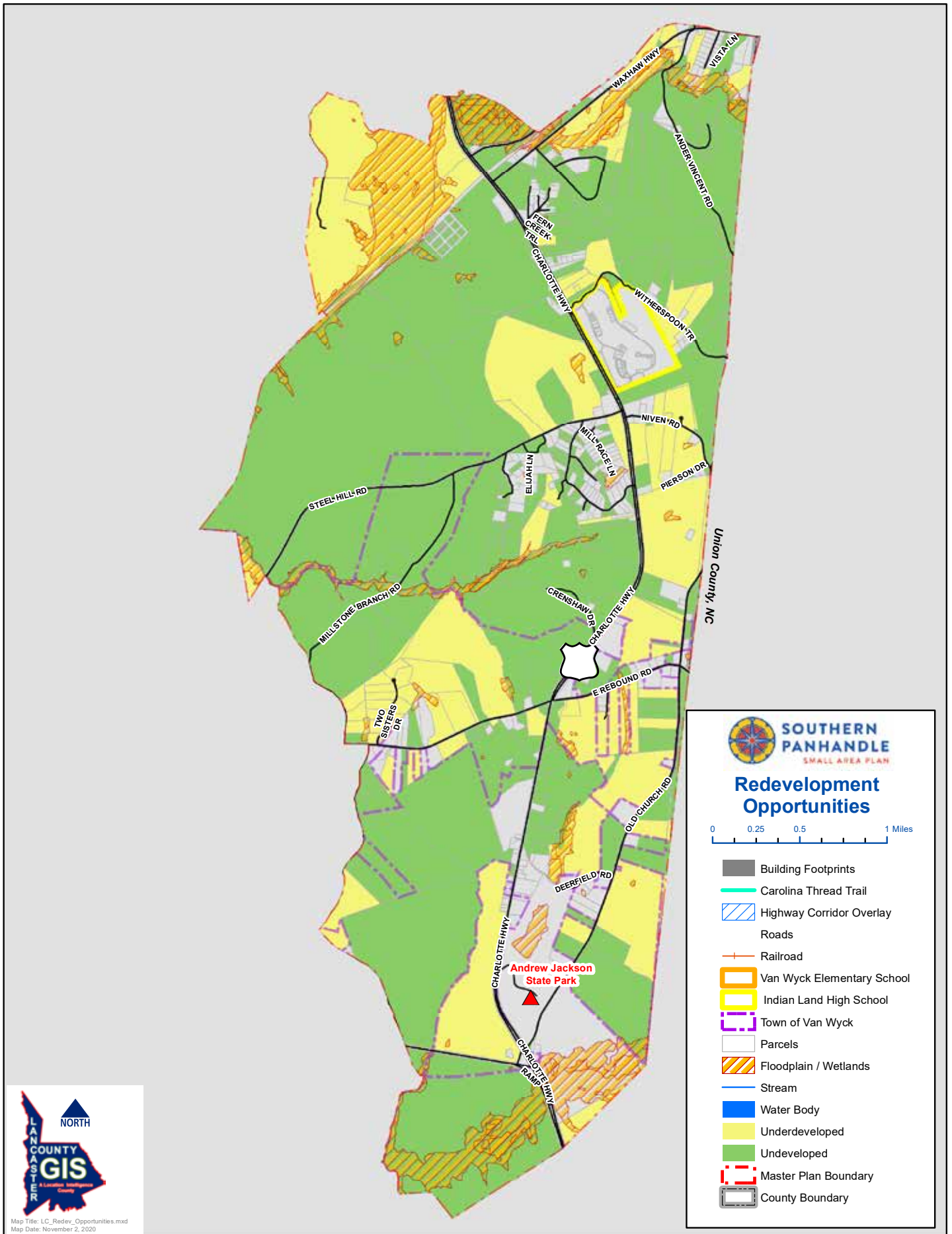








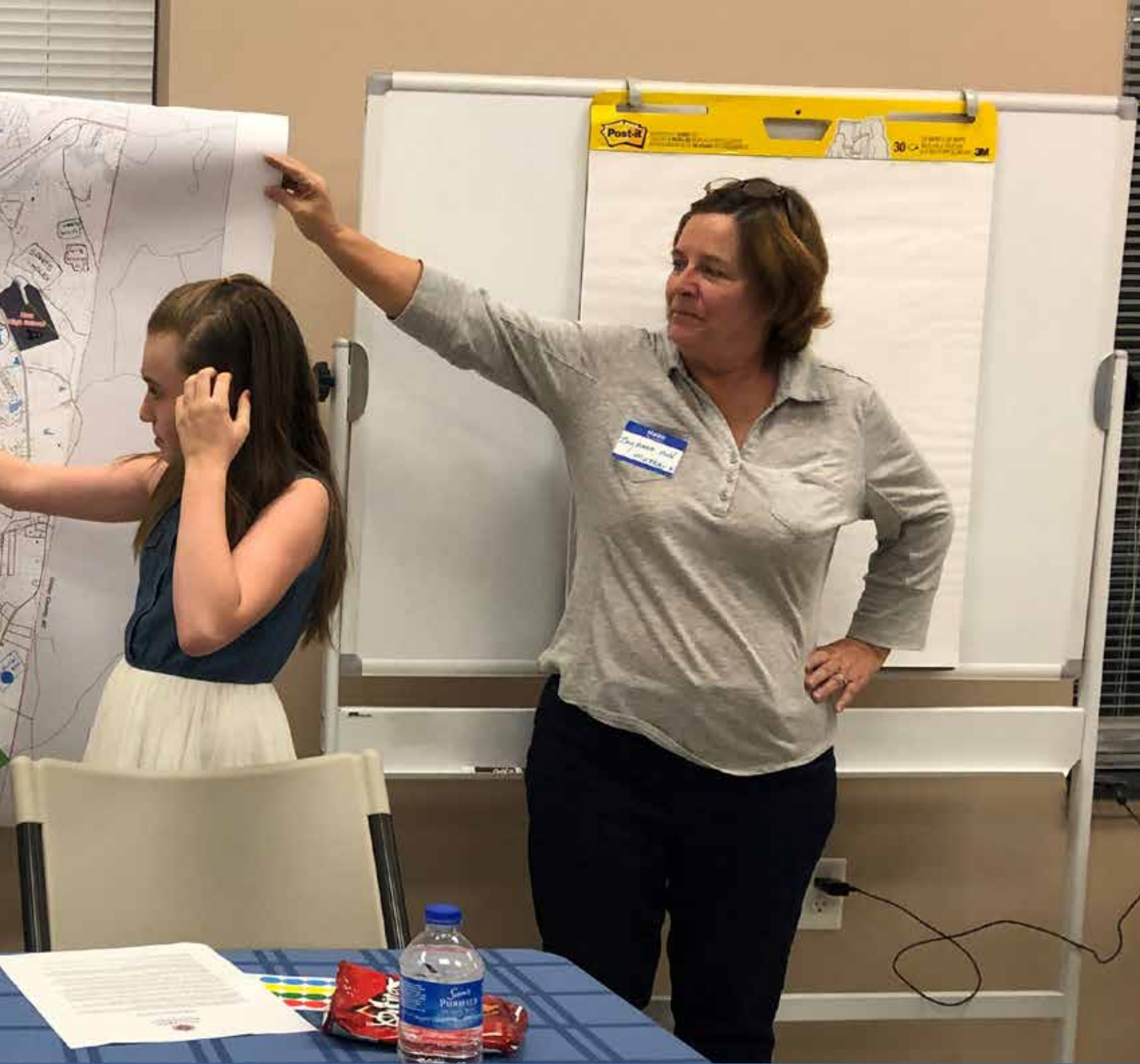






APPENDIX C: PUBLIC ENGAGEMENT





APPENDIX C

PUBLIC ENGAGEMENT

Public Participation

The Southern Panhandle Small Area Plan was developed with the participation and input from stakeholders from the planning area and the surrounding communities. The Southern Panhandle vision and planning themes reflect the values of the residents and stakeholders. Staff from the Lancaster County Planning Department and Catawba Regional Council of Governments met with residents and property owners from the Southern Panhandle. Visioning Week was held November 4 - 7, 2019 at Our Lady of Grace Catholic Church. Events included a hands-on workshop, property owner and stakeholder interviews, drop-in visits, and a Steering Committee meeting.

Steering Committee

The Steering Committee was comprised of representatives from Lancaster County, Lancaster County Economic Development, Town of Van Wyck, Andrew Jackson State Park, Lancaster County School District, Lancaster County Water and Sewer District, Lancaster County Gas Authority, CSX Transportation, SCDOT, Duke Energy, John M. Belk Endowment, Our Lady of Grace Catholic Church, Osceola United Methodist Church, Steele Hill AME Zion Church, Katawba Valley Land Trust, Carolina Thread Trail, business and property owners, and residents.

The Steering Committee met throughout the process of developing the Southern Panhandle Small Area Plan. Meetings were held throughout the planning area that included Andrew Jackson State Park, Van Wyck Community Center, Our Lady of Grace Catholic Church, and Steele Hill AME Zion Church. The Steering Committee provided direction for the development of the Small Area Plan.

Southern Panhandle Steering Committee Meeting Schedule

Meeting Date	Location	Purpose of Meeting
June 5, 2018	Andrew Jackson State Park, Meeting House	Small Area Plan Purpose and Overview, SWOT Analysis, and Vision Exercise
August 15, 2018	Town of Van Wyck Community Center	SWOT Analysis / Vision Exercise Outcomes, Planning Area Boundary, and Existing Conditions Maps
December 13, 2018	Our Lady of Grace Catholic Church, Parish Hall	Existing Conditions Report, District Name / Logo, and Planning Charrette
August 27, 2019	Steele Hill AME Zion Church, Fellowship Hall	Existing Conditions Draft Document Review and Visioning Week Schedule / Public Participation
November 7, 2019 Promotional Materials	Our Lady of Grace Catholic Church, Parish Hall	Visioning Week Outcomes, Big Ideas, Plan Themes, Vision, and Next Steps

Time	Monday Nov 4th		Tuesday Nov 5th		Wednesday Nov 6th		Thursday Nov 7th
8:00 AM			Open Planning Studio	Stakeholder Interviews	Open Planning Studio	Stakeholder Interviews	Open Planning Studio
9:00 am							Steering Committee 10:00 am
10:00 am							
11:00 am							
12:00 pm			Lunch		Lunch		Lunch
1:00 pm	Team Arrives / Studio Setup		Open Planning Studio	Major Landowners	Open Planning Studio	Major Landowners	Studio Breakdown
2:00 pm							
3:00 pm							
4:00 pm	Open Planning Studio	Major Landowners	Hands-On Visioning Workshop 5:30 pm - 8:00 pm		Open Planning Studio	Major Landowners	
5:00 pm							
6:00 pm							
7:00 pm			Closed Planning Studio				

Visioning Week Schedule

The Southern Panhandle Small Area Plan incorporated various types of community participation promotions. Postcards were mailed to all property owners within the Planning Area listing all events and opportunities for residents to participate. Letters were sent to 26 property owners with property acreage totaling 50 acres or more and providing information about the study and inviting the property owner(s) to meet with staff. The chart below lists other opportunities for residents and property owners to participate in the community engagement activities during Visioning Week.

Visioning Week Community Outreach

2019	Type of Community Outreach
Week of October 14th	Lancaster County and Catawba Regional COG Websites
October 15th	Letters Mailed to Property Owners with >50 Acres
October 16th	Press Release
October 17th	Postcard Mailed to All Property Owners
October 17th	Emails Sent to All Agencies / Organizations
Week of October 21st	Schools and Places of Worship Social Media / Websites
October 23rd	Newspaper Ad in the Carolina Gateway

VISIONING WEEK

Hands-On Workshop

The Southern Panhandle Hands-On Workshop was held on the evening of Tuesday, November 5, 2019 from 5:30 pm to 8:00 pm. Residents, property owners, and other stakeholders received information about the planning area and participated in a visual preference survey and small group discussion to brainstorm about the future of the Southern Panhandle.

Rox Burhans, AICP, Lancaster County Development Services Division Director, welcomed the 54 participants to Visioning Week and thanked them for sharing their ideas for the Southern Panhandle Small Area Plan. Cole McKinney, Catawba Regional Council of Governments, presented an overview of the project objectives. Mr. McKinney explained the importance to ensure the future integrity and economic vitality and to develop place-making strategies through proactive planning.

Kara W. Drane, AICP, Catawba Regional Council of Governments provided examples of place-making techniques, highlighted the Visioning Week schedule, and introduced the breakout session portion of the Hands-On Workshop. Participants were divided randomly by name tag “dot” color and assigned one of seven groups. Each group developed a vision documented on maps and descriptions of the future Southern Panhandle. The feedback provided by the groups were incorporated into the Southern Panhandle Small Area Plan Recommended Land Use Map. The big ideas that the groups reported included:

- Maintain Rural Community
- Protect Local Heritage
- Ensure Growth is Well-Planned
- Prevent Loss of Tree Canopy
- Protect Andrew Jackson State Park
- Plan for Transportation Enhancements
- Provide for Sewer Enhancements as Needed
- Be a Natural Retreat Destination



Visioning Week Postcard Invitation



HANDS-ON WORKSHOP

Lancaster County invites you to brainstorm with residents, property owners, and community stakeholders about the future of the Southern Panhandle!

TUESDAY, NOVEMBER 5, 2019

5:30 PM - 8:00 PM

REFRESHMENTS PROVIDED

**IF YOU ARE PLANNING TO ATTEND, PLEASE
RSVP TO: CRCOG@CATAWBACOG.ORG
OR 803.327.9041**

Drop by Our Lady of Grace to discuss your ideas, on any of the dates below, if you cannot attend the hands-on workshop.

NOV 4: 4:00 PM - 7:00 PM

NOV 5: 8:00 AM - 4:00 PM

NOV 6: 8:00 AM - 6:00 PM

NOV 7: 8:00 AM - 10:00 AM



Stakeholder Interviews

Staff from Lancaster County Planning Department and Catawba Regional Council of Governments held stakeholder interviews with major property owners, business owners, and agency representatives during Visioning Week. The purpose of the interviews was to gather information and compile different perspectives from stakeholders throughout the Southern Panhandle. The feedback provided to planners included opportunities for future growth, and all of the property owners shared personal ties and connections to the Southern Panhandle planning area.

Drop-In Visits

The public was invited to drop-in and talk with the Lancaster County Planning Department and Catawba Regional Council of Governments staff during Visioning Week to share ideas and ask questions about the Southern Panhandle Small Area Plan Project. The drop-in visits provided residents the opportunity to stop by Our Lady of Grace Catholic Church at their convenience to participate in the process and development of the small area plan. Times were available during the day and early evening.

Through Wednesday evening, a total of 95 residents engaged in the Southern Panhandle Small Area Plan Visioning Week activities:

- November 4th / Interviews and Drop-ins – 12 participants
- November 5th / Interviews and Drop-ins – 13 participants
- November 5th / Hands-On Workshop – 54 participants
- November 6th / Interviews and Drop-ins – 16 participants



Visioning Week Work Groups Report Out



SWOT ANALYSIS & VISIONING

The Steering Committee met on June 5, 2018 and the members developed a Strengths, Weaknesses, Opportunities, and Threats (SWOT) Analysis. The Steering Committee also provided one word(s) descriptions of how they envision the future Southern Panhandle planning area.

Strengths

- Schools (noted 5 times)
- Undeveloped land (noted 5 times)
- Proximity to Charlotte/Waxhaw/Rock Hill (noted 4 times)
- Capacity in water and sewer (noted 4 times)
- Highways, two major transportation arteries and proposed Dave Lyle Extension (noted 3 times)
- Access to US 521 (noted 3 times)
- Nature trails (noted 2 times)
- Rural living (noted 2 times)
- Area is strategic connection for trail from Andrew Jackson to Walnut Creek; New UDO guidelines can help facilitate trail development
- Connective roads to other communities
- CSX Rail Line for industry
- Distance to I-77
- Good park land
- Great growth – increase in land values
- Growing population and work force that is moving south
- Help shape development
- Highway 75 – Monroe Highway 5 – I-77
- Lack of negative industrial sites
- Limited curb cuts
- Location and proximity to retail and shopping



STEERING COMMITTEE MEETING, JUNE 2018

Andrew Jackson State Park



STEERING COMMITTEE MEETING, AUGUST 2018

Van Wyck Community Center

- Long-time family landowners
- Low density
- Natural beauty
- New schools
- Quality of life for active living
- State Park
- Two creeks that feed into the Catawba and water system
- Vacant properties with motivated sellers
- Working with stakeholders upfront

Weaknesses

- Traffic conditions (noted 6 times)
- Sewer limitations (noted 5 times)
- Unknowns that could impact the area – Dave Lyle Extension (noted 2 times)
- Connective road intersections could easily be overdeveloped
- Constraints with river on west and state line on east
- Current zoning and Future Land Use Map
- Difficult to get consensus
- Electric capacity
- Greenspaces being reduced
- US 521 only north/south route
- Infrastructure
- Insufficient roads – need for additional lanes and “deceleration lanes”
- Knowledge about trails/trail systems not there
- Knowledge for different modes of transportation
- Lack of services south of Rebound
- Many property owners may not be aware of CTT
- No identification of defined town – no neighborhood businesses – need to balance for existing homes
- No Master Plan – only Comprehensive Plan



STEERING COMMITTEE MEETING, AUGUST 2018

Town of Van Wyck Community Center.



STEERING COMMITTEE MEETING, DECEMBER 2018

Our Lady of Grace Catholic Church.

- Poorly maintained roads
- Road network (all residential)
- Several sewer sheds cross the region – complications
- Should be looking at the entire US 521 corridor to City of Lancaster
- Small, pocket communities
- Traffic north of Waxhaw Highway
- Transportation
- Two main roads heading north, 5 and US 521
- Utilities
- Very few residents in the area
- Vision discrepancies between various stakeholders

Opportunities

- Blank canvas (noted 3 times)
- Ability to get ahead of the growth/plan for it
- Additional opportunity for retail/commercial
- Being able to design superstreets ahead of time
- Better communication
- Create plan to support future growth for schools and community
- Creation of deceleration lanes – other road improvements to assist in traffic flow
- More industrial parcels
- Opportunity to be a conduit of growth that extends from panhandle to City of Lancaster
- Reduce curb cuts
- Relationship with Van Wyck community
- Smart, planned development and growth
- Structuring taxes to help pay for growth
- Super street
- Trails, recreational opportunities for Town of Van Wyck
- Use this plan as a template for other areas of the county
- We can learn from mistakes made from north part of county

Threats

- Aging population (noted 3 times)
- Affordability – small business owners (noted 2 times)
- Rapid development (noted 2 times)
- Balance needs of existing versus new residents (noted 2 times)
- Traffic flow and design (noted 2 times)
- Overcrowded schools – we only build schools after growth (noted 2 times)
- Andrew Jackson State Park (threat to facility)
- Congestion if we don't plan for collector road study – type of infrastructure improvements
- Cost involved
- Dense development
- Financial impact on county and property owners
- Highway 5
- Lack of balance – will not adequately plan for business development and it will be all one big chain of subdivisions with retailers mixed in – that doesn't pay the bills
- No design standards for US 521
- Not enough connections to Trail
- Preserving natural assets while being sensitive to property owners
- Repeat of a common theme of urban sprawl pitfalls
- Rezoning of property by county council
- Tax base - will taxes help support growth
- The growth is coming, like it or not
- Threats to natural areas
- Work together to prevent incorporation threats

VISIONING WORDS:

Peaceful **Responsible**
Walkable **Oasis** **Desirable**
Growth
Community
Crossroads **Well-Planned**
Beauty
Sustainability **Progressive**

Visual Preference Exercise Board 1

Southern Panhandle's Future Look

Below are various images from other communities. The images include open space, parks, trails, rural living, residential homes, town homes, and multi-family homes. Which places would you like to see in the Southern Panhandle? **For each image, indicate whether you would like to see it in the Southern Panhandle or not.**

Mostly Like Mostly Do Not Like		Open Space and Rural Living Residential Homes, Town Homes, and Multi-Family		Mostly Like Mostly Do Not Like	
33	0			14	10
26	0			1	20
23	0			7	14
24	2			11	10
25	0			8	13
29	0			10	14
21	2			3	22
27	0			2	21

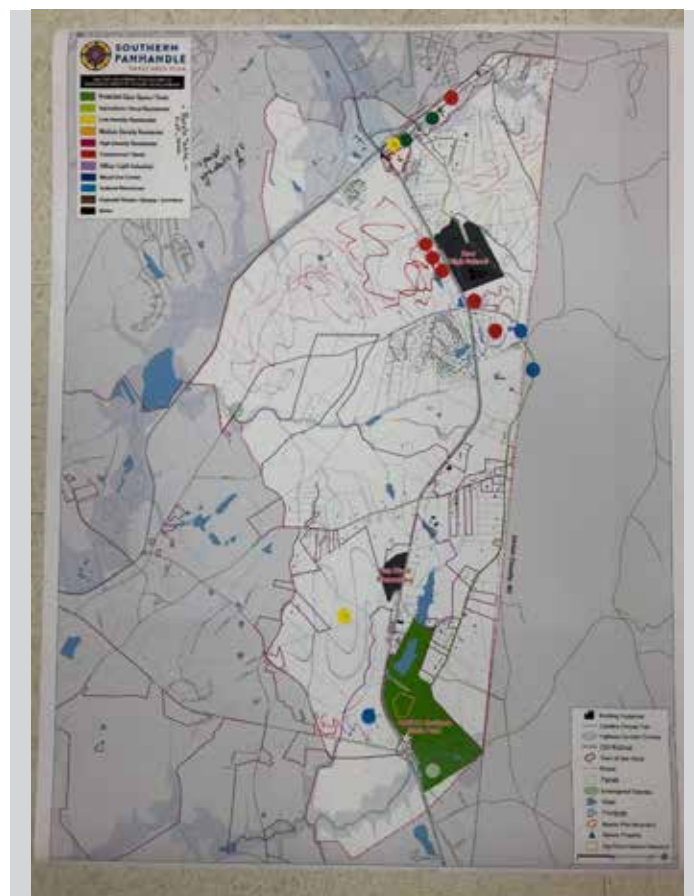
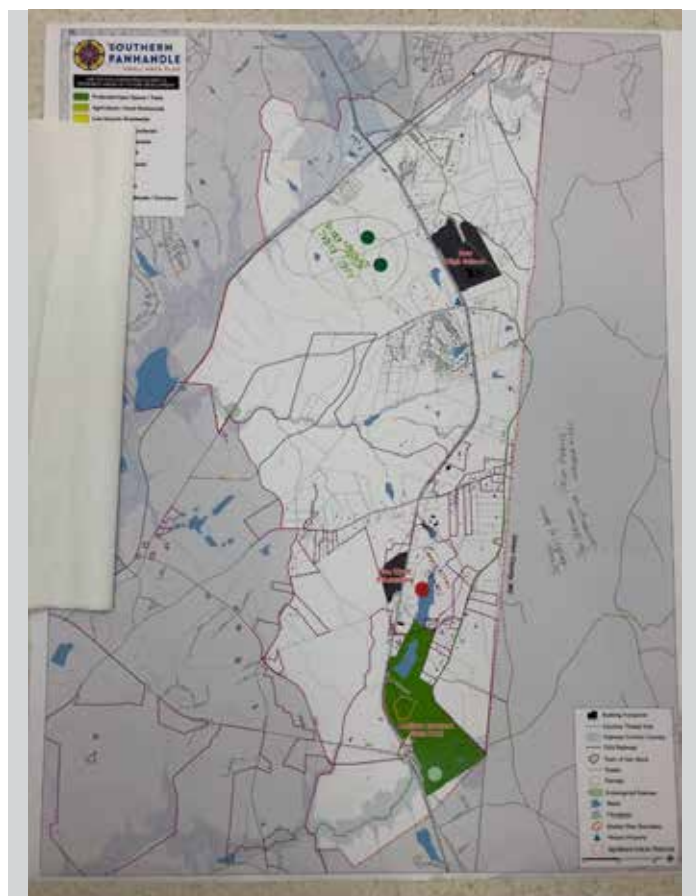
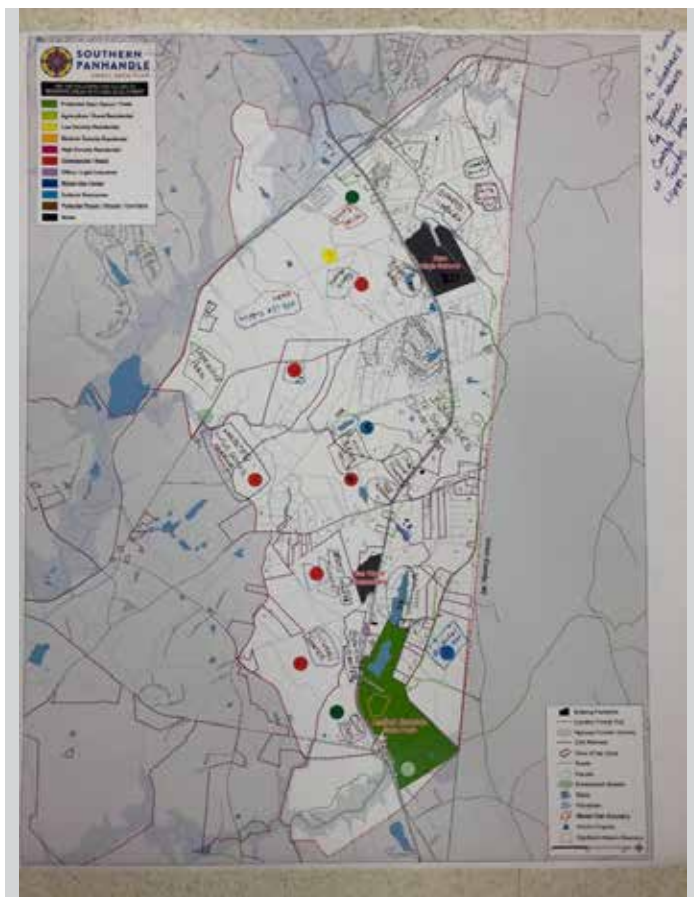
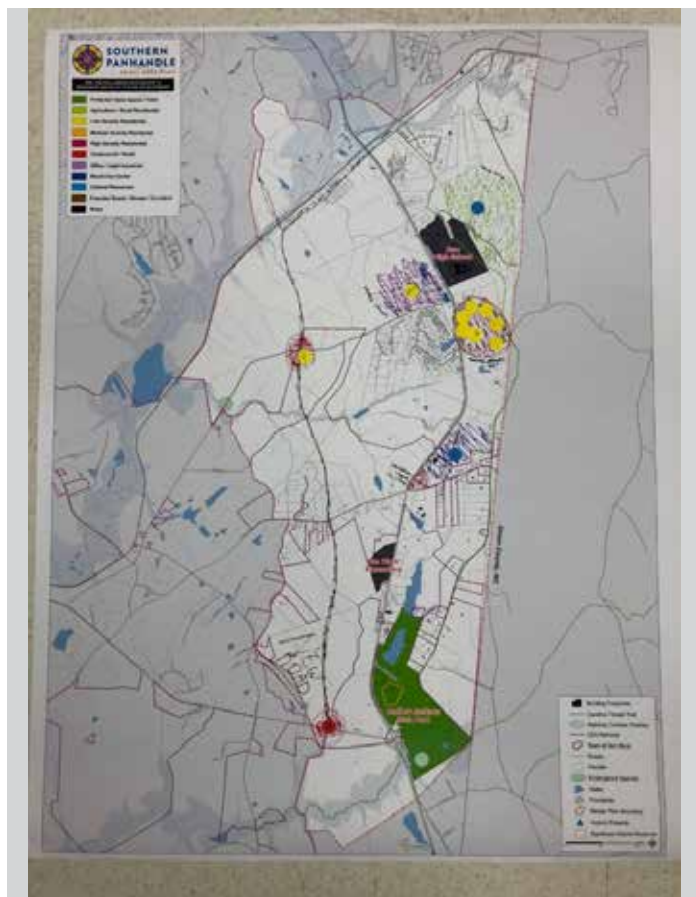
Visual Preference Exercise Board 2

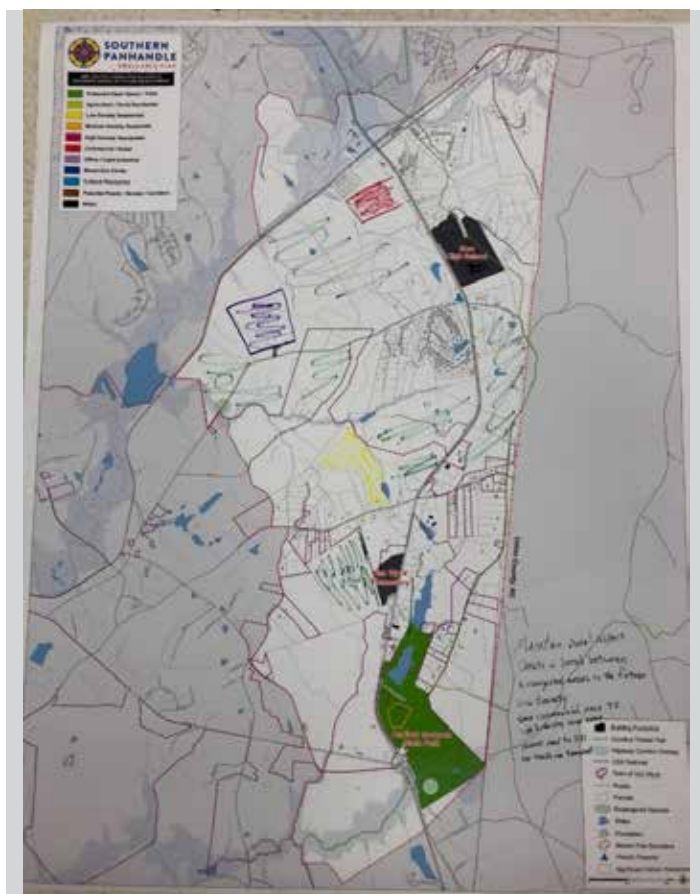
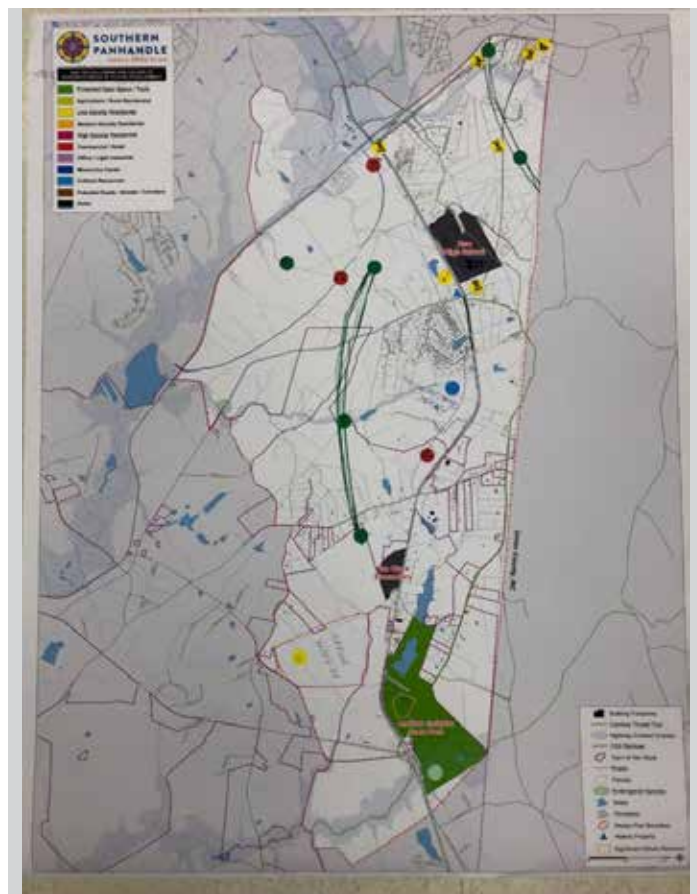
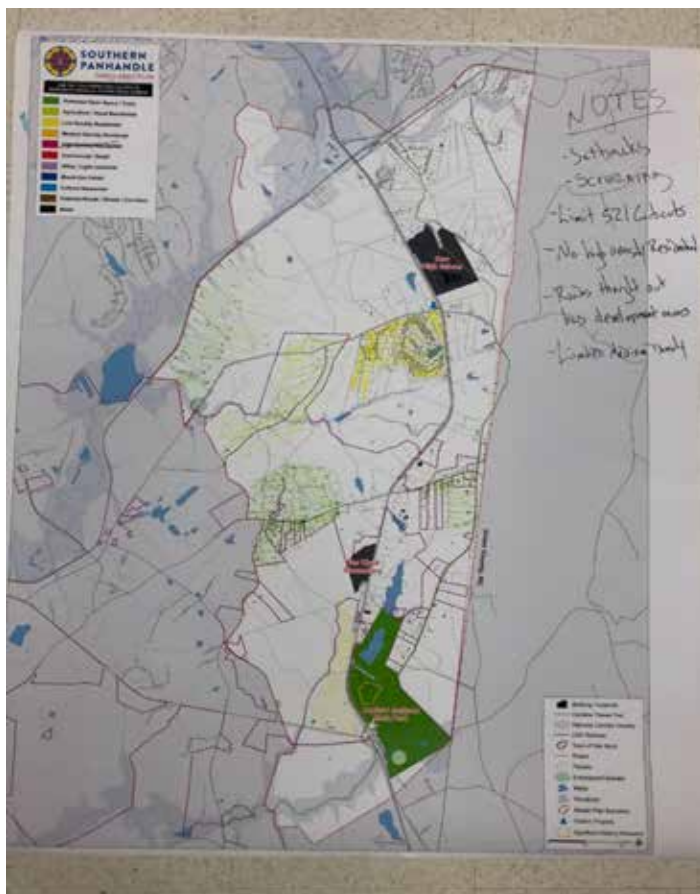
Southern Panhandle's Future Look

Below are various images from other communities. The images include commercial, retail, mixed-use, and employment. Which places would you like to see in the Southern Panhandle? For each image, indicate whether you would like to see it in the Southern Panhandle or not.

Mostly Like  Mostly Do Not Like 		Commercial and Mixed-Use	Employment Areas	Mostly Like  Mostly Do Not Like 	
2	16	 17	 25	0	30
19	3	 18	 26	12	14
17	2	 19	 27	8	17
6	17	 20	 28	15	13
24	0	 21	 29	4	14
5	18	 22	 30	6	14
18	5	 23	 31	8	12
14	7	 24	 32	7	17

WORK GROUP MAPS





The Lancaster News

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

PUBLIC HEARING NOTICE

For the purpose of obtaining oral and written comments from the public regarding the following matter, the Lancaster County Planning Commission will conduct a public hearing on Tuesday, November 17, 2020 and the Lancaster County Council will conduct a public hearing on Monday, January 11, 2021. All hearings will take place at 6:00 PM at the Lancaster County Administrative Building located at 101 N. Main Street, Room 224, Lancaster, SC.

1. Comprehensive Plan Amendment - Southern Panhandle Small Area Plan: Lancaster County adoption of a small area master plan for an area within unincorporated Lancaster County and the Town of Van Wyck generally located along US-521 between SC-75 and SC-5. The plan will also be adopted by reference in the Lancaster County Comprehensive Plan in accordance with Article 3, Local Planning - The Comprehensive Planning Process of the South Carolina Code of Laws.

Copies of the document to be considered is available for public inspection in the office of the Lancaster County Planning Department, which is located at 101 North Main Street, Room 108 Lancaster, South Carolina. Persons requiring special arrangements due to handicap please call (803) 285-6005 at least 24 hours in advance.

Public comments may be made in person at the hearing or submitted in written format to be provided to County Council at the public hearing. Comments made in person or in writing should be limited to three (3) minutes in duration if read aloud. Written comments may be submitted either by online submission on the county website (<https://www.mylancastersc.org/index.asp?SEC={DF11C6C4-BC53-4CD5-8A07-0847EAA1F478}>), email to SSimpson@lancastersc.net, or by mail addressed to Clerk to Council at 101 N. Main Street, Lancaster, SC 29720 with the Ordinance number or other appropriate identifier clearly referenced in the communication. At the public hearing and any adjournment of it, all interested persons may be heard either in person or by their designee or by submission of written comments.

This is to certify that the attached Public Hearing Notice was published in The Lancaster News in the issue of October 18, 2020.

Benita G. Gaudin

Notary Public of South Carolina

My Commission Expires
January 13, 2021

CAROLINA GATEWAY

701 North White Street
PO Box 640
Lancaster, SC 29721
803-283-1133

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1. RZ-020-2054: Application by Provident Bayard, LLC to rezone approximately 170.32 acres of land at the southwest intersection of Shelley Mullis and Henry Harris Roads (TM #s 0013-00-055.06, 0013-00-055.00, 0013-00-055.01, 0013-00-056.01, 0013-00-055.02 and 0013-00-055.05) from Low Density Residential (LDR) and Rural Neighborhood (RN) to Medium Density Residential (MDR). This project is associated with companion Development Agreement case DA-020-2423.
2. DA-020-2423: Application by Provident Bayard, LLC to approve a Development Agreement (DA) in accordance with Unified Development Ordinance Section 9.2.18 for the parcels listed above in the companion zoning map amendment case RZ-020-2054, which proposes a residential single-family development. A copy of the DA is located in the Planning Department and may be viewed upon request.
3. RZ-020-2206: Application by Ryan Urban to rezone approximately 19.88 acres located at 7907 Henry Harris Road (TM # 0014-00-034.15) from Low Density Residential (LDR) to Rural Neighborhood (RN) in order to permit the existing stable.
4. Comprehensive Plan Amendment - Southern Panhandle Small Area Plan: Lancaster County adoption of a small area master plan for an area within unincorporated Lancaster County and the Town of Van Wyck generally located along US-521 between SC-75 and SC-5. The plan will also be adopted by reference in the Lancaster County Comprehensive Plan in accordance with Article 3, Local Planning - The Comprehensive Planning Process of the South Carolina Code of Laws.

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Notice was published in CAROLINA

11, 2020

Ja G. Gush

ry Public of South Carolina

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1699

Contact Person / Sponsor: Steve Willis/Administration and Hal Hiott/Parks and Recreation

Department: Administration

Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

To sell a six acre parcel of County property for a de minimis amount to the Council on Aging.

Points to Consider:

The parcel is currently unimproved and a small cleared portion is used for overflow parking for the Springdale Recreation Center. A tax map is attached as information.

The concept is to transfer the parcel for a minimal amount to the Council on Aging, who will utilize grant funding to construct a paved parking lot. During business hours it will be utilized by Council on Aging staff but will be available for Parks and Recreation use after hours and on weekends.

The deed will include a reversionary clause should the Council on Aging ever stop using it for parking.

The real property is currently deed restricted to public recreational use and staff will be communicating with South Carolina Parks, Recreation and Tourism to have the deed restriction released. If the Ordinance meets with approval of County Council it may proceed in the normal course but there may be a need to delay third and final reading until such time as the restriction can be released.

Funding and Liability Factors:

Requested sales price is ten (\$10) dollars.

Council Options:

Approve or reject the Ordinance.

Recommendation:

Recommended for approval.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1699	1/5/2021	Ordinance
EXHIBIT A - Limited Warranty Deed to LCCOA	1/4/2021	Exhibit
Tax Map for Ordinance 2021-1699	12/31/2020	Exhibit

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2021 – 1699

COUNTY OF LANCASTER

)

)

~~Indicates Matter Stricken~~

Indicates New Matter

AN ORDINANCE

TO APPROVE THE SALE OF SIX (6) ACRES OF LAND TO THE LANCASTER COUNTY COUNCIL ON AGING, SAID PARCEL BEING LOCATED IN THE CITY OF LANCASTER, WITH A TAX PARCEL NUMBER OF 0082C-0A-001.06, AND TO AUTHORIZE COUNTY OFFICIALS TO TAKE SUCH ACTIONS AS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS ORDINANCE.

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

Section 1. Findings and determinations.

WHEREAS, the parcel is currently mostly wooded with a small section cleared to provide for overflow parking for events at the Springdale Recreation Center; and

WHEREAS, the Lancaster County Council on Aging proposes to acquire the parcel to construct a paved parking area for the Council on Aging; and

WHEREAS, the public benefit to be received by the County is that the Council on Aging would allow for the paved parking area to be used for overflow parking for Springdale Recreation Center; and

WHEREAS, the sale price of the parcel shall be ten dollars (\$10.00) provided that a reversionary clause be executed so that should the parcel cease to be used for parking available to the Springdale Recreation Center the parcel will revert to County ownership.

Section 2. Approval of Sale, Authority to Execute, Termination of Authority.

- A. The County Administrator, County Attorney, and such other County staff as may be necessary and convenient are authorized, empowered, and directed, in the name of and on behalf of Lancaster County, to execute, acknowledge, and deliver a deed conveying the land to the Buyer (the “Deed”). The form of the Deed is attached hereto as Exhibit A and all terms, provisions, and conditions of the Deed are incorporated herein by reference as if the Deed were set out in this ordinance in its entirety. By adoption of this ordinance, Council approves the Deed and all of its terms, provisions, and conditions. The Deed is to be substantially the form as attached to this ordinance and hereby approved, or with such minor changes therein as shall be approved by the officials of Lancaster County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Deed attached to this ordinance.
- B. Council authorizes and approves the sale of the Land to the Buyer.
- C. The authority of the County staff as set forth in subsection A, of this section and the approval by Council of the sale of the Land to the Buyer, as set forth in subsection B of this section terminates if closing of the sale of the Land has not occurred by 5:00 pm on April 30, 2021.

Section 3. Authority to Act.

The Council Chair, Secretary, County Administrator, County Attorney, and Clerk to Council each are authorized to take such actions and to execute such documents as may be necessary to effectuate the purposes of this ordinance.

Section 4. Severability.

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

Section 5. Conflicting Provisions.

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

Section 6. Effective date.

This ordinance is effective upon Third Reading.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: January 11, 2021
Second Reading: January 25, 2021
Public Hearing: February 8, 2021
Third Reading: February 8, 2021

Approved as to form:

John DuBose, County Attorney

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

EXHIBIT A.

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER) **LIMITED WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, That **LANCASTER COUNTY (“Grantor”)**, a body politic and a political subdivision organized and existing under the laws of the State of South Carolina, for good and valuable consideration to it paid by the **LANCASTER COUNTY COUNCIL ON AGING (“Grantee”)**, in the State aforesaid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said **LANCASTER COUNTY COUNCIL ON AGING**, the following described property, to wit:

All of that certain piece, parcel or tract of land containing 6.0 acres, more or less, bounded on the north by S. Plantation Road, on the east by lands now or formerly owned by The Collins Investment Trust, on the south by Old Lansford Road and the right of way for Southern Railroad, and on the west by property now or formerly owned by Lancaster County Council on Aging.

Being a portion of the property conveyed to Grantor herein by Instrument of Trust dated November 22, 1958, and recorded in the Office of the Clerk of Court for Lancaster County in Deed Book T-4 at Page 380 and also by that Title to Real Estate Corrective Deed recorded on or about April 26, 2000, in the Office of the Clerk of Court for Lancaster County in Deed Book 80 at Page 1113.

Tax Map # 0082C-0A-001.06

ADDRESS OF GRANTEE: Lancaster County Council on Aging

PO Box 1296
Lancaster, SC 29721

The property is hereby conveyed to the Grantee subject to the following easements, conditions, restrictions, or exceptions, these and all such matters as may arise out of them being matters for which the warranty of Grantor as contained herein shall not apply:

- 1) OTHER THAN THE WARRANTIES CONTAINED HEREIN, THE GRANTEE ACCEPTS POSSESSION OF AND TITLE TO THE PROPERTY ON AN "AS IS" BASIS. GRANTOR MAKES NO REPRESENTATIONS CONCERNING THE PHYSICAL CONDITION OF THE PROPERTY OR THE FITNESS OF THE PROPERTY FOR GRANTEE'S INTENDED PURPOSE.
- 2) Matters which might be shown by a current survey or physical inspection of the Property, conditions, right of way, easements, and restrictions of record, and zoning and land use regulations which may impact Grantee's use of the property.
- 3) Ad valorem taxes for the current year which are a lien but are not yet due and payable and rollback or deferred taxes, which constitute a lien but are not yet due and payable and which shall be paid by Grantor when assessed by the taxing authority
- 4) Grantee's use of the property shall be restricted and limited as follows:
 - a. The property shall be used for construction of a paved parking area for use by Lancaster County Council on Aging and off hours parking for Lancaster County Parks and Recreation activities for no other purposes. In the event the Property ceases to be used as parking for Lancaster County Council on Aging (with cessation of use defined as Lancaster County Council on Aging ceasing to use the

subject property for parking for a period of three (3) months or greater), then title to the Property shall revert to Grantor or its successor in interest and all improvements thereon shall become property of Grantor. PROVIDED, HOWEVER, that Grantee's failure to so use the property for a period of eighteen (18) months from the date hereof shall not be deemed a violation of the forgoing restriction for so long as Grantee shall, during such period, be actively designing, planning, and/or construction of a paved parking facility upon the Property, and shall use the property for no other purpose during such period.

- b. Grantee grants a license of entry and use to Lancaster County and the patrons of Lancaster County Parks and Recreation to utilize the paved parking area during the hours that Grantee is not open to its patrons. Grantee shall not be unreasonably withhold, restrict, or interfere with Grantor's utilization of the parking area.

TO HAVE AND TO HOLD all and singular the premises before mentioned, subject to the above easements, restrictions, and exceptions, together with any and all rights, members, and appurtenances thereof, the same being, belonging or otherwise appertaining to the only proper use and benefit of **LANCASTER COUNTY COUNCIL ON AGING** forever IN FEE SIMPLE, on the terms and conditions contained herein.

And **LANCASTER COUNTY**, does hereby bind itself, its Successors and Assigns to warrant and forever defend all and singular the said premises unto the said **LANCASTER COUNTY COUNCIL ON AGING**, against claims of all persons whomsoever claiming by, through or under Grantor, or Grantor's successors and assigns, and against all others, subject to the restrictions and limitations contained herein.

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

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

LANCASTER COUNTY

By: _____
Its: _____

**STATE OF SOUTH CAROLINA)
COUNTY OF)**

ACKNOWLEDGMENT

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

WITNESS my hand and seal this _____ day of _____, 2021

_____(SEAL)
Notary Public for State of South Carolina
My commission expires:_____



Overview



Legend

- Parcels
- Roads
- Streams and River
- Railroad

Parcel ID	0082C-0A-001.06	Owner	LANCASTER COUNTY	Last 2 Sales			Qual
Class Code	Exempt		PO BOX 1809	Date	Price	Reason	
Taxing	County		LANCASTER, SC	4/26/2000	\$1	SOLD DOES NOT MATCH APPRAISAL RECORD	
District	Lancaster		29721	2/23/1998	\$47000	TRUE SALE	
Land Size	6	ACRES	Physical Address				
			Assessed Value				

(Note: Not to be used on legal documents)

Date created: 12/1/2020
Last Data Uploaded: 12/1/2020 1:45:13 AM

Developed by Schneider GEOSPATIAL

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1712

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

Department: Procurement

Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

Sealed bids were received for a Lancaster County property located on Happy Trail on December 31, 2020. The highest bid was for \$30,000.

Points to Consider:

Funding and Liability Factors:

N/A

Council Options:

Approve or Deny the sale of the surplus real property.

Recommendation:

Approve the conveyance of surplus real property.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2021-1712	1/5/2021	Ordinance

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2021-1712

**AN ORDINANCE AUTHORIZING LANCASTER COUNTY TO SELL AND CONVEY
COUNTY OWNED PROPERTY LOCATED ON HAPPY TRAIL AND CONTAINING
4.57 ACRES, MORE OR LESS, BY PRIVATE SALE, BEING SHOWN ON THE
LANCASTER COUNTY TAX MAPS AS PARCEL NUMBER 0071-00-038.03**

WHEREAS, the County Council of Lancaster County currently owns a 4.57 acre, more or less, parcel of unimproved land located on Happy Trail which was originally purchased in 1992 with the intention of providing investment opportunities or serving as a future site for public improvements which would benefit Lancaster County and its citizens; and

WHEREAS, after due consideration, Lancaster County determined that the real property is surplus to the needs of Lancaster County and has placed the property on the market and has solicited bids for the real property with the intention of selling the property for a fair price; and

WHEREAS, Lancaster County Council has determined that the real property is surplus to the needs of Lancaster County; and

WHEREAS, after marketing the property for sale, a potential purchaser and high bidder for the property has contacted the County Council expressing an interest in the surplus real property and County Council considers that the sale of the surplus real property can generate funds that will result in an acceptable return on investment to Lancaster County, thus benefitting the county as a whole and providing funds for future needs of the County; and

WHEREAS, the County Council finds that sale of the property to the high bidder for the bid of Thirty Thousand Dollars (\$30,000.00) is an appropriate price and the sale of this surplus real property will be advantageous to the County and represents an important and necessary governmental function.

NOW, THEREFORE, BE IT ORDAINED, by the County Council, as follows:

Section 1. Authorization.

The County is authorized to:

(A) negotiate in good faith with the potential purchaser who has submitted the highest bid for the property in hopes of consummating the sale;

(B) The County Council of Lancaster County hereby authorizes and directs that the Chairman of the Lancaster County Council, make, execute and deliver the deed conveying the premises described herein to the successful bidder, to sign all required documents and do all things necessary to complete the sale of the said property.

Section 2. Severability.

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

Section 3. Conflicting Provisions.

Any ordinance, resolution, or other order of the Lancaster County Council, the terms of which are in conflict with this ordinance, is, only to the extent of that conflict, repealed.

Section 4. Effective Date.

This Ordinance shall take effect only after the County Council has approved it after three readings and a public hearing has been duly and timely held.

LANCASTER COUNTY, SOUTH CAROLINA

By: _____
Steve Harper, Chairman
Lancaster County Council

By: _____
Billy Mosteller, Secretary
Lancaster County Council

(SEAL)
ATTEST:

Sherrie Simpson, Clerk to Council
Lancaster County Council

First Reading: January 11, 2021
Second Reading: January 25, 2021
Public Hearing: February 8, 2021
Third Reading: February 8, 2021

Approved as to form:

John DuBose, County Attorney

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2021-1713

Contact Person / Sponsor: Jamie Gilbert / Economic Development

Department: Economic Development

Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

LCDED is working with a Project Smith, a well-established and respected business that is considering purchasing an existing industry building in Lancaster County for its office, manufacturing and warehouse operations. The company has evaluated locations throughout the Carolinas. The company has identified an existing building in Lancaster County as their preferred location. If Project Smith were to locate in Lancaster County, the project would result in a capital investment of over \$7 million and 43 new jobs in Lancaster County. No positions at the operation will have an annual salary of less than \$40,000.

In an effort to secure the Project Smith's commitment to expanding their operations to Lancaster County, LCDED has proposed to the company a thirty year Special Source Revenue Credit (SSRC) at 62% annually to be applied against a the project's real and personal property ad valorem taxes.

Points to Consider:

- Project Smith is a well-respected and established company that would be desirable to have in Lancaster County.
- The project is competitive and property tax reductions are critical to the securing the project in Lancaster County.
- The purchase of the existing building represents a significant portion of the project's capital investment. The building is not eligible for a FILOT since it is currently being taxed. At one time, the building was subject to a FILOT that has since expired.
- Project Smith's purchase is expected to triple the market value of the building. This will proportionally increase the ad valorem taxes on the building.
- The SSRC will assist Project Smith in offsetting the 9% manufacturing assessment rate (FILOT rates are 6%), the annual change in millage (millage rates are locked in under a FILOT) and the increase in the building assessment both at the time of purchase and the five year reassessment process (building values are frozen for the term of the FILOT).

Funding and Liability Factors:

There are no funding or liability factors. As previously noted, the SSRC applies to an existing property being taxed; however, Project Smith's purchase and upgrades are expected to increase the value of the building three fold. As a result, real property tax revenues after year five are expected to increase over what is currently being generated. If the building were to remain vacant, real property taxes from Project Smith after incentives are applied will more than double on the property.

Council Options:

County Council can approve, amend, table or reject the Project Smith SSRC Ordinance.

Recommendation:

LCDED recommends County Council approve the Project Smith SSRC Ordinance as presented.

ATTACHMENTS:

Description	Upload Date	Type
-------------	-------------	------

Ordinance 2021-1713	1/5/2021	Ordinance
Exhibit A to Ordinance 2021-1713 - Special Source Revenue Credit Agreement	1/6/2021	Exhibit

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2021-1713

COUNTY OF LANCASTER

)

AN ORDINANCE

TO AUTHORIZE THE EXECUTION AND DELIVERY OF A SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND AMONG LANCASTER COUNTY, ####, INC., AND @@@@, LLC, (PROJECT SMITH) PROVIDING FOR SPECIAL SOURCE REVENUE CREDITS; AND TO EXPRESS THE INTENTION OF COUNCIL TO PROVIDE MONIES TO THE ECONOMIC DEVELOPMENT FUND.

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

Section 1. Findings and Determinations.

The Lancaster County Council finds and determines that:

(a) Lancaster County, South Carolina (the "County"), acting by and through its County Council (the "County Council") is authorized and empowered to establish a multicounty park ("MCP") pursuant to Article VIII, Section 13(D) of the Constitution of South Carolina, and also authorized to provide special source revenue credits ("SSRCs") pursuant to Sections 4-1-170, 4-1-172, 4-1-175 and 4-29-68 of the Code of Laws of South Carolina 1976, as amended (the "MCP Act") against fee-in-lieu of tax ("FILOT") payments ("FILOT Payments") made pursuant to the MCP Act to reimburse a project for the costs of designing, acquiring, constructing, improving, or expanding (i) infrastructure serving the project, or (ii) improved or unimproved real estate and personal property, including machinery and equipment used in the operation of a manufacturing or commercial enterprise, through which powers the industrial development of South Carolina and the County will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in South Carolina and the County and thus to utilize and employ the workforce, products, and natural resources of South Carolina to benefit the general public welfare of the County by providing services, employment, and other public benefits not otherwise provided locally;

(b) ####, Inc., and @@@@, LLC, (Project Smith) on their own or together with one or more of their subsidiaries, affiliates, successors, assigns, sponsors, lessors, and others (collectively, the "Company"), desires to invest capital in the County in order to construct and install one or more facilities in the County (the "Project"), *provided, that*, approvals of various incentives contemplated for the Project are formalized by the State and/or County;

(c) the Project is anticipated to result in an investment of at least \$5,600,000 in real and personal property with an associated creation of at least thirty (30) new, full-time jobs; and

(d) by passage of Resolution No. 1119-R2020, adopted October 26, 2020, Council committed the County to (i) enter into a Special Source Revenue Credit Agreement with the Company under the MCP Act, (ii) provide for SSRCs against the FILOT Payments to be made by the Company, and (iii) locate the Project in an MCP.

Section 2. Additional Findings.

Council makes the following additional findings:

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

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

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

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

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

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

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

Section 3. Approval of Special Source Revenue Credit Agreement.

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

Section 4. Economic Development Fund.

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

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

Section 5. Authority to Act.

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

Section 6. Severability.

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

Section 7. Controlling Provisions.

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

Section 8. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this ____ day of _____, 2021.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: January 11, 2021
Second Reading: January 25, 2021
Public Hearing: February 8, 2021
Third Reading: February 8, 2021

Approved as to form:

John K. DuBose III, County Attorney

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Exhibit A to Ordinance No. 2021-1713

Special Source Revenue Credit Agreement

See attached.

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SMITH (#####) – JANUARY 6, 2021

SPECIAL SOURCE REVENUE CREDIT AGREEMENT

by and among

LANCASTER COUNTY, SOUTH CAROLINA,

#####, INC.,

and

XXXXXXXXXXXXXX, LLC

Dated as of February 8, 2021

SPECIAL SOURCE REVENUE CREDIT AGREEMENT

This SPECIAL SOURCE REVENUE CREDIT AGREEMENT, dated as of February 8, 2021 (as the same may be amended, modified or supplemented from time to time in accordance with the terms hereof, the “Agreement”), is by and among LANCASTER COUNTY, SOUTH CAROLINA (the “County”), a body politic and corporate, and a political subdivision of the State of South Carolina, #####, INC. (“#####”), a North Carolina corporation and XXXXXXXXXXXXX, LLC (“XXXXXXXXXXXX”), a North Carolina limited liability company (collectively, ##### and XXXXXXXXXXXXX, are referred to as “Company”).

WITNESSETH:

WHEREAS, the County, acting by and through its County Council (the “County Council”) is authorized and empowered to establish a multicounty park (“MCP” or “Park”) pursuant to Article VIII, Section 13(D) of the Constitution of South Carolina, and also authorized to provide special source revenue credits pursuant to Sections 4-1-170, 4-1-172, 4-1-175 and 4-29-68 of the Code of Laws of South Carolina 1976, as amended (the “MCP Act”) against fee-in-lieu of tax (“FILOT”) payments (“FILOT Payments”) made pursuant to the MCP Act to reimburse a project for the costs of designing, acquiring, constructing, improving, or expanding (i) infrastructure serving the project, or (ii) improved or unimproved real estate and personal property, including machinery and equipment used in the operation of a manufacturing or commercial enterprise (“Special Source Improvements”), through which powers the industrial development of South Carolina and the County will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in South Carolina and the County and thus to utilize and employ the workforce, products, and natural resources of South Carolina to benefit the general public welfare of the County by providing services, employment, and other public benefits not otherwise provided locally; and

WHEREAS, the Company desires to invest capital in the County in order to construct and install one or more facilities with the expected investment estimated to be at least \$5,600,000 in real and personal property with an associated creation of at least thirty (30) new, full-time jobs (the “Project”); and

WHEREAS, pursuant to the MCP Act, the County, by passage of Ordinance No. 1011, and Chester County, South Carolina (“Chester County”), by passage of Ordinance No. 02-01-01A, have jointly developed a Park (“Lancaster-Chester Park”) by entering into that certain Agreement for the Development of a Joint Industrial and Business Park (Greyne) dated December 21, 2009 (as amended, modified, or supplemented through the date hereof, and as may be amended, modified, or supplemented from time to time, the “Lancaster-Chester Park Agreement”); and

WHEREAS, in accordance with the MCP Act, real and personal property having a *situs* in a Park in the County, including, but not limited to, the Lancaster-Chester Park, is exempt from all *ad valorem* taxation, but, the owners or lessees of such real and personal property are obligated to make, or cause to be made, payments in lieu of taxes to the County in the total amount equivalent to the *ad valorem* taxes or other fee in lieu of tax payments that would have been due and payable with respect to the real and personal property but for the location of the real and personal property within the Park and the exemption; and

WHEREAS, the County has determined to provide for inclusion of the Project Site within the boundaries of the Lancaster-Chester Park, if such property is not already so included, and to maintain the

Project Site within the boundaries of the Lancaster-Chester Park, or a replacement or successor Park, in order to facilitate the provision of, and receipt by, the Company of the special source revenue credits set forth in greater detail herein; and

WHEREAS, the County, as inducement for the location of the Project in the County, and in accordance with the MCP Act, has determined that the County shall provide, and the Company shall receive, special source revenue credits against each FILOT Payment due from the Company with respect to the Project, all as set forth in greater detail herein; and

WHEREAS, the County Council has authorized the execution and delivery of this Agreement by Ordinance No. 2021-1713 enacted by the County Council on February 8, 2021 (the “County Ordinance”).

NOW, THEREFORE, in consideration of the respective representations and agreements hereinafter contained, the above recitals which are incorporated herein by reference, and other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

ARTICLE I

DEFINITIONS

The defined terms in this Agreement shall for all purposes of this Agreement have the meanings specified in the recitals above and in this **Article I**, unless the context clearly otherwise requires. Except where the context otherwise requires, (i) words importing the singular number shall include the plural number and *vice versa*, and (ii) the words “hereof”, “herein”, “hereunder”, and other words of similar import refer to this Agreement as a whole.

“*Affiliate*” means any corporation, limited liability company, partnership or other Person or entity which now or hereafter owns all or part of either ##### or XXXXXXXXXXXXX, or which now or hereafter is owned in whole or in part by either ##### or XXXXXXXXXXXXX, or by any partner, shareholder or owner of either ##### or XXXXXXXXXXXXX, as well as any corporation, limited liability company, partnership or other Person, which now or hereafter bears a relationship to either ##### or XXXXXXXXXXXXX, as described in Section 267(b) of the Internal Revenue Code.

“*Code*” means the Code of Laws of South Carolina 1976, as amended.

“*Company*” means, collectively, ##### and XXXXXXXXXXXXX, and their successors and assigns.

“*Costs of Special Source Improvements*” means all of the costs of designing, acquiring, constructing, improving, equipping or expanding the Special Source Improvements, whether incurred prior to or after the date of this Agreement, and shall be deemed to include, but not be limited to: (a) existing buildings and building improvements together with all existing machinery and equipment; (b) obligations incurred for labor, materials, and other expenses to builders and materialmen in connection with the acquisition, construction, and installation of the Special Source Improvements; (c) the cost of construction bonds and of insurance of all kinds that may be required or necessary during the course of construction and installation of the Special Source Improvements, which is not paid by the contractor or

contractors or otherwise provided for; (d) the expenses for test borings, surveys, test and pilot operations, estimates, plans and specifications and preliminary investigations therefore, and for supervising construction, as well as for the performance of all other duties required by or reasonably necessary in connection with the acquisition, construction, and installation of the Special Source Improvements; and (e) all other costs which shall be required under the terms of any contract for, or incurred in connection with, the designing, acquisition, construction, equipping and installation of the Special Source Improvements.

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

“*County Ordinance*” has the meaning ascribed thereto in the recitals of this Agreement.

“*Jobs Commitment*” means the commitment of ##### and XXXXXXXXXXXXX, collectively, to create New Full-Time Jobs paying an hourly wage rate meeting the Wage Requirement.

“*Lancaster-Chester Park*” means initially with respect to the Project Site, the Lancaster-Chester Park established pursuant to the terms of the Lancaster-Chester Park Agreement, and thereafter any Park which hereafter includes the Project Site and which is designated by the County as such pursuant to any Park agreement which replaces or succeeds the Lancaster-Chester Agreement.

“*Lancaster-Chester Park Agreement*” has the meaning ascribed thereto in the recitals of this Agreement.

“*MCP Act*” has the meaning ascribed thereto in the recitals of this Agreement.

“*New Full-Time Jobs*” means new full-time jobs (*i.e.*, at least thirty (30) hours per week) created by Company for the Project, all with health care benefits (“New Full-Time Jobs”) at the following employment levels and in the designated timeframes:

(i) to have employed in New Full-Time Jobs meeting the Wage Requirement, not less than twenty-five (25) for those months in which the Project is operating in the County in calendar year 2021 (applicable to the FILOT Payment due without penalty by January 15, 2023),

(ii) to have employed in New Full-Time Jobs meeting the Wage Requirement, not less than an average of twenty-eight (28) in calendar year 2022 (applicable to the FILOT Payment due without penalty by January 15, 2024),

(iii) to have employed in New Full-Time Jobs meeting the Wage Requirement, not less than an average of thirty (30) in calendar year 2023 (applicable to the FILOT Payment due without penalty by January 15, 2025) and each calendar year thereafter in which either ##### or XXXXXXXXXXXXX receives an SSRC pursuant to Section 3.01(a) below.

Jobs relocated from other states to the Project may be included in the determination whether the Company has fulfilled the Jobs Commitment if the relocated jobs meet the Wage Requirement.

“*Park*” has the meaning ascribed thereto in the recitals of this Agreement.

“*Person*” means an individual, a corporation, a partnership, a limited liability company, an association, a joint stock company, a joint venture, a trust, any unincorporated organization, or a government or an agency or a political subdivision thereof.

“*Project*” has the meaning ascribed thereto in the recitals of this Agreement.

“*Project Site*” means the land identified by Parcel Identification No. _____, with a physical address of _____, and consisting of approximately ____ acres.

“*Property Tax Year*” means the annual period which is equal to the fiscal year of ##### and XXXXXXXXXXXXX, i.e., as of the original execution and delivery of this Agreement, with respect to both ##### and XXXXXXXXXXXXX, the annual period ending on December 31 of each year.

“*Special Source Improvements*” has the meaning ascribed thereto in the recitals of this Agreement.

“*Special Source Revenue Credits*” or “*SSRCs*” shall mean the special source revenue credits provided by the County and described in **Section 3.01** hereof.

“*State*” means South Carolina.

“#####” means #####, Inc., a North Carolina corporation and its successors and assigns.

“XXXXXXXXXX” means XXXXXXXXXXXXX, LLC, a North Carolina limited liability company and its successors and assigns.

“*Wage Requirement*” means an hourly wage rate not less than twenty dollars (\$20.00).

ARTICLE II

REPRESENTATIONS AND COVENANTS

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

SECTION 2.02. Representations by the Company. A. ##### makes the following representations:

(1) ##### is a North Carolina corporation, duly organized, validly existing, and in good standing, under the laws of North Carolina and is authorized to transact business in South Carolina, has power to enter into this Agreement, and by proper corporate action has authorized the respective ##### official or officials signing this Agreement to execute and deliver this Agreement.

#####' fiscal year end is December 31 and ##### will notify the County of any changes in the fiscal year of #####.

(2) The Special Source Revenue Credits provided by the County in the manner set forth in this Agreement have been instrumental to ##### in inducing the location of the Project in the County.

B. XXXXXXXXXXXXX makes the following representations:

(1) XXXXXXXXXXXXX is a North Carolina limited liability company, duly organized, validly existing, and in good standing, under the laws of North Carolina and is authorized to transact business in South Carolina, has power to enter into this Agreement, and by proper corporate action has authorized the respective XXXXXXXXXXXXX official or officials signing this Agreement to execute and deliver this Agreement. XXXXXXXXXXXXX's fiscal year end is December 31 and XXXXXXXXXXXXX will notify the County of any changes in the fiscal year of XXXXXXXXXXXXX.

(2) The Special Source Revenue Credits provided by the County in the manner set forth in this Agreement have been instrumental to XXXXXXXXXXXXX in inducing the location of the Project in the County.

SECTION 2.03 Covenants by the County. The County will use its best efforts to include, and thereafter maintain, the Project Site within the boundaries of the Lancaster-Chester Park for the term of this Agreement.

ARTICLE III

FILOT PAYMENTS AND SPECIAL SOURCE REVENUE CREDITS

SECTION 3.01. FILOT Payments and Special Source Revenue Credits.

(a) Company acknowledges and agrees that under the MCP Act, the Project is exempt from *ad valorem* property taxes and that the Company is required to make annual FILOT Payments with respect to the Project in an amount equal to what the *ad valorem* property taxes would be if the Project were not located in the Lancaster-Chester Park, less the Special Source Revenue Credits provided in **Section 3.01(b)** below. The FILOT Payments to be made by the Company under this Agreement shall be calculated in the same manner as *ad valorem* taxes and the Company shall receive, in addition to the Special Source Revenue Credits provided in **Section 3.01(b)** below, all other credits, exemptions, or reductions against *ad valorem* taxes or against payments in lieu of taxes due pursuant to the MCP Act allowed by law. County and Company acknowledge and agree that any exemption that would otherwise be allowed pursuant to Section 3(g), Article X of the Constitution of South Carolina and the exemptions allowed pursuant to Section 12-37-220(B)(32) and (34) of the Code shall be applied in the calculation of the FILOT Payments. The collection and enforcement of the FILOT Payments shall be as provided in Section 12-2-90 of the Code.

(b) To defray or reimburse the Costs of Special Source Improvements with respect to the Project, the County agrees to provide, and the Company shall, subject to the provisions of Section 3.02 hereof, receive, Special Source Revenue Credits equal to sixty-two percent (62%) of the FILOT Payments due with

respect to the Company's investments in real and personal property for a period of thirty (30) consecutive tax years, beginning with the FILOT Payment due from the Company for tax year 2022 (*i.e.*, the FILOT Payment due to be paid without penalty on or before January 15, 2023) and ending with the FILOT Payment due from the Company in tax year 2051 (*i.e.*, the FILOT Payment due to be paid without penalty on or before January 15, 2052).

(c) The Special Source Revenue Credits to which the Company shall receive with respect to each tax year set forth above in **Section 3.01(b)** above shall be reflected by the County Auditor or other authorized County official or representative on each FILOT Payment bill sent to the Company by the County for each tax year, by reducing the fee-in-lieu of tax payment otherwise due from the Company for the tax year by the amount of Special Source Revenue Credits to be provided to the Company for the tax year.

(d) If **Section 3.01(b)** above, or the provision of the Special Source Revenue Credits is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, the County agrees to provide the Company with an incentive that is valid pursuant to such court ruling and commensurate to the nature and value of the benefits intended to be provided under this Agreement, to the maximum extent legally permitted.

(e) THIS AGREEMENT AND THE SPECIAL SOURCE REVENUE CREDITS PROVIDED HEREUNDER ARE LIMITED OBLIGATIONS OF THE COUNTY AND ARE PROVIDED BY THE COUNTY SOLELY FROM THE FEE-IN-LIEU OF TAX PAYMENT MADE BY THE COMPANY WITH RESPECT TO THE PROJECT AND DO NOT AND SHALL NOT CONSTITUTE A GENERAL OBLIGATION OF THE COUNTY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATION AND DO NOT AND SHALL NOT CONSTITUTE OR GIVE RISE TO A PECUNIARY LIABILITY OF THE COUNTY OR A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWER OF THE COUNTY. THE FULL FAITH, CREDIT, AND TAXING POWER OF THE COUNTY ARE NOT PLEDGED IN CONNECTION WITH THE PROVISION OF THE SPECIAL SOURCE REVENUE CREDITS HEREUNDER.

(f) In accordance with the MCP Act, the Special Source Revenue Credits authorized herein shall not, in the aggregate, exceed the aggregate cost of Special Source Improvements funded from time to time in connection with the Project by the Company.

(g) Notwithstanding any other provision of this Agreement, the Company acknowledges and agrees that County's obligation to provide the special source revenue credits ends, and this Agreement is terminated, if the Company ceases operation of the Project. For purposes of this **Section 3.01(g)**, "**cease operations**" means permanent closure of the Project. The Company agrees that if this Agreement is terminated pursuant to this **Section 3.01(g)**, that under no circumstance shall the County be required to refund or pay any monies to the Company.

(h) In any year in which the Company fails to meet the Jobs Commitment, the SSRC shall be reduced in the same proportion that the Company failed to meet the Jobs Commitment. For example, if for the calendar year 2022, the Jobs Commitment is to have not less than an average of twenty-eight (28), but the Company employed an average of twenty-four (24) meeting the Jobs Commitment, then the SSRC would be set at 85.7% (24 divided by 28 equals 85.7%) of 62% which results in an SSRC applicable to the FILOT Payment due without penalty by January 15, 2024 of 53.1% (85.7% times 62% equals 53.1%).

(i) Notwithstanding any other provision of this Agreement, the SSRCs provided in **Section 3.01(b)** above are not applicable in any year immediately following a year in which the Company has failed to employ an average of at least ten (10) individuals in new full-time jobs (*i.e.*, each at least thirty (30) hours per week and all with health care benefits).

SECTION 3.02. Maintenance of Books and Records; Annual Reports; Examinations and Inspections; Confidential Information. (a) ##### and XXXXXXXXXXXXX shall each maintain, or cause to be maintained, such books and records with respect to the Project as will permit the identification of the portions of the Project placed in service, the amount of investment with respect thereto, and any computations of the fee-in-lieu of tax payment and the special source revenue credits made by either ##### and XXXXXXXXXXXXX hereunder. ##### and XXXXXXXXXXXXX each agree to comply with all reporting requirements of the State and the County applicable to fee-in-lieu of tax property under the MCP Act, including without limitation the reports and returns required by Section 12-2-90 of the Code.

(b) Upon direction of the governing body of the County, a County Official may request and obtain such financial books and records from ##### and XXXXXXXXXXXXX that support the respective returns of ##### and XXXXXXXXXXXXX, as may be reasonably necessary to verify the calculations of the fee-in-lieu of tax payments by ##### and XXXXXXXXXXXXX. For purposes of this Agreement, the term "County Official" includes the County Administrator, County Auditor, County Assessor, County Treasurer, and the County Director of Economic Development.

(c) Each year during the term hereof, the Company shall deliver to the County Auditor, the County Assessor, the County Treasurer, and County Director of Economic Development a copy of any form or return it files with the South Carolina Department of Revenue with respect to the Project at the same time as delivery thereof to the South Carolina Department of Revenue.

(d) During the term hereof, ##### and XXXXXXXXXXXXX shall each deliver to the County Auditor and the County Director of Economic Development on or before each May 31 following the end of a Property Tax Year, beginning with May 31, 2022, the information required by the County Auditor for a fee-in-lieu of tax payment bill to be prepared in accordance with this Agreement and **Section 3.01(a)** hereof. The information delivered must include, at a minimum, the amount of investment by the Company in Project property. If the County incurs expenses in the computation, preparation and verification of the annual fee-in-lieu of tax payment bill, the Company agrees to reimburse the County for those expenses, including, but not limited to, expenses incurred by the County for accountants and similar experts (the "Administrative Expense Reimbursement"). The annual Administrative Expense Reimbursement is capped at one thousand dollars (\$1000.00). If the information and certification required by this subsection is not delivered to the County Auditor and County Director of Economic Development on or before May 31 of the applicable year, ##### and XXXXXXXXXXXXX each agree that the Special Source Revenue Credits are forfeited for the FILOT Payment due for Project property for the then current Property Tax Year.

(e) The Company agrees that the County and its authorized agents shall have the right at all reasonable times and upon prior reasonable notice to enter upon and examine and inspect the Project and to have access to and examine and inspect all its books and records pertaining to the Project. The right of examination and inspection shall be exercised only upon reasonable and necessary terms and conditions prescribed by the Company to protect the confidentiality and proprietary rights of ##### and

XXXXXXXXXXXX. Any such entrance upon and examination and inspection of the Project shall be at the County's expense.

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

ARTICLE IV

TRANSFERS OF PROJECT PROPERTY; ASSIGNMENT

SECTION 4.01. Transfers of Project Property; Assignment of Interest in this Agreement. The County hereby acknowledges that the Company may from time to time and, to the extent permitted by applicable law, sell, transfer, lease, convey, or grant the right to occupy and use the Project, in whole or in part, or assign its interests in this Agreement, in whole or in part, to one or more Persons without the consent of the County; *provided, however*, that any transfer or assignment by the Company of all or any of their interest in this Agreement to any Person other than an Affiliate shall require the prior written consent or subsequent ratification of the County, which consent or ratification shall not be unreasonably withheld, conditioned, or delayed and which shall be evidenced by resolution of County Council; and *provided, further*, that the Company shall provide written notice to the County of any such transfer or assignment. Subject to the foregoing provisions of this **Section 4.01**, no such sale, lease, conveyance, grant, transfer or assignment shall relieve the County from the County's obligation to provide the Special Source Revenue Credits to the Company, or any transferee or assignee of the same, under this Agreement.

ARTICLE V

DEFAULTS AND REMEDIES

SECTION 5.01. Events of Default. If any party shall fail duly and punctually to perform any material covenant, condition, agreement or provision contained in this Agreement on the part of such party to be performed, which, except as otherwise provided in this Agreement, failure shall continue for a period of thirty (30) days after written notice by another party, specifying the failure and requesting that it be remedied, is given to the defaulting party by first-class mail, then such party shall be in default under this Agreement (an "Event of Default"); *provided, however*, that if any such failure is not, with due diligence, susceptible of cure within such 30-day period, then such defaulting party shall have a period of

time not to exceed sixty (60) days from the date of such written notice by the other party to remedy such failure, unless such parties agree in a writing signed by all parties to an extension of such time prior to its expiration.

SECTION 5.02. Legal Proceedings. Upon the happening of any Event of Default by a party, then and in every such case each other party in its respective discretion may:

(1) by mandamus, or other suit, action, or proceeding at law or in equity, enforce all of its rights and require the defaulting party to carry out any agreements with or for its benefit and to perform its duties under the MCP Act and this Agreement;

(2) bring suit upon this Agreement;

(3) exercise any or all rights and remedies provided by the applicable laws of South Carolina;
or

(4) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of its rights.

SECTION 5.03. Remedies Not Exclusive. No remedy in this Agreement conferred upon or reserved to the Company or the County is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute.

SECTION 5.04. Nonwaiver. No delay or omission of the Company or the County to exercise any right or power accruing upon any default or Event of Default shall impair any such right or power or shall be construed to be a waiver of any such default or Event of Default, or an acquiescence therein; and every power and remedy given by this **Article V** to the Company or the County may be exercised from time to time and as often as may be deemed expedient.

ARTICLE VI

MISCELLANEOUS

SECTION 6.01. Termination This Agreement shall automatically terminate on the date upon which all Special Source Revenue Credits provided for in **Section 3.01** hereof have been provided to, and received by, the Company. Additionally the County and the Company may jointly agree to terminate this Agreement at any time and the Company may, at their option, unilaterally terminate this Agreement at any time with respect to all, or any portion of the Project.

SECTION 6.02. Binding Effect; Successors and Assigns. This Agreement shall be binding, in accordance with its terms, and to the extent permitted by law, upon and inure to the benefit of the Company, the County and their respective successors and assigns. All covenants, stipulations, promises, and agreements contained in this Agreement, by or on behalf of, or for the benefit of, the County, shall bind or inure to the benefit of the successors of the County from time to time and any officer, board, commission, agency, or instrumentality to whom or to which any power or duty of the County shall be transferred.

SECTION 6.03. Provisions of Agreement for Sole Benefit of the Company and the County. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any Person other than the Company and the County any right, remedy, or claim under or by reason of this Agreement, this Agreement being intended to be for the sole and exclusive benefit of the Company and the County.

SECTION 6.04. Severability. In case any one or more of the provisions of this Agreement shall, for any reason, be held to be illegal, invalid or unenforceable, the illegality, invalidity or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed and enforced as if the illegal, invalid or unenforceable provisions had not been contained herein so as to most closely effectuate the legal, valid and enforceable intent hereof and so as to afford the Company with the maximum benefits to be derived herefrom.

SECTION 6.05. No Liability for Personnel of the County, the Company or the Affiliated Company. No covenant or agreement contained in this Agreement is deemed to be a covenant or agreement of any elected official, member, agent, or employee of the County or its governing body or the Company or any of their respective officers, elected officials, employees, or agents in an individual capacity, and neither the members of the governing body of the County nor any official of the County or the Company executing this Agreement is liable personally on the Special Source Revenue Credits or this Agreement or subject to any personal liability or accountability by reason of the issuance thereof.

SECTION 6.06. Notices. All notices, certificates, requests, or other communications under this Agreement are sufficiently given and are deemed given, unless otherwise required by this Agreement, when (i) delivered or (ii) sent by facsimile and confirmed by United States first-class registered mail, postage prepaid, addressed as follows:

(a) As to the County:

Lancaster County
Attn.: County Administrator
P.O. Box 1809 (29721)
101 N. Main Street, 2nd Floor (29720)
Lancaster, South Carolina
Phone: (803) 416-9300
Fax: (803) 285-3361

with a copy to (which shall not constitute notice for purposes of this Agreement):

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

(b) As to #####:

#####, Inc.

(c) As to XXXXXXXXXXXXX:

XXXXXXXXXXXX, LLC

The County and the Company shall, by notice given under this **Section 6.06**, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent.

SECTION 6.07. Administrative Fees. The Company shall reimburse, or cause reimbursement of, the County for reasonable expenses, including, reasonable attorneys' fees, related to review and approval of this Agreement, and any other documents related to this Agreement.

SECTION 6.08. Merger. This Agreement constitutes the entire agreement among the parties to it with respect to the matters contemplated in it, and it is understood and agreed that all undertakings, negotiations, representations, promises, inducements and agreements heretofore had among these parties are merged herein.

SECTION 6.09. Agreement to Sign Other Documents and to Take Further Action. The County agrees that it will from time to time execute and deliver such further instruments, in form and substance reasonably acceptable to it, and take such further action as may be reasonable and as may be requested by the Company as may be required to carry out the purpose of this Agreement. The requesting party shall reimburse, or cause reimbursement of, the County for reasonable attorneys' fees, related to review and negotiation of such further instruments. Such instruments or actions shall never create or constitute an indebtedness of the County within the meaning of any South Carolina constitutional provision or statutory limitation and shall never constitute or give rise to a pecuniary liability of the County, other than against the fee-in-lieu of tax payments made by the Company with respect to the Project, or a charge against its general credit or taxing power or pledge the credit or taxing power of the County, the State, or any other political subdivision of the State.

SECTION 6.10. Construction of Agreement. The parties agree that each party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party does not apply in the interpretation of this Agreement or any amendments or exhibits to this Agreement.

SECTION 6.11. Applicable Law. The laws of South Carolina govern the construction of this Agreement.

SECTION 6.12. Counterparts. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same instrument.

SECTION 6.13. Amendments. This Agreement may be amended only by written agreement of the parties hereto.

SECTION 6.14. Waiver. Either party may waive compliance by the other party with any term or condition of this Agreement but the waiver is valid only if it is in a writing signed by the waiving party.

SECTION 6.15. Further Proceedings. It is intended by the parties that any action to be taken hereinafter by the County pursuant to the express provisions of this Agreement may be undertaken by the County without necessity of further proceedings. To the extent that additional proceedings are required by law, however, the County agrees, to the extent permitted by law, to undertake all such steps as may be reasonably required or appropriate to effectuate the intent of this Agreement.

SECTION 6.16. Chamber Membership. Company agrees to maintain a membership in the Lancaster County Chamber of Commerce for those years in which the SSRC, as defined in **Section 3.01(b)** above, is applied.

SIGNATURES FOLLOW ON NEXT PAGE.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

IN WITNESS WHEREOF, Lancaster County, South Carolina has caused this Agreement to be executed by its respective appropriate officials and its respective corporate seal to be hereunto affixed and attested and #####, Inc. and XXXXXXXXXXXXX, LLC, has each caused this Agreement to be executed by its authorized officers, effective the day and year first above written.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Larry Honeycutt, Secretary, County Council

[SEAL]

Attest:

Sherrie Simpson, Clerk to Council,
Lancaster County, South Carolina

#####, INC.,
a North Carolina corporation

By: _____

Its: _____

XXXXXXXXXXXXXXXXXX, LLC,
a North Carolina limited liability company

By: _____

Its: _____

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/ Administration

Department: Administration

Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

Salary adjustment for Chief Magistrate.

Points to Consider:

Several years ago the Chief Justice shuffled the Chief Magistrates in the state. The plan was to rotate this position every six months.

This plan did not find favor with the State Senate who normally appointed Chief Magistrates.

The position never rotated back to the former Chief Magistrate which has caused an issue in that the current Chief Magistrate is not the highest compensated Magistrate. In addition, the current Chief Magistrate is an attorney.

At this point it is obvious the state does not intend to change the Chief Magistrate position as originally envisioned by the Chief Justice. I would remind Council that we do not appoint or assign Magistrates; that is done by the Governor with the advice and consent of the Senate. We just pay salaries and operations for the court.

Funding and Liability Factors:

We propose to adjust the base salary for the Chief Magistrate to \$1,000 higher than the next highest paid Magistrate. That would move it to \$85,743. I would note that the stipend, which we designed to handle a rotating position, would be eliminated.

Council Options:

Approve or reject the salary adjustment.

Recommendation:

This comes as a positive recommendation from the Administration Committee. The following motion would be in order:

MOTION: That the County Administrator, County Human Resources Director, and such other county staff as may be necessary are authorized to adjust the salary for the Chief Magistrate to \$85,743 effective the first pay period in January.

ATTACHMENTS:

Description	Upload Date	Type
SCAC Chief Magistrate Salary Ranges	12/19/2020	Exhibit

South Carolina Association of Counties

Wage and Salary Report

Population Group 2

(100,001 - 200,000 Population)

ASST SOLICITOR

Job Code: 1808

County	Hours	Staff Totals	Pay Range		Midpoint	Avg or Actual	Percent Spread
			Minimum	Maximum			
Aiken	40	11	56,924	79,693	68,309		40%
Dorchester	40	14	46,000	83,000	64,500		80%
Florence	40	4	46,393	71,137	58,765		53%
Pickens	37.5	1	61,298	85,818	73,558		40%
Sumter	37.5	12	44,000	95,000	69,500		116%
ARITHMETIC AVERAGES:			50,923	82,930	66,926		

PARALEGAL

Job Code: 1809

County	Hours	Staff Totals	Pay Range		Midpoint	Avg or Actual	Percent Spread
			Minimum	Maximum			
Aiken	40	6	36,216	50,701	43,459		40%
Beaufort	40	1	39,021	60,486	49,754	51,503	55%
Florence	37.5	4	33,758	41,505	37,632		23%
Pickens	37.5	2	37,929	53,106	45,518		40%
ARITHMETIC AVERAGES:			36,731	51,450	44,090	51,503	

INVESTIGATOR (SOLICITOR/PUBLIC DEFENDER)

Job Code: 1810

County	Hours	Staff Totals	Pay Range		Midpoint	Avg or Actual	Percent Spread
			Minimum	Maximum			
Aiken	40	21	43,119	60,366	51,743		40%
Beaufort	40	4	35,000	49,000	42,000		40%
Dorchester	40	6	24,000	50,000	37,000		108%
Florence	40	2	41,655	63,815	52,735		53%
Pickens	37.5	1	46,133	64,585	55,359		40%
Sumter	37.5	1	40,000	55,000	47,500		38%
ARITHMETIC AVERAGES:			38,318	57,128	47,723		

CHIEF MAGISTRATE

Job Code: 1811

County	Hours	Staff Totals	Pay Range		Midpoint	Avg or Actual	Percent Spread
			Minimum	Maximum			
Aiken	40	1	58,648	82,107	70,378		40%
Beaufort	40	1	82,460	90,923	86,692	86,595	10%
Dorchester	40	1	86,172	86,172	86,172	86,172	0%
* Florence	40	1	49,552	76,017	62,785		53%
* Pickens	37.5	1	62,682	85,248	73,965		36%
* Sumter	40	1	75,000	110,000	92,500		47%
ARITHMETIC AVERAGES:			69,086	88,411	78,748	86,384	

Note: "Pay Range" reflects either the minimum and maximum salaries of a position's pay grade or the lowest and highest actual salary paid for a position. "Avg or Actual" is a county's reported arithmetic average of all actual salaries paid for a specific position or the actual salary for the position. "Percent Spread" shows the percent difference between the minimum and maximum salaries.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Steve Willis/Administration and Sheriff Barry Faile/Sheriff's Office

Department: Administration

Date Requested to be on Agenda: 1/11/2021

Issue for Consideration:

The South Carolina Department of Public Safety has awarded a grant to the Sheriff's Office for personal protective equipment (PPE) and disinfecting equipment.

Points to Consider:

No action is needed by Council as this is a 100% grant.

We like to keep Council informed on any grant activity.

Funding and Liability Factors:

\$56,985 in grant funding.

Council Options:

N/A

Recommendation:

N/A

ATTACHMENTS:

Description	Upload Date	Type
Grant Award Letter	12/23/2020	Exhibit



South Carolina Department of Public Safety

Office of Highway Safety and Justice Programs

December 23, 2020

Mr. Steve Willis
County Administrator
Lancaster County
Post Office Box 1809
Lancaster, South Carolina 29721-1809

RE: Coronavirus Emergency Supplemental Funding Program No. 1CF20085
Coronavirus Emergency Supplemental Funding Program

Dear Mr. Willis:

I am pleased to provide you with a grant award approved by this office in the amount of \$56,985 for the above-referenced grant project. To complete the contract for this award, it is necessary for you, as the Official Authorized to Sign, to return the signed grant award within 30 days from the date of this award. The OHSJP is now offering subgrantees the option to use electronic or digital signatures to execute OHSJP award documents. Any of the electronic signature processes available in Adobe Acrobat Reader, or similar software, are generally acceptable (e.g., a signature image applied to the PDF, or a digital credential.) See the attachment entitled "OHSJP Electronic and Digital Signature Tutorials for Adobe Acrobat Reader" if additional information is needed.

If a subgrantee chooses to continue to provide a wet ink/original signature, this may be mailed in, or scanned and emailed to the OHSJP. Grant award documents may be sent electronically to Kayla Boston at KaylaBoston@scdps.gov or via postal mail to the following address:

Ms. Kayla Boston, Administrative Assistant
Office of Highway Safety and Justice Programs
S.C. Department of Public Safety
Post Office Box 1993
Blythewood, South Carolina 29016

Copies of the Request for Payment/Quarterly Fiscal Report Forms are attached. The financial reports should be completed for each calendar quarter ending date and are due 30 days after the end of the quarter. The due dates and periods covered for programmatic progress reports are indicated within the attached special conditions.

Please contact your assigned program coordinator if you have any questions regarding this award.

Sincerely,

Phil Riley
OHSJP Interim Director

Attachments

c: Sheriff Barry Faile
Official File

10311 Wilson Blvd. Blythewood, SC - US Mail: P.O. Box 1993 Blythewood, SC 29016

SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS
POST OFFICE BOX 1993
BLYTHEWOOD, SOUTH CAROLINA 29016

GRANT AWARD

Subgrantee: Lancaster County Sheriff's Office
Grant Title: Coronavirus Emergency Supplemental Funding Program
Grant Period: 1/1/2021 - 12/31/2021 Date of Award: 1/1/2021
Amount of Award: \$56,985 Grant No.: 1CF20085

In accordance with the provisions of the Coronavirus Emergency Supplemental Funding Program (CESF), CFDA No. 16.034 (Federal Grant #2020-VD-BX-0099), and on the basis of the application submitted, the South Carolina Department of Public Safety hereby awards to the foregoing subgrantee a grant in the federal amount shown above, for the project specified in the application and within the purposes and categories authorized.

This grant is subject to the terms and conditions set forth in the application and to the special conditions attached to the grant award.

Payment of Funds: Grant funds will be disbursed to subgrantees (according to the project budget) upon receipt of evidence that funds have been invoiced and products received or that funds have been expended (e.g., invoices, contracts, itemized expenses, etc.). A copy of the grant application, which includes the approved budget is available on www.scdpsgrants.com for the subgrantee's use in completing the request for payment forms.

The grant shall become effective, as of the date of the award, upon the return of this form to the Office of Highway Safety and Justice Programs signed by the Official Authorized to Sign in the space provided below. This award must be accepted within thirty (30) days from the date of the award, and such quarterly and other reports required by the South Carolina Department of Public Safety must be submitted in accordance with regulations.

ACCEPTANCE FOR THE SUBGRANTEE



Steve Willis, County Administrator
Lancaster County

ACCEPTANCE FOR THE SFA



Phil Riley, OHSJP Interim Director
Office of Highway Safety and Justice Programs

GRANT AWARD DATA: THIS AWARD IS SUBJECT TO THE GRANT TERMS AND CONDITIONS AND
ATTACHED SPECIAL CONDITIONS.