

Council Members

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

**County Administrator**

Dennis E. Marstall

County Attorney

Ginny L. Merck-Dupont

Clerk to Council

Sherrie Simpson

January 9, 2023

6:00 PM

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

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

AGENDA

1. **Call to Order Regular Meeting - Chairman Steve Harper**
2. **Welcome and Recognition - Chairman Steve Harper**
3. **Pledge of Allegiance and Invocation - CouncilMember Jose Luis**
4. **Approval of the Agenda**
[deletion and additions of non-substantive matter]
5. **Special Presentations**
 - a. Recognition of Employee of the Quarter - 2022 - 3rd Quarter - Presented by County Administrator Dennis Marstall
 - b. Recognition by the Keep Lancaster County Beautiful Committee - Mandy Catoe, Director
6. **Citizens Comments**
[Lancaster County Council welcomes comments and input from citizens who may not be able to attend Council meetings in person. Written comments may be submitted via mail to ATTN: Sherrie Simpson, Post Office Box 1809, Lancaster, SC, 29721, by email to Sherrie Simpson at ssimpson@lancaster-sc.net or by online submission by selecting the "Citizens Comments" quick link located on the County website homepage at <https://www.mylancaster-sc.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 12, 2022 County Council Regular Meeting

8. Non-Consent Agenda

- a. Resolution 1225-R2023 regarding Updating the Continuity of County Government Plan
Resolution Title: A Resolution Updating The Continuity Of County Government Plan As Last Amended By Resolution 1134-R2021 - ***Dennis Marstall/Darren Player***
- b. 1st Reading of Ordinance 2022-1831 regarding Rezoning Property Located at 4263 Doby's Bridge Road, Indian Land, SC, from Low Density Residential District (LDR) to Institutional District (INS) to Allow Development of a Daycare Facility
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 4.84 Acres (TM# 0013-00-024.00) Located At 4263 Doby's Bridge Road, Indian Land, From Low Density Residential (LDR) District To Institutional (INS) District. - ***Planning Department Case Number: RZ-2022-1759. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. Public Hearing held at the November 14, 2022 County Council Meeting but 1st Reading deferred until the January 9, 2023 County Council Meeting. - Rox Burhans***
- c. Public Hearing and 1st Reading of Ordinance 2023-1837 regarding Rezoning Property from Low Density Residential (LDR) to Professional Business (PB) in order to Build a Medical Office (Applicant Nathan Terry)
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately .488 Acres (Portion Of TM# 0016-00-046.00) Located At The Northern Intersection Of Charles Pettus Road And Charlotte Highway, From Low Density Residential (LDR) District To Professional Business (PB) District. - ***Planning Department Case Number: RZ-2022-2224. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. - Rox Burhans***

9. Discussion and Action Items

- a. Approval of Appointment to the Health and Wellness Commission
 - Catherine Abbott as the District 5 representative to the Health and Wellness Commission to fill an unexpired term that would end on 06/30/2025

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

11. Miscellaneous Reports and Correspondence

12. Executive Session

[motions from Members may follow]

- a. Four Items (AFTER EXECUTIVE SESSION, COUNCIL MEMBERS MAY MAKE MOTIONS IN OPEN SESSION):
 1. ***One Legal Briefing regarding a Contractual Matter. SC Code 30-4-70(a)(2).***
 2. ***One Legal Briefing regarding Development Regulations and Policies. SC Code 30-4-70(a)(2).***
 3. ***One Legal Briefing regarding a Contractual Matter regarding the Sale of Property. SC Code 30-4-70(a)(2).***
 4. ***One Legal Briefing regarding a Contractual Matter regarding the Sale of Property. SC Code 30-4-70(a)(2).***

13. Adjournment

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

Meetings are live streamed and can be found by using the following link:
https://mylancastersc.org/government/lancaster_county_council/County_Council_Meetings.php

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Dennis Marstall / Administration

Department: Administration

Date Requested to be on Agenda: 1/9/2023

Issue for Consideration:

There were 5 employees nominated for Employee of the Quarter for the Third Quarter of 2022. The winner was selected by the Safety Committee.

Points to Consider:

The nomination form for the Employee of the Quarter will be read at the Council meeting.

Funding and Liability Factors:

The Employee of the Quarter receives \$40.00 and a certificate.

Council Options:

This item is informational only for Council and citizens.

Recommendation:

This item is informational only for Council and citizens.

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Mandy Catoe / Keep Lancaster County Beautiful Committee

Department: Administration

Date Requested to be on Agenda: 1/9/2023

Issue for Consideration:

The Keep Lancaster County Beautiful Committee would like to present a certificate to recognize a volunteer that has worked every cleanup the Committee hosted over the past year.

Points to Consider:

N/A

Funding and Liability Factors:

N/A

Council Options:

N/A

Recommendation:

N/A

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Donna Green / Deputy Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 1/9/2023

Issue for Consideration:

Approve or amend the minutes from the December 12, 2022, County Council regular meeting.

Points to Consider:

The draft minutes from the December 12, 2022, County Council regular meeting are attached for Council's review and consideration.

Funding and Liability Factors:

There are no funding or liability factors regarding approval of minutes.

Council Options:

Council can approve or amend the minutes.

Recommendation:

Approve the minutes as written.

ATTACHMENTS:

Description	Upload Date	Type
Draft Minutes from the 12-12-2022 County Council Regular Meeting	1/5/2023	Backup Material

Council Members

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

**County Administrator**

Dennis Marstall

County Attorney

John K. DuBose III

Clerk to Council

Sherrie Simpson

December 12, 2022

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, Larry Honeycutt, Charlene McGriff, and Billy Mosteller; Absent: Steve Harper.

Staff Members/Others present: Dennis Marstall, County Administrator; John DuBose, County Attorney; Sherrie Simpson, Clerk to Council; John Bodner, Assistant County Administrator; Rox Burhans, Development Services Director; Veronica Thompson, Finance Director; Kim Belk, Budget Director; Leah Clevenger, IT Project Manager; Kayla Vaughn, Communications & Marketing Assistant; Natalie Bowers, Communications & Marketing Assistant; the press; various Department Heads; various employees and citizens.

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

Call to Order Regular Meeting - Vice-Chairman Brian Carnes

Vice-Chairman Brian Carnes called the regular meeting of County Council to order at approximately 6:00 p.m.

Welcome and Recognition - Vice-Chairman Brian Carnes

Vice-Chairman Brian Carnes welcomed everyone to the meeting.

**Pledge of Allegiance led by Sherry Brady, Daughter of Councilmember Larry Honeycutt, and
Invocation led by Councilmember Larry Honeycutt**

Sherry Brady, daughter of Councilmember Larry Honeycutt, led the Pledge of Allegiance to the American Flag and Larry Honeycutt delivered the Invocation.

Approval of the Agenda

Charlene McGriff moved to approve the agenda. Seconded by Larry Honeycutt. Motion Passed 6-0. Absent: Harper

Special Presentations

Dennis Marstall recognized Councilmember Larry Honeycutt for 16 years of service to the citizens of Lancaster County. Councilmember Honeycutt was presented with a Lancaster County Proclamation, a State of South Carolina House of Representatives Proclamation, as recommended by Representative Brandon Newton, and other gifts from County Council.

Mandy Catoe, Director of Keep Lancaster County Beautiful Committee, introduced members Clare McConaughay and Ann Ferguson to present the individual award from the Keep Lancaster County Beautiful Committee. The individual award, named the Franklin Ferguson Award, was presented to Joan Schuermeyer. Mandy then introduced Greg Gregory to present the group award, named the Larry Honeycutt Award. He presented the group award to Chester-Lancaster Disabilities and Special Needs Board.

Grant Davis, CPA, Director with Mauldin & Jenkins and Subsidiaries, LLC, presented the Audit report for Lancaster County. The presentation is attached to the written minutes as Schedule A in the Clerk to Council's office. Mr. Davis stated there was a clean opinion and an unmodified opinion. Veronica Thompson was commended on the good work done by Finance.

Citizens Comments

The following citizens signed up for Citizens Comments:

1. Steve Willis, Lancaster, SC, thanked Larry Honeycutt for his years of service to Lancaster County;
2. Gordon Johnston, Century Communities, gave an update on Shiloh Woods development on Shiloh Unity Road;
3. Kevin Garan, Indian Land, SC, spoke about smart growth; and
4. Gwendolyn Brown James, Lancaster, SC, spoke regarding the need for an ordinance change on subdividing large pieces of land, currently a 20 lot limit.

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

Consent Agenda

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

- a. Approval of Minutes from the November 16, 2022 County Council Committee Of The Whole Meeting
- b. Approval of Minutes from the November 28, 2022 County Council Regular Meeting

Non-Consent Agenda

Resolution 1221-R2022 regarding Assignment of the Fee Agreement And the Special Source Revenue Credit Agreement By And Among Lancaster County, K2 Lancaster LLC and Cooley Incorporated to FIP Master Funding VIII LLC

A Resolution To Consent To, Approve, And Ratify The Assignment Of The Fee Agreement By And Among Lancaster County, South Carolina, K2 Lancaster, LLC And Cooley, Incorporated To FIP Master Funding VIII, LLC And The Assignment Of The Special Source Revenue Credit Agreement By And Among Lancaster County, South Carolina, K2 Lancaster, LLC And Cooley, Incorporated To FIP Master Funding VIII, LLC.

Charlene McGriff moved to approve. Seconded by Terry Graham.

John DuBose explained that Cooley and K2 have an existing Special Source Revenue Credit Agreement. He stated the real property was being conveyed to FIP Master Funding and would be a lease back transaction. He explained the obligations of the fee in lieu would remain the same.

Motion to approve Resolution 1221-R2022 Passed 6-0. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff, Mosteller; Nays: None; Absent: Harper.

3rd Reading of Ordinance 2022-1832 regarding Approval of a Development Agreement for Shiloh Woods (Applicant Century Communities)

Ordinance Title: An Ordinance To Approve A Development Agreement With Century Communities Southeast, LLC, In Accordance With Unified Development Ordinance Section 9.2.18 For A Proposed 398-Unit Single-Family Cluster Subdivision Development Located On Approximately 169.86 Acres Of Land At 500 And 516 W. Shiloh Unity Road (TMS#s 0049-00-004.13, 0049-00-004.16, 0049-00-005.01 And 0049-00-005.02). - **Planning Department Case Number: DA-2022-0733.**

Rox Burhans reviewed the County Power Point presentation which is attached to the written minutes in the Clerk to Council's office. Rox Burhans stated the developer submitted the revised Traffic Impact Analysis (TIA) on November 22. He stated all of the outstanding items have been reconciled. He also informed Council that the developer would partner with another entity and contribute \$65,445 toward the intersection located at University Drive and Highway 521 to help with traffic congestion.

Larry Honeycutt moved to approve the 3rd Reading of Ordinance 2022-1832. Seconded by Allen Blackmon. Terry Graham stated the fees for fire service and schools were too low.

The motion to approve the 3rd Reading of Ordinance 2022-1832 Passed 5-1. Ayes: Blackmon, Carnes, Honeycutt, McGriff, Mosteller; Nays: Graham; Absent: Harper.

Public Hearing and 3rd Reading of Ordinance 2022-1836 Amending That Certain March 22, 2021 Special Source Revenue Credit Agreement By And Between Lancaster County And Studio Displays, Inc. To Add T&T Capital, LLC As A Party Thereto With Retroactive Effect

Ordinance Title: An Ordinance To Authorize The Execution And Delivery Of An Amendment To That Certain March 22, 2021 Special Source Revenue Credit Agreement By And Between Lancaster County, South Carolina And Studio Displays, Inc. (The "SSRC Agreement") To Add T&T Capital, LLC As A Party Thereto With Retroactive Effect; To Extend The Provision Of Special Source Revenue Credits Under The SSRC Agreement To Investment Made By T&T Capital, LLC In Lancaster County; And To Provide For Other Matters Related Thereto.

John DuBose stated there was nothing new to add to this ordinance as presented.

Brian Carnes opened the Public Hearing for Ordinance 2022-1836 at approximately 7:01 p.m.

He noted that no one signed up to speak at the Public Hearing for the Ordinance.

There were approximately 14 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 Ordinance: None.

Brian Carnes closed the Public Hearing at approximately 7:02 p.m.

Terry Graham moved to approve the 3rd Reading of Ordinance 2022-1836. Seconded by Charlene McGriff.

The motion to approve the 3rd Reading of Ordinance 2022-1836 Passed 6-0. Ayes: Blackmon, Carnes, Graham, Honeycutt, McGriff, Mosteller; Nays: None; Absent: Harper.

Discussion and Action Items

Approval of Appointment to the Health and Wellness Commission

- Chiquita "Nickie" Evans as an At Large representative to the Health and Wellness Commission to fill an unexpired term that ends on 06/30/2025

Larry Honeycutt moved to approve the appointment of Chiquita "Nickie" Evans to the Health and Wellness Commission. Seconded by Charlene McGriff. The Motion Passed 6-0; Absent: Harper.

Status of items tabled, recommitted, deferred or held

- a. DEFERRED UNTIL 1-9-2023 - 1st Reading of Ordinance 2022-1831 regarding Rezoning Property Located at 4263 Doby's Bridge Road, Indian Land, SC, from Low Density Residential District (LDR) to Institutional District (INS) to Allow Development of a Daycare Facility
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County To Rezone Approximately 4.84 Acres (TM# 0013-00-024.00) Located At 4263 Doby's Bridge Road, Indian Land, From Low Density Residential (LDR) District To Institutional (INS) District. - *Planning Department Case Number: RZ-2022-1759. The Planning Commission recommended approval by unanimous vote and the Planning staff also recommended approval of the rezoning request. Public Hearing held at the November 14, 2022 County Council Meeting but 1st Reading deferred until the January 9, 2023 County Council Meeting. - Rox Burhans*

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

Miscellaneous Reports and Correspondence

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

Executive Session

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

1. *Three Legal Briefings regarding Contractual Matters. SC Code 30-4-70(a)(2).*
2. *One Economic Development Discussion: Project Raisin. SC Code 30-4-70(a)(5).*

Allen Blackmon moved to go into Executive Session. Seconded by Billy Mosteller. Motion Passed 6-0; Absent: Harper. At approximately 7:04 p.m., Council went into Executive Session to discuss three (3) legal briefings regarding contractual matters, pursuant to South Carolina Code 30-4-70(a)(2), and one (1) Economic Development discussion: Project Raisin, pursuant to South Carolina Code 30-4-70(a)(5).

Council came out of Executive Session and Brian Carnes called the Council meeting back to order at approximately 8:49 p.m. Charlene McGriff moved to come out of Executive Session. Seconded by Larry Honeycutt. Motion Passed 6-0; Absent: Harper.

Upon returning to open session, John DuBose noted, for the record, that during Executive Session, Council discussed three (3) legal briefings regarding contractual matters and one (1) Economic Development discussion: Project Raisin. He also noted that, during Executive Session, no votes were taken and no decisions were made.

Adjournment

Larry Honeycutt moved to adjourn. Seconded by Billy Mosteller. Motion Passed 6-0.; Absent: Harper

There being no further business, the regular meeting of County Council adjourned at approximately 8:51 p.m.

DRAFT

Agenda Item Summary

Ordinance # / Resolution #: Resolution 1225-R2023

Contact Person / Sponsor: Dennis Marstall/Administration and Darren Player/Fire - Emergency Services

Department: Attorney

Date Requested to be on Agenda: 1/9/2023

Issue for Consideration:

Required bi-annual update of the Continuity of County Government Plan

Points to Consider:

Every two years, the State of South Carolina requires each County to update its Continuity of County Government Plan, as prepared by the Lancaster County Emergency Management staff, upon the start of every two-year County Council term.

The highlights of the plan include:

- The preparation and coordination of plans for emergency management within the County in the event of a disaster, for the exercise of emergency powers and for the continuity of County government, in a manner consistent with the South Carolina Code of Laws Title 1, Article 1.
- The policy of Lancaster County to make effective preparation and use of resources, and facilities for dealing with any emergency or disaster that may occur.
- Outline of the role of the Emergency Management Director and the succession plan of authority of the County Administrator, County Board Chair, County Council and other elected officials, in order to establish a local emergency declaration and deploy the necessary resources needed to address an emergency.

Funding and Liability Factors:

N/A

Council Options:

Approve or reject the Resolution.

Recommendation:

Approve the Resolution.

ATTACHMENTS:

Description	Upload Date	Type
Resolution 1225-R2023	1/4/2023	Resolution
Exhibit A to Resolution 1225-R2023 - Lancaster County Continuity of Government Plan	1/5/2023	Exhibit

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER) **RESOLUTION # 1225-R2023**

**A RESOLUTION UPDATING THE CONTINUITY OF COUNTY
GOVERNMENT PLAN AS LAST AMENDED BY
RESOLUTION 1134-R2021**

WHEREAS, the Lancaster County Council desires to re-adopt the Lancaster County Continuity of County Government Plan (the “Plan”); and

WHEREAS, a copy of the updated Plan, dated January 3, 2023, is attached hereto and incorporated herein by reference as **Exhibit A**; and

NOW, THEREFORE, BE IT RESOLVED by the County Council of Lancaster, South Carolina, that the Lancaster County Continuity of County Government Plan (Exhibit A) dated January 3, 2023, as prepared by the Lancaster County Emergency Management Office, is hereby adopted. Furthermore, County Council adopts the following succession plan for remaining members of County Council not already listed in the succession of authority, as required by Section VI (A.4.) of the Plan:

1. Secretary of County Council
2. Most senior member of County Council based upon date of initial oath of office, provided that service on Council must have been continuous. In the event there is a break in service, the earliest date of oath of office where there is continuous service shall be utilized.
3. Where the date of oath of office shall be the same, by alphabetical order of last name.

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AND IT IS SO RESOLVED

Dated this _____ day of _____, 2023.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to County Council

Approved as to form:

Ginny L. Merck-Dupont, County Attorney

Continuity of County Government Plan

Originally Published-January 25, 2006

Revised-April 1, 2008

Revised-September 28, 2009

Revised-March 2, 2011

Revised-December 11, 2012

Revised-January 8, 2015

Revised-January 23, 2017

Revised-February 1, 2019

Revised-February 12, 2019

Revised-December 23, 2020

Revised-January 5, 2023



Lancaster County Continuity of County Government Plan Basic Plan

The purpose of this document is to provide for the preparation and coordination of plans for emergency management within the County in the event of a disaster, for the exercise of emergency powers and for the continuity of County government, in a manner consistent with the South Carolina Code of Laws.

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Section – 1

Basic Plan

**Comprehensive Plan for Emergency
Succession of Authority**

I. INTRODUCTION

The declared purposes of this document are to provide for the preparation and coordination of plans for emergency management within the County in the event of a disaster, for the exercise of emergency powers and for the continuity of County government, in a manner consistent with the South Carolina Code of Laws Title 1, Article 1., Chapter 9. [SC ST SEC 1-9-50] thru [SC ST SEC 1-9-60] and Title 25, Chapter 1., Article 1. [SC ST SEC 25-1-450]. This plan is designed to meet the requirements set forth in 58-1. Local Emergency Preparedness Standards. [SC ADC 58-1] C.1.b.

II. EMERGENCY MANAGEMENT POLICY

It is the policy of Lancaster County to make effective preparation and use of resources, and facilities for dealing with any emergency or disaster that may occur. Disasters and emergencies by their very nature may disrupt existing systems and the capability of Lancaster County to respond to protect life, public health and public property. Therefore, citizens are encouraged to be prepared to be self-sufficient for up to five days should an emergency or disaster occur.

III. DEFINITIONS

"Absent" means not present in the State of South Carolina for a period of 24 hours or more.

"Director" means the Emergency Management Director.

"Disaster" means actual or threatened natural, or man-caused public calamity, including, but not limited to, enemy attack, sabotage, hazardous material incident and extraordinary fire, flood, storm, pandemic, epidemic, tsunami and earthquake.

"Emergency Management" means the preparation for and the coordination of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters.

"Assistant County Administrator" means the individual designated to exercise the powers and duties of the Administrator during such time as the Administrator is absent, unavailable or the position is vacant.

"Unavailable" means either that a vacancy in the office exists or that the lawful incumbent of the office is absent or unable to exercise the powers and discharge the duties of the office.

"Vacancy" means that an office of a County official is legally unoccupied due to the incumbent's death, incapacity, resignation or other reason.

IV. POWERS AND DUTIES

The Director is empowered:

- A. To request the Administrator of Lancaster County or in the case of Vacancy, the officially appointed Assistant County Administrator or in his/her absence, the Chair of the County Council to proclaim the existence or threatened existence of a disaster and termination thereof, or to issue such proclamation if the Administrator or, if applicable, Assistant County Administrator and the Chair are unavailable, subject to confirmation by the Administrator or, if applicable, Assistant County Administrator, or appropriate successor as otherwise set forth herein, at the earliest practicable time;
- B. To request the Administrator of Lancaster County or in the case of Vacancy, the officially appointed Assistant County Administrator or in his/her absence, the Chair of the County Council to request the Governor to proclaim a state of extreme emergency when, in the opinion of the Director, the resources of the area or region are inadequate to cope with the disaster, or to make such request to the Governor if the Administrator or, if applicable, Assistant County Administrator and the Chair, are unavailable, subject to confirmation by the Administrator or, if applicable, Assistant County Administrator, or appropriate successor as otherwise set forth herein, at the earliest practicable time;
- C. Whenever practicable, to consult with the Council prior to any request for a declaration of emergency or disaster under A. or B. above, or notify the Council within 24 hours of making a declaration.
- D. To organize, administer and operate the Department of Emergency Management for the accomplishment of the purposes of this Chapter, subject to the direction and control of the County Administrator or, if applicable, Assistant County Administrator;
- E. To develop mutual aid agreements to be executed by the County Administrator or designee.
- F. The Department of Emergency Management shall be the hazardous materials incident coordinating agency for Lancaster County.

V. DISASTER AND EMERGENCY POWERS OF DIRECTOR

In the event of the proclamation of a disaster as provided in this Chapter, or the proclamation of a state of extreme emergency by the Governor or the State Director of Emergency Management, or declaration of a Presidential Emergency, or Incident of National Significance, the Director is empowered:

- A. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster; Provided, however, such rules and regulations must be confirmed at the earliest practicable time by the Administrator of Lancaster County;
- B. With the approval of the County Administrator or designee to obtain vital supplies, equipment and such other properties found lacking and needed for the protection of Lancaster County property and the life of the residents thereof, and bind the County for the fair value thereof, and if required immediately, to commandeer the same for public use;
- C. To require emergency services of any County officer or employee and, in the event of the proclamation of a state of extreme emergency by the Governor in the region in which this County is located, to command the aid of as many citizens of this community as he thinks necessary in the execution of his official duties; Such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered emergency workers.

VI. SUCCESSION OF AUTHORITY

- A. In the event the Administrator is absent or unavailable, the powers and duties of the office of the Administrator shall be exercised and discharged by the following officers in the following order:
 - 1. Assistant County Administrator
 - 2. Chair of the Council
 - 3. Vice Chair of the Council
 - 4. Remaining Council members in succession as determined by resolution.

**Lancaster County Continuity of County Government Plan
Basic Plan**

- B. Council shall resolve issues of succession of authority by tenure during the first meeting following the organization of council and election of officers. Council shall, by resolution, establish for itself an order of succession of authority to be continuous for a period of two years.
- C. Any Council member succeeding to the Office of the Administrator on a temporary interim basis pursuant to this Section shall discharge the duties of that office until such time as the appointed officer is available for duty or a regular successor is appointed by the ordinary means applicable to the Office of the Administrator.
- D. Whenever practicable, the Administrator or Assistant County Administrator shall notify the Chair of the Council, succeeding official, and Director at least 72 hours prior to the Administrator's absence.
- E. In the event the Director is absent or unavailable, the powers and duties of the office of the Director shall be exercised and discharged by the following officers in the following order:
 - 1. Emergency Management Deputy Director
 - 2. Lancaster County Fire Rescue Apparatus/Equipment Officer
 - 3. Lancaster County Fire Rescue Training Officer and Lancaster County Emergency Management Chief of Operations, Planning & Implementation

VII. Continuity of County Government

- A. In the event of a disaster, it is essential to assure continued operation of County government, to preserve and protect records essential to the continued functioning of County government, and to provide for the appointment of temporary interim successors to the elected and appointed offices of the County.

Elected officials of Lancaster County include:

Auditor
Clerk of Court
Coroner
Probate Judge
Sheriff
Treasurer

County Council (7 Districts)

1. If a declared disaster reduces the number of members of the County Council, then those members who are available for duty shall have full authority to act in all matters as the County Council. In the event no member of the County Council is available for duty, then those elected County officials other than judges, as are available for duty shall jointly act as the County Council and shall possess by majority vote the full authority of the County Council.
 2. Elected County Officers, other than members of the County Council and the Judiciary, shall designate by title (if feasible) or by named person, emergency interim successors and specify their order of succession. The officer shall review and revise, as necessary, designations to insure current status. The officer shall designate a sufficient number of persons so that there will be not less than three or more than seven, deputies or emergency interim successors or any combination thereof, at any one time. In the event that any officer (or his/her deputy provided for pursuant to law) is unavailable, the powers of the office shall be exercised and duties discharged by the designated emergency interim successor in the order specified. (See SC ST SEC 1-9-60)
 3. The County Administrator shall, subject to such rules as the Administrator may adopt, permit each appointed County officer to designate one or more temporary interim successors of such officer in the event the officer is unavailable for duty during an emergency caused by a declared disaster.
- B. Any County officer succeeding to an office on a temporary interim basis pursuant to this Section shall discharge the duties of that office until such time as the elected or appointed officer is available for duty or a regular successor is appointed by the ordinary means applicable to the office.
- C. Whenever it becomes impracticable, due to disaster, to convene the Council in the County seat, the Council may convene in any of the following alternate locations, pursuant to the South Carolina Code of laws section 6-3-10 thru section 6-3-30.
1. Buford High School
4290 Tabernacle Road

**Lancaster County Continuity of County Government Plan
Basic Plan**

Lancaster, South Carolina 29720
(803) 286-7068

2. Andrew Jackson High School
6925 Kershaw Camden Highway
Kershaw, South Carolina 29067
(803) 475-2381
3. Indian Land High School
8063 River Road
Indian Land, South Carolina 29707
(803) 547-7571

- D. If it becomes impracticable or unsafe for members of the Council to convene in person during a declared emergency, the Council may convene by teleconference or any other reasonable means. After any emergency relocation, the business of the Council shall be lawfully conducted at such alternate site or sites for the duration of the emergency.
- E. Essential Records Preservation. All departments of Lancaster County shall identify records essential for continuity and preservation of government and provide for their protection according to the guidelines set by the South Carolina Code of Laws [SC ADC 12-500].

VIII. Severability

- A. If any provision of this plan or its application to any person or circumstance is held invalid, the remainder of the plan or the application of the provision to other persons or circumstances shall not be affected.

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**LANCASTER COUNTY CONTINUITY OF COUNTY GOVERNMENT
PLAN**

Section – 2

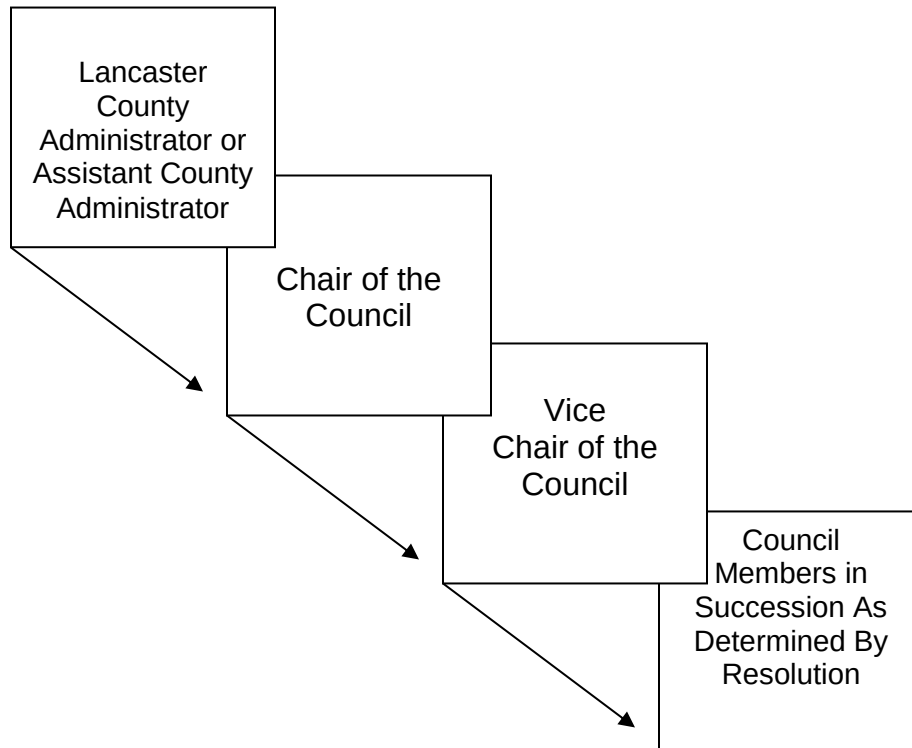
Annexes

**Comprehensive Plan for Emergency
Succession of Authority**

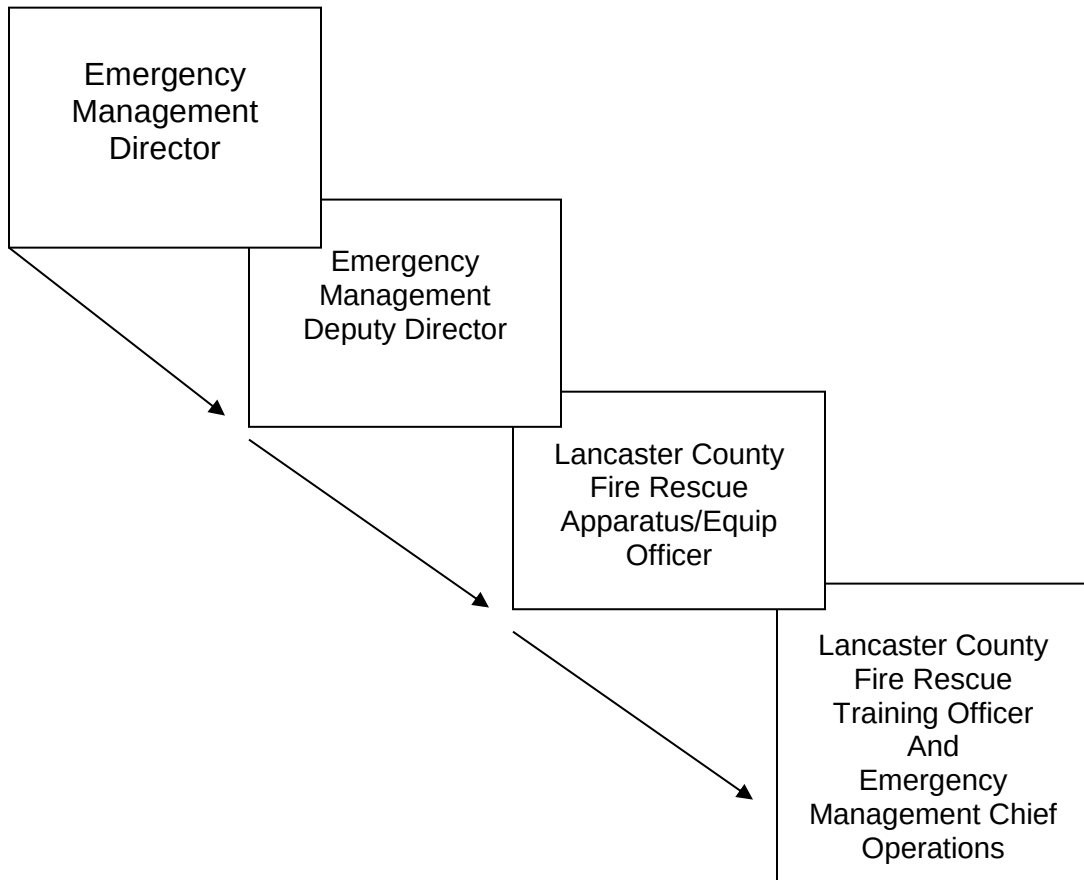
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SUCCESSION OF AUTHORITY

County Administrator



Emergency Management Director



I. Buford High School

In the event the County seat of Lancaster cannot be used to conduct normal business, Buford High School, Located approximately 8.5 miles to the east of the County Government Building, is a primary alternate choice for an emergency relocation of County Council. Buford High School has adequate space to hold County Council Meetings.

Buford High School is located at:

4290 Tabernacle Road
Lancaster, South Carolina 29720

II. Andrew Jackson High School

Andrew Jackson High School is located approximately 14.75 miles south east of the County Government building. In the event that neither the County Seat or Buford High School are available due to an emergency situation or disaster, Andrew Jackson High School has an auditorium and additional space as may be required to hold County Council meetings.

Andrew Jackson High School is located at:

6925 Kershaw Camden Highway
Kershaw, South Carolina 29067

III. Indian Land High School

Indian Land High School is located approximately 13 miles north of the County Government building. In the event that neither the County Seat or Buford High School or Andrew Jackson High School are available due to an emergency situation or disaster, Indian Land High School has an auditorium and additional space as may be required to hold County Council meetings.

Indian Land High School is located at:

6100 Charlotte Hwy.
Indian Land, South Carolina 29707

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**Lancaster County Continuity of County Government Plan
Annex C Legal Provisions For Continuity of Government**

**South Carolina Code of Laws
(Unannotated)
Current through the end of the 2018 Session**

TITLE 1. ADMINISTRATION OF THE GOVERNMENT

CHAPTER 9. EMERGENCY PROVISIONS

ARTICLE 1. EMERGENCY INTERIM EXECUTIVE AND JUDICIAL SUCCESSION

SECTION 1-9-20. Definitions.

a) "Unavailable" means either that a vacancy in office exists and there is no deputy or assistant authorized to exercise all of the powers and discharge the duties of the office, or that the lawful incumbent of the office (including any deputy or assistant exercising the powers and discharging the duties of an office because of a vacancy) and his duly authorized deputy are absent or unable to exercise the powers and discharge the duties of the office.

(b) "Emergency interim successor" means a person designated pursuant to this article, in the event the officer is unavailable, to exercise the powers and discharge the duties of an office until a successor is appointed or elected and qualified as may be provided by the Constitution, statutes, charters and ordinances or until the lawful incumbent is able to resume the exercise of the powers and discharge the duties of the office.

(c) "Office" includes all State and local offices, the powers and duties of which are defined by the Constitution, statutes, charters, and ordinances, except the office of Governor, and except those in the General Assembly and the judiciary.

(d) "Attack" means any attack or series of attacks by an enemy of the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of bombs, missiles, shellfire, or atomic, radiological, chemical, bacteriological, or biological means or other weapons or processes.

(e) "Political subdivision" includes counties, cities, towns, villages, townships, districts, authorities, and other public corporations and entities whether organized and existing under charter or general law.

SECTION 1-9-50. Authorization of qualified local governments to enact ordinances providing for emergency interim successors to local offices. [SC ST SEC 1-9-50]

With respect to local offices for which the governing bodies of cities, towns, villages, townships, and counties may enact resolutions or ordinances relative to the manner in which vacancies will be filled or temporary appointments to office made, such bodies are hereby authorized to enact resolutions or ordinances providing for emergency interim successors to offices of such governmental units. Such resolutions and ordinances shall not be inconsistent with the provisions of the article.

Lancaster County Continuity of County Government Plan
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SECTION 1-9-60. Applicability of emergency interim successor provisions to officers of political subdivisions not included in § 1-9-50. [SC ST SEC 1-9-60]

The provisions of this section shall be applicable to officers of political subdivisions (including, but not limited to, cities, towns, villages, townships and counties, as well as school, fire, power, water, sewer, watershed conservation, soil conservation, public service and drainage districts) not included in § 1-9-50. Such officers, subject to such regulations as the executive head of the political subdivision may issue, shall upon approval of this article, designated by title (if feasible) or by named person, emergency interim successors and specify their order of succession. The officer shall review and revise, as necessary, designations made pursuant to this article to insure their current status. The officer will designate a sufficient number of persons so that there will be not less than three, nor more than seven, deputies or emergency interim successors or any combination thereof, at any time. In the event that any officer of any political subdivision (or his deputy provided for pursuant to law) is unavailable, the powers of the office shall be exercised and duties shall be discharged by his designated emergency interim successors in the order specified. The emergency interim successor shall exercise the powers and discharge the duties of the office to which designated until such time as a vacancy which may exist shall be filled in accordance with the Constitution or statutes; or until the officer (or his deputy or a preceding emergency interim successor) again becomes available to exercise the powers and discharge the duties of his office.

South Carolina Code of Laws
(Unannotated)
Current through the end of the 2018 Session

TITLE 25. MILITARY, CIVIL DEFENSE AND VETERANS AFFAIRS

CHAPTER 1. MILITARY CODE

ARTICLE 4. SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION

SECTION 25-1-450. Duties of state, county and municipal governments for mutual assistance in emergencies. [SC ST SEC 25-1-450]

State, county and municipal governments shall cooperate in developing and maintaining a plan for mutual assistance in emergencies.

(1) State government shall be responsible for:

(a) Establishing policies and developing a plan and procedures to insure maximum utilization of all state resources to minimize loss of life and injury to the populace and destruction or damage to resources and facilities of the State during emergencies resulting from enemy attack or natural or man-made emergencies.

(b) Providing state forces and resources to support local governmental emergency operations and coordinating support with local governments from other sources, including the federal government and those unaffected counties of the State, and

Lancaster County Continuity of County Government Plan
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implement mutual assistance agreements with adjoining states.

(c) Assuming direction and control of area or local government emergency operations when requested by the county legislative delegation or their designees or when local government authority has broken down or is nonexistent or when the nature or magnitude of an emergency is such that effective response and recovery action is beyond local government's capability or when, in the event of a war emergency or declared natural or man-made emergency, state direction is required for implementation of a national plan.

(2) County and municipal governments shall be responsible for:

(a) Organizing, planning and otherwise preparing for prompt, effective employment of available resources of the county or municipality to support emergency operations of the municipalities of the county or to conduct emergency operations in areas where no municipal capability exists.

(b) Coordinating support to municipal emergency operations from other sources including state and federal assistance as well as support made available from other municipalities of the county.

(c) Developing and implementing a shelter/relocation plan to protect the populace from the hazards of a nuclear emergency and to provide for the congregate housing and care of persons displaced or rendered homeless as a result of a natural or man-made emergency.

South Carolina Code of Laws
(Unannotated)
Current through the end of the 2018 Session

**TITLE 6 LOCAL GOVERNMENT –PROVISIONS APPLICABLE TO SPECIAL
PURPOSE DISTRICTS AND OTHER POLITICAL SUBDIVISIONS**

**CHAPTER 3 EMERGENCY SEATS OF GOVERNMENT FOR POLITICAL
SUBDIVISIONS**

SECTION 6-3-10. Establishment of emergency locations for seats of government of political subdivisions. [SC ST SEC 6-3-10]

Whenever, due to an emergency resulting from the effects of enemy attack, or the anticipated effects of a threatened enemy attack, it becomes imprudent, inexpedient or impossible to conduct the affairs of local government at the regular or usual place thereof, the governing body of each political subdivision of this State may meet at any place within or without the territorial limits of such political subdivision on the call of the presiding officer or any two members of such governing body, and shall proceed to establish and designate by ordinance, resolution or other manner, alternate or substitute sites or places as the emergency temporary location, or locations, of government where all, or any part, of the public business may be transacted and conducted during the emergency situation. Such

**Lancaster County Continuity of County Government Plan
Annex C Legal Provisions For Continuity of Government**

sites or places may be within or without the territorial limits of such political subdivision and may be within or without this State.

SECTION 6-3-20. Conduct of public business at emergency locations.

During the period when the public business is being conducted at the emergency temporary location, or locations, the governing body and other officers of a political subdivision of this State shall have and possess and shall exercise, at such location, or locations, all of the executive, legislative and judicial powers and functions conferred upon such body and officers by or under the laws of this State. Such powers and functions may be exercised in the light of the exigencies of the emergency situation without regard to or compliance with time-consuming procedures and formalities prescribed by law and pertaining thereto, and all acts of such body and officers shall be as valid and binding as if performed within the territorial limits of their political subdivision.

SECTION 6-3-30. Chapter shall be controlling.

The provisions of this chapter shall control and be supreme in the event it shall be employed notwithstanding any statutory, charter or ordinance provision to the contrary or in conflict herewith.

**South Carolina Code of Regulations
(Unannotated)
Current through State Register Volume 41, Issue 8, effective
June 22, 2018**

ARTICLE 5

**GENERAL RETENTION SCHEDULES FOR COUNTY RECORDS
INTRODUCTION AND GENERAL MATTERS**

12-500. Introduction and General Matters; Application of Schedule.

The following general schedules contain minimum records retention periods for the official copy of the records. These retentions and dispositions apply regardless of physical format, i.e., paper, microfilm, electronic storage, digital imaging, etc. Convenience, informational or duplicate copies are not governed by this regulation and may be destroyed when no longer needed for reference. To destroy records in accordance with this regulation, county governments must complete and submit a report of records destroyed form to the Department of Archives and History after eligible records have been destroyed. These forms are available from the Department's Division of Archives and Records Management. Before disposing of public records under these general schedules, county governments should insure that the records have no further audit, legal, or fiscal value. These general schedules supersede all schedules approved previously for the same records series. However, county governments may opt out of these general schedules and request the continuing use of existing schedules or the establishment of specific retention schedules for their records when appropriate, necessary, or in order to avoid conflict with other laws or regulations.

SUBARTICLE 1

REGISTER OF DEEDS

12-501.1. Grantor and Grantee Index to Conveyances.

A. Description: A finding aid to instruments in the conveyance book series. Information includes name of grantee and grantor, book and page number where document is recorded, day and year of execution, month, day and year of recordation, number of acres or lots and a description of the land.

B. Retention: Permanent. Microfilm for security.

12-501.2. Conveyances (Deeds, Titles to Real Estate).

A. Description: Documents real property transactions plus infrequent entries involving personal property. Information includes grantor, grantee, location and description of land, monetary consideration, encumbrances (if any), signature of grantor, notary, and witnesses (or facsimiles thereof), date recorded, and plats (where applicable).

B. Retention: Permanent. Microfilm for security.

12-501.3. Mortgagor and Mortgagee Index to Real Estate Mortgages.

A. Description: A finding aid to instruments in the real estate mortgage book series. Information includes name of mortgagee and mortgagor, book and page number where document is recorded, and the date.

B. Retention: Permanent. Microfilm optional.

12-501.4. Real Estate Mortgages and Satisfactions.

A. Description: Records the transfer of property, serving as a security for a debt which becomes void when the debt is paid according to the terms of the mortgage. Information includes name of mortgagor and mortgagee, description of the property, date of instrument, date of recording and satisfaction of mortgage (where applicable).

B. Retention: Permanent. Microfilm optional.

12-501.5. Index to Plats.

A. Description: A finding aid to plats. Information includes name of owner and surveyor, date filed, date surveyed, volume and page number, property location, description, map number.

B. Retention: Permanent. Microfilm for security.

12-501.6. Plats.

A. Description: Documents the legal survey and mapping of lands for grants and conveyances. Information includes location, boundaries and divisions, date of survey, certificate of surveyor, scale, property owners, date of recording, and plat.

B. Retention: Permanent. Microfilm for security.

12-501.7. Index to Miscellaneous Records.

A. Description: A finding aid to instruments in the miscellaneous record series. Information includes name of party, book and page number.

B. Retention: Permanent. Microfilm optional.

12-501.8. Miscellaneous Records.

A. Description: Various instruments filed with the register of mesne conveyance or clerk of court as register of mesne conveyance. These include charters, contracts, options, agreements, powers of attorney, covenants, articles of association, articles of mergers between corporations, notices of forthcoming mergers, assignments of contract to mortgages, limited partnership agreements, and notices of intent to petition.

B. Retention: Permanent. Microfilm optional.

12-501.9. Index to Uniform Commercial Code Financing Statements.

A. Description: A finding aid for liens on personal property under the Uniform Commercial Code adopted for South Carolina as of January 1968. Information includes name of debtor, date of personal debt, date of maturity character of debt, and description of personal property pledged.

B. Retention: 1 year after all entries have been terminated or lapsed, then destroy.

12-501.10. Uniform Commercial Code Financing Statements.

A. Description: Original papers recording liens on personal property under the Uniform Commercial Code adopted for South Carolina as of January 1968. These replace chattel mortgages. Information includes file number, debtor's name and address, secured party, filing date, time, number, and officer, types of property covered, signature of party and signature of clerk.

B. Retention:

(1) Financing statements where transmitting utility is the debtor: 1 year after termination statement has been filed, then destroy. If a microfilm or other photographic record of the financing statement and any related statements (continuation, assignment, release) exist, originals may be destroyed immediately after receipt of termination statement.

Lancaster County Continuity of County Government Plan

Annex C Legal Provisions For Continuity of Government

Microfilm or other photographic records may then be destroyed one year after termination statement has been filed.

(2) Other financing statements: 1 year after statement has lapsed or termination statement has been filed, then destroy. If a microfilm or other photographic record of the financing statement and any related statements (continuation, assignment, release) exist, originals may be destroyed immediately after statement has lapsed or after receipt of termination statement. Microfilm or other photographic records may then be destroyed one year after statement has lapsed or termination statement has been filed.

12-501.11. Charters.

A. Description: Consists of information on charters which have been recorded in the office of the Secretary of State. Information includes name of organization, incorporators, date, place of activities, capital, stock, increases in capital stock and cancellations.

B. Retention: Permanent. Microfilm optional.

12-501.12. Chattel Mortgages and Indexes.

A. Description: Defunct series containing original papers recording liens on personal property by chattel mortgages. Information includes debtor's name and address, secured party, filing date, time, number, officer, types of property covered, signature of party, signature of notary. These have been replaced by Uniform Commercial Code Financing Statements.

B. Retention:

(1) Records concerning chattel mortgages for rural electric cooperatives and Public Service Commission regulated utilities: Until termination statement is filed, then destroy.

(2) Other records: Destroy.

12-501.13. Index to Federal Tax Liens.

A. Description: Finding aid to federal tax liens. Information includes name of taxpayer, address of taxpayer, date of filing, hour of filing, and amount of tax with interest.

B. Retention: Permanent. Microfilm optional.

12-501.14. Federal Tax Liens.

A. Description: Standard forms filed in the office against personal property as a means of collecting delinquent federal taxes. Information includes period ending, type and amount of taxes owed, amount of penalty, amount of interest, total taxes, name/address of taxpayer, warrant number, date of notice and demand, date signed, and signature of tax official.

Lancaster County Continuity of County Government Plan
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B. Retention: 10 years and 30 days after date of assessment or last extension, whichever is longer, then destroy.

12-501.15. Index to State Tax Liens.

A. Description: Finding aid to state tax liens. Information includes name of taxpayer, address of taxpayer, date of filing, hour of filing, and amount of tax with interest.

B. Retention: 10 years, then destroy.

12-501.16. State Tax Liens.

A. Description: Standard forms filed in the office against personal property as a means of collecting delinquent state taxes. Information includes period ended, type and amount of taxes owed, amount of penalty, interest, total tax, name/address of taxpayer, warrant number, date of notice and demand, date assigned, and signature of tax official.

B. Retention: 10 years, then destroy.

12-501.17. Index to Mechanics Liens.

A. Description: Serves as the principal finding aid for locating mechanics liens. Information includes name of plaintiff, name of defendant, and file number.

B. Retention: 10 years after final entry has been executed, discharged, released, or dissolved, then destroy.

12-501.18. Mechanics Liens.

A. Description: Records transcripts of mechanics' and contractor's claims filed as statutory liens on property to secure payment of debt for materials or labor used thereon. Information includes name of defendant, name of plaintiff, description of lien, recording date and time, book numbers and page number.

B. Retention: 10 years after final judgment to execute the lien, discharge, release or dissolution has been entered upon the registry, then destroy.

Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2022-1831 / Planning Case Number: RZ-2022-1759

Contact Person / Sponsor: M. Blaszyk / Planning

Department: Planning

Date Requested to be on Agenda: 1/9/2023

Issue for Consideration:

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

Points to Consider:

The property is adjacent to other parcels zoned Institutional (Indian Land Elementary School)

The proposed INS District is generally consistent with the surrounding area which is comprised of INS and LDR Districts.

Lancaster County Water and Sewer District may require an off-site waterline extension. The applicant intends to serve the site with an onsite septic system.

Staff has received several phone calls from concerned residents about potential traffic issues.

Funding and Liability Factors:

Not applicable

Council Options:

To approve or deny the rezoning request from Low Density Residential (LDR) to Institutional (INS).

Recommendation:

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

Staff also recommended approval.

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

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

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2022-1831	1/4/2023	Ordinance

Application	8/31/2022	Exhibit
Location Map	8/31/2022	Exhibit
Staff Report	10/13/2022	Ordinance
Proposed Concept Plan	12/28/2022	Backup Material
Traffic Engineer Summary	1/4/2023	Backup Material

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2022- 1831

COUNTY OF LANCASTER

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AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE APPROXIMATELY 4.84 ACRES (TM# 0013-00-024.00) LOCATED AT 4263 DOBY’S BRIDGE ROAD, INDIAN LAND, FROM LOW DENSITY RESIDENTIAL (LDR) DISTRICT TO INSTITUTIONAL (INS) DISTRICT.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) King’s Mountain Self-Storage, LLC, c/o Jim Kittridge, applied to rezone a parcel of property (TM# 0013-00-024.00) owned by King’s Mountain Self-Storage, LLC, totaling 4.84 acres, more or less, located at 4263 Doby’s Bridge Road, Indian Land, from Low Density Residential (LDR) District to Institutional (INS) District.

(b) On September 20, 2022, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a 4-0 vote, recommended approval of the rezoning request.

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

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from Low Density Residential (LDR) District to Institutional (INS) District, for the following property as identified by tax map numbers or other appropriate identifiers:

Tax Map No. (0013-00-024.00)

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2023.

LANCASTER, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: January 9, 2023
Second Reading: January 23, 2023
Third Reading: February 13, 2023
Public Hearing: November 14, 2022

Approved as to form:

Ginny L. Merck-Dupont, County Attorney



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylanastercountysc.org

ZONING MAP AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

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

GENERAL INFORMATION

Property Address 4263 Doby's Bridge Road

City Fort Mill State SC Zip 29707 Tax Parcel ID 0013-00-024.00

Current Zoning LDR Current Use Single-family residence

Proposed Zoning INS Total Acres 4.84

Project Description The applicant proposes rezoning this property to construct a day care.

Future development may include compatible, permitted commercial uses. LCWSD confirmed
water is available for this site. Sewer is not currently available, so the site will likely require a
septic system.

Surrounding Property Description This property is next to Indian Land Elementary School,
which is zoned INS. Other surrounding property is zoned LDR and contains single-family homes
or mobile homes.

CONTACT INFORMATION

Applicant Name Kings Mountain Self-Storage, LLC (Jim Kittridge)

Address 3111 Cremer Pond Drive

City Charlotte State NC Zip 28205 Phone 704-648-8247

Fax _____ Email kbrown150@gmail.com, jim@rothcapital.com,
emily@emilybrownlaw.com

Property Owner Name Kings Mountain Self-Storage, LLC

Address _____

City _____ State _____ Zip _____ Phone _____

Fax _____ Email _____

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

8/3/2022

Date



Property Owner(s)

8/3/2022

Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. Submit Application

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

2. Planning Commission

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

3. County Council

- 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.

Proposal:
Request to rezone from
LDR to INS

Legend:



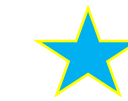
Subject Property



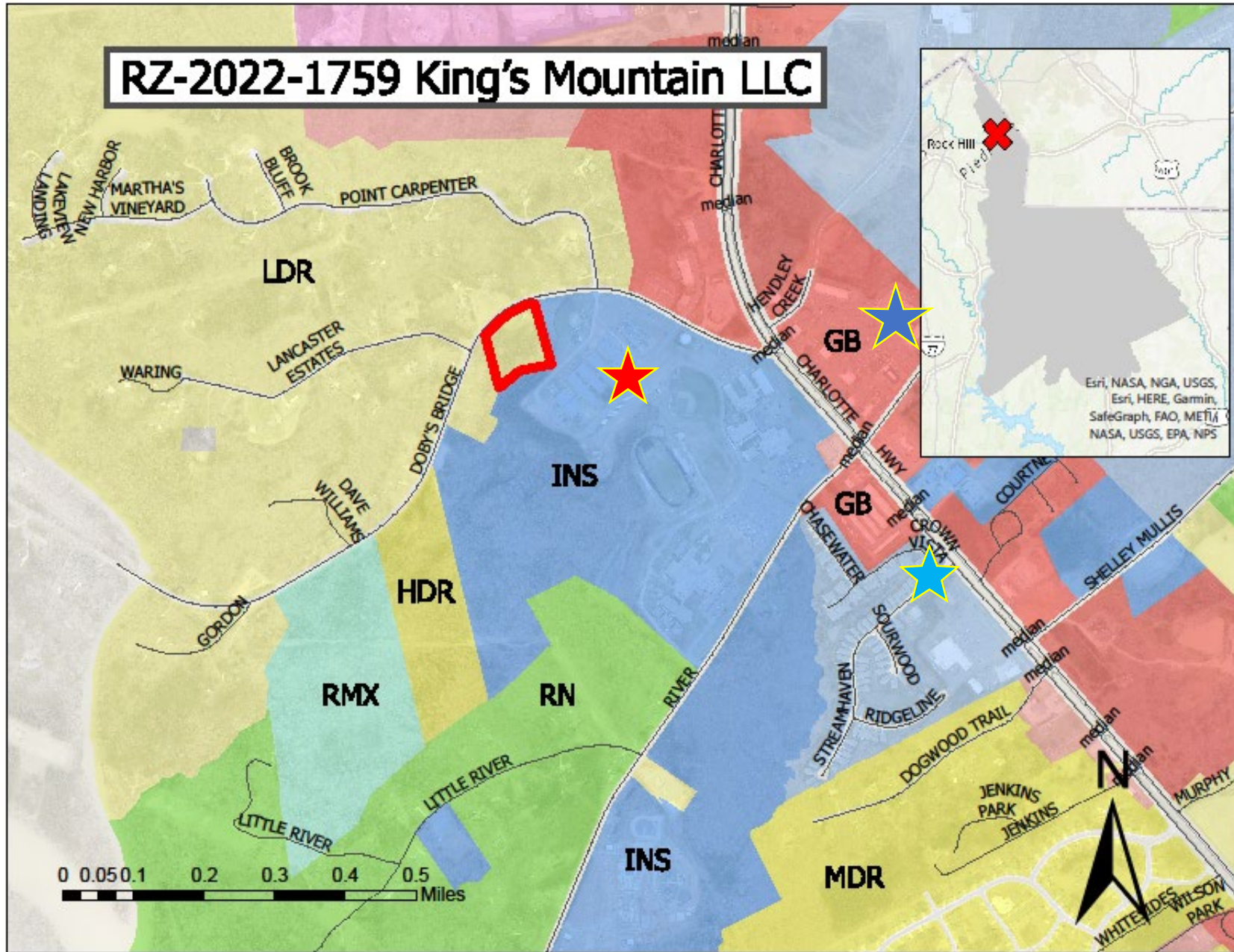
Publix at
Cross Creek



Indian Land
Elementary



Cobblestone
Subdivision



PROPOSAL: Request to rezone 4.84 acres of property

PROPERTY LOCATION: 4263 Doby's Bridge Road (TM# 0013-00-024.00)

CURRENT ZONING DISTRICT: Low Density Residential (LDR) District

PROPOSED ZONING DISTRICT: Institutional (INS) District

APPLICANT: Kings Mountain, LLC (Jim Kittridge)

COUNCIL DISTRICT: District 7, Brian Carnes

STATUTORY NOTICES: Sign posted 9/2/2022 at 4263 Doby's Bridge Road see photos
Hearing notice published 9/03/2022 in The Lancaster News
Mailed notices 9/02/2022
Posted agenda in lobby 9/13/2022

OVERVIEW:

Proposal

The applicant has requested to rezone a parcel 4.84 acres in size. The intent is to build a daycare facility on the site.

Site Information

The parcel proposed to be rezoned currently has a home that will be demolished for the new daycare site. Access will be provided by Doby's Bridge Road. The property is located directly behind Indian Land Elementary School.

Summary of Adjacent Zoning and Uses

The properties are surrounded predominantly by LDR and INS zoned properties.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	LDR	Residential
South	Lancaster County	INS	Indian Land Elementary School
East	Lancaster County	INS	Indian Land Elementary School
West	Lancaster County	LDR	Residential

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject property is currently in the 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.*

Requested INS

UDO Chapter 2.3 describes the requested INS District *as intended to allow for the continued and future use, expansion, and new development of academic and religious campuses, governmental and health facilities, and public and private utility infrastructure. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas. In the attempt to meet this goal numerous requirements are included, such as but not limited to buffers, landscaping, outdoor lighting, parking, signage, building height, setbacks, open space, and the like.*

Compatibility with Surrounding Area

As noted previously, the subject property is predominately surrounded by the LDR and INS Districts. The surrounding uses are primarily institutional and residential in nature (elementary school, single-family, and mobile homes).

Non-Conformance Status

The properties use is currently residential in nature. If the rezoning were to be approved (changing the zoning district to Institutional) the home on the property would become legal non-conforming if it remains on the site as a residence. This legal non-conforming status means that no major changes can occur to the residence further expanding its non-conformance. Also, any new business moving on to the property will be required to improve the site and building to meet current UDO and Building Code standards.

RELATIONSHIP TO PUBLIC PLANS

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

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

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

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

INFRASTRUCTURE CONSIDERATIONS

Transportation

The Applicant will need to conduct an analysis of trip generation using the most current versions of the ITE Trip Generation Informational Report to prove to us that less than 50 Peak Hour trips will be generated for their proposed use at full buildout. This report must be sealed and stamped by a licensed traffic engineer. If the report has more than 50 trips, a TIA will be required. (UDO Section 6.8)

Public Utilities

Lancaster County Water and Sewer District may require an off-site waterline extension. There is currently no sewer access at the site. Septic is the most feasible route.

Public Schools

There are no capacity concerns for the schools within this area pertaining to this change.

Public Meetings

The applicants are hosting a public meeting to engage with the public on 9/19/2022.

Public Concern

I did receive a call from a neighboring resident to the property stating their concerns for the traffic and potential accidents that could be caused by a daycare being built at the proposed site.

PHOTOS OF PROJECT AREA:



Aerial view of the subject parcel shown in the photo above



Facing East on Doby's Bridge Road



Facing Out of Subject Parcel on Doby's Bridge Road



Facing West on Doby's Bridge Road

STAFF RECOMMENDATION:

Staff recommends **approval** of the request to rezone 4.84 acres (TM # 0013-00-024.00) from Low Density Residential (LDR) District to Institutional (INS) District, pursuant to the following findings of fact:

1. That the subject project consists of the following parcel: TM# 0013-00-024.00;
 2. That the subject property is currently zoned LDR District and proposed to be rezoned INS District;
 3. That the subject property has a Future Land Use designation of Neighborhood Mixed Use, and a Community Type of Walkable Neighborhood Community Type; and
 4. That the proposed INS District is generally consistent with the surrounding area which is comprised of INS and LDR Districts.
-

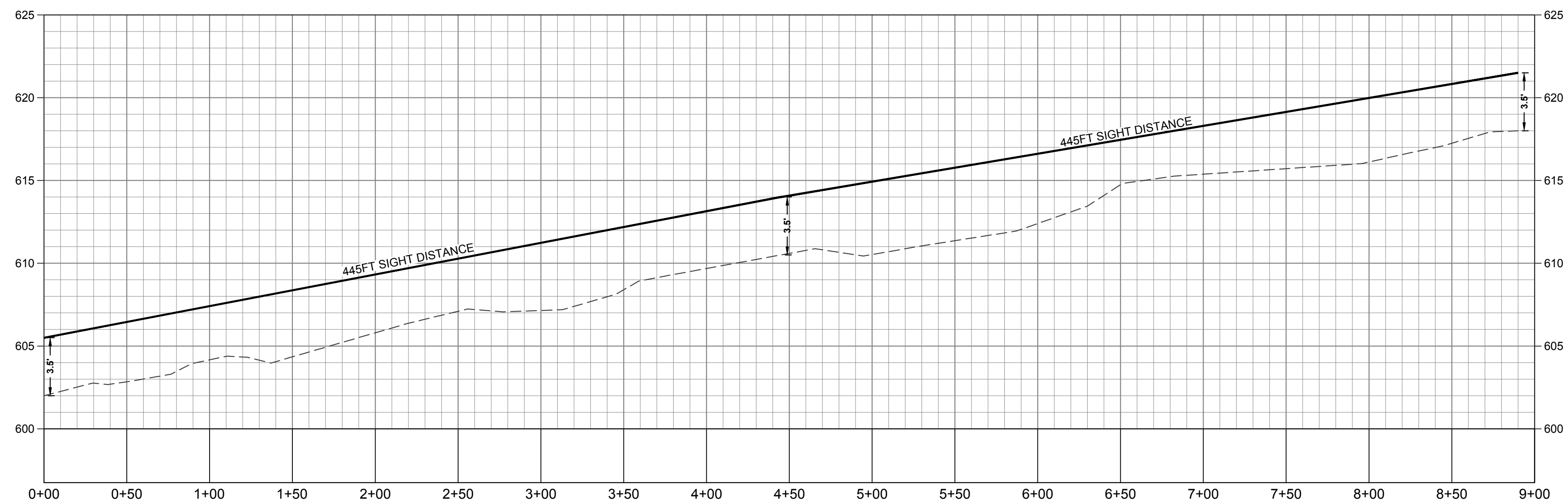
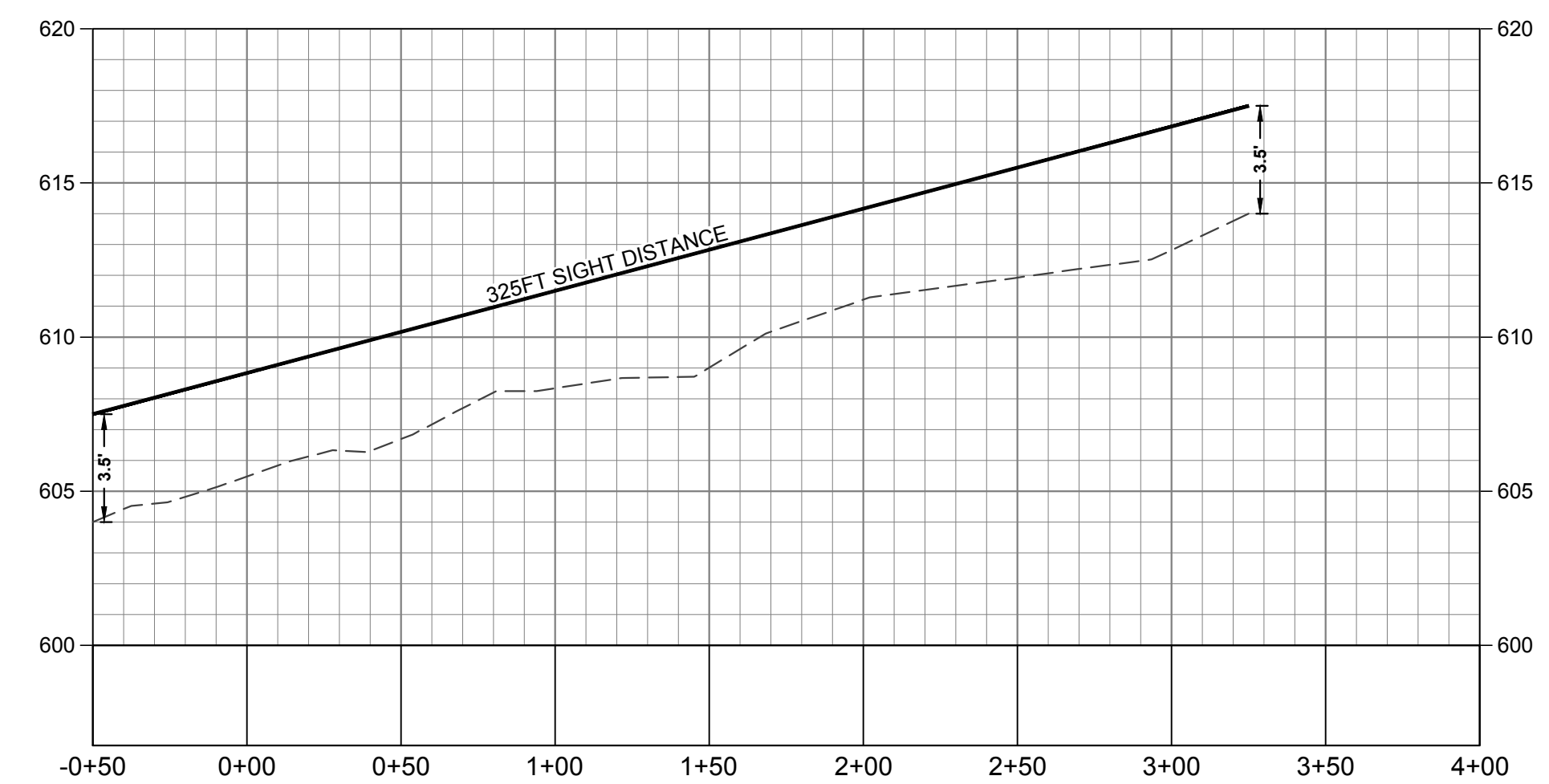
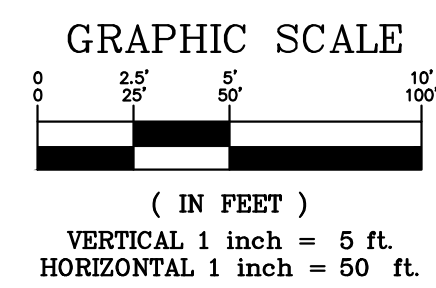
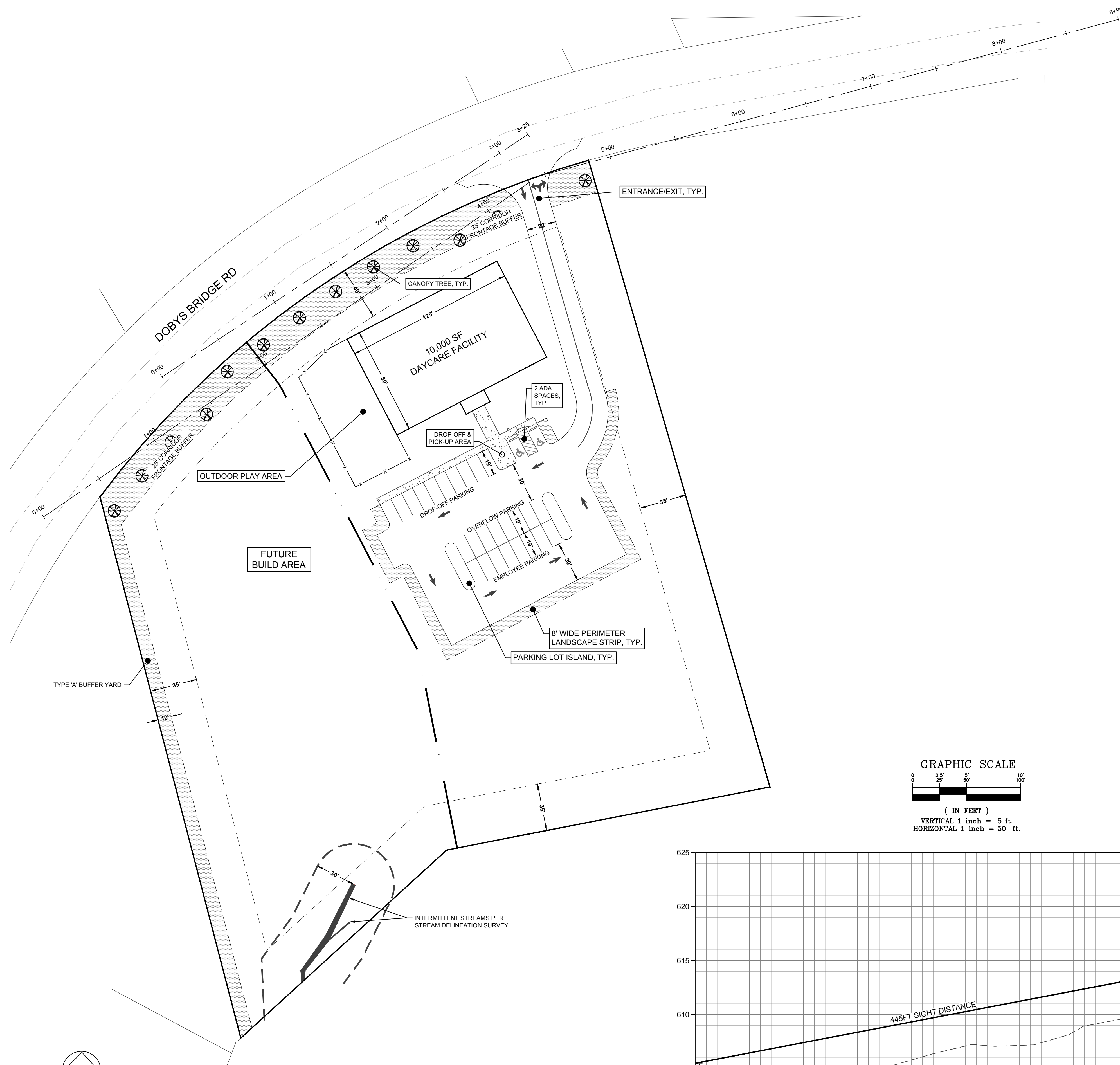
The Rezoning received a recommendation for approval with a vote of 4-0 at Planning Commission 9/20/2022.

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map

STAFF CONTACT:

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



SITE INFORMATION

PARCEL ID: 0013-00-024
SITE ADDRESS: 4263 DOBYS BRIDGE RD
FORT MILL, SC 29707
CURRENT ZONING: LDR
PROPOSED ZONING: INS
TOTAL SITE AREA: 4.84 AC
PROPOSED DAYCARE FACILITY

DEVELOPER

TBD

DESIGNER:

GATEWAY DESIGN GROUP, PLLC
JOSH BUTLER, P.E.
910-840-2661
8516 FOXBRIDGE DR
WEDDINGTON, NC 28104
josh@gatewaydesigngroup.com

SITE DATA

FRONT SETBACK: 40 FT
SIDE SETBACK: 35 FT
REAR SETBACK: 35 FT

WATERSHED DATA

THIS PROPERTY IS NOT LOCATED WITHIN A WATERSHED.

FLOOD DATA

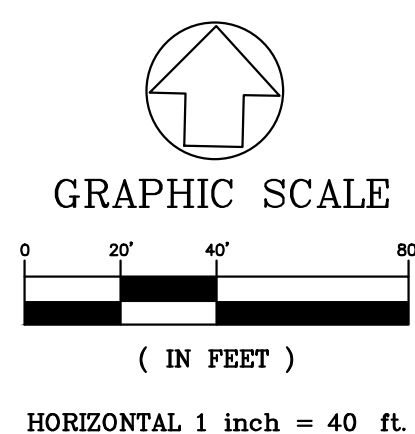
THIS PROPERTY LIES WITHIN ZONE AE, PER FIRM
COMMUNITY MAP 45057C0078E EFFECTIVE 05/16/2017.

LANDSCAPING

LANDSCAPING SHALL COMPLY WITH ALL LANCASTER COUNTY STANDARDS PER UDO.

IMPERVIOUS

ALLOWABLE IMPERVIOUS = 70%
PROVIDED IMPERVIOUS = 25%



4263 Dobys Bridge Road Traffic Evaluation and Site Visit

From: **Michael Wickline** | Michael@drgrp.com

January 4, 3:14 PM

To: **Jim Kittridge** | jim@rothcapital.com, **Kevin Brown** | kbrown150@gmail.com

Good afternoon Kevin and Jim,

As discussed, I have completed my evaluation of the attached site plan, access location, and existing traffic conditions on Dobys Bridge Road for the 4263 Dobys Bridge Road Property. Below is a summary of my findings:

Site Plan

- The site plan appears to have an appropriate circular pattern which suggests a one way circulation pattern which will help to provide better flow of traffic throughout the internal parking lot
- The access drive provides approximately 250' of internal protected stem length which will assist in preventing stacking or queuing concerns on the internal site as well as on Dobys Bridge Road
- Based on the UDO requirements parking and drop-off requirements appear to be met

Driveway Location:

- The eastern most property line appears to be the best location for the proposed access to Dobys Bridge Road (as shown in the attached plan)
- I performed a site visit on 12/14/22 to determine if the proposed driveway location would meet the sight distance requirements set forth in the SCDOT ARMS Manual.
- I checked the following sight distance requirements
 - 1. Sight distance from the site access looking east (towards US 521) – vehicle exiting site
 - 2. Sight distance from the site access looking west (towards Courage Lane) – vehicle exiting site
 - 3. Sight distance from Dobys Bridge Road looking west (towards Courage Lane) – vehicle turning into site from westbound Dobys Bridge Road
- It appears that sight distance for 1 and 3 above are adequately met, but will need to be verified during the site design and permitting process
- It appears the sight distance for 2 above can be met with clearing of vegetation along the current site frontage, but this will also need to be verified during the site design and permitting process
- Per coordination and conversations with Lancaster and SCDOT staff, the attached access alternative (latest plan) was determined to be the preferred location and configuration

Existing Traffic Conditions:

- In addition to the sight distance evaluations, I also observed traffic operations along Dobys Bridge Road during the AM peak hour drop-off for Indian Land Elementary School on 12/14/22.
- According to the school information, the school starts at 7:30 AM. Before the site visit, I verified the week of 12/12-12/16 was a normal full week of school with no early dismissals, workdays, etc.
- I arrived to the site 30 minutes before the school bell of 7:30 AM (based on my firms experience as Charlotte Mecklenburg Schools' (CMS) on call traffic consultant, this is the typical timeframe for school observations).
- Overall, the school operations were satisfactory and there appears to be a very well maintained circulation pattern for the drop off process.
 - Parents enter along the River Road access (near US 521) and circulate internal to the school
 - After drop off the parents exit via Indian Land Schools Maintenance Drive (opposite Point Carpenter Road)
 - I was on site approximately an hour from around 7:00-8:00 AM, and did not witness any queueing or blocking concerns on Dobys Bridge Road or near the proposed site access location.
- It should be noted I did not have any issues entering or exiting from the existing site's access on the multiple occasions that I did so during these observations

Please let me know if you have any questions or if you would like any additional information or details as it relates to the evaluation that I have performed.

Thank you,

MICHAEL WICKLINE > PE

principal



2459 Wilkinson Boulevard, Suite 200, Charlotte, NC 28208

P: 704.343.0608 x330

M: 980.565.6723



Agenda Item Summary

Ordinance # / Resolution #: Ordinance 2023-1837 / Planning Case Number: RZ-2022-2224

Contact Person / Sponsor: M. Blaszyk / Planning

Department: Planning

Date Requested to be on Agenda: 1/9/2023

Issue for Consideration:

Application by Nathan Terry to rezone a .488-acre parcel located at the northern intersection of Charles Pettus Road and Charlotte Hwy (portion of TM# 0016-00-046.00) from Low Density Residential (LDR) to Professional Business (PB) in order to build a medical office.

Points to Consider:

The north side of the subject property directly fronts U.S. 521 while the west and south side of the parcel are surrounded by Charles Pettus Road. Access to this site is planned to be provided from Charles Pettus Road.

This project falls under the Southern Panhandle Small Area Plan. This plan supplements the Comprehensive Plan as the long-range guide for future growth and community development. A goal for the Southern Small Area Plan is: “....focus(ing) long term economic development at the northernmost portion of the project boundary and also near the intersection of US-521 and the southern segment of Charles Pettus Road.” The proposed zoning of Professional Business would be consistent with the Southern Panhandle Small Area Plan and nearby zoning.

The project will need to provide cross access to the adjacent parcels via stub outs and sidewalks. The proposed 2,500-3,000 Sq. Ft. chiropractic office would not trigger a Traffic Impact Analysis (TIA).

The applicant does have water access from both US 521 and Charles Pettus. The possibility of septic is currently being perused by the applicant. The Lancaster County Water and Sewer District are not opposed to an onsite septic system and the applicant currently has a permit to construct from South Carolina Department of Health and Environmental Control (SCDHEC).

Funding and Liability Factors:

Council Options:

To approve or deny the proposed rezoning.

Recommendation:

Planning Commission recommend unanimous **approval** at their November 2022 regular meeting. At the meeting, Commissioners discussed frontage sidewalk requirements along US 521.

Staff also recommended approval.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance 2023-1837	1/4/2023	Ordinance
Staff Report	11/9/2022	Exhibit
Application	10/27/2022	Exhibit
Proposed Plat	11/4/2022	Exhibit

Location Map	10/27/2022	Exhibit
SCDHEC Permit	11/9/2022	Exhibit
Public Hearing Notice for Ordinance 2023-1837 (Planning Department Case Number: RZ-2022-2224)	12/21/2022	Public Hearing Notices

STATE OF SOUTH CAROLINA

(

ORDINANCE NO. 2023- 1837

COUNTY OF LANCASTER

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(

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY TO REZONE APPROXIMATELY .488 ACRES (PORTION OF TM# 0016-00-046.00) LOCATED AT THE NORTHERN INTERSECTION OF CHARLES PETTUS ROAD AND CHARLOTTE HIGHWAY, FROM LOW DENSITY RESIDENTIAL (LDR) DISTRICT TO PROFESSIONAL BUSINESS (PB) DISTRICT.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

(a) Nathan Terry applied to rezone a .488 acre, more or less, portion of real property (TM# 0016-00-046.00) owned by him located at the northern intersection of Charles Pettus Road and Charlotte Highway, from Low Density Residential (LDR) District to Professional Business (PB) District.

(b) On November 15, 2022, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a 4-0 vote, recommended approval of the rezoning request.

(c) This project falls under the Southern Panhandle Small Area Plan. This plan supplements the Comprehensive Plan as the long-range guide for future growth and community development. A goal for the Southern Small Area Plan is: "...focus(ing) long term economic development at the northernmost portion of the project boundary and also near the intersection of US-521 and the southern segment of Charles Pettus Road." The proposed zoning of Professional Business would be consistent with the Comprehensive Plan, the Southern Panhandle Small Area Plan, and the zoning designations of nearby properties.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from Low Density Residential (LDR) District to Profession Business (INS) District, for the following property as identified by tax map numbers or other appropriate identifiers:

Tax Map No. (0016-00-046.00)

Section 3. Severability.

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

Section 4. Conflicting Provisions.

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

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this _____ day of _____, 2023.

LANCASTER, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

First Reading: January 9, 2023
Second Reading: January 23, 2023
Third Reading: February 13, 2023
Public Hearing: January 9, 2023

Approved as to form:

Ginny L. Merck-Dupont, County Attorney

PROPOSAL: Request to rezone 0.488 acres of property

PROPERTY LOCATION: Northern intersection of Charles Pettus Road and Charlotte Hwy
(portion of TM# 0016-00-046.00)

CURRENT ZONING DISTRICT: Low Density Residential (LDR) District

PROPOSED ZONING DISTRICT: Professional Business (PB) District

APPLICANT: Nathan Terry

COUNCIL DISTRICT: District 1, Terry Graham

STATUTORY NOTICES: Sign posted 10/28/2022
Hearing notice published 10/29/2022 in Lancaster News
Mailed notices 10/28/2022
Posted agenda in lobby 11/08/2022

OVERVIEW:

Proposal

The applicant has requested to rezone a portion of a single parcel 0.488 acres in size. The intent is to develop a small chiropractic office building.

Site Information

The parcel proposed to be rezoned is currently zoned Low Density Residential (LDR), however, the parcel is undeveloped. The applicant has indicated that access will be provided to the site from Charles Pettus Road. If the rezoning is approved, a minor subdivision will need to occur to separate the 0.488-acre portion from the larger parent parcel (TM 0016-00-046.00) and join it with the adjacent parcel (TM 0016-00-042.00).

Summary of Adjacent Zoning and Uses

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

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	GB; INS	Commercial; Church
South	Lancaster County	PB; LDR	Vacant
East	Lancaster County	LDR	Residential
West	Lancaster County	GB	Vacant

ANALYSIS & FINDINGS:

Zoning Districts

As previously noted, the subject property is currently in the LDR District. Pursuant to UDO Chapter 2.3, the current 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.

Requested Professional Business

UDO Chapter 2.3 describes the requested Professional Business District (PB) *as is generally located adjacent to neighborhoods and provides opportunities for the provision of offices and professional services that do not adversely impact the surrounding communities.*

Compatibility with Surrounding Area

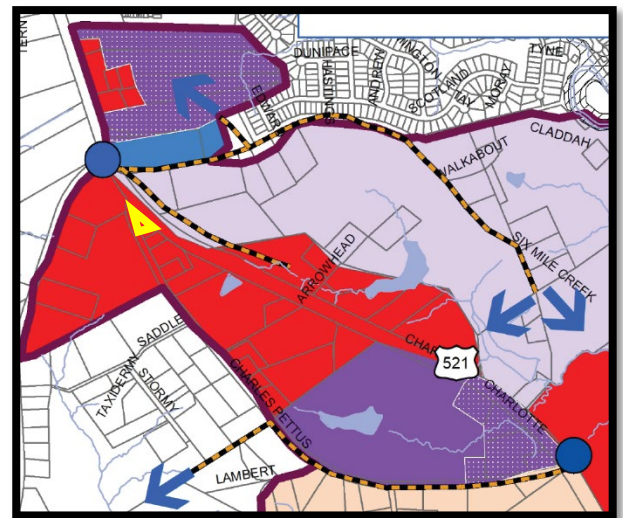
The subject property is predominately surrounded by the LDR, PB, and GB Districts. The surrounding uses are primarily vacant, commercial, and residential in nature (e.g. vacant GB lot, veterinarian's office, Comporium Communications Facility, residents). The parcel immediately to the south is already zoned PB (0016-00-042.00) and the applicant intends to combine that acreage with the subject parcel.

RELATIONSHIP TO PUBLIC PLANS

Southern Panhandle Small Area Plan Extension

This area of the County was included in the Southern Panhandle Small Area Plan. This plan supplements the Comprehensive Plan as the long range guide for future growth and community development. The Southern Panhandle Small Area Plan recommended land use designation for the subject parcel is commercial (outlined in yellow on the map to the right). The proposed zoning of Professional Business would be consistent with the Southern Panhandle Small Area Plan.

The Small Area Plan defines Commercial land use as "Opportunities for shopping, professional services, and entertainment. These areas do not typically allow auto-oriented developments."



Southern Panhandle Small Area Plan Extension

The plan also states the following as a long-term goal:..... "focus(ing) long term economic development at the northernmost portion of the project boundary and also near the intersection of US-521 and the southern segment of Charles Pettus Road".

The Small Area Plan Extension further states... "It shall be a priority to support development of larger master planned sites that are served by public water and sewer and utilize shared/consolidated driveways along the US-521 Corridor within the non-residential and mixed-use portions of the study area."

The Plan does recognize that there will be occurrences when it is impractical or undesirable to have parcels develop as a master planned project. For these cases, the plan establishes the following criteria:

Non-residential or mixed-use rezoning requests along the US-521 Corridor that are not part of a larger master planned project should include a justification statement with an associated concept plan indicating the rationale for the smaller rezoning area and how the rezoning and/or future development project will implement the objectives of the Southern Panhandle Small Area Plan Extension. Such objectives may include but are not limited to: accessing or extending public

water and sewer infrastructure and utilizing or creating shared/cross access ways (Emphasis added).

Although the applicant has provided a concept plan (attachment 4), it has not been revised since the pre-submittal meeting to address cross access and other UDO compliance items. The applicant has acknowledged the need to provide feasible cross-access for future connectivity.

INFRASTRUCTURE CONSIDERATIONS

Transportation

The proposed 2,500-3,000 Sq.Ft. chiropractic office would not trigger a Traffic Impact Analysis (TIA). The minimum required square footage for a Medical/Dental Office that requires a TIA is 14,500+ SF.

Public Utilities

If the applicant would prefer to have sewer access, they would need to construct a pump station and an offsite sewer line extension. Lancaster County Water and Sewer District are not opposed to an onsite septic system. The applicant has started to explore this route and has a Permit to Construct from SCDHEC for septic (See attachment 3). For water access to the site, there is a 12-inch line available on US 521 and a 4-inch line available from Charles Pettus Road.

PHOTOS OF PROJECT AREA:



Ariel view of the Subject Property Above



Facing Subject Parcel off 521.



Facing Subject Parcel off Charles Pettus Rd.

STAFF RECOMMENDATION:

Staff recommends **Approval** of the request to rezone one 0.488 acres (portion of TM# 0016-00-046.00) from Low Density Residential (LDR) District to Professional Business (PB) District, pursuant to the following findings of fact:

1. That the subject project consists of the following parcel: portion of TM# 0016-00-046.00;
 2. That the subject property is currently zoned LDR District and is proposed to be rezoned PB District;
 3. That the proposed rezoning is consistent with the Southern Panhandle Small Area Plan
 4. That the proposed PB District is generally consistent with the surrounding area which is comprised of LDR, PB, and GB Districts.
-

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map
3. SCDHEC Permit
4. Concept Plan

STAFF CONTACT:

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

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 0016-00-046.00 (Pie piece / Northern tip)
City Lancaster State SC Zip 29720 Tax Parcel ID 0016-00-046.00

Current Zoning LDR Current Use Land/NA

Proposed Zoning PB Total Acres .488

Project Description Wanting to build a medical office on this site and parcel number 0016-00-042.00 that's already rezoned PB.

Surrounding Property Description At the corner of Highway 521 and Charles Petrus Rd intersection

CONTACT INFORMATION

Applicant Name Nathan Terry

Address 1028 Edgewater Corporate Pkwy, Suite 102

City Indian Land State SC Zip 29707 Phone 803-548-6200 or 618-292-4832

Fax 803-548-6222 Email nathan.terrydc@yahoo.com

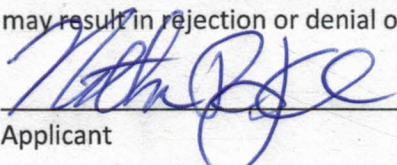
Property Owner Name Ostendoff Carol Etal, Trustees, Kay Sloan

Address 343 Swampfox Dr

City Fort Mill State SC Zip 29715 Phone 803-312-5455 (Kay Sloan)

Fax _____ Email Kysloan@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

10-13-2022
Date

Property Owner(s)

Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number _____ Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By _____ Planning Commission Meeting Date _____

SCHEDULE/PROCESS 1. Submit Application

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

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

Kay L. Moran + Carl Osh

Date

6-30-2022

Property Owner(s) Co-Trustees

Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number Date Received Receipt Number

Amount Paid Check Number Cash Amount

Received By Planning Commission Meeting Date

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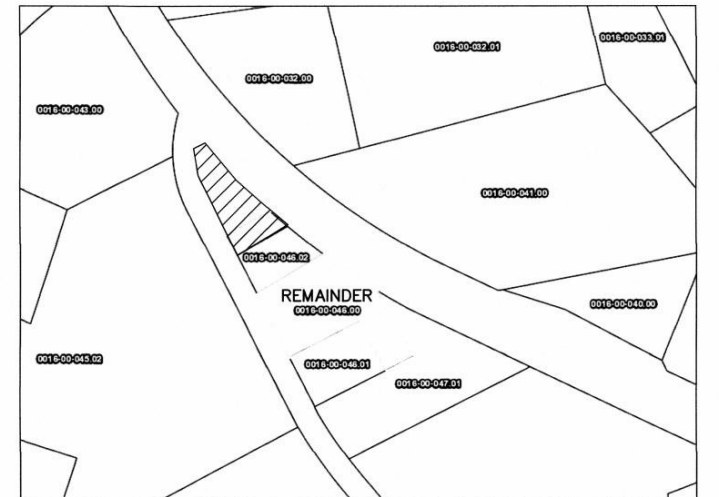
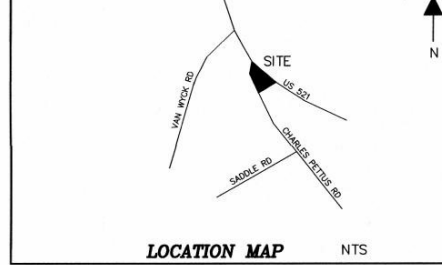
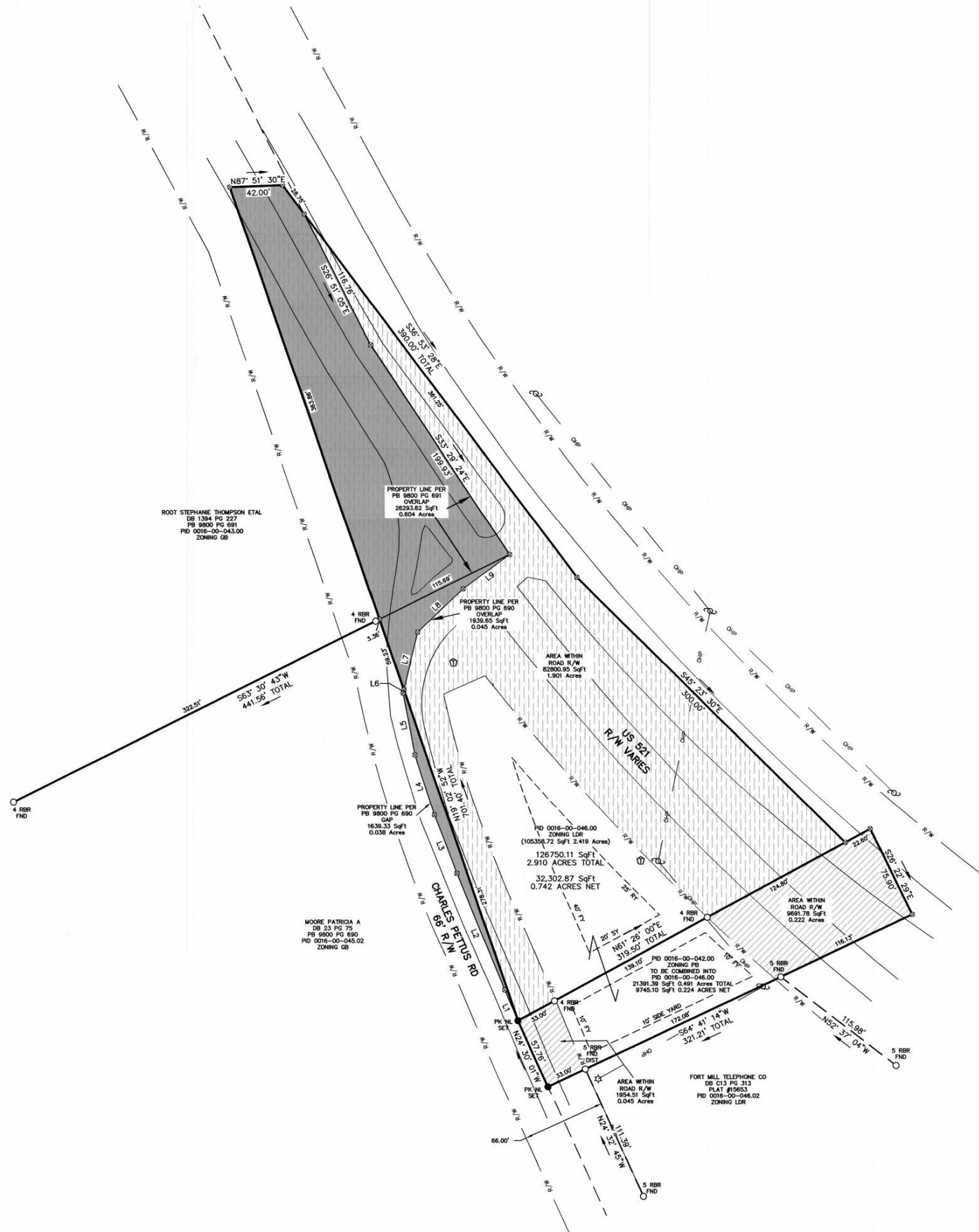
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LEGEND	
PROPERTY CORNER	○
IRON PIN SET (#4 REBAR)	●
POINT NOT SET	⊗
GAS VALVE	⊕
TELEPHONE MANHOLE	⊙
SANITARY SEWER MANHOLE	⊕
STORM SEWER MANHOLE	⊕
WATER VALVE	⊕
WATER METER	⊕
TELEPHONE PEDESTAL	⊕
ELECTRIC PEDESTAL	⊕
ELECTRIC MANHOLE	⊕
DROP INLET	⊕
CATCH BASIN	⊕
CLEAN OUT	⊕
SIGN	⊕
GUY POLE	⊕
POWER POLE	⊕
FIRE HYDRANT	⊕
LIGHT POLE	⊕
IRRIGATION VALVE	⊕
CABLE PEDESTAL	⊕
ELECTRICAL TRANSFORMER	⊕
BLOW OFF VALVE	⊕
WELL	⊕
ELECTRIC METER	⊕
SURVEY LINE	---
ADJOINER LINE	---
RIGHT OF WAY LINE	---
TIE LINE	---
EASEMENT LINE	---
SETBACK LINE	---
FENCE LINE	---
FLOOD LINE	---
CENTERLINE CREEK	---
OVERHEAD POWER	---
OVERHEAD ELECTRIC	---
GAS LINE	---
SANITARY SEWER	---
WATER LINE	---
UNDERGROUND ELECTRIC	---
UNDERGROUND FIBER	---
OVERHEAD TELEPHONE	---
UNDERGROUND CABLE	---
UNDERGROUND FORCE MAIN	---
UNDERGROUND STORM PIPE	---
UNDERGROUND TELEPHONE	---
FENCE LINE SPLIT RAIL	---
FENCE LINE WOOD	---



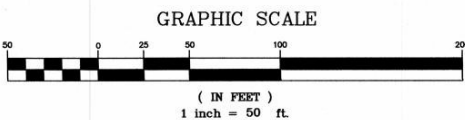
ZONING
PB PROFESSIONAL BUSINESS
FRONT 10'
SECONDARY FRONT 10'
SIDES 10'
REAR 10'

LDR LOW DENSITY RESIDENTIAL
FRONT 40'
SECONDARY FRONT 20'
SIDES 20'
REAR 25'

SETBACKS TAKEN FROM LANCASTER COUNTY UNIFIED DEVELOPMENT ORDINANCE;
VERIFY BEFORE ANY NEW CONSTRUCTION.

Line Table		
Line #	Length	Direction
L1	26.67'	N23° 32' 28\"W
L2	99.98'	N22° 15' 31\"W
L3	49.99'	N21° 02' 36\"W
L4	49.99'	N17° 52' 59\"W
L5	49.99'	N11° 11' 33\"W
L6	2.91'	N13° 55' 10\"E
L7	47.08'	N13° 55' 10\"E
L8	49.99'	N46° 14' 03\"E
L9	45.81'	N53° 24' 37\"E

- NOTES:
- 1.) NO TITLE COMMITMENT WAS PROVIDED TO BE USED IN PREPARING THIS PLAT.
 - 2.) PROPERTY MAY BE SUBJECT TO RIGHT OF WAYS AND EASEMENTS, NOT SHOWN ON THIS PLAT.
 - 3.) REFERENCES
TAX MAP PARCELS #0016-00-042.00 & 0016-00-046.00
REFERENCE DEED BOOK 479, PAGE 44
DB 624 PG 53
REFERENCE PLAT #8963
PB 2007 PG 1302



This property lies within a Zone X unshaded area as designated on Federal Insurance Rate Map, Community Panel:45057C0087E dated 5-16-2017.

New lot lines or parcels have been created.

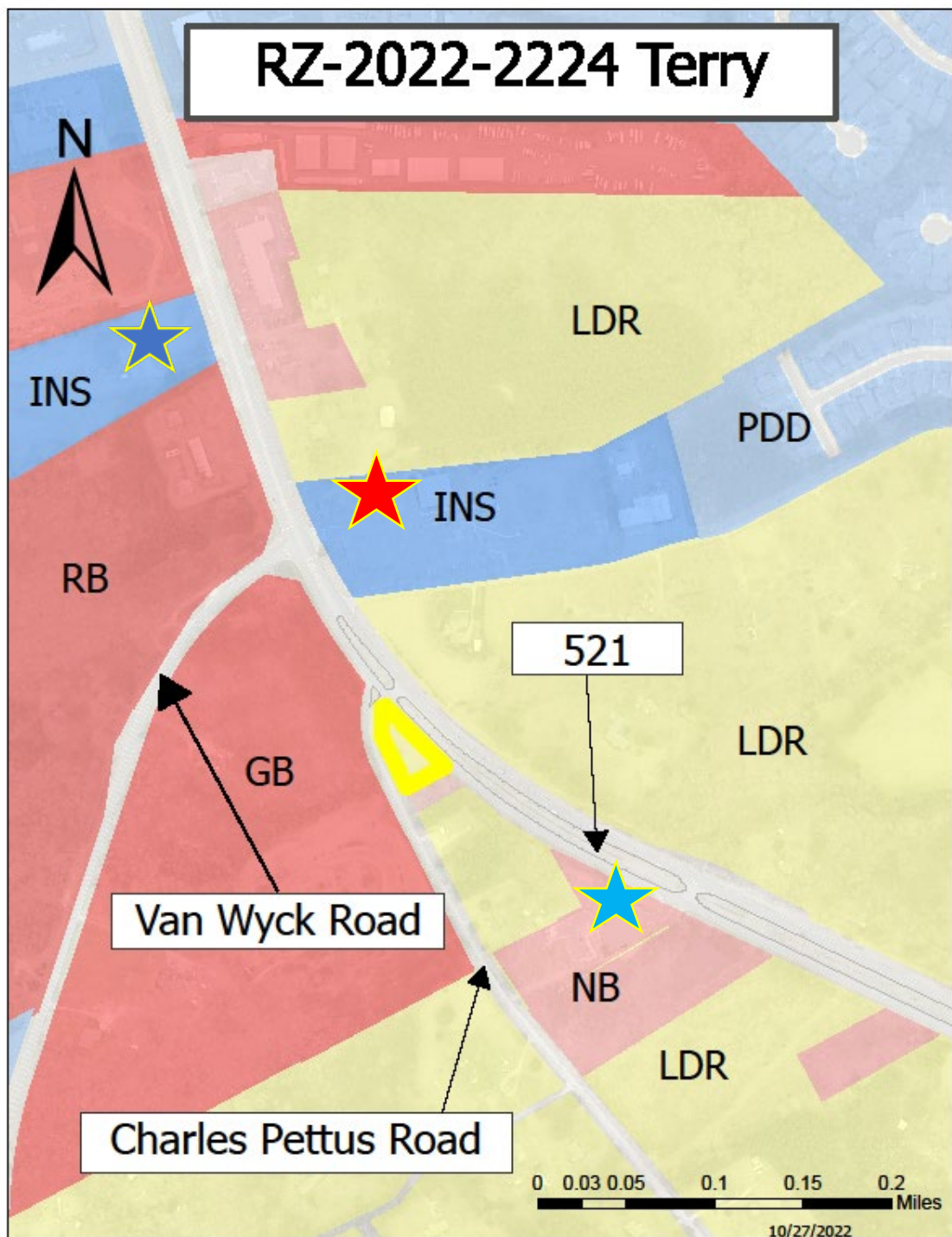
See Reference Deeds / Plots as noted

I hereby state that to the best of my knowledge, information, and belief, the survey shown herein was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein.

TERRY W. HUCKS PLS
SC 11061B 9/26/22



SUBDIVISION SURVEY FOR NATHAN TERRY PIDS 0016-00-042.00 & 0016-00-046.00 INDIAN LAND TOWNSHIP			
LANCASTER COUNTY		SOUTH CAROLINA	
HUCKS and ASSOCIATES, PC. Land Surveyors and Land Planners 5212 Hampton Ridge Road Rock Hill, SC 29732			
803-366-4677		803-366-4128	
SCALE: 1" = 50'	DATE: SEPT. 26, 2022	FILE NO: 22505	CHK BY: TWH



Subject Property



Proposal:
Rezoning: LDR to PB

Indian Land Baptist

Faith Presbyterian

Southern Paws



PERMIT TO CONSTRUCT
Onsite Wastewater System

File Nbr: **2022090015**
County: **Lancaster**

Name: TYLER SGRO

Type Facility: MEDICAL OFFICE

Subdivision:

Block:

Lot:

Address: 4524 ORR ST
NORTH CHARLESTON, SC 29405

Site: CHARLES PETTUS RD
LANCASTER, SC 29720

Program Code 360

System Code: 101

TM No.: 0016-00-046.00

Water Supply: PUBLIC

PERMIT TO CONSTRUCT SYSTEM SPECIFICATIONS

Daily Flow (gpd): 45

Tank Sizes (gal): Septic Tank: 1000

Pump Chamber: 500

Grease Trap:

LTAR: .30

Trenches: Length (ft): 50

Width (in): 36

Max. Depth (in): 33

Agg. Depth (in): 14

Min Pump Capacity: 10

gpm at 10

ft. of Head Alternative Product:

SPECIAL INSTRUCTIONS/CONDITIONS

THIS PERMIT IS SITE SPECIFIC. ANY CHANGES TO THE SYSTEM MUST BE APPROVED BY DHEC. ALTERNATIVE TRENCH PRODUCTS APPROVED UNDER STATE RULES AND REGULATIONS MAY BE SUBSTITUTED. ANY UNAPPROVED CHANGES WILL VOID THIS PERMIT.

Installers must contact the local Environmental Affairs office by 10:00 AM the day before installation to schedule a time for the final inspection. If a Department representative does not arrive within 30 minutes of the schedule time, the installer may complete the final inspection. When a contractor self-inspection occurs, the installer must complete the DHEC form 3978. Approval to Operate Contractor Self-Inspection. The installer must submit the DHEC form 3978 to the Department within 2 business days of completion of the installation.

This Permit to Construct is issued based on a soils report and septic system layout submitted by Professional Soil Classifier Tyler Sgro, License #119, dated 7/26/2022.

Davis Horizons, LLC

4524 Orr Street, North Charleston SC 29445

info@davishorizons.com <mailto:info@davishorizons.com>

Maintain 75' setback off any existing or proposed private wells. 100' off any public well.

PERMIT TO CONSTRUCT SYSTEM DIAGRAM

(NTS)

See attached sketch.

Issued/Revised By:

Harold McEwen

Date:

9/27/2022

DHEC 1781 (01/2014)

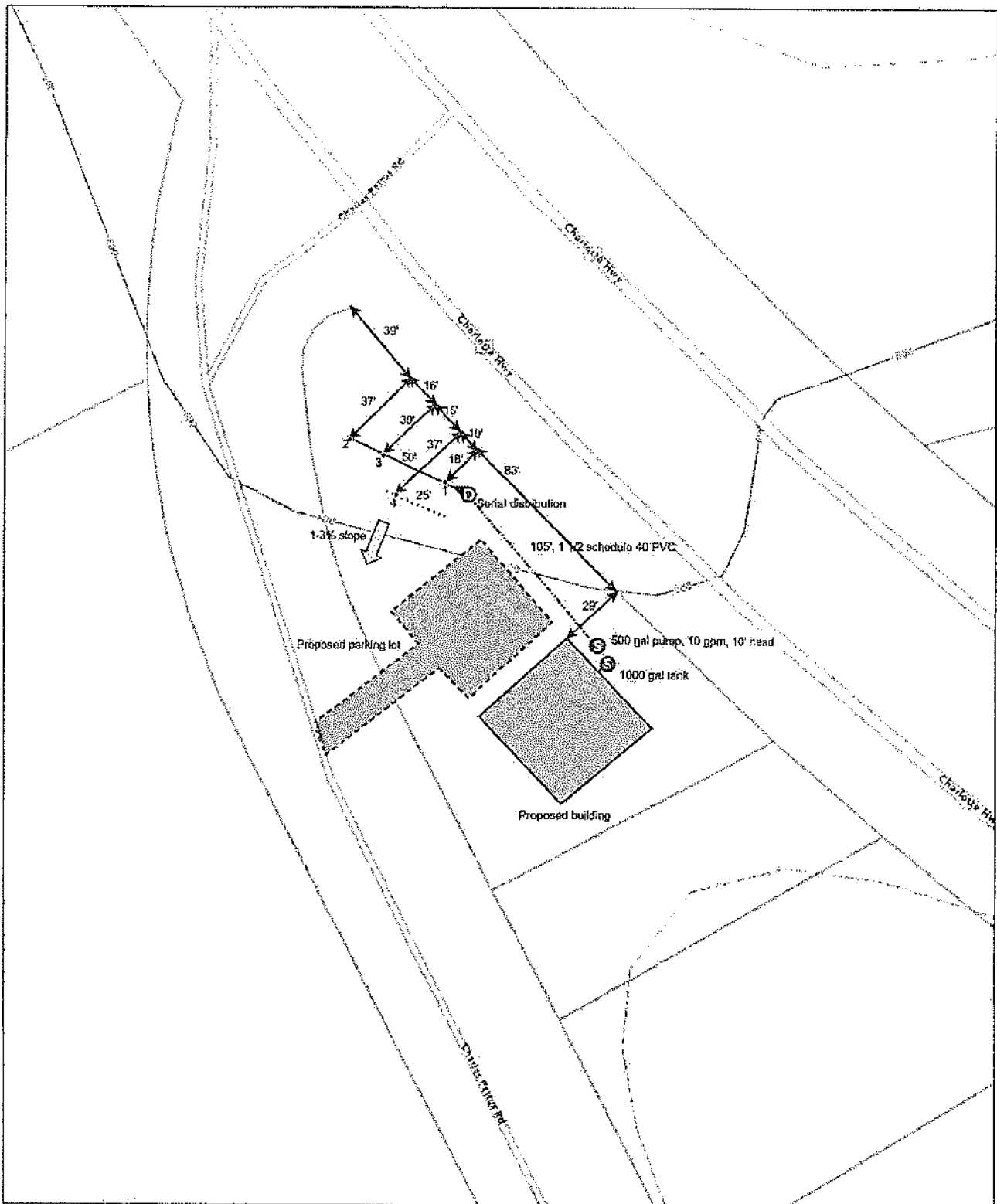
This Permit is Appealable Under the Administrative Procedures Act.

This permit will expire and become null and void five (5) years from the issuance date.

There may be an Additional Fee for Changes in this Permit that Require a Site Reevaluation.

Personal information provided on this form is subject to public scrutiny or release.

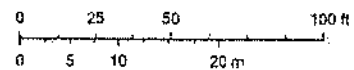
Terry - Charles Pettus Road



7/26/2022, 3:23:23 PM

• Soil Data Form Septic_Design_804 Septic_Design_9782
 Septic_Design_8153 ↔ Distance/Setback  House
 (S) Septic Tank — Drain Lines  Driveway
 (D) Distribution Box Repair Lines Normal Intermediate Contours
 → Distribution Line Normal Index Contours

1:564



Esri Community, Maps Contributors, Union County, State of North Carolina DOT, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA.

This map is created by Davis Horizons. Unauthorized use of this map without explicit written permission from Davis Horizons is prohibited.

The Lancaster News

980 N Woodland Drive
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 and County Council will conduct public hearings on Tuesday, November 15, 2022, and Monday, January 9, 2023, respectively. The public hearings will take place at 6:00 PM at the Lancaster County Administrative Building located at 101 N. Main Street, Lancaster, SC.

1. RZ-2022-2224: Application by Nathan Terry to rezone a .488-acre parcel located at the northern intersection of Charles Pettus Road and Charlotte Hwy (portion of TM# 0016-00-046.00) from Low Density Residential (LDR) to Professional Business (PB) in order to build a medical office.

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

Public comments may be made in person at the hearing or submitted in written format to be provided to the Planning Commission or to County Council at the public hearing. Comments made in person or in writing should be limited to three (3) minutes in duration if read aloud. Written comments may be submitted either by online submission by selecting the "public hearing comments" quick link located on the county website (<https://www.mylancastersc.org/>), email to SSimpson@lancastersc.net, or by mail addressed to Clerk to Council at 101 N. Main Street, Lancaster, SC 29720 with the Ordinance number or other appropriate identifier clearly referenced in the communication. At the public hearing and any adjournment of it, all interested persons may be heard either in person or by their designee or by submission of written comments.

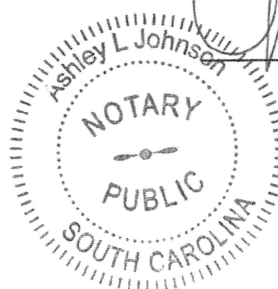
I hereby certify that on the above notice published in The Lancaster News, a general circulation in Lancaster County, South Carolina, in accordance with law on October 29th 2022.

SWORN to before me this 22nd day of November, 2022

Ashley L Johnson
Notary Public for South Carolina
My Commission Expires: 01/20/2027

Newspaper Rep Signature

Nathan Terry



CAROLINA GATEWAY

980 N Woodland Drive
PO Box 640
Lancaster, SC 29721
803-339-6862

PUBLIC HEARING NOTICE

For the purpose of obtaining oral and written comments from the public regarding the following matters, the Lancaster County Planning Commission and County Council will conduct public hearings on Tuesday, November 15, 2022, and Monday, January 9, 2023, respectively. The public hearings will take place at 6:00 PM at the Lancaster County Administrative Building located at 101 N. Main Street, Lancaster, SC.

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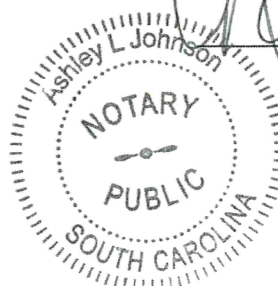
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I hereby certify that on the above notice published in the Carolina Gateway in Lancaster County, South Carolina, in accordance with law on November 2nd 2022.

SWORN to before me this 22nd day of November, 2022

Ashley L Johnson
Notary Public for South Carolina
My Commission Expires: 01/20/2027

Newspaper Rep Signature



[Signature]

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Sherrie Simpson/Clerk to Council

Department: County Clerk

Date Requested to be on Agenda: 1/9/2023

Issue for Consideration:

Whether to appoint Catherine Abbott to the Health and Wellness Commission as the District 5 representative. If appointed, she would be replacing Chris Shannon, who has resigned, and she would fill his unexpired term that would end on 06/30/2025.

Points to Consider:

Catherine Abbott's application is attached for Council's review and consideration.

Funding and Liability Factors:

N/A

Council Options:

Approve or deny the appointment.

Recommendation:

Approve the appointment.

ATTACHMENTS:

Description	Upload Date	Type
Application from Catherine Abbott for the Health and Wellness Commission	12/28/2022	Backup Material

LANCASTER COUNTY BOARDS & COMMISSIONS
APPLICATION FOR SERVICE



Name Catherine Abbott County Council District 5

Mailing Address _____ City/Zip Lancaster, SC 29720

Street Address _____ Registered Voter yes ☒ no ☐

Tel. Number _____ (work) _____ (other) _____

Email: Catherinega9@gmail.com

Occupation Office Administrator Place of employment Abbott Rehabilitation Center

Address 1318 Hwy 9 Bypass W, Lancaster 29720 Normal working hours 8am-5pm M-Th
(most meetings are scheduled after 6:00 pm - lack of attendance can be reason for replacement on a commission) 8am-3pm F

Name of Board or Commission in which you are interested _____

1st choice Health + Wellness 2nd choice _____

3rd choice _____

Reason for interest

I have a special interest in fitness, health + community wellbeing and would love to be a part of a progressive front in that area for my hometown.

Why do you feel you are qualified to serve on these boards? In addition, note education, areas of expertise, skills & interests. (continue on separate sheet if needed)

I earned my BS in Health Science from Clemson University in 2020. I have both volunteer + work experience in long term care, rehabilitative behavioral + mental health facilities and am currently employed at a physical therapy office. I also have experience in writing + researching (con on back)

Do you presently serve any State, County or Municipal Boards? no If yes, list _____

Have you ever served on a county board? no If yes, list _____

Additional pertinent information _____

Applicant's signature

Cathi [Signature]

Date

12/7/22

Receipt of application does not guarantee an appointment. Applicants will be notified of appointments by mail.

Return completed application to Sherrie Simpson, Lancaster County Council Office, P.O. Box 1809, Lancaster, SC 29721
Form Revised 1-20-17

community health plans and have been involved in multiple
community health survey + research projects. ~~all~~