### Lancaster County Council Regular Meeting Agenda

Monday, April 9, 2018

### County Administration Building, County Council Chambers 101 N. Main Street Lancaster, SC 29720

1. Call to Order Regular Meeting - Chairman Steve Harper

6:00 p.m.

- 2. Welcome and Recognition Chairman Steve Harper
- 3. Pledge of Allegiance and Invocation Council Member Charlene McGriff
- 4. Approval of the agenda [deletions and additions of non-substantive matter]

### 5. Special Presentations

- a. Recognition of Parks and Recreation 10 and under girls basketball, State Champions Presented by Hal Hiott and Chairman Steve Harper
- b. American Legion Indian Land Post 250 Law Enforcement Officer of the Year presented to Peter Beck, Deputy First Class, Lancaster County Sheriff's Office – Presented by William Chick, American Legion Indian Land Post 250
- c. American Legion Indian Land Post 250 Firefighter of the Year presented to Chris Miller Presented by William Chick, American Legion Indian Land Post 250
- **d.** Presentation on the Rock Hill Fort Mill Area Transportation Study (RFATS) Regional Collector Road Study Presented by Council Member Brian Carnes
- 6. <u>Citizen Comments</u> [Speakers are allowed approximately 3 minutes. If there are still people on the list who have not spoken at the end of thirty (30) minutes, Council may extend the citizen comments section or delay it until a later time in the agenda]
- 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. Minutes from the March 26, 2018 County Council regular meeting pgs. 6-13



- b. 3<sup>rd</sup> Reading of Ordinance 2018-1500 regarding Rezoning Property of Jimaki Witherspoon
  Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County So As
  To Rezone Property Of Jimaki Witherspoon, Located ± 850 Feet East Of The Intersection Of SC
  Hwy 200 And Highpoint Circle In Lancaster County From MH, Manufactured Housing District
  To MDR, Medium Density Residential District. Planning Commission recommended
  approval by a vote of 7-0. Passed 7-0 at the March 12, 2018 County Council Meeting. Passed
  7-0 at the March 26, 2018 County Council Meeting. Penelope Karagounis pgs. 14-15
- c. <u>3<sup>rd</sup> Reading of Ordinance 2018-1501 regarding Rezoning Property of Randall Collins,</u>
  Trustee

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County So As To Rezone Property Of Randall Collins, Trustee, Located At 1501-1539 Memorial Park Road In Lancaster County From MDR, Medium Density Residential District To HDR, High Density Residential District. – Planning Commission recommended approval by a vote of 7-0. Passed 7-0 at the March 12, 2018 County Council Meeting. Passed 7-0 at the March 26, 2018 County Council Meeting. – Penelope Karagounis – pgs. 16-17

d. 3<sup>rd</sup> Reading of Ordinance 2018-1502 regarding Rezoning Property of Darren Sowell
Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County So As
To Rezone Property Of Darren Sowell, Located On Wheat Street ± 500 Feet East Of The
Intersection Of Fork Hill Road And Wheat Street In Lancaster County From MDR, Medium
Density Residential District To RR, Rural Residential District. – Planning Commission
recommended approval by a vote of 7-0. Passed 7-0 at the March 12, 2018 County Council
Meeting. Passed 7-0 at the March 26, 2018 County Council Meeting. – Penelope Karagounis –
pgs. 18-19

### 8. Non-Consent Agenda

a. Resolution 0996-R2018 regarding Approval of a Mixed Use District/Master Development Plan of an Apartment Complex within Red Ventures Campus West
Resolution Title: A Resolution To Approve The Favorable Recommendation Of Both The

Lancaster County Planning Staff And The Lancaster County Planning Commission Of A Mixed Use District/Master Development Plan Of An Apartment Complex Located Within The Red Ventures Campus West Of Red Ventures Drive And South Of Potts Lane. – Planning Commission recommended approval by a vote of 6-0. – Alex Moore – pgs. 20-65

b. Resolution 0997-R2018 regarding Approval of the Conditional Use Application of Michael Hill

Resolution Title: A Resolution To Approve The Conditional Use Application Of Michael Hill To Locate, Design, Construct And Operate An Automated Car Wash And Fuel Canopy (Doing Business As Sam's Express Car Wash) On Tax Map 13, Parcel 48.00 And A Portion Of Tax Map 13, Parcel 49.01, Both Zoned General Business (GB), And Located At The Northeastern Corner Of Highway 521 And Shelley Mullis Road In Indian Land. – *Planning Commission recommended approval by a vote of 6-0. – Penelope Karagounis – pgs. 66-74* 



### c. Resolution 0998-R2018 regarding Approval of the Conditional Use Application of Truth and Grace Bible Church

Resolution Title: A Resolution To Approve The Conditional Use Application Of Truth And Grace Bible Church To Locate, Design, Construct And Operate A Church On A Five And 32/100 (5.32) Acre Tract, Zoned Low Density Residential District (LDR), On Tax Map 3, Parcel 49-18 – Tract #2, And Located On Harrisburg Road One Hundred (100') Feet South Of The Intersection With Carolina Acres Road In Indian Land. – *Planning Commission recommended approval by a vote of 6-0. – Penelope Karagounis – pgs. 75-83* 

## d. 1st Reading of Ordinance 2018-1490 regarding Rezoning Property from PDD-5 to PDD-27 Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County So As To Rezone Approximately 9.625 Acres Located In Bailes Ridge, Identified As Tax Map No. 0005-00-090.00, From Planned Development District-5 (PDD-5) To Avondale Mixed Use Planned Development District (PDD-27); To Amend Various Sections Of Ordinance No. 20151369 (PDD-27), So As To Reflect The Addition Of The Approximately 9.625 Acres To PDD-27. — Planning Commission recommended approval by a vote of 6-0. — Penelope Karagounis — pgs. 84-89

### e. <u>1st Reading of Ordinance 2018-1491 regarding Approval of the Second Amendment To The Development Agreement Avondale Development</u>

Ordinance Title: An Ordinance To Approve A Second Amendment To The Development Agreement Avondale Development; To Authorize Certain County Officials To Execute And Deliver The Second Amendment To The Development Agreement Avondale Development. – Planning Commission recommended approval by a vote of 6-0. – John Weaver – pgs. 90-101

### f. 1st Reading of Ordinance 2018-1503 regarding a Budget Amendment

Ordinance Title: An Ordinance To Amend Ordinance No. 2017-1447, Relating To The Appropriation Of Funds And The Approval Of A Detailed Budget For Lancaster County For The Fiscal Year Beginning July 1, 2017 And Ending June 30, 2018 (FY 2017-2018), To Further Provide For Revenues And Expenditures During The Fiscal Year. – *Kim Hill – pgs. 102-105* 

### g. <u>1st Reading of Ordinance 2018-1504 regarding Rezoning Property Owned by the Katawba Valley Land Trust</u>

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County So As To Rezone ± 367.9 Acres Of Property Owned By The Katawba Valley Land Trust, Located Near The Intersection Of HWY 265 And Taxahaw Road From AR, Agricultural Residential District To OSP, Open Space Preservation District. – *Planning Commission recommended approval by a vote of 6-0. – Penelope Karagounis – pgs. 106-117* 

### h. <u>1st Reading of Ordinance 2018-1505 regarding Rezoning Property Owned by the Lancaster County Water and Sewer District</u>

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County So As To Rezone ± 151 Acres Of Property Owned By The Lancaster County Water Sewer District, Located At 5107 Riverside Road From INS, Institutional District To HI, Heavy Industrial District. – Planning Commission recommended approval by a vote of 6-0. – Penelope Karagounis – pgs. 118-126



i. <u>1st Reading of Ordinance 2018-1506 regarding Rezoning a Portion of Property Owned by</u> Lyndell Thompson Builders, LLC

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County So As To Rezone A ± 2 Acre Portion Of Property Owned By Lyndell Thompson Builders, LLC, Located At 1034 Society Lane In The Indian Land Section Of Lancaster County From IMX, Industrial Mixed-Use District To GB, General Business District. – *Planning Commission recommended approval by a vote of 6-0. – Penelope Karagounis – pgs. 127-133* 

### 9. <u>Discussion and Action Items</u>

- a. Authorize playground at Buford Recreation Center and authorize site consulting engineer to examine Indian Land Recreation Center property for a potential expansion. Steve Willis/Hal Hiott pg. 134
- b. TAP grant application for Lindsay Pettus Greenway Steve Willis pgs. 135-137
- c. Pending Projects Update (2 projects have been completed and will be removed from future updates: DSS and Harrisburg Road Site Clearance) Steve Willis pgs. 138-140
  - Animal Shelter, including the site location search
  - Fleet Maintenance Garage
  - Library
  - DSS (Project completed in March)
  - EMS Headquarters
  - Indian Land Service Center
  - Historic Jail
  - Harrisburg Road Site Clearance (Project completed in March)
  - Fire Study
- d. Update on Finances and Revenue Steve Willis
- 10. Status of items tabled, recommitted, deferred or held
- 11. Miscellaneous Reports and Correspondence
  - a. Distinguished Budget Presentation Award for Kimberly Hill, Budget Analyst from the Government Finance Officers Association (GFOA) pgs. 141-142
- 12. Citizens Comments [if Council delays until end of meeting]
- 13. Executive Session
  - **a.** Discussions incident to two proposed contractual matters: SC Code Section 30-4-70(a)(2).



### 14. Calendar of Events - pg. 143

### 15. 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: <a href="www.mylancastersc.org">www.mylancastersc.org</a>



Members of Lancaster County Council

Steve Harper, District 5, Chairman
Charlene McGriff, District 2, Vice Chairwoman
Larry Honeycutt, District 4, Secretary
Brian Carnes, District 7
Jack Estridge, District 6
Terry Graham, District 1

Billy Mosteller, District 3

### Minutes of the Lancaster County Council Regular Meeting

101 N. Main Street, Lancaster, SC 29720

Monday, March 26, 2018

Council Members present were Brian Carnes, Jack Estridge, Terry Graham, Steve Harper, Larry Honeycutt, Charlene McGriff and Billy Mosteller. Also present were Steve Willis, John Weaver, Sherrie Simpson, Chelsea Gardner, Penelope Karagounis, Veronica Thompson, various department heads and staff, the press and spectators. 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: Lancaster News, Kershaw News Era, The Rock Hill Herald, Fort Mill Times, Cable News 2, Channel 9 and the local Government Channel. The agenda was posted in the lobby of the County Administration Building and also on the county website the required length of time.

### Call to Order regular meeting

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

### Welcome and Recognition/Pledge of Allegiance and Invocation

Chairman Steve Harper welcomed everyone to the meeting. Larry Honeycutt led the Pledge of Allegiance to the American Flag and delivered the invocation.

### Approval of the agenda

Billy Mosteller moved to approve the agenda. Seconded by Terry Graham. Council approved the agenda by unanimous vote of 7-0.



### **Special Presentations**

John Henderson, Director of Risk Management Services for the South Carolina Association of Counties, presented three awards to Ryan Whitaker, Lancaster County Risk Manager: (1) the Sustained Excellence in Risk Management Award; (2) Outstanding Safety Achievement Award; and (3) the Claims Reporting Award.

Amanda Roberts, District Manager for the Lancaster Soil & Water Conservation District and Administrative Assistant to the Cane Creek and Little Lynches Watershed Boards, presented the Dam Rehabilitation Report – Watershed Boards Update and her presentation is attached as Schedule A.

Chairman Steve Harper presented Joe H. Ghent, Jr. with a Thumbs Up award from Lancaster County for receiving the South Carolina Association of Conservation District's 2017 Outstanding Commissioner of the Year Award.

### **Citizens Comments**

Waylon Wilson, 15117 Legend Oaks Court, Indian Land, SC, spoke regarding PDD 20.

Beverly Williams, 131 Arrowhead Drive, Lancaster, SC, spoke regarding Ordinance 2018-1496.

Rob Wilson, 2031 East Foxwood Court, Indian Land, SC, spoke regarding Ordinance 2018-1496.

Olesya Pavlenko, 193 Rutledge Avenue, Charleston, SC, Attorney for Southern Current, spoke regarding Southern Current and solar farms.

Jack Brandon, 700 Daniel Ellis Drive, Charleston, SC, Engineer for Southern Current, spoke regarding solar energy and solar farms.

Dr. Elise Fox, 2850 Martingale Lane, Aiken, SC, spoke regarding solar energy and solar farms.

Richard Kirkland, 9408 Northfield Court, Raleigh, NC, Commercial General Appraiser, spoke regarding solar farms and their impact on adjoining property values.

Patrick Barnett, 599 6th Baxter Crossing, Fort Mill, SC, spoke regarding Ordinance 2018-1496.

### Consent Agenda

Billy Mosteller moved to approve Consent Agenda Item **a.**, Item **b.**, Item **c.** and Item **d.** below. Seconded by Larry Honeycutt. No further discussion. Council approved Consent Agenda Items **a.**, **b.**, **c.** and **d.** below by unanimous vote of 7-0.



a. Minutes from the March 12, 2018 County Council regular meeting

### b. 2<sup>nd</sup> Reading of Ordinance 2018-1500 regarding Rezoning Property of Jimaki Witherspoon

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County So As To Rezone Property Of Jimaki Witherspoon, Located ± 850 Feet East Of The Intersection Of SC Hwy 200 And Highpoint Circle In Lancaster County From MH, Manufactured Housing District To MDR, Medium Density Residential District.

### c. 2<sup>nd</sup> Reading of Ordinance 2018-1501 regarding Rezoning Property of Randall Collins, Trustee

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County So As To Rezone Property Of Randall Collins, Trustee, Located At 1501-1539 Memorial Park Road In Lancaster County From MDR, Medium Density Residential District To HDR, High Density Residential District.

### d. 2<sup>nd</sup> Reading of Ordinance 2018-1502 regarding Rezoning Property of Darren Sowell

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County So As To Rezone Property Of Darren Sowell, Located On Wheat Street ± 500 Feet East Of The Intersection Of Fork Hill Road And Wheat Street In Lancaster County From MDR, Medium Density Residential District To RR, Rural Residential District.

### Non-Consent Agenda

### Resolution 0991-R2018 regarding Approval of a Conditional Use Application of Polaris Solar for a Solar Farm

Resolution Title: A Resolution To Approve The Conditional Use Application Of Polaris Solar, LLC, A Division Of Southern Current, LLC, To Locate, Design, Construct And Operate A Solar Farm On A Twenty (20) Acre Portion Of A One Hundred Eighty Five (185) Acre Pasture Land Parcel, Zoned RR, Identified As Tax Parcel # 0059-00-071 Located East Of The City Of Lancaster And North Of Highway 9 At The Intersection Of Pink Plyler Road And Burke Duncan Road.

Terry Graham moved to approve Resolution 0991-R2018. Seconded by Brian Carnes.

John Weaver stated that Council received a Memorandum regarding the two solar farms, attached as Schedule B, which contains information that Council requested at a previous Council meeting.

Penelope Karagounis stated that she wanted to add something for the record: she stated that she "wanted to make a correction: the thirty-five (35) days was to make a decision....was at the planning commission - not at County Council."



Larry Honeycutt asked what the life expectancy is for a solar farm. Jack Brandon stated that it is about 25 years and he provided the life expectancy for the various equipment associated with a solar farm. Larry Honeycutt asked what happens when one is dismantled and Jack Brandon stated that some of the equipment may be reused and recycled and some may be put in the landfill. Larry Honeycutt asked if the only item left in the ground once the solar farm is completely dismantled is the plastic pipe and Jack Brandon confirmed that that is all that is left in the ground.

Billy Mosteller stated that solar panels are not good for the County. Charlene McGriff asked Penelope Karagounis where the County stands in limiting solar farms to the agricultural residential district only. Penelope Karagounis stated that that change would need to be in the form of a text amendment and that the earliest it could heard before the Planning Commission would be in May.

Council voted to approve Resolution 0991-R2018 by a vote of 4-3. Jack Estridge, Brian Carnes, Steve Harper and Terry Graham voted in favor of Resolution 0991-R2018 and Larry Honeycutt, Charlene McGriff and Billy Mosteller opposed.

### Resolution 0992-R2018 regarding Approval of a Conditional Use Application of Shem Solar for a Solar Farm

Resolution Title: A Resolution To Approve The Conditional Use Application Of Shem Solar, LLC, A Division Of Southern Current, LLC, To Locate, Design, Construct And Operate A Solar Farm On A Sixteen (16) Acre Portion Of A Thirty Four (34) Acre Pasture Land Parcel, Zoned RR, Identified As Tax Parcel # 0059-00-015.03 Located East Of The City Of Lancaster And North Of Highway 9 At The Intersection Of Pink Plyler Road And Red Doc Road.

Brian Carnes moved to approve Resolution 0992-R2018. Seconded by Jack Estridge. Council voted to approve Resolution 0992-R2018 by a vote of 4-3. Jack Estridge, Brian Carnes, Steve Harper and Terry Graham voted in favor of Resolution 0992-R2018 and Larry Honeycutt, Charlene McGriff and Billy Mosteller opposed.

### Resolution 0995-R2018 regarding the Authorization of the Transportation Alternatives Program (TAP) Grant

Resolution Title: A Resolution To Authorize The Submission Of A Transportation Alternative Program Grant Through RFATS; To Commit To Funding A Local Grant Match In Cooperation With The Lancaster County School District.

Terry Graham moved to approve Resolution 0995-R2018. Seconded by Charlene McGriff. Council approved Resolution 0995-R2018 by unanimous vote of 7-0.

### 3rd Reading of Ordinance 2018-1496 regarding Rezoning Property of Robert Wilson

Ordinance Title: An Ordinance To Amend The Official Zoning Map Of Lancaster County So As To Rezone A  $\pm$  1.25 Acre Portion Of A  $\pm$  11.031 Acre Tract Of Property Located Fronting In Part On Charlotte Highway And Charles Pettus Road From LDR, Low Density Residential District To NB, Neighborhood Business District.



Larry Honeycutt moved to approve the 3<sup>rd</sup> Reading of Ordinance 2018-1496. Seconded by Charlene McGriff. Council approved the 3<sup>rd</sup> Reading of Ordinance 2018-1496 by unanimous vote of 7-0.

### **Discussion and Action Items**

### **Committee Reports:**

I&R Committee:

Larry Honeycutt reported that the I&R Committee met on March 13, 2018. He stated that the Committee reviewed the Second Amendment to the Development Agreement for the Avondale Development, which adds more land to the Development. The Committee also discussed the hours for the recycle sites, the TAP grant for sidewalks, programs for Parks and Recreation and the City pool finances.

### Public Safety Committee:

Brian Carnes reported that the Public Safety Committee had one discussion item on the March agenda, which was the future of the joint public safety telecommunications activity, and a couple of Executive Session items. He noted that the discussion item will be reviewed by Council later in the meeting and he further added that the Committee did not have any recommendations regarding this discussion item. He explained that the Committee also had an Executive Session during the March meeting, but that no recommendations came out of the Executive Session.

### Administration Committee:

Charlene McGriff reported that the Administration Committee met on March 15, 2018. She stated that the Administration Committee agenda was similar to the I & R Committee's agenda and the Public Safety Committee's agenda. She stated that the Committee discussed the TAP grant and the two Parks and Recreation summer programs. She noted that the Committee also discussed the pool finances. She further noted that the Committee discussed the joint public safety telecommunications activity, but that the Committee did not have any recommendations regarding this item. She stated that the Committee also discussed a possible bond referendum but that the Committee determined that further study was needed regarding that item. She noted that the Committee had an update on the Indian Land satellite office and the delay in renovations for that office building. She explained that the Committee discussed the February budget monitoring report and she further noted that a discussion about that report will be taken up by Council later in the meeting.

### Adoption of the updated Prioritized Community Needs List as modified at the 3/12/2018 County Council Meeting.

Larry Honeycutt moved to approve the adoption of the updated Prioritized Community Needs list for Lancaster County, attached as Schedule C. Seconded by Brian Carnes. Council approved the adoption of the Prioritized Community Needs list by unanimous vote of 7-0.

### Nomination for appointment to the Construction Board of Appeals for District 7.

Terry Graham moved to approve the appointment of Kenneth Chad Faulkner to the Construction Board of Appeals for a four (4) year term ending on 6/30/2021. Seconded by Brian Carnes. The appointment passed by unanimous vote of 7-0.

### Future of joint public safety telecommunications activity.

Steve Willis stated that he has authorized Stephen Blackwelder to proceed with looking at joint operations for telecommunications for the County and the City for fire/rescue services, as there would be no cost and no additional expense for this part of the joint public safety telecommunications. He noted that the City's fire/rescue telecommunications is already intertwined with the County and that this portion of the joint public safety telecommunications should be added to the County before summer. He asked if Council is comfortable with using a prior Council's recommendation or proposal to move towards a joint operations facility for public safety telecommunications. He noted that the proposal includes the concept of declining financial support from the City of Lancaster. He explained that under this proposal the City would pay the County for four telecommunications officers during the first year, three telecommunications officers during the second year, two telecommunications officers during the third year and one telecommunications officer during the fourth year. He noted that the County would absorb all the costs after the fourth year.

Charlene McGriff stated that she is in agreement with the joint concept but that the City should pay for four telecommunications officers every year. Steve Willis noted that the County would receive all the revenue from the land line 911 fees once the joint program is started. Billy Mosteller asked how much revenue that would generate and if it would cover all the costs for combining the programs. Steve Willis indicated that it would not cover all the costs. Billy Mosteller indicated that the City of Lancaster pays for one officer at the Detention Center and that they should also pay for one telecommunications officer. Larry Honeycutt and Charlene McGriff stated that the County should not assume responsibility for all of the costs for a joint public safety telecommunications department. Brian Carnes stated that the County should not be responsible for all the costs and that the City should split the costs with the County fifty-fifty because the program is beneficial for both parties. Stephen Blackwelder emphasized that the employees of this program will be County employees, not City employees. Billy Mosteller asked if the infrastructure is already in place for additional employees or if the County would incur any additional equipment costs. Stephen Blackwelder indicated that the infrastructure is already in place and that the City would be responsible for funding the migration of historical data to the

County. Steve Harper suggested that the revenues and costs for the program be obtained and reviewed at the April Administration Committee meeting.

### February 2018 Budget Monitoring Report.

Steve Willis explained that the Administration Committee asked about where the County stands on the shortfall of revenue from the ad valorem taxes. He stated that the revenue shortfall was thought to be the product of a computer code glitch, but that staff discovered that that issue only effected 5 parcels of property. He noted that the computer coding errors have been corrected. He noted that the County is not seeing the increased revenue that it should based on the millage increase and increases in assessed values. He indicated that another potential issue has been discovered relating to manufacturers exemptions on utilities. He explained that the utilities were billed for school and municipal taxes but not their County taxes. Veronica Thompson stated that she has spoken with the school district and their collections seem fine. Steve Willis noted that vehicle revenue has decreased statewide.

Susan Hunter Wallace, Auditor, stated that the utility certification and verification from the State was the problem. She explained that she issued the bill based on the State certification for the special levy district. She explained that the State has now sent an amended certification and explained the billing correction that will be made for the Duke Energy Corporation. She explained the changes that have been made in billing for the Auditor's office. Charlene McGriff thanked the Auditor for her explanation. She asked if there is communication between the Finance Department and the Auditor's office, because she noted that they need to work together to prevent problems in the future. Susan Hunter Wallace agreed that there needs to be communication between Finance and the Auditor. Charlene McGriff asked if the budget would be delayed due to the delay in receiving the tax dollars. Veronica Thompson stated that the Finance Department does not want to delay the budget process, especially now that the utilities billing issue has been found. Terry Graham asked how the County can make projections with confidence as Council heads into the budget process. Veronica Thompson indicated that Kim Hill will lower her threshold on collections to compensate for these issues in the future. Steve Willis noted that some projects have been put on hold since the downward trend in revenue collections was discovered and if the revenue comes in, then those projects could possibly be carried forward into next year.

Charlene McGriff stated that checks and balances are needed to prevent such a problem from occurring again. Susan Hunter Wallace explained that the problem was unavoidable because the billing came from the State certification. Veronica Thompson explained that the corrected Duke Energy Corporation billing, once paid, will bring up the County revenues. Susan Hunter Wallace explained that the staff is continuing to search and compare the numbers and work on the problem.

Steve Harper asked that this discussion item be kept on the agenda and that an update be given to Council.



### **Executive Session**

Larry Honeycutt moved to go into Executive Session to discuss an incident to a proposed contractual matter pursuant to SC Code Section 30-4-70(a)(2) and to discuss the Project Peach Economic Development matter pursuant to SC Code Section 30-4-70(a)(5). Seconded by Billy Mosteller. Chairman Steve Harper asked Nicholas Miller, Procurement Director, and Jeff Catoe, Director of Public Works, to join Council in Executive Session. The motion to go into Executive Session passed by unanimous vote of 7-0. Veronica Thompson also accompanied Council into Executive Session. Council went into Executive Session at approximately 7:37 p.m.

Brian Carnes moved to come out of Executive Session. Seconded by Charlene McGriff. The motion to come out of Executive Session passed by unanimous vote of 7-0. Council came out of Executive Session at approximately 8:44 p.m.

Upon returning to open session, Attorney John Weaver noted that a contractual matter and the Project Peach Economic Development matter were discussed during Executive Session. He stated that during the course of Executive Session, no votes were taken and no decisions were made.

### Adjournment

Larry Honeycutt moved to adjourn the meeting. Seconded by Brian Carnes. Council voted to adjourn the meeting by unanimous vote of 7-0. The Council meeting adjourned at approximately 8:45 p.m.

Respectfully Submitted:	Approved by	y Council, April 9, 2018
*		
Sherrie Simpson		
Clerk to Council	· · · · · · · · · · · · · · · · · · ·	
	Larry Honey	cutt, Secretary

STATE OF SOUTH CAROLINA COUNTY OF LANCASTER	)	ORDINANCE NO. 2018-1500

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY SO AS TO REZONE PROPERTY OF JIMAKI WITHERSPOON, LOCATED ± 850 FEET EAST OF THE INTERSECTION OF SC HWY 200 AND HIGHPOINT CIRCLE IN LANCASTER COUNTY FROM MH, MANUFACTURED HOUSING DISTRICT TO MDR, MEDIUM DENSITY RESIDENTIAL DISTRICT.

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

### **Section 1.** Findings and Determinations.

The Council finds and determines that:

- (a) Kenny Barnes applied to rezone property located  $\pm$  850 Feet east of the intersection of SC HWY 200 and Highpoint Circle from MH, Manufactured Housing District to MDR, Medium Density Residential District.
- (b) On February 20, 2018, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of 7-0, recommended approval of the rezoning.

### Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from MH, Manufactured Housing District to MDR, Medium Density Residential District for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0086-00-08.01.

### Section 3. Severability.

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

### **Section 4.** Conflicting Provisions.

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

### Section 5. Effective Date.

This ordinance is effective upon Third Reading.

### AND IT IS SO ORDAINED

	Dated this	day of, 2018.
		LANCASTER COUNTY, SOUTH CAROLINA
		Steve Harper, Chair, County Council
		Larry Honeycutt, Secretary, County Council
ATTEST:		
Sherrie Simpson, Cl	erk to Council	
First Reading:	March 12, 2018	Passed 7-0
Second Reading:	March 26, 2018	Passed 7-0
Third Reading:	April 9, 2018	

STATE OF SOUTH CAROLINA	)	
	)	<b>ORDINANCE NO. 2018-1501</b>
COUNTY OF LANCASTER	)	

### AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY SO AS TO REZONE PROPERTY OF RANDALL COLLINS, TRUSTEE, LOCATED AT 1501-1539 MEMORIAL PARK ROAD IN LANCASTER COUNTY FROM MDR, MEDIUM DENSITY RESIDENTIAL DISTRICT TO HDR, HIGH DENSITY RESIDENTIAL DISTRICT.

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

### **Section 1.** Findings and Determinations.

The Council finds and determines that:

- (a) Randall Collins, Trustee applied to rezone property located at 1501-1539 Memorial Park Road from MDR, Medium Density Residential District to HDR, High Density Residential District.
- (b) On February 20, 2018, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of 7-0, recommended approval of the rezoning.

### Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from MDR, Medium Density Residential District to HDR, High Density Residential District for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0082N-0C-013.00.

### 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 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

Ι	Dated this	_ day of	, 20	18.
		LANCASTE	ER COUNTY, SOUT	H CAROLINA
		Steve Harper	Chair, County Counc	cil
		Larry Honeyo	cutt, Secretary, County	y Council
ATTEST:				
	,	-		
Sherrie Simpson, Cl	erk to Council			
First Reading:	March 12, 2018	Passed 7-0		
Second Reading: Third Reading:	March 26, 2018 April 9, 2018	Passed 7-0		

STATE OF SOUTH CAROLINA	. )	
COUNTY OF LANCASTER	)	ORDINANCE NO. 2018-1502

### AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY SO AS TO REZONE PROPERTY OF DARREN SOWELL, LOCATED ON WHEAT STREET  $\pm$  500 FEET EAST OF THE INTERSECTION OF FORK HILL ROAD AND WHEAT STREET IN LANCASTER COUNTY FROM MDR, MEDIUM DENSITY RESIDENTIAL DISTRICT TO RR, RURAL RESIDENTIAL DISTRICT.

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

### **Section 1.** Findings and Determinations.

The Council finds and determines that:

- (a) Darren Sowell applied to rezone property located ± 500 Feet east of the intersection of Fork Hill road and Wheat Street from MDR, Medium Density Residential District to RR, Rural Residential District.
- (b) On February 20, 2018, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of 7-0, recommended approval of the rezoning.

### Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from MDR, Medium Density Residential District to RR, Rural Residential District for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0156A-0C-008.00, 0156A-0C-009.00.

### 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 supersede all other provisions and this ordinance is controlling.

### **Section 5.** Effective Date.

Third Reading:

April 9, 2018

This ordinance is effective upon Third Reading.

### AND IT IS SO ORDAINED

Da	ated this	day of, 2018.
		LANCASTER COUNTY, SOUTH CAROLINA
		Steve Harper, Chair, County Council
		Larry Honeycutt, Secretary, County Council
ATTEST:		
Sherrie Simpson, Cl	erk to Council	·
First Reading:	March 12, 2018	Passed 7-0
Second Reading:	March 26, 2018	Passed 7-0



### Agenda Item Summary

Resolution # 0996-R2018

Contact Person / Sponsor: Alex Moore

Department: Planning

Date Requested to be on Agenda: 4/9/18

### **Issue for Consideration:**

The Red Ventures Mixed Use District/Master Plan Application of Mr. Kevin Vogel of Land Design on behalf of Red Ventures (MX-017-002).

### **Points to Consider:**

The proposed Red Ventures Mixed Use District/Master Development Plan includes a portion of TMS 0005-00-106.00. This parcel consists of  $\pm$  91 acres and is located on the east-side of US HWY 521 within the existing Red Ventures campus. The Master Plan proposes 260 multifamily units.

The property is zoned MX (Mixed Use). The adopted 2014 Future Land Use Map indicates that this parcel is within the "Neighborhood-Mixed-Use" portion of Lancaster County. The 2014 Future Land Use Map provides policy-makers a context within which to make decisions affecting development activities. This project is appropriate for the Neighborhood Mixed Use category.

The subject parcel is also located within a "Pedestrian Center vis-à-vis the Lancaster County 2014-2024 Comprehensive Plan. There are three Pedestrian Centers located along US HWY 521. Along with the employment center in the vicinity of the Bailes Ridge Business Park on SC HWY 160, these special centers were identified to promote the relationship between land use and transportation and to guide economic development activities.

Please review the attached Master Development Plan. Planning Staff would like to note that the development team for this project has communicated the intent to subdivide the project site from overall  $\pm$  91 acre tract. This would be subsequent to the project's final approval at County Council. Such an action is permissible as long as the tract continues to be conforming, i.e. a minimum of 25 acres, for the MX Zoning District.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

To approve or deny the Red Ventures Mixed Use District/Master Development Plan.

### **Recommendation:**

At the Lancaster County Planning Commission meeting on Tuesday March  $20^{th}$ , 2018 the Commission voted to **APPROVE** the Red Ventures Mixed Use District/Master Development Plan by a vote of (6-0) with the condition that any subdivision of the project site from the larger  $\pm$  91 acre tract must consist of a minimum of 25 acres.

STATE OF SOUTH CAROLINA )		
COUNTY OF LANCASTER ) RESOLU	TION NO. 0996-R2018	

### A RESOLUTION

TO APPROVE THE FAVORABLE RECOMMENDATION OF BOTH THE LANCASTER COUNTY PLANNING STAFF AND THE LANCASTER COUNTY PLANNING COMMISSION OF A MIXED USE DISTRICT/MASTER DEVELOPMENT PLAN OF AN APARTMENT COMPLEX LOCATED WITHIN THE RED VENTURES CAMPUS WEST OF RED VENTURES DRIVE AND SOUTH OF POTTS LANE.

WHEREAS, on February 1<sup>st</sup>, 2018, Land Design submitted an application on behalf of Red Ventures to the Lancaster County Planning Department for its review and consideration of a Master Preliminary Plat within a Mixed Use District for an apartment complex to be located on Lancaster County Tax Map # 0005-00-106.00, a  $\pm$  91.0 acre parcel located in the Indian Land section of Lancaster County; and

WHEREAS, after consideration of the particular details of the application, the Planning Staff recommended approval of the project subject to certain conditions noted hereinafter; and

WHEREAS, on March 20th, 2018, the Planning Commission considered the project, identified as MX-018-001 and, following due consideration, recommended approval of the project subject to the same conditions noted by the Planning Staff; and

**WHEREAS,** in accordance with Unified Development Ordinance section 9.2.3 a Mixed Use Master Plan is to be reviewed and approved with finality by Lancaster County Council.

**NOW, THEREFORE,** upon review and consideration of the Land Design Master Plan Preliminary Plat and supporting documentation, it is resolved that:

Lancaster County Council approves the Master Plan Preliminary Plat subject to the following condition:

Any subdivision of the project site from the larger  $\pm$  91 acre parcel shall contain a minimum of 25 acres.

### AND IT IS SO RESOLVED

Dated this	day of	, 2018
	LANCASTER COUNTY	Y. SOUTH CAROLINA
	Steve Harper, Chair, Cour	nty Council
	Larry Honeycutt, Secretar	y, County Council
ATTEST:		
Sherrie Simpson, Clerk to Council		

MASTER PLAN DEVELOPMENT APPLICATION SUBMITTAL

# **RED VENTURES HOUSING**

## MULTI-FAMILY DEVELOPMENT

LANCASTER COUNTY, SC

DATE: 3/9/2018

CHAPTER INDEX

VICINITY MAP



PROJECT TEAM

OWNER/DEVELOPER RED VENTURES 1101 RED VENTURES DRIVE FORT MILL, SC 29/07 704.697,1338 CONTACT, BERNIE ROSARIO

LANDSCAPE ARCHITECT LANDOESIGN 223 NORTH GRAHAM STREET CHARLOTTE, NO 28202 704.333,0225 CONTACT: SHAUN TOOLEY

ARCHITECT
HOUSING STUDIO
333 WEST TRADE STREET, SUITE 300
CHARLOTTE, IN C 28202
COUTAGES ARE
COUTAGES ABERTO VIILIA CEVALLOS

CIVIL ENGINEER
LANDESIGN
233 NORTH GRAHM, STREET
CHARLOTTE, NO. 28202
704,333,0226
CONTACT: KEVIN VOGEL

CONSULTANT
CHEVINGTON ASSOCIATES
4211 CHEVINGTON ROAD
CHARLOTTE, NC 28226
704,621,6615
CONTACT: JUD LITTLE

SURVEYOR
THE ISSAGS GROUP
8720 RED CAK BLVD, SUITE 420
CHARLOTTE, NO 28217
704,527.346
CONTACT: STEPHEN DYER





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A-2038	SOUGHT B TOLDRED ELEVATIONS & RENDENGS			×
A-201C	BUILDING C ELEVATIONS	×	×	×
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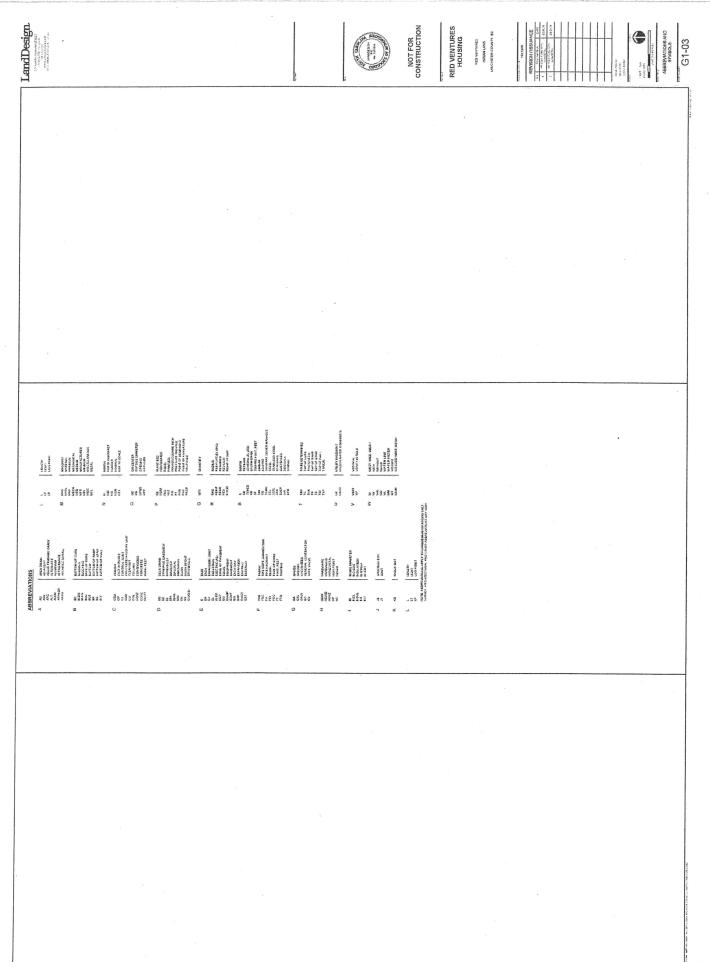
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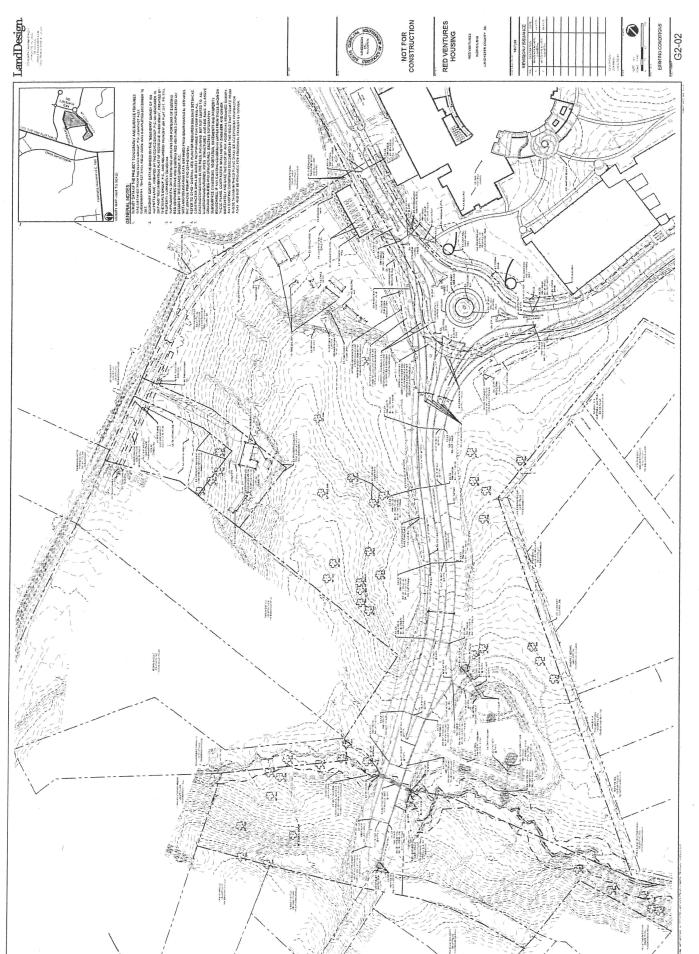
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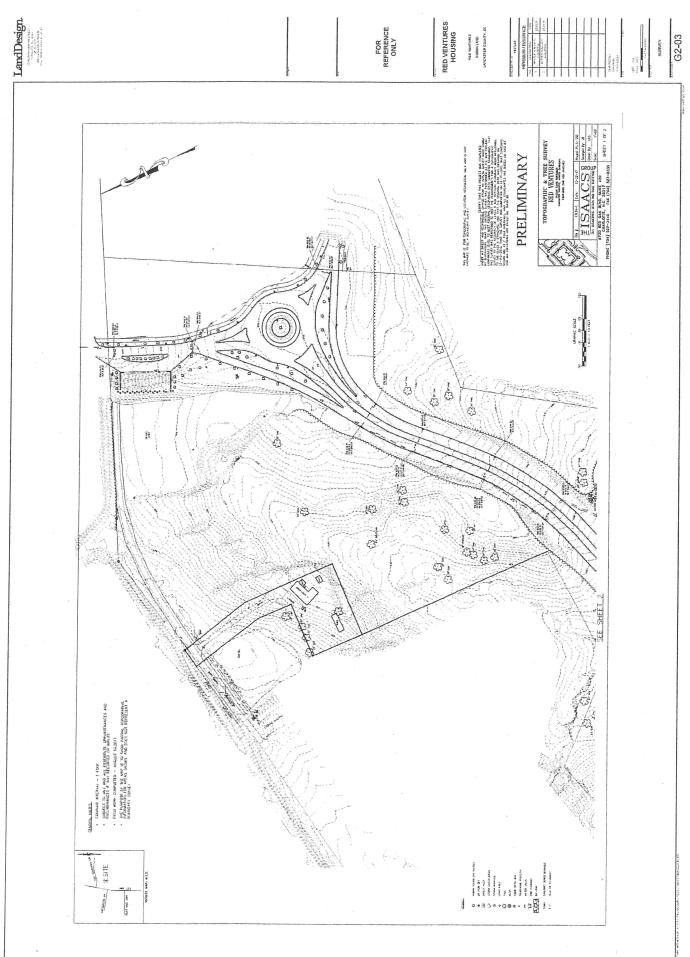
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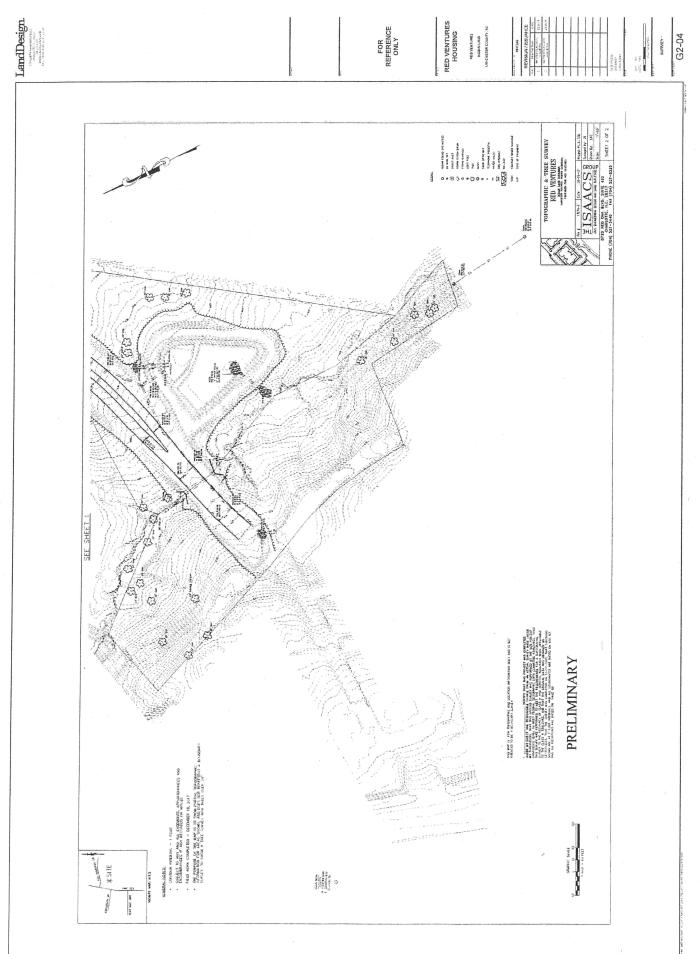
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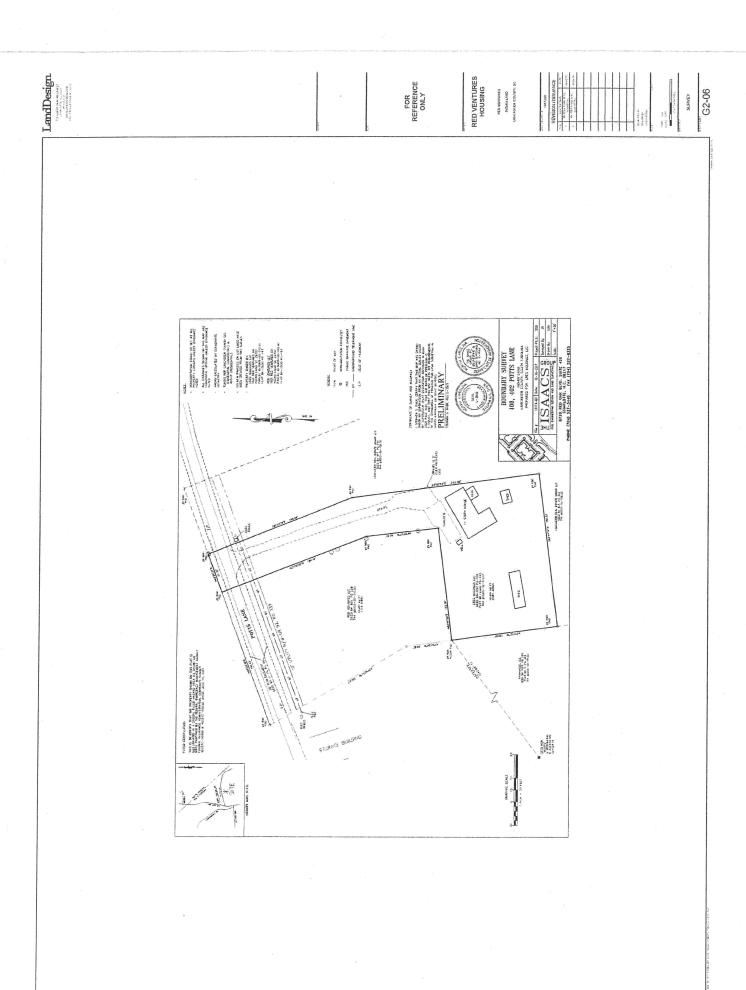
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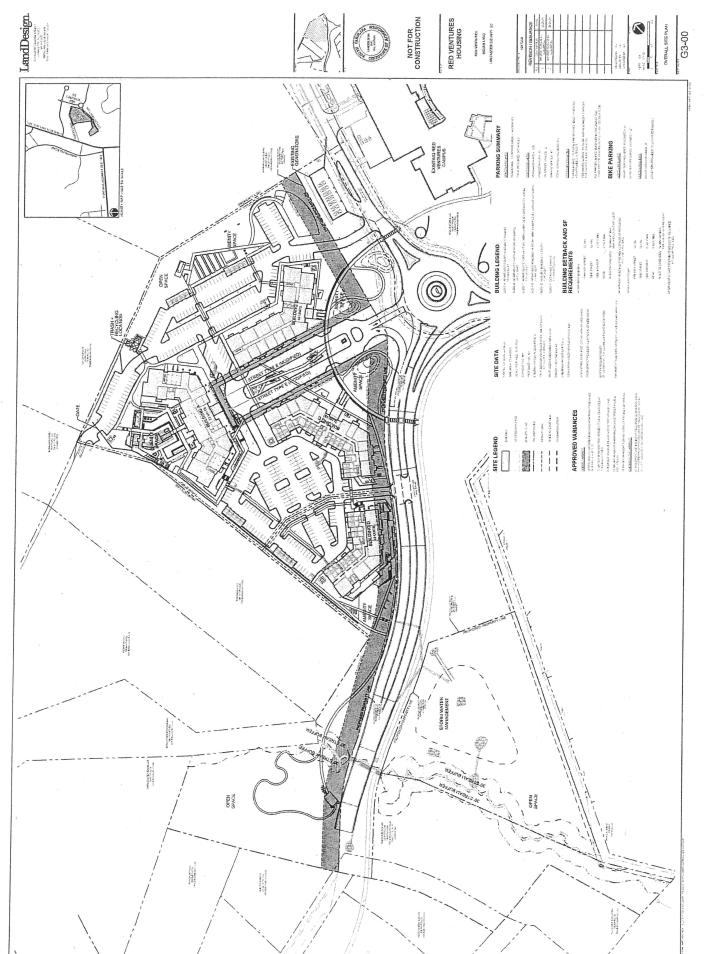


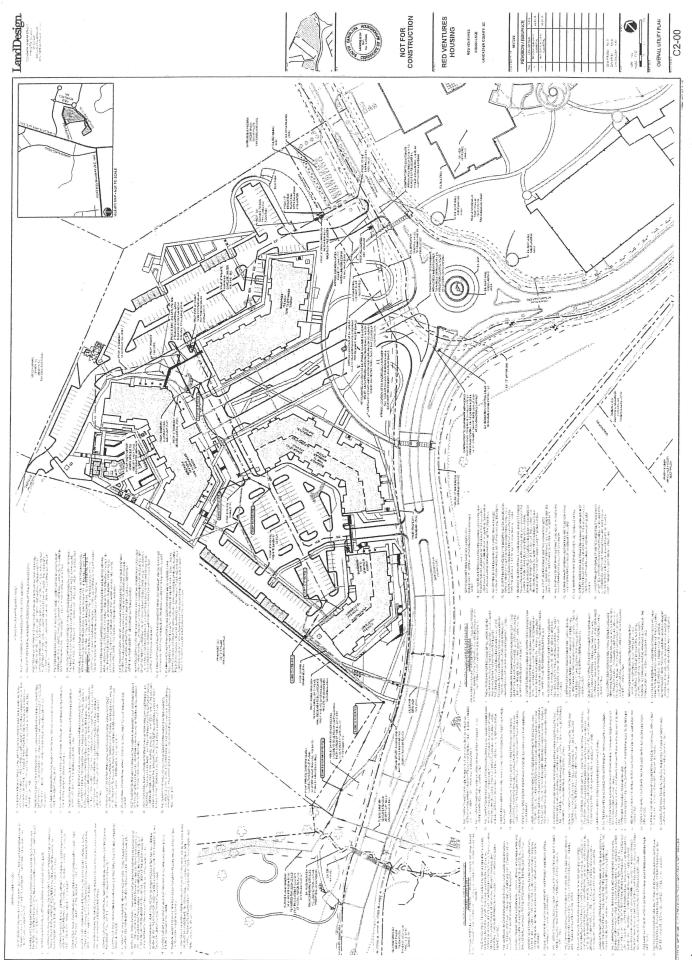




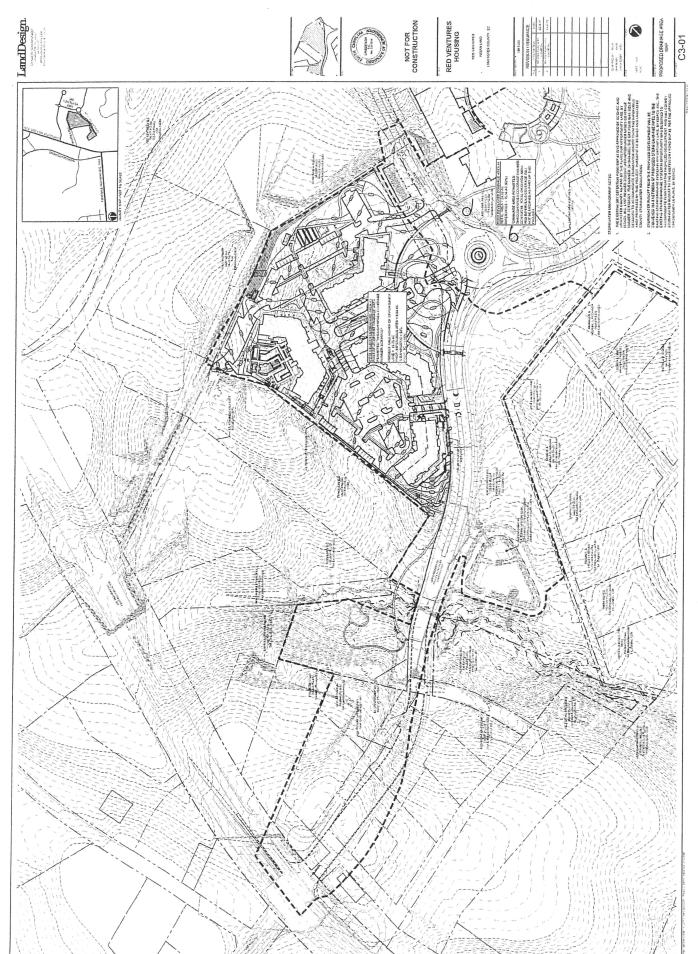


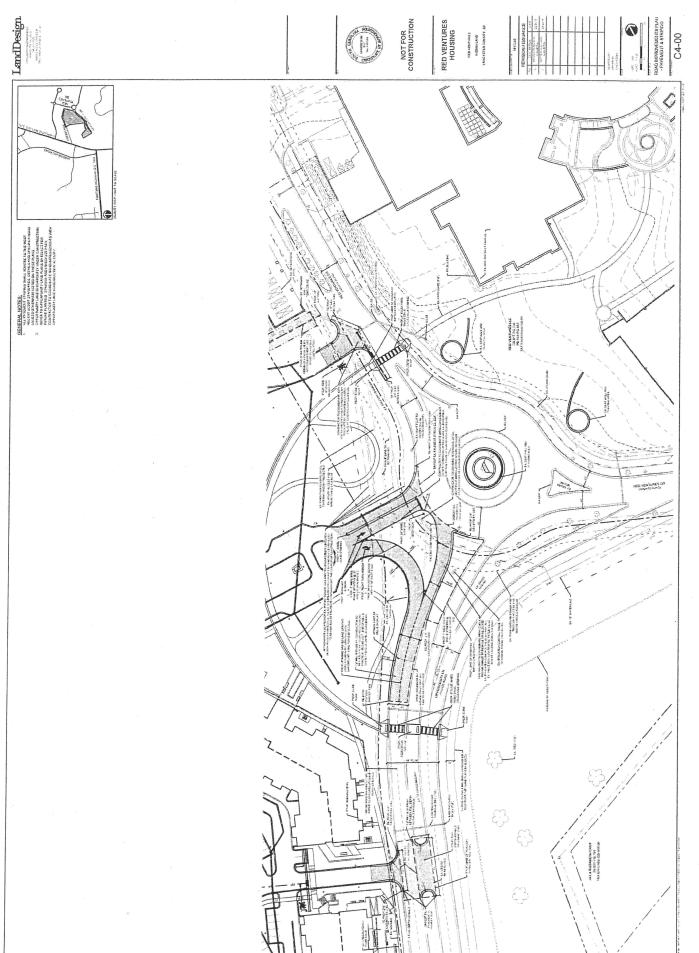


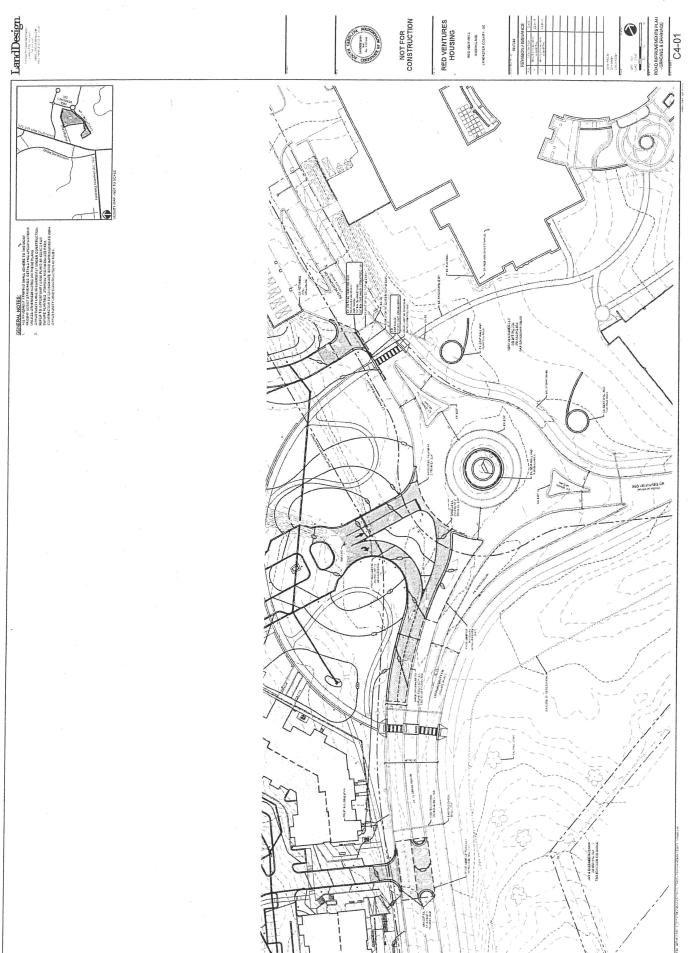


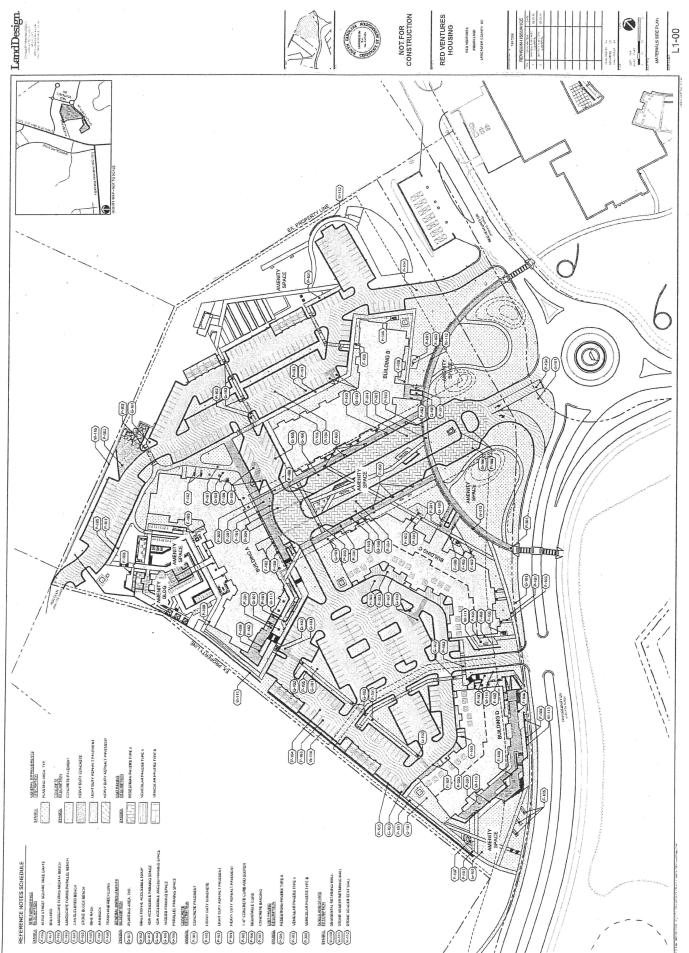


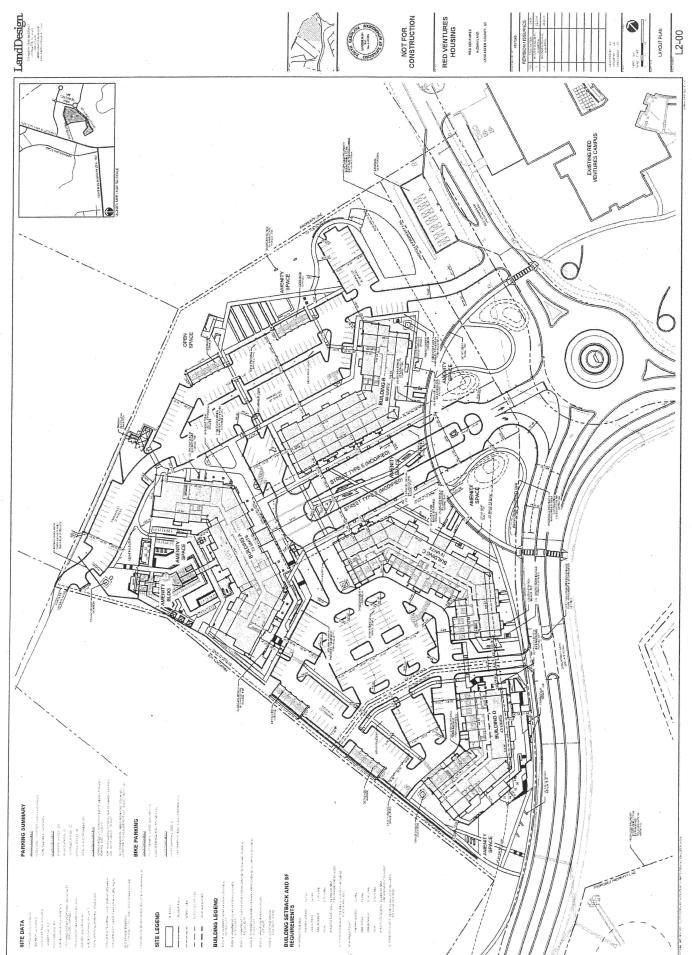




























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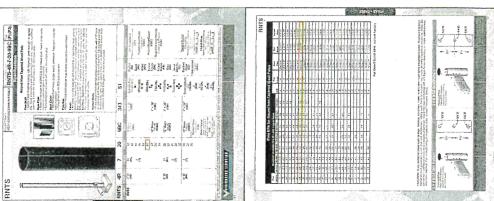




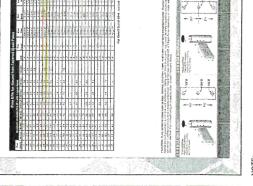
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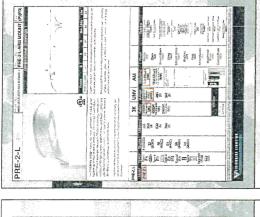


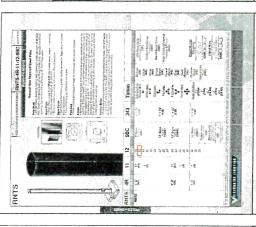
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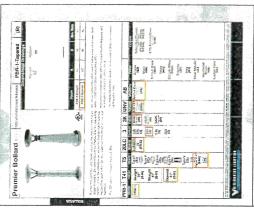


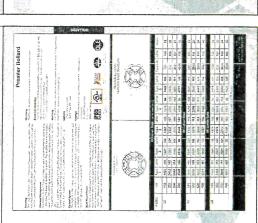
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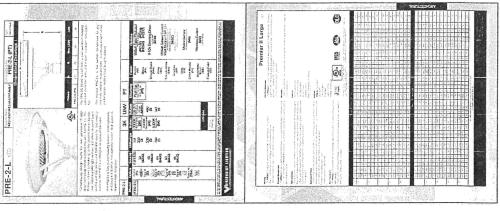
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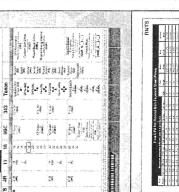
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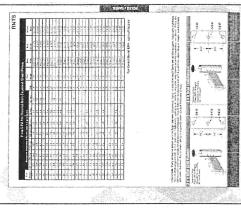
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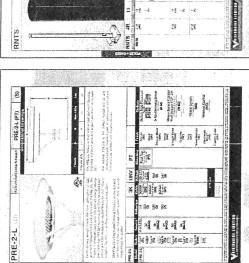
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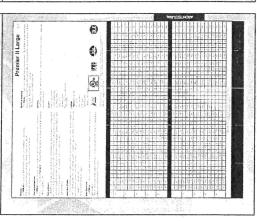
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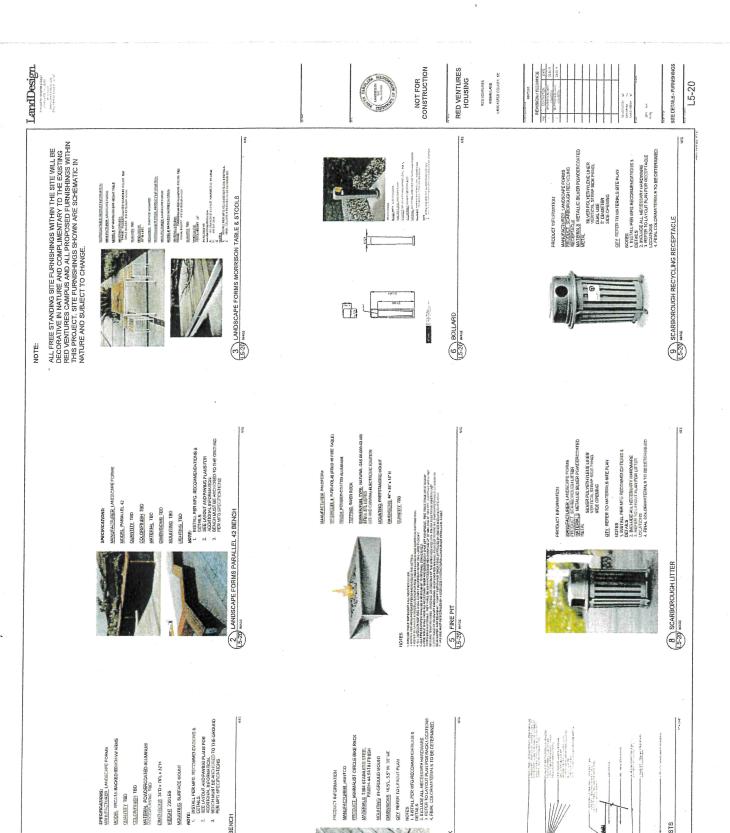
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LANCASTER COUNTY, SC

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91.6	A-102A	SECOND FLOOR PLAN - BUILDING A	02.14.18
4.16	A-103A	THRO FLOOR PLAN - BULDING A	02,14,16
4 10	A-101A	FOURTH PLOCE PLAN - BUILDING A	02,14,1B
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4 15	A-101B	FIRST FLOOR PLAN - BUILDING B	02.14.16
	A-102B	SECOND FLOOR PLAN - BUILDING B	02, 14, 16
7	A-103B	THIRD FLOOR PLAIT-BUILDING B	02.14.18
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	A-105B	ROOF FLAN - BULDRIG B	02 14 16
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	4-16-60	FOURTH FLOOR PLATE BUILDING C	02,14,16
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	A-1050	ROOF PLATE-BUILDING D	07.14.16
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	A-202C	BULLDING ELEVATIONS - BUILDING C	91.60.00
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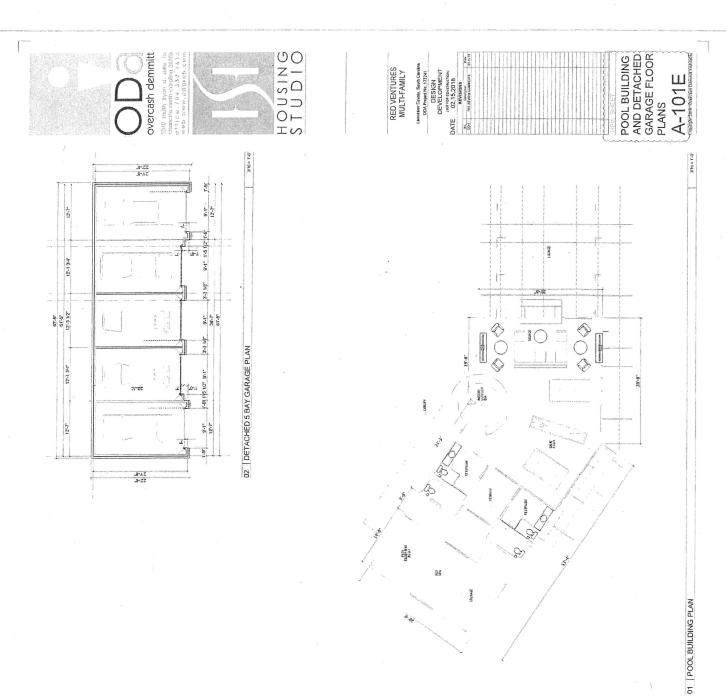
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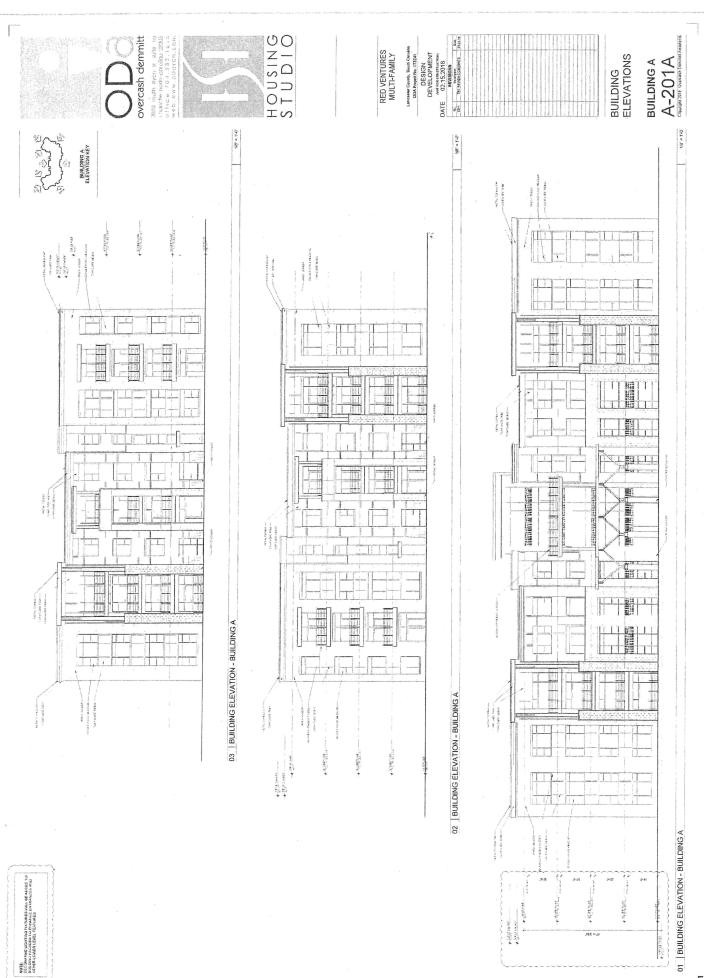
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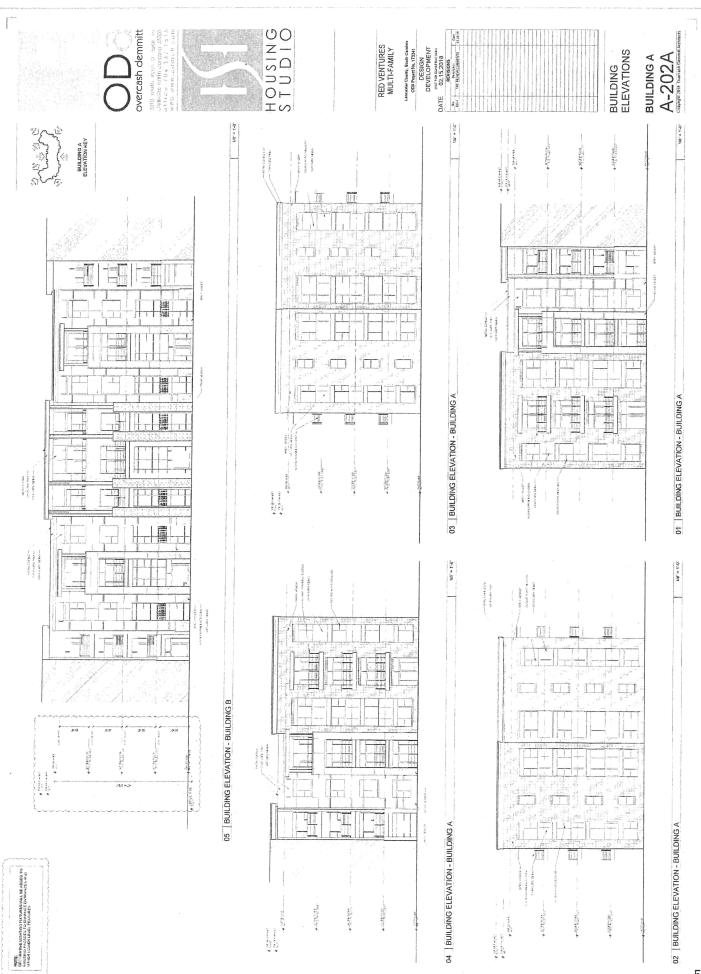
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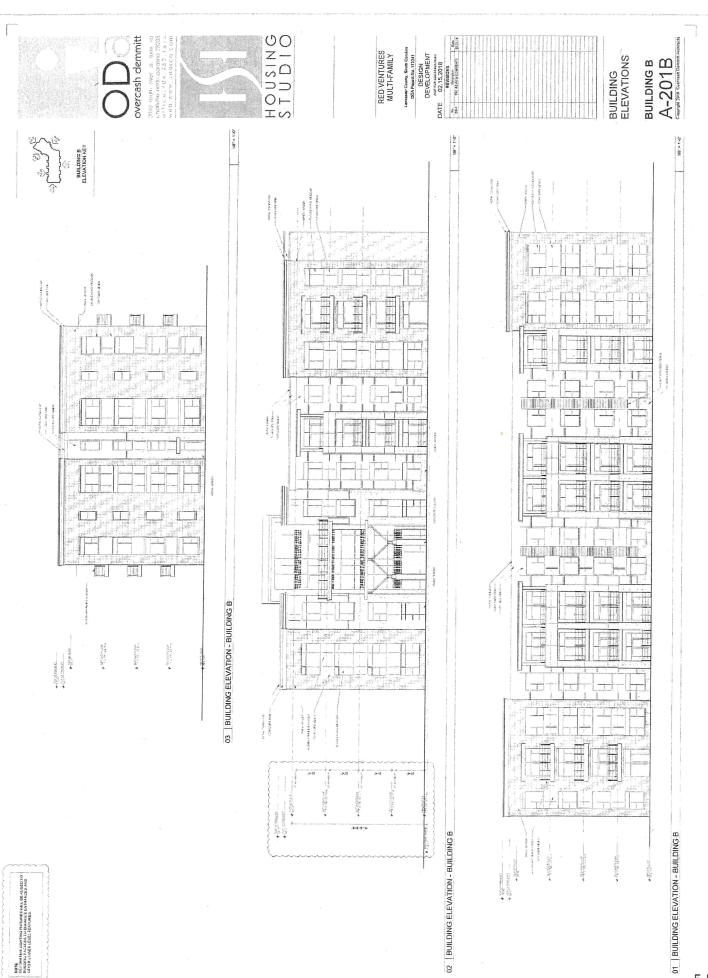
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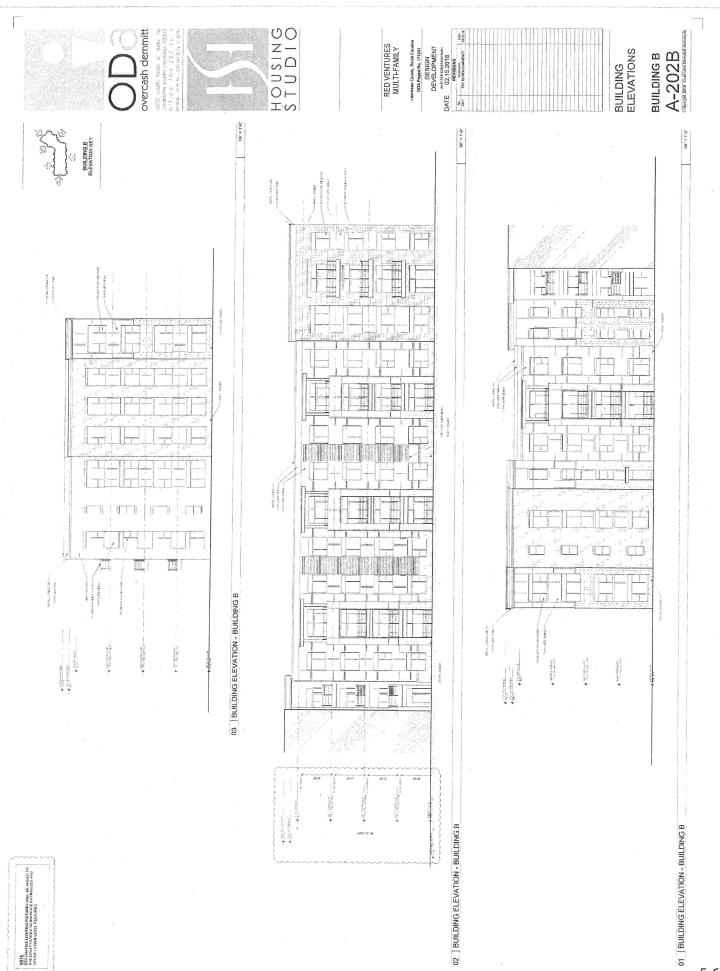


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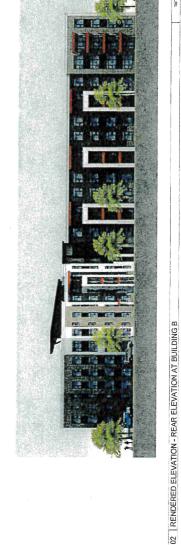
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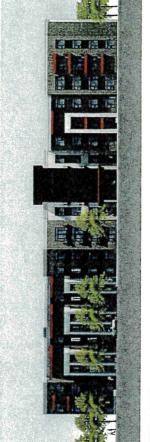


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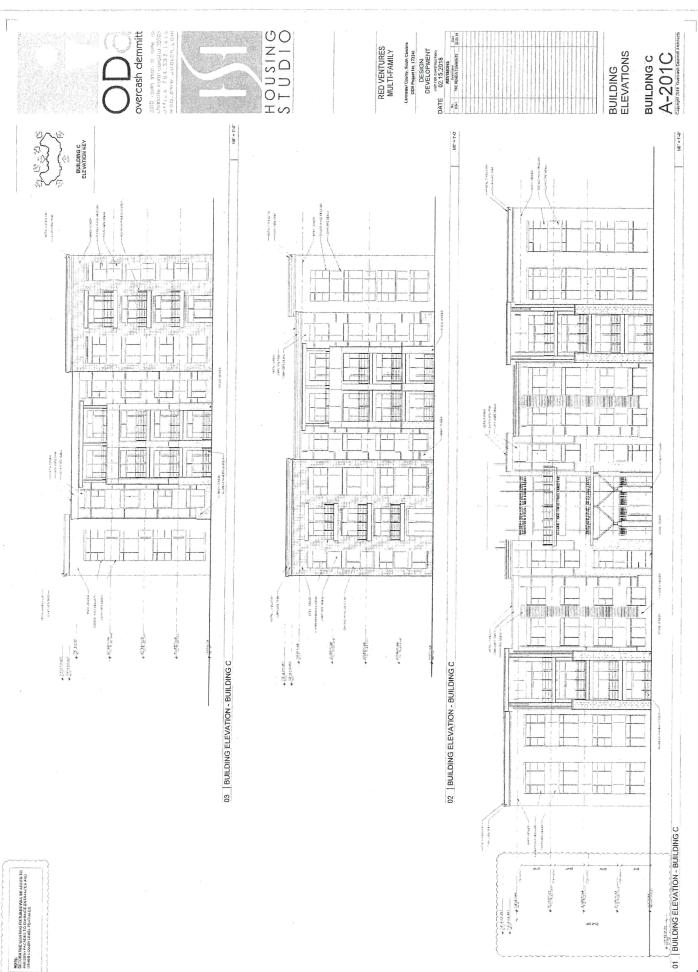
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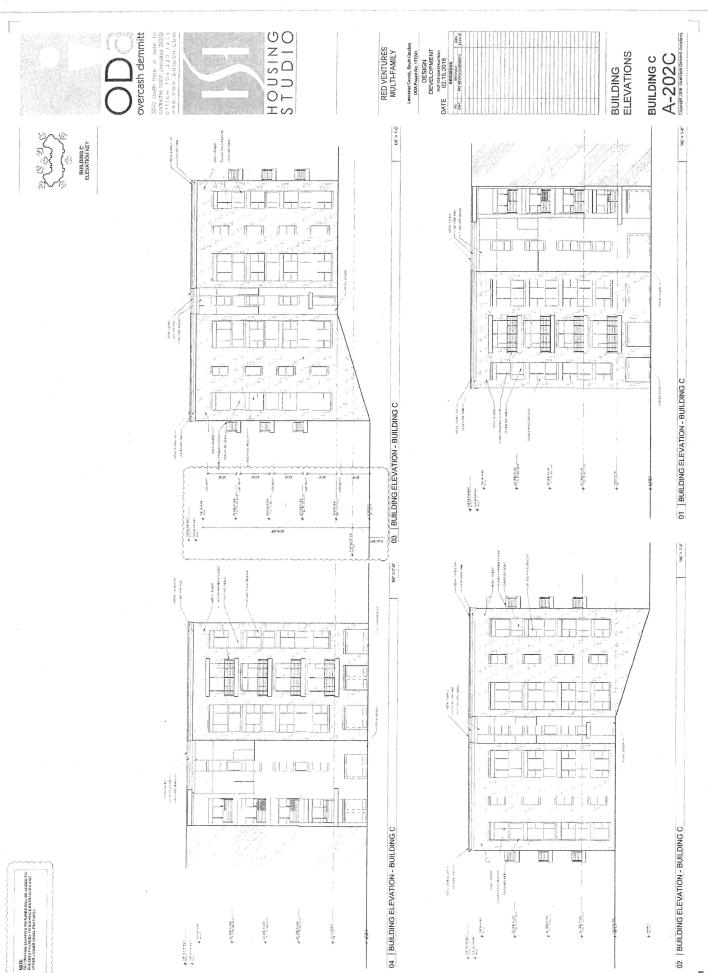


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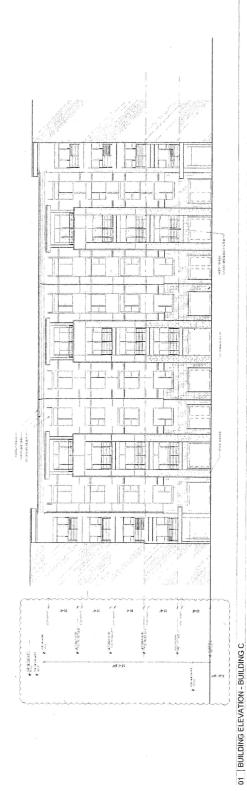




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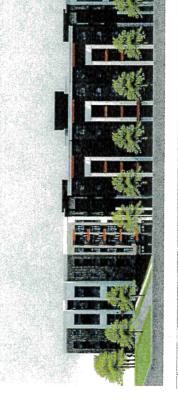
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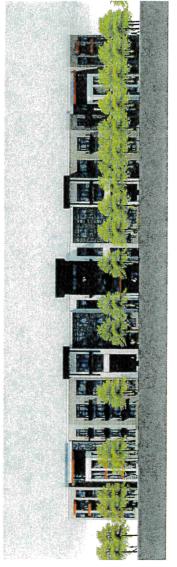
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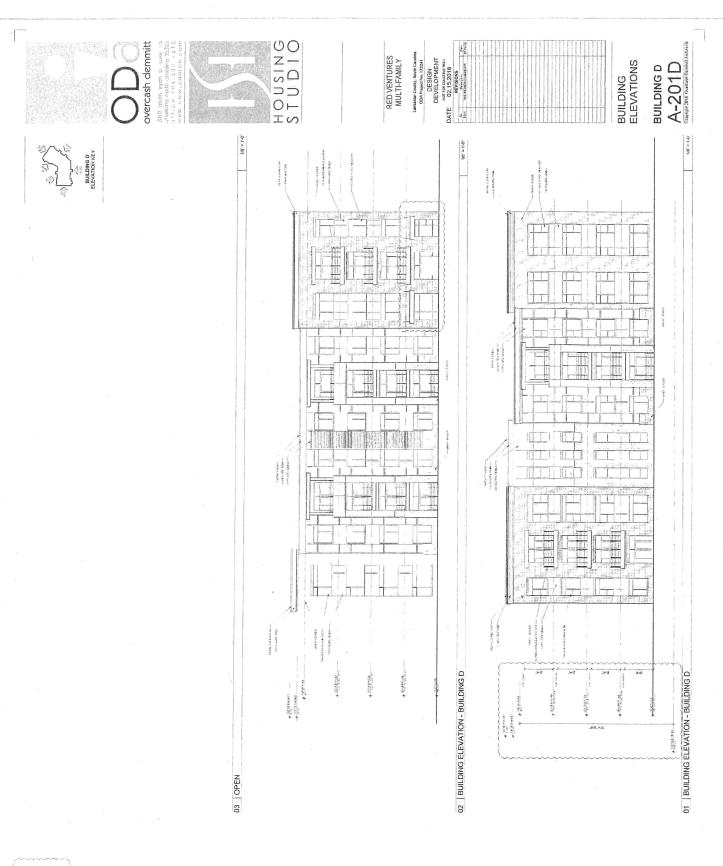
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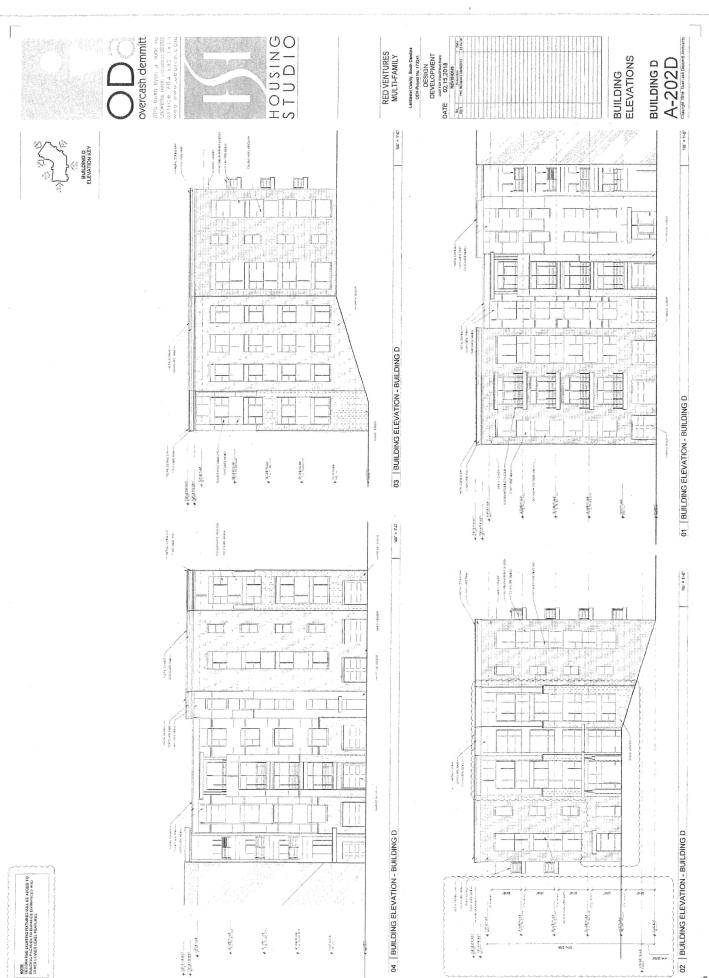
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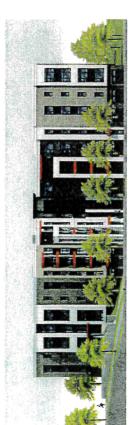
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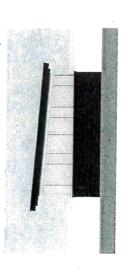


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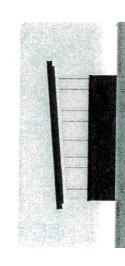
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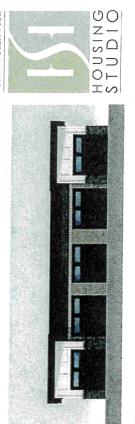
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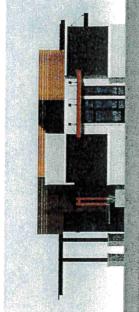


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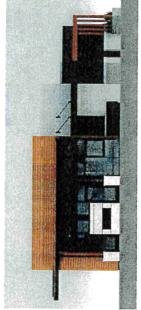
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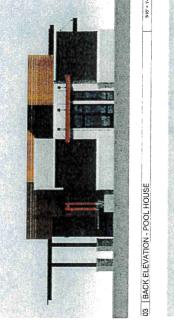


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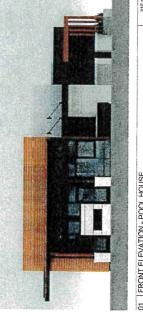


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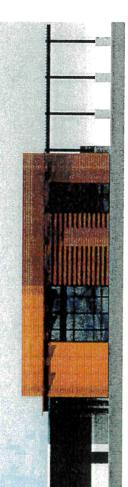


01 | FRONT ELEVATION - POOL HOUSE



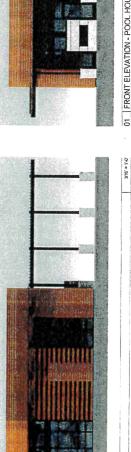
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04 RIGHT ELEVATION - POOL HOUSE

02 | LEFT ELEVATION - POOL HOUSE





# Agenda Item Summary

Ordinance # / Resolution# CU-018-004 Resolution # 0997-R2018

Contact Person / Sponsor: Andy Rowe

Department: Planning

Date Requested to be on Agenda: 4/9/18

#### Issue for Consideration:

A conditional use permit application (CU-018-004) for a proposed car was and fuel canopy subject to the requirements of UDO Section 5.8.6. (See Exhibit 5).

#### Points to Consider:

Conditional Use application of Sam's Express Car Wash to construct a Car Wash and Fuel Canopy to be located on 8194 Charlotte Highway in the Indian Land section of Lancaster County (Tax Map 13, Parcel 48.00, and a portion of Tax Map 13, Parcel 49.01). The subject property is currently zoned GB, General Business District. Adjacent zoning classifications include MX, Mixed-Use District, GB, General Business District, PDD, Planned Development District, and INS, Institutional Zoning District (See Exhibit 3). The applicant has also submitted a site plan which has addressed all conditions set forth in Chapter 5 (See Exhibit 2)

#### Funding and Liability Factors:

N/A

#### **Council Options:**

- 1. Approve the proposed use.
- 2. Approve the proposed use with modifications.
- 3. Reject the proposed use.
- 4. Refer the proposed use back to the Planning Commission for further consideration.
- 5. Refuse to take further action.

#### Recommendation:

At the Lancaster County Planning Commission meeting on Tuesday, March 20<sup>th</sup>, 2018 the Commission voted to **approve** the Conditional Use Permit application of Sam's Express Car Wash by a vote of (6-0). Please see the attached (Exhibit 6) written recommendation from the Lancaster County Planning Commission which contains the required conditions.

STATE OF SOUTH CAROLINA)		<b>RESOLUTION NO.: 0997 – R2018</b>	
· · · · · · · · · · · · · · · · · · ·			
COUNTY OF LANCASTER )			

#### **A RESOLUTION**

TO APPROVE THE CONDITIONAL USE APPLICATION OF MICHAEL HILL TO LOCATE, DESIGN, CONSTRUCT AND OPERATE AN AUTOMATED CAR WASH AND FUEL CANOPY (DOING BUSINESS AS SAM'S EXPRESS CAR WASH) ON TAX MAP 13, PARCEL 48.00 AND A PORTION OF TAX MAP 13, PARCEL 49.01, BOTH ZONED GENERAL BUSINESS (GB), AND LOCATED AT THE NORTHEASTERN CORNER OF HIGHWAY 521 AND SHELLEY MULLIS ROAD IN INDIAN LAND.

WHEREAS, on February 12, 2018, Michael Hill in behalf of Sam's Express Car Wash submitted to Lancaster County its Conditional Use Application for his company's design, construction and operation of an automated car wash and fuel canopy to be located on properties zoned General Business (GB) and identified as tax map 13, parcel 48.00 and a portion of tax map 13, parcel 49.01; and

WHEREAS, the Planning Department has considered the terms and conditions of the application along with a multitude various supporting documents and has reported that the applicant's plans are in compliance with the Lancaster County Uniform Development Ordinance (UDO) and that the application has received the Department's recommendation for approval; and

WHEREAS, on March 20, 2018, the Lancaster County Planning Commission, following a full presentation by the applicant's representatives and the Planning Department's staff and, additionally, following a Public Hearing being conducted wherein input from those citizens and residents having an interest in the project was voiced and received, the Planning Commission likewise recommended to the County Council that the project was in compliance and that the Conditional Use Application should be approved; and

WHEREAS, Lancaster County Council itself has received a full presentation as to the applicable law as set forth in the UDO and, additionally, Council has received both written and verbal details and specifics of the car wash and fuel canopy's construction and operation.

**NOW, THEREFORE, BE IT RESOLVED,** that the Lancaster County Council pursuant to Section 9.2.16.C.2.b. of the Lancaster County UDO approves the Conditional Use Application submitted by Michael Hill for the commercial project to be known as Sam's Express Car Wash.

# AND IT IS SO RESOLVED

	Dated this	day of, 2018.		
		LANCASTER COUNTY, SOUTH CAROLINA		
		Steve Harper, Chair, County Council		
		Larry Honeycutt, Secretary, County Council		
ATTEST:				
Sherrie Simpson, Clerk	to Council			

# Lancaster County Planning Department

101 N. Main St., Ste. 108 P.O. Box 1809

Lancaster, South Carolina 29721-1809

Telephone (803) 285-6005

## NOTICE OF PLANNING COMMISSION RECOMMENDATION

TO:

Mr. Steve Harper

Chairman, Lancaster County Council

FROM:

Mr. Charles Deese

Chairman, Lancaster County Planning Commission

SUBJECT:

Recommendation by Lancaster County Planning Commission on CU-018-004

(Sam's Express Car Wash).

On February 12<sup>th</sup>, 2018, Sam's Express Car Wash (Michael Hill) submitted an application to the Lancaster County Planning Department for a Conditional Use Permit (CU-018-004) for an Automated Carwash with Fuel Canopy for review and consideration. After consideration of the particular details of the application, Planning Staff recommended approval of the project.

On Tuesday March 20<sup>th</sup>, 2018 the Lancaster County Planning Commission held a public hearing on CU-018-004 in accordance with UDO Chapter 9. At this meeting, Lancaster County Planning Commission considered comment from Planning Department Staff, the Applicants, as well as surrounding residents and property owners.

Additionally, Planning Commission considered the application with regard to consistency with UDO Chapter 5, the surrounding neighborhood and other matters deemed appropriate by the Commission.

Subsequent to the public hearing, Planning Commission voted (6-0) to recommend APPROVAL of CU-018-004 (Sam's Express Carwash).

harles Deese

Chairman, Lancaster County Planning Commission

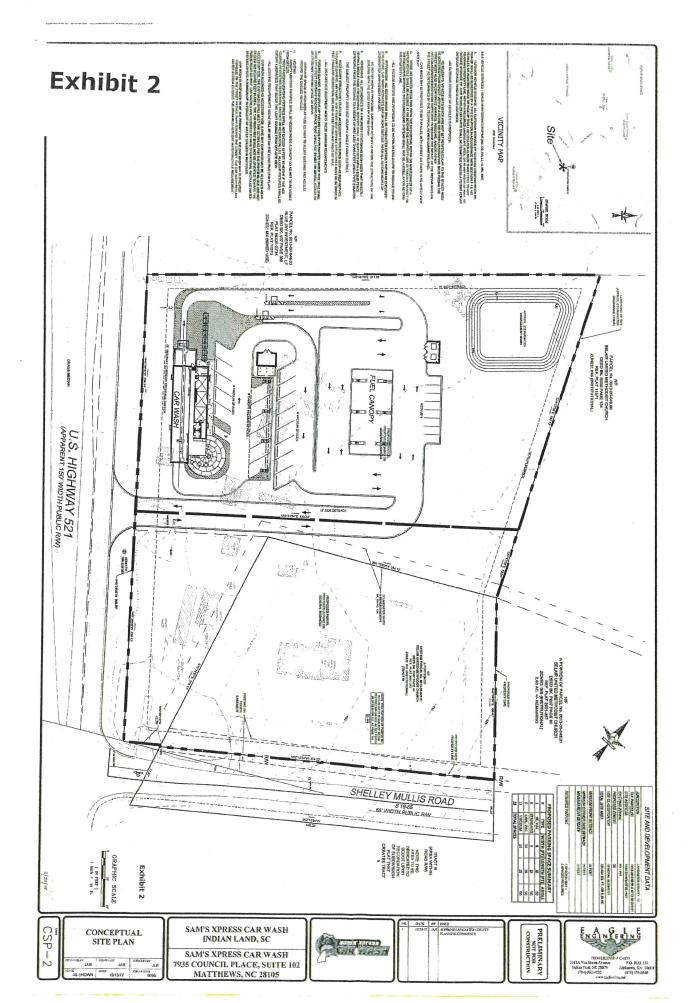
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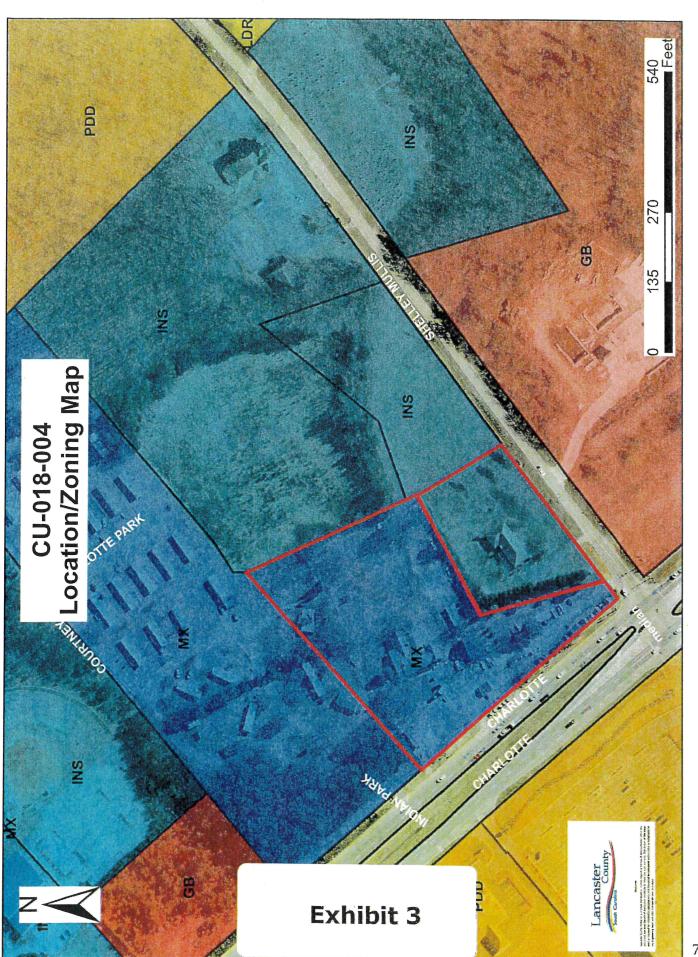
ATTEST:

Judy Barrineau,

Clerk to Planning Commission

 $\frac{3/29/18}{\text{Date}}$ 





# Exhibit 5

### B. Parking

- 1. Electric vehicle charging stations may be counted toward satisfying minimum off-street parking space requirements.
- 2. Public electric vehicle charging stations must be reserved for parking and charging electric vehicles. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that apply to any other vehicle.
- C. Equipment: Vehicle charging equipment must be designed and located so as to not impede pedestrian, bicycle, or wheelchair movement or create safety hazards on sidewalks.

## 5.8.3 HEAVY EQUIPMENT/MANUFACTURED HOME RENTAL/SALES [RB, LI, HI]

- **A.** Screening: A Type A buffer must be maintained at all property lines and along any street frontage, except that a Type C buffer must be maintained where the property abuts Residential uses.
- **B.** Buffers: Outdoor display/storage of vehicles shall be set back at least 50 feet from any right-of-way line, unless such display/storage of vehicles excludes any used or pre-owned vehicles, in which case the display/storage of vehicles shall not encroach into the required building setbacks. In addition, outdoor display/storage of vehicles shall not encroach into floodways or stream buffers.

### 5.8.4 PARKING LOT/STRUCTURE - PRINCIPAL USE [GB, RB, INS, LI, HI, MX, IMX]

Where an above-ground parking structure fronts a street, the ground level, at a minimum, shall be screened in such a way that vehicles are not visible from the streetscape or sidewalk, such as landscaping standards included in Chapter 7.

#### 5.8.5 VEHICLE RENTAL/LEASING/SALES [RUB, GB, RB, MX, IMX]

- **A.** Outdoor Vehicle Display: No vehicles displayed for sale or awaiting work or pick-up shall be located closer than 5 feet to any adjoining property line, within a required landscape area, or in any public rights-of-way.
- **B.** Conditional Use Permit Required for Non-Franchised Dealerships: All such uses that are within 200 feet of a Residential use and are not a manufacturer-franchised dealership must obtain a Conditional Use permit.
- **C.** Screening: All boundaries of a property containing such uses that directly adjoin a Single Family residential district shall be buffered with a solid fence extending from the ground to a height of not less than 6 feet and a Type B buffer in accordance with Section 7.1.5.

#### D. In the MX and IMX Districts:

- 1. Vehicle sales are restricted to manufacturer-franchised dealerships only.
- In new construction, or renovation to a building which amounts to greater than 50 percent of the building's value, vehicle bays shall not face the street or shall be screened from direct view by landscaping.
- 3 Vehicle painting and body and fender repair are specifically prohibited as service/repair functions, except by those establishments also conducting vehicle sales as restricted above.

# 5.8.6 VEHICLE SERVICES - MINOR MAINTENANCE/REPAIR [NB, GB, RB, LI, HI, MX, IMX]

A. Outdoor Vehicle Storage: All outdoor storage of vehicles awaiting work or pick-up shall be screened by a Type C buffer in accordance with Section 7.1.5. No vehicles or awaiting work or pick-up shall be located closer than 5 feet to any adjoining property line, within a required landscape area, or in any right-of-way. No outside storage of junk vehicles or parts shall be permitted unless a permit for an outdoor storage yard is also obtained.

- B. Vehicle Bays: Vehicle bays which are not set perpendicular to the street must be screened from direct view by a hedge or other landscaping. Bays facing the street must also incorporate awnings, windows, and/or other articulation/ornamentation sufficient to reduce the impact of the repair bays on the street as determined by the Technical Review Committee (TRC).
- C. Noise: No noises resulting from the occasional repair or maintenance of a motor vehicle shall be audible at or beyond the property line between 8 PM and 7 AM the following morning. Intercom/sound systems shall not be audible at or beyond the property line.
- D. Repair Work: All repair work shall be conducted entirely within an enclosed structure; car wash activities may be done outside when all requirements of stormwater management are met.
- **E.** Screening: All boundaries of a property containing such uses that directly adjoin a Single Family residential district shall be buffered with a solid fence extending from the ground to a height of not less than 6 feet and a Type B buffer.
- **F.** Accessory Structure Location: Accessory structures such as self-service vacuum cleaners, air pumps, and other self-service structures must be setback 50 feet from any residential use and 25 feet from any right-of-way.
- G. Fueling Islands: Each drive-up fueling facility permitted under this title shall have off-street driveway stacking space that shall not inhibit or impede access to or from any parking space or drive.

#### H. Lighting

- Canopy lighting fixtures shall be hidden inside a canopy so as not to be visible from offsite.
- Freestanding lighting fixtures shall not exceed 15 feet in height if the use adjoins an existing residential district or residential lot. All light fixtures shall be cutoff luminaries that block the light source from off-site view.
- I. Car Wash Allowed as Accessory Use: A one-bay car wash may be allowed as an accessory use. The car wash shall meet the setbacks for the principal use and not exceed 900 square feet in area. The car wash bay shall not be oriented toward the public right-of-way. Car washes are required to have operational recycled water systems where a minimum of 50 percent of water utilized is recycled.

#### 5.8.7 VEHICLE SERVICES - MAJOR REPAIR/BODY WORK [RUB, GB, RB, LI, HI]

- A. Outdoor Vehicle Storage: No outside storage of junk vehicles or parts shall be permitted unless a permit for an outdoor storage yard is also obtained. No vehicles awaiting work or pick-up shall be located closer than 5 feet to any adjoining property line, within a required landscape area, or in any right-of-way.
- B. Vehicle Bays: Vehicle bays which are not set perpendicular to the street must be screened from direct view by a hedge or other landscaping. Bays facing the street must also incorporate awnings, windows, and/or other articulation/ornamentation sufficient to reduce the impact of the repair bays on the street as determined by the Technical Review Committee.
- C. Noise: No noises resulting from the repair, maintenance, or body work of a motor vehicle shall be audible at or beyond the property line between 8 PM and 8 AM the following morning. Intercom/sound systems shall not be audible at or beyond the property line.
- D. Repair Work: All repair work shall be conducted entirely within an enclosed structure; car wash activities may be done outside when all requirements of stormwater management are met.
- E. Screening: All boundaries of a property containing such uses that directly adjoin a Single

3. Type C Buffer Yard: A Type C buffer yard is intended to provide a very dense all-season sight barrier to significantly separate uses and zoning districts. It is intended to reduce intrusive lighting and noise from adjacent properties.

Type C Buffer Yard Options	Minimum Depth	Minimum Plantings per 100 linear feet	Wall, Fence, or Berm	Required Opacity
Option 1	40 feet	4 Evergreen Trees	Not Required	
A Commence of the Commence of		4 Canopy Trees		Completely opaque (i.e., having no
		4 Understory Trees		horizontal openings from the ground to a height of 8 feet within 2 years of
		36 Evergreen Shrubs		planting)
Option 2	25 feet	4 Evergreen Trees	Wall or Fence	
		4 Canopy Trees	1	
		4 Understory Trees		
Option 3	10 feet	2 Evergreen Trees	Berm	
		2 Canopy Trees		,,
		2 Understory Trees		
		12 Evergreen Shrubs		

#### C. BUFFER DETAILS

- 1. Fences and Walls: Any required 6-foot-tall privacy fence or wall shall be made of any combination of treated and stained wood, brick, stone, wrought iron, polymer, decorative face block, or other composite material as approved by the Administrator and maintained in a like-new manner with the finished side facing towards the zone to be buffered (protected). The material(s) used shall provide an opaque fence. All required vegetation shall be placed on the unfinished side of the fence or wall. A chain link fence with slats is not considered a solid fence for purposes of this section.
- 2. Berms: All berms, if provided, shall not exceed a slope with maximum rise of 1 foot to a run of 2 feet (a ratio of 1:2) and a maximum height of 4 feet with a compacted flat top of at least 15 inches wide. All berms, regardless of size, shall be stabilized with a ground cover or other suitable vegetation or permanent slope retention device. A combination of trees and shrubs are to be installed in an appropriate design scheme along the berm for appearance, durability, and maintenance as approved by the Administrator. Berms taller than 4 feet shall be approved by the Administrator on a case-by-case basis.
- 3. Existing Vegetation, Fences, Walls, and Berms: Existing vegetation berms, walls, or fences within the landscaped area, but not including chain link fencing, may be used to fulfill the standards for the type of landscaping required provided that these elements are in good condition as determined by the Administrator. Where existing vegetative areas are to be credited, they shall be shown on the plan with a certification by a licensed landscape architect that the existing vegetation fully complies with the landscape requirements.
- 4. Riparian Buffer: Any required riparian buffer may be used to satisfy other buffer requirements, provided the plants are equivalent in number and type required by the landscape ordinance. Additional plant materials shall be installed in the riparian buffer to satisfy any remaining plant requirements. Additional plantings shall meet best management practices as determined by the Administrator.



## Agenda Item Summary

Ordinance # / Resolution# CU-018-005 Resolution 0998-R2018

Contact Person / Sponsor: Andy Rowe

Department: Planning

Date Requested to be on Agenda: 4/9/18

#### **Issue for Consideration:**

A conditional use permit application (CU-018-005) for a proposed Church subject to the requirements of UDO Section 5.6.3 Section B. (See Exhibit 6).

#### Points to Consider:

Conditional Use application of Truth and Grace Bible Church to construct a proposed Church to be located on Harrisburg Road, ± 100 feet south of the intersection of Carolina Acres Road, in the Indian Land section of Lancaster County (Tax Map 3, Parcel 49.18- Tract #2). The subject property is currently zoned LDR, Low Density Residential District. Adjacent zoning classifications include LDR, Low Density Residential District, and MDR, Medium Density Residential District (See Exhibit 4). The applicant has also submitted a site plan which has addressed all conditions set forth in Chapter 5 (See Exhibit 2)

#### **Funding and Liability Factors:**

N/A

#### **Council Options:**

- 1. Approve the proposed use.
- 2. Approve the proposed use with modifications.
- 3. Reject the proposed use.
- 4. Refer the proposed use back to the Planning Commission for further consideration.
- 5. Refuse to take further action.

#### Recommendation:

At the Lancaster County Planning Commission meeting on Tuesday, March 20<sup>th</sup>, 2018 the Commission voted to **approve** the Conditional Use Permit application of Truth in Grace Bible Church (Yuhui Wang) by a vote of (6-0). Please see the attached (Exhibit 7) written recommendation from the Lancaster County Planning Commission which contains the required conditions.

STATE OF SOUTH CAROLIN	(A)
	)
COUNTY OF LANCASTER	)

**RESOLUTION NO.: 0998 – R2018** 

#### A RESOLUTION

TO APPROVE THE CONDITIONAL USE APPLICATION OF TRUTH AND GRACE BIBLE CHURCH TO LOCATE, DESIGN, CONSTRUCT AND OPERATE A CHURCH ON A FIVE AND 32/100 (5.32) ACRE TRACT, ZONED LOW DENSITY RESIDENTIAL DISTRICT (LDR), ON TAX MAP 3, PARCEL 49-18 – TRACT #2, AND LOCATED ON HARRISBURG ROAD ONE HUNDRED (100') FEET SOUTH OF THE INTERSECTION WITH CAROLINA ACRES ROAD IN INDIAN LAND.

WHEREAS, on February 14, 2018, Truth and Grace Bible Church submitted to Lancaster County its Conditional Use Application for his company's design, construction and operation of a church on property zoned Low Density Residential (LDR) and identified as tax map 3, parcel 49.18 – tract #2; and

WHEREAS, the Planning Department has considered the terms and conditions of the application along with a multitude various supporting documents and has reported that the applicant's plans are in compliance with the Lancaster County Uniform Development Ordinance (UDO) and that the application has received the Department's recommendation for approval; and

WHEREAS, on March 20, 2018, the Lancaster County Planning Commission, following a full presentation by the applicant's representatives and the Planning Department's staff and, additionally, following a Public Hearing being conducted wherein input from those citizens and residents having an interest in the project was voiced and received, the Planning Commission likewise recommended to the County Council that the project was in compliance and that the Conditional Use Application should be approved; and

WHEREAS, Lancaster County Council itself has received a full presentation as to the applicable law as set forth in the UDO and, additionally, Council has received both written and verbal details and specifics of the car wash and fuel canopy's construction and operation.

**NOW, THEREFORE, BE IT RESOLVED,** that the Lancaster County Council pursuant to Section 9.2.16.C.2.b. of the Lancaster County UDO approves the Conditional Use Application of Truth and Grace Bible Church.

#### AND IT IS SO RESOLVED

	Dated this	day of, 2018.
		LANCASTER COUNTY, SOUTH CAROLINA
		Steve Harper, Chair, County Council
		Larry Honeycutt, Secretary, County Council
ATTEST:		
Sherrie Simpson, Cle	rk to Council	

## Lancaster County Planning Department

101 N. Main St., Ste. 108 P.O. Box 1809 Lancaster, South Carolina 29721-1809

Telephone (803) 285-6005

#### NOTICE OF PLANNING COMMISSION RECOMMENDATION

TO:

Mr. Steve Harper

Chairman, Lancaster County Council

FROM:

Mr. Charles Deese

Chairman, Lancaster County Planning Commission

SUBJECT:

Recommendation by Lancaster County Planning Commission on CU-018-005

(Truth and Grace Bible Church).

On February 14<sup>th</sup>, 2018, Truth and Grace Bible Church (Yuhui Wang) submitted an application to the Lancaster County Planning Department for a Conditional Use Permit (CU-018-005) for a Proposed Church for review and consideration. After consideration of the particular details of the application, Planning Staff recommended approval of the project.

On Tuesday March 20<sup>th</sup>, 2018 the Lancaster County Planning Commission held a public hearing on CU-018-005 in accordance with UDO Chapter 9. At this meeting, Lancaster County Planning Commission considered comment from Planning Department Staff, the Applicants, as well as surrounding residents and property owners.

Additionally, Planning Commission considered the application with regard to consistency with UDO Chapter 5, the surrounding neighborhood and other matters deemed appropriate by the Commission.

Subsequent to the public hearing, Planning Commission voted (6-0) to recommend APPROVAL of CU-018-005 (Truth and Grace Bible Church).

Charles Deese

Chairman, Lancaster County Planning Commission

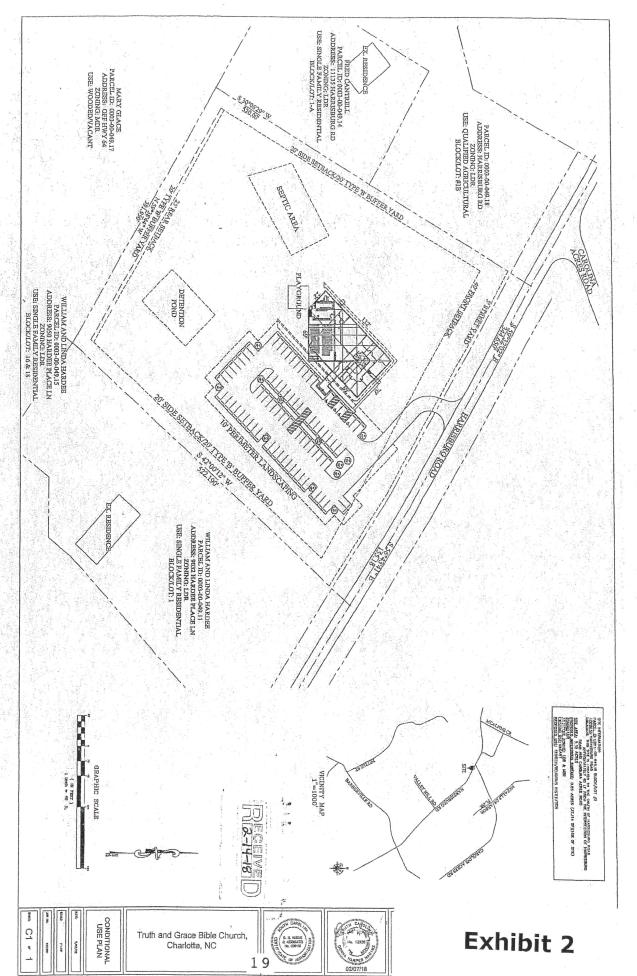
ATTEST:

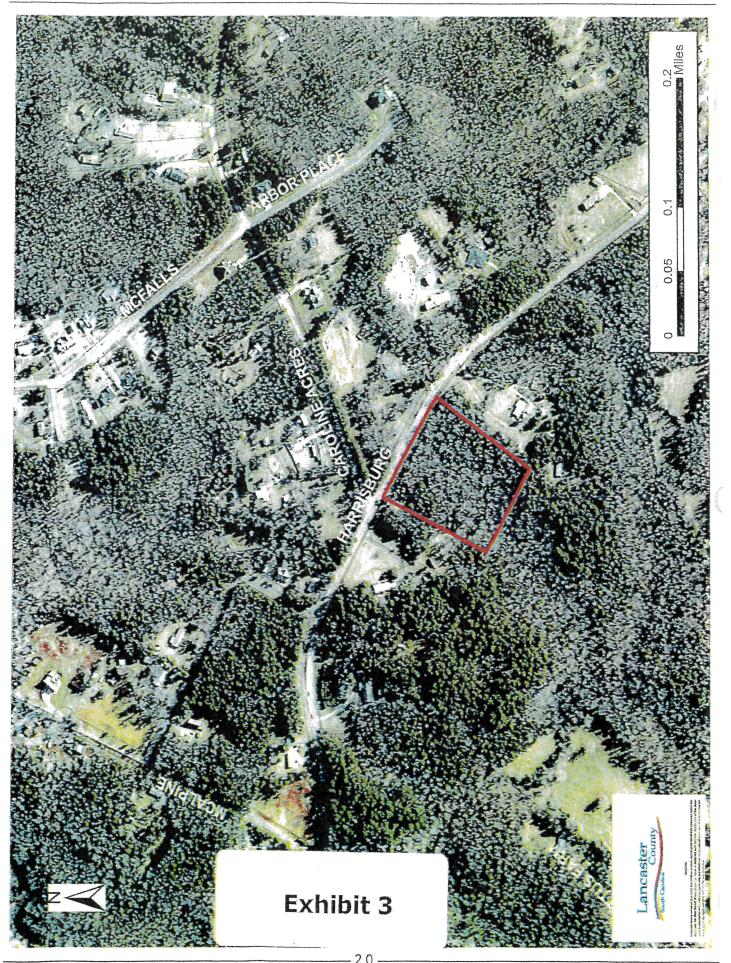
Judy Barrineau,

Clerk to Planning Commission

<u>3/27/18</u> Date

Proud to serve the citizens of Lancaster County, and the Towns of Heath Springs & Kershaw







- 3. Type C buffers are required along the side and rear property lines.
- 4. The structure shall be located a minimum of 100 feet from the adjacent property lines.
- B. In the RN, LDR, MDR, and PB Districts: Maximum square footage use shall not exceed 6,000 square feet.
- 5.6.3 PLACES OF ASSEMBLY [AR, RR, RN, RUB, MH, LDR, MDR, PB, NB, GB, RB, INS, LI, HDR, MX, IMX]

#### A. In the MX and IMX Districts

- 1. Prohibited Except as an Accessory Use: Places of Assembly are prohibited from operating in a commercial or mixed-use building type except as an accessory use (less than 50 percent of the total first floor area) to an otherwise permitted use. All such operations shall be to the rear of the structure away from the public frontage or in upper stories. The use of upper stories is not limited.
- Operating Hours: Commercial uses related to Places of Assembly (e.g., bookstores) must be open for business during typical business hours (from 8 AM to 5 PM on regular non-holiday weekdays) in order to be considered as a primary use.

#### B. In all Districts

1. Places of Assembly shall be buffered from adjoining residential uses with a Type B buffer in accordance with Section 7.1.5.

The sum of all principal and accessory structures may not exceed the allowable floor space for this use in the district in which it is located (i.e. over or under 15,000 square feet). Additionally, the floor area of all accessory uses may not exceed the floor area of the principal building.

5.6.4 PRIVATE RECREATION FACILITIES [RUB, NB, GB, RB, INS, MX, IMX]

#### A. Applicability

- Golf courses that are a part of a residential development shall be exempt from these requirements.
- 2 Restaurant and/or bar uses in conjunction with a Private Recreation Facility shall require a Conditional Use (CU) permit.
- B. Connectivity to Surrounding Neighborhoods: Outdoor recreation facilities shall be connected to adjacent neighborhoods to the extent practical via street connections, driveways, and/or pedestrian/bicycle paths.

#### C. Operational Standards

- 1. Lighting systems shall be installed and operated in accordance with requirements of Chapter 7 Lighting and the International Energy Conservation Code.
- 2 Lights and loudspeaker systems shall not be operated between the hours of 10 PM and 8 AM.
- 3. No equipment, machinery, or mechanical device of any kind (other than customary HVAC systems) may be operated within 200 feet of any residentially-zoned property except as needed for routine maintenance of the grounds or facility.
- 4. Adequate provisions shall be made for the disposal of waste products and the control of noise associated with the recreational industry

7. Buffer Location Restrictions: Buffers shall not be located on any portion of any existing or proposed street right-of-way or utility easement (unless permitted by the easement holder).

#### B. BUFFER YARD TYPES

1. Type A Buffer Yard: A Type A buffer yard is a planting strip intended to separate uses, provide vegetation in densely developed areas, and enhance the appearance of individual properties.

Type A Buffer Yard Options	Minimum Depth	Minimum Plantings per 100 linear feet r	Wall, Fence, or Berm	Required Opacity
Option 1	20 feet	1 Capopy Tree 2 Understory Trees 8 Evergreen Shrubs	Not Required	Semi-opaque (i.e., having only seasonal horizontal openings not exceeding 25% of the total width from the ground to a height of 6 feet within 2 years of planting)
Option 2	10 feet	2 Canopy Trees 2 Understory Trees 12 Evergreen Shrubs	Not Required	wain 2 years of programs

2. Type B Buffer Yard: A Type B buffer yard is a medium density screen which is intended to create a visual separation between uses and zoning districts.

Type B Buffer Yard Options	Minimum . Depth	Minimum Plantings, per 100 linear feet	Wall, Fence, or Berm	Required Opacity
Option 1	20 feet	2 Evergreen Trees 1 Canopy Tree 2 Understory Trees	Not Required	Semi-opaque (i.e., having only seasonal horizontal openings not exceeding 10% of the total width from the ground to a height of 8 fee within 2 years of planting)
. • Š.a Š.a. • . š	8 x	12 Evergreen Shrubs		
Option 2	10 feet	1 Evergreen Tree 1 Cancpy Tree	Not Required	
		3 Understory Trees 24 Evergreen Shrubs		
		za cvergreen Siliupa	n file of a	



## Agenda Item Summary

Ordinance Number 2018-1490 (RZ-018-010)

Contact Person: Penelope G. Karagounis, Planning Director

Date Requested to be on Agenda: April 9, 2018 County Council Meeting

#### Issue for Consideration:

Application of David Hughes on behalf of D.R. Horton, Inc. to rezone +/- 9.625 acres of property from Planned Development District, PDD-5, Bailes Ridge to Planned Development District, PDD-27, Avondale.

The property is located on the right side of Calvin Hall Road, north of Elven Drive in the Clairmont subdivision in the Indian Land section of Lancaster County. Tax Map 5, Parcel 90.00

**Points to Consider:** D.R. Horton purchased the property and they would like to assemble the property with the overall PDD-27, Avondale development. The fact and findings of this report show that the property is designated as PDD-5 on the Lancaster County Zoning Map. The subject property would like to be added to the PDD-27, Avondale. The total of acreage for PDD-5, is 467 acres and by subtracting the 9 acres, the overall requirement for a PDD will still be a conforming PDD. The remaining number of lots that PDD-5 has for High Density Residential is 175 units; for the Medium Density is 73 units; and for the Low Density is 1 unit. The PDD allows for those remaining units to be shifted within the PDD-5 boundaries. The PDD-27 Avondale Development is currently 179.35 acres and the additional 9.625 acres will be 188.98 acres.

#### Funding and Liability Factors: N/A

**Council Options:** To approve or deny the rezoning request.

**Recommendation:** At the Lancaster County Planning Commission meeting on Tuesday, March 20, 2018, the Planning Commission recommended to approve the rezoning application by a vote of (6-0).

STATE OF SOUTH CAROLINA	)	
	)	<b>ORDINANCE NO. 2018-1490</b>
COUNTY OF LANCASTER	)	

#### AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY SO AS TO REZONE APPROXIMATELY 9.625 ACRES LOCATED IN BAILES RIDGE, IDENTIFIED AS TAX MAP NO. 0005-00-090.00, FROM PLANNED DEVELOPMENT DISTRICT-5 (PDD-5) TO AVONDALE MIXED USE PLANNED DEVELOPMENT DISTRICT (PDD-27); TO AMEND VARIOUS SECTIONS OF ORDINANCE NO. 2015-1369 (PDD-27), SO AS TO REFLECT THE ADDITION OF THE APPROXIMATELY 9.625 ACRES TO PDD-27.

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

#### **Section 1.** Findings and Determinations.

The Council finds and determines that:

- (a) D.R. Horton, Inc., applied to rezone approximately 9.625 acres located in Bailes Ridge, identified as Tax Map No. 0005-00-090.00, from Planned Development District-5 (PDD-5, Ordinance No. 458) to Avondale Mixed Use Planned Development District (PDD-27, Ordinance No. 2015-1369).
- (b) On March 20, 2018, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of 6-0, recommended approval of the rezoning.

#### Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from Planned Development District-5 (PDD-5) to Avondale Mixed Use Planned Development District (PDD-27, Ordinance No. 2015-1369) for the following property:

Tax Map No. 0005-00-090.00

#### **Section 3.** Property Included in the PDD-27 Ordinance.

Section 4 of Ordinance No. 2015-1369 (PDD-27), relating to the property zoned PDD-27, is amended to read:

"This Ordinance applies to the property known as the Avondale mixed use development property which consists of approximately \$\frac{179.35}{188.975}\$ acres (the "Property"). The Tax Map Numbers for the Property are 0005-00-093.05, 0005-00-078.00, 0005-00-083.00, 0005-00-089.01, 0005-00-089.00, 0005-00-076.00, 0005-00-077.00, 0005-00-093.04, 0005-00-092.00, 0005-00-091.03, 0005-00-091.00, 0005-00-075.01, 0005-00-075.00, 0005-00-079.01, 0005-00-090.00, and a portion of 0005-00-074.03."

#### Section 4. Amendment of Master Plan for PDD-27.

Section 6 of Ordinance No. 2015-1369 (PDD-27), relating to the PDD-27 Master Plan, is amended to read:

"The Master Plan for the Development, prepared by ESP Associates and dated October 10, 2016

(the "Master Plan"), is attached hereto as Exhibit A and incorporated into this Ordinance by reference."

#### Section 5. Model Homes.

Section 21 of Ordinance No. 2015-1369 (PDD-27), relating to model homes and other buildings, is amended to read:

"Within the boundaries of tax parcels 0005-00-093.05, 0005-00-078.00, 0005-00-083.00, 0005-00-089.01, 0005-00-089.00, 0005-00-076.00, 0005-00-077.00, 0005-00-093.04, 0005-00-092.00, 0005-00-091.03, 0005-00-091.00, 0005-00-075.01, 0005-00-075.00, 0005-00-079.01, 0005-00-090.00, and a portion of 0005-00-074.03, prior to the installation of water and sewer for the Development or any of its components, the Developer at any given time may be issued not more than eleven (11) building permits of which ten (10) may be for model single family residences for sale ("Model Homes") and one (1) for a sales office, provided that all applicable requirements of the Lancaster County Water and Sewer District are satisfied by Developer, and all applicable requirements of the South Carolina Department of Health and Environmental Control and other relevant governmental agencies are satisfied by Developer. The absence of a certificate of occupancy does not prevent developer from using the Model Home for Model Home purposes."

#### **Section 6.** Village Designation.

For the purposes of the Avondale Mixed Use Planned Development District (PDD-27, Ordinance No. 2015-1369), the 9.625 acres added to PDD-27 pursuant to Section 2 of this ordinance is included in Village for all purposes of the Avondale Mixed Use Planned Development District (PDD-27, Ordinance No. 2015-1369).

#### Section 7. 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 8. Conflicting Provisions.

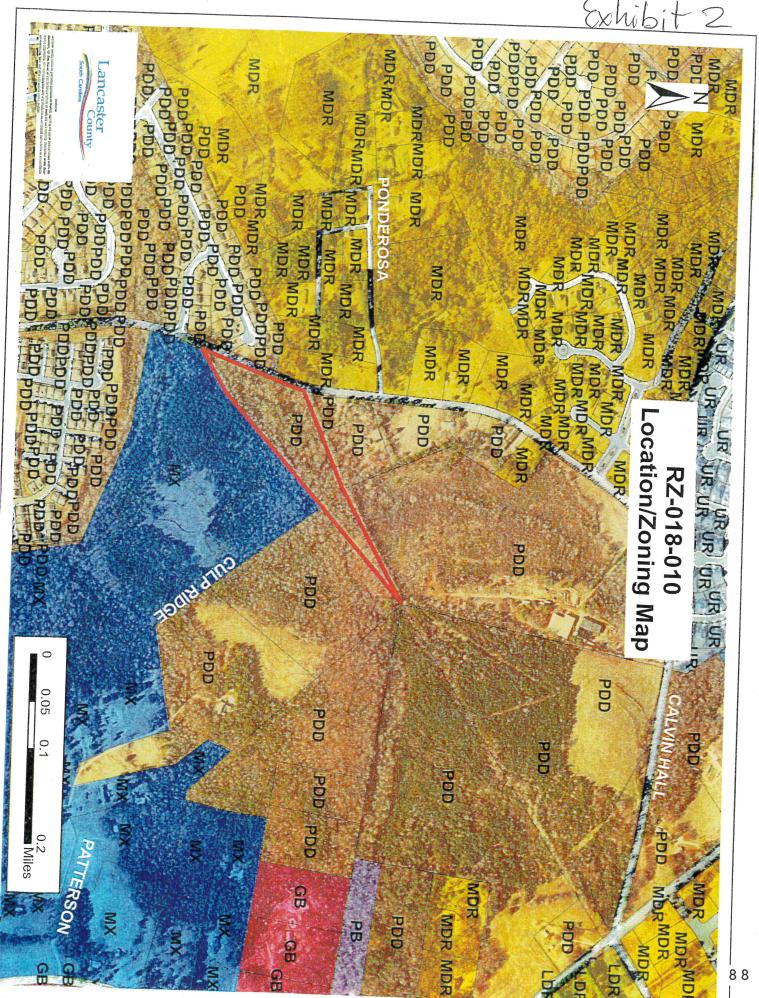
To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, resolutions, policies, procedures and actions, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

#### Section 9. Effective Date.

This ordinance is effective upon Third Reading.

#### AND IT IS SO ORDAINED

I	Dated this	day o	f		, 2018.
3					
			T ANGAGRED GO	TATURE CORT	H CADOL BIA
			LANCASTER CO	UNIX, SOUI	H CAROLINA
			Steve Harper, Chair	r, County Coun	cil
			Larry Honeycutt, So	ecretary, Count	y Council
	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -				
ATTEST:					
Sherrie Simpson,	Clerk to Council				
First Reading:	April 9, 2018				
Second Reading:		(Tentat	ive)		
Third Reading:	May 14, 2018	(Tentat	*		



## **qPublic.net** Lancaster County, SC

#### Parcel Summary

Parcel ID

0005-00-090.00

Account#

77072

Millage Group Land Size

01 - County - County - (1)

Utilities

9.625 AC

2017 Tax Rate

Location Address FORT MILL HWY, Indian Land

Acres/Lots Zoning

9.625

Neighborhood

(Note: Not to be used on legal documents) 01A

Property Usage

Land Only (NLN)

Plat Book/Page

2002/0119

Block # / Lot #

#### Owner Information

DR HORTON INC 8001 ARROWRIDGE BLVD CHARLOTTE NC 28273

#### Land Information

ACRES SITE 0 0 ¢0	Land Use LandOnly (NLN)	Number of Units 9.63	Unit Type ACRES	Land Type .	Frontage 0	Depth	AgUse Value	Distribution of the Control of the C
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#### Sales Information

Sale Date	Sale Price	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	
2/7/2017	\$16,405,000	DEED	1035	187	Unqualified - SOLD DOES NOT MATCH APPRAISAL RECORD	Improved	SINACORI BUILDERS LLC	Grantee
12/30/2016	\$0	DEED	1025	327	Unqualified - QUIT CLAIM	Improved	GALLAP HULSUN	en in pronomination and deplument of the contract that the self-thorough
4/22/2013	\$0	DEED	726	81	Unqualified - CORRECTIVE DEED	Improved	GALLAP, HUISUN	to deep the production of the second selections and the contract of the contra
1/9/2012	\$17,500	DEED "	649	305	Unqualified - TAX SALE	Improved	RHEIN INTEREST OF CHARLOTTE LL.	GALLOP HUISUN
2/25/2002	\$3,847,300		0150	0233	Qualified	Improved	BAILES LIMITED PARTNERSHIP ETAL	The state of the s

#### Assessed Values

Market Land Value	2017	2016	2015
AND THE RESIDENCE OF THE PROPERTY OF THE PROPE	\$635,580	\$635,580	\$1.174
+ Market Improvement Value + Market Misc Value	\$0	\$0	\$0
	\$0	\$0	\$0
= Total Market Value	\$635,580	\$635,580	\$635,832
Taxable Land Value	\$635,580	\$635,580	\$1 174
+ Taxable Improvement Value	\$0	\$0	\$0
+ Taxable Misc Value	\$0	\$0	\$0
- Ag Credit Value	(\$634,406)	(\$634,406)	(\$634,658)
= Total Taxable Value	\$1,174	*\$1,174	*\$1 174
Assessed Land Value	\$47	\$47	\$47
+ Assessed Improvement Value	\$0	\$0	\$0
+ Assessed Misc Value	\$0	\$0	\$0
= Total Assessed Value	\$47	\$47	¢47

<sup>\*</sup>This parcel is subject to the value cap

No data available for the following modules: Commercial Building Information, Building Information, Mobile Home Information, Accessory Information, Photos,

The data contained on this site is intended for information purposes only. It is based on the best information available at the time of posting and is not warranted. The data may not reflect the most current records.

Last Data Upload Data: 2/14/2018 3:46:43 AM



Developed by The Schneider Corporation



## Agenda Item Summary

**Ordinance** #: 2018-1491

Contact Person: John Weaver Department: County Attorney

Date Requested to be on Agenda: April 9, 2018

<u>Issue for Consideration:</u> Whether or not it is appropriate for the County Council to consider the approval of a 2<sup>nd</sup> Amendment to the Avondale Development Agreement whereby the present developer, D.R. Horton, will be authorized to add 9.625 acres of property adjoining the existing subdivision

<u>Points to Consider:</u> A Development Agreement (DA) associated with the Avondale subdivision, located at the intersection of Harrisburg Road and Calvin Hall Road, was approved by Council in November, 2016. The developer, in addition to purchasing from the initial developer, Sinacori, the acreage identified as PDD-27, also bought from that same developer an additional 9.625 acres with the plan and design to incorporate into the PDD-27 property this smaller parcel. That could not be accomplished simultaneously because the 9.625 parcel was an undeveloped parcel within the separate PDD-5 acreage. In conjunction with this 2<sup>nd</sup> Amendment to the Development Agreement, approval of the DA Amendment will permit the 9.625 acreage to be incorporated into the existing DA so as to mandate and permit continuity in the Avondale subdivision.

### Funding and Liability Factors: N/A

<u>Recommendations:</u> The Planning Commission and the I&R Committee have recommended approval of the Ordinance.

**Options:** Either approve or reject the Ordinance.

## Lancaster County Planning Department

101 N. Main St., Ste. 108 P.O. Box 1809 Lancaster, South Carolina 29721-1809

Telephone (803) 285-6005

#### LANCASTER COUNTY PLANNING COMMISSION

#### REPORT TO COUNTY COUNCIL

 $2^{\rm ND}$  AMENDMENT TO THE DEVELOPMENT AGREEMENT – D. R. Horton, LLC

Pursuant to Sections 9.2.18 Development Agreement, Subsection A.4 and A.5 of the Unified Development Ordinance of Lancaster County, the Planning Commission has reviewed as received from D.R. Horton, LLC, the proposed 2<sup>ND</sup> Amendment to the Development Agreement – D.R. Horton, LLC - Avondale

At its meeting on Tuesday, March 20, 2018, the Planning Commission conducted a public hearing on the proposed 2<sup>nd</sup> amendment of the Development Agreement for D.R. Horton, LLC - Avondale. In addition, by a 6-0 vote, the Planning Commission voted to recommend to County Council approval of the 2<sup>nd</sup> amendment to the Development Agreement – D.R. Horton, LLC – Avondale.

Respectfully submitted,

Charles Keith Deese

Chair, Lancaster County Planning Commission

STATE OF SOUTH CAROLINA	)	ORDINANCE NO. 2018-1491
COUNTY OF LANCASTER	)	ORDITALICE NO. 2010-1471

#### AN ORDINANCE

TO APPROVE A SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT AVONDALE DEVELOPMENT; TO AUTHORIZE CERTAIN COUNTY OFFICIALS TO EXECUTE AND DELIVER THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT AVONDALE DEVELOPMENT.

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

#### **Section 1.** Findings and Determinations; Purpose.

#### A. The Council finds and determines that:

- (a) Lancaster County is authorized by the South Carolina Local Government Development Agreement Act, codified as Sections 6-31-10 to -160, Code of Laws of South Carolina 1976, as amended, and by the Development Agreement Ordinance for Lancaster County, South Carolina, Ordinance No. 663, codified as Section 9.2.18 in Chapter 9 of the Unified Development Ordinance, to enter into development agreements with developers;
- (b) Council approved a development agreement for the Avondale development between Sinacori Builders, LLC ("<u>Developer</u>"), and the County of Lancaster and that development agreement, dated November 28, 2016, is recorded in the records of the Lancaster County Register of Deeds in Deed Book 1018, Pages 15-42 (the "<u>Development Agreement</u>");
- (c) Developer subsequently assigned it rights under the Development Agreement to D.R. Horton, Inc. ("Subsequent Developer"), pursuant to that certain Assignment and Assumption of Development Agreement dated and recorded January 26, 2017 in the records of the Lancaster County Register of Deeds in Deed Book 1029, Pages 34-38.
- (d) at the request of the Subsequent Developer, Council passed Ordinance No. 2017-1478, which approved the First Amendment to the Development Agreement Avondale Development (the "<u>First Amendment</u>") and the First Amendment, among other things, approved amendments relating to certain road improvements at the intersection of Calvin Hall Road and Harrisburg Road.

- (e) Subsequent Developer has acquired additional property which Subsequent Developer is requesting Council to include in the Development Agreement
- B. It is the purpose of this ordinance to approve a second amendment to the Development Agreement with the amendment providing for additional property of Subsequent Developer to be included in the Development Agreement.

#### **Section 2.** Approval of Second Amendment; Authorization to Act.

- A. The Council Chair and Council Secretary are each authorized, empowered and directed to execute, acknowledge and deliver a Second Amendment to the Development Agreement Avondale Development between D.R. Horton, Inc., a Delaware corporation and the County of Lancaster (the "Second Amendment") in the name and on behalf of the County of Lancaster. The form of the Second Amendment is attached hereto as Exhibit A and all terms, provisions and conditions of the Second Amendment are incorporated herein by reference as if the Second Amendment were set out in this ordinance in its entirety. By adoption of this ordinance, the Council approves the Second Amendment and all of its terms, provisions and conditions. The Second Amendment is to be in substantially the form as attached to this ordinance and hereby approved, or with such minor changes therein as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Second Amendment attached to this ordinance.
- B. The Council Chair and Council Secretary are each authorized to execute and deliver any related instruments, documents, certificates and other papers as are necessary to effectuate the purpose of this ordinance and the Second Amendment. The Council and its duly elected or appointed officers and any other County official are each authorized to take any and all action as may be necessary to effectuate the purposes of this ordinance and the Second Amendment.

#### 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 thereby.

#### Section 4. Controlling Provisions.

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

#### Section 5. Effective Date.

This ordinance is effective upon Third Reading.

SIGNATURES FOLLOW ON NEXT PAGE.

#### AND IT IS SO ORDAINED

Dated this	day of	, 2018.
		***
	LANCAST	ER COUNTY, SOUTH CAROLINA
	*	
	Steve Harpe	er, Chair, County Council
,		
	Larry Hone	ycutt, Secretary, County Council
Attest:		
Sherrie Simpson, Clerk to Council	-	
Planning Commission Public Hearing: First Reading:	March 20, 2018 April 9, 2018	
Second Reading:	April 23, 2018	(Tentative)
Council Public Hearing:	April 23, 2018	(Tentative)
Third Reading:	May 14, 2018	(Tentative)

#### Exhibit A to Ordinance No. 2018-1491

# Second Amendment to the Development Agreement Avondale Development between D.R. Horton, Inc., and the County of Lancaster

See attached.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

(Spa	ace above this l	ine for recording use)
STATE OF SOUTH CAROLINA	· )	SECOND AMENDMENT TO THE
	)	DEVELOPMENT AGREEMENT
COUNTY OF LANCASTER	)	AVONDALE DEVELOPMENT
This <b>SECOND AMENDMEN</b>	T TO TI	HE DEVELOPMENT AGREEMENT FOR
THE AVONDALE DEVELOPMENT	Γ ("Second	d Amendment") is made and entered into as of
the day of 2018	8, by and	between D.R. HORTON, INC., ("Subsequent
Developer"), a Delaware corporation, a	and the Co	OUNTY OF LANCASTER (the "County"), a
body politic and corporate, a political su	abdivision	of the State of South Carolina.

## RECITALS

WHEREAS, the Development Agreement dated November 28, 2016 for the Avondale development was entered into by Sinacori Builders, LLC ("<u>Developer</u>"), a North Carolina limited liability company and the County (the "<u>Development Agreement</u>"). The Development Agreement is recorded in the records of the County Register of Deeds in Deed Book 1018, Pages 15-42;

WHEREAS, Developer subsequently assigned it rights under the Development Agreement to Subsequent Developer, pursuant to that certain Assignment and Assumption of Development Agreement dated and recorded January 26, 2017 in the records of the County Register of Deeds in Deed Book 1029, Page 34-38;

WHEREAS, at the request of Subsequent Developer, the First Amendment to the Development Agreement Avondale Development was approved by the County by passage of Ordinance No. 2017-1478 and the First Amendment, among other things, approved amendments relating to certain road improvements at the intersection of Calvin Hall Road and Harrisburg Road. The First Amendment is recorded in the records of the County Register of Deeds in Deed Book 1126, Pages 216-221;

WHEREAS, Subsequent Developer has acquired additional property which Subsequent Developer is requesting to be included in the Development Agreement;

WHEREAS, Section 5.02 of the Development Agreement provides that amendments to the Development Agreement must be in writing and, for the amendment to be effective, it must be signed by the party against whom the amendment is sought to be enforced;

WHEREAS, it is the purpose of this Second Amendment to amend provisions of the Development Agreement so as to include additional property of Subsequent Developer.

#### SECOND AMENDMENT

**NOW THEREFORE**, in consideration of the foregoing and the terms and conditions set forth in this Second Amendment, the receipt and sufficiency of such consideration being acknowledged by the parties, the parties to this Second Amendment intending to be legally bound, agree as follows:

**Section 1.** The above recitals are incorporated in this Second Amendment as if the recitals were set out in this Second Amendment in their entirety.

**Section 2.** The first recital to the Development Agreement is amended to read:

"WHEREAS, Developer has obtained the right to acquire certain real property consisting of approximately 179.35 188.975 acres, more or less, located between Calvin Hall Road and Harrisburg Road in the Indian Land section of the County and known as the Avondale development."

- **Section 3.** The definitions in Section 1.02 of the Development Agreement, as last amended by the First Amendment, are further amended by adding definitions for "Ordinance No. 2018-1490," "Ordinance No. 2018-1491," and "Second Amendment":
- "(11A) 'Ordinance No. 2018-1490' means Ordinance No. 2018-1490 of the County zoning the land identified as Tax Map No. 0005-00-090.00 as Planned Development District (PDD-27).
- (11B) 'Ordinance No. 2018-1491' means Ordinance No. 2018-1491 of the County approving the Second Amendment.
- (14A) 'Second Amendment' means the Second Amendment to the Development Agreement Avondale Development, dated \_\_\_\_\_\_\_, 2018, and approved by passage of Ordinance No. 2018-1491."

Section 4. Section 1.05 of the Development Agreement, relating to zoning, is amended to read:

"The Property is zoned Planned Development District pursuant to Ordinance No. 2015-1369 and Ordinance No. 2018-1490."

**Section 5.** Exhibit A of the Development Agreement, relating to property description, is amended to read:

#### "Exhibit A Property Description

#### Avondale Development

Tax Map No. 1 - 0005-00-077.00Tax Map No. 2 - 0005-00-076.00Tax Map No. 3 - 0005-00-075.01Tax Map No. 4 - 0005-00-075.00Tax Map No. 5 - a portion of 0005-00-074.03Tax Map No. 6 - 0005-00-093.04Tax Map No. 7 - 0005-00-093.05Tax Map No. 8 - 0005-00-092.00Tax Map No. 9 - 0005-00-091.03Tax Map No. 10 - 0005-00-091.00Tax Map No. 11 - 0005-00-089.00Tax Map No. 12 - 0005-00-089.01Tax Map No. 13 - 0005-00-083.00Tax Map No. 14 – 0005-00-079.01 Tax Map No. 15 - 0005-00-078.00Tax Map No. 16 - 0005 - 00 - 090.00 (owned by Subsequent Developer)"

**Section 6.** Exhibit E of the Development Agreement, as last amended by the First Amendment, relating to Laws and Land Development Regulations, is amended to read:

#### "Exhibit E Laws and Land Development Regulations

- 1. Ordinance No. 2015-1369, zoning the Property Planned Development District.
- 2. Ordinance No. 2015-1370, approving this Development Agreement.
- 3. The Development Agreement Ordinance for Lancaster County, South Carolina: Ordinance No. 663.
- 4. Unified Development Ordinance of Lancaster County (UDO): Ordinance No. 309, as amended as of the Agreement Date. The UDO includes Ordinance No. 328, as amended, as of the Agreement Date and which is cited as the Land Development Regulations of Lancaster County. A copy of the UDO is filed in the County Planning Department.
- 5. Land Development Regulations of Lancaster County: See Unified Development Ordinance of Lancaster County.
- 6. Article V, Chapter 26, Lancaster County Code of Ordinances, Road Construction Standards.

- 7. Ordinance No. 2017-1478 approving the First Amendment to this Development Agreement.
- 8. Ordinance No. 2018-1490, zoning the land identified as Tax Map No. 0005-00-090.00 as Planned Development District (PDD-27).
- 9. Ordinance No. 2018-1491, approving the Second Amendment to this Development Agreement."
- **Section 7.** County agrees to record this Second Amendment with the Lancaster County Register of Deeds within fourteen (14) days of the execution of this Second Amendment.
- **Section 8.** (A)(1) The County represents that it has approved this Second Amendment by adoption of Ordinance No. 2018-1491 in accordance with the procedural requirements of the South Carolina Local Government Development Agreement Act, codified as Sections 6-31-10 to -160, Code of Laws of South Carolina 1976, as amended, Lancaster County Ordinance No. 663 and any other applicable law.
- (2) The County represents that prior to the final reading of Ordinance No. 2018-1491 that at least two public hearings were held after publication of the required notice and the publication of a notice of intent to consider a proposed development agreement.
- (B) Subsequent Developer represents and warrants that the execution, delivery and performance by the individual or entity signing this Second Amendment on behalf of Subsequent Developer has been duly authorized and approved by all requisite action on the part of Subsequent Developer.
- Section 9. This Second Amendment may be executed in several counterparts, each of which shall be deemed an original, and such counterparts shall constitute but one and the same instrument.
- **Section 10.** Upon submission of appropriate documentation of the expenditure, Subsequent Developer agrees to reimburse the County, not later than May 31, 2018, for the County's reasonable unreimbursed actual costs related to this Second Amendment. The cost reimbursement is limited to County payments to third-party vendors and service providers, including, but not limited to, attorneys.
- **Section 11.** Upon execution of this Second Amendment by the parties, the Development Agreement consists of the Development Agreement as originally executed and recorded as amended by the First Amendment and this Second Amendment.
- **Section 12.** This Second Amendment is effective upon its execution.

SIGNATURES FOLLOW ON NEXT PAGE.

**IN WITNESS WHEREOF**, D.R. Horton, Inc., has caused this instrument to be executed by its duly authorized Division President, all by order and authority duly granted by its corporate board of directors, as of the day and year first above written.

D.R. HORTON, INC.,

		a Delaware corporation	
Witness #1	By:	THIS IS AN EXHIBIT AND NOT FOR EXE	CUTION
		Brian Etheridge, Division President	
Witness #2			
STATE OF			
STATE OFCOUNTY OF	1		
Division President of D.R. Hort	ton, Inc.	, a Notary Public of the County and State ared before me this day and acknowledge, a Delaware corporation, and that he, gefor and on behalf of said corporation.	
Witness my hand and offic	ial stamp	or seal, this day of	, 2018.
NOTARY SEAL			• .
		Signature of Notary Public	
		My Commission Expires:	

COUNTY SIGNATURES FOLLOW ON NEXT PAGE.

100

		County of Lancaster, South Carolina, has caused this prized Chair and Secretary, as of the day and year first
		COUNTY OF LANCASTER, SOUTH CAROLINA
Witness #1	Ву:	THIS IS AN EXHIBIT AND NOT FOR EXECUTION Steve Harper, Chair, County Council
Witness #2		
Witness #1	By:	THIS IS AN EXHIBIT AND NOT FOR EXECUTION Larry Honeycutt, Secretary, County Council
Witness #2		
STATE OF SOUTH CAROLINA COUNTY OF LANCASTER		
Chair of the County Council of La political subdivision of the state of executed the foregoing for and of appeared before me this day and Lancaster County, South Carolina	Ily appearancester Conf South on behalf acknowla, a body	, a Notary Public of the County and State aforesaid, ared before me this day and acknowledged that he is County, South Carolina, a body politic and corporate, a Carolina, and that he, being duly authorized to do so, of said County and that Larry Honeycutt personally edged that he is Secretary of the County Council of politic and corporate, a political subdivision of the duly authorized to do so, executed the foregoing for
Witness my hand and offic	ial stamp	or seal, this day of, 2018.
NOTARY SEAL		
		Signature of Notary Public My Commission Expires:

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## Agenda Item Summary

Ordinance # 2018-1503

Contact Person / Sponsor: Kimberly Hill

Department: Finance

Date Requested to be on Agenda: Council Regular Meeting April 9, 2018

#### **Issue for Consideration:**

Ordinance to amend the FY2018 Budget.

#### **Points to Consider:**

Per discussion at the Infrastructure & Regulation and Administration Committee meetings, an amendment is proposed to add the below fees for Recreation to start a Tween Program.

Program	Registration	First Child (per day)	Additional Child
Summer Day Camp	\$20.00	\$10.00	<b>(per day)</b> \$10.00

In addition, Council passed a resolution in November for an employee Christmas bonus. At that time the intent was to adjust the budget at a later time. I am requesting it be adjusted at this time.

#### **Funding and Liability Factors:**

This will amend our current budget.

#### **Council Options:**

Whether or not to approve of the FY2017-2018 budget amendment.

#### Recommendation:

Approve.

STATE OF SOUTH CAROLINA	)	
	)	ORDINANCE NO. 2018-1503
COUNTY OF LANCASTER	)	

**Indicates Matter Stricken** Indicates New Matter

#### AN ORDINANCE

TO AMEND ORDINANCE NO. 2017-1447, RELATING TO THE APPROPRIATION OF FUNDS AND THE APPROVAL OF A DETAILED BUDGET FOR LANCASTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018 (FY 2017-2018), TO FURTHER PROVIDE FOR REVENUES AND EXPENDITURES DURING THE FISCAL YEAR.

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

#### Section 1. Appropriations; Detailed Budget.

- (a) Section 2. of Ordinance No. 2017-1447 is amended to read:
- Subject to the terms and conditions of this ordinance, the sums of money set forth below, if so much is necessary, are appropriated from the General Fund of the County and other applicable funds as specified, to meet the ordinary expenses, including debt service, of county government for the fiscal year beginning July 1, 2017 and ending June 30, 2018 ('FY 2017-2018):

APPROPRIATIONS	AMOUNT
Airport Fund	232,233
Capital Improvement Fund	1,826,832
Capital Project Sales Tax 2	12,884,471
County Debt	6,524,686
County Transportation Committee Fund	2,850,000
Court Mandated Security	1,371,695
Development Agreement Fund	302,000
E-911 Fund	598,945
General Fund	51,722,132
	<u>51,864,188</u>
Hospitality Tax Fund	950,000
Indian Land Fire Protection District Fund	704,438
Local Accommodations Tax Fund	55,000
Pleasant Valley Fire Protection District Fund	630,294
Recreation Fund	2,564,282
Victims Services Fund	93,000
State Accommodations Tax Fund	107,581
Sunday Alcohol Sales Tax Fund	7,000
Stormwater Fund	1,027,690

(b) The County Administrator is authorized to adjust the detailed operating budget for the County, as contained in the Annual Financial Plan, as previously approved by Council in Section 2A) of Ordinance No. 2017-1447, for the following items:

General Fund		Revenue	Expense
	Supplemental Revenue- Fund Balance	142,056	
	Employee Christmas Bonus		142,056

#### 17.00 RECREATION FEES

7.03	After School and Summer Day Camp			
	Program	Registration	First Child (per day)	Additional Child (per day)
	Summer Day Camp Tween Program	\$20.00	\$10.00	\$10.00

#### Section 4. Severability.

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

#### Section 5. Conflicting Provisions.

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

#### Section 6. Effective Date.

This ordinance is effective upon Third Reading.

SIGNATURES FOLLOW ON NEXT PAGE.

#### AND IT IS SO ORDAINED

Da	ated this	day of, 2018.	
		LANCASTER COUNTY, SOUTH CAROLINA	
		Steve Harper, Chair, County Council	
ATTEST:		Larry Honeycutt, Secretary, County Council	-
Sherrie Simpson, C	Clerk to Council		
First Reading: Second Reading: Public Hearing: Third Reading:	April 9, 2018 April 23, 2018 April 23, 2018 May 14, 2018	(Tentative) (Tentative) (Tentative)	



## Agenda Item Summary

Ordinance # 2018-1504

Contact Person / Sponsor: Tina Young

Department: Planning

Date Requested to be on Agenda: April 9th, 2018

#### **Issue for Consideration:**

Application of Richard Christie of the Katawba Valley Land Trust to rezone  $a \pm 314.41$  acre tract and  $a \pm 53.49$  acre tract of property from AR, Agricultural Residential District to OSP, Open Space Preservation District. The properties are located near the intersection of HWY 265 and Taxahaw Road (TMS# 0116-00-006.00 and 0116-00-004.02).

#### Points to Consider:

The facts and findings of this report show that the two parcels are designated as AR, Agricultural Residential District on the Lancaster County Zoning Map. The Future Land Use Map identifies this property as Rural Living according to the *Lancaster County Comprehensive Plan 2014-2024*. Based on the current zoning, the property is adjacent to parcels zoned AR, Agricultural Residential District. These two tracts of property were donated to the Katawba Valley Land Trust for the preservation of the land and its natural resources. By rezoning this parcel to OSP, Open Space Preservation District, environmentally sensitive lands will be protected and will be appropriate for this rural area.

#### **Funding and Liability Factors:**

N/A

#### **Council Options:**

To approve or deny the rezoning request.

#### Recommendation:

At the Lancaster County Planning Commission meeting on Tuesday, March 20<sup>th</sup>, 2018, the Commission voted to **APPROVE** the rezoning application of Mr. Richard Christie (KVLT) by a vote of (6-0). One citizen signed up to speak on this case. He is an adjacent property owner that was concerned with the possibility that his land would be subject to development restrictions if the rezoning application were approved. Staff informed this citizen that his property is zoned AR, Agricultural Residential, and by designating the adjacent properties OSP, Open Space Preservation, it will not change his property's zoning district.

STATE OF SOUTH CAROLINA	(	
	(	<b>ORDINANCE NO. 2018-1504</b>
COUNTY OF LANCASTER	(	

#### AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY SO AS TO REZONE ± 367.9 ACRES OF PROPERTY OWNED BY THE KATAWBA VALLEY LAND TRUST, LOCATED NEAR THE INTERSECTION OF HWY 265 AND TAXAHAW ROAD FROM AR, AGRICULTURAL RESIDENTIAL DISTRICT TO OSP, OPEN SPACE PRESERVATION DISTRICT.

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

#### Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) Richard Christie of the Katawba Valley Land Trust applied to rezone property located near the intersection of HWY 265 and Taxahaw Road from AR, Agricultural Residential District to OSP, Open Space Preservation District.
- (b) On March 20<sup>th</sup>, 2018 the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (6-0), recommended approval of the rezoning.

#### Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from AR, Agricultural Residential District to OSP, Open Space Preservation District for the following properties as identified by tax map number or other appropriate identifier:

Tax Map No. 0116-00-006.00 and 0116-00-004.02

#### Section 3. Severability.

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

#### **Section 4.** Conflicting Provisions.

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

#### Section 5. Effective Date.

This ordinance is effective upon Third Reading.

#### AND IT IS SO ORDAINED

	Dated this	day of	, 2018.
		LANCASTER C	COUNTY, SOUTH CAROLINA
		Steve Harper, Ch	air, County Council
		Larry Honeycutt,	Secretary, County Council
ATTEST:			
Sherrie Simpson, C	erk to Council	<del></del>	
First Reading: Second Reading: Third Reading:	April 9, 2018 April 23, 2018 May 14, 2018	(Tentative) (Tentative)	



Case No. RZ-018-013

Staff Report to Planning Commission

Meeting Date: March 20<sup>th</sup>, 2018

**Proposal:** Application of Richard Christie of the Katawba Valley Land Trust to rezone a  $\pm$  314.41 acre tract and a  $\pm$  53.49 acre tract of property from AR, Agricultural Residential District to OSP, Open Space Preservation District.

**Property Location:** Near the intersection of HWY 265 and Taxahaw Road in Lancaster County, SC (TMS# 0116-00-006.00 and 0116-00-004.02).

Zoning District Classification: AR, Agricultural Residential District

Voting District: District 6, Jack Estridge

### **Site Information**

Site Description: The property is wooded and vacant. It is currently used for agriculture and silviculture.

### Vicinity Data

Surrounding Conditions: The property is adjacent to parcels that are zoned AR, Agricultural Residential District and one parcel that is zoned INS, Institutional District. Additionally, there is one parcel zoned OSP, Open Space Preservation, located about 1500 feet to the east of the subject parcels. The existing uses of the surrounding properties include a mix of agricultural and residential.

### **Exhibits**

- 1. Rezoning Applications (2)
- 2. Location/Zoning Map
- 3. Tax Inquiry Sheet

## **Findings and Conclusions**

The facts and findings of this report show that the two parcels are designated as AR, Agricultural Residential District on the Lancaster County Zoning Map. The Future Land Use Map identifies this property as Rural Living according to the *Lancaster County Comprehensive Plan 2014-2024*. Based on the current zoning, the property is adjacent to parcels zoned AR, Agricultural Residential District. These two tracts of property were donated to the Katawba Valley Land Trust for the preservation of the land and its natural resources, including the Carolina Heelsplitters. By rezoning this parcel to OSP, Open Space Preservation District, environmentally sensitive lands will be protected and will be appropriate for this rural area.

Date of 1st Reading: 4-9-18
\_\_Approved \_\_ Denied \_\_ No Action

Date of 2<sup>nd</sup> Reading: <u>4-23-18</u> Approved <u>Denied</u> No Action Date of 3<sup>rd</sup> Reading: <u>5-14-18</u>

\_Approved \_\_Denied \_\_No Action

# Planning Staff Recommendation

It is therefore the recommendation of the planning staff that the rezoning request by Richard Christie of the Katawba Valley Land Trust for the properties located near the intersection of HWY 265 and Taxahaw Road in Lancaster County, SC be **APPROVED**.

# Recommendation from Planning Commission

At the Lancaster County Planning Commission meeting on Tuesday, March 20<sup>th</sup>, 2018 the Commission voted to **approve** the rezoning application of Richard Christie (KVLT) by a vote of (6-0). One citizen signed up to speak on this case. He voiced the concern that, as an adjacent property owner, he did not want to be subject to restrictions on developing his property. Staff informed this citizen that his property is zoned AR, Agricultural Residential, and by designating the adjacent properties OSP, Open Space Preservation, it will not change his property's zoning district.



# Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721 Phone: 803.285.6005, <a href="mailto:planning@lancastercountysc.net">planning@lancastercountysc.net</a> www.mylancastersc.org

# **ZONING MAP AMENDMENT APPLICATION**

# SUBMITTAL REQUIREMENTS

Exhibit 1

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

GENERAL INFORMATION
Property Address Near Intersection of Hung 265 and Taxahaa Rd
City Lancaster State SC Zip 29-20 Tax Parcel ID 0116-00-006.00
Current Zoning AR Current Use Agriculture / Silviculture
Proposed Zoning <u>05P</u> Total Acres <u>53.49</u>
Project Description This property is Die ned by the Katauba Valley
Land Trust and will be managed for the Depservation
and protection at environmentally sensitive lands and
other natural resources.
Surrounding Property Description Mixed agriculture and very deather
uce.
CONTACT INFORMATION 0
Applicant Name Pichard W. Christie / KVLT
Address P.D. Box 1776
City Lancaster State SC Zip 29721 Phone 803-285-5801
Fax 803-283-918/ Email KULT @ Composion. net
Property Owner Name Katawba Valley Land Trost
Address P.O. Box 1776
City <u>KONCaster</u> State <u>SC</u> Zip <u>39721</u> Phone <u>803-285-5801</u>
Fax 80.3-287-918/ Email & VIT @ Comportum. not

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

2/15/2018

Property Owner(s)

Date

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

LANCASTER COUNTY OFFICE USE ON Application Number R2-018-01		2/15/18	Pacaint Nu	mher /	/
Amount Paid fee Weived			Keceipt Nu Amount	Inder	ACCOMMENSATION OF THE PARTY OF
Received By	Planning Commission			h aoth	 2N18
neceived by Act	_ r tarming commission	, inceding pare	- 11(215	<del>, , , , , , , , , , , , , , , , , , , </del>	12010

## SCHEDULE/PROCESS 1. Submit Application

- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.

# 2. Planning Commission

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

# 3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- 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.



# **Planning Department**

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

# ZONING MAP AMENDMENT APPLICATION

# SUBMITTAL REQUIREMENTS

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

GENERAL INFORMATION
Property Address Near Intersection of they 265 and Takahaw Rd
City Lancaster State SC Zip 29-70 Tax Parcel ID 0116-00-004,02
Current Zoning AR Current Use Agriculture /Silvicolture
Proposed Zoning O. CP Total Acres 314, 41
Project Description This property is owned by the Katurka Valley
Land Trust and well be managed for the preservation and
protection of environmentally sensitive lands and other
natural resources.
Surrounding Property Description Mixed agriculture and vesidential
use.
CONTACT INFORMATION A
Applicant Name Richard W. Christie / KVLT
Address P.O. Box 1776
City Kan Caster State SC Zip 2972/ Phone 803-285-580/
Fax 803-283-918/ Email KVL To composium not
Property Owner Name Kataw ba Valley Land Trust
Address P.O. Box 1776
City hancocker State SC Zip 29721 Phone 903-285-580/
Fax 803-283-9181 Email KULTO Composium net
The state of the s

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.

Richally Christie	2/15/2018
Applicant	Date
Property Owner(s)	Date

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

Application Number 27-018-013 Date Received 2/15/18 Receipt Number
Amount Paid fee waived Check Number Cash Amount
Received By 34 Planning Commission Meeting Date March 20th, 2018

### SCHEDULE/PROCESS 1. Submit Application

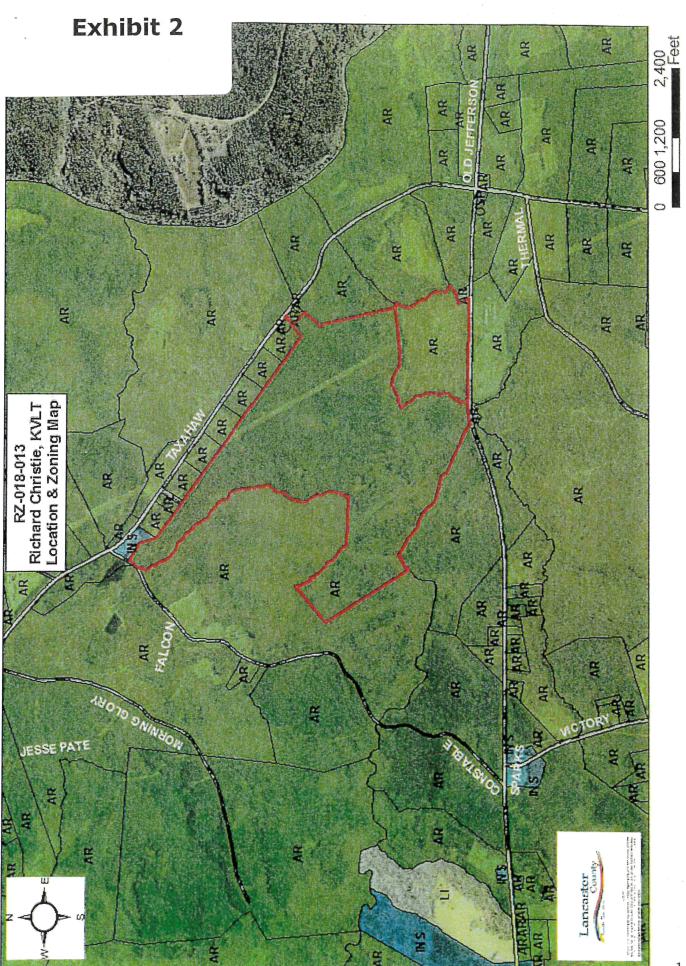
- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.

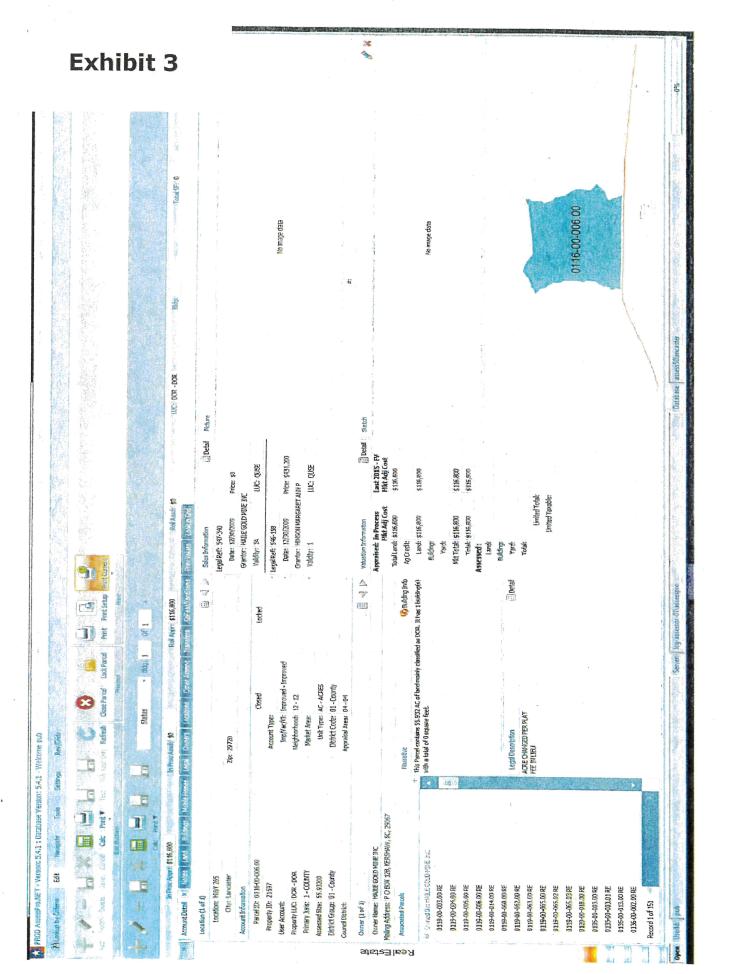
### 2. Planning Commission

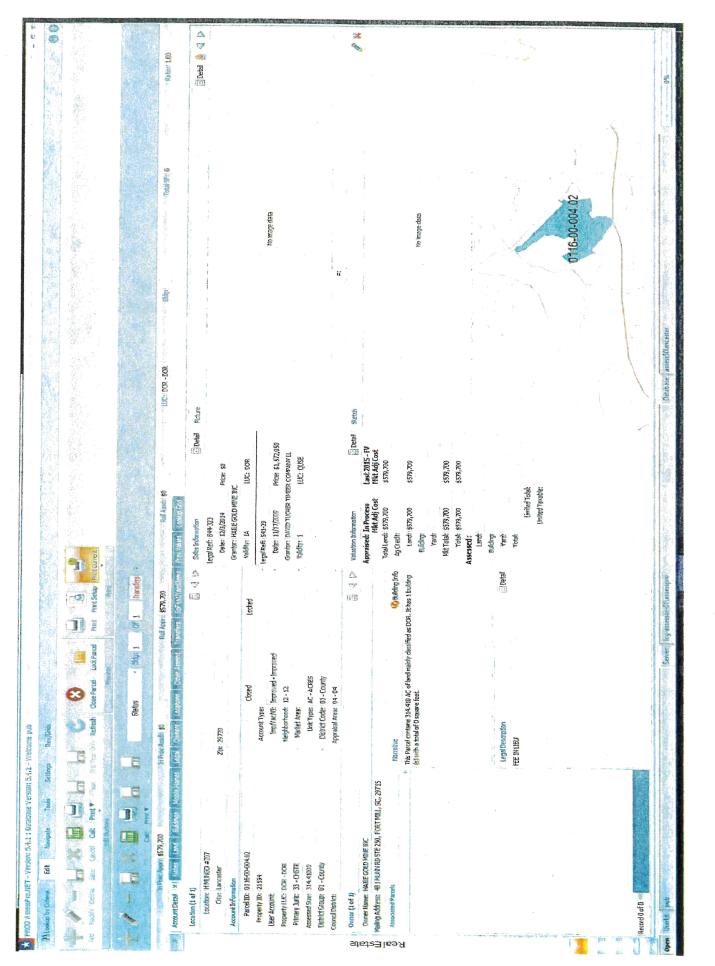
- Conducts a public hearing on the application to receive input from Lancaster County citizens, applicant, and other interested parties.
- Reviews the application to ensure it is consistent with the Lancaster County Unified Development Ordinance, Comprehensive Plan, and all adopted County plans.
- Makes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

#### 3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- 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.









# Agenda Item Summary

Ordinance # 2018-1505

Contact Person / Sponsor: Penelope Karagounis

Department: Planning

Date Requested to be on Agenda: April 9th, 2018

## Issue for Consideration:

Rezoning application of Stephen White of the Lancaster County Water Sewer District (LCWSD) to rezone a ± 151 acre tract of property from INS, Institutional District to HI, Heavy Industrial District. The property is located at 5107 Riverside Road, Van Wyck, SC 29744 (TMS# 0028-00-003.00). The LCWSD is petitioning to rezone the property because they would like to expand their water treatment plant.

# Points to Consider:

Adjacent properties are zoned RN, Rural Neighborhood and AR, Agricultural Residential and are predominantly undeveloped. To the east of the property there are two parcels zoned HI, Heavy Industrial.

The subject property was previously zoned I2, a Heavy Industrial District. After the rewrite of the Unified Development Ordinance, the parcel was designated INS, Institutional District, on the Lancaster County Zoning Map. A Class 3 utility is not allowed in the Institutional District, so in order for LCWSD to expand their water treatment plant, the parcel needs to be rezoned back to HI, Heavy Industrial District.

The Future Land Use Map identifies this property as Special District- Industrial based on the *Lancaster County Comprehensive Plan 2014-2024*. Furthermore, the subject property is adjacent to two parcels zoned HI, Heavy Industrial. By rezoning this parcel to HI, Heavy Industrial, it will conform to the Future Land Use Map and be consistent with some of the adjacent properties.

### Funding and Liability Factors:

N/A

# **Council Options:**

To approve or deny the rezoning request.

### Recommendation:

At the Lancaster County Planning Commission meeting on Tuesday, March 20<sup>th</sup>, the Commission voted to **APPROVE** the rezoning application of Stephen White (LCWSD) by a vote of (6-0). At the above referenced meeting no one signed up to speak on this matter.

STATE OF SOUTH CAROLINA	(	ORDINANCE NO. 2018-1505	
COUNTY OF LANCASTER	(		

### AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY SO AS TO REZONE  $\pm$  151 ACRES OF PROPERTY OWNED BY THE LANCASTER COUNTY WATER SEWER DISTRICT, LOCATED AT 5107 RIVERSIDE ROAD FROM INS, INSTITUTIONAL DISTRICT TO HI, HEAVY INDUSTRIAL DISTRICT.

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

# **Section 1.** Findings and Determinations.

The Council finds and determines that:

- (a) Stephen White of the Lancaster County Water Sewer District applied to rezone property located at 5107 Riverside Road from INS, Institutional District to HI, Heavy Industrial District.
- (b) On March 20<sup>th</sup>, 2018 the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (6-0), recommended approval of the rezoning.

### Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from INS, Institutional District to HI, Heavy Industrial District for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0028-00-003.00

# 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 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, 2018.
*		LANCASTER COUNTY, SOUTH CAROLINA
		Steve Harper, Chair, County Council
		Larry Honeycutt, Secretary, County Council
ATTEST:		
Sherrie Simpson, Cl	erk to Council	
First Reading:	April 9, 2018	
Second Reading: Third Reading:	April 23, 2018 May 14, 2018	(Tentative)



Case No. RZ-018-014

Staff Report to Planning Commission

Meeting Date: March 20<sup>th</sup>, 2018

**Proposal:** Rezoning application of Stephen White of the Lancaster County Water Sewer District (LCWSD) to rezone a  $\pm$  151 acre tract of property from INS, Institutional District to HI, Heavy Industrial District. The LCWSD is petitioning to rezone the property because they would like to expand their water treatment plant.

Property Location: 5107 Riverside Road, Van Wyck, SC 29744 (TMS# 0028-00-003.00)

Zoning District Classification: Institutional District (INS)

Voting District: District 1, Terry Graham

### **Site Information**

*Site Description:* There is a water treatment plant on the front of the property by Riverside Road, and the rest of the property is predominantly wooded.

### Vicinity Data

Surrounding Conditions: Adjacent properties are zoned RN, Rural Neighborhood and AR, Agricultural Residential and are predominantly undeveloped. To the east of the property there are two parcels zoned HI, Heavy Industrial.

#### **Exhibits**

- 1. Rezoning Application
- 2. Location Map/Zoning Map
- 3. Tax Inquiry Sheet

# **Findings and Conclusions**

The facts and findings of this report show that the subject property was previously zoned I2, a Heavy Industrial District. After the rewrite of the Unified Development Ordinance, the parcel was designated INS, Institutional District, on the Lancaster County Zoning Map. A Class 3 utility is not allowed in the Institutional District, so in order for LCWSD to expand their water treatment plant, the parcel needs to be rezoned back to HI, Heavy Industrial District. Additionally, the Future Land Use Map identifies this property as Special District- Industrial based on the *Lancaster County Comprehensive Plan 2014-2024*. Furthermore, the subject property is adjacent to two parcels zoned HI, Heavy Industrial. By rezoning this parcel to HI, Heavy Industrial, it will conform to the Future Land Use Map and be consistent with some of the adjacent properties.

Date of 1<sup>st</sup> Reading: 4-9-18
\_\_Approved \_\_ Denied \_\_ No Action

Date of 2<sup>nd</sup> Reading: <u>4-23-18</u>
\_\_Approved \_\_Denied \_\_No Action

Date of 3<sup>rd</sup> Reading: <u>5-14-18</u>
Approved Denied No Action

# **Planning Staff Recommendation**

It is therefore the recommendation of the planning staff that the rezoning request by Stephen White of the Lancaster County Water Sewer District for the property located at 5107 Riverside Road, Van Wyck, SC 29744 be **APPROVED.** 

# Recommendation from the Planning Commission

At the Lancaster County Planning Commission meeting on Tuesday, March 20<sup>th</sup>, 2018 the Commission voted to **approve** the rezoning application of Stephen White (LCWSD) by a vote of (6-0). No citizens signed up to speak on this case.



# Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721 Phone: 803,285.6005, planning@lancastercountysc.net www.mylancastersc.org

# ZONING MAP AMENDMENT APPLICATION

# SUBMITTAL REQUIREMENTS

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

and the control of th
Property Address 5 107 Riverside Rd.
City Van Wyck state SC zip 29744 Tax Parcel ID
current Zoning Institution current Use Water Treatment Plant
Proposed Zoning HI Total Acres ±151 ACRO
Project Description Catawba River Treatment Plant
Surrounding Property Description Rural, agricultural
predominantly understoped. To the east of
property bary industrial zenine
The state of the s
CONTACT INFORMATION
Applicant Name Stephen White, LC Woder of Sewer District
Address P.O. Box 1809
City Lanc AS Lep State & Zip 2972/ Phone 803-285-6919
Fax 803-285-8037 Email Swhite @ Irujasd. oke
Property Owner Name Languister County Water of Sewer District
Address P.O. Box 1009
City Lan Castle State SC zip 2972 Phone 803-285-6919
Fax 803-285-8037 Email Suhite @ Icwasd. ORg

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.

Sign:

Stephen White	Feb. 19,2018
Applicant V	Date
Lancaster County Water & Sewer	Feb. 19, 2018
Property Owner(s)  Attach owner's notarized written authorization with property inform	Date mation if the applicant is not the

owner.

LANCASTER COUNTY OFFICE USE ON Application Number RZ-018-01		first Niconale and
Λ		eipt Number
Amount Paid Fee. Waived		
Received By	Planning Commission Meeting Date	3-20-18

### SCHEDULE/PROCESS 1. Submit Application

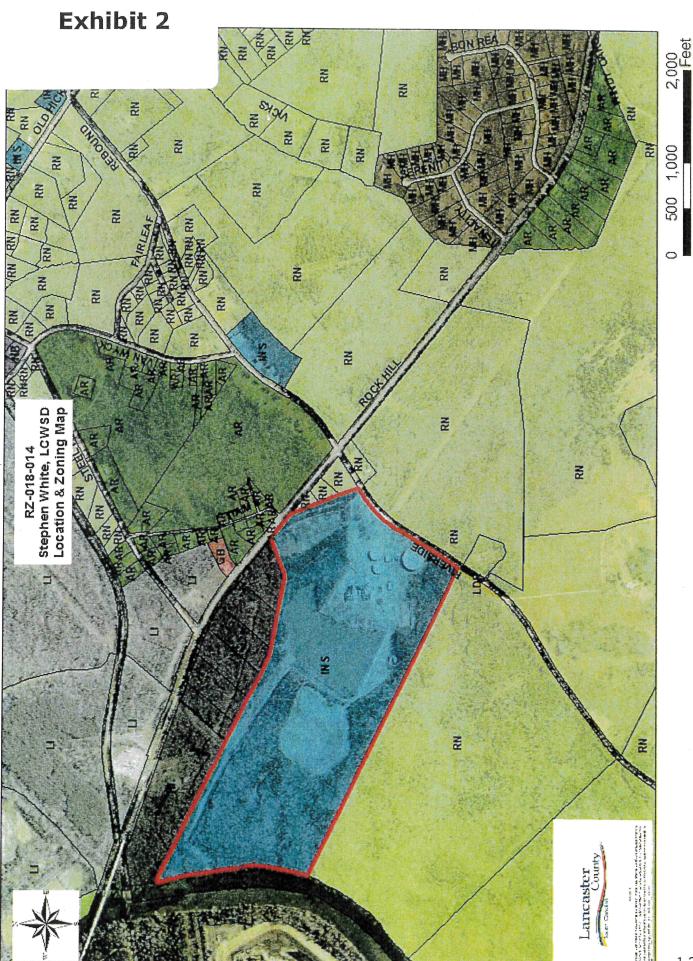
- The deadline for this application is at least 30 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.

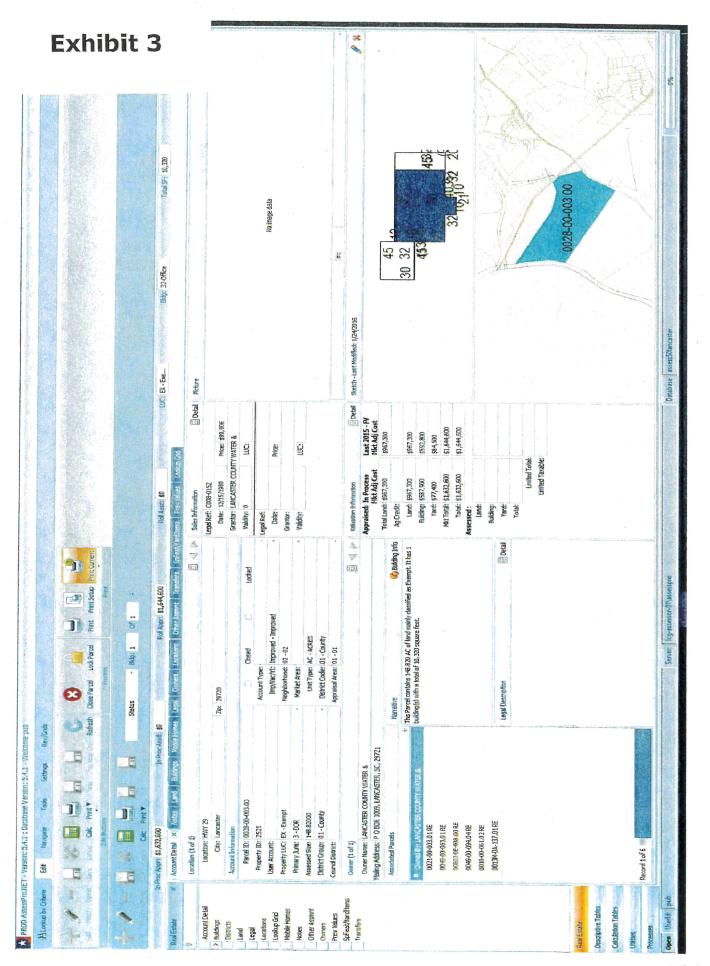
### 2. Planning Commission

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

# 3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- 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.







# Agenda Item Summary

Ordinance # / Resolution# 2018-1506/RZ-018-015

Contact Person / Sponsor: Andy Rowe

Department: Planning

Date Requested to be on Agenda: 4/9/18

### Issue for Consideration:

Rezoning application of Jesse Howie to rezone  $a \pm 2$  acre portion of property from IMX, Industrial Mixed-Use District to GB, General Business District. The applicant proposes to build an enclosed auto gallery showroom.

### Points to Consider:

Tenants located down Society Lane include the following: automotive repair, landscaping company, home improvement/granite shop, construction company, small engine repair shop, heavy equipment repair/sales, and other related businesses.

Adjacent properties to the north and west are zoned MDR, Medium Density Residential District. Adjacent parcels to the south and east are zoned IMX, Industrial Mixed-Use District.

Based on the current zoning, the property does not have any adjacent parcels with commercial zoning designations. Majority of the area is zoned for residential uses and rezoning this parcel to GB, General Business District would not be complementary to the zoning in this area. The current tenants who occupy the buildings down society lane are Automotive repair, landscaping companies, construction companies, and various repair shops. While the automotive showroom use would be acceptable for this location based on the other business located down Society Lane the rezoning of the area would not. Staff would note that the applicant does plan on using this location as an enclosed showroom for vehicles, and is asking for only a 2 acre portion of property to be rezoned.

### **Funding and Liability Factors:**

N/A

### **Council Options:**

To approve or deny the rezoning request.

### Recommendation:

At the Lancaster County Planning Commission meeting on Tuesday, March 20<sup>th</sup>, 2018 the Commission voted to **approve** the rezoning application of Mr. Howie by a vote of (6-0).

STATE OF SOUTH CAROLINA COUNTY OF LANCASTER	)	ORDINANCE NO. 2	018-1506

### AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY SO AS TO REZONE A ± 2 ACRE PORTION OF PROPERTY OWNED BY LYNDELL THOMPSON BUILDERS, LLC, LOCATED AT 1034 SOCIETY LANE IN THE INDIAN LAND SECTION OF LANCASTER COUNTY FROM IMX, INDUSTRIAL MIXED-USE DISTRICT TO GB, GENERAL BUSINESS DISTRICT.

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

### **Section 1.** Findings and Determinations.

The Council finds and determines that:

- (a) Jesse Howie applied to rezone a  $\pm$  2.0 acre portion of property located at 1034 Society Lane from IMX, Industrial Mixed-Use District to GB, General Business District.
- (b) On March 20, 2018, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of 6-0, recommended approval of the rezoning.

### Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from IMX, Industrial Mixed-Use District to GB, General Business District for the following property as identified by tax map number or other appropriate identifier:

Tax Map No.  $\pm$  2.0 acre portion of 0003-00-006.02

### Section 3. Severability.

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

# **Section 4.** Conflicting Provisions.

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

# Section 5. Effective Date.

This ordinance is effective upon Third Reading.

# AND IT IS SO ORDAINED

	Dated this		_day of		, 2018.	
			LANCAST	ER COU	NTY, SOUTH	CAROLINA
			Steve Harpe	r, Chair, C	County Council	
			Larry Honey	ycutt, Secr	etary, County C	ouncil
ATTEST:						
Sherrie Simpson, Cler	k to Council					
First Reading: Second Reading: Third Reading:	April 9, 2018 April 23, 2018 May 14, 2018	(Tentat	,			



Case No. RZ-018-015 **Staff Report to Planning Commission** Meeting Date: March 20<sup>th</sup>, 2018

**Proposal:** Rezoning application of Jesse Howie to rezone a  $\pm$  2 acre portion of property from IMX, Industrial Mixed-Use District to GB, General Business District. The applicant proposes to build an enclosed auto gallery showroom.

Property Location: 1034 Society Lane (± 2 acre Portion of Tax Map 3, Parcel 6.02)

Zoning District Classification: Industrial Mixed-Use District (IMX)

**Voting District: District 7, Brian Carnes** 

### **Site Information**

Site Description: Tenants located down Society Lane include the following: automotive repair, landscaping company, home improvement/granite shop, construction company, small engine repair shop, heavy equipment repair/sales, and other related businesses.

### Vicinity Data

Surrounding Conditions:

Adjacent properties to the north and west are zoned MDR, Medium Density Residential District. Adjacent parcels to the south and east are zoned IMX, Industrial Mixed-Use District.

#### **Exhibits**

- 1. Rezoning Application
- 2. Location Map/Zoning Map
- 3. Tax Inquiry Sheet

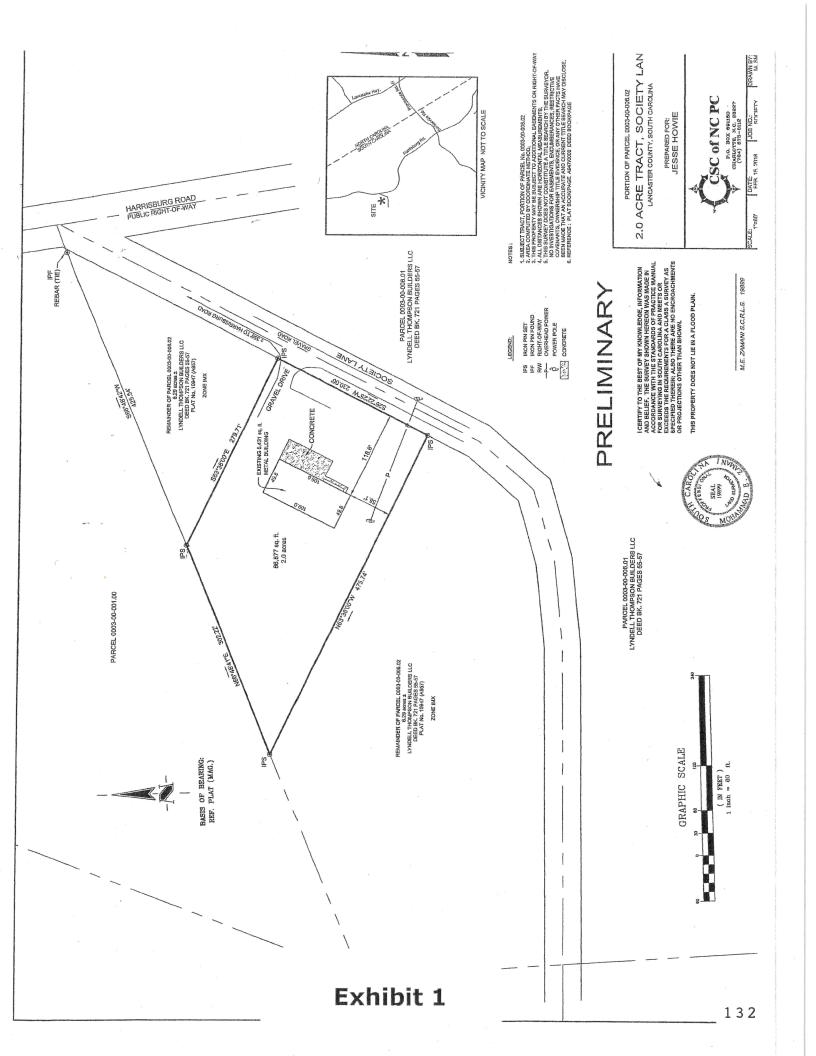
### Findings and Conclusions

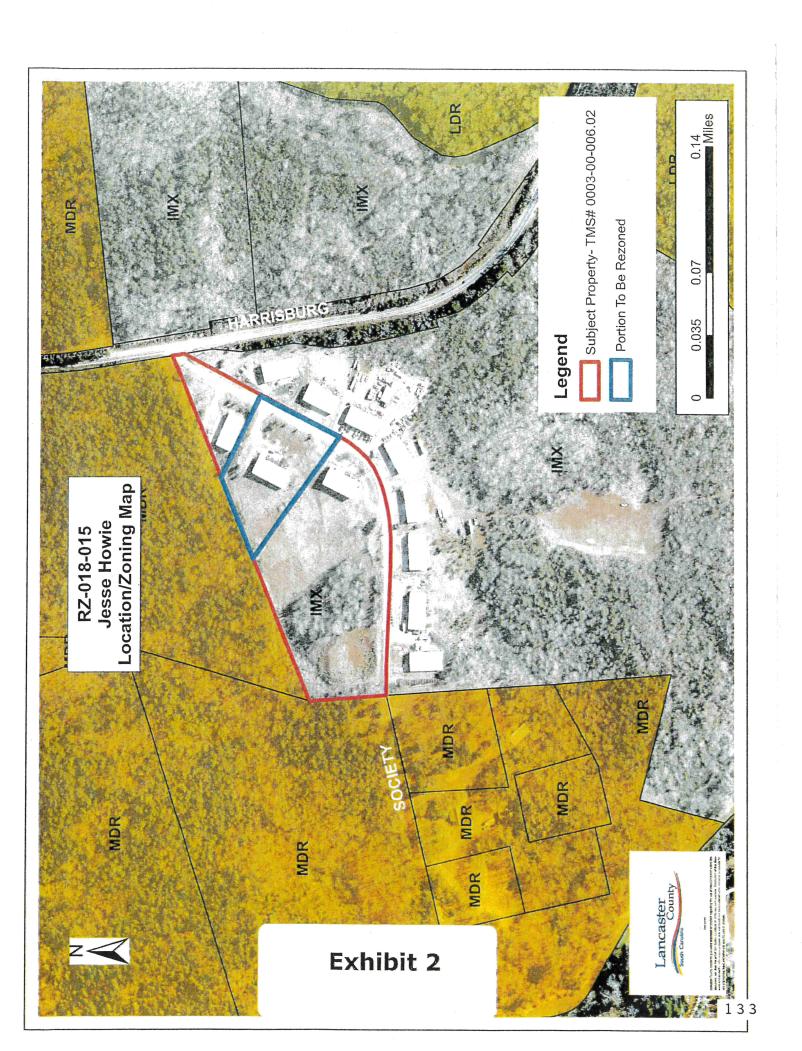
The facts and findings of this report show that the property is designated as IMX, Industrial Mixed-Use District on the Lancaster County Zoning Map. The Future Land Use Map identifies this property as Neighborhood Mixed-Use based on the *Lancaster County Comprehensive Plan* 2014-2024. Based on the current zoning, the property does not have any adjacent parcels with commercial zoning designations. Majority of the area is zoned for residential uses and rezoning this parcel to GB, General Business District would not be complementary to the zoning in this area. The current tenants who occupy the buildings down society lane are Automotive repair, landscaping companies, construction companies, and various repair shops. While the automotive showroom use would be acceptable for this location based on the other business located down Society Lane the rezoning of the area would not. Staff would note that the applicant does plan on

using this location as an enclosed showroom for vehicles, and is asking for only a 2 acre portion of property to be rezoned.

# Planning Staff Recommendation

It is therefore the recommendation of the planning staff that the rezoning request by Jesse Howie for the property located at 1034 Society Lane be Denied.







# Agenda Item Summary

Ordinance # / Resolution#:

Action Items

Contact Person / Sponsor:

Steve Willis

Department:

Administration

Date Requested to be on Agenda:

April 9, 2018

## **Issue for Consideration:**

Two items from Council Workshop with Recreation Commission.

# **Points to Consider:**

At the workshop the following items were advanced to the April 9<sup>th</sup> Council meeting:

- 1. Playground at Buford Recreation Center funding would come from cost savings, estimated at \$37,000, in already approved projects field lighting, fencing, and irrigation. In addition \$6,700 in PARD funding from the state would be requested. The project would encompass the playground equipment, fencing, and landscaping.
- 2. Site consulting engineer to examine the Indian Land Recreation Center property for a potential expansion. If Council approves we would need to bid out this work. I do not have a firm cost estimate at this time.

### **Funding and Liability Factors:**

The funding for the playground would come from already appropriated funds.

The funds for the site consultant would come from fund balance.

# **Council Options:**

Approve or reject one or both of these items.

# **Staff Recommendation:**

Approve both.

# **Committee Recommendation:**

N/A as this is coming from a Council workshop.



# Agenda Item Summary

Ordinance # / Resolution#:

Discussion Item

Contact Person / Sponsor:

Steve Willis

Department:

Administration

Date Requested to be on Agenda:

April 9, 2018

### **Issue for Consideration:**

TAP grant application for Lindsay Pettus Greenway.

### **Points to Consider:**

We will be the sponsor for a Transportation Alternative Program (TAP) grant for the Lindsay Pettus Greenway. Also sponsoring will be the City of Lancaster and Lancaster County School District.

No additional county funding is needed for this grant, unlike the TAP application for the Indian land School sidewalks. The Greenway Board will utilize a portion of the \$150,000 already authorized by Council in the current budget for the grant match.

The TAP grants will be \$400,000 grants with a \$100,000 match. The project will fund sidewalks to connect Woodland Drive from White Street to the Vocational School (connecting to Roddey Drive and Lancaster High School) and from Roddey Drive to Colonial Drive and Stadium Drive to the University Place Shopping Center. With some work at the Bypass intersection this would connect USC Lancaster. As seen on the attachments, the sidewalks would also connect to the Greenway.

These grants will be through SCDOT and will not directly compete against the previously approved grant for Indian land as it is through RFATS.

### **Funding and Liability Factors:**

No additional county funding is requested.

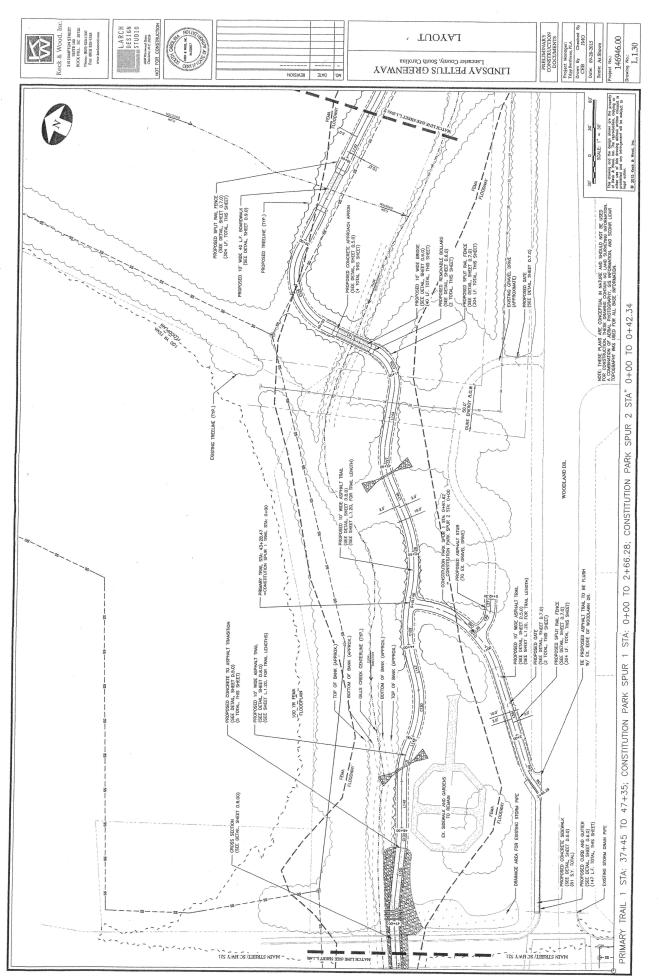
### **Council Options:**

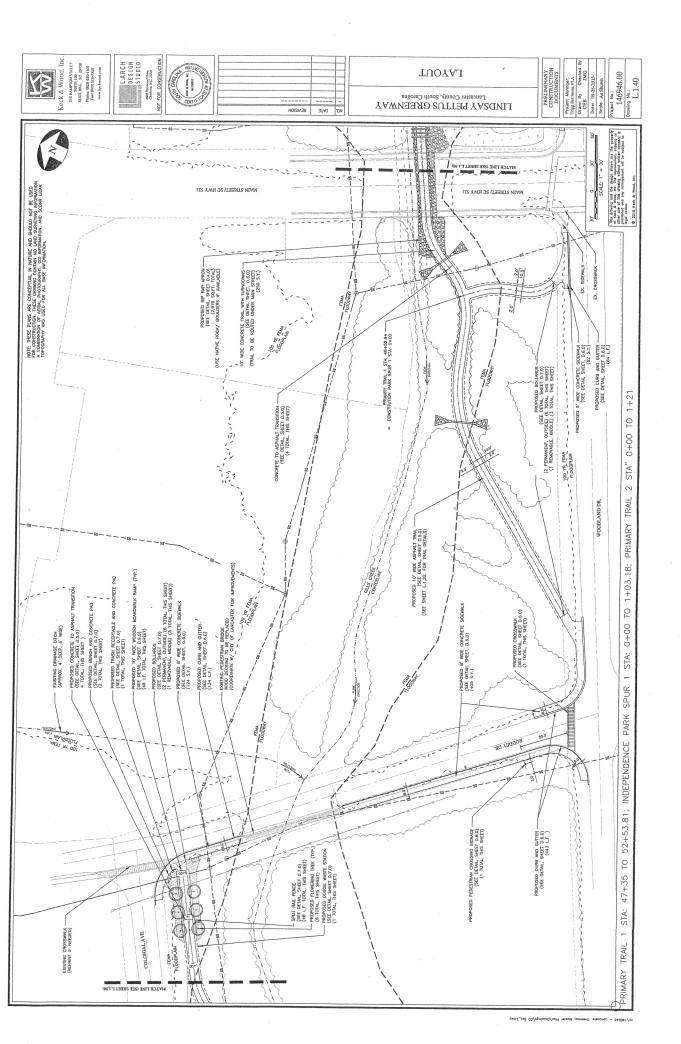
No action needed as no county funding is being requested. However, we always like to keep Council in the loop on grants that are 100% funded.

# **Staff Recommendation:**

Proceed with the grant application in conjunction with the City, School District, and Greenway.

# **Committee Recommendation:**





Animal Shelter	Contract issued to McMillan Pazdan Smith. Programming meetings underway. Site evaluations underway; initial favored site is on county owned property. Conservative project timeline as follows: Programming (1 mo.), Schematic Design (5 mo.), Bidding / Permitting (2 mo.), Construction Phase (12 mo.).	No funding allocated - estimated construction budget \$1.5 million to \$1.75 million; site work could increase costs.
Fleet Maintenance Garage	Contract issued to Pond & Co. Programming meetings being scheduled. Formal timeline yet to be defined, but anticipations are similarly structured to animal shelter schedule (18 mo.)  No funding allocated - estimate budget \$2.5 million to \$3 mill site acquisition could increas costs.	
Lancon and the second s		
Library	Evaluations complete COB 4/4. Notice of Award to be drafted thereafter. Shortlisted firms as follows: Liollio, Stevens & Wilkinson, McMillan Pazdan Smith. Mandatory protest period of ten (10) days regquired; concurrently, first fee proposal to be submitted by awarded firm. Formal timeline yet to be defined, but archtypal timetable for library construction/renovation of this scale is 20-24 mo.	Funding from Capital Project Sales Tax is available but not yet allocated by Council.
,		
DSS	Project completed in March.	Came in under budget; unused funding released to Fund Balance.

EMS Headquarters	Initial budget appraisals completed for a) roof, b) HVAC, and c) interior plan. Zero cost for roof (excellent condition), \$40k for HVAC (2 new units and duct work), and \$735k for EMS' interior plan. Interior plan work includes 5% contingency and 7% architectural fee(s). Job delivery is an estimated twelve (12) weeks, dependent on season.	Council has reserved \$1,000,000 (not to exceed amount) for allocation in the FY 18-19 budget.
Indian Land Service Center	Due to budget constraints the scope of the project has been reduced to: complete upfits for Stormwater and completion of one office for use on a rotating basis by General Fund departments. Cost has been negotiated down according to revised scope of work; final internal stakeholder meeting to take place 4/5.	Cost and time frame are being revised. New estimated completion date of June 30th.
Historic Jail	Exterior renovations expected to be completed by April / May. Interior work to start thereafter (~90 day delivery upon commencement). Change orders for mold abatement, asbestos abatement, and lead paint stabilization have been receieved and negotiated; asbestos abatement is complete, mold and lead paint abatements are scheduled.	Currently within budget. Time of completion is extended as noted previously.
Harrisburg Road Site Clearance	Project completed in March.	Funding from Council account.

1 1	xtraction is complete and	Project within budget but may go slightly over, as well as time of completion, due to additional time needed by Computer Aided Dispatch vendor.
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April 2018

njm



February 22, 2018

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

Dear Mr. Willis:

We are pleased to notify you that County of Lancaster, South Carolina, has received the Distinguished Budget Presentation Award for the current budget from Government Finance Officers Association (GFOA). This award is the highest form of recognition in governmental budgeting and represents a significant achievement by your organization.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual(s) or department designated as being primarily responsible for its having achieved the award. This has been presented to:

### Kimberly Hill, Budget Analyst

We hope you will arrange for a formal public presentation of the award, and that appropriate publicity will be given to this notable achievement. A press release is enclosed for your use.

We appreciate your participation in GFOA's Budget Awards Program, and we sincerely hope that your example will encourage others to achieve and maintain excellence in governmental budgeting.

Sincerely,

Michele Mark Levine

Director, Technical Services Center

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Enclosure



### FOR IMMEDIATE RELEASE

February 22, 2018

For more information, contact:

Technical Services Center Phone: (312) 977-9700 Fax: (312) 977-4806

E-mail: budgetawards@gfoa.org

(Chicago, Illinois)--Government Finance Officers Association is pleased to announce that **County of Lancaster**, **South Carolina**, has received GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide
- a communications device

Budget documents must be rated "proficient" in all four categories, and in the fourteen mandatory criteria within those categories, to receive the award.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual(s) or department designated as being primarily responsible for having achieved the award. This has been presented to **Kimberly Hill**, **Budget Analyst**.

There are over 1,600 participants in the Budget Awards Program. The most recent Budget Award recipients, along with their corresponding budget documents, are posted quarterly on GFOA's website. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

Government Finance Officers Association is a major professional association servicing the needs of more than 19,000 appointed and elected local, state, and provincial-level government officials and other finance practitioners. It provides top quality publications, training programs, services, and products designed to enhance the skills and performance of those responsible for government finance policy and management. The association is headquartered in Chicago, Illinois, with offices in Washington D.C.

# **MEETINGS & FUNCTIONS – 2018**

DAY/DATE	TIME	FUNCTION/LOCATION
	,	
Monday, April 9, 2018	6:00 p.m.	Council Meeting Council Chambers, Administration Building
		Council Chambers, Transmistration Banding
Tuesday, April 10, 2018	3:00 p.m.	Infrastructure & Regulation (I&R) Committee
		Council Conference Room, Administration Building
Tuesday, April 10, 2018	5:00 p.m.	Public Safety Committee Meeting - CANCELLED
		Council Conference Room, Administration Building
Thursday, April 12, 2018	6:00 p.m.	Administration Committee Meeting
,,,,	ovo pum	Council Conference Room, Administration Building
Thursday April 10 2019	6.00	Administration Committee Constitution
Thursday, April 19, 2018	6:00 p.m.	Administration Committee Special Meeting Council Conference Room, Administration Building
		Council Contestence Room, Manning action Building
Monday, April 23, 2018	6:00 p.m.	Council Meeting
		Council Chambers, Administration Building

# LANCASTER COUNTY STANDING MEETINGS

The Tuesday following 1st Council meeting (most of the time it is the 2nd Tuesday)
The Tuesday following the 1st Council meeting (most of the time it is the 2nd Tuesday)
The Thursday following the 1 <sup>st</sup> Council meeting (most of the time it is the 2 <sup>nd</sup> Thursday)
1st Thursday of each month
1st Tuesday of each month
2 <sup>nd</sup> Tuesday of each month
Last Tuesday of each month (Every other month – Beginning with Feb.) 6:00 p.m. Library Board, Carolinian Room, Library
2 <sup>nd</sup> Wed (Jan/March/May/July/Sept/Nov)11:45 a.m Health & Wellness Comm., various locations
2 <sup>nd</sup> Tuesday
3rd Thursday of each month
1st Thursday of each month
3 <sup>rd</sup> Tuesday of each month