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LANCASTER, SC

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2019-1600

COUNTY OF LANCASTER

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### AN ORDINANCE

**TO AMEND ORDINANCE 2016-1442 (UNIFIED DEVELOPMENT ORDINANCE “UDO”) BY ADDITION OF WORDING TO CHAPTER 3, MIXED USE DISTRICT, SECTION 5, URBAN DISTRICT DEVELOPMENT STANDARDS TO ALLOW A TWENTY PERCENT REDUCTION IN THE MINIMUM DEVELOPMENT SIZE STANDARD FOR PROPERTIES CURRENTLY ZONED WITH A MIXED USE ZONING DESIGNATION.**

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

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

The Council finds and determines that:

- (a) Unified Development Ordinance (“UDO”) Section 3.5 requires a minimum development size of twenty-five (25) acres for a mixed use development.
- (b) During preparation and adoption of the Future Land Use Map, the Comprehensive Plan, and the UDO, several properties were identified that were desirable for mixed use zoning designations and those properties were rezoned to mixed use zoning designations.
- (c) Allowance of a twenty (20%) percent reduction in minimum development size will provide flexibility to existing properties zoned mixed-use by allowing for development as intended in the Comprehensive Plan and Future Land Use Map and will not have a detrimental effect on achieving the intent of the mixed-use district zoning classifications.
- (d) The reduction will not apply to newly zoned mixed-use properties or properties that have a previously approved mixed-use master plan.

#### **Section 2. Amendment of Ordinance 2016-1442**

Ordinance 2016-1442 (Unified Development Ordinance) Chapter 3, Mixed Use District, Section 5, Urban District Development Standards is amended as follows:

~~Indicates Matter Stricken~~

Indicates New Matter

### **3.5 URBAN DISTRICT DEVELOPMENT STANDARDS**

Base Districts	Urban Residential UR	High Density Residential HDR	Residential Mixed-Use RMX	Mixed-Use MX	Industrial Mixed-use IMX
1. BUILDING TYPE	Section 3.4	Section 3.4	Section 3.4	Section 3.4	Section 3.4
2. PERMITTED BUILDING ELEMENTS	Section 3.6	Section 3.6	Section 3.6	Section 3.6	Section 3.6
3. DEVELOPMENT STANDARDS					
A. Max. Density (Units/Acre)	4 dua	8 dua	Attached - 12 dua * Detached – 9 dua	15 dua * and **	12 dua
B. Minimum Development Size	25 acres***	25 acres***	25 acres***	25 acres***	25 acres***
4. BUILDING PLACEMENT	Section 3.6	Section 3.6	Section 3.6	Section 3.6	Section 3.6
5. ACCESSORY STRUCTURE	Section 3.6	Section 3.6	Section 3.6	Section 3.6	Section 3.6
6. PARKING CONFIGURATION	By building type – See Chapter 7	By building type - See Chapter 7	By building type – See Chapter 7	By building type – See Chapter 7	By building type – See Chapter 7
7. HEIGHT					
A. Min. Height	Section 3.6	Section 3.6	Section 3.6	Section 3.6	Section 3.6
B. Max. Height	Section 3.6	Section 3.6	Section 3.6	Section 3.6	Section 3.6

\*A density bonus of up to 15% may be considered by the Planning Commission and County Council when the development provides 10% of the total housing units for affordability and housing diversity. This may be achieved through smaller square footage units being incorporated into the Master Development Plan for families with moderate incomes of at least 50% but less than 80% of median incomes for the Charlotte –Gastonia-Salisbury Combined Statistical Area.

\*\*Additional density may be considered during the Mixed-Use District / Master Development Plan process by the Planning Commission and County Council.

\*\*\* For existing properties zoned with a mixed-use designation prior to the adoption of the minimum mixed-use development size standards and without a previously approved mixed-use master plan, a 20% reduction in the minimum mixed-use development size may be requested as a matter of right.

Development Agreements shall be required for all mixed-use zoning district rezoning applications, as consistent with Section 9.2.18 of this UDO.

For the purposes of this ordinance, the standards and provisions for mixed-use districts including UR, HDR, RMX, MX, and IMX require the development and approval of a Mixed-Use District / Master Development Plan in accordance with Chapter 9. Such plans must be approved prior to the issuance of any other land development permits except for a preliminary or final plats necessary to subdivide the development to provide access to the tract.

### **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.

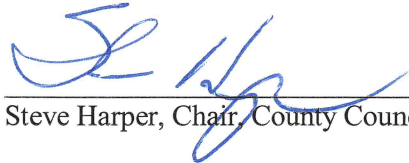
**Section 5.      Effective Date.**

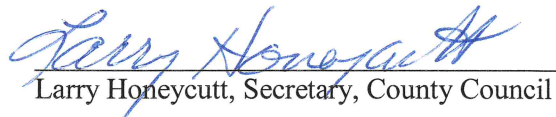
This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

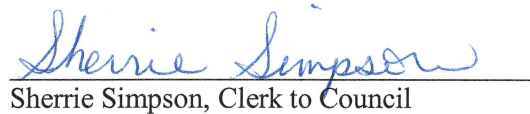
Dated this 9<sup>th</sup> day of September, 2019.

**LANCASTER COUNTY, SOUTH CAROLINA**

  
\_\_\_\_\_  
Steve Harper, Chair, County Council

  
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Larry Honeycutt, Secretary, County Council

ATTEST:

  
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Sherrie Simpson, Clerk to Council

First Reading:	August 12, 2019
Second Reading:	August 26, 2019
Public Hearing:	August 12, 2019
Third Reading:	September 9, 2019