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STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2023-1841

COUNTY OF LANCASTER

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**AN ORDINANCE**

**TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”) CHAPTERS 2 AND 4: STANDARDS FOR MEDIUM DENSITY RESIDENTIAL DISTRICT AND CLUSTER SUBDIVISION OVERLAY DISTRICT ON THE EFFECTIVE DATE OF THIS ORDINANCE**

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

**Section 1. Findings and Determinations.**

The Council of Lancaster County (“Council”) finds and determines that:

- (a) Lancaster County initiated a full rewrite of the Unified Development Ordinance (UDO) in October 2021 to address substantive issues with the UDO, has retained a UDO consultant to assist in the full rewrite of the UDO, and the full rewrite is expected to take another twelve (12) to eighteen (18) months to complete.
- (b) Development interest and activity in Lancaster County continues to increase and development project are often presented to the Council that comply with technical requirements of the UDO, but do not fully realize the development policy goals of Lancaster County.
- (c) To address issues with development standards within the current UDO, Lancaster County directed its UDO consultants to develop an interim ordinance to address some of the larger issues associated with development projects that have been processed with the current UDO.
- (d) It is necessary and prudent to amend the UDO with these interim ordinance text amendments prior to the full UDO rewrite to ensure that high quality development projects occur in Lancaster County and that, prior to full UDO rewrite, development projects better achieve the development policy goals of Lancaster County.
- (e) The text amendment related to Chapter 2 of the UDO would increase minimum lot size in the Medium Density Residential (MDR) District from 10,000 square feet to 12,000 square feet; increase front setbacks for garages to 40 feet from 30 feet; and change density to 2.0 dwelling units per acre from 2.5 dwelling units.
- (f) The text amendment will additionally provide notational changes at the bottom of the dimensional table to implement modifications related to the MDR District density calculation and open space. The amendments implementing these changes will apply to both Cluster Subdivisions and the MDR District. Under this amendment, conventional MDR projects will meet the same open space standards as the Cluster Subdivision Overlay District (CSOD).
- (g) The text amendment related to Chapter 4 would establish a 70 foot minimum lot width per lot and 9,500 square foot minimum lot area for 51% of the lots in a subdivision; establishes an exception by allowing up to 49% of the lots to have a minimum of 50 foot lot width and 7,000 square foot minimum lot area; limits the amount of floodplain being eligible for use as required open space to 50%; requires block face to be broken up with open space or a street

intersection; creates net-density calculations versus gross density calculations using total site acreage; and limits Primary Conversation land and floodplain acreage to 50% in density calculation.

- (h) The text amendments will improve the quality of new subdivisions within the MDR District and its associated CSOD by virtue of increasing lot sizes while allowing variability in lot width, incorporation of more useable open space, providing more onsite parking, and reducing uninterrupted block faces.
- (i) The text amendments are consistent with the applicable provisions of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as applicable provisions of South Carolina Code, Title VI.
- (j) Lancaster County Planning Commission considered the proposed text amendments at its meeting on January 17, 2023 and by a unanimous vote, recommended approval of the proposed text amendments with Version 2 of the amendment related to Chapter 4 being the preferred version. This ordinance codifies their preferred version.

**Section 2.      Amendment of Ordinance 2016-1442 (Unified Development Ordinance)**

Ordinance 2016-1442 (Unified Development Ordinance), is amended as set forth in the "Interim Ordinance - Exhibit 1" attached hereto and incorporated herein by reference.

**Section 3.      Severability.**

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

**Section 4.      Conflicting Provisions.**

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

**Section 5.      Effective Date.**

This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**LANCASTER COUNTY, SOUTH CAROLINA**

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

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Billy Mosteller, Secretary, County Council

ATTEST:

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Sherrie Simpson, Clerk to Council

First Reading:	February 27, 2023
Second Reading:	March 13, 2023
Third Reading:	March 27, 2023
Public Hearing:	March 27, 2023

Approved as to form:

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Virginia Merck-Dupont, County Attorney