
PROPOSAL:	Amend Unified Development Ordinance Section 2.4, Building Heights, to exempt LCW&SD water tank towers, alter setbacks.
APPLICABLE CHAPTER(S):	Chapter 2
APPLICANT:	Bradley Bucy for Lancaster County Water & Sewer District
STATUTORY NOTICES:	Hearing notice published 3/04/2023 in The Lancaster News And 3/08/2023 in Carolina Gateway Posted agenda in lobby and on website 3/14/2023

PROJECT SUMMARY & PROPOSAL:

On behalf of Lancaster County Water & Sewer District, a private utility company, applicant Bradley Bucy is proposing to amend Chapter 2 of the Unified Development Ordinance (UDO) to exempt LCW&SD water tank towers from height regulations in the ordinance and change the setback requirements for the towers.

OUTLINE OF TEXT AMENDMENT:

The following section of the UDO are proposed to be amended: 2.4

For any nonresidential structure which is located immediately adjacent to a single-family residential use or district, the lot boundary line minimum distance shall be determined as follows: For every foot building height, the developer shall provide setbacks equal to the height of the building. At no time shall the setback be less than what is indicated in the above table.

With the addition of the following language:

Add a footnote to each table within section 2.4 of the UDO. The proposed footnote reads: Elevated Water Tanks installed by the Lancaster County Water and Sewer District are exempt from building height requirements. The tanks shall also be exempt from the setback requirement "For every foot of building height, the developer shall provide setbacks equal to the height of the building". Lancaster County Water and Sewer District's Elevated Water Tanks will be required to conform to the setbacks within the zoning district they reside in.

Based on staff's findings, we offer the modifications attached to the Draft Ordinance for the Commission's consideration. For ease of reference, new text is referenced in red/underlined font and deletions are referenced in strikethrough font. The proposed language is found in Attachment 2.

FINDINGS AND CONCLUSIONS:

The proposed text amendment has been found to be consistent with the applicable provisions of the Comprehensive Plan as required by UDO Section 9.2.15.B.3, as well as with the applicable provisions of SC Code Title VI.

The proposed text amendment has been found to potentially increase accessibility to Elevated Water Tank sites and increase opportunities future sites.

Staff has no specific objections to exempting the Lancaster County Water and Sewer Districts Elevated Water Tanks from building height requirements and from UDO 2.4 setback requirement “For every foot of building height, the developer shall provide setbacks equal to the height of the building”.

It should also be noted that the County is currently in the process of updating the UDO and it may be appropriate to study any proposed changes regarding utilities as a part of that process.

STAFF RECOMMENDATION:

Staff recommends **approval** of the proposed text amendment.

ATTACHMENTS:

1. Application
2. Proposed Text Amendment

STAFF CONTACT:

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