

Planning Commission Members

District 1: Rosa Sansbury
District 2: Vedia Hatfield
District 3: Charles Deese, Chair
District 4: James Barnett, Vice-Chair
District 5: Tommy Dabney
District 6: Sheila Hinson
District 7: Ben Levine

**County Attorney**

John K. DuBose III

Clerk to Planning Commission**Development Services Director**

Rox Burhans

March 17, 2020

6:00 PM

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

**LANCASTER COUNTY PLANNING COMMISSION
County Council Chambers, County Administration
Building, 101 N Main Street, Lancaster, SC 29720**

AMENDED AGENDA

- 1. Call to Order Regular Meeting and Roll Call Vote - Chairman Deese**
- 2. Citizen's Comments**
- 3. Approve Minutes**
 - a. February 18, 2020 Regular Meeting
 - b. March 5, 2020 Workshop
- 4. Public Items**
 - a. RZ-020-0252 James Shute
Request to rezone two acre parcel located at 9895 Calvin Hall Road (TM# 0005-00-084.00). The property is currently zoned Medium Density Residential (MDR) and the applicant is requesting Professional Business (PB) District.
[Public Hearing]
 - b. UDO-TA-2020-0308 Carolina Thread Trail
Request to amend Unified Development Ordinance Section 4.3, Carolina Thread Trail Overlay District, to modify requirements and development standards of the Carolina Thread Trail.
[Public Hearing]
 - c. UDO-TA-2020-0309 Home Occupation
Amend the Unified Development Ordinance Chapter 5.4 to replace the existing provisions for Home Occupations with new provisions concerning Major and Minor Home Occupations; to amend Chapter 7.2.4 modify parking requirements for home occupations; and to amend Chapter 10 to provide for appropriate definitions.
[Public Hearing]
 - d. UDO-TA-2020-0320 Public Notice
Amend Unified Development Ordinance Chapter 9.2.4, Public Notification, to provide for updated general notice requirements.
[Public Hearing]
 - e. CU-020-0122 Monica Bennett
Conditional Use Application to Permit a Non-Franchised Car Dealership.

[Public Hearing]

f. RZ-020-0258 Candis Lettman

Request to rezone two acre parcel located on Dixie School Road (TM# 0070-00-028.01). The property is currently zoned Institutional (INS) and the applicant is requesting Rural Residential (RR) District.

[Public Hearing]

5. **New Business**

a. Overview of next month's Agenda

b. Other

6. **Adjourn**

**The Planning Commission makes a recommendation to County Council on these items.*

Recommendations made at this meeting are tentatively scheduled for consideration by County Council in the following month. County Council agendas are posted online at <https://lancastersc.novusagenda.com/agendapublic/meetingsresponsive.aspx>

***The Planning Commission makes the final decision on these items.*

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

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Katie See

Department: Planning

Date Requested to be on Agenda: 3/17/2020

Issue for Consideration:

Approval of February 18, 2020 Regular Meeting Minutes

Points to Consider:

See attached minutes for consideration

Recommendation:

Approve or Amend

ATTACHMENTS:

Description	Upload Date	Type
February 18, 2020 Regular Minutes	3/10/2020	Exhibit



MINUTES OF THE LANCASTER COUNTY PLANNING COMMISSION REGULAR MEETING

FEBRUARY 18, 2020
MINUTES

Members Present: Charles Deese, Jim Barnett, Vedia Hatfield, Tommy Dabney, Sheila Hinson, Rosa Sansbury, Ben Levine. A quorum of Lancaster County Planning Commission was present for the meeting.

Others Present: Rox Burhans, Development Services Director; Katie See, Senior Planner; Steve Willis, County Administrator, and John Dubose, County Attorney

The following press were notified of the meeting by email in accordance of the Freedom of Information Act: The Lancaster News, Kershaw News Era, The Rock Hill Herald, The Fort Mill Times, Cable News 2, Channel 9, and the local Government Channel. The agenda was also posted in the lobby of the County Administration Building the required length of time and on the County website.

Call meeting to order

Chairman Deese called the meeting to order at 6:00 p.m.

Approve Minutes

Jim Barnett made a motion to **approve** the December 5, 2019 Workshop Minutes and Sheila Hinson seconded the motion.

VOTE: UNANIMOUS MOTION CARRIED

Jim Barnett made a motion to **approve** the December 17, 2019 Regular Minutes and Sheila Hinson seconded the motion.

VOTE: UNANIMOUS MOTION CARRIED

Rosa Sansbury made a motion to **approve** the January 2, 2020 Workshop Minutes and Sheila Hinson seconded the motion.

VOTE: UNANIMOUS MOTION CARRIED

Jim Barnett made a motion to **approve** the January 21, 2020 Regular Minutes and Ben Levine seconded the motion.

VOTE: UNANIMOUS MOTION CARRIED

Citizen Comments

Steve Willis/County Administrator – Mr. Willis provided an overview of an upcoming change with the timing of the County Council public hearings for zoning matters. The Council will hold the public hearing at 1st ordinance reading versus the customary 2nd ordinance reading. Mr. Willis stated that County Council does not typically have many public comments on these items and this will enable them to process cases more efficiently. Mr. Burhans, Development Services Director added that a UDO text amendment would be needed to address the mailed notifications.

Public Hearing

SD-019-1338 – Major Preliminary Subdivision Plat Somerset Townhomes

TM#: 0010-00-005.00

Zoning District: PDD 21, Ansley Park; also Highway Corridor Overlay District and Heelsplitter Overlay District

Applicant: Mattamy Homes

Katie See/Senior Planner: She provided an overview of the proposed Somerset Townhome Major Preliminary Plat as consistent with the Staff Report. The plat proposes 110 townhomes on 29.730 acres. The property is located east of Highway 521 and north of Possum Hollow Road.

Staff recommended approval with the condition that the applicant address the outstanding TRC/Evolve comments.

Planning Commission Discussion

Mr. Deese/Planning Commission: He asked for clarification regarding the connectivity index as it was too small to read. He indicated that the requirement for street and block length needed be checked, as well as the cul-de-sac minimum and maximum.

- Ms. See read the connectivity index from the plan and stated that the required connectivity ratio was 1.3 and they provided 2.2.

Mr. Levine/Planning Commission: He asked if the owner is required to submit the application.

- Matt Mandle/ESP: He stated that an adjainer document was included with the application which provides Mattamy Homes with authority to act on behalf of the owner.

Ms. Leigh Polzella/Mattamy Homes: She said they are ready to move forward with the project. The townhomes will have one and two car garages and a minimum of three bedrooms.

Mr. Levine/Planning Commission: Asked about the mixed-use property to the north and whether there will be joint access.

- Ms. Polzella said the commercial component will provide a tie-in to the northern property when it develops.

Ms. Sansbury/Planning Commission: Asked for clarification on a second access since there were so many lots. Staff clarified that the previous UDO permitted up to 150 units to be permitted with only one access.

- Ms. See clarified that the TIA studied one entrance with a stub-out to the Six Mile Creek apartments from the commercial section in the front.
- Ms. Sansbury asked about tree protection shown on the preliminary plat.
- Mr. Mandle stated that it will be shown on the civil plans.

Chairman Deese asked if there were any questions for staff.

Chairman Deese asked if the applicant had any comments to provide.

Chairman Deese opened the public hearing on the matter, no one signed up to speak so public hearing was closed.

Chairman Deese asked for a motion.

Mr. Levine made a motion to **approve** and Mr. Barnett seconded the motion.

Chairman Deese asked for any discussion.

Mr. Levine made a motion to amend his motion in order to include staff's recommendation that the applicant address the outstanding TRC/Evolve comments and Mr. Barnett seconded the motion.

Chairman Deese asked for a roll call vote.

VOTE: 7 AFFIRMATIVE 0 NEGATIVE MOTION CARRIED

Chairman Deese stated that the motion to approve was recommended for approval by a vote of 7-0.

New Business:

Overview of March Agenda – Rox Burhans/Development Services Director

- Mr. Burhans stated the upcoming agendas are shaping up to be busier than the last few. The March items are as follows:
 - Home occupation text amendment, Carolina Thread Trail text amendment and public hearing notification text amendment,
 - One rezoning request for a mobile home, and
 - One conditional use request for a car lot
- Mr. Levine asked who the applicant was for the Carolina Thread Trail text amendment. Mr. Burhans informed him that Mr. Willis submitted the application.

By-Pass Road Naming – Rox Burhans/Development Services Director

- Mr. Burhans informed them that Steve Willis and the Lancaster City Administrator are working to finalize the discussion for the new name.

Comprehensive Plan Amendment – Rox Burhans/Development Services Director

- Mr. Burhans informed the Commission that staff will prepare the modest update to the existing Comprehensive Plan rather than the COG. The updates will only involve some data in the Plan. It should come before the Commission in April.
- Mr. Burhans stated that a complete update of the Comprehensive Plan will kick off in Fiscal Year 2020 if funding is approved by County Council.

Unified Development Ordinance – Rox Burhans/Development Services Director

- Mr. Burhans stated that it is time to do a strategic update to the UDO. Staff will find a consultant to help with the update. After the UDO is updated, the Comprehensive Plan will be updated to ensure the revised UDO is consistent with the Comprehensive Plan.

Southern Panhandle Small Area Plan Update – Katie See/Senior Planner

- Ms. See stated that staff has received elements of the document and a draft recommended land use map which staff provided comments on and sent back to the COG. She said the revised documents have not been submitted back to County Staff and she did not know when they may be received.

Discussion:

Traffic in Indian Land

Mr. Dabney/Planning Commission: Asked if the SCDOT is looking at the traffic situation in Indian Land (particularly US Highway 521). He said if they do not act on making improvements, the County needs to do something.

Mr. Deese/Planning Commission: Stated that some space may be available in the median and right-of-way for improvements.

Ms. Sansbury/Planning Commission: She spoke with the SCDOT and improvements to US 521 are 10 years down the road.

Mr. Burhans/ Development Services Director: Pointed out that the NCDOT is prioritizing the widening of US 521 to 485 and that RFATS will be studying US 521 with the Long Range Transportation Plan update.

Mr. Barnett made a motion to adjourn the meeting, seconded by Mr. Dabney.

VOTE: UNANIMOUS MOTION CARRIED

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Katie See
Senior Planner

Approved by Planning Commission on March 17, 2020

DRAFT

Agenda Item Summary

Ordinance # / Resolution #: N/A

Contact Person / Sponsor: Katie See

Department: Planning

Date Requested to be on Agenda: 3/17/2020

Issue for Consideration:

Approval of January 2, 2020 Workshop meeting minutes

Points to Consider:

See attached minutes for consideration

Recommendation:

Approve or Amend

ATTACHMENTS:

Description	Upload Date	Type
March 5, 2020 Workshop Minutes	3/11/2020	Exhibit



MEMBERS OF LANCASTER COUNTY PLANNING COMMISSION

CHARLES DEESE, DISTRICT 3, CHAIRMAN
JAMES BARNETT, DISTRICT 4, VICE-CHAIRMAN
VEDIA HATFIELD, DISTRICT 2
TOMMY DABNEY, DISTRICT 5
SHEILA HINSON, DISTRICT 6
ROSA SANBURY, DISTRICT 1
BEN LEVINE, DISTRICT 7

**MINUTES OF THE LANCASTER COUNTY PLANNING COMMISSION
WORKSHOP MEETING**

**March 5, 2020
MINUTES**

Members Present: Charles Deese, Jim Barnett, Tommy Dabney, Sheila Hinson, Rosa Sansbury, Ben Levin. A quorum of Lancaster County Planning Commission was present for the meeting.

Others Present: Rox Burhans, Planning Director; Katie See, Senior Planner; Steve Willis, County Administrator

The following press were notified of the meeting by email in accordance of the Freedom of Information Act: news@thelancasternews.com; newsera@comporium.net; news@fortmilltimes.com; cgnnews@thelancasternews.com.

Charles Deese - Chairman called the meeting to order at 5:00 p.m.

Upcoming Cases: Discussion Only

a. **RZ-020-0252, James Shute** – Application by James Shute to rezone a parcel from Medium Density Residential (MDR) to Professional Business (PB). Mrs. See informed the Commission that the applicant submitted a request to rezone the property to commercial over a year ago and it was denied by County Council. The PB district requested now is a less intense district.

b. **UDO-TA-2020-0308, Carolina Thread Trail** – Application by Lancaster County Administration to amend Chapter 4, Carolina Thread Trail, to modify requirements and development standards for the Trail. The amendment would not require the construction of the Trail on properties south of Highway 5, though it would still require applicants to provide an easement. Mr. Burhans informed them that the Trail Advisory Committee voted to recommend to Council that the amendment be disapproved. The Commission discussed their concerns with the amendment, including the impact to southern part of the County, the desire for residents of Roselyn to use the trail and the importance of the Carolina Thread Trail and the amount of public support it has.

d. **UDO-TA-2020-0309, Home Occupation** – Application by Planning Department to amend Chapter 5 of the UDO, Home Occupations, in order to establish major and minor home occupation standards. A minor home occupation will only require a permit, while a major home occupation will require a conditional use permit. Mr. Burhans and Mr. Deese gave the Commission some background on the request. The Commission asked where

major home occupations may be located, to which Mr. Burhans replied in the rural districts, predominately in the southern part of the County.

e. **UDO-TA-2020-0320, Public Notice** – Application by Planning Department to amend Chapter 9, Public Notification section of UDO, in order to run legal advertisement for Planning Commission and County Council meetings in the same ad.

f. **CU-020-0122, Monica Bennett** – Application by Monica Bennett for a small, non-franchised car lot to be located on Flat Rock Road. The existing building was once used as a store and will need to be brought into compliance with codes.

g. **RZ-020-0258, Candis Lettman** – Application by Candis Lettman to rezone one parcel from Institutional (INS) to Rural Residential (RR). The parcel had been owned by a church who has no plans for it. The intent of the applicant is to construct a mobile home on the property.

Other

Katie See/Senior Planner

- Mrs. See stated that staff intends on providing snacks rather than a meal for workshop meetings due to the earlier start time. She let them know that suggestions are welcome.

Rox Burhans/Planning Director

- Mr. Burhans that David Thomas with the Haile Gold Mine may attend the April workshop to give a brief presentation on the Gold Mine operations.

Tommy Dabney/Commissioner

- Mr. Dabney informed the Commission that the latest edition of the Planning magazine contains a great article about solar panels. He suggested that it be shared with County Council as well.

Meeting was adjourned at 5:30p.m.

Respectfully submitted,

Katie See
Senior Planner

Approved by Planning Commission on March 17, 2020

Agenda Item Summary

Ordinance # / Resolution #: RZ-020-0252 James Shute

Contact Person / Sponsor: Katie See/Planning

Department: Planning

Date Requested to be on Agenda: 3/17/2020

Issue for Consideration:

See attached staff report

Points to Consider:

See attached staff report

Recommendation:

See attached staff report

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	3/10/2020	Exhibit
Ex 1: Application	3/10/2020	Exhibit
Ex 2: Zoning Map	3/10/2020	Exhibit

PROPOSAL: Request to rezone one parcel 2 acres in size.

PROPERTY LOCATION: 9895 Calvin Hall Road (TM # 0005-00-084.00)

CURRENT ZONING DISTRICT: Medium Density Residential (MDR)

PROPOSED ZONING DISTRICT: Professional Business (PB)

APPLICANT: James R. Shute

COUNCIL DISTRICT: District 7, Brian Carnes

OVERVIEW:

Background

The applicant submitted a request to rezone this property from Medium Density Residential (MDR) District to Neighborhood Business (NB) District in 2018. The request was recommended for denial by Planning Staff, recommended for approval by the Planning Commission on December 18, 2018, and ultimately denied by County Council on January 28, 2019. Staff believed the requested NB district was too intense for the area due to the predominately residential character.

9843 Calvin Hall Road was approved to be rezoned from MDR District to Professional Business (PB) District on June 11, 2018. It remains the only PB District zoned property within the area. The Avondale master planned community, located across the street, will include a commercial component, but it will front Harrisburg Road, while only residential uses will front Calvin Hall Road.

Compatibility with Surrounding Area

The current zoning for the surrounding area is MDR District, PDD 27 (Avondale), and PB District. Existing zoning for the subject property as well as surrounding properties can be seen in *Attachment 3*. The area is predominantly single-family residential with the exception of one parcel zoned PB District, which is located less than 200' south of the subject property. The Two Capital apartment complex is located approximately a quarter mile south of the subject property and is zoned Mixed-Use. See table below for adjacent property zoning and use comparison.

Site Information

The property is currently improved by a single-family residence.

Summary of Surrounding Zoning and Uses

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	MDR	Single-Family Residential
South	Lancaster County	MDR	Single-Family Residential
East	Lancaster County	PDD 27	Vacant
West	Lancaster County	MDR	Single-Family Residential

Recent Rezonings in Surrounding Area			
Case #	Description	Date	Outcome
RZ-018-020	Request to Rezone 1 Parcel from MDR to PB	6-11-18	Approved
RZ-018-048	Request to Rezone 1 Parcel from MDR to NB Previous Request for Same Property, 9895 Calvin Hall Road	1-28-19	Denied

PHOTOS OF PROJECT AREA:



*Looking directly at
9895 Calvin Hall Road*



*Looking directly across
Calvin Hall Road*



*Looking north along
Calvin Hall Road*



*Looking south along
Calvin Hall Road*

ANALYSIS & FINDINGS:

The property to be rezoned is currently zoned MDR District (see UDO section 2.3). The MDR District is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations

are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.

The requested PB District is generally located adjacent to neighborhoods and provides opportunities for the provision of office and professional services that do not adversely impact the surrounding communities.

COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION

The future land use designation of this property is the Place Type known as Neighborhood Mixed-Use, which, according to the 2024 Comprehensive Plan is synonymous to the Community Type “Walkable Neighborhood”. The Comp Plan states that this Community Type has very specific characteristics that set it apart from most other Place Types by virtue of its deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value. This Place Type and Community Type have their roots in the traditional character of American communities during the early part of the 20th century, and has been revived in recent decades as a relevant option for future development.

The requested PB District is consistent with the Neighborhood Mixed Use future land use category. However, the main characteristic of this area is single-family residential with an apartment complex. The previously rezoned PB District property continues to remain in use as a single-family residence.

STAFF RECOMMENDATION:

Staff recommends **denial** of this rezoning request.

ATTACHMENTS:

1. Rezoning Application
2. Location Map/ Zoning Map

STAFF CONTACT:

Katie See, AICP
Senior Planner
ksee@lancastersc.net
803-416-9395



Planning Department

P.O. Box 1809, 101 N. Main Street, Lancaster, SC 29721
Phone: 803.285.6005, planning@lanastercountysc.net
www.mylanastersc.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 9895 Calvin Hall Rd

City Lancaster State SC Zip 29707 Tax Parcel ID 0005-00-084.00

Current Zoning MDR Current Use Residential Vacant House

Proposed Zoning PB Total Acres approximately 2 acres

Project Description Request rezoning for Professional Office for Dental Practice or Engineering Firm

Surrounding Property Description

Parcel to the south (0005-00-88.00) recently rezoned to PB. Parcel to the north (0005-00-82.00) recently rejected for rezoning amendment to NB - landscaping business. Parcel to the west (0005-00-85.00) zoned MDR. Across the street to the east is a large DR Horton Planned Development (0005-00-078.00 - Avondale) which includes a commercial component.

CONTACT INFORMATION

Applicant Name James Rowell Shute, et al Trustees

Address 10459 Stream Lane

City Indian Land State SC Zip 29707 Phone 803-448-9073

Fax NA Email ezshute@comporium.net

Property Owner Name Same as applicant (above)

Address _____

City _____ State _____ Zip _____ Phone _____

Fax _____ Email _____

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

Applicant

Date

Property Owner(s)

Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number RZ-020-0252 Date Received 1-29-2020 Receipt Number 2458

Amount Paid \$ 435.00 Check Number 6019 Cash Amount —

Received By JB Planning Commission Meeting Date 3-17-2020

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.
- Rezoning Application Fee – single parcel \$435.00
- Rezoning Application Fee – multi parcel \$610.00

2. Planning Commission

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

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would like to request a special presentation, please notify the County Clerk @ (803) 416-9307 before 5:00pm on the first Monday of the month to make arrangements.



Map of Property to be Conveyed by
 W. L. BLACKWELDER to KENNETH TEAGUE
 Lancaster County, S.C.
 June 6, 1943 Scale 1" = 100'
 W. G. Waite, R.L.S.

The State of South Carolina,
LANCASTER YORK County.

HAYES, HAYES & BRUNSON
TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, That We, Kenneth E. Teague and Retta Sue S. Teague in the State aforesaid, for and in consideration of the sum of Eleven Hundred Fifty and no/100 DOLLARS (\$1,150.00) to us in hand paid at and before the sealing of these presents, by James R. Shute and Doris M. Shute in the State aforesaid (the receipt whereof is hereby acknowledged), have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said James R. Shute and Doris M. Shute, their heirs and assigns forever, the following described real estate:

All that certain piece, parcel or lot of land, lying, being and situate in Indian Land Township, Lancaster County, South Carolina, on the western side of a County Road, known as Silver Run Road and being more particularly described as follows:

Beginning at a point in the center of said County Road and running N. 81 W. 410 feet to a stake; thence N. 5 04 E. 244.7 feet to a stake; thence S. 71 30 E. 200 feet to a stake; thence S. 81 E 210 feet to a point in the center of said County Road; thence with the center of said County Road S. 3 37 W. 212.3 feet to the point of beginning, containing 2 acres, more or less, and being more specifically shown on a plat of property to be conveyed to Kenneth E. Teague and Retta Sue S. Teague, by W. L. Blackwelder dated June 5, 1963, and prepared by W. G. White, R.L.S., recorded in Plat Book 13 at page 208, in the Office of the Clerk of Court for Lancaster County, South Carolina.



TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging; or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the said premises above mentioned, unto the said James R. Shute and Doris M. Shute, their Heirs, Executors, Administrators, Successors, and Assigns forever.

And we do hereby bind ourselves and our Heirs, Executors, Administrators, Successors, and Assigns to warrant and forever defend all and singular the said Premises unto the said James R. Shute and Doris M. Shute, their Heirs, Executors Administrators, Successors, and Assigns against

us and our Heirs, Executors, Administrators, Successors, and Assigns, and all other persons whomsoever lawfully claiming, or to claim the same, or any part thereof.

Witness our Hands and Seal this 1st day of July in the year of our Lord One Thousand Nine Hundred and Sixty-Five and in the One Hundred and Eighty-Ninth year of the Sovereignty and Independence of the United States of America.

Signed, sealed and delivered in the presence of

Peggy Sweatt

Kenneth E. Teague

The State

County. }

PERSONALLY APPEARED before me
that he saw the within named

as Act and Deed deliver the within written Deed; and that he with

Sworn to before me, on this the day of
A.D. 19

and made oath
sign, seal and
witnessed the execution thereof.

Notary Public for (Seal)

The State of South Carolina,
York County. }

RENUNCIATION OF DOWER

I, Miriam S. Hutchinson
all whom it may concern, that Mrs. Retta Sue S. Teague
named Kenneth E. Teague

Notary Public, do hereby certify unto
the wife of the within

did this day appear before me, and upon being privately and separately examined by me, did declare that she does freely,
voluntarily and without any compulsion, dread or fear of any person or persons whomsoever, renounce, release and forever
relinquish unto the within named grantees, their Heirs, Executors, Administrators, Successors and Assigns,
all her interest and estate, and also all her right and claim of Dower, of, in or to all and singular the premises within
mentioned and released.

Given under my hand and seal this 1st day of
July A.D. 19 65

Miriam S. Hutchinson
Notary Public, South Carolina (Seal)

Retta Sue S. Teague

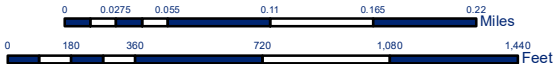
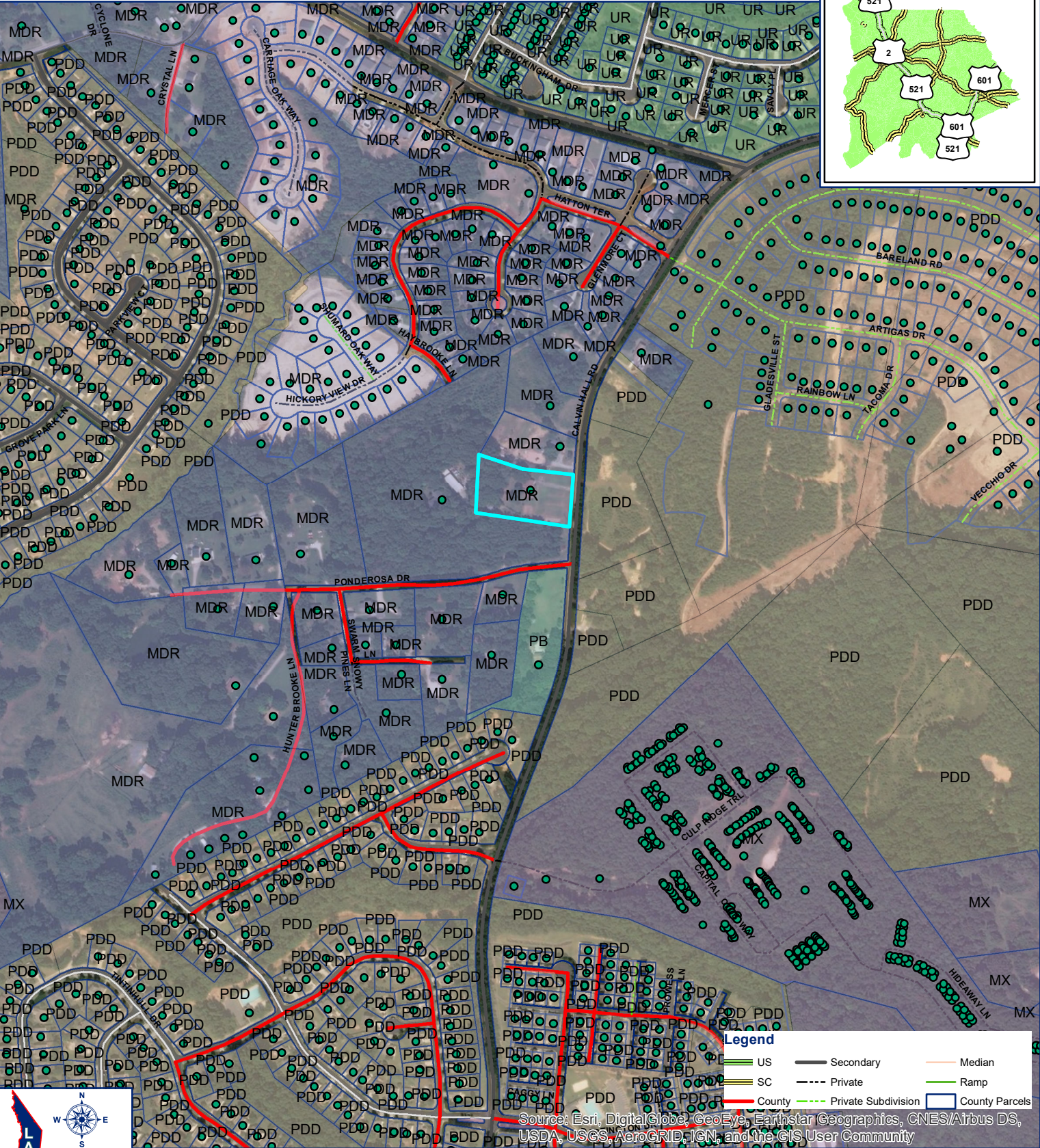
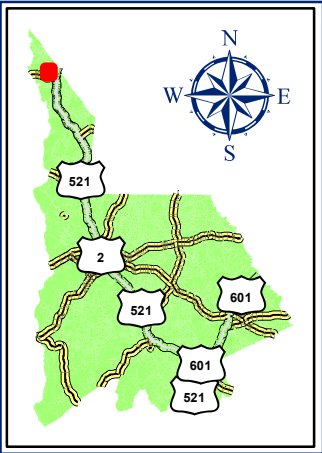
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Agenda Item Summary

Ordinance # / Resolution #: UDO-TA-2020-0308 Carolina Thread Trail

Contact Person / Sponsor: Katie See/Planning

Department: Planning

Date Requested to be on Agenda: 3/17/2020

Issue for Consideration:

See attached staff report

Points to Consider:

See attached staff report

Recommendation:

See attached staff report

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	3/10/2020	Exhibit
Ex 1: Proposed Text Change	3/10/2020	Exhibit
Ex 2: Application	3/12/2020	Exhibit

Proposal: Amend Carolina Thread Trail Overlay District within the Unified Development Ordinance (UDO) to modify requirements for provision of Carolina Thread Trail within Overlay District

Applicable Chapters: Chapter 4

Applicant: Lancaster County

Project Summary & Proposal

Lancaster County Administration has submitted a request to amend the Carolina Thread Trail (CTT) Overlay District requirement that developers within the CTT Overlay District dedicate and construct a 10-ft wide, paved pedestrian trail as part of the major subdivision process.

The proposed amendment is to eliminate the trail construction requirement for the portions of the CTT Overlay District located South of Hwy 5. Properties north of Hwy. 5, generally considered the Panhandle area, will continue to be required to construct the CTT as part of the major subdivision process. All properties in the CTT Overlay District (north and south of Hwy 5) will continue to dedicate the necessary trail easements or ROW.

The Trail Advisory Committee voted at their February 12, 2020 meeting to recommend to County Council that this draft amendment be disapproved. The Committee indicated a willingness to consider a fee-in-lieu of amendment, but they specifically stated that the Roselyn trail section would not qualify using this criteria as it is approximately two miles long.

Outline of Text Amendment

Section 4.3 is proposed to amend the requirement to construct the Carolina Thread Trail for properties located south of Highway 5. See Exhibit 1.

The following chapter(s) of the UDO have been amended or created:

Chapter 4, Carolina Thread Trail Overlay District: Amend language modifying requirements to provide trail within the Overlay District. Incidental amendments have also been proposed.

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

Findings and Conclusions

Planning Staff has included two options for the proposed text amendment [See Exhibit 1]. Option A is the proposal by Administration while Option B is the Planning Staff recommendation. Staff

prepared Option B as an alternative to the proposed amendment because a fee-in-lieu of trail construction would ensure that funding is available for the construction of a trail segment in the future. Without a fee-in-lieu mechanism, it may be unlikely that a trail segment could be provided.

Planning Staff Recommendation

Staff recommends that **Option B** be recommended for approval. This would result in the provision of an easement for future construction of the trail segment as well as the provision of funding for the Carolina Thread Trail so that it may be constructed in the future as other properties develop in order to provide a connected trail for the greater community.

Exhibits

1. Proposed Text Amendment
2. Application

Staff Contact

Katie See, AICP
Senior Planner
ksee@lancastersc.net
803-285-6005

Option A

C. GENERAL REQUIREMENTS AND DEVELOPMENT STANDARDS

Every subdivider developing a major subdivision of land in the Carolina Thread Trail Overlay District shall:

1. Dedicate a portion of such land, as set forth in this ordinance, to be used for public use. (See Code of Laws of South Carolina 5-23-43~~7~~).
2. ~~Additionally, c~~Construct a hard surface Pedestrian Trail in the subdivision meeting ~~M~~minimum design standards for ~~the construction of a hard surface~~ in Appendix C, MSSD. The amount of land required for the trail, including right-of-way, can be utilized to meet the amenity/open space requirements; and
3. Provide associated Carolina Thread Trail signage.
4. Construction of the Carolina Thread Trail and the provision of associated signage are not required for properties located south of Highway 5, however dedication of the ROW and/or construction and access easements is required for all properties in the overlay district.
3. ~~—~~A density bonus of up to 10 percent may be considered by the Planning Commission and County Council when the dedicated land is proposed to be used by the community at large in an effort to meet identified County-wide recreational needs.

Option B (Staff Recommendation)

Every subdivider developing a major subdivision of land in the Carolina Thread Trail Overlay District shall:

1. Dedicate a portion of such land, as set forth in this ordinance, to be used for public use. (See Code of Laws of South Carolina 5-23-43.); or
2. ~~Additionally, e~~Construct a hard surface Pedestrian Trail in the subdivision meeting ~~M~~minimum design standards for ~~the construction of a hard surface~~ in Appendix C, MSSD. The amount of land required for the trail, including right-of-way, can be utilized to meet the amenity/open space requirements; and
3. Provide associated Carolina Thread Trail signage.
4. In instances where the required trail improvement would result in creating small, isolated segments of a larger public trail project or where the costs associated with trail construction are not in scale with the size of the development, the County Council may approve a fee-in-lieu of trail construction based on construction estimates approved by the County Engineer and including dedication of needed ROW and/or public construction and access easements.
3. ———A density bonus of up to 10 percent may be considered by the Planning Commission and County Council when the dedicated land is proposed to be used by the community at large in an effort to meet identified County-wide recreational needs.

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant
- Fees associated with Application

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended Section 4.3

Current Text Requires the subdivider to construct a pedestrian trail.

See attachment

Proposed Text Properties located south of Highway 5 will not be required to construct a pedestrian trail.

See attachment

Description of Need for Proposed Text Modify pedestrian trail requirements

☐ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name Steve Willis

Address PO Box 1809

City Lancaster State SC Zip 29721 Phone 803-285-1565

Fax _____ Email swillis@lancastersc.net

APPLICATION CERTIFICATIONS

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.

Steve Willis - County Administrator
Applicant

02-12-2020
Date

Property Owner(s)

Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number 2020-0308 Date Received _____ Receipt Number _____

Amount Paid _____ Check Number _____ Cash Amount _____

Received By KS Planning Commission Meeting Date 3-17-20

SCHEDULE/PROCESS

1. Submit Application

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

2. Planning Commission

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

3. County Council

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

C. RESTRICTIONS AND LIMITATIONS EXCLUSIONS

The purchase of credits from the Carolina Heelsplitter Conservation Bank requirement does not apply to the installation, maintenance, or operation of water and sewer services by Lancaster County Water and Sewer District. Although not subject to the purchase of credits, all projects conducted by the Lancaster County Water and Sewer District are required to be submitted to the U. S. Fish and Wildlife Service for review and assurance of appropriate BMPs and other applicable regulations as noted in Section 4.2.2.A.

4.3 CORRIDOR OVERLAYS

4.3.1 CAROLINA THREAD TRAIL OVERLAY DISTRICT (CTTO)

The Carolina Thread Trail Overlay District is hereby established and is subject to the following general provisions:

A. PURPOSE AND INTENT

The Carolina Thread Trail Overlay District is established to preserve and enhance trail corridors identified in the Lancaster County Carolina Thread Trail Master Plan adopted by the County on October 24, 2011. The Carolina Tread Trail is a 15-county regional trail network in North and South Carolina that will connect 2.3 million residents to local and regional destinations. The Lancaster County Carolina Thread Trail Master Plan identifies four categories for greenway benefits: 1) Connecting communities by providing neighborhood connections, connecting communities to nature, and building regional partnerships; 2) Health benefits through encouraging physical activity and relieving stress and improving psychological health; 3) Economic impacts of increasing property values, attracting tourism, and fostering new businesses and retaining nearby businesses; and 4) Environmental benefits through preserving and protecting natural and agricultural land uses and improving water quality.

B. DISTRICT BOUNDARIES AND APPLICABILITY

The Carolina Thread Trail Overlay District boundaries include all parcels that fall within the trail corridors identified on the Lancaster County Carolina Thread Trail Master Plan. These corridors are identified along rivers, roads, and abandoned rail corridors. The general requirements and development standards are applicable to all parcels for major land subdivision and development along the trail corridors in the Lancaster County Carolina Thread Trail Master Plan.

C. GENERAL REQUIREMENTS AND DEVELOPMENT STANDARDS

Every subdivider developing a major subdivision of land in the Carolina Thread Trail Overlay District shall:

1. Dedicate a portion of such land, as set forth in this ordinance, to be used for public use. (See Code of Laws of South Carolina 5-23-43.)
2. Additionally, construct a Pedestrian Trail in the subdivision. Minimum design standards for the construction of a hard surface Pedestrian Trail are shown in Appendix C, MSSD. A soft surface trail may be considered depending upon location, topography and need. The amount of land required for the trail, including right-of-way, can be utilized to meet the amenity/open space requirements.
3. A density bonus of up to 10 percent may be considered by the Planning Commission and County Council when the dedicated land is proposed to be used by the community at large in an effort to meet identified County-wide recreational needs.

D. EXCEPTIONS AND NON-CONFORMING SITUATIONS

Exceptions to the Carolina Thread Trail Overlay District General Requirements and Development Standards shall be considered by the Administrator upon consideration of

topographic conditions that necessitates a reduction in the perpetual easement while still achieving the purpose and intent of the Lancaster County Carolina Thread Trail Overlay District.

Other exemptions shall include the following:

1. The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased, the resultant lots are equal to or exceed the Unified Development Ordinance requirements of the County, and no new street construction is involved.
2. The division of land into parcels greater than 10 acres in size where no new street construction is involved.
3. The public acquisition by purchase of strips of land for the widening or opening of streets.
4. The conveyance to lineal descendants for the purpose of dividing real estate among said lineal descendants. At such time that any lineal descendants or their successors in interest develop or build upon their respective property, the property must conform in all respects to the regulations of Lancaster County.

4.3.2 HIGHWAY CORRIDOR OVERLAY DISTRICT (HCO)

The Highway Corridor Overlay District is hereby established and is subject to the following general provisions:

A. PURPOSE AND INTENT

The Highway Corridor Overlay District is established to preserve and enhance corridors that serve as major gateways leading to, from, and within Lancaster County. As both commercial and residential land uses exist along such corridors, there is a desire of the residents of Lancaster County to provide standards relative to connectivity, aesthetic appearance, and safety along major gateways. The land use recommendations and design requirements contained in the Highway Corridor Overlay District are the result of a community-wide effort. As such, the intent of this district is to provide unified land development regulations that promote a sense of place and create consistency along significant corridors by improving the visual character of adjacent development. Appendix B, Highway Corridor Overlay District Supplementary Diagrams is attached as a reference for the vision and intent of the HCO.

B. DISTRICT BOUNDARIES AND APPLICABILITY

The Highway Corridor Overlay District applies to the following:

1. The County Council shall designate the property that is subject to the provisions of the Highway Corridor Overlay District by rezoning the properties in accordance with the procedures and requirements applicable to map amendments. In general, for those highways identified for Highway Corridor Overlay District status, the district designation shall apply to all parcels fronting on or within 1,000 feet of the right-of-way of the designated highway. Only the following highways are designated as a Highway Corridor Overlay District:
 - a. US Highway 521 from SC Highway 75 (Waxhaw Highway) northward to the North/South Carolina state line; and
 - b. SC Highway 160 from US Highway 521 westward to the York/Lancaster County line.
2. The Highway Corridor Overlay District development regulations, as set forth in the Highway Corridor Overlay District, apply to all uses on the properties zoned Highway Corridor Overlay District except for single family housing as identified in Section 2.5, Permitted Uses. The development regulations applicable to single family housing are the development regulations of the underlying zoning district.
3. Any property within the Highway Corridor Overlay District zoned and used for industrial use, LI and HI, shall be subject to the provisions set forth in Section 4.3.2.N; and

MEMORANDUM

TO: Rox Burhans, Development Services Director

FROM: Steve Willis, County Administrator *SW*

TODAY'S DATE: January 27, 2019

DUE DATE: N/A

SUBJECT: UDO Text Amendment – Thread Trail Requirements

After speaking to Chairman Harper, I would like to submit a UDO text amendment for Council consideration that would alter the requirements south of Highway 5 to require that Thread Trail easements be granted and recorded but not having the trail segment built at this time. Until we have development accelerate outside of our primary growth area in the panhandle we run the risk of having isolated, non-connected trail segments. That serves no purpose.

Would you please draft such an amendment for me to sign and submit? Thanks.

SW

cc: Alison Alexander, Deputy County Administrator

Agenda Item Summary

Ordinance # / Resolution #: UDO-TA-2020-0309 Home Occupation

Contact Person / Sponsor: Robert Tefft / Planning

Department: Planning

Date Requested to be on Agenda: 3/17/2020

Issue for Consideration:

See attached staff report.

Points to Consider:

See attached staff report.

Recommendation:

See attached staff report.

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	3/10/2020	Exhibit
Ex 1: Proposed Text Amendment	3/11/2020	Exhibit
Ex 2: Application	3/10/2020	Exhibit

PROPOSAL: Amend the Unified Development Ordinance Chapter 5.4 to replace the existing provisions for Home Occupations with new provisions concerning Major and Minor Home Occupations; to amend Chapter 7.2.4 modify parking requirements for home occupations; and to amend Chapter 10 to provide for appropriate definitions.

APPLICABLE CHAPTERS: Chapters 5, 7 and 10

APPLICANT: Lancaster County

PROJECT SUMMARY & PROPOSAL:

The Lancaster County Infrastructure and Regulation Committee has submitted a request to amend the provisions of the Unified Development Ordinance (UDO) concerning home occupations so as to provide for two sets of provisions: one specific to larger home occupations that may occur in rural areas on larger lots (major home occupations) and the other specific to smaller, more traditional home occupations that may occur countywide (minor home occupations).

OUTLINE OF TEXT AMENDMENT:

Detailed standards for both the Major and Minor Home Occupation use types are proposed to be added to Chapter 5 in order to accommodate this use type. The Parking and Definition chapters will also be amended. See Attachment 1.

The following chapter(s) of the UDO have been amended or created:

Chapter 5.4, Office/Service Uses: Amend to replace 5.4.2 in its entirety with new provisions addressing Major and Minor Home Occupation types.

Chapter 7.2.4, Off-Street Parking and Loading Requirements: Amend Parking Requirements by Use Table to include specific language pertaining to home occupations.

Chapter 10, Definitions: Add applicable definitions.

Based on staff's findings, we offer the modifications attached to the Draft Ordinance for the Board's consideration. For ease of reference, new text is referenced in red/underlined font and deletions are referenced in ~~striketrough~~ font. The proposed language is found in Attachment 1.

FINDINGS AND CONCLUSIONS:

The proposed text amendment has been found to be consistent with all applicable provisions of the Comprehensive Plan as required by Chapter 9.2.15.B.3. The proposed amendments will help bring minor home occupation regulations up to a contemporary a standard while providing opportunities for larger, home-based service businesses to operate in the rural residential areas of the County.

STAFF RECOMMENDATION:

Staff recommends Approval of the proposed changes.

ATTACHMENTS:

1. Proposed Text Amendment
2. Application

STAFF CONTACT:

Robert G. Tefft

Senior Planner

rtefft@lancastersc.net

803-416-9394

Section 2.5.3 Use Table (For detailed Use Definitions see Chapter 10.)

	RURAL					TRANSITIONAL						SPECIAL					NEIGHBORHOOD					
USE TYPES	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF

C. OFFICE/SERVICE	AR	RR	RN	RUB	MH	LDR	MDR	PB	NB	GB	RB	INS	OSP	LI	HI	M	UR	HDR	RMX	MX	IMX	REF
ATM	-	-	-	P	-	-	-	-	P	P	P	P	-	P	-	-	-	-	-	P	P	
Banks, Credit Unions, Financial Services	-	-	-	P	-	-	-	-	P	P	P	P	-	P	-	-	-	-	-	P	P	
Business Support Services	-	-	-	-	-	-	-	-	P	P	P	P	-	P	-	-	-	-	-	P	P	
Crematoria	-	-	-	-	-	-	-	-	-	-	CU	-	-	CU	-	-	-	-	-	-	-	5.4.1
Dry Cleaning and Laundry Services	-	-	-	-	-	-	-	-	P	P	P	-	-	P	-	-	-	-	-	P	P	
Funeral Homes	-	-	-	P	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	P	P	
Home Occupation	PR	PR	PR	-	PR	PR	PR	PR	-	-	PR	-	-	-	-	-	PR	PR	PR	PR	PR	5.4.2
Kennels, Indoor	PR	PR	PR	PR	-	-	-	-	PR	PR	PR	PR	-	PR	-	-	-	-	-	PR	PR	5.4.3
Kennels, Outdoor	PR	PR	CU	PR	-	-	-	-	-	-	CU	CU	-	CU	-	-	-	-	-	-	-	5.4.4
Medical Clinic	-	-	-	PR	-	-	-	PR	PR	PR	PR	-	-	-	-	-	-	-	-	PR	PR	5.4.5
Personal Services	-	-	-	P	-	-	-	-	P	P	P	P	-	P	-	-	-	-	-	P	P	
Personal Services, Restricted	-	-	-	-	-	-	-	-	-	-	PR	-	-	-	-	-	-	-	-	-	-	5.4.6
Post Office	-	-	-	P	-	-	-	P	P	P	P	P	-	-	-	-	-	-	-	P	P	
Professional Services	-	-	-	P	-	-	-	P	P	P	P	P	-	P	-	-	-	-	-	P	P	
Small Equipment Repair/Rental	-	-	-	P	-	-	-	-	-	P	P	-	-	P	-	-	-	-	-	P	P	
Veterinary Clinic	-	-	-	P	-	-	-	-	P	P	P	-	-	P	-	-	-	-	-	P	P	

5 USE REGULATIONS

5.4 OFFICE/SERVICE USES

~~5.4.2 HOME OCCUPATION [AR, RR, RN, MH, LDR, MDR, UR, HDR, RMX, MX, IMX]~~

~~A. General Standards~~

- ~~1. The home occupation shall be clearly incidental and secondary to residential occupancy.~~
- ~~2. The use shall be carried on entirely within an enclosed structure on the premises.~~
- ~~3. The home occupation shall be operated by a resident of the dwelling.~~
- ~~4. A maximum of 25 percent of the gross floor area of the dwelling unit or 500 square feet, whichever is less, may be used for the home occupation.~~
- ~~5. A maximum of one full-time equivalent non-residents of the dwelling may be employed on the premises.~~
- ~~6. The use shall not generate pedestrian or vehicular traffic beyond that normal to the district in which it is located.~~
- ~~7. The home occupation shall not involve the use of any commercial vehicles and semi tractor trailers for the delivery of materials to or from the premises. Common and routine frequency for residential parcel delivery service is not prohibited.~~
- ~~8. No equipment or process shall be used in connection with the use which creates noise, vibration, glare, fumes, fire hazard, odors, dust, or electrical or communication interference detectable to the normal senses off the premises (in the case of a detached dwelling, off the lot; in the case of an attached unit, outside the dwelling unit). No equipment or process shall be used which creates visual or audible interference in any radio or television receiver off the premises.~~
- ~~9. The home occupation shall not cause an increase in the use of any one or more utilities (water, sewer, electricity, gas, garbage, etc.) such that the combined total use for dwelling and home occupation purposes exceeds a level normally expected in a residential neighborhood.~~

~~B. Exterior Appearance~~

- ~~1. Storage of goods and materials associated with the home occupation must be completely within an enclosed structure.~~
- ~~2. Parking areas in the front yard shall be limited to the existing residential driveway only. Additional parking may be provided in the rear yard only, but shall not include more than one non-commercial vehicle used in connection with the home occupation parked or stored on the premises.~~
- ~~3. No display of goods, products, services, or other advertising (except permitted signage as set forth in Chapter 7) shall be visible from outside of the dwelling.~~

~~C. Standards for Specific Types of Home Occupations~~

- ~~1. Personal Services, including cosmetic services, salons, barber shops, and non-permanent makeup services, but not including nail salons, may be permitted provided they comply with all of the following:~~
 - ~~a. Such uses shall meet all applicable state requirements;~~

- ~~b. Any exterior entrance/exit to an area of the principal building shall be on the side or rear (and not the front) of the building;~~
- ~~c. Only 1 barber/styling chair shall be permitted;~~
- ~~d. No more than 2 hair drying chairs shall be permitted;~~
- ~~e. Only incidental sales of hair products shall be allowed on the premises;~~
- ~~f. Must meet all accessibility features, including restroom facilities, etc., meeting the International Building Code in accordance with the Americans with Disabilities Act;~~
- ~~g. No more than 1 sign identifying, or in any way pertaining to, such uses shall be permitted, and such sign shall meet all requirements of Chapter 7 of this ordinance; and~~
- ~~h. All barber/styling chairs and hair drying chairs shall be located together in either the main dwelling or the accessory building, not split between both.~~
- ~~2. No group instruction service, including but not limited to dance, music, exercise, arts, and crafts, may be provided for a group larger than 8 persons.~~
- ~~3. Retail sales shall be limited to the resale of handmade items grown or produced on-site such as food items, crafts, antiques, jewelry, and clothing.~~
- ~~D. Uses Prohibited as Home Occupations:~~** The following uses are prohibited as home occupations because the nature of their operation has the tendency to impair the use and value of properties in a residential district:
 - ~~1. Residential Care Facilities~~
 - ~~2. Halfway Homes~~
 - ~~3. Any Lodging Uses (Section 2.5.3.)~~
 - ~~4. Kennels~~
 - ~~5. Medical Clinic~~
 - ~~6. Personal Services, Restricted~~
 - ~~7. Veterinary Clinic~~
 - ~~8. Any Commercial/Entertainment Uses (Section 2.5.3), except specifically those retail uses noted in Section 5.4.2.C.3 above.~~
 - ~~9. Correctional Institution~~
 - ~~10. Day Treatment Center~~
 - ~~11. Hospital~~
 - ~~12. Any Automotive Uses (Section 2.5.3)~~
 - ~~13. Any Industrial/Wholesale/Storage Uses (Section 2.5.3)~~
 - ~~14. Nail Salons~~
 - ~~15. Barber Shops/Salons with more than one chair.~~

5.4.2 HOME OCCUPATION [AR, RR, RN, MH, LDR, MDR, PB, RB, UR, HDR, RMX, MX, IMX]

A. General Standards

1. The home occupation must be clearly incidental and secondary to the use of the dwelling for residential occupancy and must not to change the residential nature thereof.
2. The home occupation shall not be operated by any person other than residents living in the dwelling.
3. The pedestrian and vehicular traffic generated by the home occupation shall be no greater in volume than would normally be expected at a similar residence where no home occupation is conducted. Commercial vehicles / trailers otherwise allowed pursuant to Section 5.4.2.B. shall be exempt from the aforementioned traffic volumes.
4. Any parking associated with the home occupation shall occur on the premises and not within the public or private right-of-way. Further, any parking in the front yard shall be limited to the existing or expanded residential driveway. Additional parking may be provided in the rear yard, but shall not include space for more than two vehicles used in connection with the home occupation to be parked or stored on the premises.
5. No marked vehicle used in conjunction with a home occupation shall be parked on the property or contiguous to a right-of-way in such a manner so as to identify, advertise or otherwise attract offsite attention to the home occupation. This provision shall not preclude a marked vehicle used in conjunction with the home occupation from being parked in a customary parking space such as the driveway of a home, or multi-family parking lot.
6. No equipment or process shall be used in connection with the home occupation which creates noise, vibration, glare, fumes, fire hazard, odors, dust, or electrical or communication interference detectable to the normal senses off the premises (in the case of a detached dwelling, off the lot; in the case of an attached unit, outside the dwelling unit). No equipment or process shall be used which creates visual or audible interference in any radio or television receiver off the premises.
7. Any client visit to the home occupation shall be by appointment only.
8. Hours of operation for deliveries, clients, and operation of mechanical or electrical equipment shall be limited to 7:00 a.m. to 8:00 p.m.

B. Standards for Major Home Occupations [AR, RR, RN, MH]

Major home occupations are occupations that, by their nature, appearance and inherent operational activities and characteristics, are potentially more intensive in character and activity than a minor home occupation. Major home occupations may consist of businesses such as, but not limited to, independent electrical or plumbing contractors, landscapers and similar businesses that have employees and require the storage of commercial vehicles or equipment on the property.

1. **Conditional Use Permit Required:** All major home occupations shall be required to obtain a Conditional Use Permit.
2. **Minimum Lot Size:** All major home occupations shall be located on a lot that is at least five acres in size.
3. **Use of Commercial Vehicles / Semi-Tractor Trailers**
 - a. The major home occupation may involve the use of commercial vehicles and semi-tractor trailers, provided the number of semi-tractor trailers is limited to no more than two onsite at any time; and,
 - b. All commercial vehicles and semi-tractor trailers accessing the site shall take ingress and egress from either a paved arterial or paved collector right-of-way.

4. Any parking or storage of commercial vehicles, trailers, or equipment shall be fully screened with a solid wooden or vinyl fence or masonry wall, berm, and/or opaque evergreen landscaping from adjacent properties or roads.
5. When located within the dwelling, the major home occupation shall not exceed 25 percent of the gross floor area of the dwelling or 500 square feet, whichever is less.
6. The floor area of an accessory building or buildings used by the major home occupation shall not cumulatively exceed 3,000 square feet or 75 percent of the gross floor area of the principal dwelling, whichever is greater.
7. The major home occupation shall not employ more than two non-residents of the dwelling for employment or mobilization at the dwelling.
8. The major home occupation, as well as any associated storage of goods and materials, shall be carried on entirely within an enclosed structure on the premises. Any storage of goods and materials outside of an enclosed structure shall be prohibited. Outdoor storage of commercial vehicles or trailers used in conjunction with the major home occupation shall not be prohibited under this provision.
9. The conditional use permit approving authority may impose additional conditions of approval based on the characteristics of the proposed use and site-specific conditions to ensure the major home occupation does not create impacts to adjacent properties.

C. Standards for Minor Home Occupations [AR, RR, RN, MH, LDR, MDR, PB, RB, UR, HDR, RMX, MX, IMX]

Minor home occupations are occupations that, by their nature, appearance and inherent operational activities and characteristics, are potentially less intensive and less likely to have a noticeable and negative impact on the surrounding neighborhood. Minor home occupations may consist of businesses such as, but not limited to, artists, home offices for financial services or architectural/engineering services, and independent electrical or plumbing contractors that do not require the parking of commercial vehicles or equipment onsite.

1. The minor home occupation shall be located within the dwelling (and not an accessory structure) and shall not exceed 25 percent of the gross floor area of the dwelling or 500 square feet, whichever is greater.
2. The minor home occupation shall not employ more than one non-resident of the dwelling for employment at the dwelling, and under no circumstances shall the property be used for the mobilization of vehicles to operate outside of the property.
3. The minor home occupation, as well as any associated storage of goods and materials, shall be carried on entirely within an enclosed structure on the premises. Any storage of good and materials outside of an enclosed structure shall be prohibited.
4. The minor home occupation shall not involve the use of any commercial vehicles and semi-tractor trailers for the delivery of materials to or from the premises. Common and routine residential parcel delivery service to the minor home occupation via commercial vehicles is not prohibited.
5. The minor home occupation shall not involve the onsite parking of commercial vehicles, equipment, or trailers used in conjunction with the home occupation.

D. Additional Standards for Specific Types of Home Occupations

- 1. Personal Services.** Personal services, including cosmetic services, salons, barber shops, and non-permanent makeup services, but not including nail salons, may be permitted provided they comply with all of the following:
 - a. Shall meet all applicable state requirements;
 - b. Shall meet all applicable accessibility requirements, including restroom facilities, etc., meeting the International Building Code in accordance with the Americans with Disabilities Act;
 - c. Any exterior entrance/exit to an area of the principal building shall be on the side or rear (and not the front) of the building;
 - d. No more than one sign identifying, or in any way pertaining to, such uses shall be permitted, and such signage shall meet all requirements of Chapter 7 of this ordinance;
 - e. Only incidental sales of cosmetic and hair products shall be allowed on the premises;
 - f. No more than one barber/styling chair shall be permitted;
 - g. No more than two hair drying chairs shall be permitted; and,
 - h. All barber/styling chairs and hair drying chairs shall be located together in either the main dwelling or the accessory building, and shall not be split between said buildings.
- 2. Group Instruction Services.** Group instruction services, including but not limited to teaching art, dance, music, and tutoring may be provided so long as the group does not exceed four persons at any time. Additionally, adequate parking must be provided onsite for both the residents of the dwelling and the maximum number of clients receiving instructional services; however said parking for clients is not required to be permanent.
- 3. Retail Sales.** Onsite retail sales conducted directly from the home (not including internet sales business) shall be limited to the sale of handmade items grown or produced on-site such as: arts and crafts, clothing, foodstuffs, furniture, and/or jewelry.

E. Prohibited Home Occupations. The following are prohibited as home occupations due to the nature of their operation having the tendency to impair the use and value of surrounding properties in a residential district:

- 1. Automotive uses (Section 2.5.3);**
- 2. Civic uses (Section 2.5.3);**
- 3. Commercial/Entertainment uses (Section 2.5.3), except for those specific retail uses permitted by Section 5.4.3.B.;**
- 4. Educational/Institutional uses (Section 2.5.3), except for Child/Adult Day Care Home (5 or fewer persons) and Studio;**
- 5. Halfway Homes;**
- 6. Industry/Wholesale/Storage uses (Section 2.5.3);**
- 7. Infrastructure uses (Section 2.5.3);**
- 8. Lodging uses (Section 2.5.3.);**
- 9. Office/Services uses (Section 2.5.3), except for Personal Services permitted by Section 5.4.3.B., Business Support Services, and Professional Services; and,**

10. Residential Care Facilities.

F. Grandfathered Home Occupations

1. Home occupation permits issued prior to the effective date of this section shall be grandfathered. However, any subsequent home occupation permit issued at the same address must be in conformance with these standards.
2. Any expansion of a grandfathered home occupation shall be in compliance with the standards of Section 5.4.2.
3. Any change of a grandfathered home occupation to a different home occupation shall require that the new home occupation be in compliance with the standards Section 5.4.2.

7 GENERAL DEVELOPMENT STANDARDS

7.2 PARKING AND DRIVEWAYS

7.2.4 OFF-STREET PARKING AND LOADING REQUIREMENTS

A. PARKING REQUIREMENTS BY USE TABLE

The following table details the required minimum and maximum (where applicable) parking ratios by major land use. All area calculations use gross leasable area (GLA). For uses not covered in this table, the parking requirements shall be those of the most similar use as determined by the Administrator.

Use Category	Minimum Required Auto Spaces
Residential	
Dwelling – Single Family & Two Family	1 per unit
Dwelling – Three Family & Four Family	1.5 per unit
Dwelling – Multifamily & Townhome	1.5 per unit
Dwelling – Accessory	1 space per unit
Live-Work Units	1 per 500 sf
Residential Care Facilities	1 per 2 units
All Other Residential Uses	1 per unit
Lodging – All Uses	1 per room
Office/Service	
Home Occupation	None, unless required by Section 5.4.2
Medical Clinic	1 per 350 sf
All Other Office/Service Uses	1 per 500 sf
Commercial/Entertainment	
Amusements (Indoor & Outdoor)	No requirement
Restaurant	1 per 250 sf
Theater (Indoor & Outdoor)	1 per 80 sf in auditorium
All Other Commercial/Entertainment Uses	1 per 400 sf
Civic	
Places of Assembly (Residential Districts)	No requirement
Places of Assembly (All Other Districts)	1 per 80 sf in main assembly hall
Private Recreational Facility	1 per 250 sf
All Other Civic Uses	1 per 500 sf
Educational/Institutional	
Child/Adult Day Care Centers (6 or more persons)	1 per 500 sf
All Other Educational/Institutional Uses	1 per 1000 sf
Automotive	
Vehicle Services – Minor Maintenance/Repair	1 per gas pump and repair bay
Vehicle Services – Major Repair/Body Work	2 per repair bay
All Other Automotive Uses	1 per 400 sf of office space
Industrial/Wholesale/Storage – All Uses	No requirement
Agricultural – All Uses	No requirement
Infrastructure – All Uses	No requirement

10 DEFINITIONS

10.3 DEFINITIONS, USE TYPE

~~**HOME OCCUPATION** An occupation or profession conducted within a dwelling unit by a resident that is incidental to the primary use of the dwelling as a residence. Home Occupations are small and quiet businesses generally invisible from the frontage requiring little parking, little or no signage, and having only one or two employees and provide services such as professional services, music instruction, and hair styling. For the purposes of this ordinance, telecommuting shall not constitute the establishment of a home occupation.~~

~~**HOME OCCUPATION, MAJOR** An occupation, service or profession conducted in a from a dwelling unit or accessory structure thereto by a resident of the dwelling, and which is incidental and secondary to the residential use of the property, and which does not alter the residential character of the property or surrounding area. A major home occupation is a home business located in a rural area where residents use their home as a place of work, but may have employees and generate some vehicular traffic associated with clients and customers coming to the site. Major home occupations may also operate at a scale that is greater than a typical home occupation.~~

~~**HOME OCCUPATION, MINOR** An occupation, service or profession conducted from a dwelling unit or accessory structure thereto by a resident of the dwelling, and which is incidental and secondary to the residential use of the property, and which does not alter the residential character of the property or surrounding area. A minor home occupation generates little to no traffic from customers or clients coming to the home, and are unlikely to have a negative impact on surrounding properties.~~

~~**VEHICLE, COMMERCIAL** A vehicle used, maintained, or customized primarily to transport vehicles or trailers, goods or materials, or to operate a power attachment or tool. A passenger vehicle, trucks, sport utility vehicle, or van that has maintained its stock configuration but has advertising or other affixed business designation shall not be considered a commercial vehicle so long as it is not being used in a manner described above.~~

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant
- Fees associated with Application

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended SEC. 2.5.3 ; 5.4.2 ; 7.2.4.A ; AND 10.3

Current Text SEE ATTACHED ORDINANCE.

Proposed Text SEE ATTACHED ORDINANCE.

Description of Need for Proposed Text AMEND HOME OCCUPATION REGULATIONS TO
ACCOMMODATE HOME OCCUPATIONS IN SEVERAL AREAS OF THE COUNTY.

☒ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name ROX BURHANS

Address 101 N. MAIN ST.

City LANCASTER State SC Zip 29720 Phone 803-416-9422

Fax _____ Email rburhans@lancaster-sc.net

APPLICATION CERTIFICATIONS

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.

Rox H. Burdick
Applicant

2-13-2020
Date

Property Owner(s)

Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number 2020-0309 Date Received 1-31-20 Receipt Number —

Amount Paid — Check Number — Cash Amount —

Received By ~~1-31-20~~ Planning Commission Meeting Date 03-17-20

SCHEDULE/PROCESS

1. Submit Application

- The deadline for this application is at least 45 days prior to the Planning Commission meeting, held every third Tuesday of the month.
- Once an application is submitted, it is placed on the Planning Commission agenda for the following month.
- An application withdrawal should be made in writing and received prior to public notice in order to receive a refund.
- Text Amendment Application Fee - \$325.00

2. Planning Commission

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

3. County Council

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

Agenda Item Summary

Ordinance # / Resolution #: UDO-TA-2020-0320 Public Notice

Contact Person / Sponsor: Robert Tefft / Planning

Department: Planning

Date Requested to be on Agenda: 3/17/2020

Issue for Consideration:

See attached staff report.

Points to Consider:

See attached staff report.

Recommendation:

See attached staff report.

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	3/10/2020	Exhibit
Ex 1: Proposed Text Amendment	3/10/2020	Exhibit
Ex 2: Application	3/11/2020	Exhibit

PROPOSAL: Amend Unified Development Ordinance Chapter 9.2.4 to provide for updated general notice requirements.

APPLICABLE CHAPTER(S): Chapter 9

APPLICANT: Lancaster County

PROJECT SUMMARY & PROPOSAL:

Lancaster County Planning has submitted a request to amend the applicable provisions of the Unified Development Ordinance (UDO) concerning public notification so as to provide clarity as to the notice required.

OUTLINE OF TEXT AMENDMENT:

The proposed text amendment will update the timeframes established within the UDO to improve the clarity of the ordinance, as well as to allow for the simultaneous notice via mail for both Planning Commission and County Council.

The following chapter(s) of the UDO have been amended or created:

Chapter 9.2.4, Public Notification: Amend subsections B and C to provide clarity as to when required general notice in a newspaper is to be published by, when mailed notice shall be sent, and when property shall be posted.

Based on staff's findings, we offer the modifications attached to the Draft Ordinance for the Board's consideration. For ease of reference, new text is referenced in red/underlined font and deletions are referenced in ~~striktthrough~~ font. The proposed language is found in Attachment 1.

FINDINGS AND CONCLUSIONS:

The proposed text amendment has been found to be consistent with all applicable provisions of the Comprehensive Plan as required by Chapter 9.2.15.B.3. Further, the proposed text amendment has been reviewed for compliance with the applicable provisions of SC Code Title VI and has been found to be consistent with those provisions.

The proposed amendment will allow staff to more efficiently process County Council public hearing notices, while also allowing the Council to hold its public hearing at first ordinance reading.

STAFF RECOMMENDATION:

Staff recommends Approval of the proposed changes.

ATTACHMENTS:

1. Proposed Text Amendment
2. Application

STAFF CONTACT:

Robert G. Tefft

Senior Planner

rtefft@lancastersc.net

803-416-9394

9 ADMINISTRATION

9.2 REVIEW PROCEDURES

9.2.4 PUBLIC NOTIFICATION

B. LEVEL 2 – GENERAL NOTICE IN NEWSPAPER

2. Required Period of Notice – Comprehensive Plan Amendments: The County shall publish a notice prior to the hearing date. The publication shall appear at least 30 calendar days prior to the hearing date.

23. Required Period of Notice – All Other Hearings: The County shall publish a notice prior to the hearing date. The publication shall appear at least 15 calendar days prior to the hearing date ~~or 30 calendar days per SC Code Title VI, as amended.~~

C. LEVEL 3 – NOTIFICATION TO AFFECTED AND ADJACENT PROPERTY OWNERS

1. Mailed Notice

b. Required Period of Notice – All Other Hearings: Such notification shall be postmarked at least 15 ~~and no more than 30~~ calendar days prior to the date of the meeting at which the matter is to be heard.

3. Posted Notice: In addition to providing mailed notice or published notice, as required in ~~paragraphs A and B above~~ Sections 9.2.4.A and B., the County shall place a sign in a prominent location on the subject property(ies) or on an adjacent public street or highway right-of-way with a notice of the pending action and a phone number to contact for additional information. Such posting shall occur at least 15 calendar days prior to the hearing date.

TEXT AMENDMENT APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant
- Fees associated with Application

GENERAL INFORMATION

UDO Section(s) Proposed to be Amended Section 9.2.4, Public Notification

Current Text Level 2 - Gen Notice in Newspaper: The pub

SEE ATTACHED ORDINANCE

Proposed Text SEE ATTACHED ORDINANCE

Description of Need for Proposed Text EFFICIENTLY PROCESS COUNTY COUNCIL PUBLIC
HEARING NOTICES / ALLOW COUNCIL TO HOLD PUBLIC HEARING AT FIRST
ORDINANCE READING.

☐ Additional pages attached for more information

CONTACT INFORMATION

Applicant Name Rox Burkans

Address PO Box 1809

City Lancaster State SC Zip 29721 Phone 803-285-6005

Fax _____ Email rburkans@lanasteresc.net

APPLICATION CERTIFICATIONS

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.

Rex H. Buchanan
Applicant

2-13-2020
Date

Property Owner(s)

Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number 2020 0320 Date Received 2-13-2020 Receipt Number -

Amount Paid - Check Number - Cash Amount -

Received By [Signature] Planning Commission Meeting Date 03-17-2020

SCHEDULE/PROCESS

1. Submit Application

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

2. Planning Commission

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

3. County Council

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

Agenda Item Summary

Ordinance # / Resolution #: CU-020-0122 Monica Bennett

Contact Person / Sponsor: Robert Tefft / Planning

Department: Planning

Date Requested to be on Agenda: 3/17/2020

Issue for Consideration:

See attached staff report.

Points to Consider:

See attached staff report.

Recommendation:

See attached staff report.

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	3/10/2020	Exhibit
Ex 1: Application	3/10/2020	Exhibit
Ex 2: Location Map / Zoning Map	3/10/2020	Exhibit
Ex 3: Concept Plan	3/10/2020	Exhibit
Ex 4: TRC/Evolve Comments	3/11/2020	Exhibit

PROPOSAL: Conditional Use Application to Permit a Non-Franchised Car Dealership

PROPERTY LOCATION: 7162 Flat Rock Road (TM# 0161-00-017.01)

CURRENT ZONING DISTRICT: Rural Business (RUB) District

APPLICANT: Monica Bennett

COUNCIL DISTRICT: District 6, Allen Blackmon

OVERVIEW & BACKGROUND:

Site Information

This parcel is currently improved with a vacant convenience store building and accessory open shelter. Broken asphalt or overgrown asphalt exists to the north and south of the building.

Existing Condition

The existing lot is non-conforming as the minimum lot area within the Rural Business (RUB) District is one acre and the lot is only 0.663 acres. The existing building is a non-conforming structure as it does not meet the minimum principal front or secondary front setbacks within the RUB District. However, pursuant to UDO Sections 9.3.4 and 9.3.5 non-conforming structures on non-conforming lots may continue to be occupied by a conforming use.

Summary of Surrounding Zoning and Uses

Surrounding Property	Zoning District	Use
North	Agricultural Residential (AR)	Agriculture
South	Agricultural Residential (AR)	Vacant
East	Institutional (INS)	Beaver Creek Cemetery
West	Agricultural Residential (AR)	Agriculture

PHOTOS OF PROJECT AREA:



Looking northwest toward subject property and across adjacent intersection.



Looking south along Flat Rock Road.



*Looking southeast from subject property and
across adjacent intersection.*



*Looking southwest from subject property
across Kershaw County Club Road.*

APPLICABLE UDO PROVISIONS:

5.1.2. - CONDITIONAL USE (CU)

- A. Conditional Uses are uses which are generally compatible with other land uses permitted in a zoning district but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and/or the County as a whole, require individual consideration in their location, design, configuration, and/or operation at the particular location proposed.
- B. All Conditional Uses shall at a minimum meet the standards for the zoning district in which they are located and the specific standards set forth in this article for that use.
- C. Individual consideration of the use may also call for the imposition of individualized conditions in order to ensure that the use is appropriate at a particular location and to ensure protection of the public health, safety, and welfare.
- D. Approval procedures for Conditional Use permits are found in Chapter 9, Administration.

5.8.5. - VEHICLE RENTAL/LEASING/SALES

- 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.

STAFF RECOMMENDATION:

Staff recommends **approval** of this conditional use application to permit a non-franchised car dealership, subject to the following condition:

1. Address the outstanding TRC/Evolve comments.

ATTACHMENTS:

1. Conditional Use Application
2. Location Map/ Zoning Map
3. Concept Plan
4. TRC/Evolve Comments

STAFF CONTACT:

Robert G. Tefft
Senior Planner
rtefft@lancastersc.net
803-416-9394



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

CONDITIONAL USE APPLICATION

SUBMITTAL REQUIREMENTS

- Completed Application
- Signatures of Applicant and Property Owner
- All items noted on the Conditional Use Plan Checklist
- Fees associated with review

GENERAL INFORMATION

Property Address 7162 Flat Rock rd Suite B
City Heath Spring State SC Zip 29058 Tax Parcel ID _____
Current Zoning RUB Current Use vacant (previous convenience store)
Total Acres 0.663 Surrounding Property Description Rural wooded,
vacant
Proposed Conditional Use Use Car lot

CONTACT INFORMATION

Applicant Name Monica Bennett
Address 6035 Catawba rd
City Hamblet State SC Zip 29128 Phone 803-316-1834
Fax _____ Email mbennett9124@gmail.com
Property Owner Name Carlton Winestock
Address 710 Ellen rd
City Camden State SC Zip 29020 Phone 803-553-0374
Fax _____ Email _____

CONDITIONAL USE PLAN CHECKLIST

- ☒ The size of the plan and number of copies should conform to the following: Eight copies that are 24" x 36" (full size) and Two copies that are 11" x 17" (reduced size).
- ☒ A descriptive location of the property and vicinity map at a scale of not less than one inch equals one mile.
- ☐ Proposed name of the development.
- ☒ The date of the survey or plan.
- ☒ All plans shall be embossed with the seal and signature of the engineer/surveyor responsible for the work.
- ☒ A graphic scale and numerical scale shall be shown on the plan.
- ☒ The North arrow shall be shown and be accurately correlated with the courses with indications as to whether it is true, magnetic or grid.
- ☒ Total acreage and boundaries of the development shall be shown on the plan.
- ☒ All existing and proposed uses of land throughout the tract shall be shown on the plan.
- ☒ Topography of the site with a contour interval of not more than 5 feet shall be shown on plan.
- ☒ Typical arrangement of existing and proposed buildings and structures, including dimensions, elevations, uses, and setbacks shall be shown on the plan.
- ☒ Location of adjoining property lines and existing buildings shall be shown on the plan.
- ☒ The names of adjacent landowners, lot and/or block numbers, highways, streets, and named waterways shall be shown.
- ☒ All property lines shall be defined by course and horizontal distance. All property lines shall be plotted to the scale shown in the title.
- ☒ All easements and rights-of-way of existing and proposed buildings and structures shall be shown and shall include their widths and center lines.
- ☒ All existing street intersections shall be shown on the plan.
- ☒ Proposed parking areas and traffic circulation shall be shown on the plan.
- ☒ Exact ratio of impervious surfaces to lot area shall be shown.
- ☒ At a minimum the plan shall include basic landscape information such as the location and dimension of required buffer yards.

APPLICATION CERTIFICATIONS

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.

Maries Butts
Applicant

01/06/2020
Date

Carlton Kinstock
Property Owner(s)

01/06/2020
Date

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number CU-020-0122 Date Received 1-23-2020 Receipt Number 2279

Amount Paid \$325.00 Check Number — Cash Amount \$ 325.00

Received By JB Planning Commission Meeting Date 3-17-2020

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

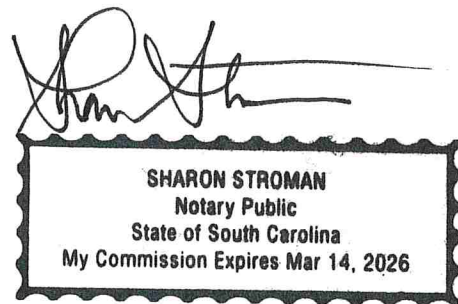
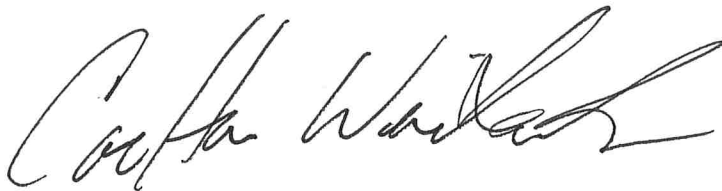
- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires a resolution for approval.
- Subsequent to County Council action, notice of action will be provided to the applicant,

owner, and adjacent property owners.

- **Please note that upon approval of a conditional use, the applicant shall subsequently submit a site plan to The Lancaster County Planning Department for review. This site plan shall conform to the site plan process as enumerated in UDO Section 9.2.9 (Site Plan Process Chart)**

I, Carlton Winestock have given Monica Bennett permission, to use the available area surround the property of 7162 Flat Rock rd, as a part of her leasing suite B. If you have any question I can reach at 202-553-0374.

Thank You.



Location Map

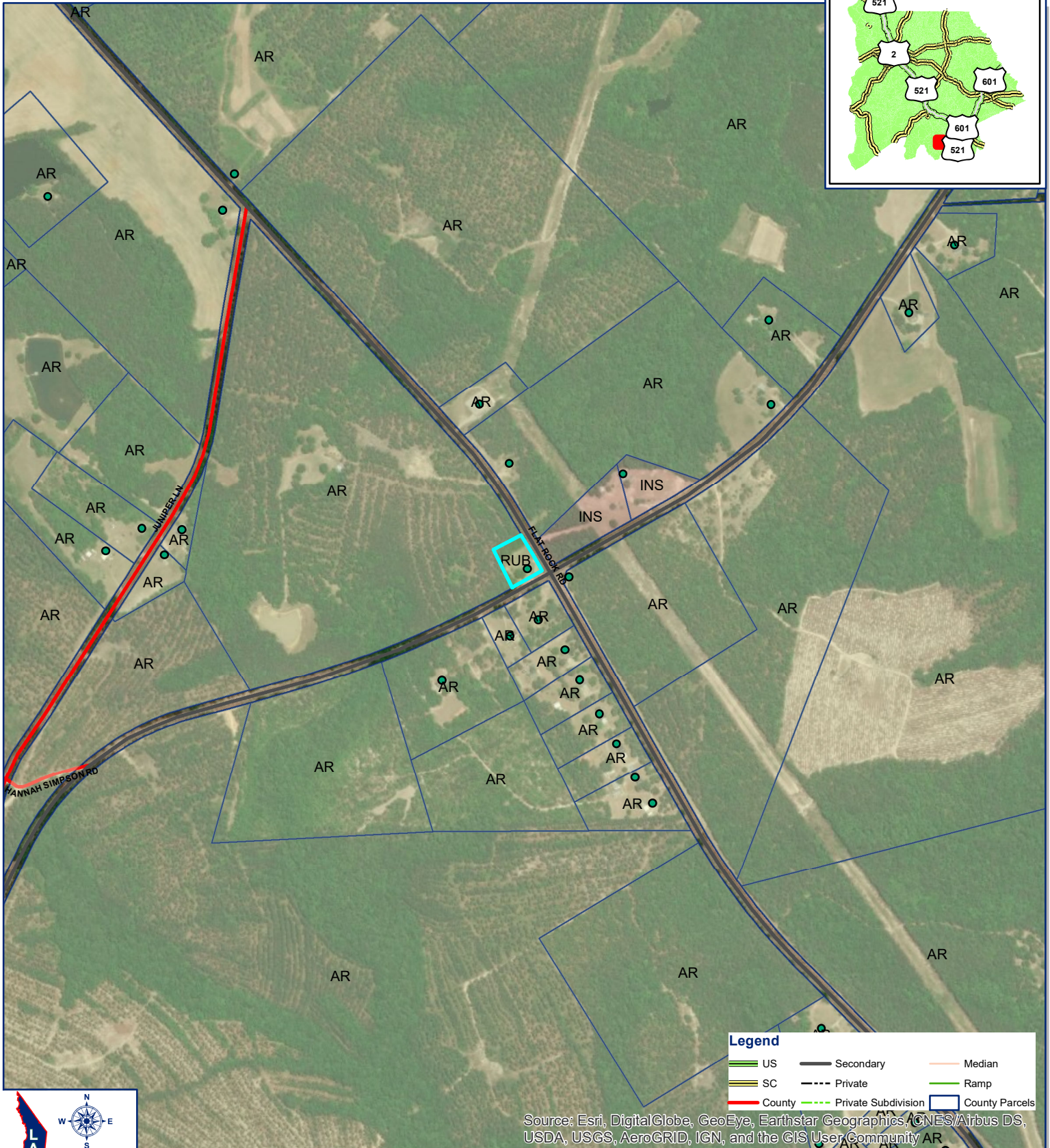
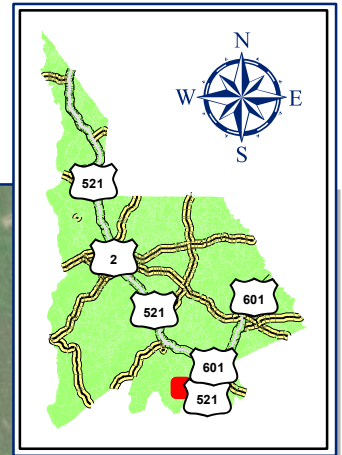
Case Number: CU-020-0122

Proposal: Conditional Use

Parcel Description: 0161-00-017.01

Applicant: Monica Bennett

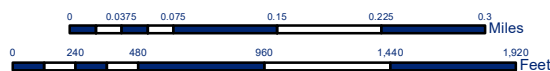
Map Date: 02.27.20
Map Created By: RT



Legend

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

The County of Lancaster provides this data for reference only. All data must be field verified before the information is used for design/project work. The County of Lancaster is not responsible or liable for any inaccuracies. Any design using this data is at users' sole risk. Also note that information is subject to change at any time.

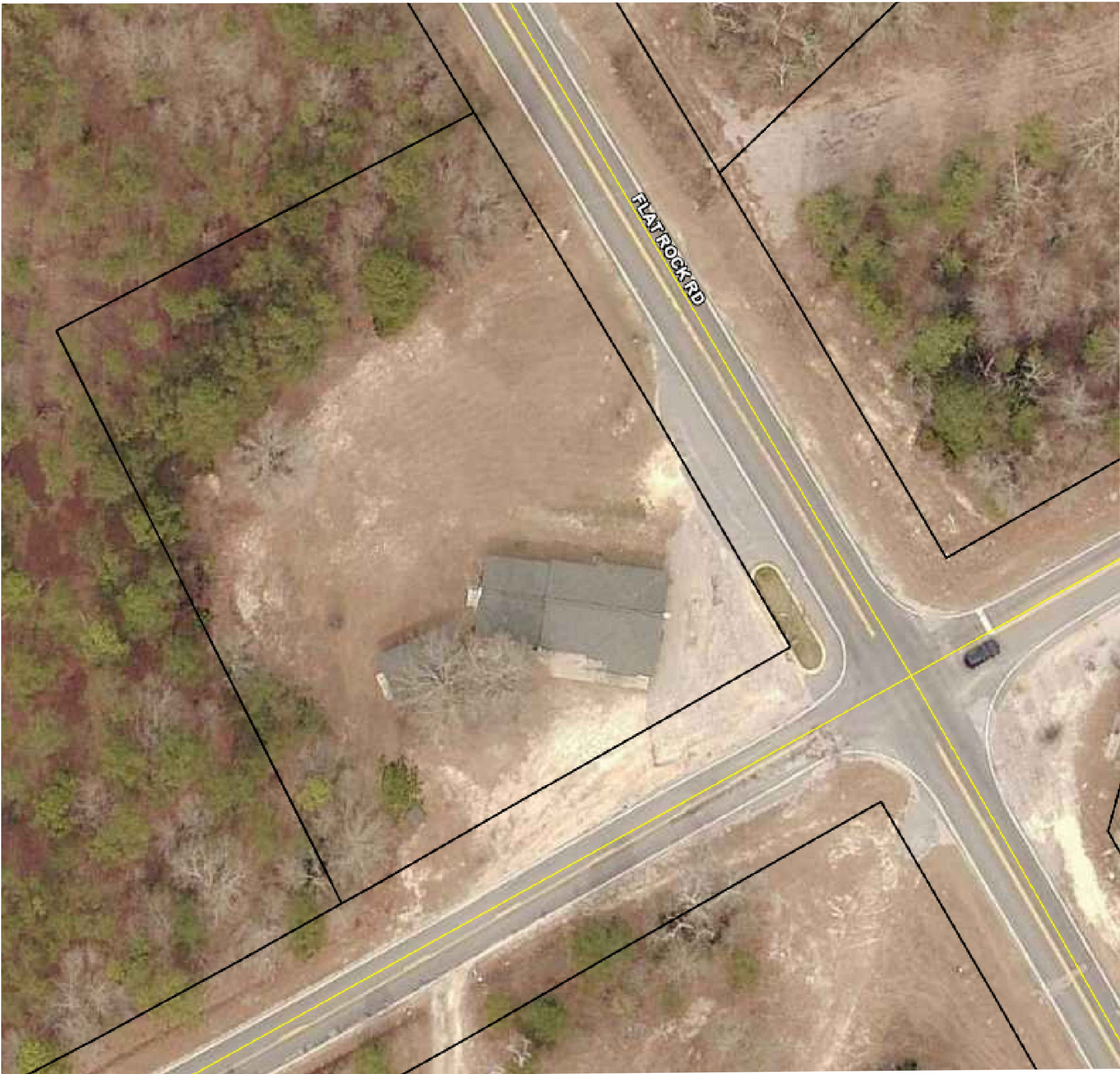


VEHICLE SALES LOT SITE PLAN

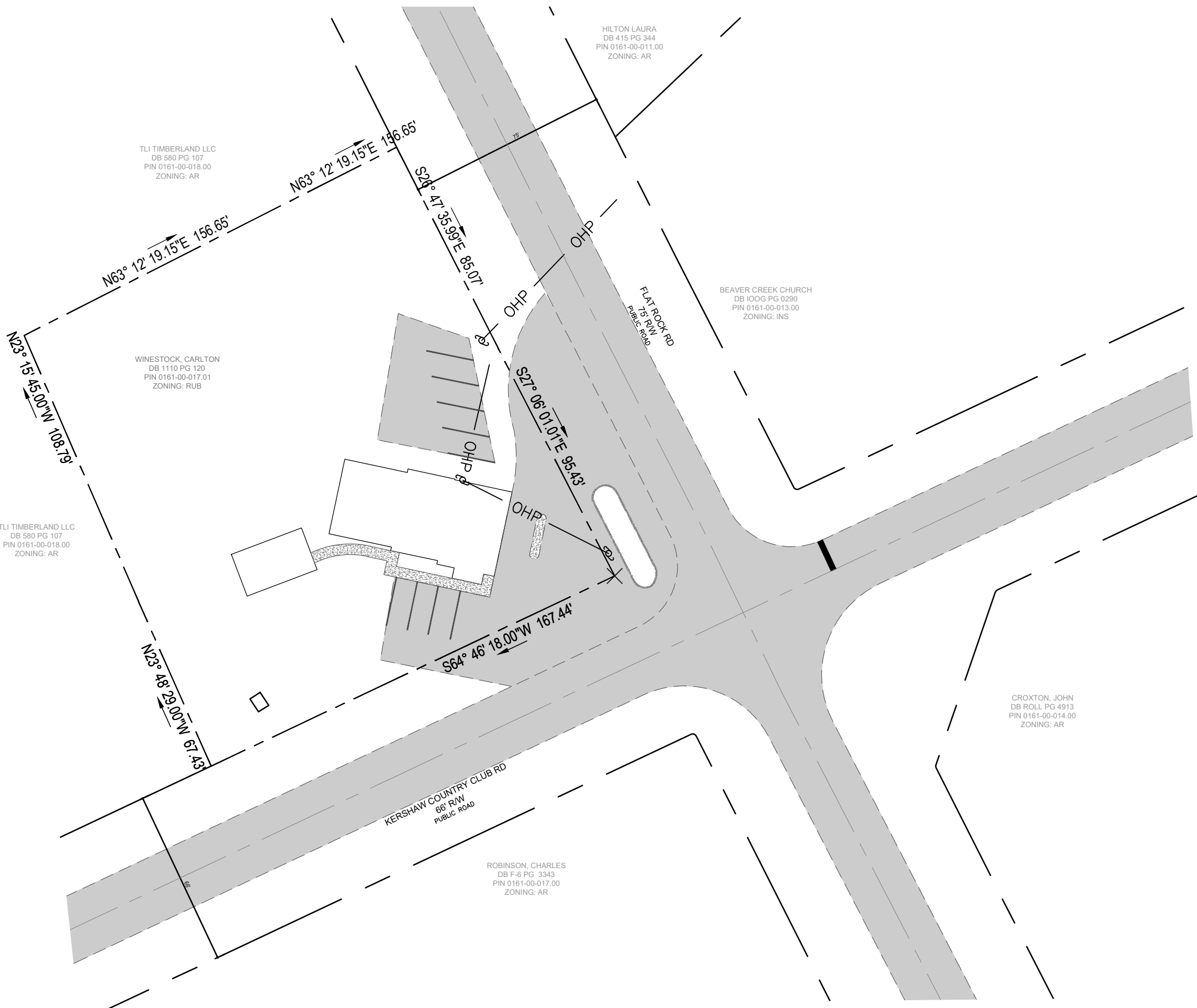
7162 FLAT ROCK RD

HEATH SPRINGS, SC 29058

PIN# 0161-00-017.01
LANCASTER COUNTY
SOUTH CAROLINA



AERIAL IMAGERY
SCALE: 1"= 40'



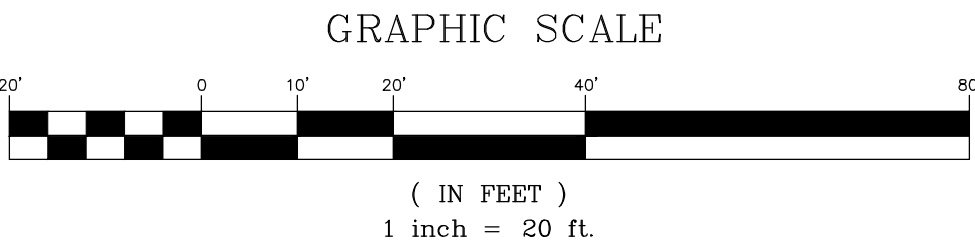
LOCATION PLAN
SCALE: 1"=40'



VICINITY MAP
SCALE 1"=1000'

DRAWING INDEX

- C1.0 COVER SHEET
- C1.1 EXISTING CONDITIONS PLAN
- C2.0 SITE PLAN



SEEDWATER
ENGINEERING

120 Academy Street
Fort Mill, SC 29715
(704) 544-8888
www.seedwatereng.com
SC Firm License No. 6088

SEEDWATER
ENGINEERING
INC.
No. 6088
STATE OF SOUTH CAROLINA
DATE OF AUTHORIZATION

SOUTH CAROLINA
REGISTERED PROFESSIONAL ENGINEER
No. 25029
ZACHARY E. HOWIE
1-17-2020

Revisors	Date
No.	Name

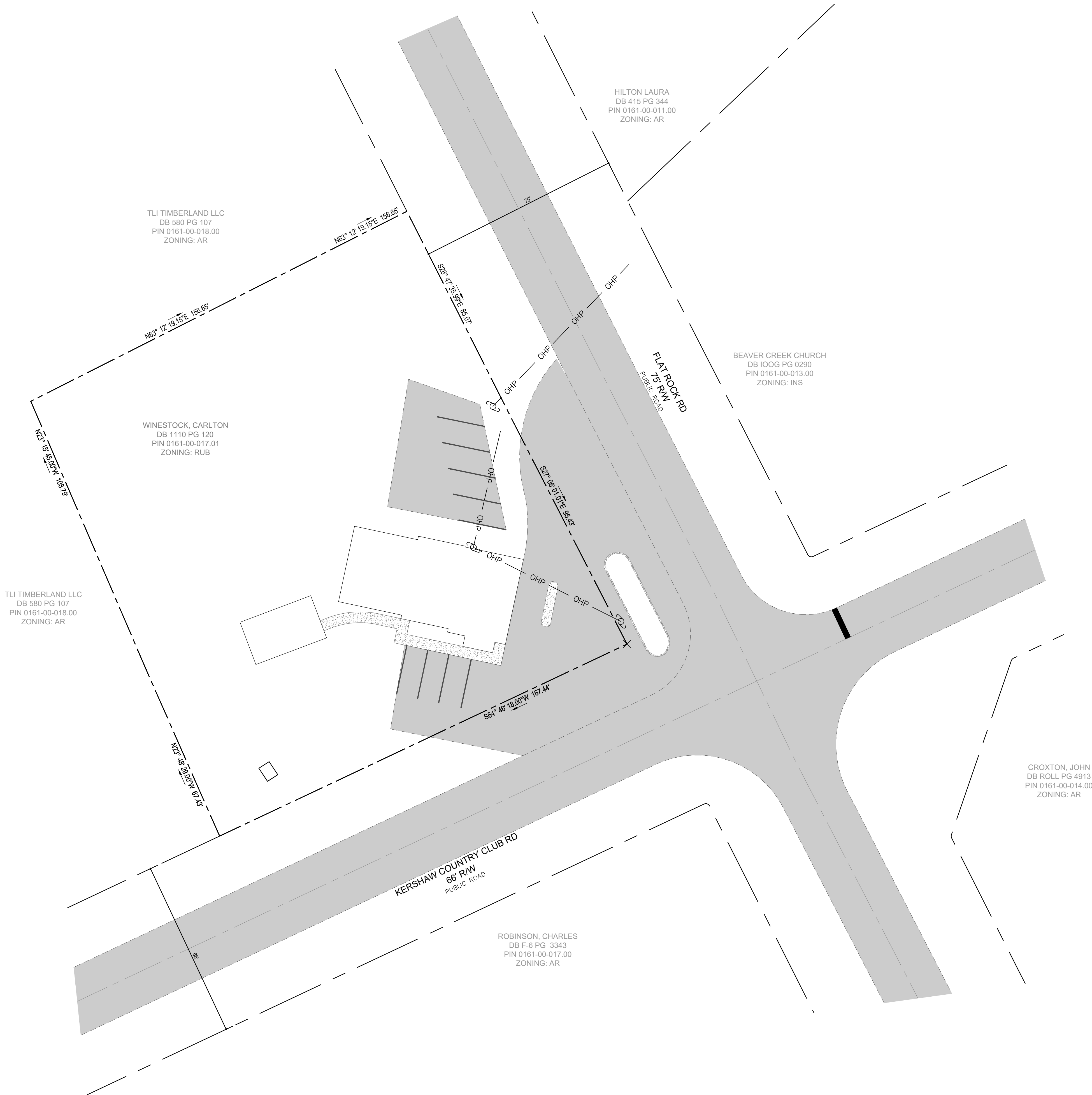
Drawing Information	
Project No.	19-022
Drawn By	
Date	01-17-2020
Checked By	
Approved By	

VEHICLE SALES LOT
SITE PLAN

7162 FLAT ROCK RD
HEATH SPRINGS, SC 29058
MONICA BENNETT

SITE PLAN

C1.0



RROJECT SUMMARY

PROJECT NAME: 2701 TUCKASEEGEE BUILDING RENOVATION
OWNER/DEVELOPER: MONICA BENNETT
TAX PARCEL NUMBER: 0161-00-017.01
ZONING: RUB
JURISDICTION: LANCASTER COUNTY
SITE ADDRESS: 7162 FLAT ROCK RD, HEATH SPRINGS, SC 29058
TOTAL SITE AREA: 0.663 ACRES
EXISTING USE: CONVENIENCE STORE
PROPOSED USE: VEHICLE SALES

IMPERVIOUS SUMMARY:

BUILDING ROOF 2479 SF
ASPHALT 4647 SF
CONCRETE 316 SF
7,442 SF OR 0.17 ACRES

SITE IS 26% IMPERVIOUS

PARKING SUMMARY:

VEHICLE DISPLAY SPACES PROVIDED: 4 SPACES
PARKING SPACES PROVIDED: 3 SPACES

SEEDWATER
ENGINEERING

120 Academy Street
Fort Mill, SC 29715
(704) 544-9999
www.seedwatereng.com
SC Firm License No. 6088

SOUTH CAROLINA
SEEDWATER
ENGINEERING
INC
No. 6088
STATE OF AUTHORITY

SOUTH CAROLINA
SEEDWATER
ENGINEERING
INC
No. 25029
NICHOLAS E. HOWE
1-17-2020

Drawing Information		Revisions	
Project No.	19-022	No.	
Drawn By		Name	
Date	01-17-2020		
Checked By			
Approved By			

VEHICLE SALES LOT
SITE PLAN

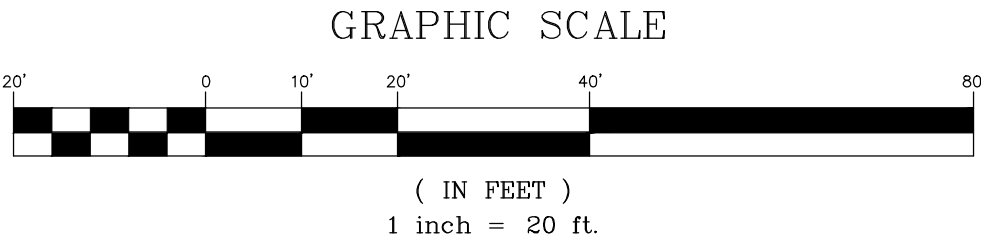
7162 FLAT ROCK RD
HEATH SPRINGS, SC 29058
MONICA BENNETT

SITE PLAN

C2.0

811

Know what's below.
Call before you dig.





Lancaster County
Development Services
P. O. Box 1809
Lancaster, SC 29721
803.285.1969
permits@lancastercountysc.net

March 11, 2020

Zachary Howze
Seedwater Engineering
120 Academy Street
Fort Mill, SC 29715

Project Number	20200122
Project Name	Monica Bennett
Location	7162 Flat Rock Road, Heath Spri
Stage	Conditional Use Permit
Parcel(s)	
Status	Conditional

Dear: Zachary Howze

This letter is to confirm CONDITIONAL APPROVAL of your Conditional Use Permit plans by the Lancaster County Technical Review Committee (TRC).

Sincerely,

Robert Tefft
Senior Planner

Plan Review Comments

County Engineer - Scott Edgar -
sedgar@lancastersc.net

No Review Done

Review Comments:

Fire Marshal - John Magette - 8032838888
jmagette@lancastersc.net

Approved

Review Comments:

LC Water & Sewer District - James Hawthorne - (803) 285-6919
james.hawthorne@lcwasd.org

No Review Needed

Review Comments:

LCWSD has no infrastructure in this area.

SCDOT - David Gamble - (803) 385-4280
GambleDD@scdot.org

Conditional

Review Comments:

The existing driveways need to be removed. An access will be allowed on both roads but they need to be as far away from the intersection as possible.

The access on Kershaw Country Club Road needs to be aligned with the existing driveway across the street.

This review is a general access location review only, a full review for compliance with the SCDOT ARMS manual will be conducted when the SCDOT permit is applied for.

Zoning - Julie Faile - 8032830567
jfaile@lancastersc.net

Approved

Review Comments:

Please see Plannings comments

Planning - Robert Tefft - 803-416-9394
rtefft@lancastersc.net

Conditional

Review Comments:

CONDITIONAL USE PLAN CHECKLIST:

1. Site plan shall include dimensions and setbacks for existing and proposed structures.
2. Site plan shall include proposed parking area and traffic circulation.
3. Site plan shall include the dimension and location of required buffer yards.

The above items are from the Conditional Use Plan Checklist contained within the application. These are required to be a part of the application and their inclusions, pursuant to the application provisions of the UDO, will be required as a condition of approval.

GENERAL COMMENTS:

1. The application states that "Suite B" is being leased for the proposed used vehicle sales use. What other use is within

Suite A, or the balance of the property?

2. Section 5.8.5.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.

3. Section 5.8.5.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.

4. Section 7.2.4.A. - The minimum required number of off-street parking spaces for an automotive, non vehicle services use is one per 400 square feet of office space. Denote the amount of office square footage and associated required parking as part of the Parking Summary.

5. Section 7.2.5.A.1. - Parking areas shall be located and designed to avoid undue interference with the use of public rights-of-way, driveways, or pedestrian ways. Parking stalls shall not be located in areas that would require backing into access driveways or streets except where allowed for residences or when no other practical alternative exists as determined by the Administrator or County Engineer.

6. Section 7.2.5.A.2. - Parking design and location shall be in accordance with the Lancaster County MSSD.

7. Section 7.2.5.A.3. - Parking stalls shall be located a minimum of 10 feet from public rights-of-way and buildings to allow sufficient separation for sidewalks, landscaping, and other site features except along the backs of buildings in areas designed for loading and unloading.

8. Section 7.2.5.A.5. - Minimum parking areas shall be kept free of material storage, including portable containers, and outdoor display/sales except on a temporary basis as part of an approved temporary use.

The above General Comments are provided for informational purposes at this time. If the Conditional Use application is approved, then these comments will need to be addressed during the site plan stage. The comments will be attached as conditions of approval to the conditional use.

Agenda Item Summary

Ordinance # / Resolution #: RZ-020-0258

Contact Person / Sponsor: Ashley Davis / Planning

Department: Planning

Date Requested to be on Agenda: 3/17/2020

Issue for Consideration:

See attached staff report

Points to Consider:

See attached staff report

Recommendation:

See attached staff report

ATTACHMENTS:

Description	Upload Date	Type
Planning Staff Report: Candis Lettman	3/11/2020	Planning Staff Report
Exhibit 1: Rezoning Application	3/11/2020	Exhibit
Exhibit 2: Location and Zoning Map	3/11/2020	Exhibit

Proposal: Request to rezone 2.01 acres with the intention of building a home.

Property Location: Located on east side of Dixie School Drive, approximately 0.12 miles south of Heyward Hough Road (TMS# 0070-00-028.01)

Current Zoning District: INS, Institutional

Proposed Zoning District: RR, Rural Residential

Applicant: Candis Lettman

Council District: District 5, Steve Harper

Overview

Site Information

Site Description: The property is currently vacant.

Compatibility with Surrounding Area

The current zoning for the surrounding area is Rural Residential (RR) and Institutional (INS). Existing zoning for the subject property as well as surrounding properties can be seen in *Exhibit 2*. The proposed zoning of RR is generally consistent with the area. See table below for adjacent property zoning and use comparison.

Summary of Surrounding Zoning and Uses

Surrounding Property	Municipality	Zoning District	Use
North	Lancaster County	Rural Residential (RR)	Single Family Residence
South	Lancaster County	Rural Residential (RR)	Single Family Residence
East	Lancaster County	Rural Residential (RR)	Vacant Land
West	Lancaster County	Rural Residential (RR)	Single Family Residence

Recent Rezoning in Surrounding Area			
Case #	Description	Date	Outcome
	No Recent Rezoning Cases		

Photos of Project Area

Looking at the parcel from Dixie School Road



Looking across from the parcel on Dixie School Road



Looking southeast on Dixie School Road



Looking northwest on Dixie School Road



Analysis & Findings

The property is currently zoned Institutional District on the Lancaster County Zoning Map. The zoning district of Institutional (INS) *intended to allow for the continued and future use, expansion, and new development of academic and religious campuses, governmental and health facilities and public and private utility infrastructure. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential areas.*

The requested Rural Residential (RR) district *is established as a district where the principal use of the land is for large rural living tracts of property with an abundance of open space, agricultural lands, and a high degree of separation between buildings.*

COMPREHENSIVE PLAN CONSISTENCY & CONCLUSION

The future land use designation of this property is Rural Living, according to the 2024 Comprehensive Plan. The Comp Plan defines this Community Type as one which *includes a variety of residential types, from farmhouses, to large acreage rural family dwellings, to ecologically-minded “conservation subdivisions” whose aim is to preserve open landscape, and traditional buildings, often with a mixture of residential and commercial uses that populate crossroads in countryside locations.*

The requested Rural Residential District is consistent with the urban future land use category.

Staff Recommendation

Staff is recommending approval of this request.

Attachments

1. Rezoning Application
2. Location Map/ Zoning Map

Staff Contact

Ashley Davis

Planner

adavis@lanastercountysc.net

803-416-9433

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 217 Dixie School Rd.

City Lancaster State SC Zip 29720 Tax Parcel ID _____

Current Zoning INS Current Use Vacant

Proposed Zoning Residential(RR) Total Acres 2.01

Project Description _____

Rezone in order to build home on land

Surrounding Property Description _____

Homes all around.

CONTACT INFORMATION

Applicant Name Candis Lettman

Address 1806 Grace Ave.

City Lancaster State SC Zip 29720 Phone 980-425-8154

Fax _____ Email Candis1983@yahoo.com

Property Owner Name Candis & Jason Lettman

Address 1806 Grace Ave.

City Lancaster State SC Zip 29720 Phone 980-425-8154

Fax _____ Email _____

I hereby certify that I have read this application and the information supplied herein is true and correct to the best of my knowledge. I agree to comply with all applicable County ordinances and state laws related to the use and development of the land. I further certify that I am the property owner, or his/her authorized agent, or the subject property. I understand that falsifying any information herein may result in rejection or denial of this request.

Charles Lettman

Applicant

2/10/20
Date

Charles Lettman

Property Owner(s)

2/10/20
Date 2-10-2020

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

LANCASTER COUNTY OFFICE USE ONLY

Application Number RZ-020-0258 Date Received 2-10-2020 Receipt Number 2478

Amount Paid \$435.00 Check Number — Cash Amount \$435.00

Received By JB Planning Commission Meeting Date March 17, 2020

SCHEDULE/PROCESS 1. Submit Application

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

2. Planning Commission

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

3. County Council

- Approves, denies, or submits application to the Planning Commission for further study.
- Action requires three readings for approval.
- Subsequent to final County Council action on rezoning, notice of action will be provided to the applicant, owner, and adjacent property owners.
- If applicant would like to request a special presentation, please notify the County Clerk @ (803) 416-9307 before 5:00pm on the first Monday of the month to make arrangements.

Jonathan D. Moore, Attorney
115-D Library Hill Lane
Lexington, SC 29072

19-0608

STATE OF SOUTH CAROLINA)

COUNTY OF LANCASTER)

2020001642

DEED
RECORDING FEES \$15.00
STATE TAX \$0.00
COUNTY TAX \$0.00
PRESENTED & RECORDED:

01-30-2020 10:55:40 AM

BRITTANY GRANT

REGISTER OF DEEDS
LANCASTER COUNTY, SC
BY: CANDICE PHILLIPS

BK: DEED 1304

PG: 24 - 27

KNOW ALL MEN BY THESE PRESENTS, that Brian S. Barton, (hereinafter called "Grantor"), in consideration of FIVE AND 00/100 (\$5.00) DOLLARS, LOVE AND AFFECTION, to the Grantor in hand paid at and before the sealing of these presents, by Candis Lee Lettman and Jason Richard Lettman (hereinafter called "Grantee") in the State aforesaid, the receipt of which is hereby acknowledged, has granted, bargained, sold, and released, and by these presents does grant, bargain, sell and release unto

CANDIS LEE LETTMAN

AND

JASON RICHARD LETTMAN

Their heirs and assigns, the following described property:

All that certain piece, parcel or tract of land, together with all improvements located thereon, lying, being and situate in Lancaster County, State of South Carolina, approximately six (6) miles East of Lancaster, fronting on Dixie School Road, containing 2.01 acres, more or less, and being more particularly shown, described and designated on Plat of Survey entitled, "Plat of Survey for Good News Outreach Church" dated May 22, 2007 and recorded in the Office of the Register of Deeds for Lancaster County as Plat No. 2007-819; reference to said plat is craved for a more minute description.

This being the identical property conveyed to Brian S. Barton by deed of Wendell Adams and Shelby Todd, as Trustees of Good News Outreach Church a/k/a Good News Outreach Church dated October 1, 2018 and recorded October 2, 2018 in the Office of the Register of Deeds for Lancaster County in Deed Book 1175 at Page 155.

This conveyance is made subject to any restrictions, reservations, zoning ordinances or easements that may appear of record on the recorded plats or on the premises.

Grantee's Address: 1806 Grace Avenue
Lancaster, SC 29720

TMS No.: 0070-00-028.01

70-28.01

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining;

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the Grantee, and the Grantee's heirs and assigns forever. And the Grantor do hereby bind the grantor

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER

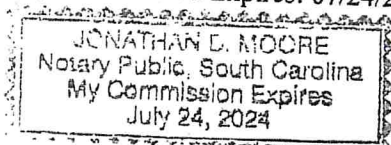
Personally appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property is being transferred from **Brian S. Barton to Candis Lee Lettman and Jason Richard Lettman** dated **January 24, 2020**.
3. Check one of the following: *The DEED is*
 - a) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or a distribution to a trust beneficiary.
 - c) X EXEMPT from the deed recording fee because (exemption# Amount is less than \$100.00) (Explanation if required) (If exempt, please skip items 4-6 and go to item 7 of this affidavit.).
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
 - a) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____.
 - b) _____ The fee is computed on the fair market value of the realty which is \$ _____.
 - c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
5. Check YES _____ or NO X to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES" the amount of the outstanding balance of this lien or encumbrance is \$ _____.
6. The DEED recording fee is computed as follows:
 - a) _____ the amount listed in item 4 above
 - b) _____ the amount listed in item 5 above (If no amount place zero)
 - c) _____ Subtract Line 6(b) from Line 6(a) and place the result.
7. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: **Grantor**.
8. I understand that a person required to furnish this affidavit who willfully furnished a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year.

Sworn to before me this 24th day
of January, 2020.

Brian S. Barton
Grantor, Grantee or Legal Representative

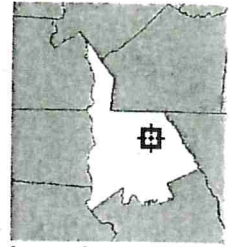
Jonathan D. Moore
Notary Public for South Carolina
My Commission Expires: 07/24/24



Brian S. Barton



Overview



Legend

- Address Numbers
- Parcel Numbers
- Parcels
- Roads
- Railroad

Parcel ID	0070-00-028.01	Owner	BARTON BRIANS	Last 2 Sales			
Class Code	Land Only		181 DIXIE SCHOOL RD	Date	Price	Reason	Qual
Taxing	County		LANCASTER, SC	10/8/2018	\$5	SOLD DOES NOT MATCH APPRAISAL RECORD	Q
District	Lancaster		29720	7/11/2007	\$5	LOVE AND AFFECTION	Q
Land Size	2.01	ACRES	Physical Address DIXIE SCHOOL RD				
			Assessed Value				

(Note: Not to be used on legal documents)

Date created: 1/27/2020
Last Data Uploaded: 1/27/2020 8:41:54 AM

Developed by  **Schneider**
GEOSPATIAL

Case Number: RZ-020-0258

Proposal: Rezone from INS to RR

Parcel Description: 0070-00-028.01

Applicant: Candis Lettman

